

# AGENDA

## Council Meeting Agenda Forum

**13 September 2022**

### Notice of Meeting

#### To Mayor & Councillors

A Council Meeting Agenda Forum of the City of Nedlands is to be held on Tuesday, 13 September 2022 in the Council chambers at 71 Stirling Highway Nedlands commencing at 6pm.



Bill Parker  
Chief Executive Officer  
8 September 2022

## Information

Council Meeting Agenda Forum are run in accordance with the City of Nedlands Governance Framework Policy. If you have any questions in relation to the agenda, procedural matters, addressing the Council or attending these meetings please contact the Executive Officer on 9273 3500 or [council@nedlands.wa.gov.au](mailto:council@nedlands.wa.gov.au)

## Public Question Time

Public Questions are dealt with at the Ordinary Council Meeting.

## Deputations

Members of the public may make presentations or ask questions on items contained within the agenda. Presentations are limited to 5 minutes. Members of the public must complete the online registration form available on the City's website: [Public Address Registration Form | City of Nedlands](#)

## Disclaimer

Members of the public who attend Council Meetings Agenda Forum 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.

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## 1. Declaration of Opening

The Presiding Member will declare the meeting open at 6.00 pm and will draw attention to the disclaimer on page 2.

## 2. Present and Apologies and Leave of Absence (Previously Approved)

**Leave of Absence (Previously Approved)**      Councillor B G Hodsdon      Hollywood Ward

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

## 3. Public Question Time

Public questions will be dealt with at the Ordinary Council Meeting.

## 4. Deputations

Deputations by members of the public who have completed Public Address Registration Forms.

## 5. Requests for Leave of Absence

Any requests from Council Members for leave of absence will be dealt with at the Ordinary Council Meeting.

## 6. Petitions

Petitions will be dealt with at the Ordinary Council Meeting.

## 7. Disclosures of Financial Interest

The Presiding Member to remind Council Members 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.

## **8. Disclosures of Interests Affecting Impartiality**

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

Council Members 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). This association is ..... (nature of the interest).

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.

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

This item will be dealt with at the Ordinary Council Meeting.

## **10. Confirmation of Minutes**

This item will be dealt with at the Ordinary Council Meeting.

## **11. Announcements of the Presiding Member without discussion.**

This item will be dealt with at the Ordinary Council Meeting.

## **12. Members Announcements without discussion.**

This item will be dealt with at the Ordinary Council Meeting.

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

For the convenience of the public, the following Confidential items are identified to be discussed behind closed doors, as the last items of business at this meeting.

**14. En Bloc Items**

This item will be dealt with at the Ordinary Council Meeting.

**15. Minutes of Council Committees and Administrative Liaison Working Groups**

**15.1 Minutes of the following Committee Meetings (in date order) are to be received:**

This is an information item only to receive the minutes of the various meetings held by the Council appointed Committees (N.B. This should not be confused with Council resolving to accept the recommendations of a particular Committee. Committee recommendations that require Council's approval should be presented to Council for resolution via the relevant departmental reports).

This item will be dealt with at the Ordinary Council Meeting.

**16. Divisional Reports - Planning & Development Report No's PD58.09.22 to PD63.09.22**

**16.1 PD58.09.22 Consideration of Development Application – Partial change of use to “Small bar” and additions to an existing commercial tenancy (patio) – 161 Broadway, Nedlands**

<b>Meeting &amp; Date</b>	Council Meeting – 27 September 2022
<b>Applicant</b>	Peter Webb & Associates
<b>Employee Disclosure under section 5.70 Local Government Act 1995</b>	The author, reviewers and authoriser of this report declare they have no financial or impartiality interest with this matter. There is no financial or personal relationship between City staff involved in the preparation of this report and the proponents or their consultants.
<b>Report Author</b>	Roy Winslow – Manager Urban Planning
<b>Director</b>	Tony Free – Director Planning and Development
<b>Attachments</b>	1. Aerial Image and Zoning Map 2. Development Plans and Planning Report 3. CONFIDENTIAL ATTACHMENT - Submissions

**Purpose**

The purpose of this report is for Council to consider a development application for a partial change of use to “Small bar” and additions to an existing commercial tenancy (patio) at 161 Broadway, Nedlands (“The Little Way”).

**Recommendation**

In accordance with Clause 68(2)(c) of the Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015, Council refuses the development application in accordance with the plans date stamped 20 June 2022 for a partial change of use to “Small bar” and additions to an existing commercial tenancy (patio) at 161 (Lot 735) Broadway, Nedlands, for the following reasons:

1. The proposed partial change of use to “Small bar” does not meet the objectives of the Local Planning Scheme No. 3 Mixed Use zone in that it is likely to generate parking and noise nuisances detrimental to the amenity of the locality and adjoining residents.
2. The proposal is inconsistent with the City’s Parking Local Planning Policy and has the potential to exacerbate existing parking problems within the locality. The proposed patio addition will limit the future ability for the property to provide parking within the rear of the site.
3. The proposal provides inadequate access to the site, and no arrangement for loading, unloading, manoeuvring and parking of vehicles.

4. **The application has not adequality demonstrated that noise from the premises will achieve compliance with the Environmental Protection (Noise) Regulations 1997.**

## Voting Requirement

Simple Majority.

This report is of a quasi judicial nature as it is a matter that directly affects a person's rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications and other decisions that may be appealable to the State Administrative Tribunal.

The decision must be made in a manner that is impartial, free from bias, and in accordance with the principles of natural justice. The decision must be made in having regard to the facts of the matter under consideration, and in accordance with the relevant laws and policies as they apply to that matter.

Discretionary considerations and judgments in the decision must be confined to those permitted to be considered under the laws and polices applicable to the matter and given such weight in making the decision as the relevant laws and polices permit them to be given.

## Background

### Deferral

This application was previously presented to Council for determination at the 23 August 2022 Ordinary Council Meeting. The application was deferred to the 27 September Council Meeting to allow for additional noise management measures to be presented to Council for consideration.

### Land Details

<b>Metropolitan Region Scheme Zone</b>	Urban
<b>Local Planning Scheme Zone</b>	Mixed Use
<b>R-Code</b>	R-AC3
<b>Land area</b>	769m <sup>2</sup>
<b>Existing Land Use</b>	Restaurant/café
<b>Proposed Land Use</b>	Restaurant/café and Small bar
<b>Use Class</b>	'A' Use

The site is located towards the south end of Broadway within the street block bounded by Hillway to the north and The Avenue to the south. The site is zoned Mixed Use R-AC3. The lots directly abutting the site to the west are zoned Residential R60. On the eastern side of Broadway is the City of Perth Local Government Area and are zoned Residential R80.

The site currently operates as a "restaurant/café" known as "The Little Way".

## History

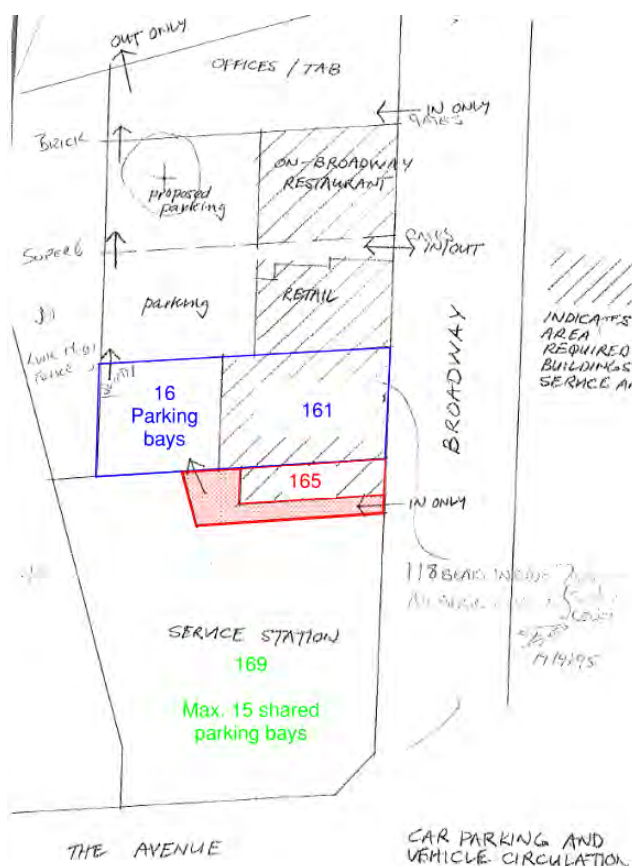
1985 – 1991

The City's records of the subject site begin circa 1985, and the property had a complex history between 1985-1991. During this time, the premises was operating as "Caffe Greco". The City's records contain various correspondence detailing approved seating numbers and car parking arrangements.

1991 Approval

On 7 March 1991, a Change of Use approval for 'restaurant' was granted, subject to a condition of a maximum of 142 seats and minimum 16 car bays on site.

This application required 23 car parking bays, however a reduction to 16 was approved. The 16 parking bays were accommodated at the rear of the lot, with access via 165 (Lot 736) Broadway (**Figure 1**). The City's records show that there was an informal License Agreement in place dated 1992, between the owners of 165 Broadway and 161 Broadway to allow for access over a portion of 165 Broadway to access the parking.



**Figure 1:** 1991 approval - 16 car bays at the rear of 161 Broadway accessed via a License Agreement over the red shaded portion of 165 Broadway. 1993 approval - maximum of 15 car bays shared between Services Station (165 Broadway) and 161 Broadway.



A further application was approved on 29 July 1993 to “extend the car parking for Cafe Greco at 161 Broadway onto the adjoining Shell Service Station property at 169 Broadway” (**Figure 1**). This approval was subject to a satisfactory agreement being negotiated between the two landowners and a maximum of 15 car bays being provided for within 169 Broadway.

### 2015/16 Approvals

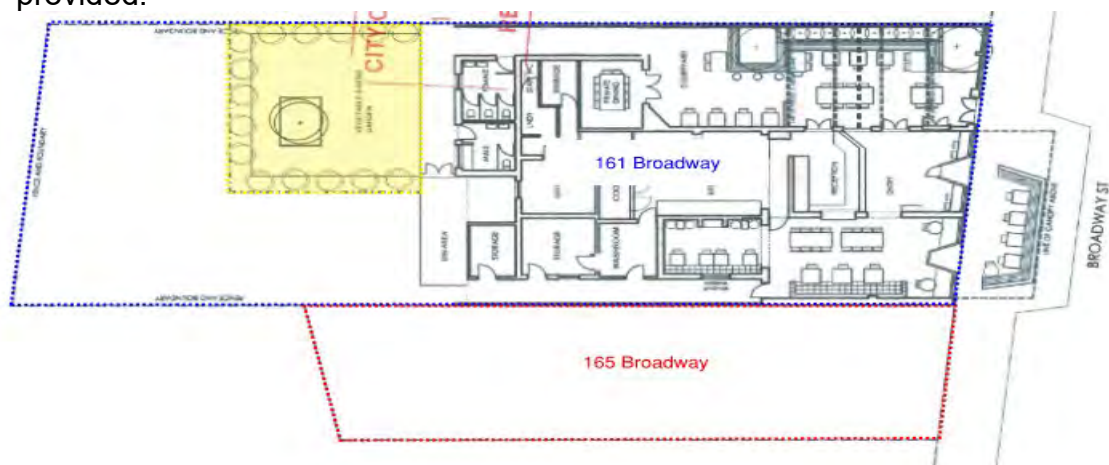
On 25 January 2000 the Council approved a Mixed Use development at 169 Broadway (now 29 The Avenue), the old Service Station site. It is assumed that the redevelopment of this site in effect removed the previous reciprocal parking arrangements with the landowner of 161 Broadway. In August 2000, the informal License Agreement with 165 Broadway was terminated due to a “breach”. The combination of these two factors effectively removed all onsite and offsite parking from 161 Broadway.

In 2015, to address this, the City requested that the applicant lodge a retrospective development application to consider the continuation of the restaurant land use without any onsite parking. At the 27 October 2015 Ordinary Council Meeting, Council resolved to approve the development application for the continuation of the restaurant land use. The approval contained conditions which limited the capacity to 120 seats in total, and restricted opening hours from Monday to Sunday 7:30am - midnight. The approval of this application effectively revoked the 1991 condition for 16 bays to be provided on site. At the Council meeting, it was moved that the following advice note be included on the determination notice:

3. The landowner/applicants are advised that in the event of any future change to the premise being proposed it is unlikely that the approval will be granted unless access to the rear of the property is restored and parking provided in the rear open area.

A second development application was approved at the 27 September 2016 Ordinary Council Meeting for a new 65m<sup>2</sup> outdoor seating area (**Figure 2**). This approval also conditioned the operating hours and 120 seating capacity consistent with the 2015 approval. The application resulted in an increase in the existing car parking shortfall from 60 to 83 bays. A further advice note was placed on the determination notice stating:

1. The landowners/applicants are advised that should any further seats or seating be proposed to the restaurant, there will be a requirement for on-site car bays to be provided.



**Figure 2:** 2016 approval – 65m<sup>2</sup> new outdoor seating area highlighted in yellow

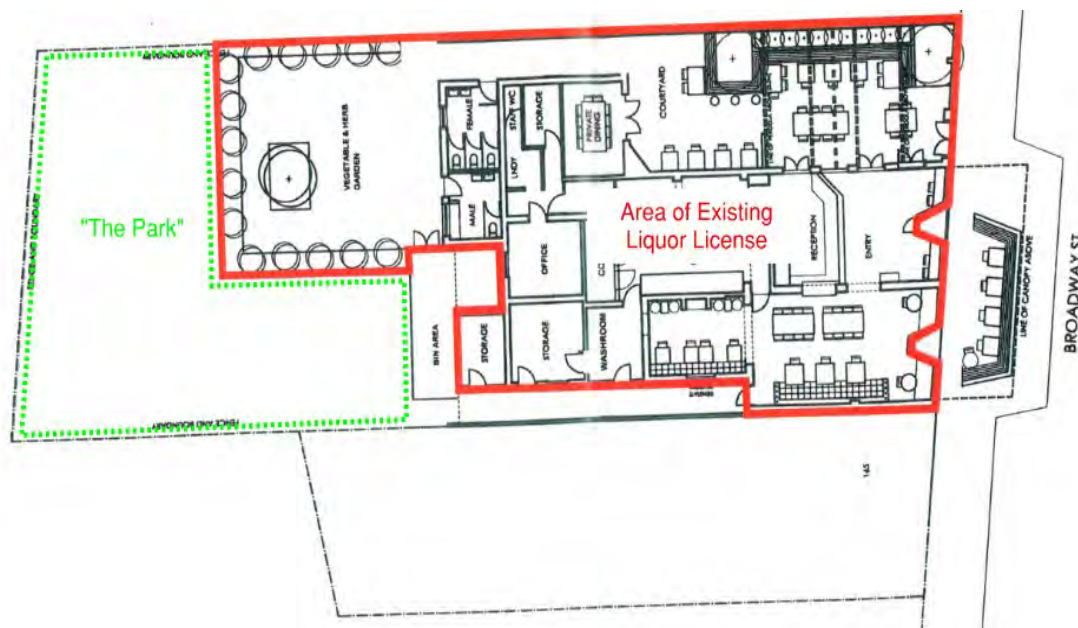
### Current Application

161 Broadway currently holds a Small bar liquor license for part of the premises. On 23 October 2021, the Little Way applied for a Section 40 Certificate to extend the Small bar liquor license into a new 168m<sup>2</sup> outdoor area called “The Park” (**Figure 3**). Upon lodgement of the Section 40 the City became aware that unauthorised works had been undertaken within “The Park” area. A retrospective development application was approved on 14 January 2022 for the following works:

- 1.5m high breezeblock wall;
- 0.8m high limestone planter;
- two x 0.42m high limestone planters; and
- various paving and landscaping works.

Note that car parking was not assessed as part of this application as there was no proposed change to the land use. The land use approval of “Restaurant/café” granted in 2015 currently applies to the whole of the lot.

On 18 November 2021 the City advised that it was not in a position to support the Section 40 application for a “Small bar” as it was inconsistent with the approved ‘Restaurant/café’ land use. The applicant was advised that for the City to issue a Section 40 for The Park area, a development application for a change of use, or partial change of use, to “Small bar” would have to be applied for and approved by the City.



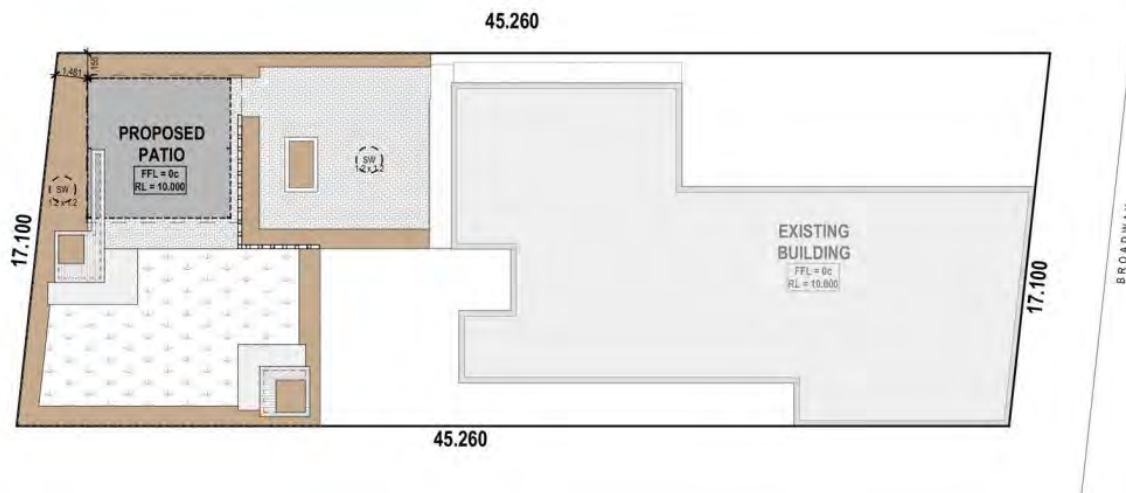
**Figure 3:** Boundary of existing “Small bar” liquor license and proposed area “The Park”

### Application Details

This development application seeks approval for a partial change of use to “Small bar” and a patio addition to the existing “restaurant/café” at 161 Broadway, Nedlands (“The Little Way”), as detailed below.

## Works

The application proposes a skillion roof patio in the rear of the lot in the new outdoor area known as “The Park” (**Figure 4**). The patio measures 6.5m x 6.4m and is a maximum height 3.2m.



**Figure 4:** Patio as proposed by current application.

## Land Use

The application seeks to add a “Small bar” land use to the existing approved land use of “Restaurant/café”. “Small bar” is defined in Local Planning Scheme No. 3 (LPS 3) as being a premises subject of a small bar license granted under the *Liquor Control Act 1988*. The small bar license limits the number of persons who may be on the licensed premises to 120. Should the application be approved, both land uses would apply to the entirety of the lot.

The trading hours approved via the 2015 approval are Monday to Sunday 7.30am – midnight. The application states that there are no proposed changes to the current operating hours which are as follows:

- Monday – Saturday: 7.30am – 10pm.
- Sunday: 7.30am – 3.30pm.

The application proposes a maximum occupancy of 120 people. This is consistent with the 2015 approval (“120 seats”), and the definitions of the “Small bar” land use. There is no proposed increase to the maximum patronage as part of this application.

## Discussion

### Local Planning Scheme No. 3

A “Small bar” is an ‘A’ use within the Mixed Use zone in accordance with LPS 3 Clause 17 Zoning Table. This means that the use is not permitted unless the Local Government has exercised its discretion by granting approval and after conducting public consultation. In considering approving a discretionary land use, the proposal must be consistent with the objectives of the zone.

The proposed partial change of use to “Small bar” in this case is not considered to meet the following objective of the Mixed-Use zone:

To allow for the development of a mix of varied but compatible land uses such as housing, offices, showrooms, amusement centres and eating establishments which do not generate nuisances detrimental to the amenity of the district or to the health, welfare and safety of its residents.

The proposed “Small bar” land use is not considered appropriate given the proximity of the site to residential properties and potential noise concerns, and the lack of parking on site, as further detailed in this report.

### **Noise**

The applicant has provided an Acoustic Assessment to consider the potential noise impact of the “Small bar” land use on adjacent areas. Of particular concern is the impact on the immediately adjoining Residential R60 properties. The site has a history of receiving noise complaints, mostly in relation to live music and private functions. It is acknowledged that the City has not received any noise complaints regarding the venue since 2019. However, adding a patio into the rear of the lot is likely to extend potential noise generating activities closer to the residential lots to the rear.

The premises must comply with *Environmental Protection (Noise) Regulations 1997* (Noise Regulations). To adequately address and control noise emissions from a development, an approach based on the hierarchy of control method should be used, this being:

- Elimination – remove the noise source
- Substitution – use quieter alternatives
- Isolation/Engineering Control - solutions that do not require human interference e.g., permanent barriers, enclosures etc
- Administration – operational measures/noise management plan

Best practice is the use of a combination of control methods. However, the applicant’s Acoustic assessment relies solely on management measures to control noise from the premises, including the proposed rear outdoor area, rather than any engineering solutions. Officers are not supportive of relying solely on management to actively mitigate noise impacts, and an engineering solution should be implemented should the application be considered for approval.

The applicant’s acoustic report notes “there is reasonable risk of exceeding Assigned Noise Levels, particularly in the context of the rear outdoor area and residences to the immediate southwest”, and that “the outdoor garden areas would further benefit from sound absorptive panels”. Despite this advice from the applicant’s Acoustic consultants, no acoustic absorptive panels or similar have been proposed as part of this application.

The acoustic report notes that a 3.2m high wall with sound absorptive material facings would be effective towards achieving compliance with the Noise Regulations assigned noise limits. Should the application be considered for approval, the City would recommend that the application be deferred to facilitate further discussions with the applicant in relation to noise

management. The provision of a sound absorptive wall is considered a sub-optimal measure.

Further, the sound modelling of the proposed wall is based only on the existing surrounding development. The abutting R60 coded properties may accommodate residential development up to three storeys. Should these properties choose to redevelop to this extent, the 3.2m high sound absorptive wall would likely be inadequate to ensure the top floors are protected from noise.

Wholistically it is not appropriate to entertain a “Small bar” land use in an unenclosed space which abuts residential properties.

### Parking Local Planning Policy

Car parking requirements for commercial development are defined within the City’s Parking Local Planning Policy (Parking LPP). The Parking LPP is not clearly applied where a single tenancy contains multiple land uses. For the purposes of this assessment, only the additional 168m<sup>2</sup> of seating/public area proposed as ‘The Park’ has been considered, and an average of the ‘Restaurant/café’ and ‘Small bar’ land uses has been regarded, as detailed in **Table 1**.

<b>Table 1: Parking LPP Assessment</b>			
Land Use	LPP provisions	Required	Available on Site
Restaurant/Cafe	1 per 2.6m <sup>2</sup> of restaurant seating area or 1 per 2 persons (whichever is greater)	65 bays	Nil
Small Bar	1 per 1.3m <sup>2</sup> of bar and public areas (excluding toilets); <u>and</u> 1 per employee.	129 bays	
Average		<b>97 bays</b>	

It is important to note that the 2016 approval, approved a shortfall of 83 car bays. In considering the entire site, this application seeks to increase the overall parking shortfall to 180 bays.

It is acknowledged that it would not be feasible to provide 180 car bays on the site. Given the planning approval limits the patrons to 120, it may be appropriate, given the limitations of the Parking LPP to consider that maximum parking shortfall as 120 bays.

Along Broadway there is one hour street parking available, time limited between 8am-5pm weekdays. Whilst this can be used by customers of the Little Way, the street parking is not plentiful, having only 7 bays available on the western side of Broadway between Hillway and The Avenue. Further, the street parking does not cater to staff, who require parking for extended periods of time.



The City’s records show that staff and owners of the subject site have previously contacted the City with complaints about the lack of street parking available and requesting parking permits. The City does not offer parking permits for business proprietors. Other businesses in the area utilise a combination of both on-site parking and street parking.

There are some public transport options available including the No. 24 Bus to Claremont station with a stop approximately 130m from the site and the Purple CAT bus with a stop 210m from the site.

It is acknowledged that there is no proposed increase in the patron numbers as a result of this application. Thus, the proposed use of The Park as part of the “Small bar” use, may have little, if any additional impact on parking demand within the area. The proposal is contrary to the Council’s advice of 2015 and 2016, being that any change to the premise would require the provision of car parking on site. Practically parking being provided on site will require, the formal agreement of adjacent landowner, with No. 153 Broadway providing the most practical access, to facilitate the provision of 4 bays on No. 161 Broadway, the loss of bays on No. 153 and the inability of the proposed patio to go ahead. Further modifications at No. 161 could facilitate up to 12 car parking spaces on site. Other access options would require further modifications at No.161 and/or agreement with other landowners.

### Cash in Lieu

The City does not currently have a Payment in Lieu of Parking Plan and the imposition of cash in lieu for the shortfall in parking is not an option in consideration of this development application.

## Consultation

The development application was advertised in accordance with the City’s Local Planning Policy - Consultation of Planning Proposals to owners and occupiers within a 100m radius of the site. The application was advertised for a period of 14 days from 10 May to 24 May 2022. At the close of the advertising period, four objections and three submissions of support were received.

**Table 2** provides a summary of the objections raised and the Administration’s responses.

<b>Table 2: Summary of Submissions</b>	
Concern	Response
<p>Noise</p> <ul style="list-style-type: none"> <li>Noted history of the premises receiving noise complaints.</li> <li>Concerns with the open-air area resulting in excessive noise.</li> </ul>	<p>This concern is upheld and is one of the reasons refusal is recommended. Should Council approve the application it is recommended that a 3.2m high sound absorptive panels be installed to partially mitigate potential noise issues.</p>
<p>Parking</p> <ul style="list-style-type: none"> <li>Oppose no on-site parking.</li> <li>Existing customers parking on private property of neighbouring businesses.</li> </ul>	<p>This concern is upheld and is one of the reasons refusal is recommended. It is considered that the applicant should provide evidence demonstrating that the possibility of rear access, or alternate parking arrangements, have been thoroughly</p>

	investigated prior to any further parking shortfall being granted.
<p>Land Use</p> <ul style="list-style-type: none"> <li>Concerns regarding the potential use as a function centre.</li> </ul>	<p>The application is for a partial change of use to “Small bar” and does not seek any “Reception Centre” land use. A “Reception Centre” is an ‘X’ use in the Mixed Use Zone.</p> <p>It is acknowledged that the City has previously provided advice to The Little Way in 2019 that informal functions can occur ancillary to the existing ‘Restaurant/café’ land use subject to the following:</p> <ul style="list-style-type: none"> <li>Maximum 50 persons (within the total 120 person seating limit); and</li> <li>May include sectioning off an area from the general public, but not the entire restaurant.</li> </ul> <p>This advice remains unchanged.</p>

## Strategic Implications

This item relates to the following elements from the City’s Strategic Community Plan.

**Vision**            Our city will be an environmentally-sensitive, beautiful and inclusive place.

**Values**            **Great Natural and Built Environment**  
We protect our enhanced, engaging community spaces, heritage, the natural environment and our biodiversity through well-planned and managed development.

### Priority Area

- Urban form - protecting our quality living environment

## Budget/Financial Implications

N/A

## Legislative and Policy Implications

Council is requested to make a decision in accordance with clause 68(2) of the [Deemed Provisions](#). Council may determine to approve the development without conditions (cl.68(2)(a)), approve with development with conditions (cl.68(2)(b)), or refuse the development (cl.68(2)(c)).

## Decision Implications

If Council resolves to approve the proposal, development can proceed after receiving a Building Permit and necessary clearances.

In the event of a refusal, the applicant will have a right of review to the State Administrative Tribunal. The Tribunal will give regard to the City of Nedlands Local Planning Scheme No. 3 and the *Deemed Provisions*. Similarly, should an applicant be aggrieved by one or more conditions of approval, this can be reviewed by the Tribunal

## Response to Deferral Request

Officers have met with the applicant and the operator of the café and discussed the noise management issues, with the intent of arriving at an agreed position on the management of noise for the purpose of achieving the best possible outcome in the event that Council was of a mind to approve the application.

At the time of writing, an agreed position has not been finalised. Prior to the Council meeting agenda being circulated officers will be in a position to provide Council with a clear picture of the situation in relation to noise management.

## Conclusion

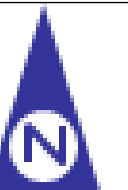
The application for a development description has been presented for Council consideration due to being an 'A' use class permissibility and objections being received. The proposal is not considered to achieve the objectives of the Mixed Use zone and may result in adverse impact to the amenity of the area and neighbouring properties in relation to noise and parking.

Though the total number of 120 patrons is not proposed to increase, the addition of a covered structure to the rear of the site will increase the use of this area. This brings sustained noise generating activities closer to the residential zones to the rear, which will impact residential amenity. Further, the extended use of the rear of the site and the patio will preclude any potential for future care parking and vehicle access. Accordingly, it is recommended that the application be refused by Council.

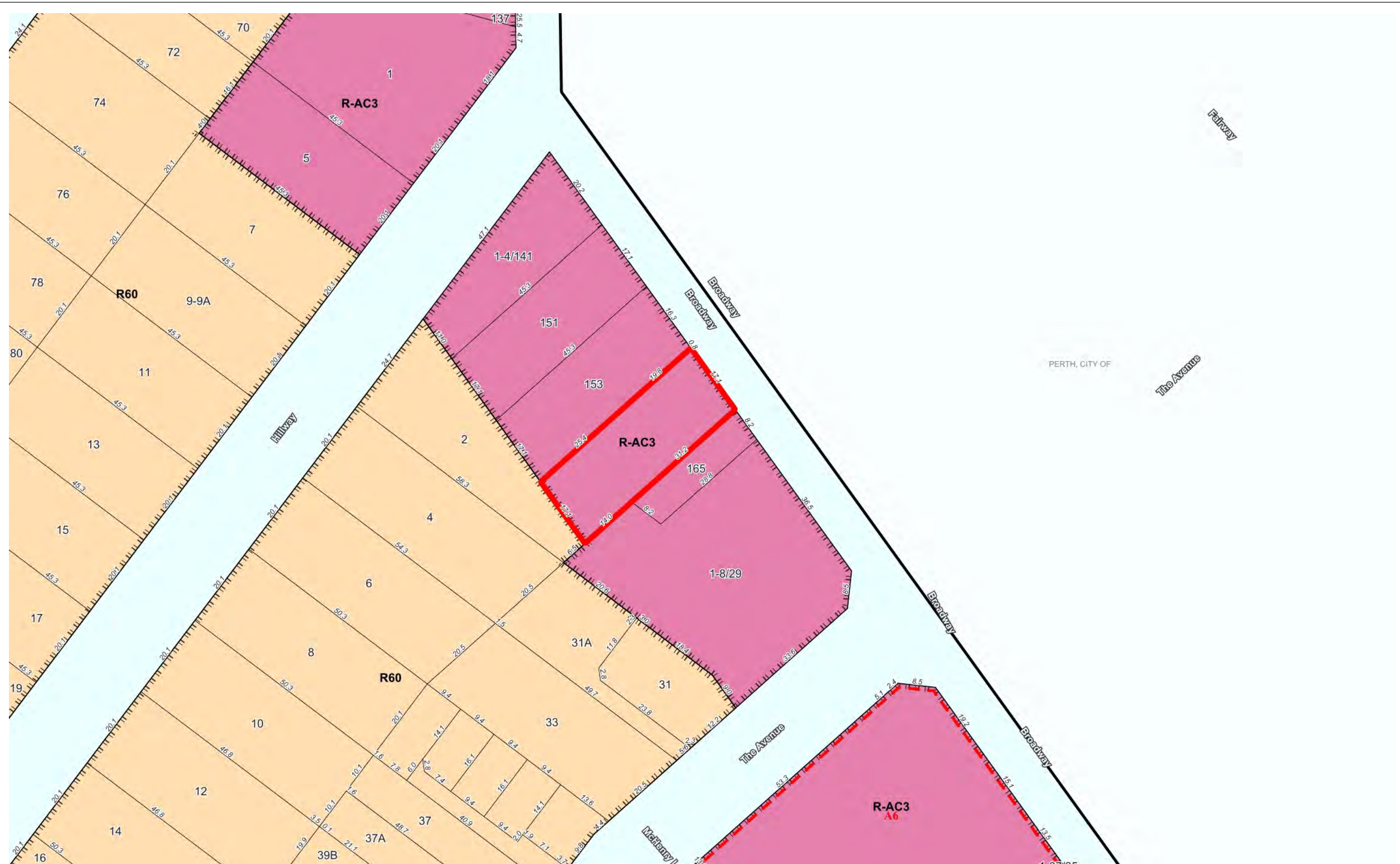
## Further Information

Nil.









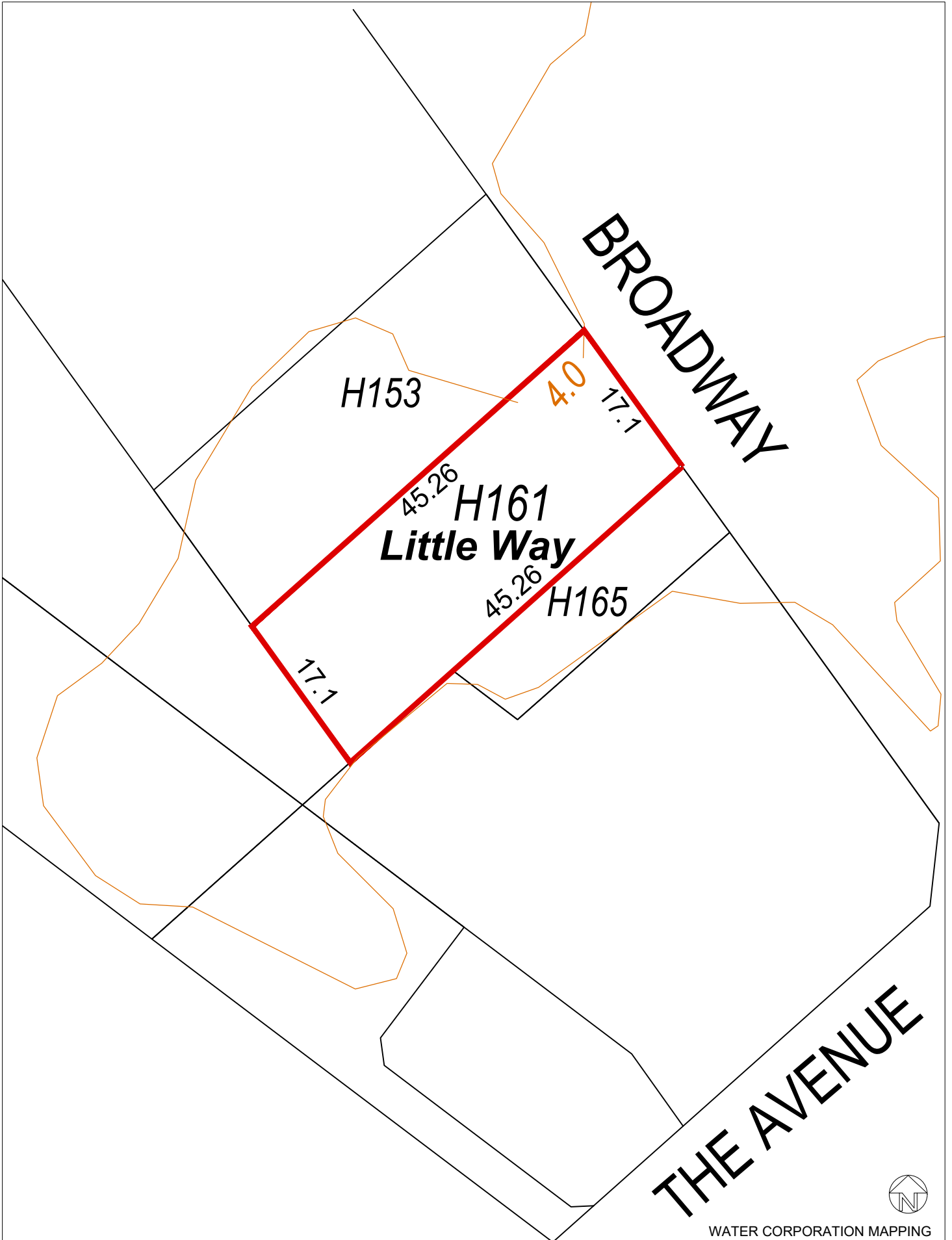
The City of Nedlands accepts no responsibility for the accuracy of this image or the results of any actions taken when using this image

Zoning Map

6/07/2022

1:800





# CONTOUR MAPPING

LITTLE WAY - 161 BROADWAY, NEDLANDS

1:200@A4/P2485-01/27.04.22

PETER WEBB AND ASSOCIATES



WATER CORPORATION MAPPING



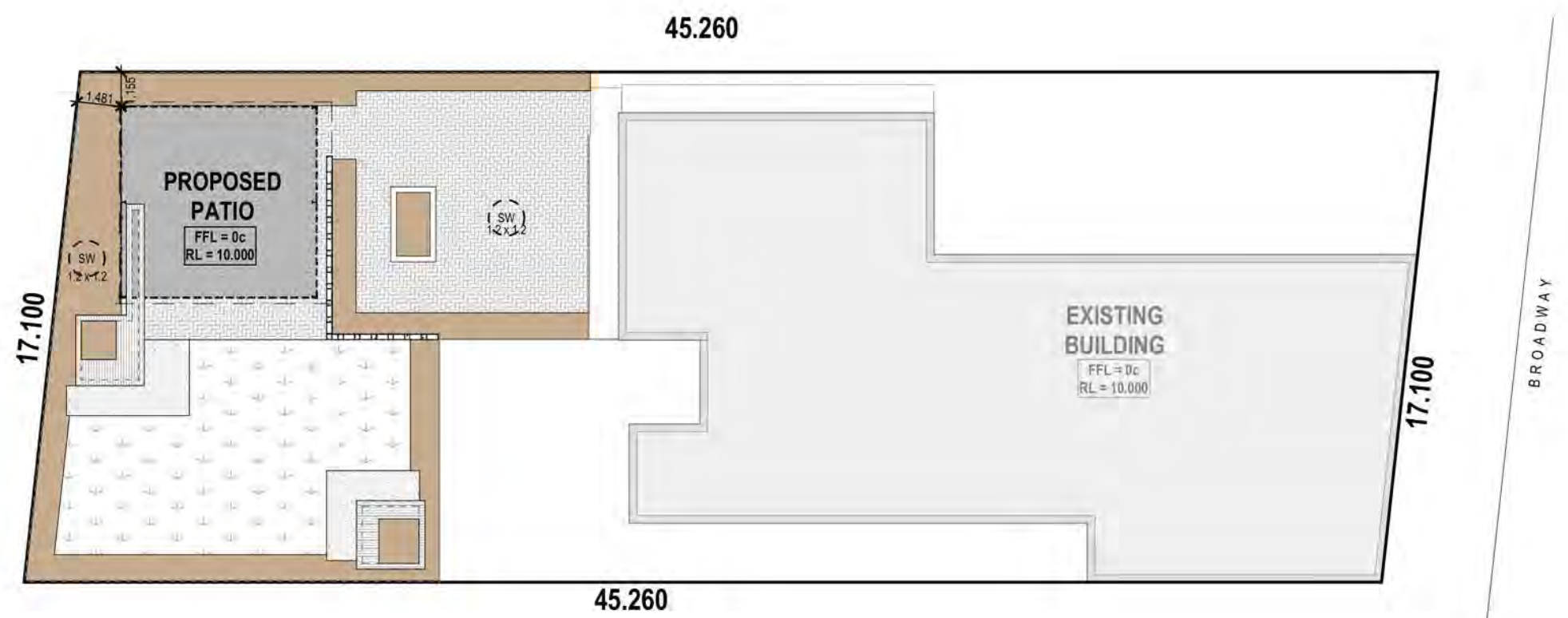


No.	Soak Well Type
2.7 m <sup>3</sup>	2 SW 1200x1200
2.7 m <sup>3</sup>	Total Capacity
47.5 m <sup>2</sup>	Roof Area GF
77.0 m <sup>2</sup>	Paved Area
<b>124.5 m<sup>2</sup></b>	Total Area
<b>1.6 m<sup>3</sup></b>	Capacity Required (Area x 0.0125)
<b>1.2 m<sup>3</sup></b>	Extra Capacity Provided

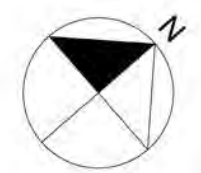
NOTE: ALL DOWNPIPES CONNECTED TO SOAKWELLS WITH PVC STORMWATER PIPE. LOCATIONS ARE INDICATIVE ONLY AND MAY BE REPOSITIONED TO SUIT SITE CONDITIONS.

AREA STATS	
<b>EXISTING AREAS</b>	
BUILDING	293.70
<b>PROPOSED AREAS</b>	
PATIO	41.57
	<b>335.27 m<sup>2</sup></b>
<b>ROOF AREAS GF:</b>	
ROOF AREA ON SLOPE	47.52
ROOF AREA ON FLAT	47.34
<b>PAVED AREAS</b>	
PATH	117.37
	<b>117.37 m<sup>2</sup></b>

NOTE: Boundary Measurements are Approximate only.

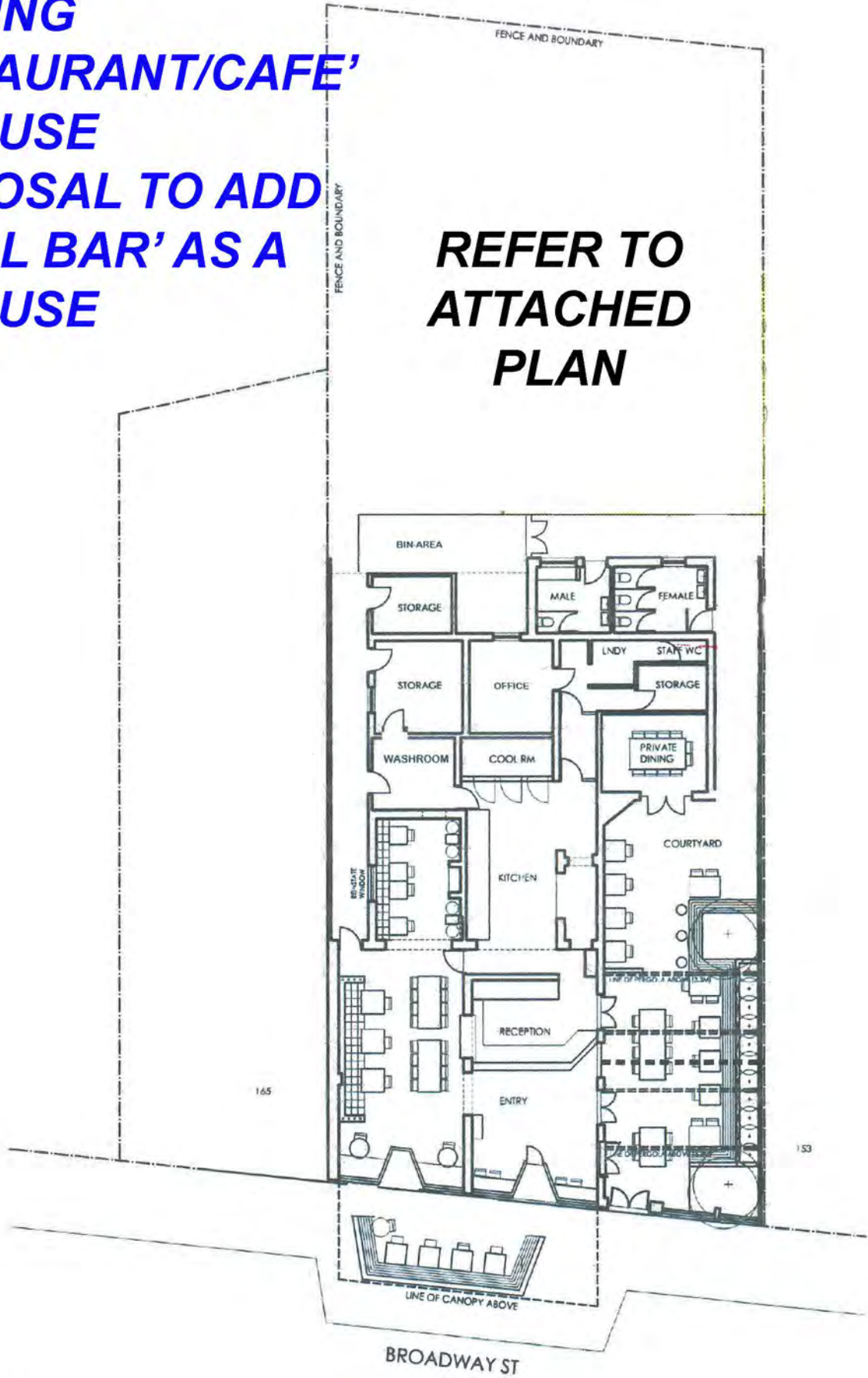


**SITEPLAN**  
1:200



**LITTLE WAY:  
EXISTING  
'RESTAURANT/CAFE'  
LAND USE  
PROPOSAL TO ADD  
'SMALL BAR' AS A  
LAND USE**

**REFER TO  
ATTACHED  
PLAN**



161 BROADWAY ST, NEDLANDS (LOT: 735 D/P: P002948 735)

DA

Drawing  
**EXISTING SITE**

Scale  
**1:200**

Date  
**26/05/15**

Drawing No.  
**00.101**



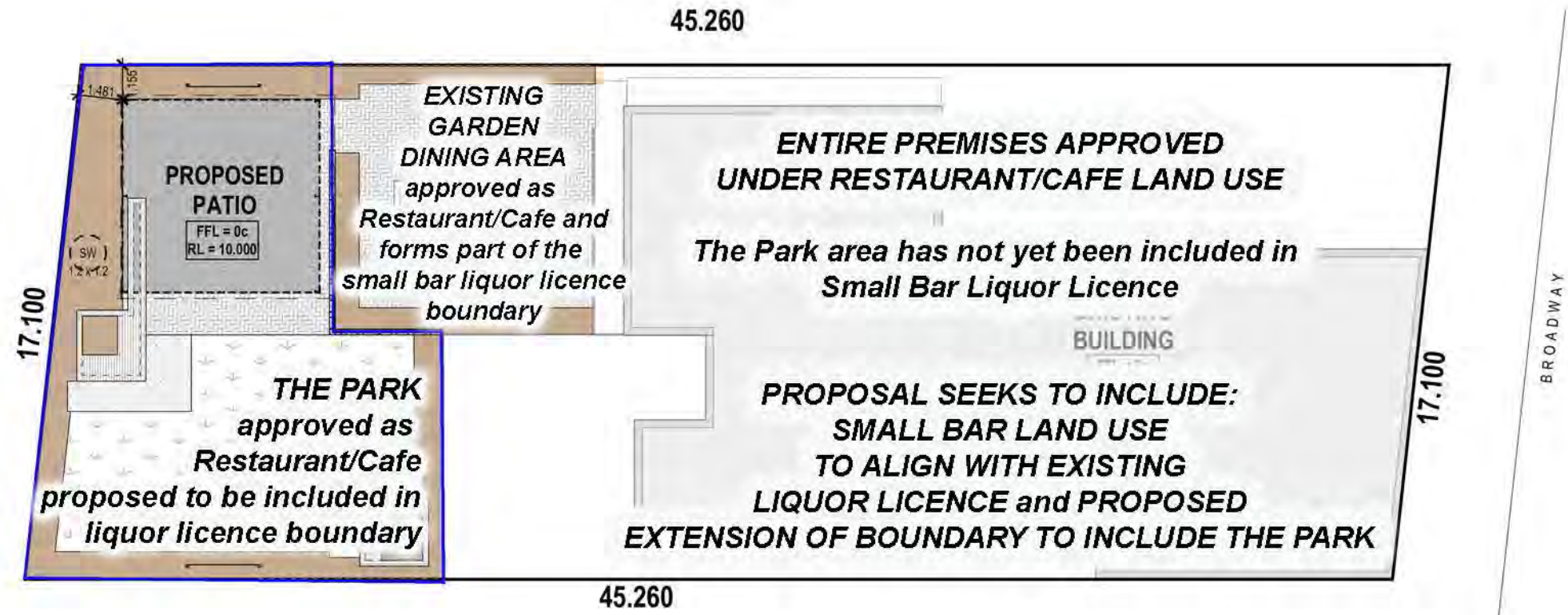


No.	Soak Well Type
2.7 m3	2 SW 1200x1200
2.7 m3	Total Capacity
47.5 m2	Roof Area GF
77.0 m2	Paved Area
124.5 m2	Total Area
1.6 m3	Capacity Required (Area x 0.0125)
1.2 m3	Extra Capacity Provided

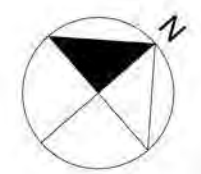
NOTE: ALL DOWNPIPES CONNECTED TO SOAKWELLS WITH PVC STORMWATER PIPE. LOCATIONS ARE INDICATIVE ONLY AND MAY BE REPOSITIONED TO SUIT SITE CONDITIONS.

AREA STATS	
<b>EXISTING AREAS</b>	
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ROOF AREA ON FLAT	47.34
<b>PAVED AREAS</b>	
PATH	117.37
	<b>117.37 m<sup>2</sup></b>

NOTE: Boundary Measurements are Approximate only.



SITEPLAN  
1:200





### AREA STATS

EXISTING AREAS	
BUILDING	293.70
PROPOSED AREAS	
PATIO	41.57
	<b>335.27 m<sup>2</sup></b>
ROOF AREAS GF:	
ROOF AREA ON SLOPE	47.52
ROOF AREA ON FLAT	47.34

**DIMENSION NOTE:**

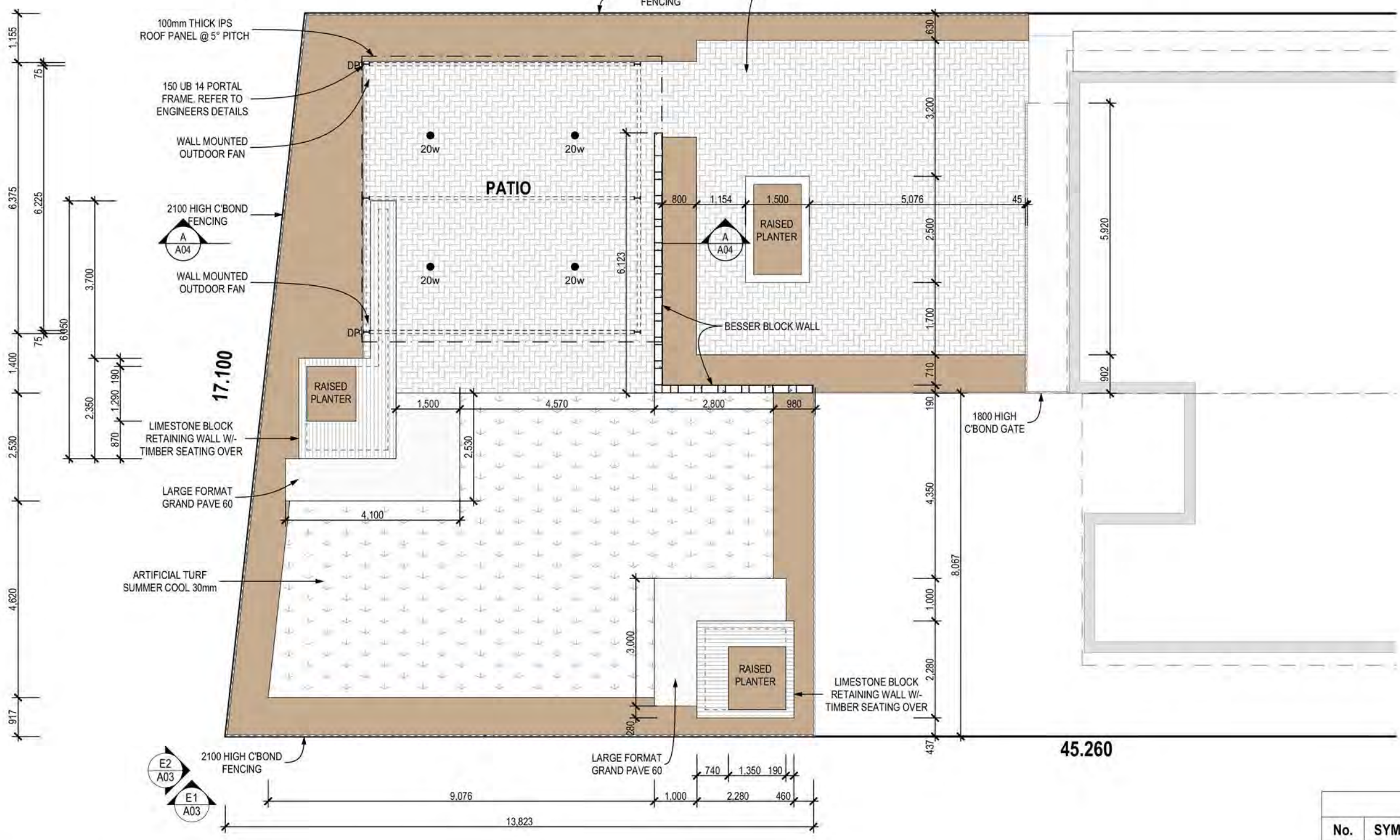
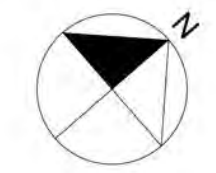
- DO NOT SCALE OFF DRAWINGS. ALL MEASUREMENTS ARE IN MILLIMETRES UNLESS NOTED OTHERWISE.
- CONTRACTORS SHALL CHECK ALL DIMENSIONS & SITE CONDITIONS PRIOR TO COMMENCING FABRICATION OR CONSTRUCTION. ANY DISCREPANCIES TO BE BROUGHT TO THE SUPERVISORS ATTENTION.
- ALL SIZES SHOWN ARE WITHOUT PLASTER (UNLESS NOTED OTHERWISE) AND SHOULD BE ALLOWED FOR.

**STEEL FRAMING NOTE:**

- STEEL FRAMING TO BE CONSTRUCTED IN ACCORDANCE WITH AS.4100 - STEEL STRUCTURES AND AS.4600 - COLD FORMED STEEL STRUCTURES
- REFER TO ENGINEERS DETAILS.

**BUILDER NOTES:**

- THESE DRAWINGS ARE TO BE READ IN CONJUNCTION WITH THE ENGINEERING DRAWINGS, AND IF APPLICABLE ANY CONTRACT DOCUMENTATION INCLUDING ADENDAS, VARIATION OR SPECIFICATIONS.
- BUILDER TO CONSTRUCT RESIDENCE IN ACCORDANCE WITH THE NATIONAL CONSTRUCTION CODES NCC 2016 & ALL APPLICABLE AUSTRALIAN STANDARDS.



ELECTRICAL LEGEND GF		
No.	SYMBOL	TYPE
4	● 20w	RECESSED LED DOWN-LIGHT (20w)

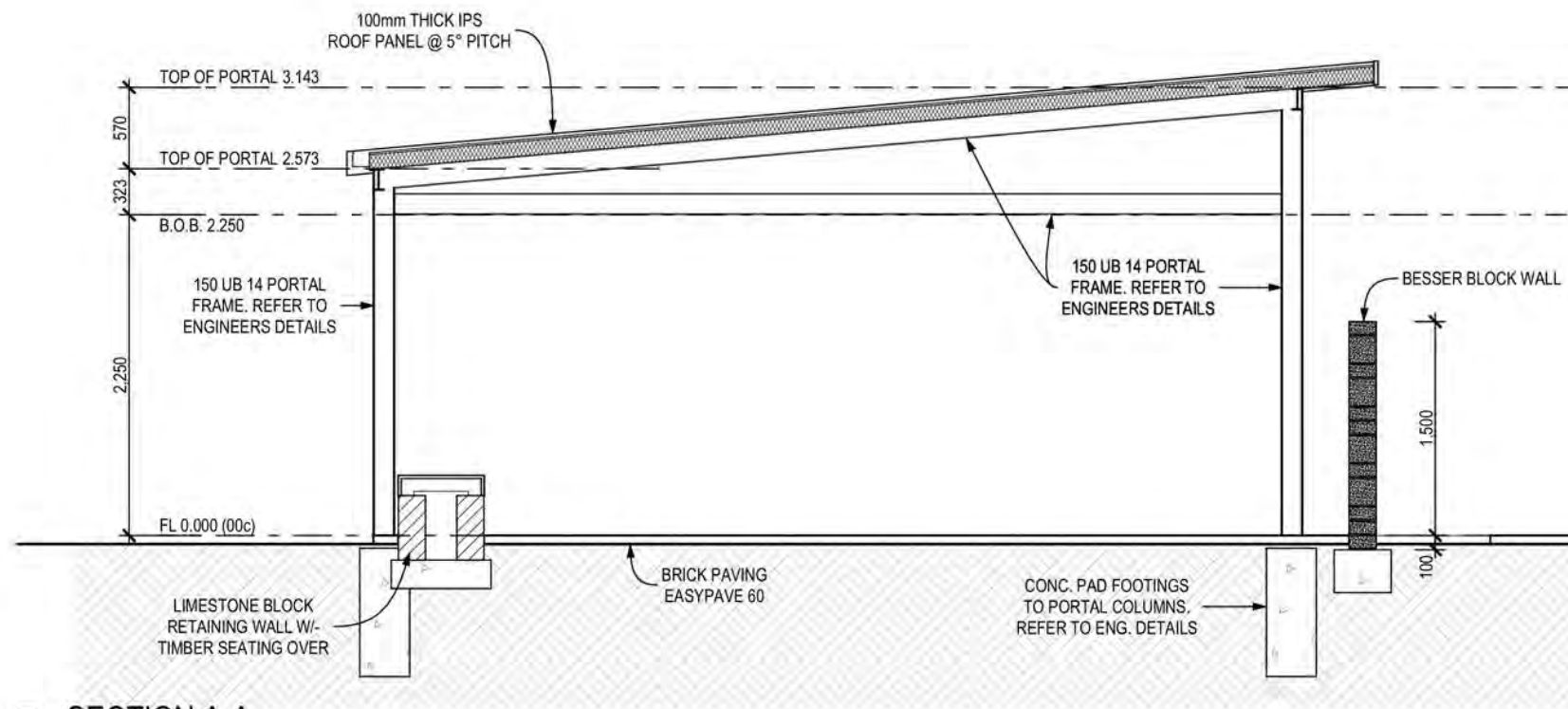
**NOTE:**

- ELECTRICAL POINTS MAY BE RELOCATED ONSITE TO SUIT CURRENT STATUTORY REQUIREMENTS.

**FLOORPLAN**  
1:100

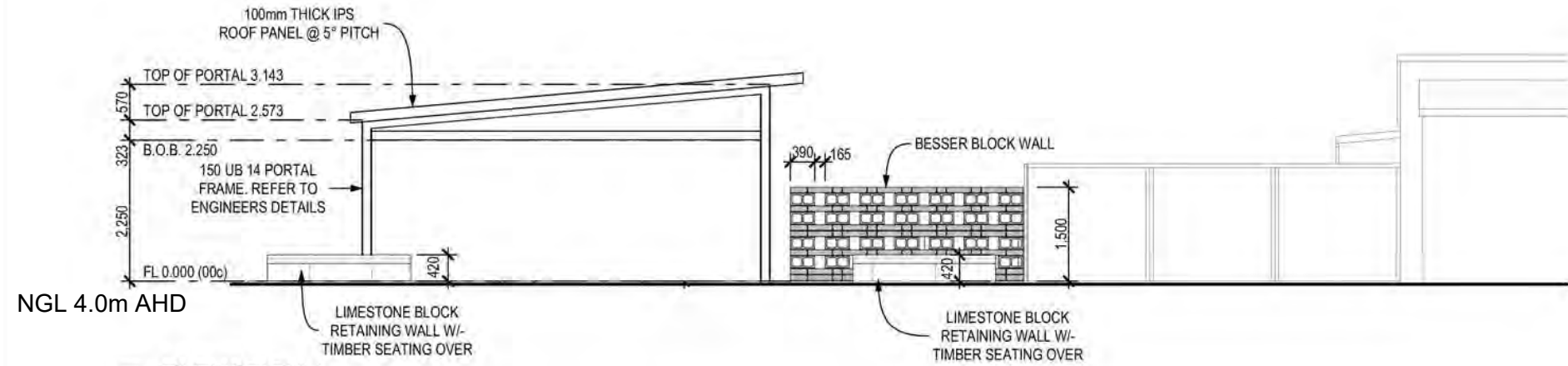
<p><b>REVELL LANDSCAPING</b></p> <p>A: Unit 6 / 26 River Rd, Bayswater P: 08 9379 9686 E: info@revell.com.au W: www.revell.com.au</p>	© 2021 Revisions: 1:- 5- 2:- 6- 3:- 7- 4:- 8-	PROPOSED PATIO & LANDSCAPING  FLOORPLAN	LITTLE WAY  161 BROADWAY NEDLANDS	Drawn: J.Reynolds Status: BL Date: 20/09/2021	Scale as shown @ A3  Sheet: A02	Project No: 11410  Printed: 20/09/2021
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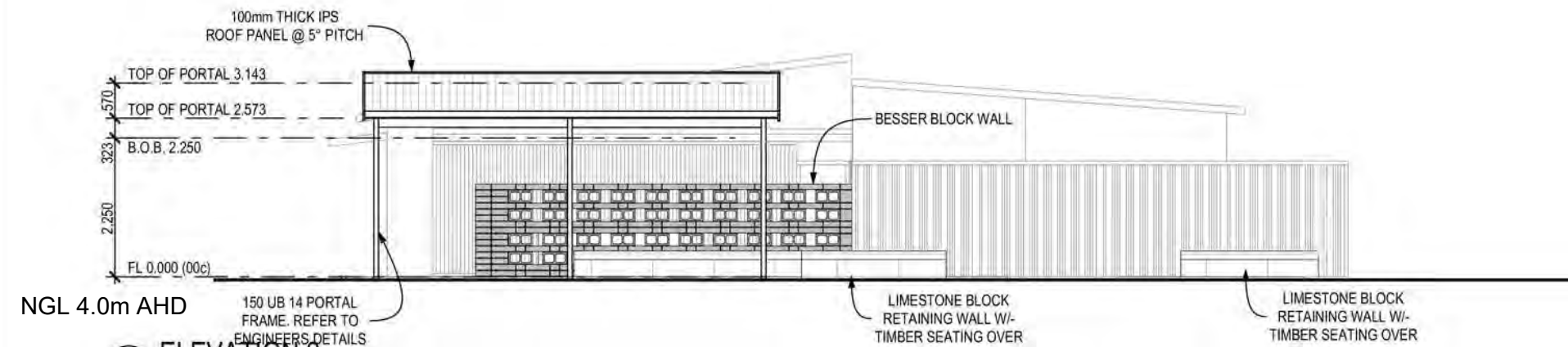


**SECTION A-A**  
1:50

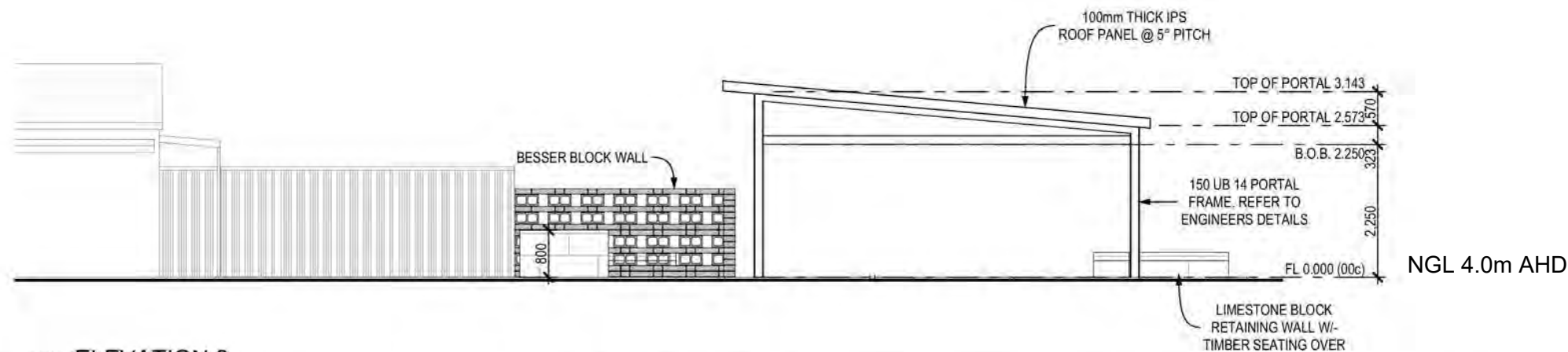




**E1**  
ELEVATION 1  
1:100  
**NORTH WEST**



**E2**  
ELEVATION 2  
1:100  
**NORTH EAST**



**E3**  
ELEVATION 3  
1:100  
**SOUTH EAST**

© 2021  

**REVELL LANDSCAPING**  
 A: Unit 6 / 26 River Rd, Bayswater P: 08 9379 9686 E: info@revell.com.au W: www.revell.com.au

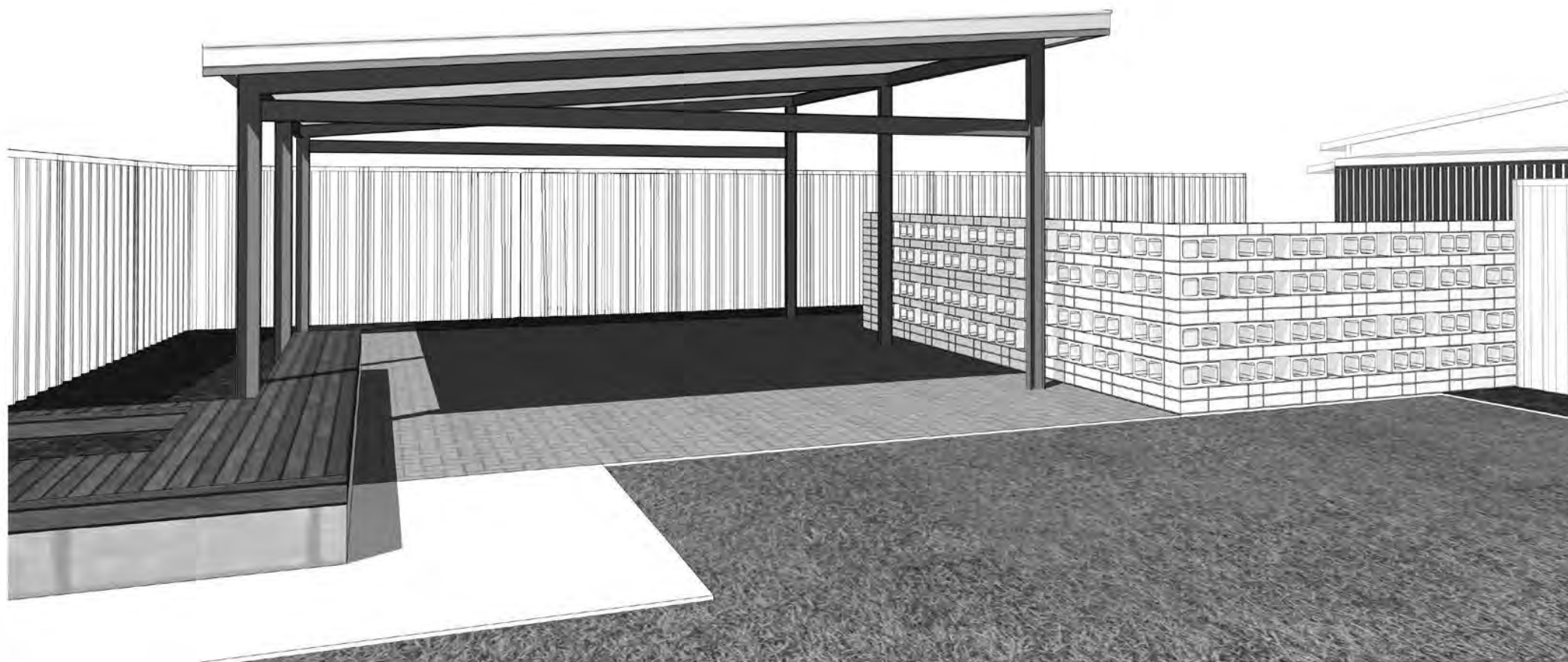
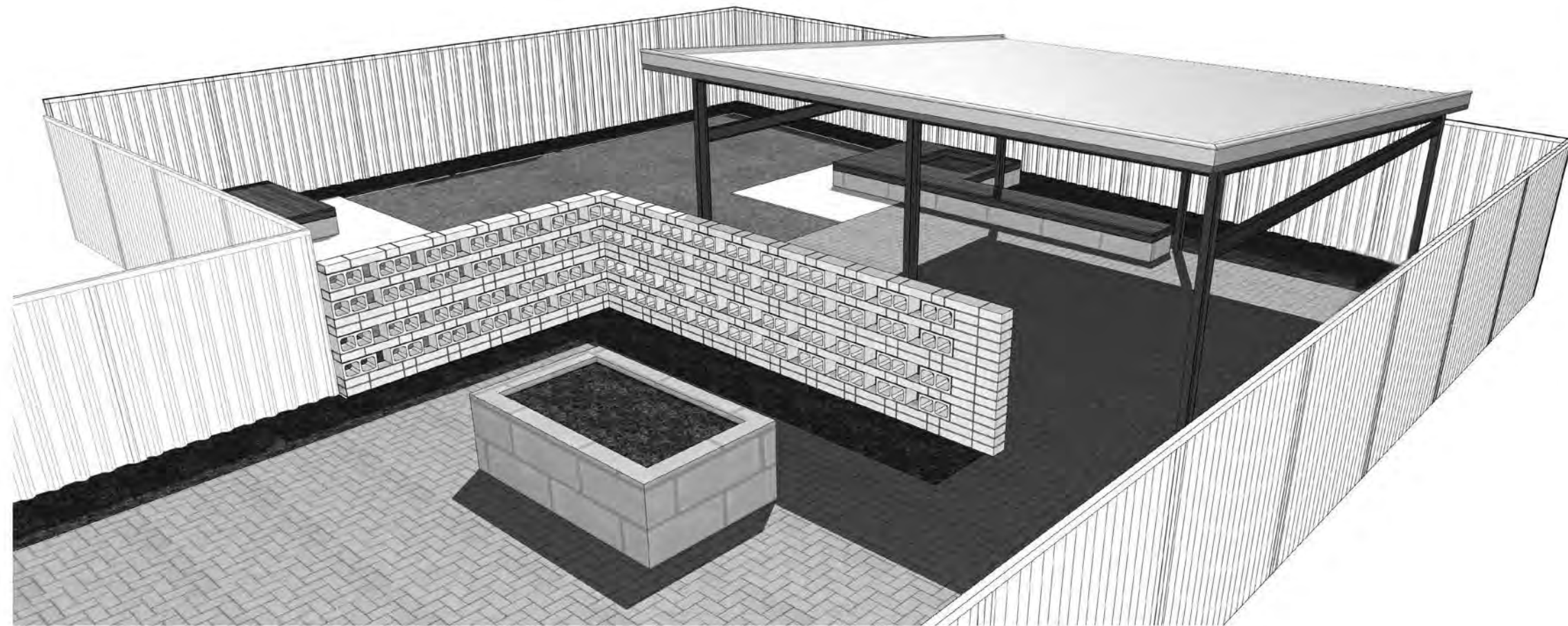
Revisions:	
1:-	5:-
2:-	6:-
3:-	7:-
4:-	8:-

**PROPOSED PATIO & LANDSCAPING**  
**ELEVATIONS**

**LITTLE WAY**  
161 BROADWAY NEDLANDS

Drawn: J.Reynolds	Scale as shown @ A3	Project No: <b>11410</b>
Status: BL	Sheet: <b>A03</b>	Printed: 20/09/2021
Date: 20/09/2021		







## PLANNING APPLICATION

### LITTLE WAY

**Subsequent (Retrospective) Approval**

*to include*

**'Small Bar'**

*to the existing approved*

**'Restaurant' use**

*(to align use with the existing*

*Small Bar Liquor Licence)*

*and*

**Approval**

*for*

**a proposed patio**

*in the*

**newly landscaped garden**



## PLANNING APPLICATION

Prepared by:

**PETER WEBB & ASSOCIATES**

PO Box 920  
SUBIACO WA 6904  
M: 0414 384 972  
E: [clare@webbplan.com.au](mailto:clare@webbplan.com.au)

Consultant: Clare McLean  
Job Number: C2485  
Version/Date: 16 June 2022

Prepared for:

**TJ HOLDINGS PTY LTD,**  
*trading as LITTLE WAY*

## EXECUTIVE SUMMARY

This Application seeks approval for the following land use and development works at *Little Way*.

The following proposals are sought to support the existing and continued operation of *Little Way* in its current format and in accordance with the existing maximum capacity requirement of 120 patrons being permitted at the venue at any one time.

1. Subsequent (retrospective) approval is sought to address the technical issue which has arisen from the venue operating under a 'Small Bar' liquor licence granted under the *Liquor Control Act 1988* and in accordance with the *Section 39 (S39)* and *Section 40 (S40)* Certificates issued by the *City of Nedlands (City)* on 1 and 14 December 2020, respectively. These Certificates confirm that *Little Way* complies with all the relevant planning laws of the City, namely *Local Planning Scheme No. 3 (LPS 3)*. The City issued S39 and S40 after confirming in writing to *Little Way* that the existing operations of the use of the premises by *Little Way* can occur under a 'Small Bar' liquor licence without being in breach of the approved land use of 'Restaurant/Café' for the venue. The City has however more recently advised *Little Way* that it cannot extend the Small Bar liquor licence to include the newly landscaped portion of the rear garden area as it is considered inconsistent with the approved land use of 'Restaurant/Café' for this area. At present, the City has advised that it can only support a 'Restaurant' liquor licence over this newly landscaped area. It is not possible to obtain approval for a business to hold two (2) different types of liquor licences. Therefore, in order to rectify this technical issue and allow the City to issue a S40 Certificate Application to extend the boundary of the Small Bar liquor licence to include this newly landscaped area, this Application seeks approval to include the 'Small Bar' land use classification as defined in the City's LPS 3 to the existing approved land use of 'Restaurant/Café'.
2. This Application also seeks approval to construct a fixed patio structure for shade purposes over portion of the newly landscaped section at the rear of the site.

The land and project details are described in the following Summary Table (**Table 1**).

<i>Landowner:</i>	<i>Jacqueline Jo Elizabeth and Zane Charles Norman Leased to Little Way: TJ Holdings Pty Ltd</i>
<i>Property Description:</i>	<i>Lot 735 (No. 161) Broadway, Nedlands</i>
<i>Area:</i>	<i>769m<sup>2</sup></i>
<i>Certificate of Title:</i>	<i>Volume 1902, Folio 797</i>
<i>Approval Authority:</i>	<i>City of Nedlands</i>
<i>Planning Scheme:</i>	<i>Local Planning Scheme No. 3</i>
<i>Zoning:</i>	<i>Mixed Use (RAC-3)</i>
<i>Proposal:</i>	<i>This Application seeks: subsequent approval to include 'Small Bar' as an approved land use to the existing approved 'Restaurant/Cafe' land use in order to align the use with the existing approved Small Bar Liquor Licence and allow for it to be extended over the rear landscaped garden; and approval to construct a patio structure in the newly landscaped area at the rear of the site.</i>

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## 1.0 INTRODUCTION

*Peter D Webb and Associates (PWA)* act for *TJ Holdings Pty Ltd* (trading as *Little Way*), which Company leases the tenancy at Lot 735 (No. 161) Broadway, Nedlands from the landowners, *Jacqueline and Zane Norman*, for its current Restaurant/Café (and the occasional cocktail function) use as *Little Way*.

This Application is submitted on behalf of *Little Way* in order to seek subsequent approval to add 'Small Bar' to the existing approved 'Restaurant/Café' land use classification applied to the subject premises.

The inclusion of the 'Small Bar' land use is proposed to align the approved land use classifications for the venue with the existing use of the premises and the approved 'Small Bar' liquor licence. This is required in order to allow for the City to issue a S40 Certificate for a minor extension of the Small Bar liquor licensed boundary to include the newly landscaped section of the rear garden (known as **The Park**). *The Park* incorporates the remaining area of the existing rear garden, which has recently been landscaped and is approved for use under the 'Restaurant/Café' land use, pursuant to LPS 3. The area is currently enjoyed by patrons at *Little Way*, albeit in a disjointed manner, as patrons are required to leave their alcoholic beverages within in the section of the garden dining area which is currently licenced before entering this new area of the garden. This is due to *The Park* not yet forming part of the licensed area.

This Application also seeks approval to construct a patio structure within the newly landscaped portion of *The Park*.

Accordingly, please find attached the completed Development Application Form 1, which is signed by the landowners, the necessary plans to support the application. **The required Application fee for \$1032.00 will be submitted to the City on receipt of the invoice**, which fee is calculated to include \$147.00 (based on the cost of development for the patio structure being not more than \$50,000.00) together with the amount of \$885.00 for the request for subsequent approval to include the land use category of Small Bar, pursuant to LPS 3).

The following report details the relevant background, design, and planning justification in support of this proposal.



## 2.0 LOCATION AND SITE PARTICULARS

The landholding the subject of this Application is described on Certificate of Title Volume 1902, Folio 797 and Plan 2948 as being Lot 735 (No. 161) Broadway, Nedlands. The landholding comprises of an approximate land area of 769m<sup>2</sup>. (Refer to **Annexure 1**: Certificate of Title.)

The subject tenancy occupied by *Little Way* forms part of the row of traditional shopping tenancies which are located on the south western side of Broadway and is located 80 metres (walking distance) from Steve's Hotel. The tenancies are listed on the City's Municipal Heritage Inventory as the City recognises the significance of these traditional forms of shops to the community. The other existing uses operating from the tenancies include: *Broadway Pizza*; *Duet Property Group*; and the *Vina Vietnamese Café and Restaurant*. The area also provides a range of residential housing options, including single dwellings and apartments which are located on the upper level of the mixed-use development on the western corner of the intersection of The Avenue and Broadway and the upper levels at Steve's Hotel. The range of land uses in the immediate vicinity of the premises are identified at **Figure 1**: Location Plan.



**Figure 1:** Location Plan

(source: SLIP/AERIAL 2022)

There are site constraints associated with *Little Way* operating from this tenancy. The subject premises does not have a vehicle crossover or driveway to enable on-site parking to be constructed on the site or access to be created to any such parking area. In recognition of these site limitations, the City has granted the approval for *Little Way* to operate as a Restaurant/Café with the occasional cocktail function without a requirement for on-site parking. Both the planning approval granted for *Little Way* by the City and the Small Bar liquor licence issued by the *Department of Racing, Gaming and Liquor* restrict the capacity of the venue to a maximum of 120 patrons at any one time.

The following photographs show the existing *Little Way* operation, which demonstrates the casual and relaxed dining atmosphere provided to patrons, together with photographs of the newly landscaped remaining section of rear garden area (*The Park*), which is regularly used by families, with children enjoying this open space element of the venue.



**Photograph 1:** Looking in a south east direction along the frontage of Little Way to Broadway.



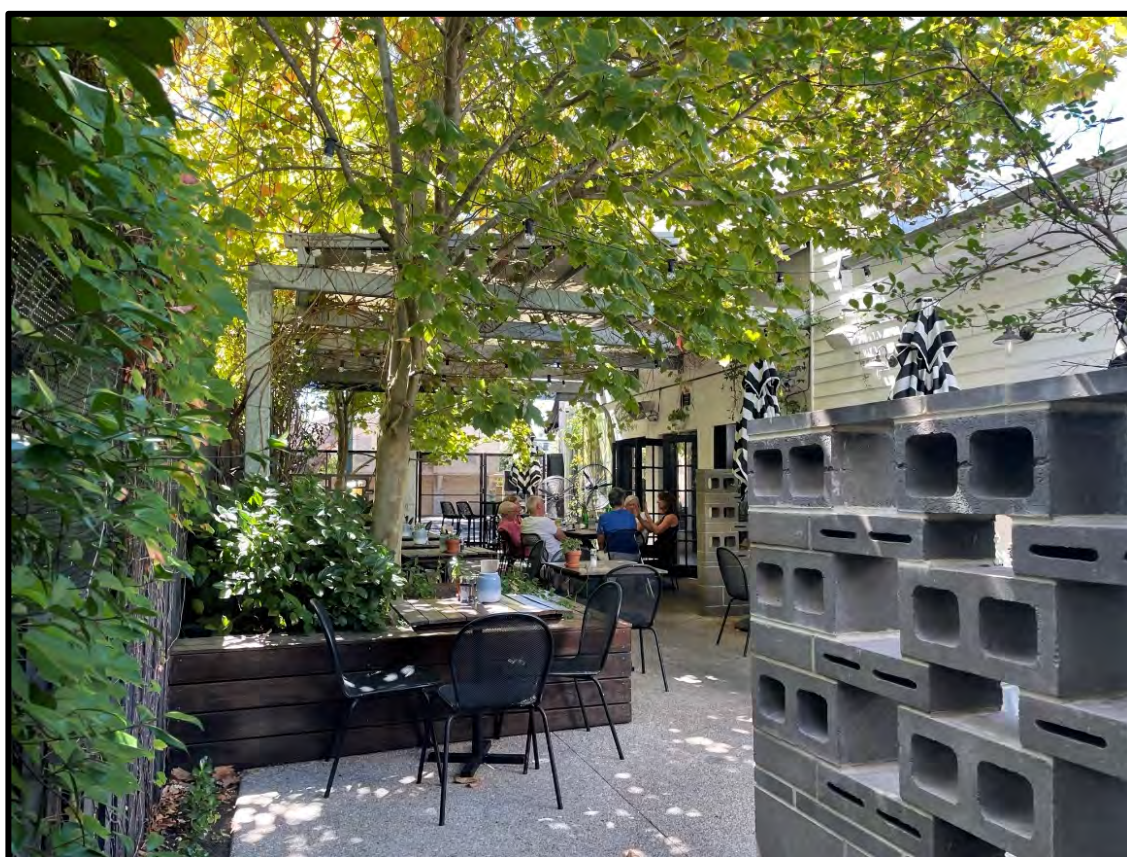
**Photograph 2:**

The main counter where patrons order food and alcoholic beverages, without being required to be seated to be served the alcoholic drink at the same time as a substantial meal. This relaxed dining experience is made possible by the Small Bar licence granted for *Little Way*.



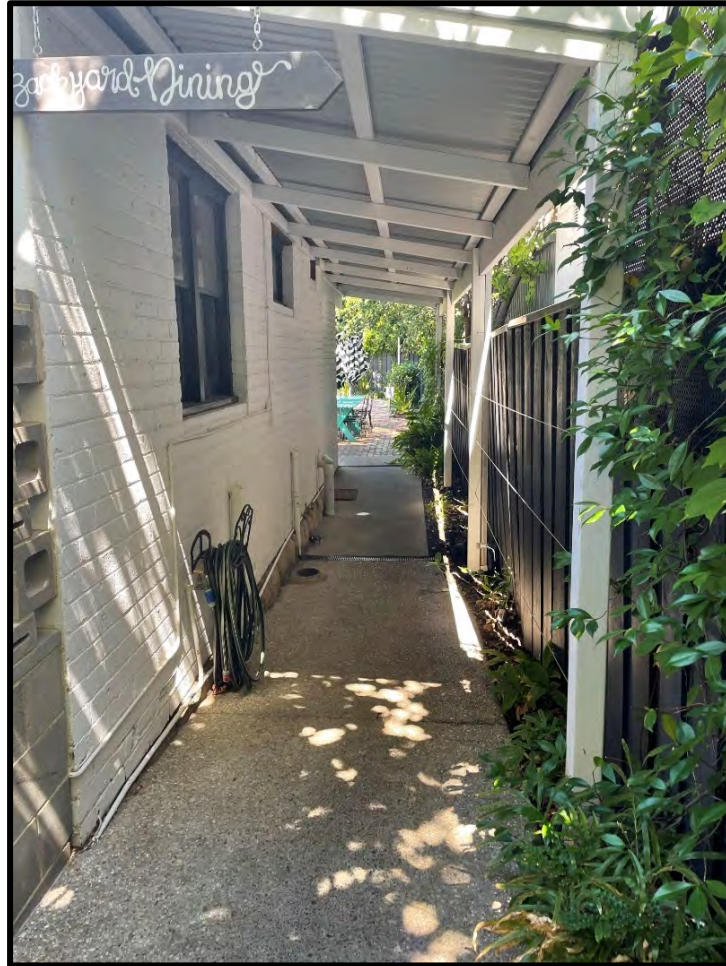


**Photographs 3 and 4:** Looking at the internal space of the venue, with the floor layout arranged with an assortment of tables and chairs, offering a range of seating options for patrons.

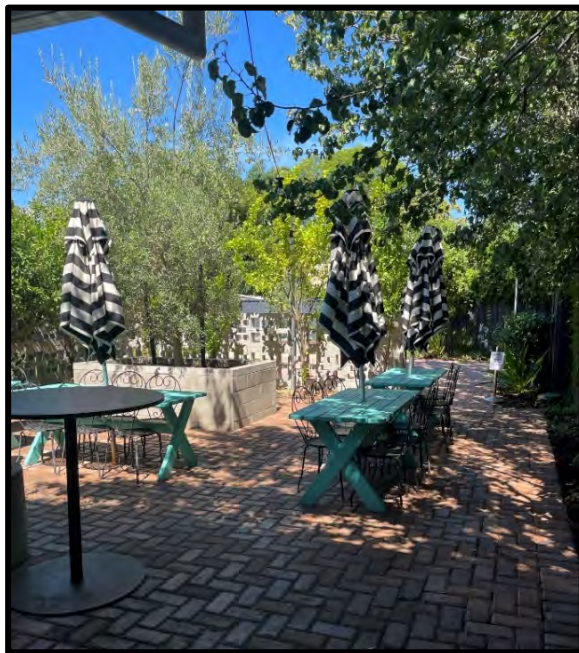


**Photograph 5:** Looking in a north easterly direction towards the alfresco and courtyard dining area. Note: this area is also set up with a range of tables and chairs for casual dining options.



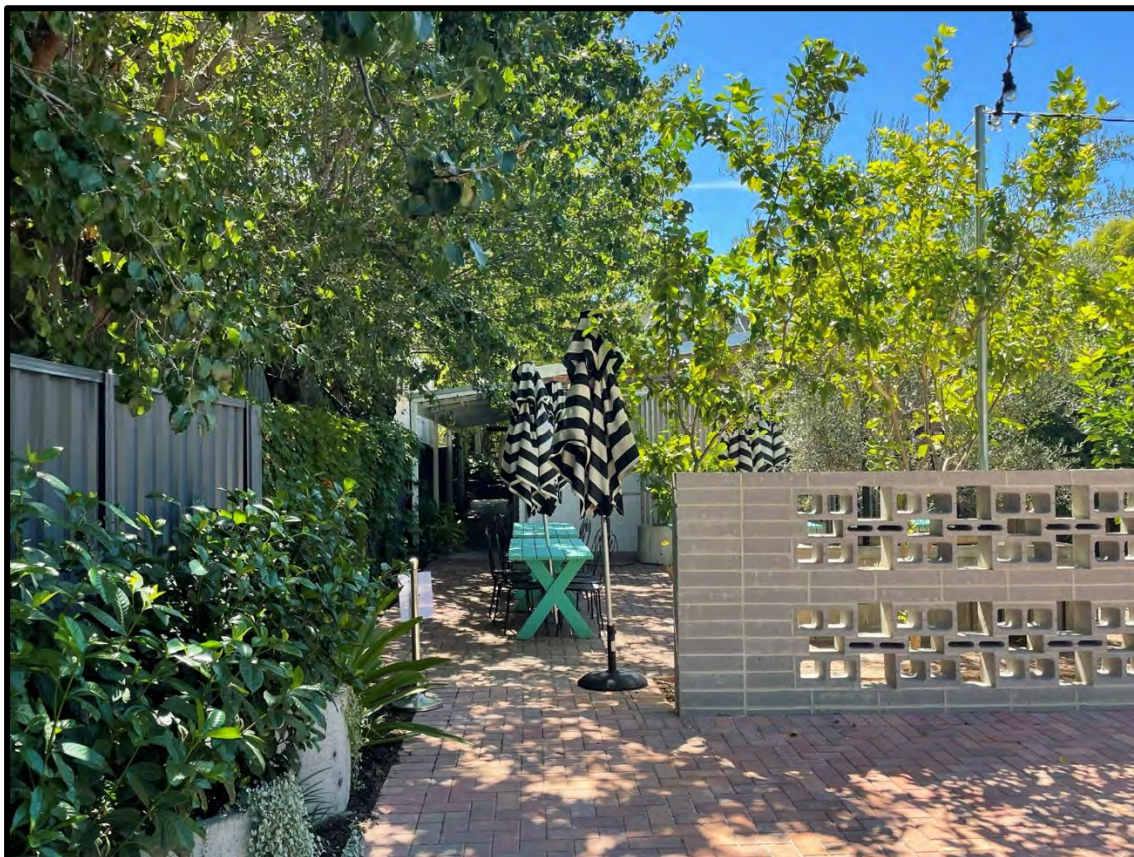


**Photograph 6:** Looking south west along pathway access to dining area in the rear garden and the recently landscaped area (*The Park*).



**Photographs 7 and 8:** Looking in a south westerly direction at the existing licensed casual dining area layout of the rear garden; and *The Park* area which is not yet included in the licensed area. Patrons cannot walk past the wall shown in Photograph 8 with an alcoholic beverage until approval is granted for the existing Small Bar Licence to be extended to include this area.





**Photograph 9:** Standing in the new landscaped section of the garden area (*The Park*) and looking in a north easterly direction towards the existing licensed casual dining area the garden. Alcoholic beverages are currently not permitted to be carried beyond the wall visible in this photograph, into this new section of the garden.

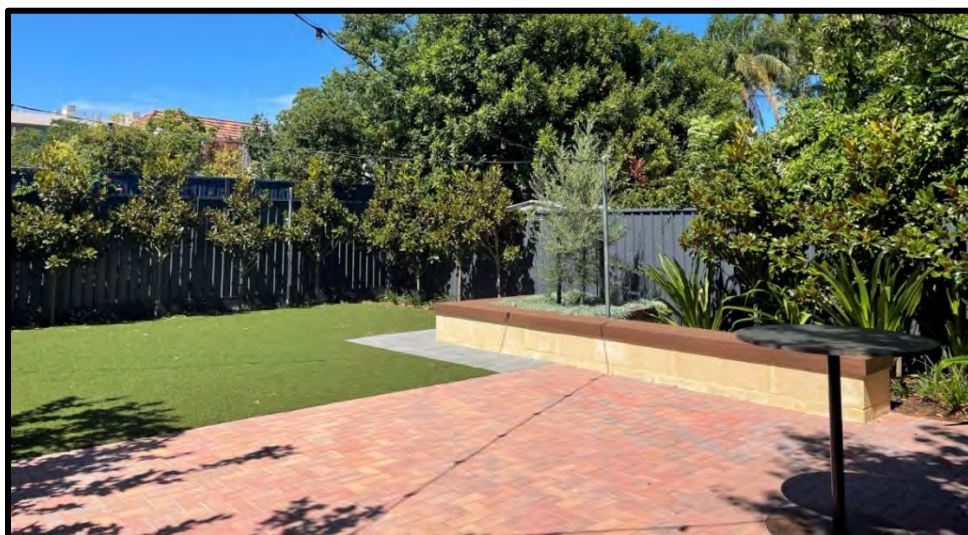


**Photograph 10:** Looking in a south easterly direction at the newly established *The Park* section of the rear garden. Note: two (2) storey mixed use development and Steve's Hotel residential apartments in the background of photograph.

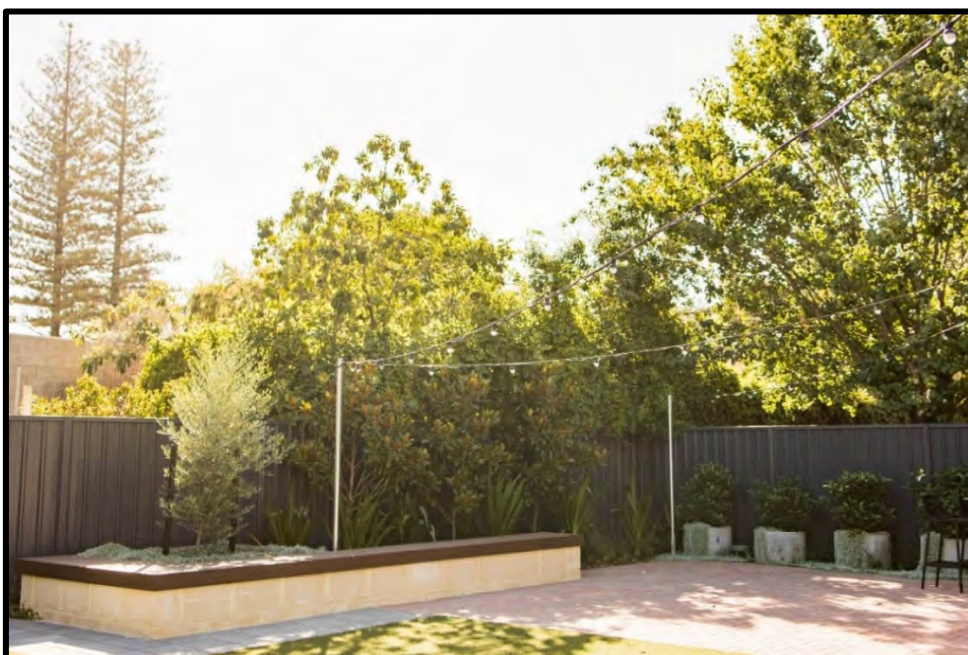




**Photograph 11:** Looking north east towards rear of adjoining *Broadway Pizza* commercial tenancy and solid wall of nearby two (2) storey mixed-use building at the corner of Broadway and The Avenue.



**Photograph 12:** Looking in a south westerly direction across *The Park*.



**Photograph 13:** Looking in a western direction across *The Park*.

### 3.0 PLANNING FRAMEWORK

The land is zoned 'Urban' in the *Metropolitan Region Scheme (MRS)* and 'Mixed Use' with a residential density code of 'R-AC3' pursuant to the City's *Local Planning Scheme No. 3 (LPS 3)* and the *Residential Design Codes of WA (R Codes)*.

#### 3.1 CITY OF NEDLANDS LOCAL PLANNING SCHEME No. 3

##### *Planning Approvals*

The most recent approvals issued by the City for *Little Way* in accordance with the operative *Local Planning Scheme No. 3 (LPS 3)* are listed below.

1. The approval granted on 27 September 2016 (under the former *Local Planning Scheme No. 2 (LPS 2)*) to utilise part of the rear garden area as a 'Restaurant'.
2. The S39 and S40 Certificates issued by the City for the premises to operate under a Small Bar Liquor Licence in accordance with LPS 3 granted on 1 and 14 December 2020, respectively. A copy of the S39 and S40 Certificates are attached at **Annexure 2**.
3. The Small Bar Licence approved by the *Director of Liquor Licensing* on 9 February 2021. A copy of the approved Small Bar Licence and Extended Permit Licence together with the existing boundaries of the licensed areas are attached at **Annexure 3**.
4. The subsequent planning approval granted on 14 January 2022 under the 'Restaurant/Café' land use, which additions include the landscaping and internal garden wall of the remaining area of the rear garden (*The Park*). A copy of the approved drawings are attached at **Annexure 4**.

The Planning approvals and the Small Bar Licence both require that the premises be restricted to an absolute maximum capacity of 120 patrons at any one time.

##### **Summary of Land Use Proposal**

The premises is approved for use as a 'Restaurant/Café' pursuant to LPS 3.

It is restricted to a maximum capacity of 120 patrons at any one time.

The 'Restaurant/Café' land use is defined in LPS 3 as meaning a:

*'premises primarily used for the preparation, sale and serving of food and drinks for consumption on the premises by customers for whom seating is provided, including premises that are licenced under the Liquor Control Act 1988.'*

The City has approved liquor to be served at the premises under a Small Bar Licence in accordance with the approved 'Restaurant/Café' land use of LPS 3.

The 'Small Bar' land use is defined in LPS 3 as meaning a:

*'premises the subject of a small bar licence granted under the Liquor Control Act 1988.'*

The 'Restaurant/Café' land use is required to be retained, as the use and operational characteristics of the venue are to remain unmodified. This is because the venue is set out with

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tables and chairs for casual dining. The Small Bar liquor licence is applied as it provides the flexibility needed to support the casual dining atmosphere of the venue. Patrons can purchase alcoholic beverages from the main counter, as well as stand and consume an alcoholic drink without being seated and that drink being served alongside a 'meal of substance'. The existing Small Bar licence also facilitates the use of part of the venue for the occasional cocktail function.

The proposal to include 'Small Bar' to the approved 'Restaurant/Café' land use classification is now sought to ensure the planning laws most accurately align with the approved Small Bar Liquor Licence for the premises.

The need to include the Small Bar land use to the premises has arisen due to the City requiring it in order to support *Little Way* in its S40 Certificate application request for the existing boundary of licensed area to be extended to include remaining section of the rear garden area, *The Park*.

*The Park* is currently used by patrons. It is approved for use under the land use of 'Restaurant/Café' (refer to **Annexure 4**). It is to continue to be used on a regular basis by families with young children seeking to explore and enjoy the area as a breakout space. It is also used for the occasional cocktail function. However, as the area does not yet form part of the liquor licensed area, patrons are required to leave their alcoholic beverages on a table at the edge of the licensed section of the rear garden before entering this area. This creates a disconnect in the operation and management of the venue. In order to rectify this issue, this Application seeks the City's approval to include the land use of 'Small Bar' to the existing 'Restaurant/Café' use of *Little Way* which extends over the entire premises in order to obtain approval for a minor extension of the existing licensed area to include *The Park*.

### ***Background on existing S39 and S40 Certificates for Small Bar Licence***

The City approved and issued the S39 and S40 Certificates in December 2020, following written communication with the owners and operators of *Little Way* regarding the proposal to utilise areas within the Restaurant for occasional cocktail functions.

The City confirmed at that time in an email received in October 2019 that the occasional cocktail function held on the premises was deemed to be consistent with the approved land use of 'Restaurant/Cafe' as *Little Way* would remain open to the public for dining purposes when these small functions were held in a separate area of the premises. Noting that these functions typically comprised on average around 20-30% of the total maximum allowable capacity of 120 persons at the venue at any one time.

The commencement of the City's LPS 3 on 16 April 2019 included the new land use of 'Small Bar' as a separate land use classification. Notwithstanding that the granting of the S40 Certificate on 14 December 2020 for a Small Bar Licence confirms that the premises complies with the relevant planning laws of LPS 3, the City has more recently advised *Little Way* that it will not issue a S40 Certificate for the Small Bar Licence to be extended to include the remaining newly landscaped area of the garden. The reason given by the City is that it considers the extension of the Small Bar Licence to include *The Park* to potentially conflict with the approved 'Restaurant/Café' land use of the premises. The City has advised in writing that it is however prepared to issue a S40 Certificate



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for a 'Restaurant/Café' to support the liquor licence application. This is not possible however, as it would mean two (2) licences would be proposed for the premises, which is not permitted under the *Liquor Control Act 1988*.

In order to ensure *Little Way* is operating under the correct range of land use classifications to allow for the City to issue a S40 Certificate for the Small Bar licence to be extended to include *The Park*, approval is now sought to include the land use classification of 'Small Bar' to the existing 'Restaurant/Café' land use approved for the premises. It is noted that the City can grant approval for more than one (1) land use classification for a single business under LPS 3. Further, it is often the case that such licensed venues will be approved with a land use which is specifically required to align with and support the required type of liquor licence.

### ***Local Planning Policy – Parking***

As this proposal will not result in any change/increase to the existing approved shortfall of car parking for this premises, it is not deemed to be a variation to the City's *Local Planning Policy – Parking*, pursuant to clause 5.1 of that policy.

The following justification is provided in support of this position.

- The operational characteristics of the venue offering patrons a casual dining experience in a relaxed setting will remain unchanged.
- The venue will retain its tables and seating in the current layout.
- The venue will continue to adhere to the maximum 120 patron capacity conditional requirement of the City's planning approvals and Small Bar Liquor Licence.
- The proposal to include Small Bar as an approved land use for the premises is simply sought to align the approved Small Bar Liquor Licence with the planning laws of the City, which will subsequently support the S40 Certificate Application for a minor extension of the existing Small Bar Licence boundary to include *The Park* section of the rear garden area. Therefore, the approved parking shortfall is maintained.

### ***Proposed Patio Structure***

This Application also seeks approval to construct an open sided patio structure within *The Park* area of the premises.

The patio is compliant with the relevant standards and specifications of the City. It is unenclosed on all sides and has a water impermeable roofing material. The roofing has an approximate surface area of 48m<sup>2</sup>. A (1.2m x 1.2m) soakwell is designed to capture stormwater runoff with additional capacity provided, to satisfy the City's specifications and standards.

It is designed with a setback to the rear boundary of 1.48m (at its nearest point at the south western corner of the property); and a setback to the north western boundary of 1.15m (at its nearest point to the north western side boundary).

The patio has a skillion roof design at a 5-degree pitch, with the height ranging from 3.14m to 2.57m.

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### 3.2 ACOUSTIC ASSESSMENT

An updated Acoustic Assessment has been prepared by *SLR Consulting Australia Pty Ltd (SLR)*. This assessment has been undertaken to ensure the noise emissions from the use of this part of the rear garden area is able to comply with the *Environmental Protection (Noise) Regulations 1997*. The investigations conclude that the use of the site is compliant with the relevant Regulations, as it is currently being used and as proposed to be included within the licensed boundary area.

An earlier assessment had been prepared and supported the 2016 Planning Approval to use existing licensed portion of the rear garden as a dining area. This updated assessment incorporates the newly landscaping area of the garden, which was granted subsequent approval in January 2022.

A summary of the findings of the Assessment are provided below.

- The predicted noise levels of the rear garden area are considered able to be managed to maintain compliance with the Regulations, when assessed against the predicted assigned noise levels.
- Predicted levels are expected to be equal to or below ambient noise levels measured in the area. The level of crowd noise entering nearby residences is expected to be compliant with recommended standards for internal spaces such as AS/NZS 2107.
- In order to minimise the risk of excessive noise levels, it is recommended that the area be actively managed. This can be addressed through the implementation of a Noise Management Plan. This management plan is suggested in order to respond to any community feedback (should that occur as a result of the use of the space as part of the proposed extended licensed boundary area), which will ensure noise is mitigated to the acceptable level in order to maintain emissions to accord with the requirements of the relevant environmental regulations.

A complete copy of the updated Acoustic Assessment is attached at **Annexure 5**.



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#### 4.0 THE PROPOSAL

*Little Way* operates in accordance with the approved land use of 'Restaurant/Café' pursuant to the operative LPS 3 and the approved Small Bar liquor licence granted by the Director of Liquor Licensing. A copy of the approved plans for the premises are attached at **Annexure 6**.

*Little Way* has been operating under a Small Bar liquor licence since December 2020.

The existing liquor licence area, together with the S39 and S40 Certificates issued by the City in December 2020, includes the following areas of the venue:

- alfresco area on Broadway;
- internal dining area;
- side courtyard;
- private dining room; and
- part of the rear garden - dining area.

The only area not yet included in the licensed area (due to it only recently being developed for use as part of the premises) is:

- the remaining part of the rear garden (*The Park*).

*Little Way* seeks to include the newly landscaped area at the rear of the premises within the licensed area, so that it can be utilised in the same manner as the existing rear garden area and the other areas of the premises, wherein patrons can sit or stand, whilst enjoying an alcoholic beverage within the space.

The use of *The Park* area is approved under the land use 'Restaurant/Café', albeit without any alcoholic beverages being able to be consumed in the section of the garden area, at this time. It is important to highlight that alcohol can be consumed within part of the rear outdoor garden area, which area formed part of the 2016 Planning Approval for the venue and is therefore contained within the boundary of the existing Small Bar licensed area. It is the remaining section of this rear garden area which the licenced boundary does not currently extend to include as the area has only recently been developed for patron use.

The venue will continue to be operate in its current format, with the premises being set out with tables and chairs, offering a casual and relaxed dining venue for patrons. A maximum of 120 patrons are allowed on the premises at any one time. This is a requirement of the Small Bar Liquor Licence and is included as a condition of the Planning Approval. The maximum capacity requirement is to be upheld. This maximum capacity will not and cannot be increased as a result of the inclusion of the Small Bar land use classification to the existing approved Restaurant/Café land use for this venue. The venue will therefore continue to operate in accordance with the previous conditional requirements of the Planning Approvals granted for the venue (27 September 2016 and 14 January 2022).

The trading hours of the venue will remain in accordance with the Approvals, as set out in the following table.

<b>EXISTING TRADING HOURS</b>		
<b>DAY OF THE WEEK</b>	<b>TRADING HOURS</b>	<b>SPECIAL CONDITIONS</b>
Monday - Saturday	7:30am – 10:00pm	<p>The small bar licence restricts liquor service to the hours of 6:00am to 12 midnight.</p> <p>The closing time is extended on occasion beyond the usual closing time of 10:00pm to 11:55pm, in order to accommodate patrons.</p> <p>The extended Trading Permit for the alfresco dining area on Broadway restricts liquor service to the hours of 7:30am to 12 midnight.</p>
Sunday	7:30am to 3:30pm	<p>The small bar licence restricts liquor service to the hours of 10:00am and 12 midnight. This includes the alfresco dining area. There is no liquor service for patrons in the alfresco area between the hours of 7:30am and 10:00am on Sunday.</p>

The Small Bar liquor licence is the most appropriate licence to maintain for this venue as it allows patrons to order and collect alcoholic beverages from the main counter, instead of being required under a Restaurant liquor licence to be seated and only being able to be served an alcoholic beverage alongside a meal of 'sufficient substance'.

In regard to the total patron capacity conditional requirement, a revision to the wording of that requirement is requested, to ensure that the interpretation of this particular requirement is accurately applied to this venue. The current Planning Approval states that the venue can have a maximum number of 120 seats in its venue. The intent of this conditional requirement is to ensure that the venue capacity is capped to 120 patrons at any one time. It is not the physical number of seats provided at the venue which deems this requirement as having been met. The venue cannot permit any more than 120 people to enter the venue at any one time. It is therefore the management of the venue which ensures this capacity limit is upheld.

It is a strict requirement of the 'Small Bar' liquor licence that no more than 120 persons are able to be physically present at the venue at any one time. Any exceedance of this maximum capacity will result in significant penalties to the operators.

In order to ensure the planning condition is accurately applied, we respectfully request that the City consider a revision to the earlier conditional requirement of '120 seats' to instead stating that the venue is restricted to a '120-patron maximum capacity, with 24 patrons of that total capacity being the maximum permitted in the alfresco area on Broadway, at any one time'. This revision to the condition will ensure the use aligns with the Small Bar licence requirement and that the intent of

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the earlier conditional requirement of the planning approval is correctly interpreted in the future. This being that the **number of patrons (not seats)** able to be physically present on the site must not exceed 120, at any one time.

The reason for requesting this specific revision is that there has been a recent issue whereby the City had requested that the seating plan for the venue only show 120 seats. The City had raised concern that the retained walls in the newly landscaped area could be used as seating, which now needed to be taken into consideration in the layout of the physical seats placed at tables provided throughout the venue. The intent of the condition does not aim to control the number of seats placed at the venue at any one time. It is the number patrons at the venue which is required to be controlled.

The floor area of *Little Way* is set out with a variety of seating arrangements. The chairs are essentially placed around a table to suit its size. This is the most visually cohesive and balanced approach. Not every group of people entering the venue will require the total number of chairs set around a table. Some patrons will be dining alone and others will only use a some of the seats provided at table (the unoccupied seats will not be used by another party during that time). The number physical seats provided around a table therefore has no bearing on the venue ensuring that the maximum capacity requirement is satisfied. It is the management of the venue to ensure that the number of people entering the premises at any one time does not exceed 120 that enables this requirement to be met. It is therefore far more appropriate and lawfully binding to word the conditional requirement to align with the Small Bar licence, which specifically restricts the venue to a maximum capacity of 120 persons at any one time. We therefore respectfully seek the City's support in reviewing the wording of this earlier conditional requirement when considering its inclusion in the decision on this Application.

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## 5.0 CONCLUSION

*Little Way* is a venue which offers a relaxed and casual dining experience for patrons to enjoy, with the occasional cocktail function being approved by the City, to be held in part of the venue.

The entire premises is currently approved for use as a 'Restaurant/Café', pursuant to LPS 3.

The City has approved the premises to operate under a Small Bar liquor licence, which allows for the occasional cocktail function to be held in areas of the premises and to support the more casual dining atmosphere of the venue. The City deemed that a Small Bar licence was suitable for the venue in issuing the current S40 Certificate, based on it deeming that it did not breach the existing approved Restaurant/Café land use assigned to the venue.

The City has advised that it cannot issue a S40 Certificate to support the extension of the existing Small Bar liquor licence to include the newly landscaped area (*The Park*) as it now considers the proposal to conflict with the approved 'Restaurant/Café' land use.

This Application therefore seeks the City's approval to include the 'Small Bar' land use classification to the existing approved 'Restaurant/Café' land use of *Little Way*, in order to ensure the planning laws of LPS 3 align with the Small Bar licence for the venue. The inclusion of the Small Bar land use classification will also support the S40 Certificate Application to extend the existing licensed area to include the newly landscaped garden area of *The Park*.

In addition, this Application seeks approval for a patio structure to be constructed within portion of the existing landscaped area at the rear of the premises, as depicted on the attached plans. The proposed patio is compliant with the relevant requirements of the City.

Accordingly, we respectfully seek the support of the City in granting approval for this Application, with reasonable conditions attached.

***Peter Webb and Associates***

## 16.2 PD59.09.22 Consideration of Adoption of Local Planning Policy for Advertising – Nedlands Stirling Highway Activity Corridor - Residential Precinct Design Response

<b>Meeting &amp; Date</b>	Council Meeting – 27 September 2022
<b>Applicant</b>	City of Nedlands
<b>Employee Disclosure under section 5.70 Local Government Act 1995</b>	The author, reviewers and authoriser of this report declare they have no financial or impartiality interest with this matter. There is no financial or personal relationship between City staff involved in the preparation of this report and the proponents or their consultants.
<b>Report Author</b>	Roy Winslow – Manager Urban Planning
<b>Director</b>	Tony Free – Director Planning & Development/ Bill Parker - CEO
<b>Attachments</b>	1. Draft NSHAC-R Precinct Design Response Local Planning Policy 2. Summary of changes – NSHAC-R Precinct Design Response LPP Relationship to SPP 7.3 R-Codes 3. Stakeholder Reference Group – Outcomes Snapshot

### Purpose

The purpose of this report is for Council to adopt for advertising the draft Nedlands Stirling Highway Activity Corridor - Residential Precinct (NSHAC-R) Design Response Local Planning Policy (the Policy), found in **Attachment 1**.

### Recommendation

#### That Council

1. **Adopts the draft Nedlands Stirling Highway Activity Corridor - Residential Precinct Design Response Local Planning Policy for advertising in accordance with Clause 4 of the Deemed Provisions of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015;**
2. **Notes that the advertising period will be for a minimum of 28 days;**
3. **Requests the CEO to prepare a Discussion Paper to consider the merits and implications of the Policy’s proposed star rating for building sustainability, which is to be discussed at a Concept Forum prior to the Policy being considered for final approval; and**
4. **Requests the Chief Executive Officer prepare a Discussion Paper to consider appropriate residential building heights, including possible amendments to the City’s Residential Development LPP, which is to be discussed at a Concept Forum prior to the Policy being considered for final approval.**

## Voting Requirement

Simple Majority.

## Background

### Policy Context

The Policy seeks to nuance the built form guidance of State Planning Policy 7.3 - Residential Design Codes (R-Codes). The nuanced controls shall provide localised and contextually appropriate built form controls and design guidance for the NSHAC Residential (NSHAC-R) Precinct, located directly north and south of Stirling Highway. This report provides an overview of the process the City undertook to create the Policy, a breakdown of the Policy structure and its strategic intent.

The NSHAC Precinct originally included all lots with a density code of RAC1, R160 and R60 on and adjacent to Stirling Highway. During the preparation of the Policy, the NSHAC Precinct has been separated into two separate Precincts. One is the NSHAC Mixed Use Precinct, which specifically focusses on the Mixed-Use R-AC1 sites on the Highway. The other is the NSHAC-R Precinct Policy, the subject of this report, which focusses on the R60 and R160 lots north and south of the Highway.

The policy process began with research into the context and character of the Precinct and built form modelling for future development provisions. Key character drivers for the NSHAC-R Precinct were identified as generous front and rear setbacks to dwellings, large areas of mature landscaping in the private and public realm, and an open streetscape feel. The transition between different density codes within a few street blocks, and how the built form can respond to this, has also been identified as a key consideration of this Policy.

The research and modelling phase was followed by an extensive community engagement program and review of the policy provisions by industry experts. This report provides detail on the results of community engagement, and how the outcomes of this engagement have influenced the provisions of the Policy.

The Policy considers the entire NSHAC-R Precinct, north and south of Stirling Highway, and provides an existing and desired future character statement. The Precinct is detailed in a Precinct map included as **Figure 1** at the end of this report. This Precinct has provisions written specifically for it that are consistent with these character statements, as well as the lots density code, zoning and orientation. This report discusses the specific aspects of the character and context research, built form modelling and engagement outcomes that have influenced these provisions.

Each modification to the planning framework is justified and assessed against the provisions of the R-Codes. This report includes information on the state planning documentation, and how this Policy interrelates with these documents. This report also details the legislative requirements of creating and processing the Policy, which aspects of the Policy require approval from the WAPC, and guides Council on the next steps in the policy adoption process.

### **Community Engagement and Built Form Modelling**

The City contracted specialist consultants to conduct the community engagement phase of the precinct planning work. These consultants used models of various built form scenarios and workshop activities to complete an extensive engagement program with the Stakeholder Reference Group (SRG). Broader community engagement was also carried out via an Open House (drop-in session) and a community survey. These methods allowed all residents within the City to comment on the desired future character of the NSHAC-R Precinct area. Further details of community engagement activities for this project are outlined below in the Consultation section.

The provisions within the Policy have been formulated by incorporating the outcomes of the built form modelling work and character study, community engagement outcomes, and technical input. Taking on board the community's feedback, the provisions also align with the strategic intent of the R-Codes, SPP 7.2 and the State Government's strategic plan for population growth, Perth and Peel@3.5 million. The Policy has been reviewed internally and externally, to ensure that the provisions translate effectively into quality-built form outcomes.

### **State Planning Policy 7.2 – Precinct Design Guidelines**

SPP 7.2 sets out the criteria an area should meet to require precinct planning work, and the process a local government should follow to prepare the precinct plan or policy. Under SPP 7.2, the NSHAC-R Precinct is an example of a precinct in a well-established urban area that is in transition. The NSHAC-R Precinct is identified as a Residential/Mixed Use Precinct. The precinct plan or policy for a Residential/Mixed Use Precinct should focus on the following key objectives:

- Guide subdivisions, amalgamation, and development to increase density and high-quality outcomes;
- Enhance urban amenity by detailing lot/building orientation and access arrangements;
- Strengthening green networks through the enhancement of urban tree canopy and improved interfaces between the public and private realm; and
- Ensure the design supports safe access and encourages public transport, walking and cycling.

The City followed the process set out in SPP 7.2 to create the Policy, including identifying the Precinct area, engaging with the local community, creating a vision, ensuring the development proposal is feasible, and investigating how the precinct plans can result in benefit to the communities they are developed within.

### **Local Planning Strategy**

The Strategy identifies the NSHAC-R Precinct as Nedlands North and Nedlands South. The Strategy states that future development in Nedlands North and South should retain and enhance the character and streetscape of the residential areas. The Strategy also envisions that this should be a transition area for density, ensuring that the height, scale and bulk of lots adjoining Stirling Highway smoothly integrate back to the established residential streets.

The Policy responds to the Strategy's vision for the NSHAC-R Precinct by promoting the desired future character of the area through the retention of large setbacks and the provision



of significant landscaping. The Policy also encourages the gradual transition from the R160 lots that abut the R-AC1 lots facing Stirling Highway, down to the R60 lots that transition gradually to the R10 and R12.5 traditional residential 'hinterland' of Nedlands North and South.

The City considered it appropriate to prepare a precinct policy for the area to ensure that development is guided in a contextually appropriate manner. In accordance with the Scheme and the Strategy, the Policy highlights the importance of quality urban design that interacts with the streetscape, protects the amenity of existing properties, and provides high quality living environments for the residents of the new developments.

The Policy identifies that the area's character is defined by large setbacks, mature landscaping and an open streetscape feel. The Policy encourages the preservation of the NSHAC-R Precinct's character through the maintenance of large setbacks and mature landscaping. This promotes new development that is respectful of the existing character of the area.

### **Local Planning Scheme No. 3**

The City's Local Planning Scheme No. 3 increased the density coding of the residential streets north and south of Stirling Highway. This increase in density is intended to increase the residential dwelling density directly to the north and south of the Highway, in a manner that transitions down to the traditional low density residential areas behind. The Policy has been prepared in accordance with clause 9 – Aims of the Scheme, in particular:

- (a) Protects and enhances local character and amenity;
- (b) Respect the community vision for the development of the district;
- (c) Achieve quality residential outcomes for the growing population; and
- (d) To develop and support a hierarchy of activity centres.

The Policy is consistent with the objectives of the Residential Zone:

- Encourages a range of housing types to meet the changing needs of the community;
- Encourages high quality design and streetscapes;
- Proposes preferred land uses that are complimentary to the surrounding residential development.

## **Discussion**

### **Draft NSHAC-R Precinct Design Response – Local Planning Policy**

#### **Informing Studies**

The drafting of the Policy is the culmination of the findings of the Context and Character and Built Form Modelling studies, which have provided a sound basis for the creation of the existing future character statements. The Built Form Modelling studies have provided examples of forms of development, detailing them in a manner that informs the choices made for appropriate setbacks and massing.

The outcomes of the Stakeholder Reference Group and broader community engagement undertaken as part of this project have directly influenced and guided the built form provisions included in the Policy. These provisions have then undergone thorough testing by internal and external stakeholders to ensure that they are able to be applied effectively in a real-world development scenario.

### **Strategic Intent**

The intent of the Policy is to nuance the requirements of the R-Codes so that they are more contextually appropriate to the existing and desired future character of the NSHAC-R Precinct. The Policy seeks to:

- Define the future character of the area
- Facilitate high-quality design
- Promote key landscape and streetscape elements from the established character
- Maintain the amenity of the area, consistent with the relevant density code
- Manage density interfaces

### **Character Statements**

An existing character statement has been provided for the Precinct within the Policy. Building on this existing character statement and community vision from the SRG engagement workshops, survey and Open House, the Policy also defines the desired future character statement for the Precinct. The Design WA policy suite refers to 'desired future character' as an important aspect of determining whether a development meets certain objectives and, therefore, whether a development should be approved. The Policy's character statement outlines the strategic intent of the Policy, and the expectations for new development.

By combining the extensive background work noted previously, as well as lot size and key existing character elements (including setbacks, landscape character, building heights, density transition and typology), contextually appropriate provisions for individual streets have been developed.

### **Policy Scope**

#### **Single Houses and Grouped Dwellings**

Pursuant to clause 7.3.1(a) of the R-Codes Volume 1, the Policy amends the Deemed to Comply provisions of:

- c5.1.2 – Street setbacks
- c5.1.3 – Lot boundary setback (C3.2-3.3)
- c5.1.6 – Building height

The City will also seek approval from the WAPC for amendments to the deemed to comply provisions for lot boundary setbacks, vehicle access and landscaping. The Policy provides further Design Guidance, which are intended to act as Housing Objectives, for developments within the NSHAC-R Precinct.

### **Multiple Dwellings**

In accordance with clause 1.2.2 of the R-Codes Volume 2 the Policy amends the Acceptable Outcome provisions of:

- Element 2.3 - Street setback
- Element 2.4 – Side and rear setback

The City will also seek approval from the WAPC for amendments to the Acceptable Outcomes for Element 3.3 – Tree Canopy and Deep Soil Areas and Element 3.8 Vehicle Access. Design Guidance has been developed for each modified element.

### **General Provisions**

#### **Development**

The Policy includes General Provisions to encourage development that uses high quality materials and promotes the use of a varied palate of natural materials. Blank or unarticulated imposing facades are discouraged. The use of traditional design elements that create interest such as eaves, balconies and verandahs are encouraged. These design elements serve an additional purpose, as they enhance the solar passive design of the building's elevations. These General Provisions encourage developments to reflect the desired future character of the Precinct, as stipulated within the Policy.

#### **Subdivision**

The City has identified that the NSHAC-R Precinct is experiencing a number of subdivisions where a single parent lot is being subdivided into three or more survey strata lots. These lots require significant simultaneous planning and design work to ensure that a high level of amenity may be achieved for each dwelling. To ensure development is undertaken in a way that provides maximum amenity for each dwelling, a provision has been included in the Policy that requires a Local Development Plan to be prepared and approved as a condition of subdivision. These Local Development Plans shall specifically focus on boundary wall size and location, outdoor living area location and overshadowing, consolidating vehicle access, and the identification and retention of significant existing trees.

#### **Sustainability**

The outcomes of community engagement suggested that the community expects all built form policies to incorporate sustainability measures. This outcome relates directly to a motion of Council from the 28 September 2021, when Council endorsed a Notice of Motion relating to the instigation of planning instruments that can reduce the use of non-renewable energy sources through development approvals. The Policy is a planning instrument that can be utilised to reduce non-renewable energy use via development approvals. The Policy's General Provisions include the requirement for all multiple, grouped and mixed-use developments to provide a sustainability report that exhibits water and energy efficiency measures. All developments must also demonstrate that they exceed the minimum NATHERS or Green Star requirements. The Policy also proposes to exceed the number of electric vehicle charging stations required by the R-Codes and provides incentives for the provision of electric vehicles for shared use. Design elements that encourage sustainability have also been included, such as discouraging dark roofs and encouraging elements including eaves and verandahs that contribute to passive cooling.

A second motion of Council was made on the 21 October 2021, where Council endorsed a Notice of Motion relating to the protection of existing and future solar panels. The R-Codes have existing provisions that protect solar panels. Under R-Codes Volume 1 (Single and Grouped dwellings), there is a maximum proportion of overshadowing that is permitted for each density code. The calculation is based on a worst-case scenario, being 12pm June 21<sup>st</sup>. Further, Design Principle P2.2 considers the impact of development on solar collectors. Under the R-Codes Volume 2 (Apartments), the form of development is constrained by its impact on adjoining properties' solar panels via Element Objective 3.2.2. There is also a maximum proportion of overshadowing permitted for each density code, under Acceptable Outcome 3.2.3. Collectively, these provisions have been thoroughly tested by SAT cases, most recently involving the refusal of a four-storey multiple dwelling development at No. 6 Alexander Road, Dalkeith (2021/WASAT 41). Given this, the City has not identified a need, specific to the NSHAC-R Precinct, that would reasonably require provisions relating to solar panels, over and above those in the R-Codes.

## Consultation

### Community Engagement Program

The City has completed a comprehensive community pre-engagement program to inform the Policy. It is noted that this engagement program considered both the Residential area (R160 and R60 lots) and the Mixed-Use R-AC1 lots adjacent to Stirling Highway. The City established a Stakeholder Reference Group (SRG) after Expressions of Interest were sent to all properties within 400m of the original NSHAC Precinct. Thirty-one people were selected to participate in five workshops held between July 2021 and February 2022.

The SRG program was designed to provide participants with additional knowledge and skills relating to town planning, so that they could provide meaningful feedback on built form, landscaping and tree canopy, streetscape, land use and movement (laneway). The workshop structure is detailed below.

#### Workshop 1: Inform

To upskill and share knowledge to create a level playing field for subsequent Co-Design activities.

#### Workshop 2: Collaborate

To collaboratively explore the results and learnings of the place inquiry activities from the previous workshop and communicate the preliminary set of values. To explore the potential and implications of translating these values into spatial parameters.

#### Workshop 3: Convey

Present and review the results of the consultant's analysis and document the process. Final presentation of two different potential built form outcomes for the NSHAC Precinct.

#### Workshop 4: Built Form Modelling

Discussion of the two scenarios that were presented at the end of Workshop 3. Discussion and workshopping of key built form character elements that will need to be considered in these scenarios, including setbacks, height, landscaping and vehicle access.

### **Workshop 5: Built Form Modelling**

Refining of preferences on trees and landscaping, building height and setbacks, density transitions and heritage. Overview of preferred scenario.

### **Survey and Open House**

To understand the wider community's vision for the Precinct, residents within 400 metres of the precinct were invited to respond to a survey that was available between the 4-18 October 2021. In total, 53 surveys were completed by residents and business owners.

The community were also invited to attend a Community Open House on 11 October 2021 from 5.00pm – 7.00pm. Attendees were provided the opportunity to review feedback gathered from the SRG and provide their own input on key design considerations. In total, 43 community members and 6 Councillors attended the information session.

The following documents will be made publicly available during the advertising period, to support the Policy's proposed provisions:

- Nedlands Stirling Highway Activity Corridor – Consolidated Built Form Report
- Nedlands Stirling Highway Activity Corridor – Character Analysis Report
- Nedlands Stirling Highway Activity Corridor Precinct – Engagement Outcomes Report
- Justification Table - providing detailed analysis of the changes that were made to the R-Codes provisions, and why.

### **Community Consultation**

If Council resolve to advertise the Policy, it will be advertised in accordance with the City's Consultation of Planning Proposals Local Planning Policy, which involves the following methods of consultation:

- 28 Day Advertising period
- Letters to notify owners and occupiers within the precinct of the draft Policy and to make a submission
- Notice in the local newspaper
- A notice on the City's Notice board
- A notice on the City's Your Voice engagement portal
- Social media
- Community engagement session

## **Strategic Implications**

This item relates to the following elements from the City's Strategic Community Plan.

**Vision**            Our city will be an environmentally sensitive, beautiful and inclusive place.



## Values

### **Great Natural and Built Environment**

We protect our enhanced, engaging community spaces, heritage, the natural environment and our biodiversity through well-planned and managed development.

### **Reflects Identities**

We value our precinct character and charm. Our neighbourhoods are family-friendly with a strong sense of place.

## Priority Area

Urban form - protecting our quality living environment  
Encouraging sustainable building

## Budget/Financial Implications

The remaining expenses for the Precinct Policy work relate to public advertising. No additional budget is required to complete the work for the Policy.

The Policy will facilitate infill development within the NSHAC-R Precinct. This is likely to result in a rating revenue increase.

## Legislative and Policy Implications

Clause 3(1) of the Deemed Provisions of Schedule 2 of the [Planning and Development \(Local Planning Schemes\) Regulations 2015](#) allows the City to prepare a local planning policy in respect to any matter related to the planning and development of the Scheme area. Once Council resolves to prepare an LPP, in accordance with Clause 4 of the Deemed Provisions it must publish a notice of the proposed policy in a newspaper circulating the area for a period of not less than 21 days and seek submissions. Advertising will also include details being posted on the City's website and Your Voice engagement portal. Following the advertising period, the policy will be presented back to Council to consider any submissions received and to:

- a) Proceed with the policy without modification; or
- b) Proceed with the policy with modification; or
- c) Not to proceed with the policy.

## Decision Implications

If Council resolves to prepare the Policy, it will be advertised in accordance with the process above.

If Council resolves not to endorse the recommendation, the Policy will not be advertised, or progressed. There will be no Policy in place with specific built form controls for the NSHAC-R Precinct.

## **Conclusion**

As a result of extensive research and consultation, the NSHAC-R Precinct Design Response Local Planning Policy provides contextually appropriate built form outcomes for the NSHAC-R Precinct. The Policy is the most appropriate planning instrument for influencing the built form outcomes in the NSHAC-R Precinct. It is recommended that Council adopt the recommendation and formally advertise the Policy

## **Further Information**

N/A

Figure 1 – NSHAC-R Precinct



# Draft NSHAC Residential Precinct Design Response - Local Planning Policy

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<b>6. DEFINITIONS</b>	
<b>7. APPENDICES</b>	<b>7.1 Energy Efficiency Initiatives</b>
<b>1 APPLICATION OF POLICY</b>	
<b>1.1</b>	This Policy applies to the Residential zoned lots within the NSHAC Precinct as identified in <b>3.1 Precinct Map</b> .
<b>1.2</b>	This Policy applies to all subdivision and development applications.
<b>2 RELATIONSHIP TO OTHER POLICIES AND GUIDELINES</b>	
<b>2.1</b>	This Policy has been prepared in accordance with Clause 4 of the Deemed Provisions of Schedule 2 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .
<b>2.2</b>	This Policy should be read in conjunction with the following planning instruments, and the Policy requirements apply unless specifically stipulated elsewhere in any of the below: <ul style="list-style-type: none"> <li>• <i>State Planning Policy 7.3 – Residential Design Codes Volume 1</i></li> <li>• <i>State Planning Policy 7.3 – Residential Design Codes Volume 2 – Apartments</i></li> <li>• <i>State Planning Policy 7.2 – Precinct Design</i></li> <li>• <i>City of Nedlands Local Planning Scheme No. 3</i></li> <li>• <i>City of Nedlands Local Planning Policy – Residential Development</i></li> </ul>
<b>2.3</b>	Where this Policy is inconsistent with a Local Development Plan that applies to a specific site, area, or density code, the provisions of that Local Development Plan shall prevail over this Policy.
<b>2.4</b>	Where this Policy is inconsistent with the provisions of another Local Planning Policy, the provisions of this Policy shall prevail.



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### 3 CONTEXT

#### 3.1 PRECINCT MAP



#### 3.2 VISION

The Residential Precinct north and south of Nedlands Stirling Highway Activity Corridor (NSHAC) is a place for locals and new households, incorporating new development that respectfully adapts to the unique character of local streets, built heritage and the mature trees and gardens of Nedlands. The Precinct should provide an environment that supports and enhances established patterns of daily life and the safety and wellbeing of individuals, families and the broader community. New development shall celebrate Nedlands unique character and identity, creating an environmentally sensitive, beautiful and inclusive place to live.

#### 3.2 POLICY OBJECTIVES

1. Retain and enhance the Precinct's tree lined streetscape.
2. Allow for additional dwellings in a manner that respects the context and character of the area.
3. Contribute to the dwelling yield target for the City in a manner that reflects the density coding and other objectives of this Policy.
4. Respect that many properties in the area will remain as single houses.

#### 3.3 POLICY PURPOSE

1. To define the desired future character of the NSHAC Residential sub-precinct in context with its zoning, density coding and in consideration of its proximity to Stirling Highway.
2. Ensure that new development contributes to the desired future character of the NSHAC Residential Precinct, while respecting and reflecting existing character.
3. To manage the sensitive interfaces between developments of a different scale, zone and density code.
4. Facilitate housing diversity appropriate to the key location of the NSHAC Residential Precinct alongside a major transport corridor. Housing diversity shall provide for whole-of-life living within Nedlands, encouraging a permanent population and ageing in place.
5. To maintain and enhance the tree canopy and landscape character within the NSHAC Residential Precinct.



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6. To optimise comfort, energy efficiency and water efficiency of new developments through sustainable building design.

### 3.4 EXISTING CHARACTER STATEMENT

The residential area typifies the traditional domestic character of housing seen throughout the NSHAC Residential Precinct. The low-rise, detached single dwellings sit on some of the largest residential lots in Nedlands (approximately 900m<sup>2</sup> – 1000m<sup>2</sup>). Residential lots run east-west between parallel streets. Established, traditional bungalow style homes are interspersed with newer, contemporary development.

Inter-war bungalow style homes contribute significant aesthetic and cultural heritage value to the streetscape. Key character elements include large verandas, awnings, gabled roofs, freestanding carports and considerable front setbacks that are well-maintained and display open, leafy front gardens. Many properties in this precinct do not have front fencing, contributing to the open, leafy character of the area.

Residential properties have large rear yards with significant mature trees and landscaping. Adjoining backyards create vast corridors of connected green space that run north-south. These contiguous corridors provide habitats which are sanctuaries for a myriad of bird life and fauna.

Some examples of low-rise grouped dwellings can be seen closer to the Highway. Only a few examples of contemporary townhouse style development and duplex development can be observed. Tree-lined streetscapes have wide grassy, landscaped verges with mature canopy trees creating a cool microclimate. Footpaths located on one side of the street are shaded by tree canopies providing a comfortable, walking experience for pedestrians.

### 3.5 DESIRED FUTURE CHARACTER STATEMENT

The NSHAC Residential Precinct shall facilitate a transition from the high density development on the Highway to the low density residential neighbourhoods of Nedlands. The NSHAC Residential Precinct will spread north and south from Stirling Highway, creating a place for people around a busy urban corridor. The NSHAC Residential Precinct will consist of local, leafy streets designed for walking, providing respite from the traffic and busyness of the Highway. Future development will encourage public realm interfaces that provides comfortable and attractive pedestrian journeys through the neighbourhood.

Local streets will function as the green 'ribs' of the NSHAC Precinct. Trees, especially well-established, mature trees, will be valued and preserved wherever possible. Trees are a critical part of the material heritage and identity of place in the NSHAC Residential Precinct, and their presence is highly valued by the local community. A variety of endemic and water-wise plants will be planted throughout the private realm to safeguard the natural biodiversity within the City.

Environmental and cultural sustainability is important in the establishment of quality built forms. New development will be of a form and scale that is appropriate to the contemporary vision for the NSHAC Residential Precinct as a medium-rise and higher density residential, near-City urban neighbourhood. It will exhibit quality design that reflects the existing, traditional patterns of development. Through these measures the future form of development and growth in the NSHAC Residential Precinct will create distinctive places which will support a local neighbourhood feel.

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<b>4 GENERAL PROVISIONS</b>
<b>4.1 Policy Objectives and Desired Future Character Statement</b>
<b>4.1.1</b> All development applications within the NSHAC Residential Precinct shall be consistent with the Objectives of this Policy and the applicable Desired Future Character Statement.
<b>4.2 Sustainability</b>
<b>4.2.1</b> All developments with a commercial Gross Floor Area greater than 1000m <sup>2</sup> shall be designed and constructed to achieve a minimum rating of 6 Green Stars under the Green Building Council of Australia Green Star rating tool.
<b>4.2.2</b> An application for development approval for development with a commercial Gross Floor Area greater than 1000m <sup>2</sup> shall be accompanied by a statutory declaration signed by the applicant and/or landowner stating: <ul style="list-style-type: none"> <li>i. An assessor accredited by the Green Building Council of Australia formed part of the design team and contributed to the overall design of the proposal; and</li> <li>ii. Acknowledging that the applicant and/or owner is aware of, and on completion will be able to meet, the requirements of clauses 4.2.1 and 4.2.2 of this Policy.</li> </ul>
<b>4.2.3</b> The following sustainability measures are required for Residential developments: <ul style="list-style-type: none"> <li>i. When fittings and appliances are to be supplied by the developer, these should be within one level of the highest level available under the Water Efficiency Labelling and Standards (WELS) system; and</li> <li>ii. Incorporate at least one significant energy efficiency initiative within the development that exceeds minimum practice (refer <b>Appendix 1</b>); OR</li> <li>iii. All dwellings exceed the minimum NatHERS requirements by 1 star.</li> </ul>
<b>4.2.4</b> For all development applications proposing Grouped Dwellings and/or Multiple Dwellings, a sustainability report, completed by a suitably qualified sustainability consultant must be provided. This report must demonstrate how the requirements of clause 4.2.3 have been addressed. The efficiencies demonstrated will be required to be implemented as part of any development approval.
<b>4.2.5</b> An application for development approval for a Residential development shall be accompanied by a statutory declaration signed by the applicant and/or owner that acknowledges that the applicant and/or owner is aware of, and on completion will be able to meet, the requirements of clauses 4.2.1 to 4.2.4 of this Policy.
<b>4.2.6</b> For all Grouped Dwelling and Multiple Dwelling development applications, electrical vehicle charging is encouraged to be provided at a minimum rate of 50 per cent of total residential bays. Where this charging infrastructure has not been provided, electrical supply and car park distribution boards must allow for future capacity to supply electric vehicle charging points at a minimum rate of 50 per cent of residential bays.
<b>4.2.7</b> New developments shall select building material based on suitable thermal mass and lifecycle costs, and the use of sustainable and renewable material is strongly encouraged.
<b>4.3 Public open space</b>
<b>4.3.1</b> In accordance with <i>Development Control Policy 2.3 – Public Open Space in Residential Areas</i> , a Public Open Space contribution of 10 per cent of the gross residential area or cash-in-lieu of the equivalent value, shall be required for all subdivision applications (including strata applications) where 6 or more residential lots are created.

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4.4 Landscaping				
<p><b>4.4.1</b> All new developments shall follow the principles of Water Sensitive Urban Design, including:</p> <ul style="list-style-type: none"> <li>i. Maximising the use of permeable surfaces at ground level to enable groundwater recharge, and minimising impervious areas;</li> <li>ii. Incorporating on-site infiltration and detention systems such as garden beds, rain gardens, tree pits, infiltration cells and detention tanks (the latter shall be sited to avoid conflict with deep soil areas); and</li> <li>iii. Designing landscape treatments to slow down overland flows and minimise scouring.</li> </ul>				
<p><b>4.4.2</b> Except for heavily shaded areas, species selection shall prioritise the use of endemic species, with an emphasis on drought tolerance and provision of shade.</p>				
<p><b>4.4.3</b> On-structure planting is encouraged in addition to the minimum DSA and tree canopy requirements. Where on-structure planting is proposed, the structure must be designed to avoid pooling of water.</p>				
<p><b>4.4.4</b> A landscaping plan prepared by a qualified landscape architect or similarly qualified landscape practitioner is to be provided with all development applications. The landscaping plan must detail:</p> <ul style="list-style-type: none"> <li>i. The proposed planting design, including planter box widths, depths, water supply &amp; drainage.</li> <li>ii. Suitability of plants to ensure on structure planting is viable as a long-term greening option.</li> <li>iii. Reticulation and maintenance by the strata body if located in a common property area.</li> </ul>				
<p><b>4.4.5</b> Compliance with the landscaping plan will be conditioned (or recommended as a condition where the City is not the determining Authority) by the City as part of any development approval issued, for the life of the development.</p>				
<p><b>4.4.6</b> Trees and <b>deep soil areas</b> (DSA) specified throughout this Policy are to be provided in accordance with the below:</p>				
Tree size	Indicative canopy diameter at maturity	Nominal height at maturity	Required DSA per tree	Recommended minimum DSA width
Small	4-6m	4-8m	9m <sup>2</sup>	2m
Medium	6-9m	8-12m	36m <sup>2</sup>	3m
Large	>9m	>12m	64m <sup>2</sup>	6m
<p><b>4.4.7</b> <b>Deep soil areas</b> require a minimum width of 2m. This may be reduced to 1.5m, where it adjoins permeable paving with a minimum width of 0.5m.</p>				
<p><b>4.4.8</b> <b>Deep soil areas</b> are to be located against the parent lot boundaries where possible.</p>				
<p><b>4.4.9</b> Artificial turf is not permitted where visible from the public realm and does not contribute to <b>deep soil areas</b>.</p>				

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<b>4.5 Facades and Materials</b>	
<b>4.5.1</b>	The facades and materials of new development are to reference the existing facades and materials and key design elements of the surrounding area.
<b>4.5.2</b>	To reduce the urban heat island effect, and to integrate with the prevailing streetscape, dark roof colours are not permitted.
<b>4.6 Subdivision</b>	
<b>4.6.1</b>	Lot amalgamation is encouraged to create development efficiencies and to facilitate significant existing tree retention.
<b>4.6.2</b>	Where a parent lot is proposed to be subdivided to create 3 or more residential lots, a Local Development Plan (LDP) is to be prepared and approved as a condition of subdivision. The LDP is to allow for coordination between future dwellings and it to address the following: <ul style="list-style-type: none"> <li>a) Building envelope including: <ul style="list-style-type: none"> <li>• boundary wall location, length and height</li> <li>• outdoor living area location</li> <li>• side and rear setbacks, and how they relate to solar access, tree protection and easements</li> </ul> </li> <li>b) Vehicle access and shared parking including: <ul style="list-style-type: none"> <li>• Vehicle access points, which must demonstrate consolidated vehicle access points wherever possible to minimise crossovers.</li> </ul> </li> <li>c) Landscaping including: <ul style="list-style-type: none"> <li>• Location of existing trees in the verge</li> <li>• Identification of <b>significant existing trees</b> onsite.</li> </ul> </li> </ul>
<b>4.7 Vehicle Access</b>	
<b>4.7.1</b>	Driveways serving four dwellings or less are not to be narrower than 3m at the street boundary.
<b>4.7.2</b>	The maximum width of the driveway is 4m, unless two-way access is required in accordance with C5.4 of the R-Codes Vol. 1, or A3.8.6 of the R-Codes Vol. 2.
<b>4.7.3</b>	A maximum of one vehicle access per development site is permitted, including amalgamated lots.
<b>4.7.4</b>	Vehicle access is to be designed and located to avoid the removal of street trees.
<b>4.7.5</b>	Where a communal street is proposed, all proposed dwellings are to take vehicle access from that communal street or driveway.
<b>4.8 Car and Bicycle Parking</b>	
<b>4.8.1</b>	At-ground or above-ground car parking (excluding visitor parking) it is to be sleeved behind other land uses, or other portions of the building, along the street frontage.
<b>4.8.2</b>	Where commercial land uses are proposed within the NSHAC Residential Precinct (in accordance with the City's Local Planning Scheme No 3 - Table 3 – Zoning Table) parking requirements are as per the City's Local Planning Policy – Parking.

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5 SUB-PRECINCT PROVISIONS		
All development within the Residential zone in the NSHAC Residential area must be consistent with the relevant Desired Future Character Statement. The Acceptable Outcomes, Design Guidance and Housing Objectives specific to each density code provide further contextual guidance for applicants.		
5.1 Residential R60 and Residential R160		
5.2 Primary Controls		
5.2.1 R60		
MULTIPLE DWELLINGS (R60)		
AO	Primary Control	Acceptable Outcome
AO 1.1	Building height <sup>1</sup>	Maximum: 3 storeys and 12m
AO 1.2	Minimum primary street setback <sup>3,4</sup>	≤ 2 storeys: 4 m 3 storeys: 6 m
AO 1.3	Minimum secondary street setback	≤ 2 storeys: 1.5 m 3 storeys: 3 m
AO 1.4	Minimum side setback <sup>5,6,7</sup>	≤ 3 storeys: 3 m
AO 1.5	Minimum rear setback <sup>5,8</sup>	≤ 2 storeys: Average 4 m 3 storeys: 5 m
AO 1.6	Boundary walls <sup>1,2</sup>	<b>Maximum height:</b> 1 storey <b>Length:</b> up to 50% of the length of the boundary excluding the front/rear setback. <b>Location:</b> Behind the primary street setback, to one lot boundary OR Behind the primary street setback, to up to two lot boundaries, where a minimum 20% deep soil area is provided or 15% deep soil area where a significant existing tree is retained on site.
SINGLE HOUSES AND GROUPED DWELLINGS (R60)		
DC	Primary Control	Deemed-to-comply requirement
DC 1.1	Building height	2 storeys and 8.5m top of wall height, 10m top of pitched roof.
DC 1.2	Primary street setback	4 m
DC 1.3	Secondary street setback	Minimum 1.5m
	Corner truncation setback	
	Street setback for dwelling with main frontage to communal street	
DC 1.4	Side setbacks	As per R-Codes Vol 1 Table 2a and 2b
DC 1.5	Rear setback	Average 4 metres
DC 1.6	Boundary walls	<ul style="list-style-type: none"> <li>• Maximum 1 storey (3.5m) in height</li> <li>• Unlimited length</li> <li>• Located a minimum of 3m behind the primary street setback on both side lot boundaries.</li> </ul>
<p><sup>1</sup> Subject to indicative building heights outlined in Table 2.2 of R-Codes Vol. 2.</p> <p><sup>2</sup> Walls may be built up to a lot boundary, where it abuts an existing or simultaneously constructed wall of equal or greater proportions.</p> <p><sup>3</sup> Minimum primary street setback may be reduced by up to 50 per cent provided that the area of any building, including a garage encroaching into the setback area, is compensated by at least an equal area of open space that is located between the setback line and line drawn parallel to it at twice the setback distance.</p> <p><sup>4</sup> Where lots side onto a laneway, minimum side setback provisions apply in place of secondary street setback provisions.</p> <p><sup>5</sup> Boundary setbacks will also be determined by provisions for building separation and visual privacy within R-Codes Vol. 2 and building separation provisions of the NCC.</p>		



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<sup>6</sup> Ground floor side setback may be reduced by up to 50% of the side setback area, between the minimum front and rear setbacks. Applies to one side boundary only; or up to two side boundaries, where minimum 20% deep soil area is provided or 15% deep soil area where a significant existing tree is retained on site, for one side boundary only.

<sup>7</sup> Service areas (such as lifts and stairs) may intrude into the side setback area for a maximum width (parallel to the lot boundary) of 12m.

<sup>8</sup> Rear setbacks may be reduced by up to one metre where a significant existing tree is retained within the setback area, where DSA requirements are still met.

<sup>9</sup> Plot ratio definition as per R-Codes Vol. 2.

### 5.2.2 R160

#### MULTIPLE DWELLINGS (R160)

AO	Primary Control	Acceptable Outcome
AO 2.1	Building height <sup>1</sup>	Maximum: 5 storeys and 18m
AO 2.2	Minimum primary street setback <sup>3</sup>	≤3 storeys: 3 m ≥4 storeys: 5 m
AO 2.3	Minimum secondary street setback <sup>4</sup>	≤3 storeys: 3 m ≥4 storeys: 4.5 m
AO 2.4	Minimum side setbacks <sup>5,6,7</sup>	≤3 storeys: 1.5 m ≥4 storeys: 3 m
AO 2.5	Minimum rear setback <sup>6,8</sup>	≤4 storeys: Average 6 m 5 storeys: 9 m
AO 2.6	Boundary walls <sup>1,2</sup>	<b>Maximum height:</b> 1 storey <b>Length:</b> Up to 50% of the length of the boundary excluding the front/rear setback <b>Location:</b> To one side boundary OR To up to two side boundaries, where minimum 20% DSA is provided or 15% DSA where a significant existing tree is retained on site.

#### SINGLE HOUSES AND GROUPED DWELLINGS (R160)

DC	Primary Control	Deemed-to-comply requirement
DC 2.1	Building height	Maximum: 3 storeys and 12m
DC 2.2	Primary street setback	4 metres
DC 2.3	Secondary street setback	Minimum 1.5 metres
	Corner truncation setback	
	Street setback for dwelling with main frontage to communal street	
DC 2.4	Side setbacks	As per R-Codes Vol 1 Table 2a and 2b
DC 2.5	Rear setback	Average 4 metres
DC 2.6	Boundary walls	<ul style="list-style-type: none"> <li>• Maximum 1 storey (3.5m) in height</li> <li>• Unlimited length</li> <li>• Located a minimum of 3m behind the primary street setback on both side lot boundaries.</li> </ul>

<sup>1</sup> Subject to indicative building height outlines in Table 2.2 of the R-Codes Vol. 2.

<sup>2</sup> Walls may be built up to a lot boundary, where it abuts an existing or simultaneously constructed wall of equal or greater proportions.

<sup>3</sup> Minimum primary street setback may be reduced by up to 50% provided that the area of any building, including a garage encroaching into the setback area, is compensated for by at least an equal area of open space that is located between the setback line and drawn parallel to it at twice the setback distance.

<sup>4</sup> Where lots side onto a laneway, minimum side setback provision apply in place of secondary street setback provisions.

<sup>5</sup> Boundary setbacks will also be determined by provisions for building separation and visual privacy within R-Codes Vol. 2 and building separation provisions of the NCC.

<sup>6</sup> Ground floor side setback may be reduced by up to 50% of the side setback area, between the minimum front and rear setbacks. Applies to one side boundary only; or up to two side boundaries, where minimum 20% deep soil area is provided or 15% deep soil area where a significant existing tree is retained on site, for one side boundary only.

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<sup>7</sup> Service areas (such as lifts and stairs) may intrude into the side setback area for a maximum width (parallel to the lot boundary) of 12m.

<sup>8</sup> Rear setbacks may be reduced by up to one metre where a significant existing tree is retained within the setback area, where DSA requirements are still met.

<sup>9</sup> Plot ratio definition is as per R-Codes Vol. 2.

### 5.3 Multiple Dwellings – Acceptable Outcomes and Design Guidance

	<b>Acceptable outcomes (AO)</b> In accordance with section 1.2.2 and 1.2.3 of the R-Codes Vol. 2, the below provisions amend or replace acceptable outcome provisions in the R-Codes Vol. 2.	<b>Design guidance (DG)</b> Design guidance provides additional direction for applicants to ensure that proposals are contextually appropriate for the specific sub-precinct.								
<b>2.3 Street setbacks</b>	a) The minimum street setback may be reduced by 1m where a <b>significant existing tree</b> is retained within the street setback area, subject to an arborist report being provided which demonstrates that the building is located to avoid adversely impacting the health of the retained tree.	a) Private open space is encouraged within the street setback area, subject to: <ol style="list-style-type: none"> <li>Deep soil area/s being incorporated; and</li> <li>Any front fence meeting A3.6.6 of Element 3.6 Public domain interface of R-Codes Vol. 2.</li> </ol> b) Where private open space is provided within the street setback area in accordance with (a) above, additional privacy may be afforded to the private open space by providing a level change between the private open space and the street level. A maximum level difference of 1.2m may be supported for this purpose.								
<b>3.3 Tree canopy and deep soil areas</b>	a) The development is to include the minimum number of trees outlined below. <table border="1" data-bbox="300 1003 874 1467"> <thead> <tr> <th>Site area</th> <th>Minimum requirement for trees</th> </tr> </thead> <tbody> <tr> <td>&lt;700m<sup>2</sup></td> <td>2 medium trees AND small tree to suit area</td> </tr> <tr> <td>700 – 1,000m<sup>2</sup></td> <td>3 medium trees AND small trees to suit area</td> </tr> <tr> <td>&gt;1,000m<sup>2</sup></td> <td>1 large tree AND 1 medium tree per 400m<sup>2</sup> OR 1 medium tree per 400m<sup>2</sup> AND 2 small trees per 400m<sup>2</sup></td> </tr> </tbody> </table> b) Of the trees required above, at least one is to be provided within the street setback area, either within private or communal open space. c) A minimum of 20% of the <b>site area</b> is to be provided as <b>landscaping</b> . This shall consist of a minimum 15% <b>deep soil area</b> of the site area. d) The required <b>deep soil area</b> may be reduced by 5% where a <b>significant existing tree</b> is retained on site, or if a large tree is planted on site.	Site area	Minimum requirement for trees	<700m <sup>2</sup>	2 medium trees AND small tree to suit area	700 – 1,000m <sup>2</sup>	3 medium trees AND small trees to suit area	>1,000m <sup>2</sup>	1 large tree AND 1 medium tree per 400m <sup>2</sup> OR 1 medium tree per 400m <sup>2</sup> AND 2 small trees per 400m <sup>2</sup>	a) Deep soil areas and trees plantings should be consolidated within the front and rear setback areas, creating a landscaped buffer between the proposed development and the rear adjoining site/s, and softening the interface with the street. b) Deep soil areas within the street setback area should form part of ground floor apartment private open space. c) Where hard surfaces are proposed within outdoor living areas, permeable finishes such as gravels or permeable paving should be considered in order to reduce stormwater run-off. d) Where a tree is proposed within the street setback area, the required deep soil area for that tree may project into the verge, subject to a landscaping plan demonstrating that any impervious surfaces within the verge will not inhibit the growth of the tree.
Site area	Minimum requirement for trees									
<700m <sup>2</sup>	2 medium trees AND small tree to suit area									
700 – 1,000m <sup>2</sup>	3 medium trees AND small trees to suit area									
>1,000m <sup>2</sup>	1 large tree AND 1 medium tree per 400m <sup>2</sup> OR 1 medium tree per 400m <sup>2</sup> AND 2 small trees per 400m <sup>2</sup>									

### 5.4 Single Houses and Grouped Dwellings – Deemed-to-comply provisions and Local Housing Objectives

	<b>Deemed to comply (DC)</b> In accordance with section 7.3 of the R-Codes Vol. 1, the below provisions amend or replace	<b>Local Housing Objectives</b> Housing objectives provide additional direction for applicants to ensure that proposals are

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	deemed to comply provisions in the R-Codes Vol. 1.	contextually appropriate for the specific sub-precinct.								
<b>5.1.2 Street setback</b>	<p>a) The minimum street setback may be reduced by 1m where a <b>significant existing tree</b> is retained within the street setback area, subject to an arborist report being provided which demonstrates that the building is located to avoid adversely impacting the health of the retained tree.</p>	<p>a) Outdoor living areas are encouraged to be located within the street setback area, subject to:</p> <ul style="list-style-type: none"> <li>i. Deep soil area/s being incorporated; and</li> <li>ii. Any front fence meeting Part 5.2.4 of the R-Codes Vol. 1.</li> </ul> <p>b) Where an outdoor living area is provided within the street setback area in accordance with (a) above, additional privacy may be afforded to the outdoor living area by providing a level change between the outdoor living area and the street level. A maximum level difference of 1.2m may be supported for this purpose.</p>								
<b>5.3.2 Landscaping</b>	<p>a) The development is to include the minimum number of trees outlined below.</p> <table border="1" data-bbox="316 819 887 1191"> <thead> <tr> <th>Parent lot developed simultaneously</th> <th>New developed lots separately</th> </tr> </thead> <tbody> <tr> <td>2 medium trees per parent lot</td> <td>Per new lot: 1 medium tree</td> </tr> <tr> <td><b>OR</b> 3 medium trees per parent lot AND 1 small tree per new lot</td> <td><b>OR</b> 4 small trees</td> </tr> <tr> <td><b>OR</b> 1 large tree and small trees to suit the site</td> <td></td> </tr> </tbody> </table> <p>b) Of the trees required above, at least one is to be provided within the street setback area, either within private or communal open space.</p> <p>c) A minimum of 20% of each <b>site area</b> is to be provided as <b>landscaping</b>. This shall consist of a minimum 15% <b>deep soil area</b> of each site area.</p> <p>d) The required <b>deep soil area</b> may be reduced by 5% where a <b>significant existing tree</b> is retained on site, or if a large tree is planted on site.</p> <p>e) Where a development application is submitted for all grouped dwellings on the parent lot, the minimum <b>deep soil area</b> per site may be varied, provided that it can be demonstrated the total <b>deep soil area</b> allocated across the lot achieves 20% of the lot area.</p> <p>f) Not more than 50 per cent of the street setback area is to consist of impervious surfaces.</p>	Parent lot developed simultaneously	New developed lots separately	2 medium trees per parent lot	Per new lot: 1 medium tree	<b>OR</b> 3 medium trees per parent lot AND 1 small tree per new lot	<b>OR</b> 4 small trees	<b>OR</b> 1 large tree and small trees to suit the site		<p>a) Medium trees (and large trees where provided) should be provided within the front and rear of the parent lot, while small trees may be provided for internal lots.</p> <p>b) Deep soil areas within the street setback area should form part of ground floor outdoor living area where possible.</p> <p>c) Where hard surfaces are proposed within outdoor living areas, permeable finishes such as gravels or permeable paving should be considered in order to reduce stormwater run-off.</p> <p>d) Where a tree is proposed within the street setback area, the minimum tree planting area for that tree may project into the verge, subject to a landscaping plan being provided which demonstrates that any impervious surfaces within the verge will not inhibit the growth of the tree.</p>
Parent lot developed simultaneously	New developed lots separately									
2 medium trees per parent lot	Per new lot: 1 medium tree									
<b>OR</b> 3 medium trees per parent lot AND 1 small tree per new lot	<b>OR</b> 4 small trees									
<b>OR</b> 1 large tree and small trees to suit the site										

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### 6 Definitions

Terms used in this Policy are defined as per State Planning Policy 7.3 Residential Design Codes Volume 1 and Volume 2, unless otherwise specified below:

**Deep Soil Area:** Soft landscape area on lot with no impeding building structure or feature above or below, which supports growth of medium to large canopy trees and meets a stated minimum dimension. Used primarily for landscaping and open to the sky, deep soil areas exclude basement car parks, services, swimming pools, tennis courts and impervious surfaces including car parks, driveways and roof areas.

**Landscaping:** Land developed with garden beds, shrubs, and trees, or by the planting of lawns, and includes planting-on-structure, rockeries, ornamental ponds and any other such area approved of by the decision-maker as landscaped area.

**Significant existing tree:** an existing tree that meets the following criteria:

- healthy specimens with ongoing viability; and
- species is not included on a State or local area weed register; and
- height of at least 4m; and/or
- trunk diameter of at least 160mm, measured 1m from the ground; and/or
- average canopy diameter of at least 4m.

**Site area:** The area of land required for the construction of a dwelling to satisfy the requirements of the R-Codes.

**Street setback:** The horizontal distance between the street boundary and a building, measured at right angles (90 degrees) to the street boundary.

### 7 Appendices

#### Appendix 1 – Energy efficiency initiatives

Examples of energy efficient initiatives that exceed current minimum practice are provided below. Applicants are encouraged to propose other innovative solutions where supported by evidence demonstrating how minimum practice is exceeded:

- Ceiling fans to all habitable rooms;
- Hot water systems that are more energy efficient than electric storage units;
- Provision of an external clothesline to every dwelling, located in an area out of direct view on an external wall or in a breezeway;
- Use of a photovoltaic array for communal services;
- Installation of a lift with regenerative braking;
- Solar powered lighting of external open space, circulation areas and common spaces.



## Relationship of this Policy to R-Codes Volume 1

In accordance with Part 7 of the R-Codes Volume 1, this Policy contains provisions that amend or replace the Deemed to Comply criteria set out in Part 5 of the R-Codes Volume 1. The tables below detail which Deemed-to-Comply criteria of the R-Codes Volume 1 have been amended or replaced by this Policy for each sub-precinct. If an element in the R-Codes Volume 1 is not included in the table below, it is not amended or replaced by this Policy, and the applicable Deemed to Comply in the R-Codes Volume 1 remain and apply.

The Design Principles of the R-Codes Volume 1 remain and apply; however, the Housing Objectives in this Policy must be considered in addition to the Design Principles. The table below details which Housing Objectives must be considered in addition to the applicable Design Principles for each sub-precinct.

<b>R60 and R160 Single Houses/Grouped Dwellings</b>		
<b>Deemed-to-Comply</b>		
<b>R-Code Element</b>	<b>Applicable Clause of this Policy</b>	<b>Applicable Deemed-to-Comply</b>
5.1.2 Street setback	<u>Primary Controls</u> R60: DC1.2 and DC1.3 R160: DC2.2 and DC2.3  <u>Deemed-to-comply</u> 5.1.2	C2.1(i)-(iii) of the R-Codes Volume 1 is replaced by Primary Controls (DC1.2 and DC2.2) and Deemed-to-comply (5.1.2) of this Policy.  C2.1(iv, point 3), C2.2 and C2.3 of the R-codes Volume 1 is replaced by Primary Controls (DC1.3 and DC2.3) of this Policy.  C2.1(iv, points 1 and 2) – (v) and C2.4 of the R-Codes Volume 1 remains and applies.
5.1.3 Lot boundary setback	<u>Primary Controls</u> R60: DC1.4, DC1.5 and DC1.6 R160: DC2.4, DC2.5 and DC2.6	C3.1(i) of the R-Codes Volume 1 is replaced by Primary Controls (DC1.4, DC1.5, DC2.4 and DC2.5,) of this Policy.  C3.2 of the R-Codes Volume 1 is replaced by Primary Controls (DC1.6 and DC2.6) of this Policy.  C3.1(ii)-(vi) of the R-Codes Volume 1 remains and applies.
5.1.6 Building height	<u>Primary Controls</u> R60: DC1.1 R160: DC2.1	C6 of the R-Codes Volume 1 is replaced by Primary Controls (DC1.1 and DC2.1) of this Policy.
5.3.2 Landscaping	<u>General Provisions</u> 4.4  <u>Deemed-to-comply</u> 5.3.2	C2.2 of the R-Codes Volume 1 is replaced by General Provisions (4.4) and Deemed-to-comply (5.3.2) of this Policy.  C2.1 of the R-Codes Volume 1 remains and applies.
5.3.4 Design of car parking spaces	<u>General Provisions</u> 4.8.1	5.3.4 of the R-Codes Volume 1 is augmented by the addition of General Provisions (4.8.1) of this Policy.  C4.1-C4.3 of the R-Codes Volume 1 remains and applies.

5.3.5 Vehicular Access	<u>General Provisions</u> 4.7	C5.2 of the R-Codes Volume 1 is replaced by General Provisions (4.7)  C5.1 and C5.3-C5.7 of the R-Codes Volume 1 remains and applies.
<b>Housing Objectives</b>		
<b>R-Code Element</b>	<b>Applicable Design Principle of this Policy</b>	<b>Applicable Design Principle</b>
5.1.2 Street setback	<u>Local Housing Objectives</u> 5.1.2	Per clause 7.3.1(b) of the of the R-Codes Volume 1, these housing objectives are provided to guide judgements about the merits of proposals. Local Housing Objectives (5.1.2) do not augment the Design Principles.
5.3.2 Landscaping	<u>Local Housing Objectives</u> 5.3.2	Per clause 7.3.1(b) of the of the R-Codes Volume 1, these housing objectives are provided to guide judgements about the merits of proposals. Local Housing Objectives (5.3.2) do not augment the Design Principles.

## Relationship of this Policy to R-Codes Volume 2

In accordance with Clause 1.2 of the R-Codes Volume 2, this Policy contains provisions that amend or replace the Acceptable Outcomes set out in Part 2, 3 and 4 of the R-Codes Volume 2. The tables below detail which Acceptable Outcomes of the R-Codes Volume 2 have been amended or replaced by this Policy for each sub-precinct. If an element in the R-Codes Volume 2 is not included in the table below, it is not amended or replaced by this Policy, and the applicable Acceptable Outcomes in the R-Codes Volume 2 remain and apply.

The Element Objectives of the R-Codes Volume 2 remain and apply; however, Design Guidance in this Policy must be considered in addition to the Element Objectives. The table below details which Design Guidance must be considered in addition to the applicable Element Objectives for each sub-precinct.

<b>R60 and R160 Multiple Dwellings</b>		
<b>Acceptable Outcomes</b>		
<b>R-Code Element</b>	<b>Applicable Clause of this Policy</b>	<b>Applicable Acceptable Outcome</b>
2.2 Building height	<u>Primary Controls</u> R60: AO1.1 R160: AO2.1	A2.2.1 of the R-Codes Volume 2 is replaced by Primary Controls (AO1.1 and AO2.1) of this Policy.
2.3 Street setbacks	<u>Primary Controls</u> R60: AO1.2 and AO1.3 R160: AO2.2 and AO2.3  <u>Acceptable Outcomes</u> 2.3	A2.3.1 of the R-Codes Volume 2 is replaced by Primary Controls (AO1.2, AO1.3, AO2.2 and AO2.3) and Acceptable Outcomes (2.3) of this Policy.

2.4 Side and rear setbacks	<u>Primary Controls</u> R60: AO1.4, AO1.5 and AO1.6 R160: AO2.4, AO2.5 and AO2.6	A2.4.1(a) of the R-Codes Volume 2 is replaced by Primary Controls (AO1.4, AO1.5, AO1.6, AO2.4, AO2.5, AO2.6 and AO3.4) of this Policy.  A2.4.1(b) and A2.4.2 of the R-Codes Volume 2 remain and apply.
3.3 Tree canopy and deep soil areas	<u>General Provisions</u> 4.4  <u>Acceptable Outcomes</u> 3.3	A3.3.4 and A3.3.5 of the R-Codes Volume 2 are replaced by General Provisions (4.4) and Acceptable Outcomes (3.3) of this Policy.  A3.3.1 - A3.3.3, A3.3.6 and A3.3.7 of the R-Codes Volume 2 remain and apply.
3.8 Vehicle Access	<u>General Provisions</u> 4.7	A3.8.1 of the R-Codes Volume 2 are replaced by General Provisions (4.7) of this Policy.  A3.8.2-A3.8.7 of the R-Codes Volume 2 remain and apply.
3.9 Car and bicycle parking	<u>General Provisions</u> 4.8	Element 3.9 of the R-Codes Volume 2 is augmented by the addition of General Provisions (4.8) of this Policy.
4.15 Energy efficiency	<u>General Provisions</u> 4.2	A14.15.1 of the R-Codes Volume 2 are replaced by General Provisions (4.2) of this Policy.
4.16 Water management and conservation	<u>General Provisions</u> 4.2	Element 4.16 of the R-Codes Volume 2 is augmented by the addition of Acceptable Outcomes (4.16) of this Policy.
<b>Design Guidance</b>		
<b>R-Code Element</b>	<b>Applicable Design Guidance of this Policy</b>	<b>Applicable Element Objective</b>
2.3 Street setbacks	<u>Design Guidance</u> 2.3	Design Guidance (2.3) of this Policy have been developed specifically for this sub-precinct and must be considered in addition to O2.3.1 – O 2.3.4 of the R-Codes Volume 2.
3.3 Tree canopy and deep soil areas	<u>Design Guidance</u> 3.3	Design Guidance (3.3) of this Policy have been developed specifically for this sub-precinct and must be considered in addition to O3.3.1 – O 3.3.3 of the R-Codes Volume 2.

## Stakeholder Reference Group – Outcomes Snapshot

The outcomes from the first three SRG workshops were produced as eight Local Values, listed below. These Local Values are key messages communicated by the SRG during their workshops:

### **Local Value 1: LEAFYNESS (Treescape)**

Trees, especially the fine mature examples, are critical parts of the 'material' heritage and identity of place. Many of these are in private, historic properties or on adjacent streets.

### **Local Value 2: CHARACTER + PLACE + IDENTITY (Homegrown)**

Consider a form of development and growth that is appropriate to enhance the existing and traditional patterns of use and create distinctive places which will support a local neighbourhood 'feel' and celebrate Nedlands unique character and identity.

### **Local Value 3: CONNECTIVITY (Walking + Getting Around)**

The barrier effect, pedestrian safety, poor refuge and lack of place quality along the Highway. The streetside zone is inconsistent, hostile and unpleasant. Locations need to be established where vehicle priority is managed with pedestrian needs to allow crossing.

### **Local Value 4: FUNCTIONALITY (Traffic + Access)**

Additional traffic access and egress (and servicing) will be needed in an already congested thoroughfare. This needs to be managed such that business activity and dwelling are serviced appropriately without local streets and properties being severely impacted.

### **Local Value 5: HUMAN SCALE & LIVING LOCAL (Fine Grain + Inviting)**

There is a local quality to the existing shops and services, a human scale and fine grain which makes them approachable. They are attached to the residential 'hinterland', acting as social places for the neighbourhoods adjacent and allowing people to 'live local'.

### **Local Value 6: 'BREATHING ROOM' (Community + Wellbeing)**

More development intensity will also need open spaces and places for nature and tranquillity. Consideration is needed for these human needs in design of both the public and private realm.

### **Local Value 7: 'BIODIVERSITY (Flora + Fauna)**

Consider the Precinct as a type of system where the local, leafy streets are for walking, respite from the traffic and busyness, connections to the river and act as the green 'ribs'. Consider how can this be enhanced and then interpreted along the Highway and in new developments.

### **Local Value 8: 'CALM + COMFORT (Shelter + Amenity)**

Consider the Highway as a place for people. Respect the peaceful streets. An integrated vision which considers the design of the roadway and streets in conjunction with place quality of the adjacent environment such as footpaths, street trees, active transport and nature. Create an environment which supports business, living, human occupation and working.



These Local Values were incorporated into the Built Form Modelling workshops undertaken with the SRG in Workshops 4 and 5. These workshops culminated in the following key outcomes relating to these local values, in a form that can be easily translated into Policy provisions:

### **Built Form**

- Retention of open streetscape feel through increased street and rear setbacks was important.
- Limiting overshadowing and impact on privacy expected.
- Concern relating to very high buildings on the Highway that would look out of place.
- The existing character of the area is important, and elements of this should be retained.
- Concern relating to managing the density transition appropriately, and the impact on single houses.

### **Landscaping**

- Mature landscaping and tree canopy are considered fundamental components of the existing Nedlands character.
- Tree lined streets and an urban canopy are of high importance to the community.
- Building design and site orientation are important considerations in the choice of landscaping options. Landscaping is an important element for buffering and privacy between developments.

### **Amenity**

- Concerns regarding the impacts on neighbouring privacy and amenity from overshadowing, therefore the size of setbacks is important.
- Privacy should be considered where there is a change in typography and at harsh interfaces (i.e., between R160/R60 and R60/R10).

### **Movement**

- Community concerned about increased traffic on local streets and as a result of redevelopment on Stirling Highway.
- Traffic management needs to be considered in the precinct planning.
- Consolidation of vehicle accessways supported, to ensure streets are safe for pedestrians and to minimise hard stand.

### **Sustainability**

Although not a previously identified topic from the built form modelling work, sustainability was a theme that proved to be embedded within each of the key topics of community engagement. Consideration of sustainable elements includes:

- Sustainable building design.
- Encouragement of passive modes of transport such as walking and cycling.
- Consideration of water wise principles and endemic plant species in landscaping plans.
- Retention and provision of an urban tree canopy.

### 16.3 PD60.09.22 Consideration of Development Application – Large Format Digital Sign at Langoulant Road Overpass, Swanbourne

<b>Meeting &amp; Date</b>	Council Meeting – 27 October 2022
<b>Applicant</b>	Urbis
<b>Employee Disclosure under section 5.70 Local Government Act 1995</b>	The author, reviewers and authoriser of this report declare they have no financial or impartiality interest with this matter. There is no financial or personal relationship between City staff involved in the preparation of this report and the proponents or their consultants.
<b>Report Author</b>	Roy Winslow – Manager Urban Planning
<b>Director</b>	Tony Free – Director Planning and Development
<b>Attachments</b>	1. Aerial Image and Zoning Map 2. Development Plans 3. CONFIDENTIAL ATTACHMENT - Submissions

#### Purpose

The purpose of this report is for Council to consider a development application for a Large Format Digital Sign (electronic billboard) which includes third party advertising at the Langoulant Road overpass in Swanbourne.

#### Recommendation

1. That Council, in accordance with Clause 13 of the Metropolitan Region Scheme, recommends that the Western Australian Planning Commission refuse the development application as shown on the plans date stamped 12 July 2022 for a Large Format Digital Sign at Langoulant Road Overpass, Swanbourne, for the following reasons:
  - a. The sign is inconsistent with the objectives of the City’s Local Planning Policy – Signs in that it contributes to the proliferation of advertising signs, and is detrimental to the amenity and character of the nearby residential neighbourhood; and
  - b. The sign is inconsistent with the aims of the City’s Local Planning Scheme No. 3 in the land use of third-party advertising does not enhance local character and amenity, nor respect the vision for the development of the district.
  
2. In the event that the Western Australian Planning Commission approves the digital roof sign, Council recommends the following conditions, without prejudice:
  - a. Luminance levels shall be in accordance with AS 4282-1997 - Control of the obtrusive effects of outdoor lighting.
  - b. Prior to the issue of a building permit, a Sign Management Plan for the sign is to be submitted to and approved by the City of Nedlands. The plan shall be adhered to for the life of the development and include the following:

- i. Confirmation that the sign is not to contain discriminatory or offensive content.
- ii. Complaints and compliance procedure.
- iii. The sign shall be turned off between the hours of 10pm and 6am.
- iv. Confirmation that the signage will be in accordance with Main Roads conditions and the Main Roads Guide to Roadside advertising, including a lighting assessment, and annual lighting audit (at the applicant's cost).

## Voting Requirement

Simple Majority.

This report is of a quasi judicial nature as it is a matter that directly affects a person's rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications and other decisions that may be appealable to the State Administrative Tribunal.

The decision must be made in a manner that is impartial, free from bias, and in accordance with the principles of natural justice. The decision must be made in having regard to the facts of the matter under consideration, and in accordance with the relevant laws and policies as they apply to that matter.

Discretionary considerations and judgments in the decision must be confined to those permitted to be considered under the laws and polices applicable to the matter and given such weight in making the decision as the relevant laws and polices permit them to be given.

## Background

### Land Details

<b>Metropolitan Region Scheme Zone</b>	Primary Regional Road Reserve
<b>Local Planning Scheme Zone</b>	Not zoned
<b>R-Code</b>	N/A
<b>Land Use</b>	Use not listed
<b>Use Class</b>	N/A

The sign is to be located on the Langoulant Road overpass in Swanbourne, which sits over West Coast Highway, and connects Langoulant Road to Servetus Street. The site is located entirely within the Metropolitan Region Scheme 'Primary Regional Road Reserve'. The land is not zoned under the City of Nedlands Local Planning Scheme No. 3.

### Application Details

The application seeks development approval for a Large Format Digital Sign (electronic billboard) which includes third party advertising at the Langoulant Road overpass in Swanbourne. The proposed sign measures 12.5m in width and 3.4m in height (42.5m<sup>2</sup>). The sign is to be attached to the southern side of the overpass with the sign face addressing north-bound traffic. Detail of the sign specifications are provided at **Attachment 2**.



## Discussion

### Assessment of Statutory Provisions

The proposal has been assessed in accordance with the Scheme, the City's Signs Local Planning Policy (Signs LPP), and the matters to be considered of clause 67(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations). Because the sign is located entirely within the Primary Regional Road reservation, the City's regulatory framework does not hold much authority but has nonetheless been used as a guide.

### Local Planning Scheme No. 3

City Officers consider that third party advertising signs (ie: signs advertising a business or service that does not directly relate to the lot on which the sign is located) constitute a distinct land use within the City's scheme. As the land use is not listed in the zoning table, it is classified as a 'Use not listed' and has been treated in the same manner as an 'A' use. This means that the use is not permitted unless the application has been publicly advertised and the local government has assessed the proposal against relevant development provisions.

The sign is located wholly within the Road Reserve and is not zoned by the scheme. In lieu of any zone objective, the proposal has been assessed against the aims of the Scheme. The proposal is inconsistent with the following aims of the Scheme:

- a) Protect and enhance local character and amenity.

In relation to local character and amenity, the sign location is surrounded by predominately low scale residential development. The digital sign will be clearly visible to some residential properties, particularly upper floors on the western side of the highway. Residents in a purely residential area should be somewhat shielded from development which is commercial in nature. The visual impact of the sign may present as a nuisance to surrounding residential development. In this regard the proposal is not considered to protect nor enhance local amenity.

### Signs Local Planning Policy (Signs LPP)

The proposal is defined as a 'hoarding sign' in accordance with the City's Signs LPP. The Signs LPP notes that hoarding signs are permitted, subject to development provisions, on all zoned land except the Residential zone. The proposed sign is located on land which is not zoned by the scheme, and therefore its location is not permitted.

Variations to the Signs LPP development criteria are to be assessed against the objectives of the policy. The digital sign does not meet the following objectives of the policy:

- 3.1 To ensure that signs do not adversely impact on the amenity of the surrounding area.
- 3.2 To avoid the proliferation of signs nor signage which are not relevant to the business.

In relation to 3.1, the sign is considered to adversely impact the amenity of the nearby residential area as discussed above. The sign is considered to result in visual clutter that will be detrimental to the character of the area.

In relation to 3.2, the digital sign proposes a proliferation of signage (ie: third-party advertising) which is not relevant to the purpose of the road. There is concern that approval of the sign would set a precedent, which would result in further proliferation of signage and visual clutter.

## Consultation

### Public Consultation

The development application was advertised in accordance with the City's Local Planning Policy - Consultation of Planning Proposals to adjoining landowners and occupiers within 100 metres of the site. The application was advertised for a period of 14 days from 18 July 2022 to 1 August 2022. At the close of the advertising period eight objections were received. The objections are summarized as follows:

- Potential traffic hazards due to the signage being a distraction to drivers.
- Illuminated signage would be visually intrusive and add to visual pollution and clutter.
- Concerns regarding light spill from the sign causing light pollution to local residential development.
- Impact of digital signage on the amenity and character of Heritage streets (Fraser Street/Shenton Road).
- Large signage is incompatible with residential areas and better suited to freeways through industrial areas.
- Concerns with the third-party commercial nature of the development and being inappropriate for public land.

### Main Roads WA (MRWA)

The application was referred to MRWA in accordance with delegation DEL 2022/03. MRWA has provided the following comment:

Main Roads has no objections subject to the following conditions being imposed:

### Conditions

1. In the event the site where the sign has been erected is needed for future roadworks, the applicant shall upon receipt of a notice from Main Roads, relocate or remove the sign at their own expense.
2. Any proposed illumination of the sign must not exceed 300cd/m<sup>2</sup> (candela per square metre) between sunset and sunrise.
3. The sign must not flash, pulsate or chase.
4. The display content shall exclude colours and shapes that may be mistaken for a traffic signal, traffic signs or instruction signs during all hours.
5. The device must not contain fluorescent, reflective or retro reflective colours or materials.
6. No works are permitted within the West Coast Highway Reservation unless Main Roads has issued a Working on Roads permit

## Strategic Implications

This item relates to the following elements from the City's Strategic Community Plan.

**Vision** Our city will be an environmentally-sensitive, beautiful and inclusive place.

**Values** **Great Natural and Built Environment**  
We protect our enhanced, engaging community spaces, heritage, the natural environment and our biodiversity through well-planned and managed development.

**Priority Area** Urban form - protecting our quality living environment

## Budget/Financial Implications

N/A

## Legislative and Policy Implications

Because the development is located entirely within a Primary Regional Road Reserve and on land that is not zoned under the City's Local Planning Scheme No. 3, Council is requested to make a decision in accordance with Metropolitan Region Scheme (MRS) [delegation DEL2022/03](#). Council may determine to approve the development without conditions, approve the development with conditions, or refuse the development.

Clause 4(b) of DEL2022/03 stipulates that the Western Australian Planning Commission (WAPC) has delegated decisions to local government only where a development is located within a Primary Regional Road Reserve and the local government's decision is consistent with Main Roads advice. Otherwise, the application, along with the City's recommendation, must be referred to the WAPC for a determination.

## Decision Implications

Main Roads has provided conditional approval for the sign. Council may therefore do one of the following with this application:

1. Approve the electronic billboard including all conditions recommended by Main Roads along with any other conditions Council decide are necessary. If Council resolves to approve the proposal, development can proceed after receiving a Building Permit and necessary clearances; or
2. Refer the application to the WAPC with a recommendation for refusal (Council does not have ability to refuse the application and may only recommend that the WAPC do so). The WAPC may opt to approve the sign despite Council's recommendation and without any further involvement from the City in the decision-making process. Development can then proceed after receiving a Building Permit and necessary clearances.

Should Council recommend the application be refused, the WAPC will be the determining body for the application. The WAPC may opt to approve the sign despite Council's recommendation and without any further involvement from the City in the decision-making process. It is therefore recommended that the following condition (along with Main Roads conditions) be provided 'without prejudice' so that the City may have some input in the design and operation of the sign should it be approved. This condition is based on the City's previous decisions on similar applications for digital signage.

1. Luminance levels shall be in accordance with AS 4282-1997 - Control of the obtrusive effects of outdoor lighting.
2. Prior to the issue of a building permit, a Sign Management Plan for the sign is to be submitted to and approved by the City of Nedlands. The plan shall be adhered to for the life of the development and include the following:
  - a. Confirmation that the sign is not to contain discriminatory or offensive content.
  - b. Complaints and compliance procedure.
  - c. The sign shall be turned off between the hours of 10pm and 6am.
  - d. Confirmation that the signage will be in accordance with Main Roads conditions and the Main Roads Guide to Roadside advertising, including a lighting assessment, and annual lighting audit (at the applicant's cost).

## **Conclusion**

The application for a large format digital sign has been presented for Council consideration due to being a 'Use not listed' land use. The proposal is inconsistent with the aims of the City's Local Planning Scheme No. 3 and Signs LPP. It is recommended that Council refer the application to the WAPC with a recommendation for refusal.

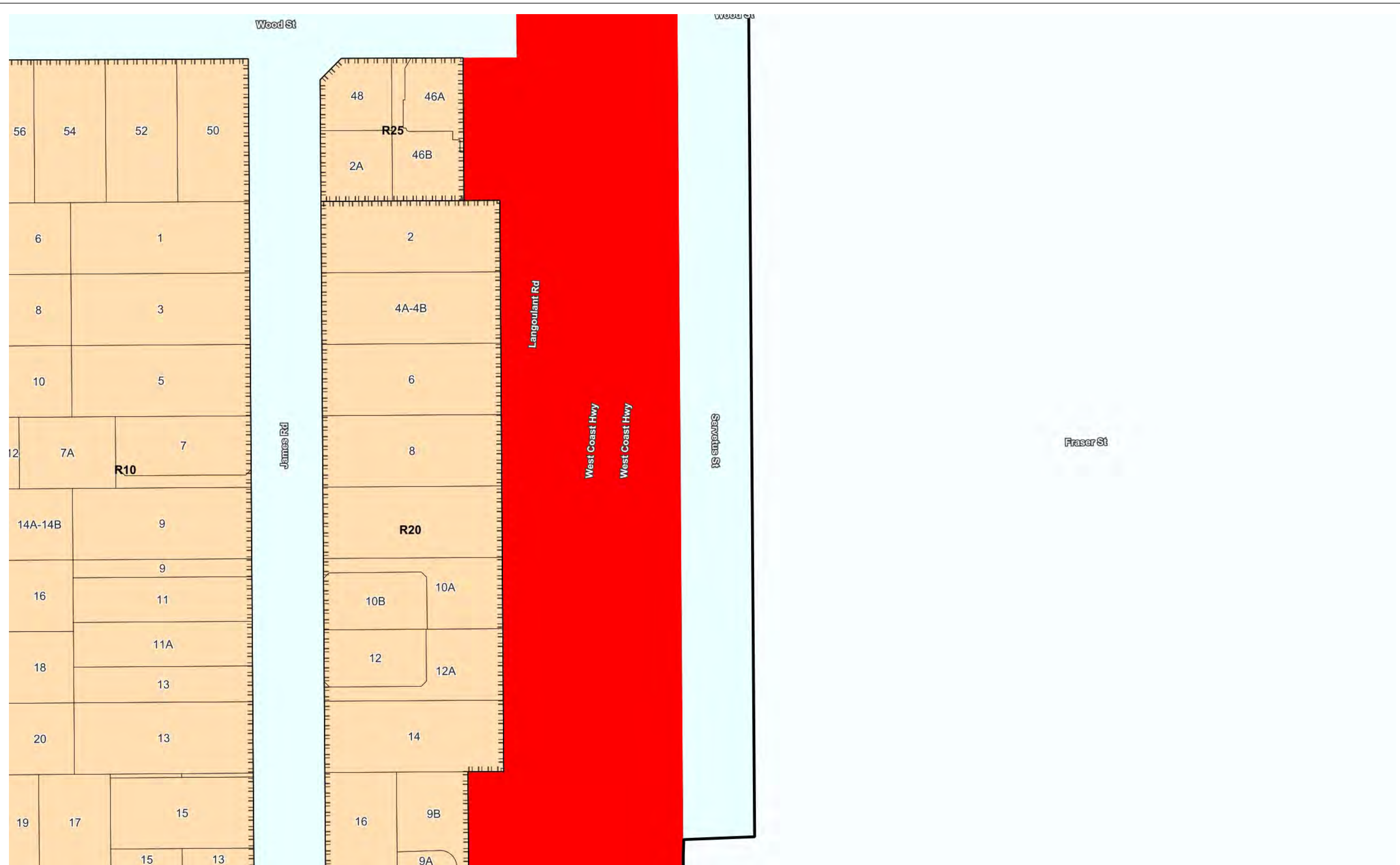
## **Further Information**

Nil.









City of Nedlands  
Plans Received  
12 July 2022

**GENERAL**

- G1. ANY QUERIES OR DISCREPANCIES SHALL BE REFERRED TO THE ENGINEER OR PROJECT MANAGER FOR A DECISION PRIOR TO PROCEEDING WITH THE WORK.
- G2. ALL WORKMANSHIP AND MATERIALS SHALL BE IN ACCORDANCE WITH THE APPROPRIATE AUSTRALIAN STANDARD AND THE BCA AS AMENDED.
- G3. ALL DIMENSIONS ARE IN MILLIMETRES UNLESS NOTED OTHERWISE.
- G4. ALL DIMENSIONS SHALL BE VERIFIED BY THE BUILDER ON SITE PRIOR TO ANY FABRICATION OR CONSTRUCTION.
- G5. DIMENSIONS AND SITE SETOUT SHALL NOT BE OBTAINED BY SCALING THE STRUCTURAL DRAWINGS.
- G6. TEMPORARY BRACING OR PROPPING TO ENSURE THE STRUCTURE IS KEPT IN A STABLE STATE IS THE RESPONSIBILITY OF THE BUILDER.
- G7. THE STRUCTURAL ELEMENTS SHOWN ON THESE DRAWINGS HAVE BEEN DESIGNED FOR THE FOLLOWING LIVE LOADS:

STRUCTURAL ELEMENT	LIVE LOAD kPa
WALKWAYS	2.5

- G8. WIND LOADS TO AS1170.2  
WIND TERRAIN CATEGORY = 2.0 REGION A  
REGION WIND SPEED ULS  $V_{1000} = 46m/s$  (STEEL FRAME)  
REGION WIND SPEED SLS  $V_{25} = 37m/s$  (STEEL FRAME)  
REGION WIND SPEED ULS  $V_{2500} = 48m/s$  (ANCHORS TO BRIDGE)
- G9. BUILDER TO ALLOW TO CONNECT SIGN & ELECTRICAL EQUIPMENT TO POWER TO APPROPRIATE AUSTRALIAN STANDARDS.
- G10. DESIGN LIFE 50 YEARS (STEEL FRAME).  
DESIGN LIFE 100 YEARS (ANCHORS TO BRIDGE).
- G11. DEAD LOADS:  
-SELF WEIGHT OF DIGITAL SCREEN = 0.58 kPa = 2320 kg  
-SELF WEIGHT OF CLADDING = 0.1 kPa = 580 kg  
-SELF WEIGHT OF WALKWAY = 0.2 kPa = 180 kg  
-STEEL BOX = 1650 kg  
-SUPPORT FRAME = 3600 kg  
-ANTI CLIMB FRAME = 550 kg  
-ANTI CLIMB CLADDING = 450 kg

**STRUCTURAL STEEL**

S1. ALL MATERIALS AND WORKMANSHIP SHALL BE IN ACCORDANCE WITH AS5100.6, AS1554 AND AS4600.

S2. STEEL MEMBERS TO HAVE THE FOLLOWING GRADES:

MEMBER	GRADE
HOT ROLLED SECTIONS UB's, UC's, PFC's AND ANGLES	300
HOLLOW SECTIONS CHS, SHS AND RHS	350
COLD FORMED PURLINS AND GIRTS	400
FLAT BARS AND RODS	250

S3. BOLT DESIGNATION:

4.6/S	GRADE 4.6 BOLTS TO AS1111 SNUG TIGHTENED
8.8/S	HIGH STRENGTH GRADE 8.8 TO AS1252 SNUG TIGHTENED
8.8/TB	HIGH STRENGTH GRADE 8.8 TO AS1252 FULLY TENSIONED TO AS4100 AS A BEARING JOINT
8.8/TF	HIGH STRENGTH GRADE 8.8 TO AS1252 FULLY TENSIONED TO AS5100.6 AS A FRICTION JOINT WITH CONTACT SURFACES LEFT UNCOATED

S4. ALL BOLTS TO BE M20 GRADE 8.8/S U.N.O ON STRUCTURAL DRAWINGS. NO STEEL TO STEEL CONNECTION TO HAVE LESS THAN 2 BOLTS.

S5. ALL PLATES, GUSSETS, FINS ETC TO BE 10mm THICK MINIMUM. ALL WELDS TO BE 6mm CONTINUOUS FILLET WELDS ALL AROUND U.N.O. BUTT WELDS TO BE FULL PENETRATION. ELECTRODES TO BE E48XX/W50X U.N.O.

S6. THE BUILDER SHALL PROVIDE ALL CLEATS AND HOLES NECESSARY FOR ALL ATTACHMENTS WHETHER SHOWN ON STRUCTURAL DRAWINGS OR NOT.

S7. PROVIDE HOOK BOLTS FROM BRACING TO PURLINS AT BRACING MID POINT TO PREVENT SAG IN BRACING.

S8. THE BUILDER SHALL MAINTAIN THE STRUCTURE AND STRUCTURAL STEEL IN A STABLE CONDITION DURING THE CONSTRUCTION AND SHALL PROVIDE TEMPORARY BRACING, FALSEWORK OR PROPPING AS REQUIRED TO ACHIEVE THIS. THIS BRACING ETC SHALL BE AT THE COST OF THE BUILDER.

S9. THE BUILDER SHALL PROVIDE 4 COPIES OF STRUCTURAL STEEL SHOP DRAWINGS FOR APPROVAL BY THE ENGINEER 14 DAYS PRIOR TO FABRICATION.

S10. STRUCTURAL STEELWORK TO HAVE THE FOLLOWING SURFACE TREATMENT:

ELEMENT	SURFACE TREATMENT	SURFACE COATING
ALL	PICKLE TO AS1627 PART 5	HOT DIP GALVANISE TO AS4680:2006

S11. ALL STEELWORK & MESH TO BE PAINTED. PAINT TO BE MONUMENT BY 'DULUX'.

S12. BUILDER/FABRICATOR TO ALLOW FOR ALL VENT HOLES IN ALL STEEL MEMBERS AS REQUIRED IN ACCORDANCE WITH AS54680 SECTION C6.

S13. 3mm CAP PLATE TO OPEN ENDS OF HOLLOW SECTIONS TYPICAL U.N.O.

S14. ALL WELDS AND WELD INSPECTIONS TO BE IN ACCORDANCE WITH MAIN ROADS WESTERN AUSTRALIA SPECIFICATION 830, 'STRUCTURAL STEELWORK' AND AS1554.1

**SAFETY IN DESIGN**

D1. THE DESIGN OF THE NEW STEEL STRUCTURE TO SUPPORT THE NEW DIGITAL SCREENS AND CHECKS OF THE EXISTING BRIDGE HAVE BEEN CARRIED OUT IN ACCORDANCE WITH THE SAFE DESIGN OF STRUCTURES CODE OF PRACTICE 2018 AND AS5100.

IN PARTICULAR:

D2. DESIGN

- THE STRUCTURE HAS BEEN DESIGNED SO ALL COMPONENTS CAN BE PREFABRICATED OFF SITE TO MINIMISE ASSEMBLING AND ERECTING AT HEIGHT.
- HOLLOW SECTION MEMBERS HAVE BEEN USED WHERE POSSIBLE TO REDUCE SHARP EDGES.
- THE NEW STRUCTURE IS LOCATED OUTSIDE THE EXTERNAL FACE OF THE BRIDGE TO MINIMISE RISK TO THE PUBLIC.
- THE UNDERSIDE OF THE SIGN STRUCTURE IS LOCATED AT THE SOFFIT OF THE BRIDGE
- ADDITIONAL CABLES FIXING SIGN BOX TO BRIDGE TO PREVENT BOX FALLING ONTO THE ROAD DUE TO VEHICLE IMPACT.

CONSTRUCTION

DESIGN OPTIONS ADOPTED TO CONTROL RISKS DURING CONSTRUCTION

- CONTRACTOR TO LOCATE ALL SERVICES IN THE EXISTING BRIDGE STRUCTURE PRIOR TO CONSTRUCTION.
- THE NUMBER OF CRANE LIFTS AND WORKERS EXPOSURE TO FALLS FROM HEIGHTS MINIMIZED BY ADOPTING THE FOLLOWING CONSTRUCTION PROCEDURE.
  1. FIRST NIGHT INSTALLING THE CHEMICAL ANCHORS BY CHERRY PICKER. THIS INCLUDES SCANNING THE BRIDGE TO AVOID DAMAGING REINFORCEMENT.
  2. SECOND NIGHT LIFTING THE FRAMES AND HORIZONTAL RAILS INTO POSITION BY CRANE.
  3. THIRD NIGHT LIFTING THE DIGITAL BOX INTO POSITION IN ONE CRANE LIFT EACH. NOTE THE DIGITAL SCREENS ARE BOLTED TO THE BOX PRIOR TO TRANSPORT TO SITE.
- TRAFFIC TO BE MANAGED BY CONTRACTOR DURING CONSTRUCTION.

D4. MAINTENANCE/OPERATION

DESIGN OPTIONS ADOPTED TO CONTROL RISKS DURING MAINTENANCE /OPERATION OF THE DIGITAL SIGN.

- FOR THE DIGITAL SCREEN THE STRUCTURE DESIGNED SO MAINTENANCE OF THE SIGN IS DONE FROM A PERMANENT WALKWAY LOCATED BEHIND THE DIGITAL SCREENS INSIDE AN ENCLOSED BOX TO ENSURE THE SAFETY OF THE OPERATOR WORKING ON THE DIGITAL SCREENS AND TO ENSURE SAFETY OF THE PUBLIC TRAVELLING UNDER THE SIGN.

D5. DECOMMISSIONING

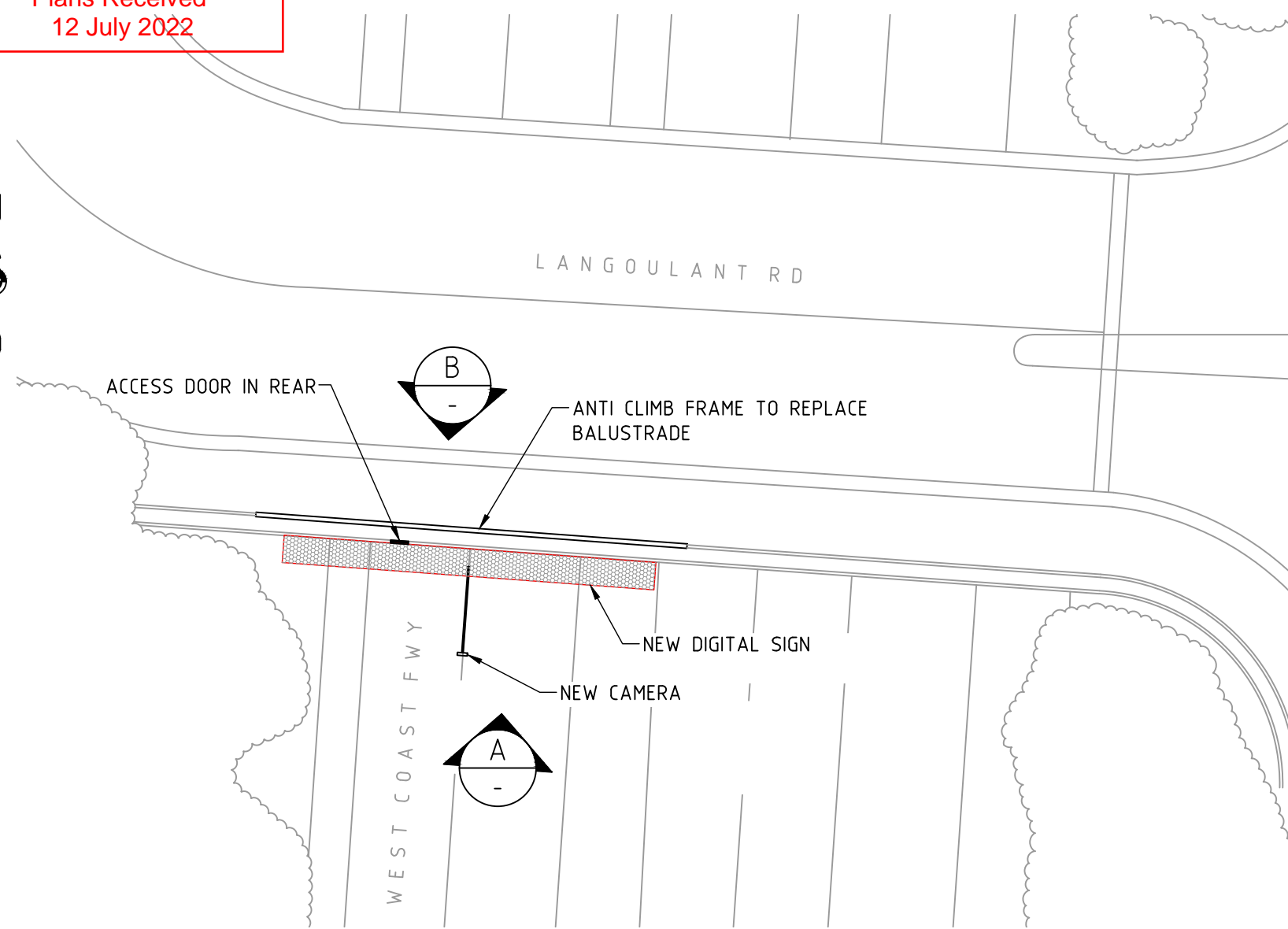
- TRAFFIC TO BE MANAGED BY CONTRACTOR DURING DECOMMISSIONING.
- THE NUMBER OF CRANE LIFTS AND WORKERS EXPOSURE TO FALLS FROM HEIGHTS MINIMIZED BY ADOPTING THE FOLLOWING CONSTRUCTION PROCEDURE.
  1. REMOVAL OF THE EACH EXISTING DIGITAL SIGN BOX IN ONE OR TWO CRANE LIFTS PER BOX.
  2. REMOVAL OF EXISTING SUPPORT STRUCTURE VIA CHERRY PICKER.
- STRUCTURE STABILITY OF THE SIGN BOX AND SUPPORT STRUCTURE TO BE MAINTAINED DURING DECOMMISSIONING.



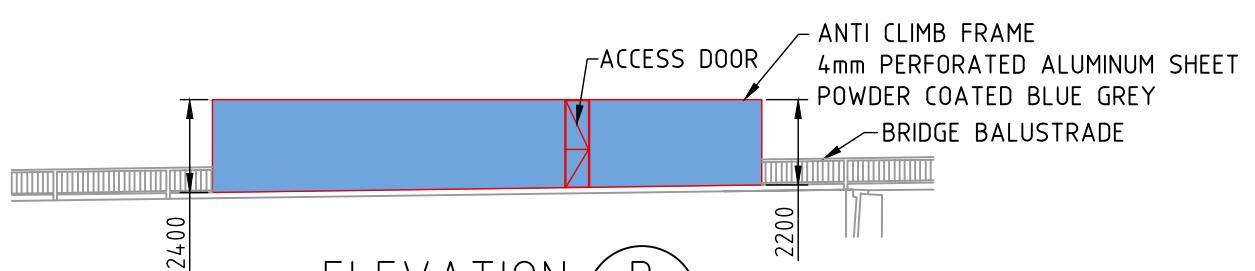
FOR REVIEW

ISS	DATE	COMMENT	DESIGNER:	VERIFIER:	CLIENT:	TITLE:	DRAWN	DESIGN	DATE:	
A	09/05/22	ISSUED FOR REVIEW				STRUCTURAL NOTES	MT	JL	APRIL'22	
							JOB NO: 22040	DWG NO: S01		
							SCALE @ A3: AS SHOWN	REV: A		
						PROJECT:				
						LANGOULANT RD OVERPASS, SWANBOURNE				
						WESTERN AUSTRALIA				

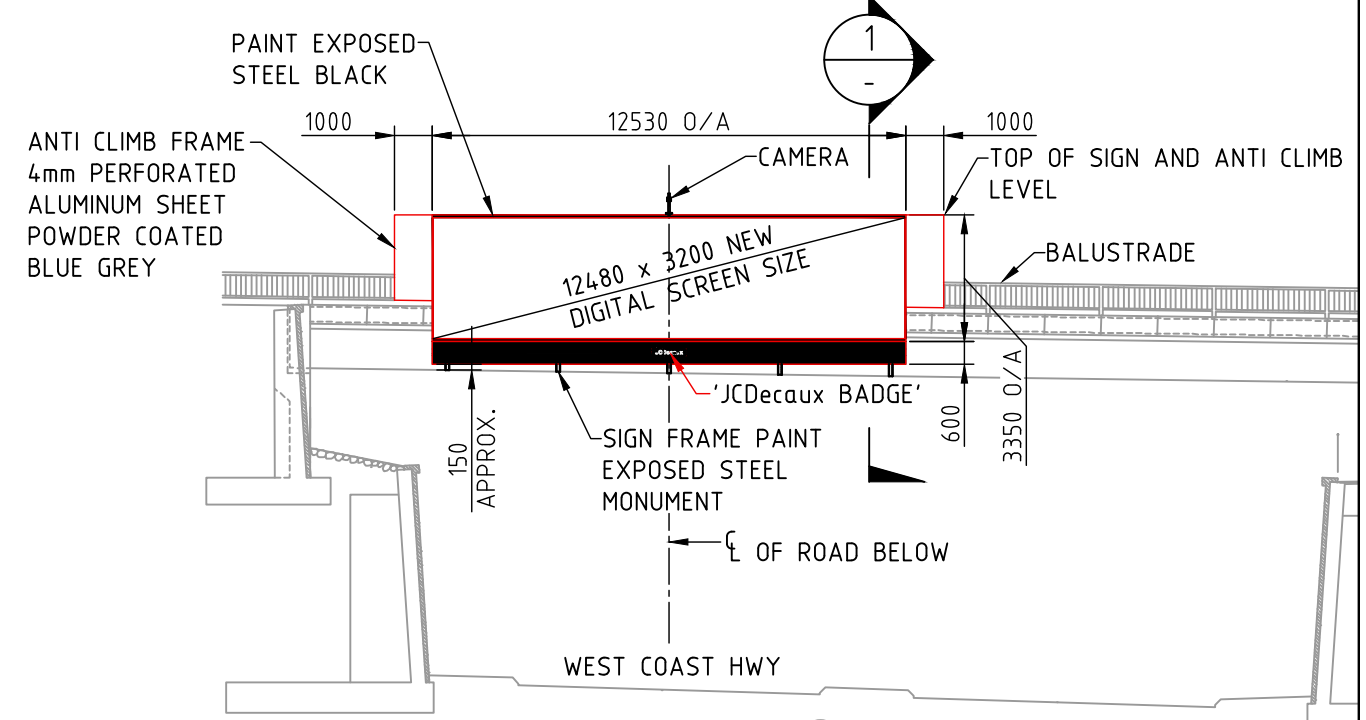
City of Nedlands  
Plans Received  
12 July 2022



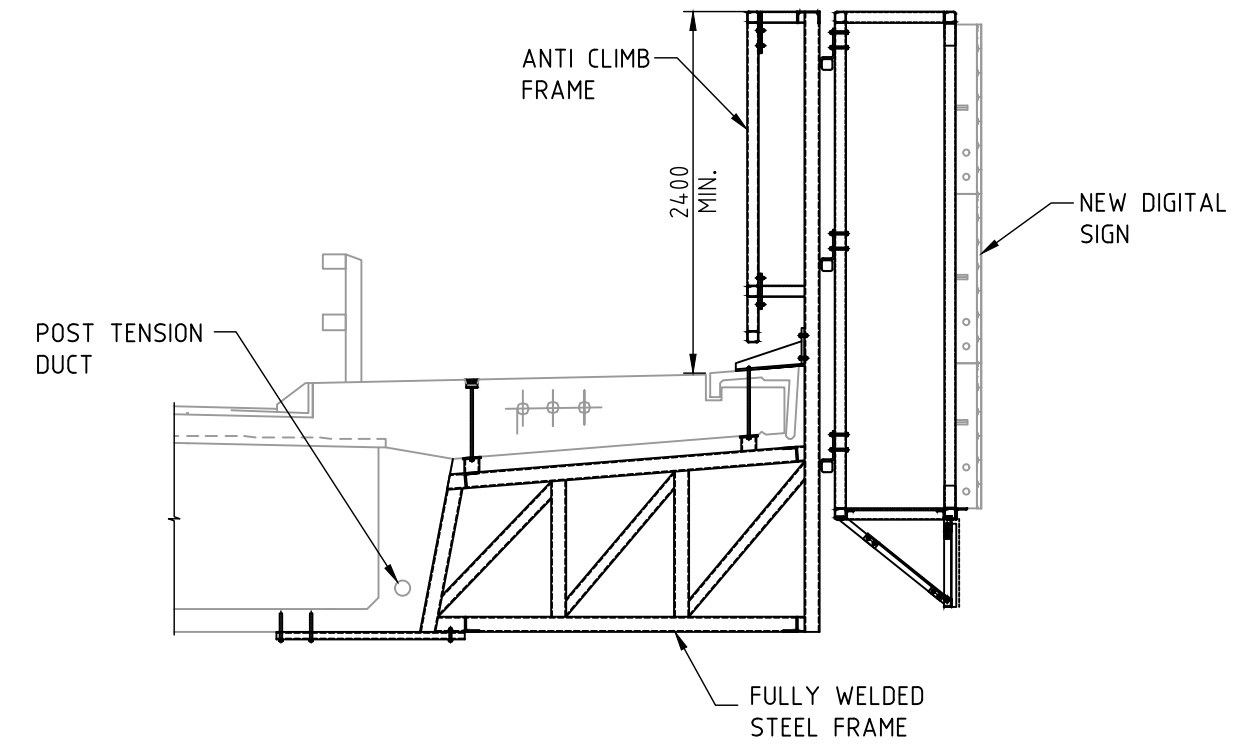
SITE PLAN  
SCALE 1:200



ELEVATION B  
SCALE 1:200



ELEVATION A  
SCALE 1:200



SECTION 1  
SCALE 1:50

FOR REVIEW

ISS	DATE	COMMENT
A	09/05/22	ISSUED FOR REVIEW
B	23/05/22	RE-ISSUED FOR REVIEW

DESIGNER:

VERIFIER:

CLIENT:

PROJECT:  
LANGOULANT RD OVERPASS, SWANBOURNE  
WESTERN AUSTRALIA

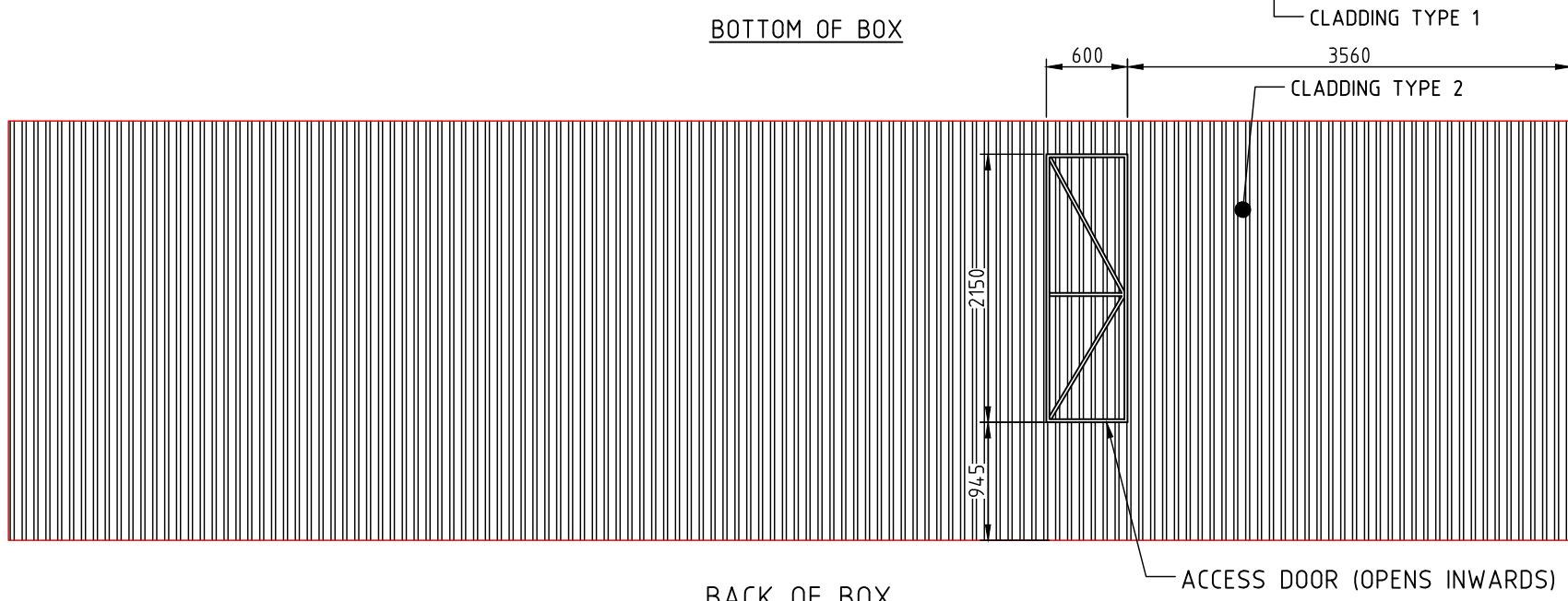
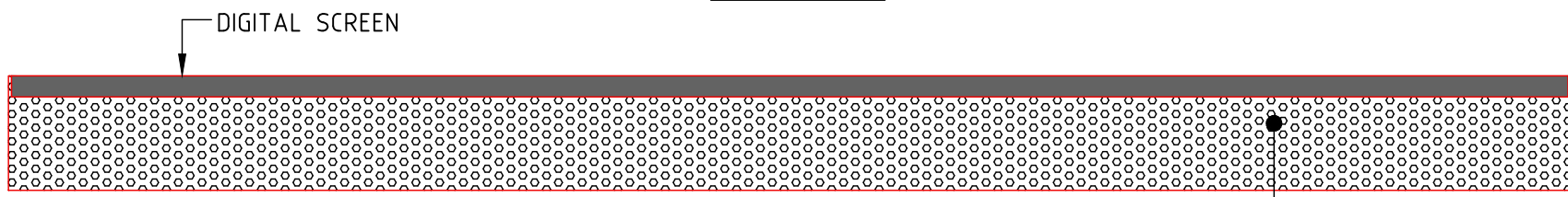
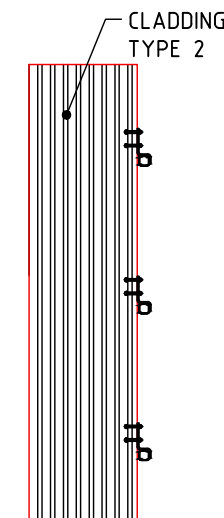
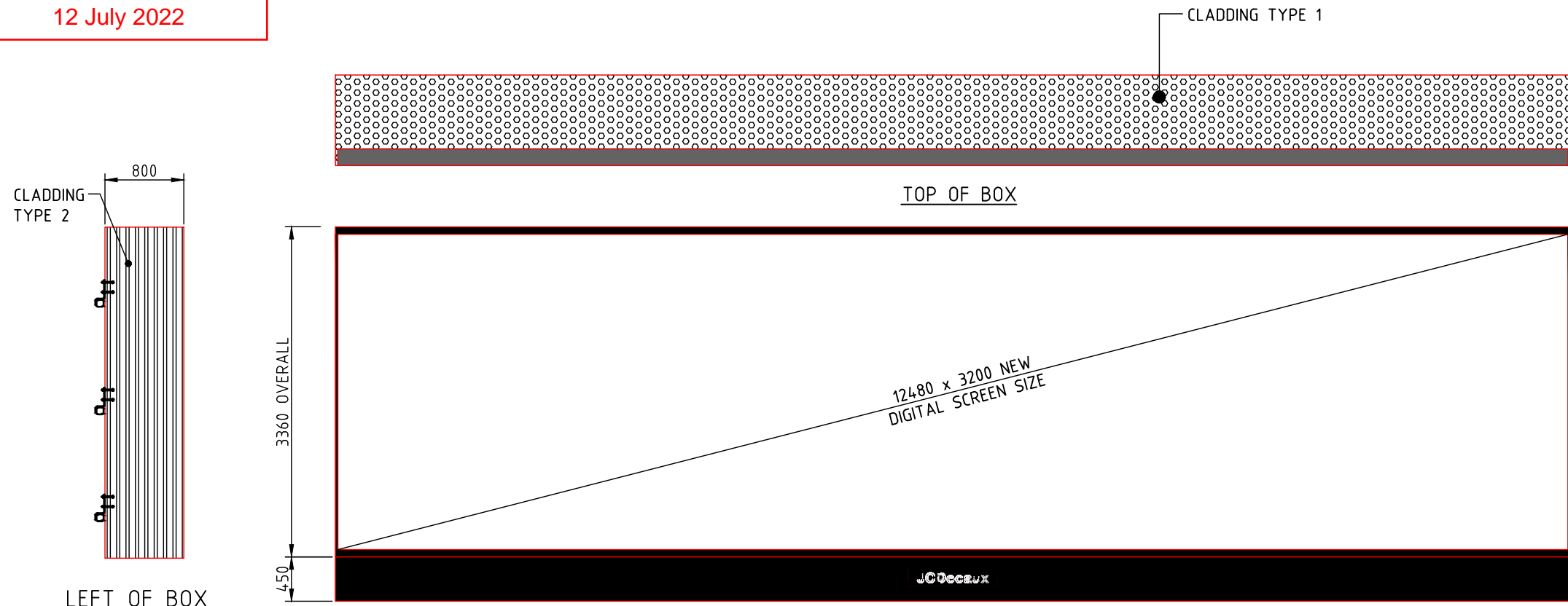
TITLE:

DIGITAL SIGN  
GENERAL ARRANGEMENT

DRAWN MT	DESIGN JL	DATE: APRIL'22
JOB NO: 22040	DWG NO: S02	
SCALE @ A3: AS SHOWN		REV: B






City of Nedlands  
Plans Received  
12 July 2022



**CLADDING SCHEDULE**

ITEM	MATERIAL
TYPE 1	LOCKER GROUP PERFORATED MESH R03230 ALUMINIMUM SHEET 1.6mm. 1 COAT OF EPOXY PAINT 'COLOUR MONUMENT' SCREW FIXED TO STEEL FRAME 12g TEK SCREWS @ 300 CTS
TYPE 2	CLADDING - MINIORB 0.48 SPAN VERTICALLY 'COLOUR MONUMENT' SCREW FIXED TO STEEL FRAME 12g TEK SCREWS @ 300 CTS
TYPE 3	3mm FR ACM SHEET COLOUR BLACK - FIX WITH 12g TEK SCREW @ 300 CTS (PAINT BLACK)

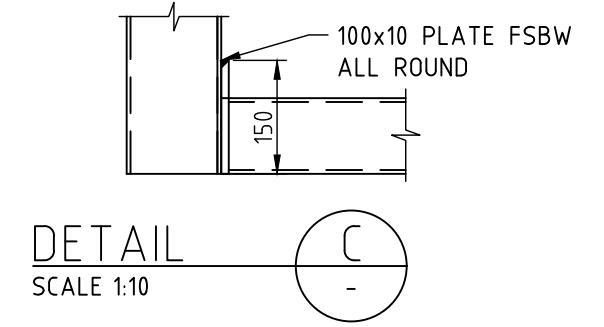
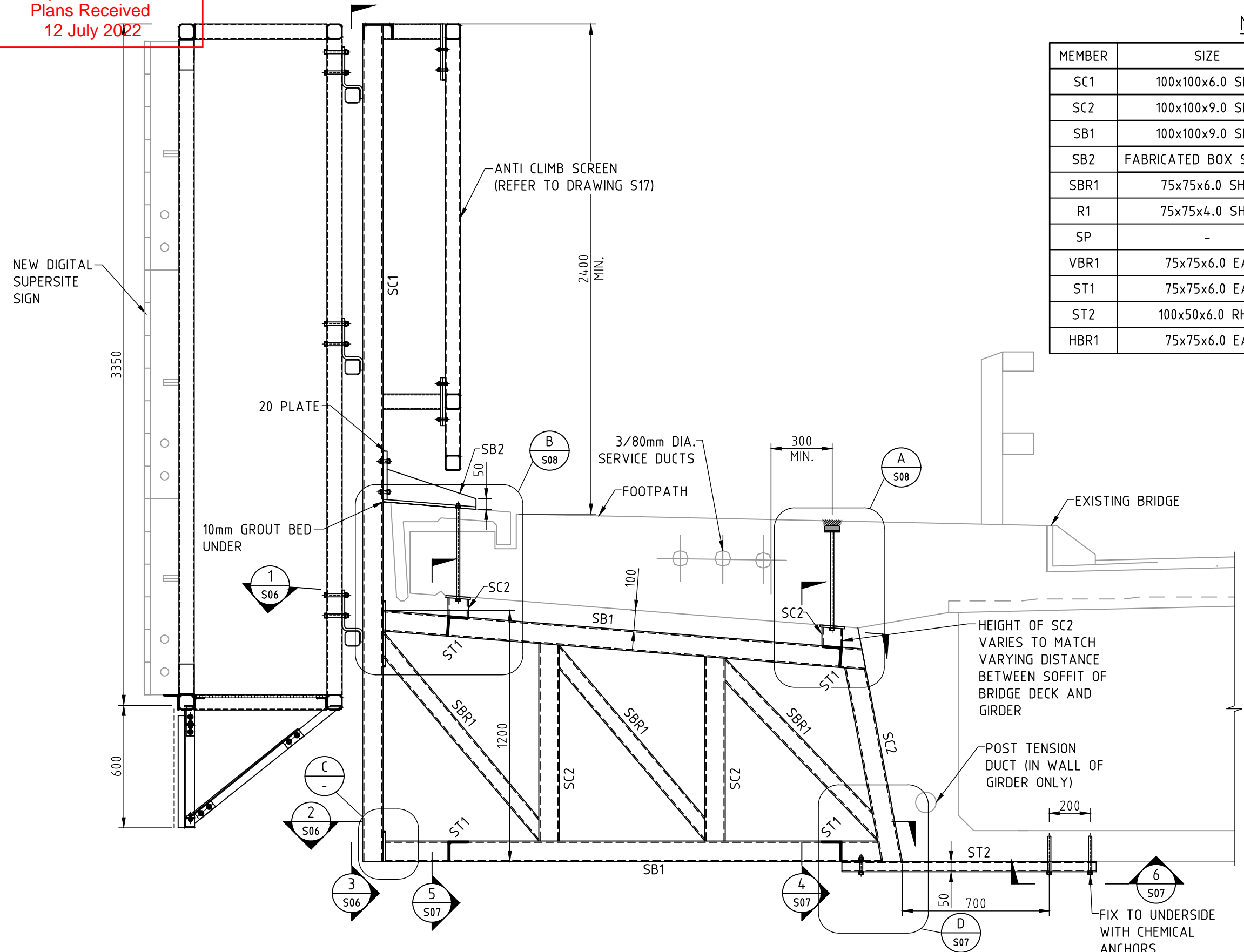
FOR REVIEW

ISS	DATE	COMMENT	DESIGNER:	VERIFIER:	CLIENT:	TITLE:	DRAWN	DESIGN	DATE:
A	09/05/22	ISSUED FOR REVIEW				DIGITAL SIGN BOX GENERAL ARRANGEMENTS	MT	JL	APRIL'22
							JOB NO: 22040	DWG NO: S03	
							SCALE @ A3: AS SHOWN	REV: A	
					PROJECT: LANGOULANT RD OVERPASS, SWANBOURNE WESTERN AUSTRALIA				

City of Nedlands  
Plans Received  
12 July 2022

MEMBER SCHEDULE

MEMBER	SIZE	COMMENTS
SC1	100x100x6.0 SHS	STEEL COLUMN
SC2	100x100x9.0 SHS	STEEL COLUMN
SB1	100x100x9.0 SHS	STEEL BEAM
SB2	FABRICATED BOX SECTION	REFER TO DRAWING S08
SBR1	75x75x6.0 SHS	STEEL BRACE
R1	75x75x4.0 SHS	STEEL RAIL
SP	-	SPLICE CONNECTION (REFER TO DETAIL)
VBR1	75x75x6.0 EA	VERTICAL BRACE
ST1	75x75x6.0 EA	HORIZONTAL BRACE
ST2	100x50x6.0 RHS	HORIZONTAL BRACE
HBR1	75x75x6.0 EA	HORIZONTAL BRACE



TYPICAL BRIDGE SECTION AND SUPPORT FRAME  
SCALE 1:20  
(FOUR STEEL FRAMES AT 3m CENTERS)

FOR REVIEW

ISS	DATE	COMMENT
A	09/05/22	ISSUED FOR REVIEW

DESIGNER:

VERIFIER:

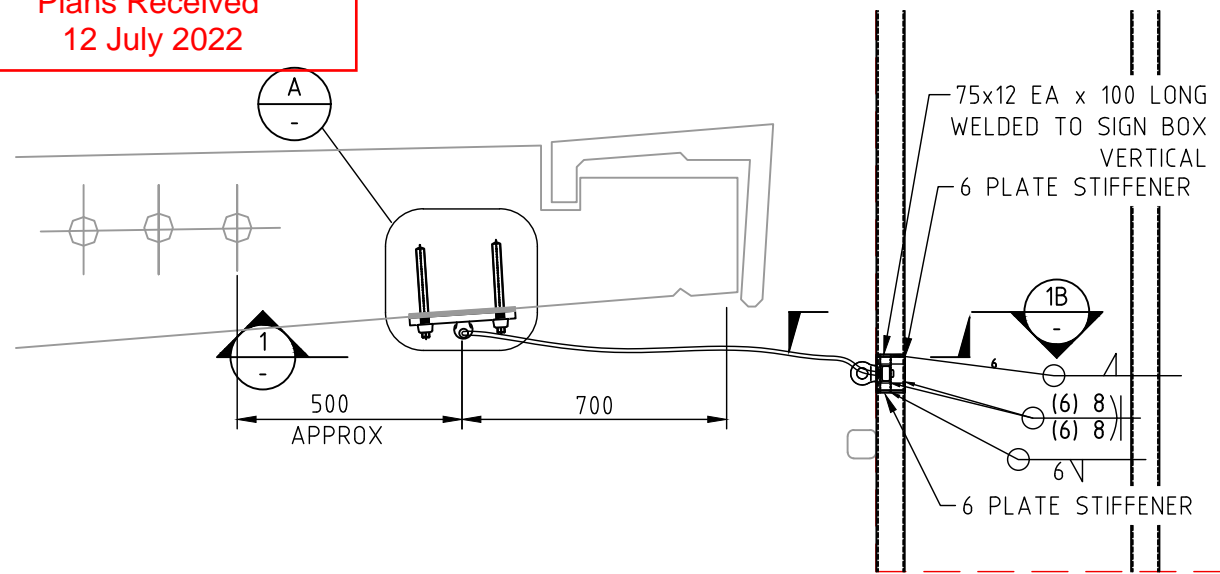
CLIENT:

PROJECT:  
LANGOULANT RD OVERPASS, SWANBOURNE  
WESTERN AUSTRALIA

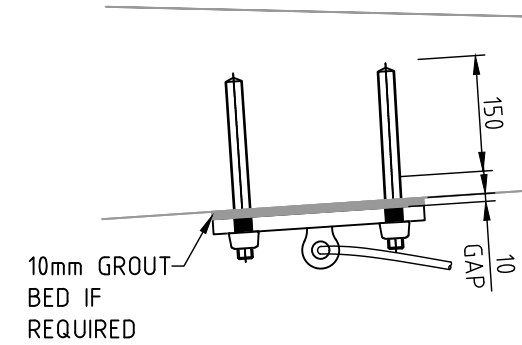
TITLE:  
STRUCTURAL SUPPORT  
DETAILS

DRAWN MT	DESIGN JL	DATE: APRIL'22
JOB NO: 22040	DWG NO: S04	
SCALE @ A3: AS SHOWN	REV: A	

City of Nedlands  
Plans Received  
12 July 2022

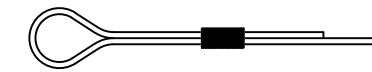


- NOTES FOR INSTALLATION OF CHEMICAL ANCHORS
1. DRILL HOLE 24mm DIA.
  2. CLEAN DUST FROM HOLE AFTER DRILLING TO HILTI SPEC
  3. INJECT ADHESIVE USING PLUGS DUE TO OVERHEAD INSTALLATION
  4. INSERT ANCHOR
  5. ALLOW 3 HOURS BEFORE LOADING

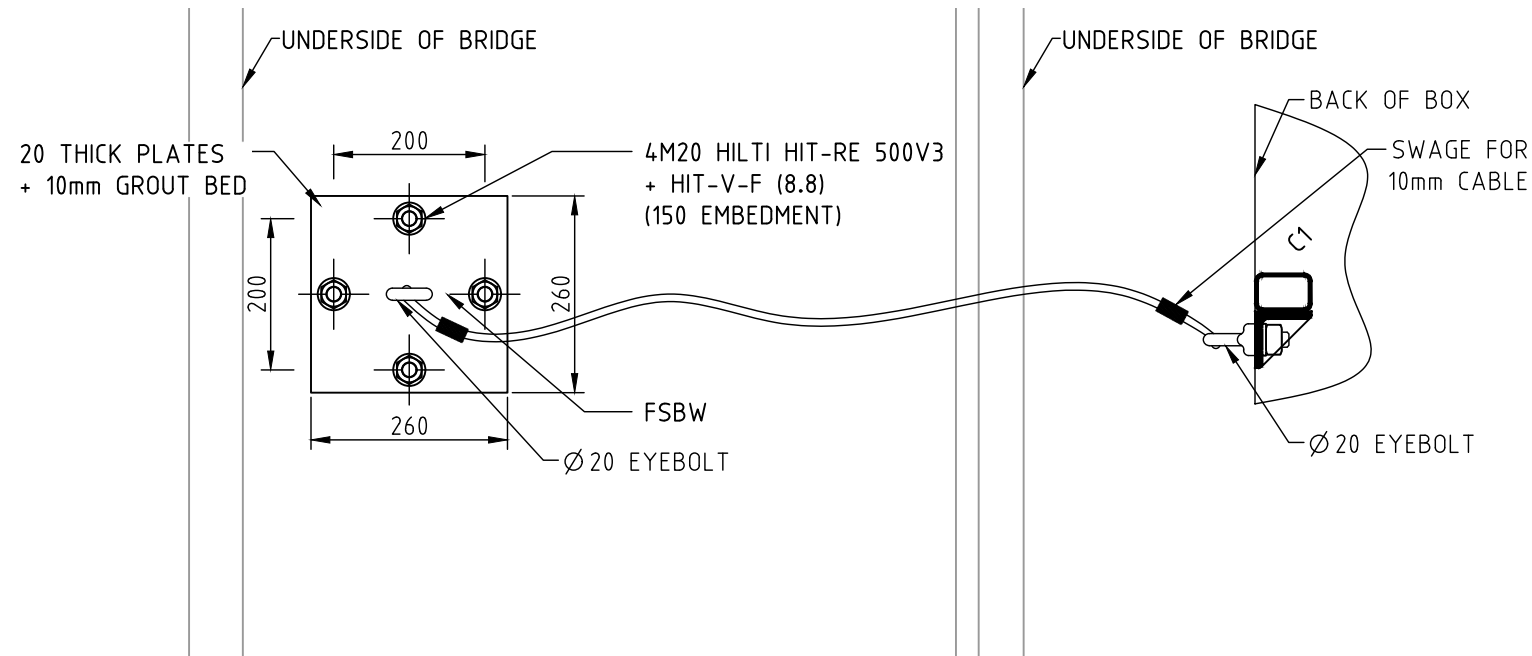


DETAIL  
SCALE 1:10

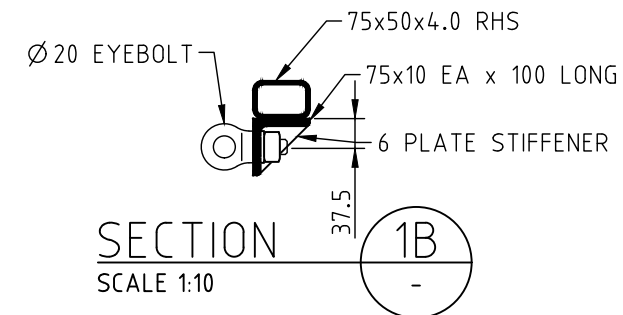
FALL RESTRAINT CABLE DETAIL  
SCALE 1:20



10mm (7x7) TETHER CABLE TERMINATION  
GALVANISED CABLE  
BREAKING STRESS 1570 MPa



SECTION 1  
SCALE 1:10



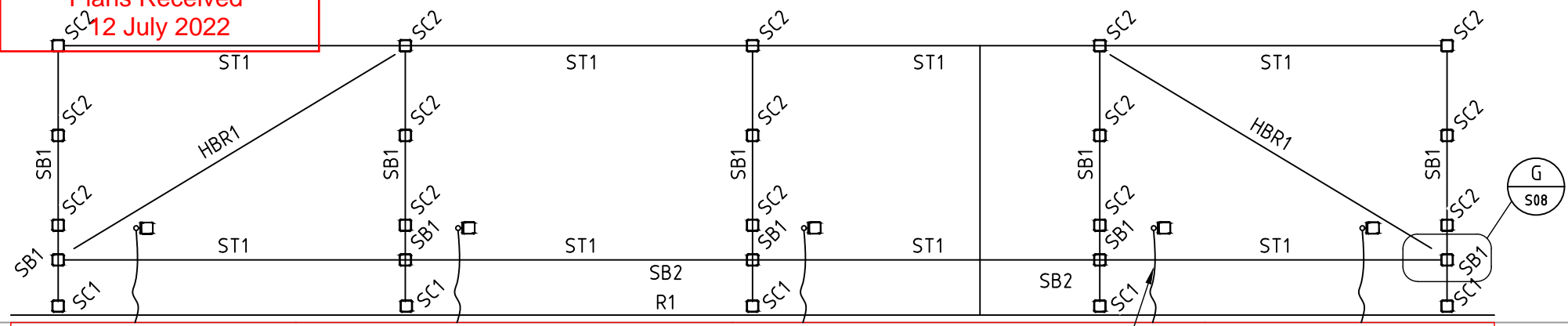
SECTION 1B  
SCALE 1:10

FOR REVIEW

ISS	DATE	COMMENT	DESIGNER:	VERIFIER:	CLIENT:	TITLE:	DRAWN	DESIGN	DATE:
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							JOB NO: 22040	DWG NO: S05	
							SCALE @ A3: AS SHOWN	REV: A	
			PROJECT: LANGOULANT RD OVERPASS, SWANBOURNE WESTERN AUSTRALIA						



City of Nedlands  
Plans Received  
12 July 2022

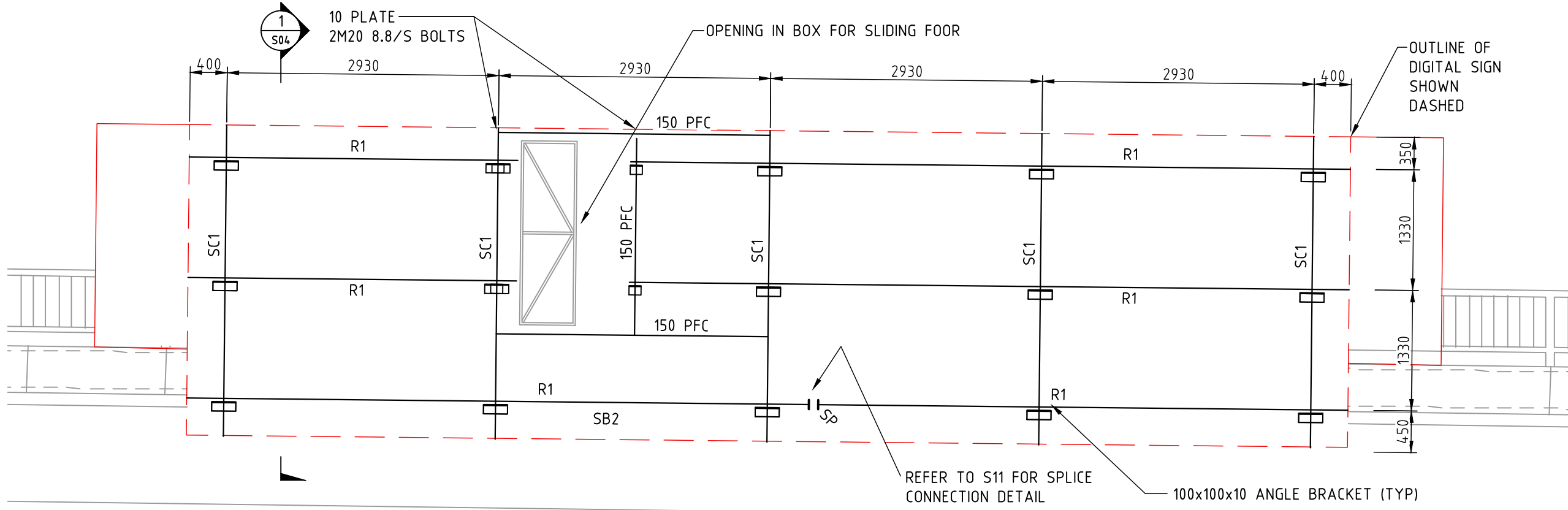


FALL RESTRAINT CABLES, REFER TO DETAIL ON S05

MEMBER SCHEDULE

MEMBER	SIZE	COMMENTS
SC1	100x100x6.0 SHS	STEEL COLUMN
SC2	100x100x9.0 SHS	STEEL COLUMN
SB1	100x100x9.0 SHS	STEEL BEAM
SB2	FABRICATED BOX SECTION	REFER TO DRAWING S08
SBR1	75x75x6.0 SHS	STEEL BRACE
R1	75x75x4.0 SHS	STEEL RAIL
SP	-	SPLICE CONNECTION (REFER TO DETAIL)
VBR1	75x75x6.0 EA	VERTICAL BRACE
ST1	75x75x6.0 EA	HORIZONTAL BRACE
HBR1	75x75x6.0 EA	HORIZONTAL BRACE

SECTION 1 2 SIM.  
SCALE 1:50



SECTION 3  
SCALE 1:50

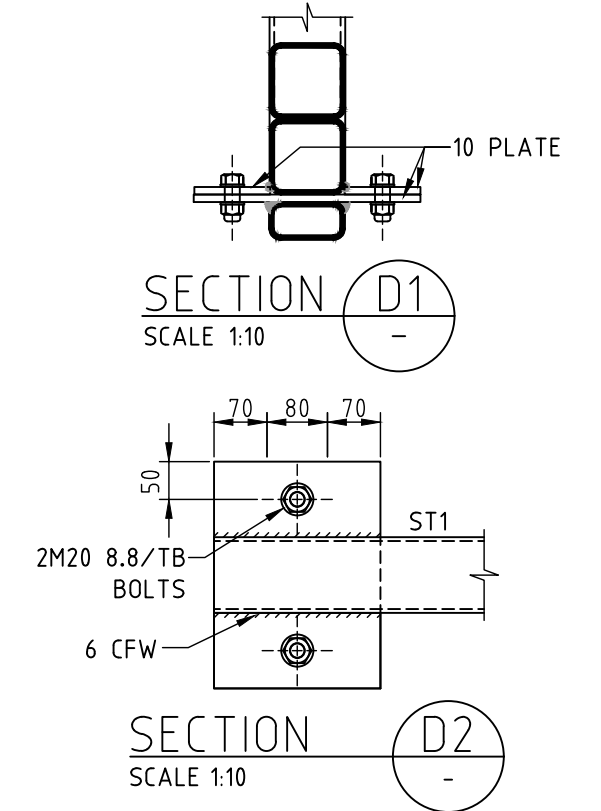
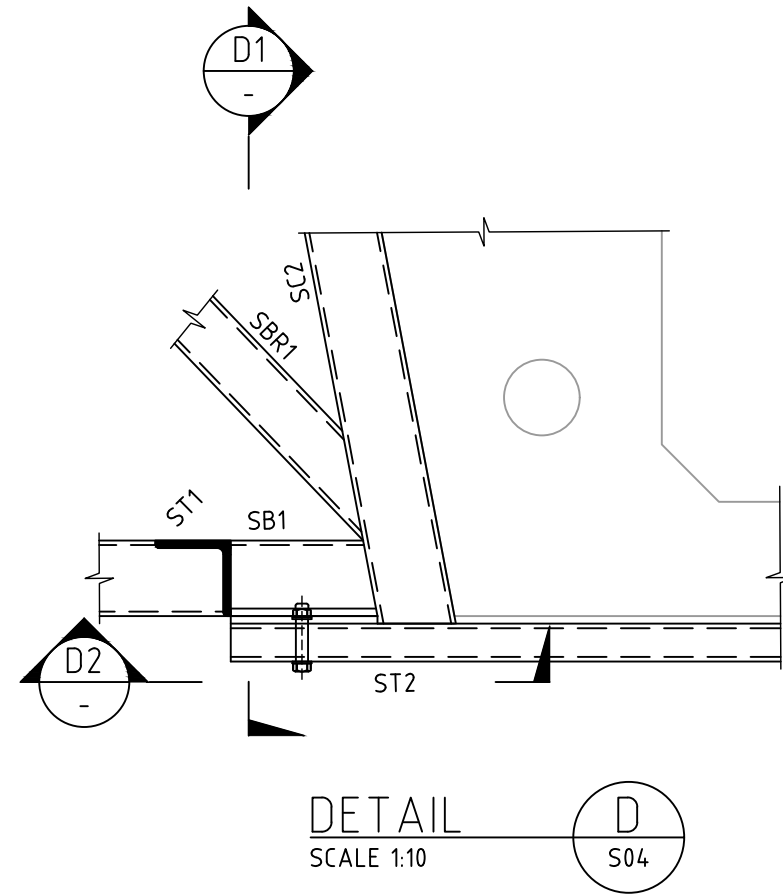
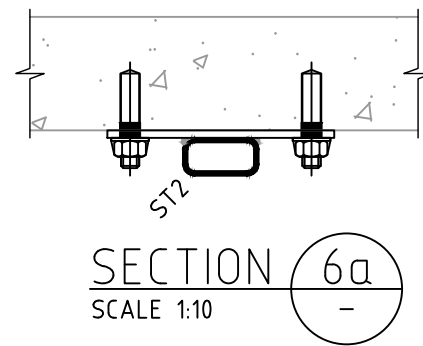
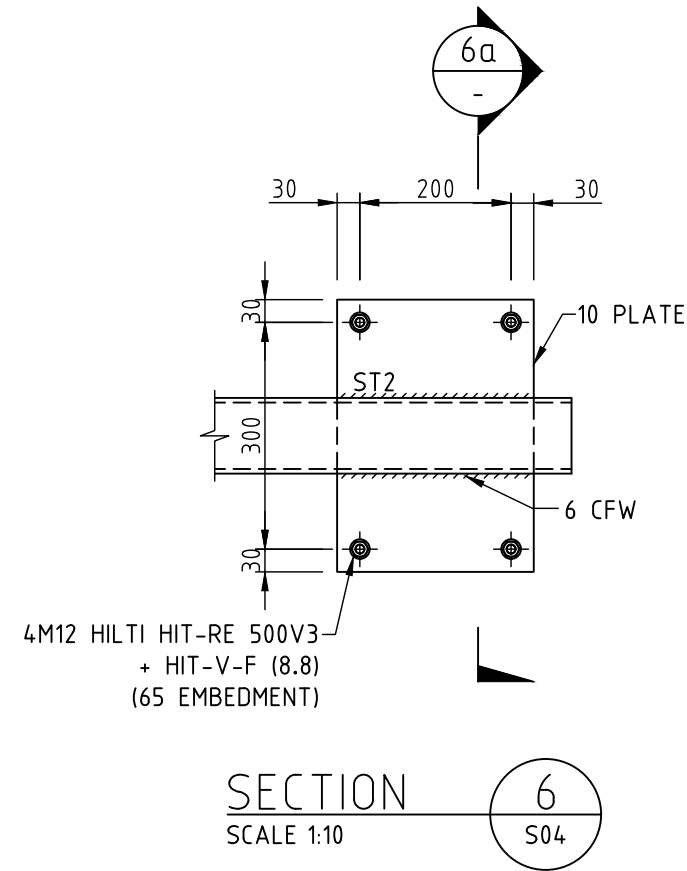
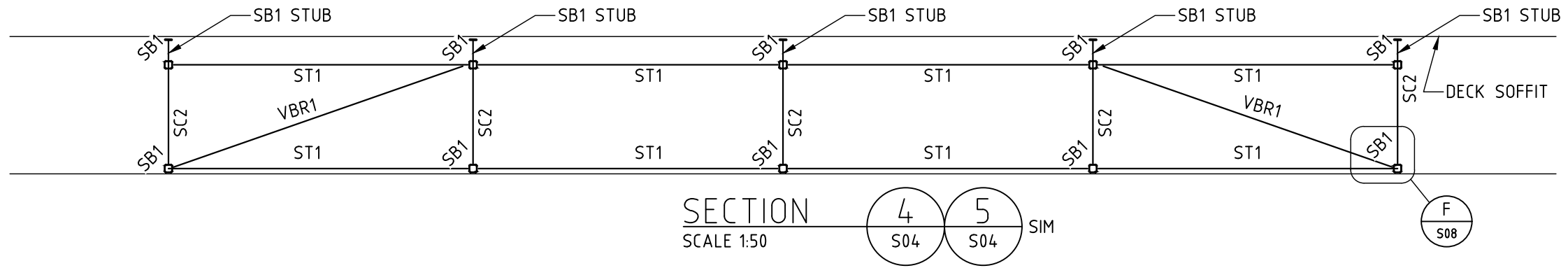
NOTE: ALL FALL RESTRAINT CABLES TO BE THE SAME LENGTH

STRUCTURAL SUPPORT ELEVATION  
SCALE 1:50

FOR REVIEW

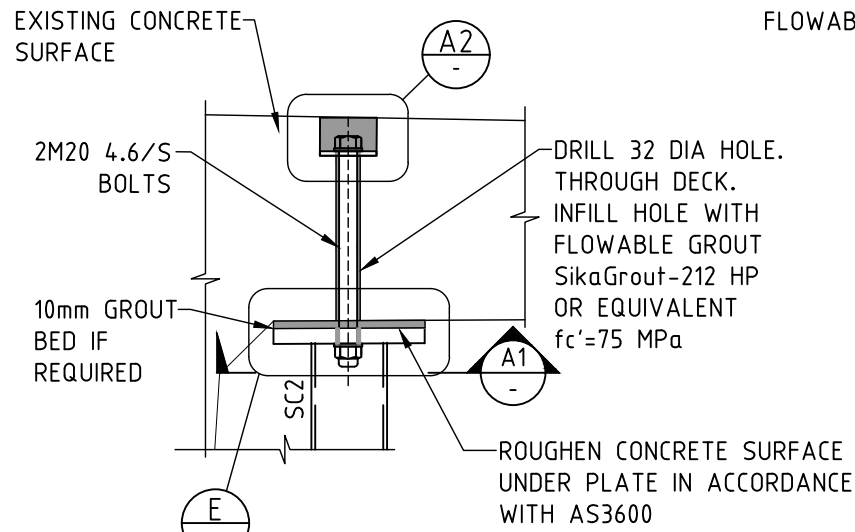
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									JOB NO: 22040	DWG NO: S06
									SCALE @ A3: AS SHOWN	REV: A

PROJECT:  
LANGOULANT RD OVERPASS, SWANBOURNE  
WESTERN AUSTRALIA

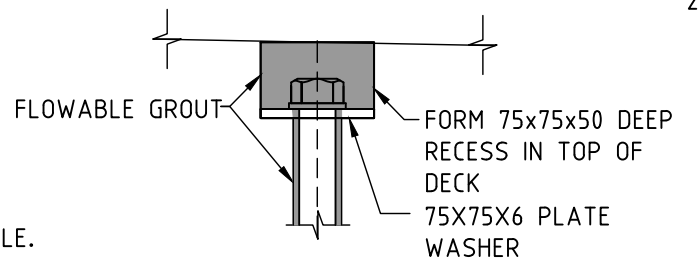


FOR REVIEW

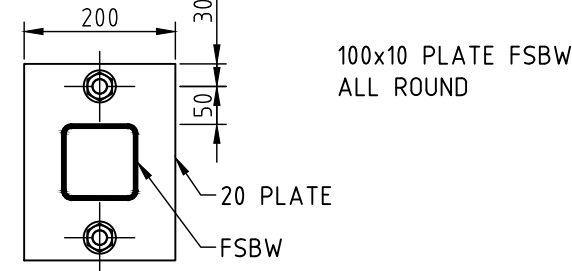
ISS	DATE	COMMENT	DESIGNER:	VERIFIER:	CLIENT:	TITLE:	DRAWN	DESIGN	DATE:		
A	09/05/22	ISSUED FOR REVIEW				DIGITAL SIGN BOX GENERAL ARRANGEMENTS	MT	JL	APRIL'22		
										JOB NO: 22040	DWG NO: S07
										SCALE @ A3: AS SHOWN	REV: A
			PROJECT: LANGOULANT RD OVERPASS, SWANBOURNE WESTERN AUSTRALIA								



DETAIL A1  
SCALE 1:10



DETAIL A2  
SCALE 1:5



SECTION A1  
SCALE 1:10

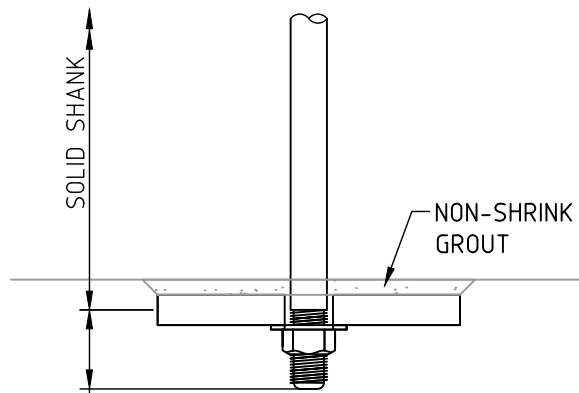
**NOTE:**

CONTRACTOR TO SURVEY BRIDGE BEFORE PRODUCING SHOP DRAWINGS AND FABRICATION.

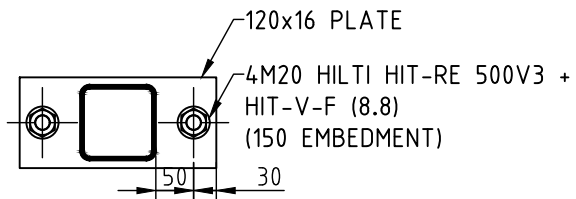
CONTRACTOR TO SCAN BRIDGE BEFORE DRILLING TO ENSURE REINFORCEMENT IS NOT DAMAGED.

CONTRACTOR TO SUBMIT SCAN RESULTS TO DBCE FOR REVIEW.

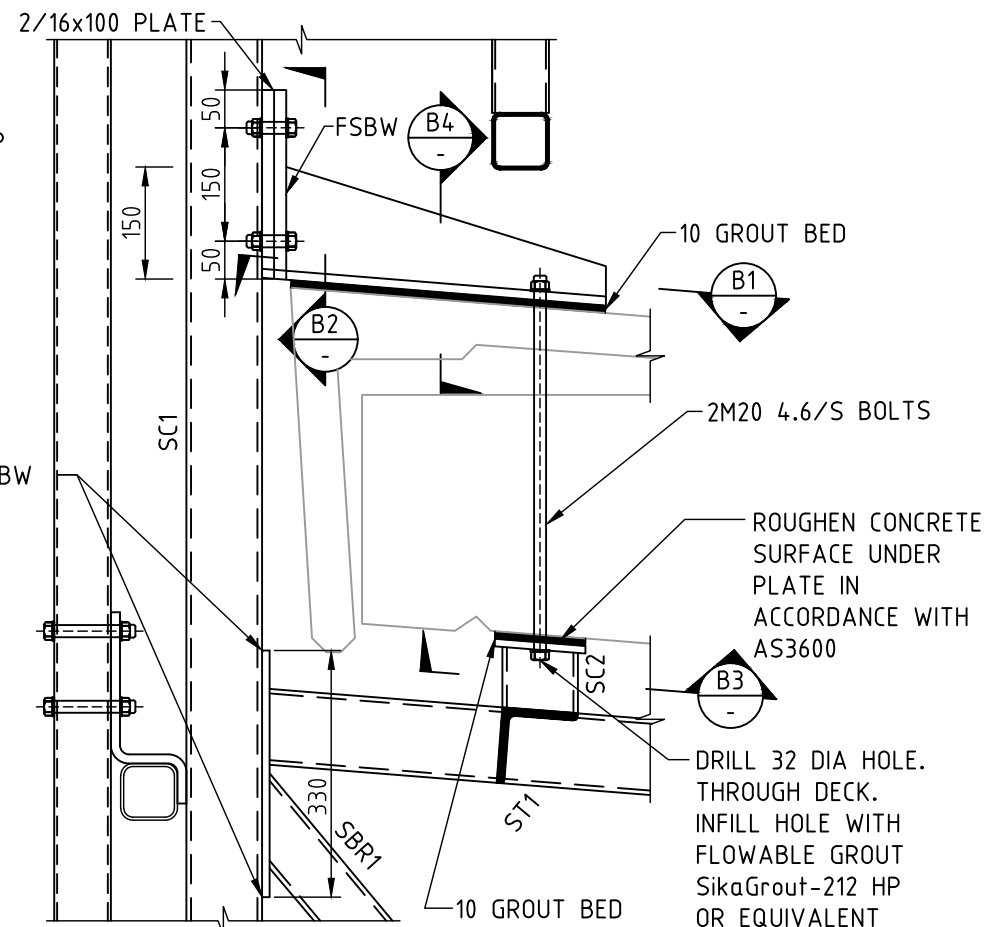
NOTE ALL ANCHORS TO BE 50mm CLEAR OF ANY REINFORCEMENT.



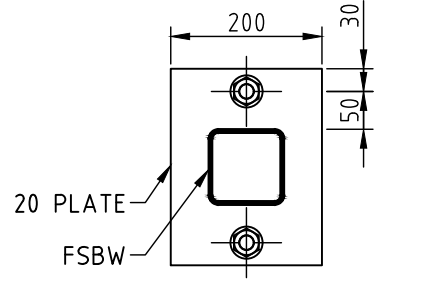
DETAIL E  
SCALE 1:5



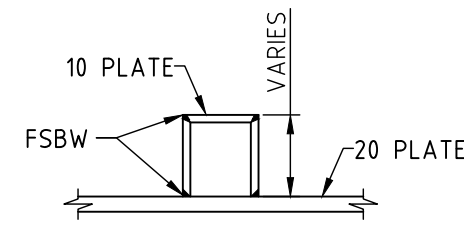
SECTION 6  
SCALE 1:10



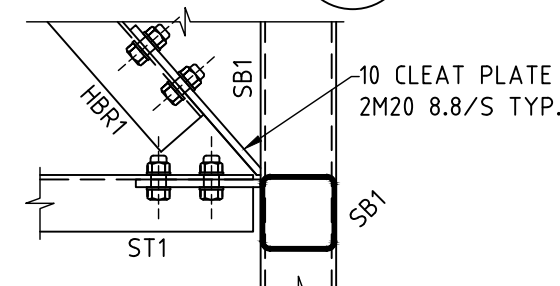
DETAIL B  
SCALE 1:10



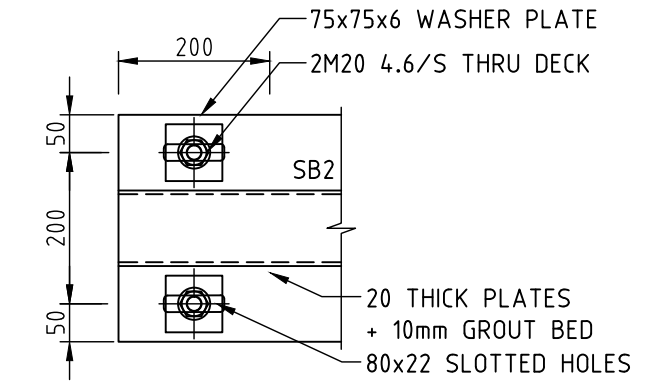
SECTION B3  
SCALE 1:10



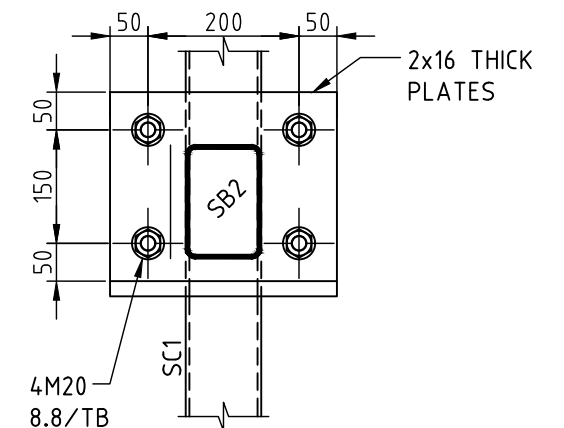
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SCALE 1:10



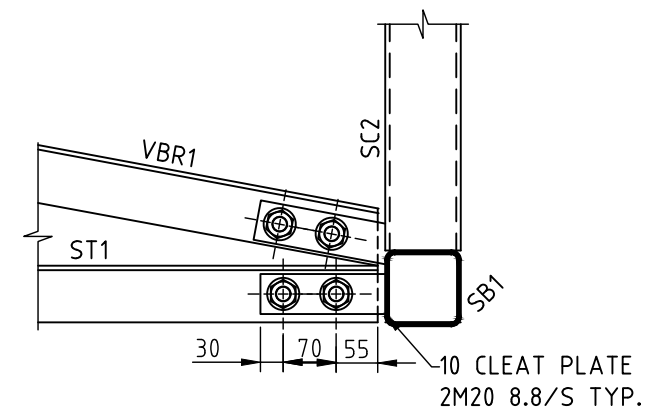
DETAIL G  
SCALE 1:10



SECTION B1  
SCALE 1:10



SECTION B2  
SCALE 1:10



DETAIL F  
SCALE 1:10

FOR REVIEW

ISS	DATE	COMMENT
A	09/05/22	ISSUED FOR REVIEW

DESIGNER:

VERIFIER:

CLIENT:

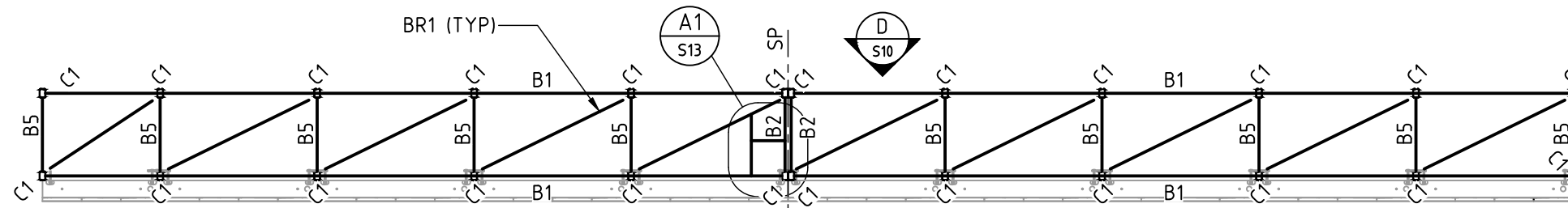
**JCDecaux**

PROJECT:  
LANGOULANT RD OVERPASS, SWANBOURNE  
WESTERN AUSTRALIA

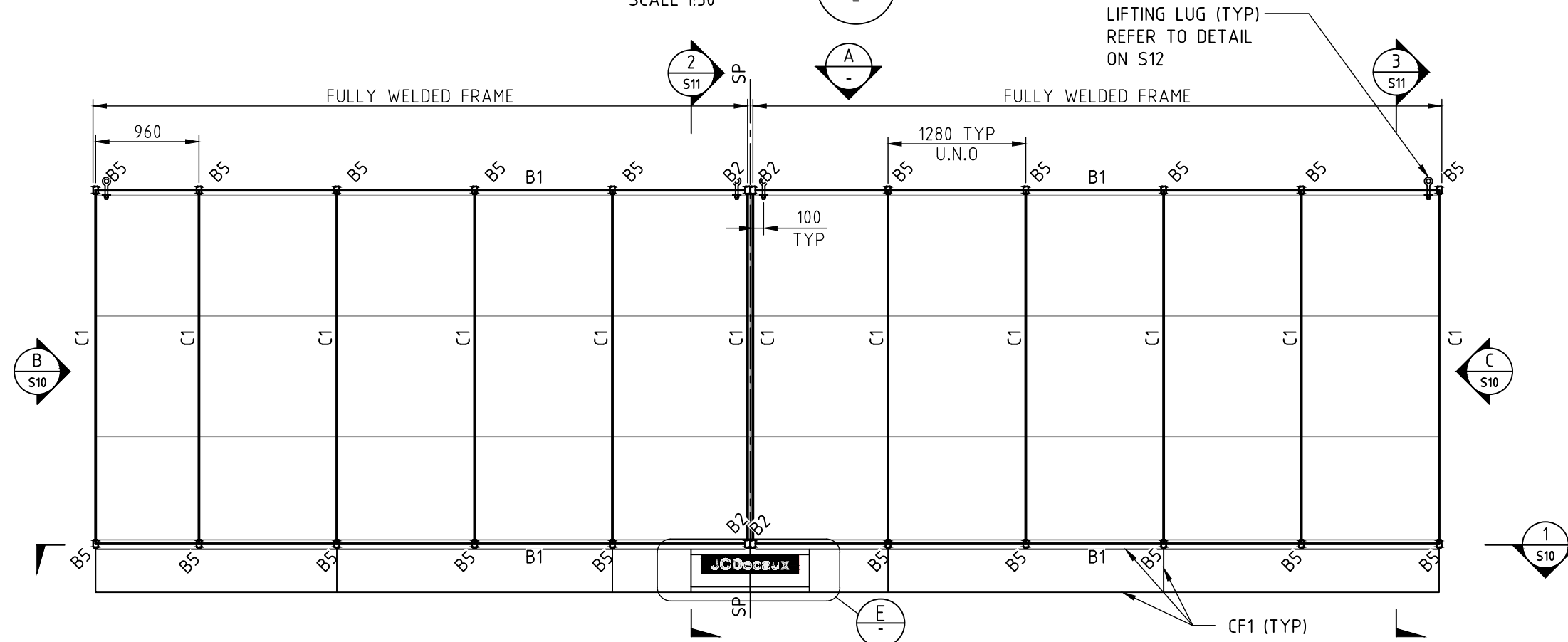
TITLE:

**STRUCTURAL SUPPORT  
DETAILS**

DRAWN MT	DESIGN JL	DATE: APRIL'22
JOB NO: 22040	DWG NO: S08	
SCALE @ A3: AS SHOWN	REV: 1	



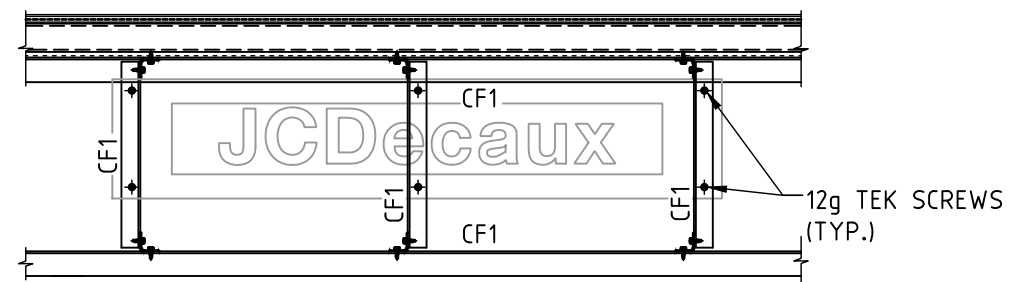
PLAN VIEW A  
SCALE 1:50



SIGN BOX - FRONT ELEVATION  
SCALE 1:50

MEMBER SCHEDULE

MEMBER	SIZE	COMMENTS
C1	75x50x4.0 RHS	STEEL COLUMN (FULLY WELDED FRAME)
B1	75x75x4.0 SHS	STEEL BEAM (FULLY WELDED FRAME)
B2	75x50x4.0 RHS	STEEL BEAM (FULLY WELDED FRAME)
B3	50x50x3.0 SHS	SAFETY RAIL (FULLY WELDED FRAME)
B4	50x50x4.0 EA	STEEL BEAM (FULLY WELDED FRAME)
B5	75x50x6.0 RHS	STEEL BEAM (FULLY WELDED FRAME)
BR1	50x50x3.0 SHS	STEEL BRACING (FULLY WELDED FRAME)
BR2	50x25x3.0 RHS	STEEL BRACING (FULLY WELDED FRAME)
CF1	50x50x5 EA	STEEL CLADDING (FULLY WELDED FRAME)

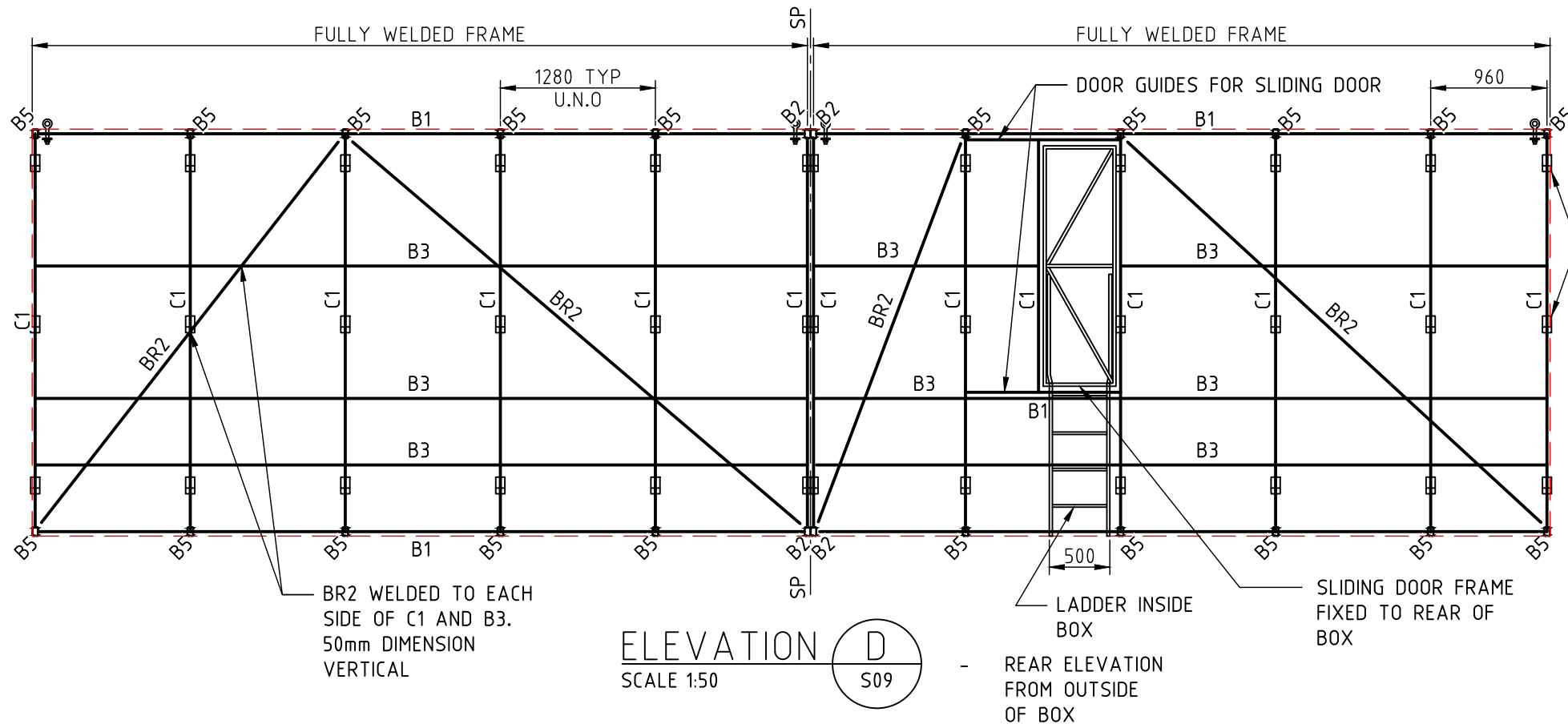


DETAIL E  
SCALE 1:20

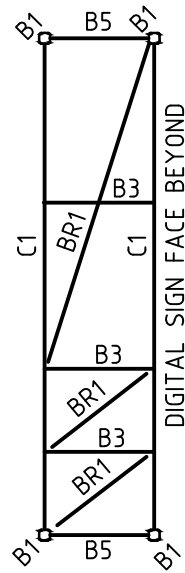
FOR REVIEW

ISS	DATE	COMMENT	DESIGNER:	VERIFIER:	CLIENT:	TITLE:	DRAWN	DESIGN	DATE:
A	09/05/22	ISSUED FOR REVIEW			 PROJECT: LANGOULANT RD OVERPASS, SWANBOURNE WESTERN AUSTRALIA	SIGN BOX STRUCTURAL DETAILS	MT	JL	APRIL'22
								JOB NO: 22040	DWG NO: S09
								SCALE @ A3: AS SHOWN	REV: A

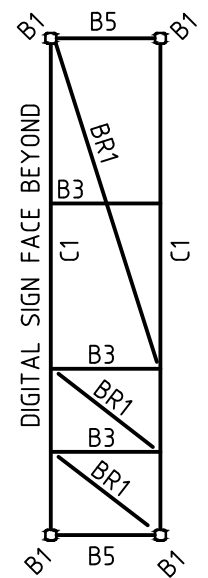




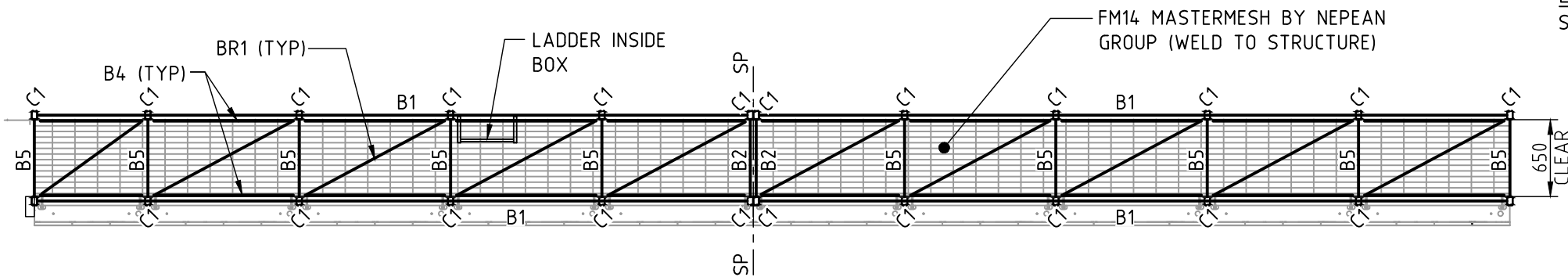
ELEVATION D  
SCALE 1:50



ELEVATION B  
SCALE 1:50



ELEVATION C  
SCALE 1:50

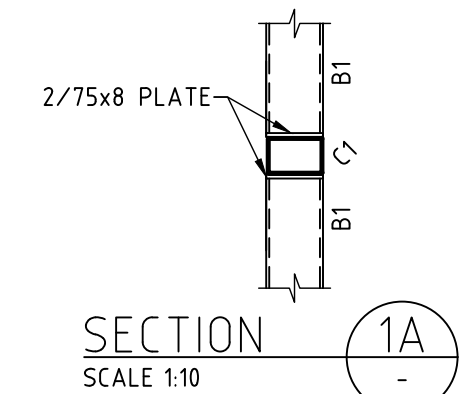
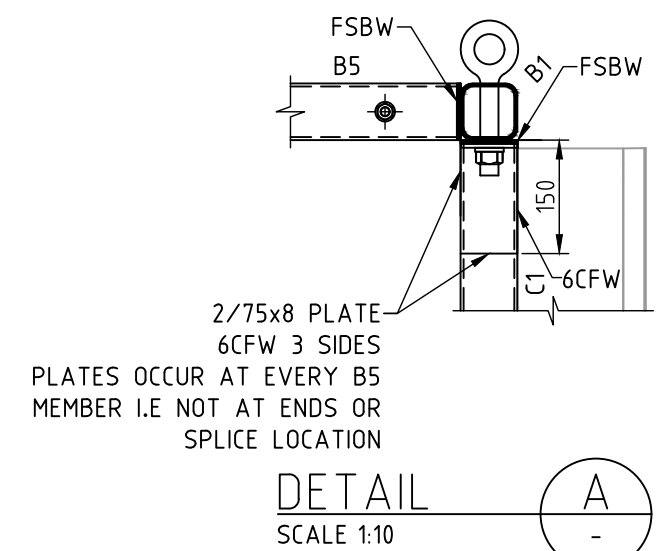
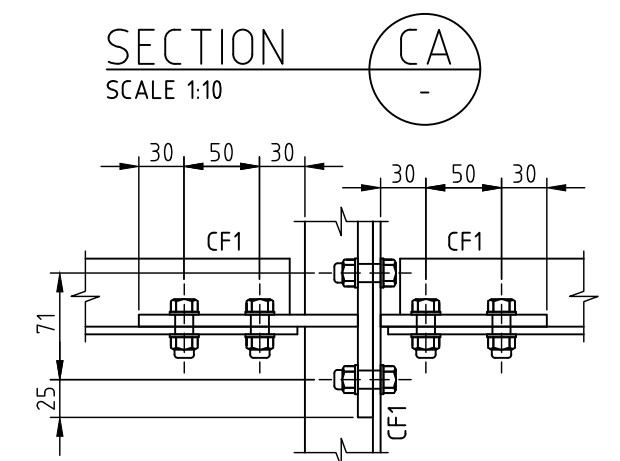
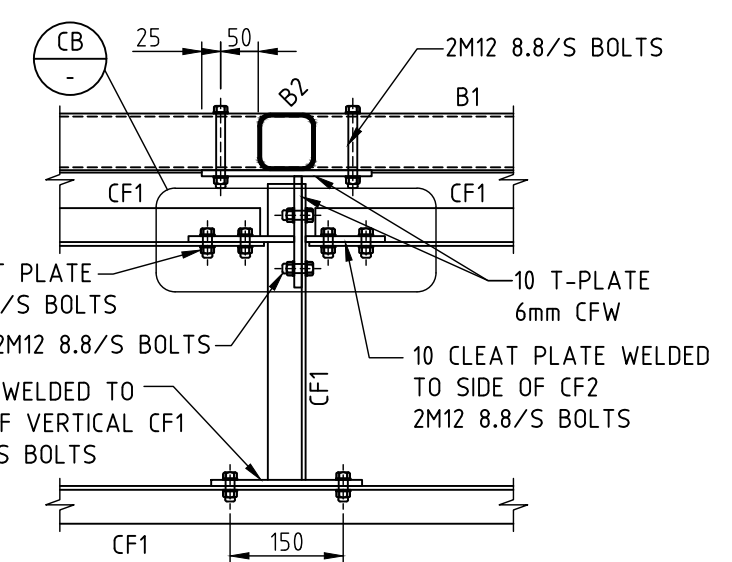
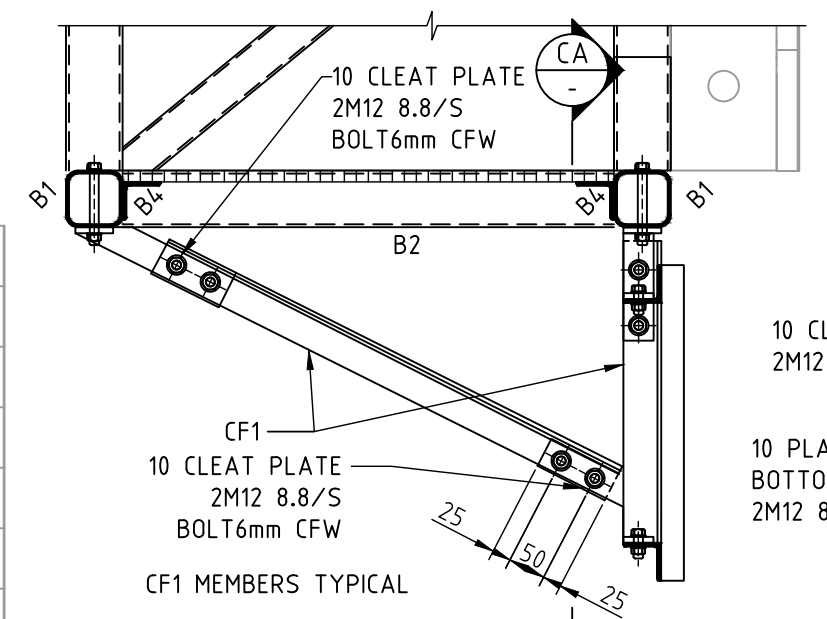
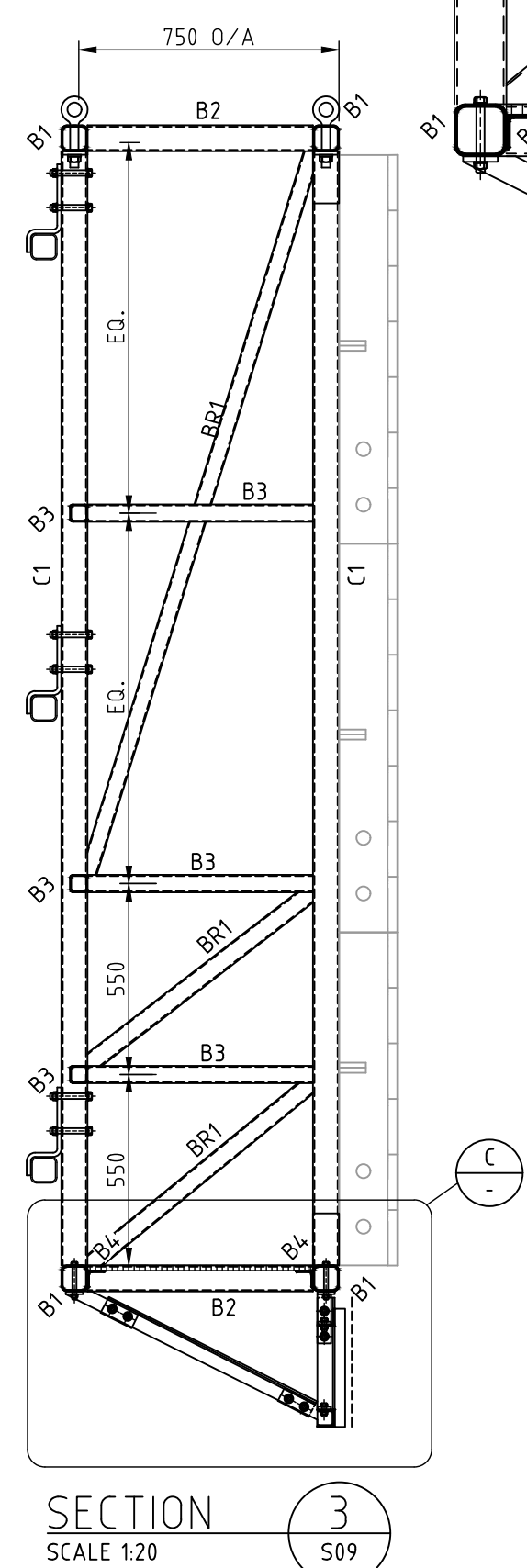
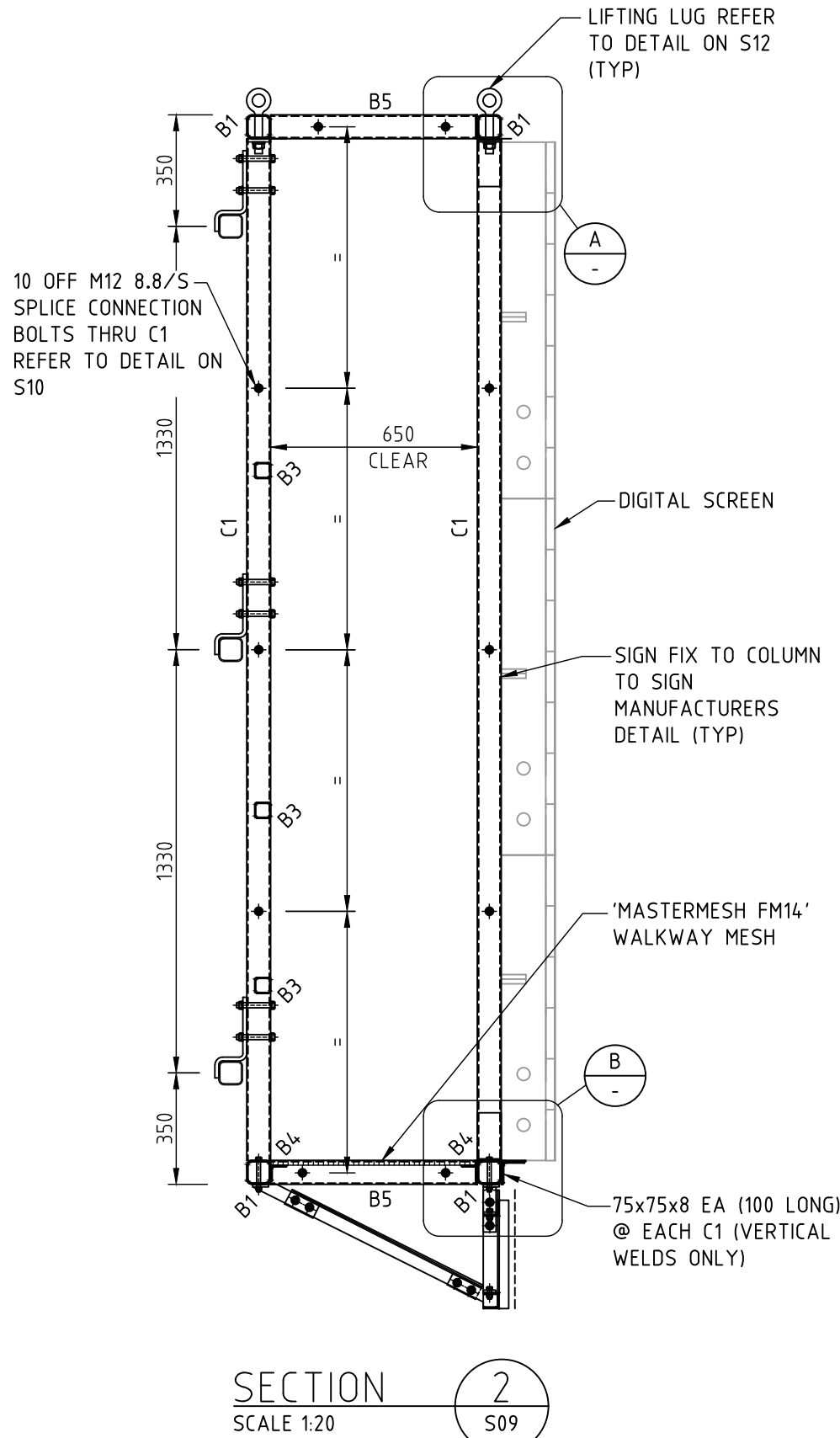


SECTION 1  
SCALE 1:50

FOR REVIEW

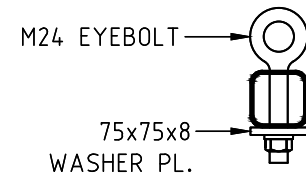
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								JOB NO: 22040	DWG NO: S10
								SCALE @ A3: AS SHOWN	REV: A

PROJECT:  
LANGOULANT RD OVERPASS, SWANBOURNE  
WESTERN AUSTRALIA

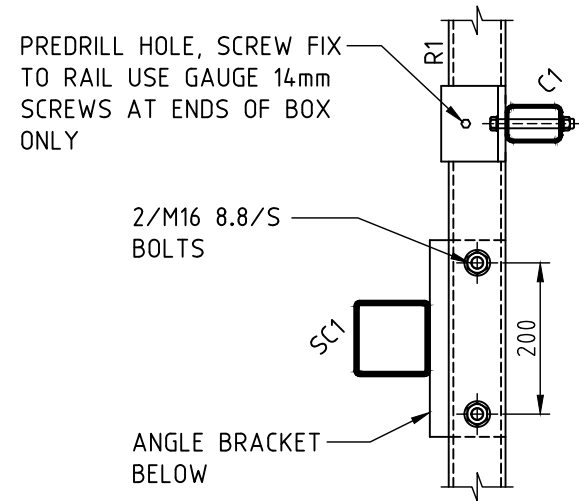


FOR REVIEW

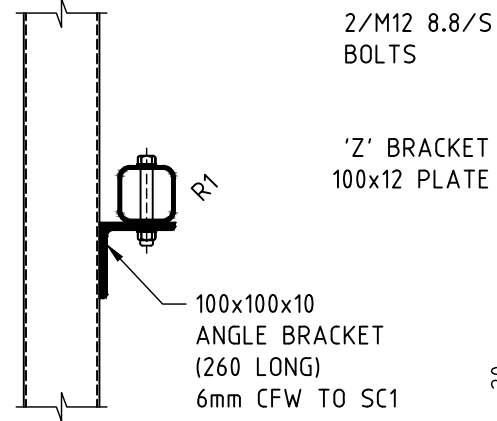
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			PROJECT: LANGOULANT RD OVERPASS, SWANBOURNE WESTERN AUSTRALIA							



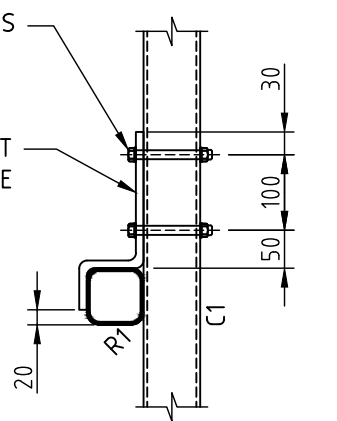
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SCALE 1:10



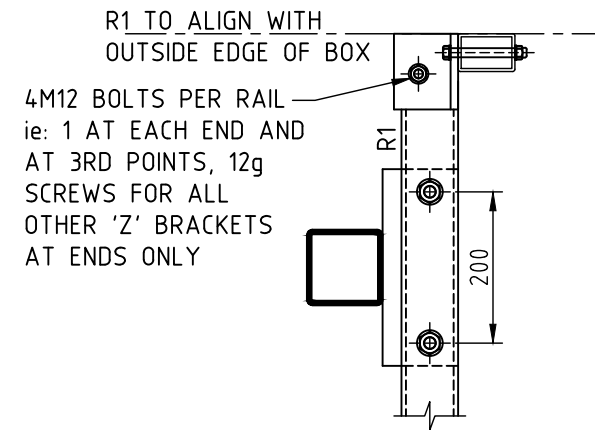
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S11



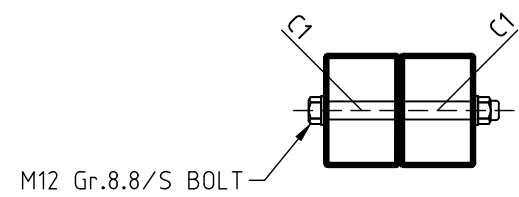
SECTION 4A  
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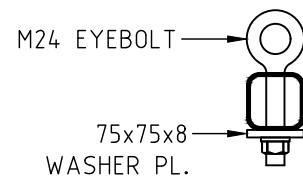
SECTION 4B  
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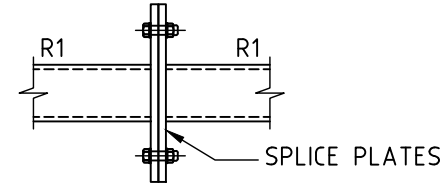
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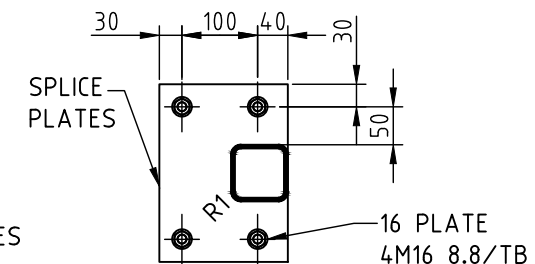
TYPICAL SPLICE DETAIL  
SCALE 1:5



LIFTING LUG DETAIL  
SCALE 1:10



TYPICAL R1 SPLICE  
DETAIL  
SCALE 1:10

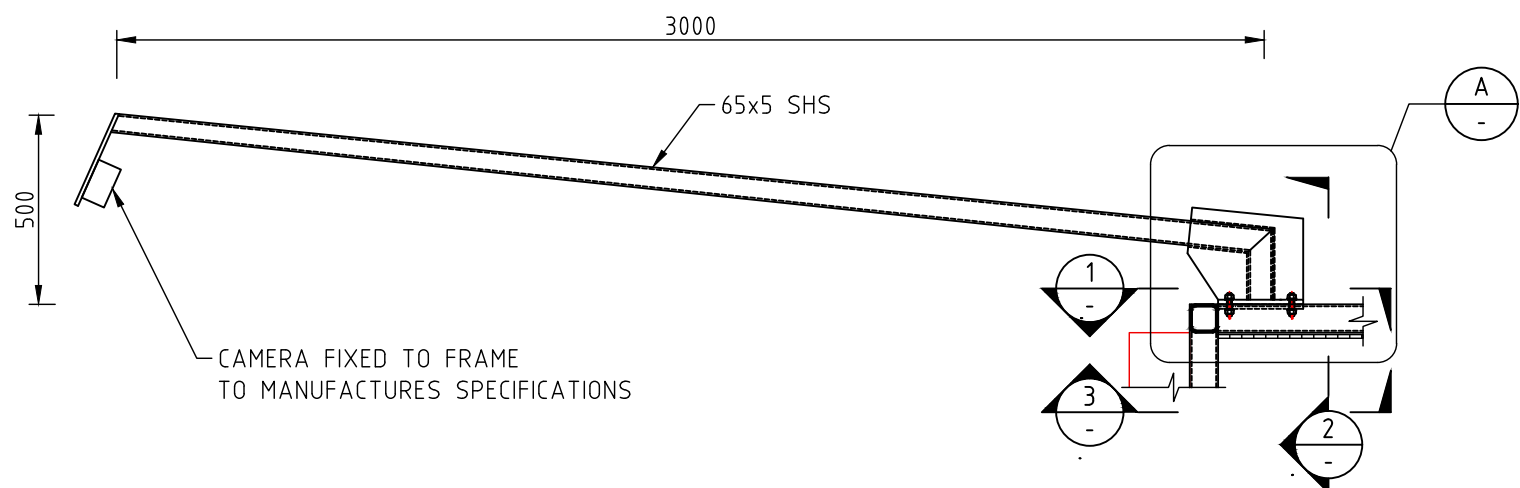


SECTION 1  
SCALE 1:10

FOR REVIEW

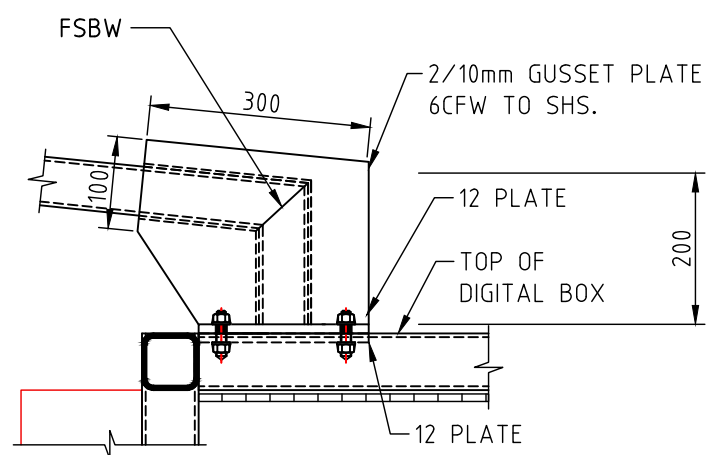
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A	09/05/22	ISSUED FOR REVIEW				SIGN BOX STRUCTURAL DETAILS	MT	JL	APRIL'22
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								SCALE @ A3: AS SHOWN	REV: A
								PROJECT: LANGOULANT RD OVERPASS, SWANBOURNE WESTERN AUSTRALIA	

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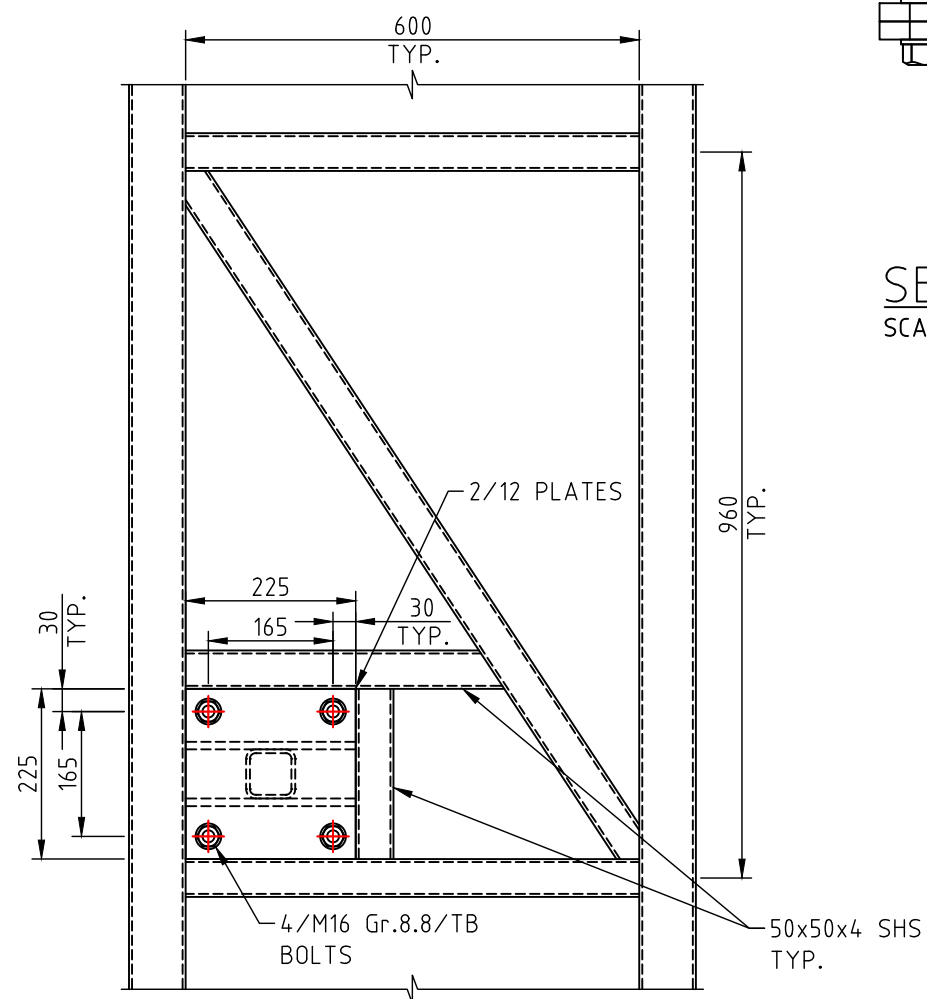
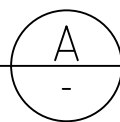
TYPICAL CAMERA DETAIL

SCALE 1:20



DETAIL

SCALE 1:10



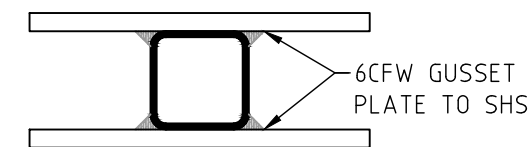
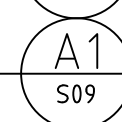
SECTION

SCALE 1:10



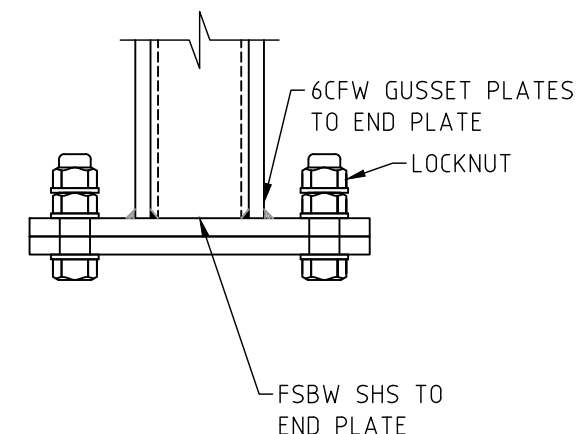
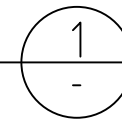
DETAIL

SCALE 1:10



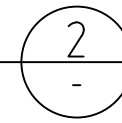
SECTION

SCALE 1:5



SECTION

SCALE 1:5



FOR REVIEW

ISS	DATE	COMMENT
A	09/05/22	ISSUED FOR REVIEW

DESIGNER:

VERIFIER:

CLIENT:

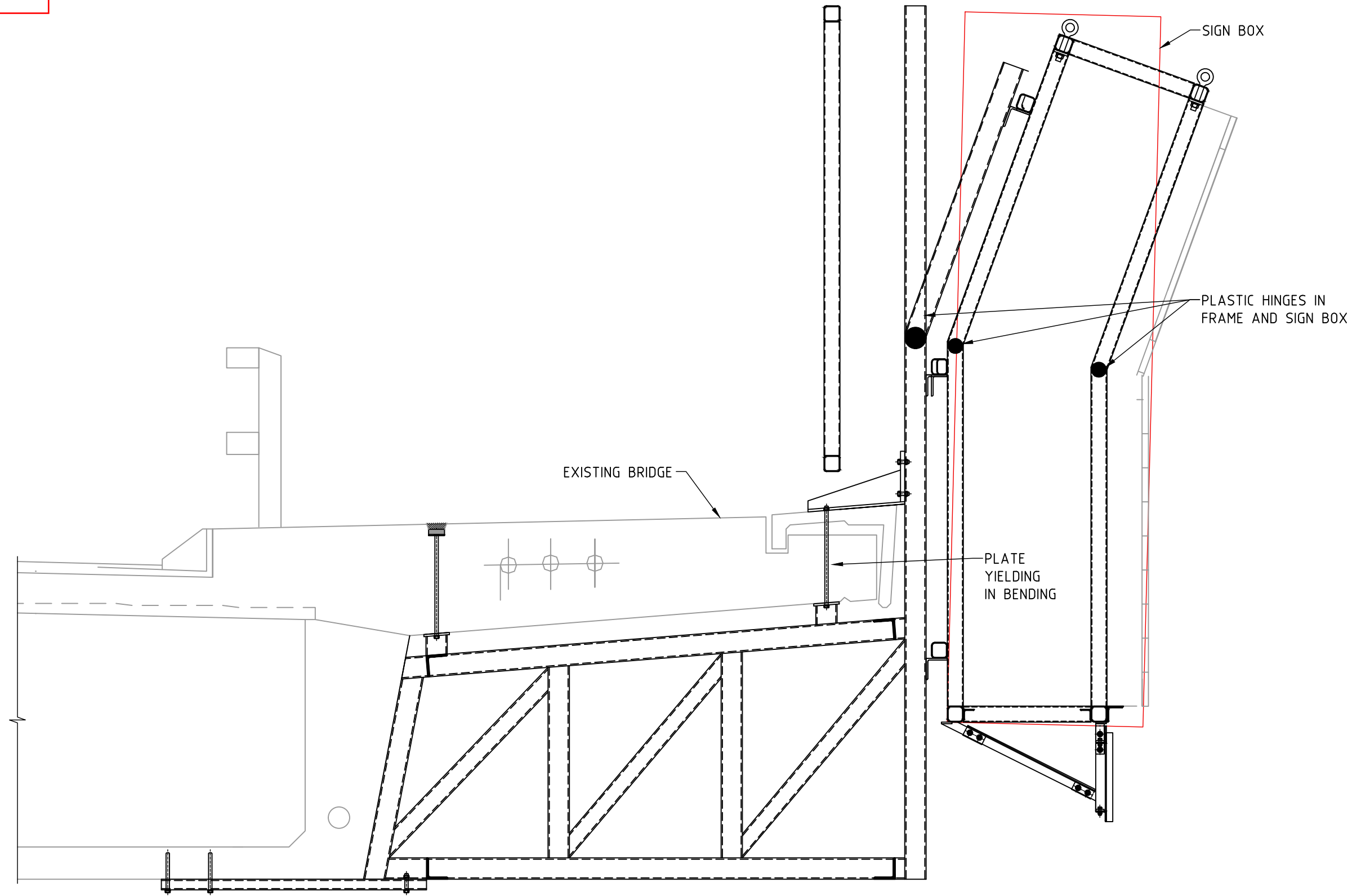
PROJECT:  
LANGOULANT RD OVERPASS, SWANBOURNE  
WESTERN AUSTRALIA

TITLE:

CAMERA ARM  
DETAILS

DRAWN MT	DESIGN JL	DATE: APRIL'22
JOB NO:	22040	DWG NO: S13
SCALE @ A3: AS SHOWN		REV: A





TYPICAL SECTION  
SCALE 1:20

FOR REVIEW

ISS	DATE	COMMENT
A	09/05/22	ISSUED FOR REVIEW

DESIGNER:

VERIFIER:

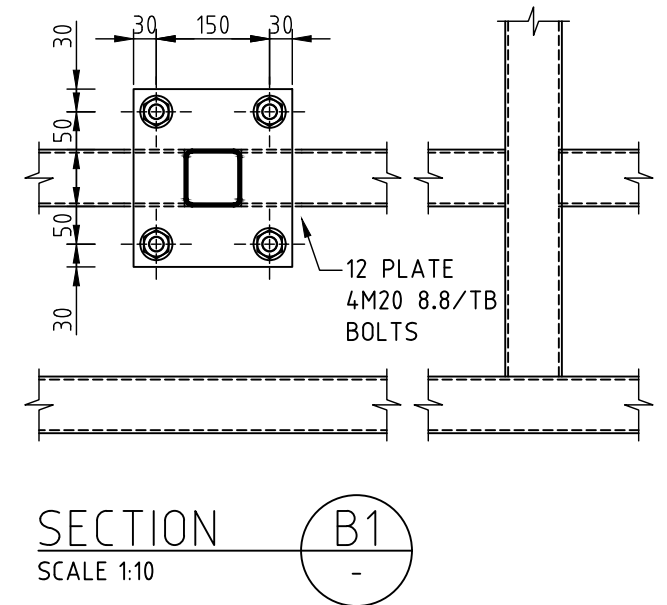
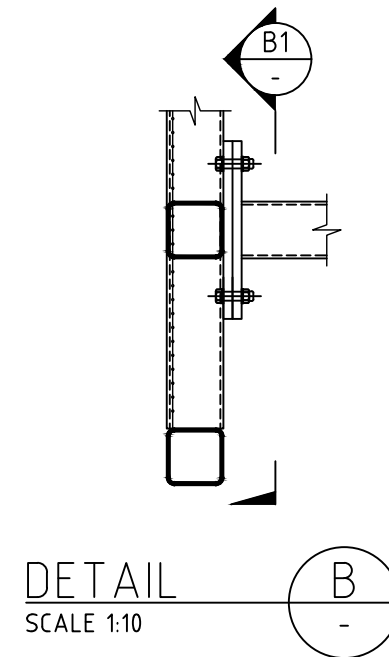
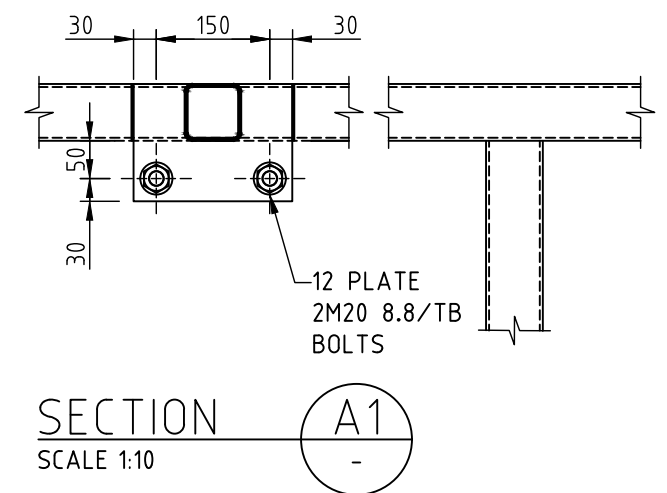
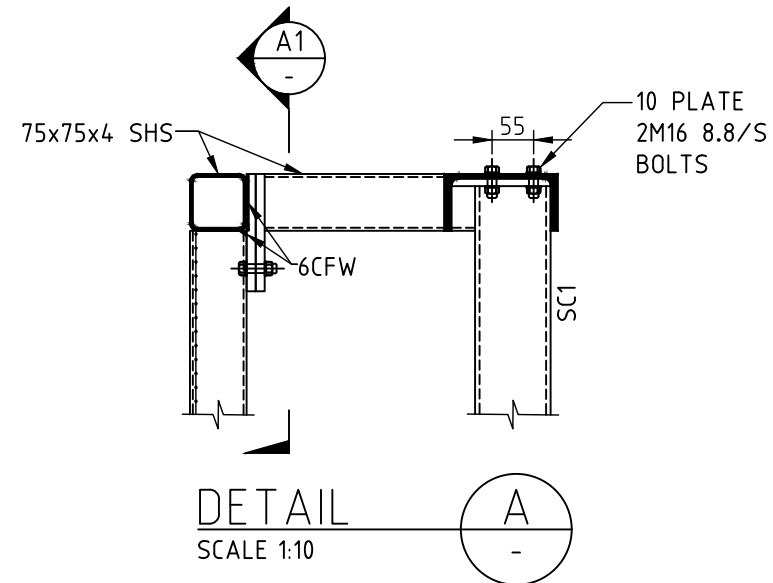
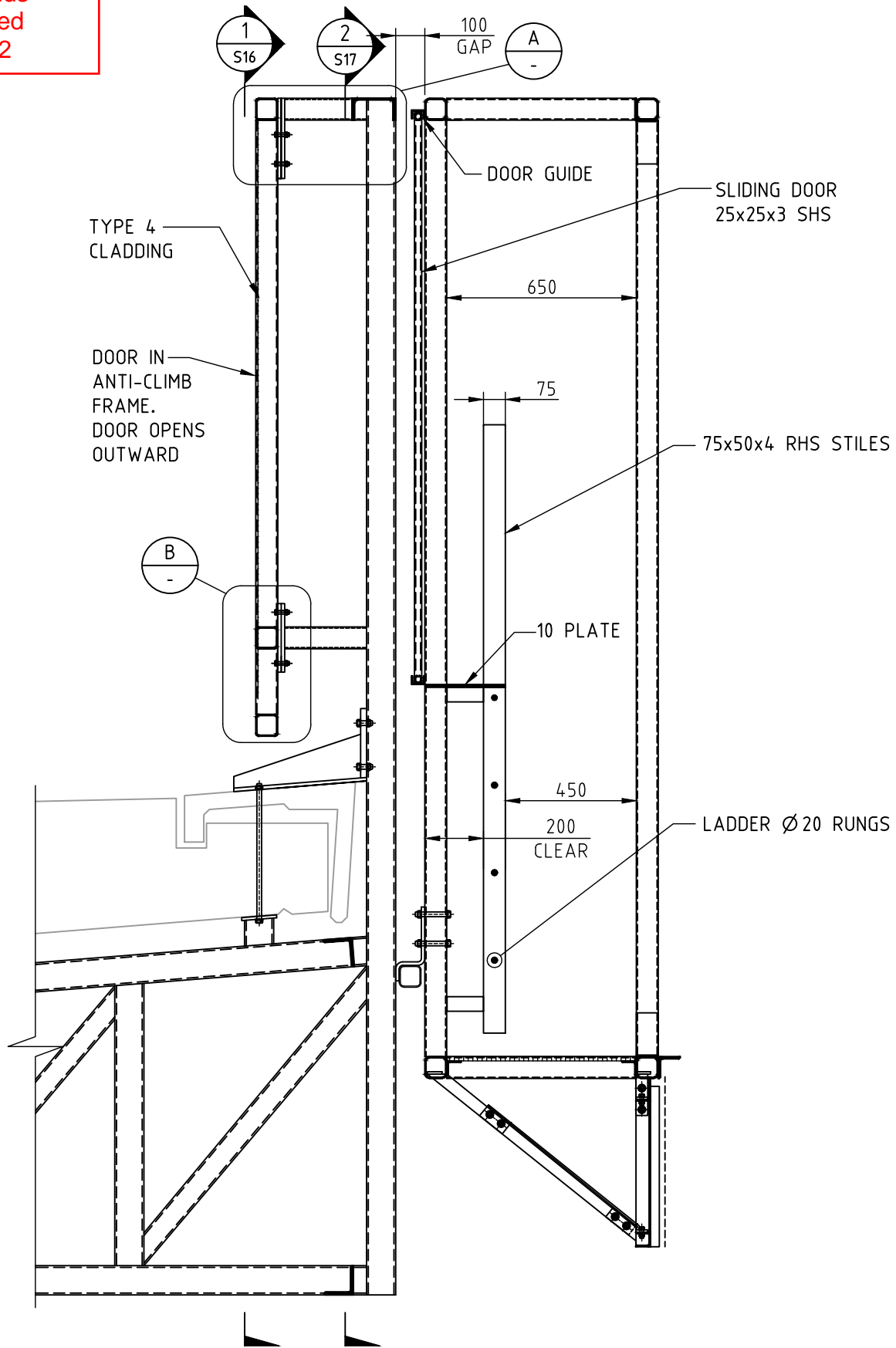
CLIENT:

PROJECT:  
LANGOULANT RD OVERPASS, SWANBOURNE  
WESTERN AUSTRALIA

TITLE:

MODE OF FAILURE  
ASSESSMENT

DRAWN MT	DESIGN JL	DATE: APRIL'22
JOB NO:	22040	DWG NO: S14
SCALE @ A3: AS SHOWN		REV: A



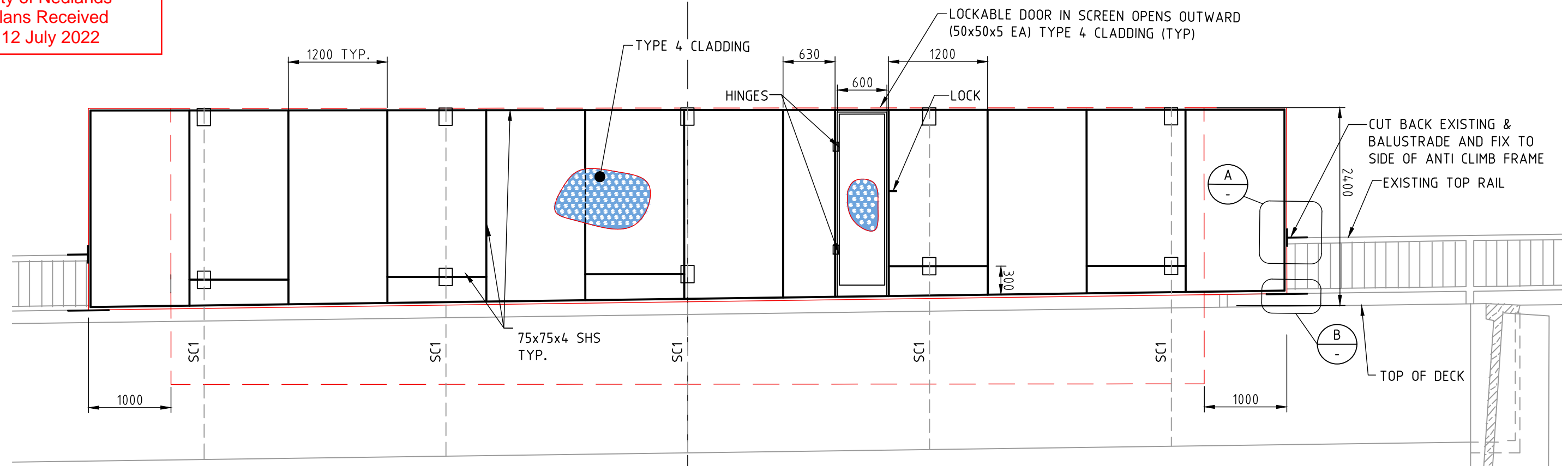
SECTION THRU DOORS IN ANTI-CLIMB FRAME AND BOX  
SCALE 1:20

FOR REVIEW

ISS	DATE	COMMENT	DESIGNER:	VERIFIER:	CLIENT:	TITLE:	DRAWN	DESIGN	DATE:			
A	09/05/22	ISSUED FOR REVIEW				ANTI CLIMB FRAME	MT	JL	APRIL'22			
							JOB NO: 22040		DWG NO: S15			
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PROJECT:  
LANGOULANT RD OVERPASS, SWANBOURNE  
WESTERN AUSTRALIA

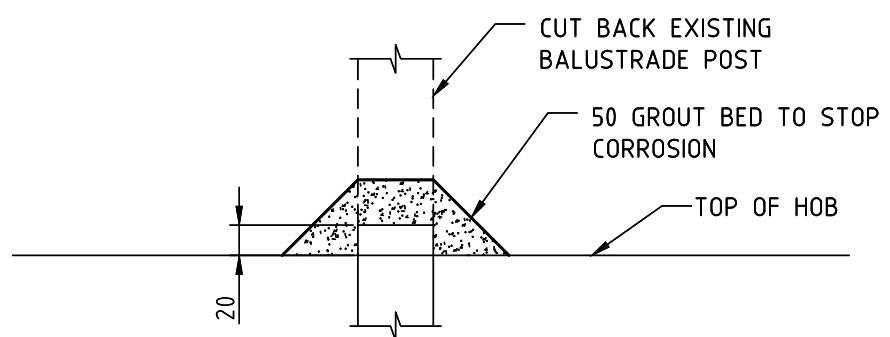
City of Nedlands  
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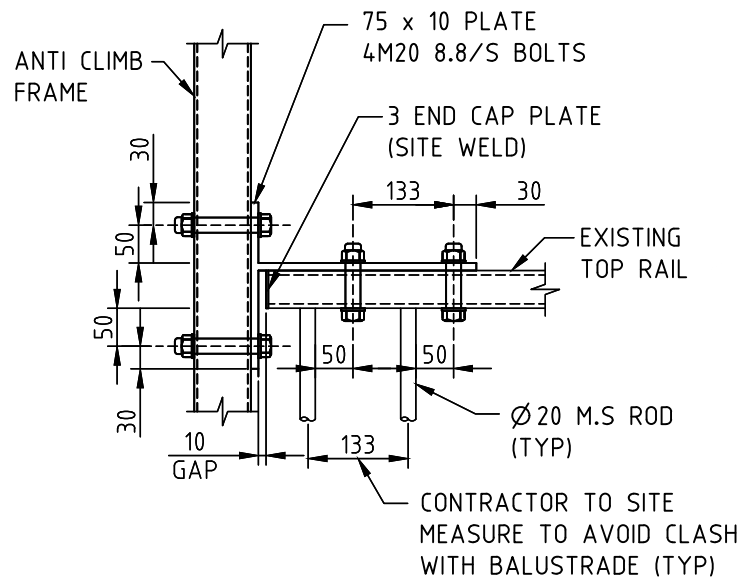
- ANTI-CLIMB SCREENS**
- ALL SCREENS ARE 5mm PERFORATED ALUMINIUM 5005-H34 WITH 25.4mm DIAMETER HOLES WITH STAGGERED PITCH AND 40% OPENING AREA
  - THE SCREENS ARE TO BE POWER COATED WITH INTERPON METAPREP OR SIMILAR APPROVED, AS PER PAINTING SCHEDULE ON DRG No. 1730-2229. POWDER COATING TO INCLUDE INTERPON 200 POLYURETHANE (ANTI GRAFFITI), OR SIMILAR APPROVED IN ACCORDANCE WITH MAIN ROADS WA SPECIFICATION 908 ON THE FOOTPATH SIDE OF THE SCREEN.
  - ALL SHARP EDGES, CORNERS AND BURRS SHALL BE REMOVED FROM SCREENS AND PERFORATION BEFORE INSTALLATION.
- ANTI-GRAFFITI COATINGS**
- ANTI-GRAFFITI COATINGS TO BE REINSTATED AT PARAPETS AS PER MAIN ROADS SPECIFICATIONS 9.8.
  - REFER TO NOTE 2 FOR ANTI-GRAFFITI COATING FOR SCREENS

SECTION 1  
SCALE 1:50

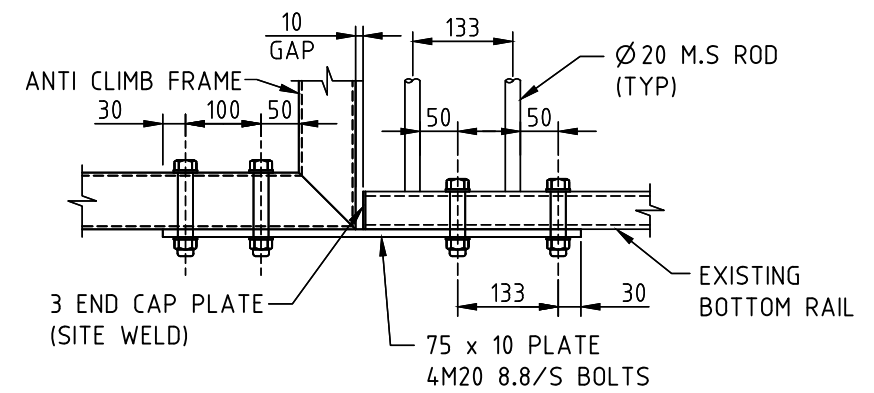
**TYPE 4 CLADDING**  
PERFORATED ALUMINIUM SHEET  
4mm THICK POWDER COATED  
COLOUR 'BLUE GREY'  
1200 WIDE PANELS  
DIA: 9.5mm CENTRES: 12.7mm OPEN AREA 51%  
SCREW FIX EACH SHEET 14g SREWS @ 300  
CENTRES ON 4 SIDES  
PATTERN BY ULLRICH ALUMINIUM



DEMOLITION DETAIL (BALUSTRADE POSTS)  
SCALE 1:5



DETAIL A  
SCALE 1:10

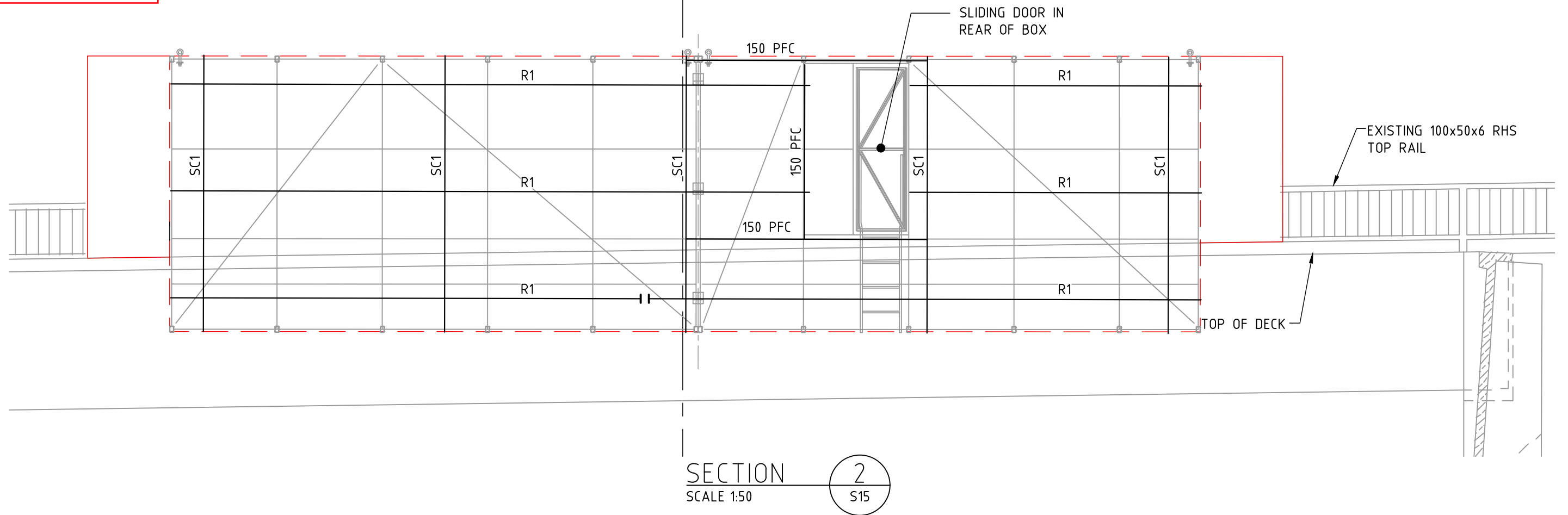


DETAIL B  
SCALE 1:10

FOR REVIEW

ISS	DATE	COMMENT	DESIGNER:	VERIFIER:	CLIENT:	TITLE:	DRAWN	DESIGN	DATE:	
A	09/05/22	ISSUED FOR REVIEW				ANTI CLIMB FRAME	MT	JL	APRIL'22	
B	23/05/22	RE-ISSUED FOR REVIEW					JOB NO:	22040	DWG NO:	S16
							SCALE @ A3: AS SHOWN	REV:	B	
					PROJECT:					
					LANGOULANT RD OVERPASS, SWANBOURNE WESTERN AUSTRALIA					

City of Nedlands  
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12 July 2022



FOR REVIEW

ISS	DATE	COMMENT	DESIGNER:	VERIFIER:	CLIENT:	TITLE:	DRAWN	DESIGN	DATE:
A	09/05/22	ISSUED FOR REVIEW				ANTI CLIMB FRAME	MT	JL	APRIL'22
B	23/05/22	RE-ISSUED FOR REVIEW					JOB NO: 22040	DWG NO: S17	
							SCALE @ A3: AS SHOWN	REV: B	
					PROJECT: LANGOULANT RD OVERPASS, SWANBOURNE WESTERN AUSTRALIA				



URBIS

# MRWA SIGNAGE INVESTIGATIONS

## VISUAL IMPACT ASSESSMENT

PREPARED FOR  
**JCDECAUX**  
JUNE 2022



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# 1.0 INTRODUCTION

## 1.1 VIA SUMMARY

### 1.1.1 BACKGROUND

Urbis was commissioned by JCDcaux to conduct a visual impact assessment of the proposed MRWA Signage Investigations. The signage, is to be constructed approximately 500m west of the Swanbourne Train Station under the Langoulant Road overpass facing the western lanes of West Coast Highway. The report examines the visual impact of the proposed development on the surrounding properties.

### 1.1.2 VISUAL ASSESSMENT SCOPE

The visual impact assessment, is prepared from representative view points in close proximity to the adjacent homes (the study area). This assessment will help to describe the likely visual change resulting from the proposed development.

Photomontages from key view points will demonstrate the impact of signage under consideration. The photomontages examine the area affected by the proposal, the appearance of the signage from the surrounding context, and the resultant visual impacts.

The visual impact assessment will help to determine whether the proposed signage will create an impact on views from its surrounding context.

### 1.1.3 VISUAL CHANGE

The visual impact assessment will evaluate the proposed development by determining the degree of visual change that will occur to the landscape. The main contributing factors towards visual change from the viewing locations within the study area will be the position of the signage within the landscape and the surrounding vegetation. Visual effect and visual sensitivity are considered from each of the viewing locations in order to determine the potential visual impact.

When considering the visual effect of the proposal on each viewing location the following consistent visual effect judgements are noted:

- Changes to landform - The horizontal form of the signage integrates well with the horizontal form of the overpass. The signage proposal does not break the horizon line;
- Changes to vegetation patterns - The proposed development will not result in the removal of vegetation. The reduction in views to vegetation will be limited to those views positioned behind the signage. This loss of views to vegetation is minimal. A consistent vegetation pattern will be maintained within the view-shed; and,
- The nature, density and scale of existing and proposed development - the proposed signage integrates well with the surrounding environment due to the siting and preservation of the surrounding vegetation.

### 1.1.4 VIEW LOCATION ANALYSIS

An analysis of view locations has been undertaken as a basis for assessing the impact that the proposed development will have on the existing view.

Each of these views is assessed using the methodology outlined within this report and presented in the view location assessment.

**Refer: Figure 1. - View Locations.**

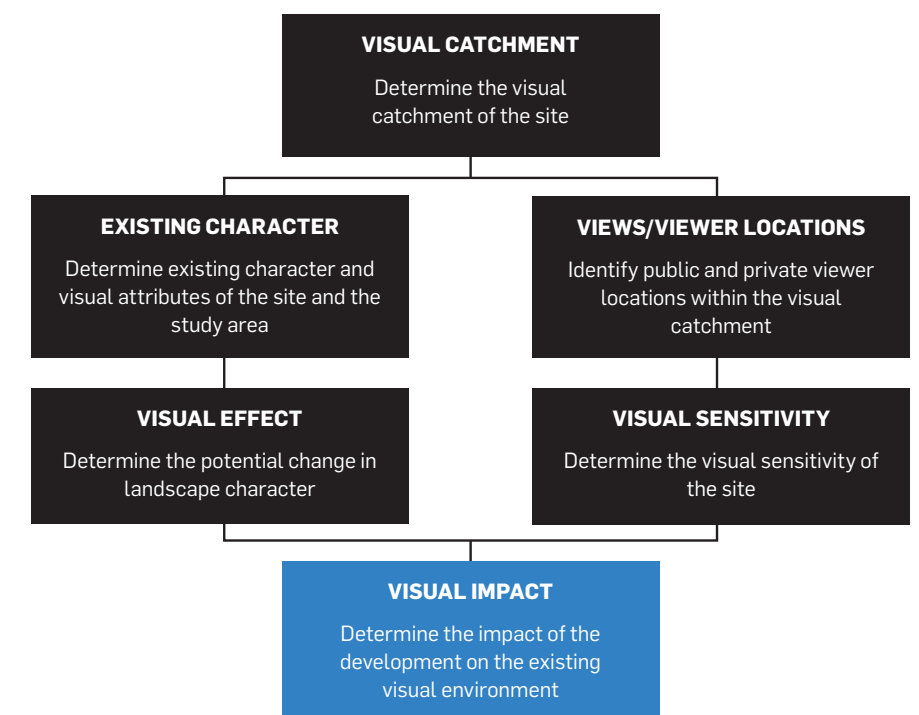
### 1.1.5 VISUAL LANDSCAPE PLANNING IN WESTERN AUSTRALIA

This report uses a well-recognised approach to visual quality assessment that is systematic, consistent and based on professional value judgement of commonly adopted and accepted criteria. This approach has been developed from the Western Australian Planning Commission Visual Landscape Planning in Western Australia Manual (DPI 2007).

The visual impact of the proposed development is determined by evaluating the visual effect of the development in the context of the visual sensitivity of the surrounding areas that it is visible from.

Urbis conducted a desktop data review to provide an assessment of the landscape character and undertook a site visit to examine the viewing focal point, key vantage points from the surrounding context and take photographs to assist with the preparation of the photomontages.

The following chart describes the visual assessment methodology undertaken for this project:







8 JAMES ROAD 1

8A JAMES ROAD 2

10 JAMES ROAD 3

12B JAMES ROAD 4

9B KNUTSFORD STREET 5

20 FRASER STREET 6

38A SEVERTUS STREET 7

121 SHENTON ROAD 8

Figure 1 Existing Character



## 2.0 VISUAL IMPACT

### 2.1 VIA PROCESS

#### 2.1.1 DATA SET

Urbis obtained data from JCDecaux with respect to levels and proposed signage built form at the development site (both existing and proposed). Additionally Urbis sourced supporting GIS DATA to ensure that the data set is appropriate for the modelling exercise. The Data Set accurately illustrates the surrounding site context including topography/terrain, access roads, and built form.

##### Refer: Figure 2\_GIS Dataset

Following review of the project site Urbis identified 8 adjacent properties within the study area from which the impact assessment should be undertaken. The identified points were selected from accessible public areas with the potential to be impacted.

The photos on the West side of the site are taken from the public footpath at usual eye height with a ~2.6m wall behind which would block any view from the houses at all. Similarly, 2 of the east side houses also have privacy walls. (refer context photos linked below).

#### PHYSICAL MARKERS

Physical markers were used to accurately locate the eastern most and western most high points of the proposed sign. Black physical marking poles with white tape marking 2.4m above bridge height at the western most location and 2.2m above bridge height at the eastern most location.

#### 2.1.2 PHOTOMONTAGES

Photomontages were used to visualise the proposed development from fixed locations. Photographs were taken to create the photomontages consisting of a computer-generated indication of the signage location composited onto the photographs. This illustrates how the proposed infrastructure might look to a person from a specific location. The process involved taking photographs from select recorded vantage points in the direction of the proposed development.

The following were used as input for the modelling process for the photomontages:

- relevant digital photographs taken from the identified vantage points;
- heights for proposed infrastructure;
- contour data of the surrounding landscape;
- location and bearing data which describe the views from the vantage points; and,
- reference points, used to align/ check the 3D features against existing scenery.

Photomontages were created at 8 key viewing points, to aid in the assessment of visual impact. These viewing points and the potential visual impact of the development are outlined in the following section of the report.



Figure 2 Overpass Context



### 2.1.3 VISUAL IMPACT

Visual impact is a measure of the potential effect that the proposed development will have on the visual environment without any remedial treatment. Visual impact is based on a number of factors which affect the perceived visual quality. The degree to which the proposed will impact on the landscape will depend upon:

- Siting, layout and design of the signage infrastructure and lighting.
- Number, colour, shape, height and surface reflectivity of the towers and blades.
- Visibility of the signage, having regard to the location, distance from which the development is visible, and view sheds.
- Significance and sensitivity of the landscape, having regard to topography, the extent and type of vegetation, natural features, land use patterns, built form character and community values

Visual impact depends upon the visual catchment area (extent of visibility), visual sensitivity (the number of views/viewers affected, duration of views, and distance) and visual effect (the degree of visual intrusion or obstruction that will occur).

These visual impacts can be positive or negative. Visual impact is determined as a result of the relationship between visual effect and visual sensitivity in accordance with **Table 1 Visual Impact Rating**.

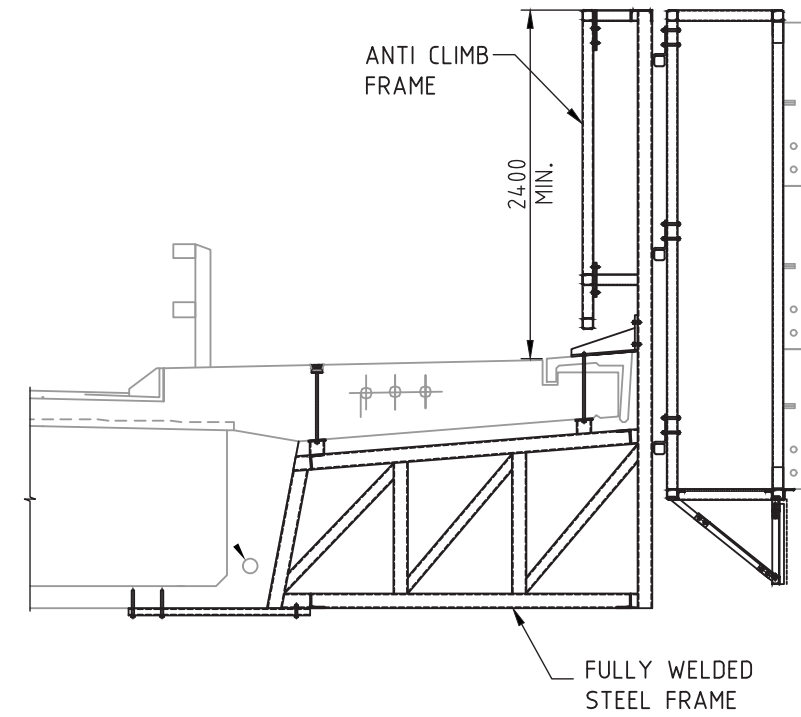
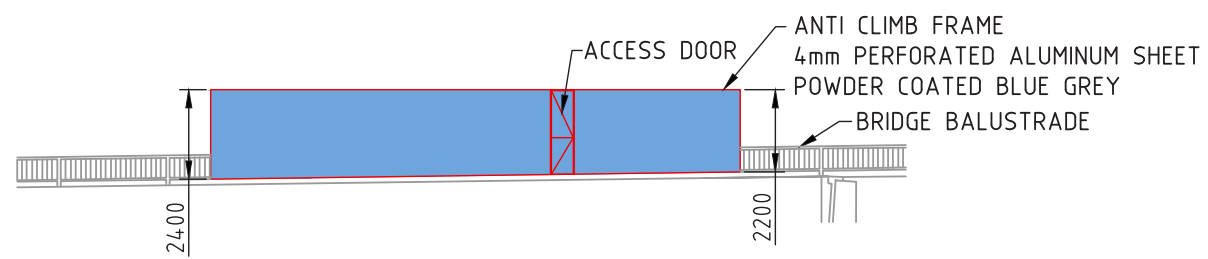
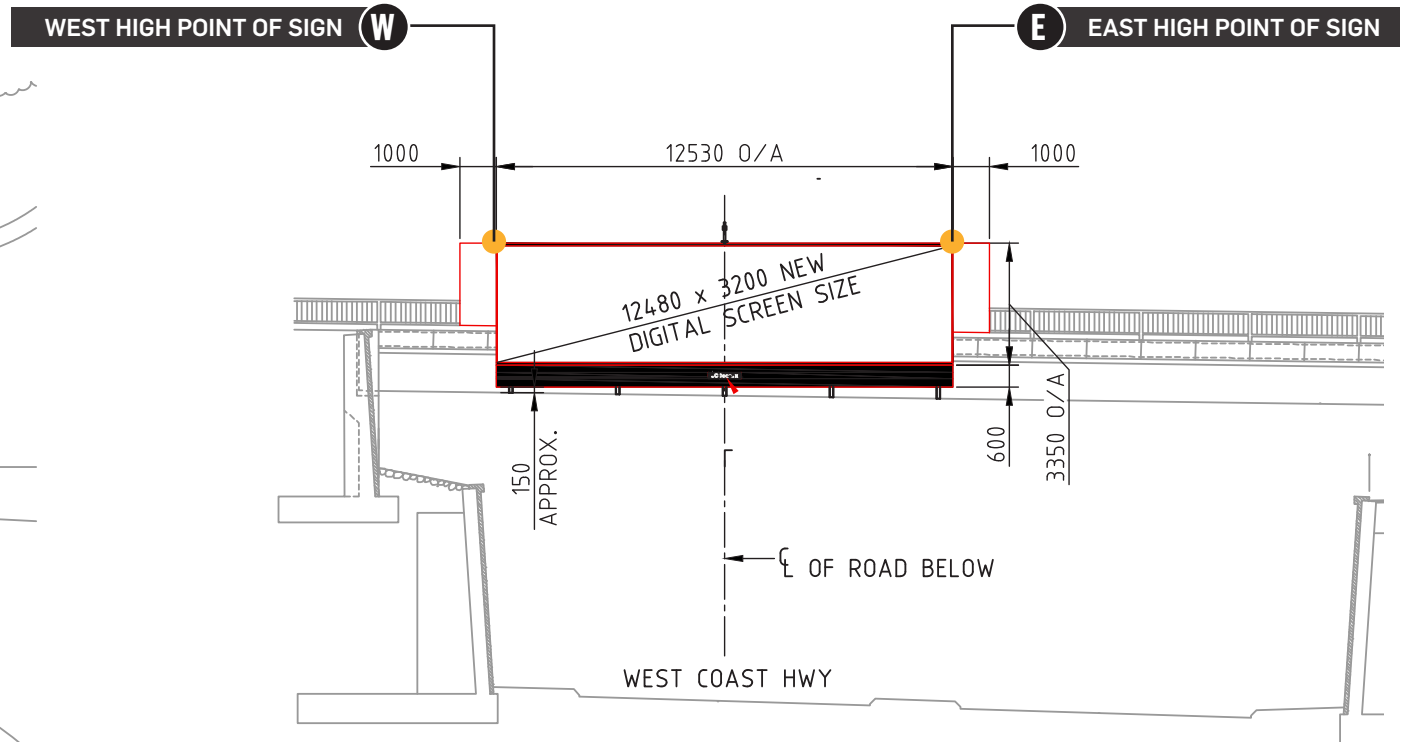
Figure 3 Existing Character



Table 1 Visual Impact Rating

		VISUAL EFFECT LEVELS					
		HIGH	MODERATE / HIGH	MODERATE	LOW/MODERATE	LOW	NEGLIGIBLE
SENSITIVITY OF LANDSCAPE TO PROPOSAL	HIGH	HIGH	HIGH	MODERATE / HIGH	MODERATE / HIGH	MODERATE	MODERATE
	MODERATE / HIGH	HIGH	MODERATE / HIGH	MODERATE / HIGH	MODERATE	MODERATE	LOW/MODERATE
	MODERATE	MODERATE / HIGH	MODERATE / HIGH	MODERATE	MODERATE	LOW/MODERATE	LOW/MODERATE
	LOW/MODERATE	MODERATE / HIGH	MODERATE	MODERATE	LOW/MODERATE	LOW/MODERATE	LOW
	LOW	MODERATE	MODERATE	LOW/MODERATE	LOW/MODERATE	LOW	LOW
	NEGLIGIBLE	MODERATE	LOW/MODERATE	LOW/MODERATE	LOW	LOW	NEGLIGIBLE







### LINE OF SIGHT ANALYSIS

Line of sight analysis from most eastern and western corners of proposed sign.



**W** WEST HIGH POINT OF SIGN



**E** EAST HIGH POINT OF SIGN



# 1 PHOTO VIEW 8 JAMES ROAD

Camera Lens  
Height From Ground  
**1.55m**

Camera Lens Focal Length  
(full frame equivalent)  
**35mm**

Horizontal  
Field of View  
**54.4°**

## VISUAL EFFECT

**LOW / MODERATE**

### ▪ Viewpoint Screening - Clear View / Minor Screening

The rear face of the signage would be clearly visible from this vantage point where the view is not obstructed by the wide band of roadside vegetation. The signage will limit a small portion of the view to vegetation.

The residence is separated from the view with a tall boundary wall which will limit any direct impact on views from within the property. Views from the upper story will look over the rear of the sign however the signage structure form integrates well with the overpass and will not create a substantial change from this vantage point.

## VISUAL SENSITIVITY

**LOW / MODERATE**

### ▪ Property View - Rear View

This vantage point is located at the rear of 8 James Road behind a tall Boundary wall. There are limited outlook opportunities from the upper story of 8 James street looking towards the Highway overpass. Views from this location would be infrequent with small window openings designed to let light in. While the frequency of viewers in this location is low and duration is long, however distance of the development results in a low/moderate sensitivity.

## EXISTING LANDSCAPE CHARACTER

The viewpoint is located adjacent to the overpass to the west of the proposed signage. The overpass and pedestrian balustrades are dominant constructed elements in the viewshed. To the south of the overpass and positioned in the foreground of the view, sits a dense area of roadside planting.

## VISUAL IMPACT

**LOW / MODERATE**

### ▪ Visual Prominence of Signage - Moderate

The proposed signage will not have any impact on remnant vegetation and will integrate well with the overpass. In this instance, the low/moderate sensitivity and visual effect result in a low/moderate visual impact.



PANORAMA (CONTEXT ONLY)





50MM FL REFERENCE VIEW

ORIGINAL PHOTO EXTENT - 35MM FL



## 2 PHOTO VIEW 8A JAMES ROAD

Camera Lens  
Height From Ground  
**1.55m**

Camera Lens Focal Length  
(full frame equivalent)  
**35mm**

Horizontal  
Field of View  
**54.4°**

### VISUAL EFFECT

#### MODERATE

##### ▪ Viewpoint Screening - Partial View / Partial Screening

The closeness of the signage to the viewing location would result in the signage being partially visible through the roadside vegetation. A tall boundary wall separates will limit any direct impact on views from the residence. Views from the upper story will predominantly look into the tree canopy above the signage.

### VISUAL SENSITIVITY

#### LOW / MODERATE

##### ▪ Property View - Rear View

This vantage point is located at the rear of 8A James Road behind a tall Boundary wall. There are limited outlook opportunities from the upper story of 8 James street looking towards the Highway overpass with the majority of this view being screened by the tree canopy. While the frequency of viewers in this location is low and duration is long, however distance of the development results in a low/moderate sensitivity.

### EXISTING LANDSCAPE CHARACTER

The viewpoint is located southwest of the overpass in close proximity to the proposed signage. The overpass is partially visible through a reasonably dense band of vegetation located on the road verge and separating the viewpoint from the proposed signage.

### VISUAL IMPACT

#### MODERATE

##### ▪ Visual Prominence of Signage - Moderate

Remnant vegetation in the foreground would partially screen views however parts of the signage will remain visible. In this instance, the moderate effect combined with a low/moderate level of visual sensitivity will result in a moderate potential visual impact.

This impact can be further mitigated through additional shrub planting within the roadside vegetation area.







50MM FL REFERENCE VIEW

ORIGINAL PHOTO EXTENT - 35MM FL



### 3 PHOTO VIEW 10 JAMES ROAD

Camera Lens  
Height From Ground  
**1.55m**

Camera Lens Focal Length  
(full frame equivalent)  
**35mm**

Horizontal  
Field of View  
**54.4°**

#### VISUAL EFFECT

**NEGLIGIBLE**

- Viewpoint Screening - No view to signage

The signage will not be visible from this vantage point as it will be obstructed by a wide band of roadside vegetation.

#### VISUAL SENSITIVITY

**LOW**

- Property View - Rear View

This vantage point is located on a public footpath in front of 10 James Street. The view to the proposed signage location is separated from the vantage point by a wide band of roadside vegetation.

#### EXISTING LANDSCAPE CHARACTER

The viewpoint is located to the south west of the signage location on the western side of West Coast Highway on the public footpath. The existing roadside vegetation will cover th

#### VISUAL IMPACT

**NO IMPACT**

- No Visual Impact

The proposed signage will not be visible from this location.



PANORAMA (CONTEXT ONLY)





50MM FL REFERENCE VIEW

ORIGINAL PHOTO EXTENT - 35MM FL



## 4 PHOTO VIEW 12B JAMES ROAD

Camera Lens  
Height From Ground  
**1.55m**

Camera Lens Focal Length  
(full frame equivalent)  
**35mm**

Horizontal  
Field of View  
**54.4°**

### VISUAL EFFECT

**NEGLIGIBLE**

- Viewpoint Screening - No view to signage

The signage will not be visible from this vantage point as it will be obstructed by a wide band of roadside vegetation.

### VISUAL SENSITIVITY

**LOW**

- Property View - Rear View

This vantage point is located on a public footpath in front of 12B James Street. The view to the proposed signage location is separated from the vantage point by a wide band of roadside vegetation.

### EXISTING LANDSCAPE CHARACTER

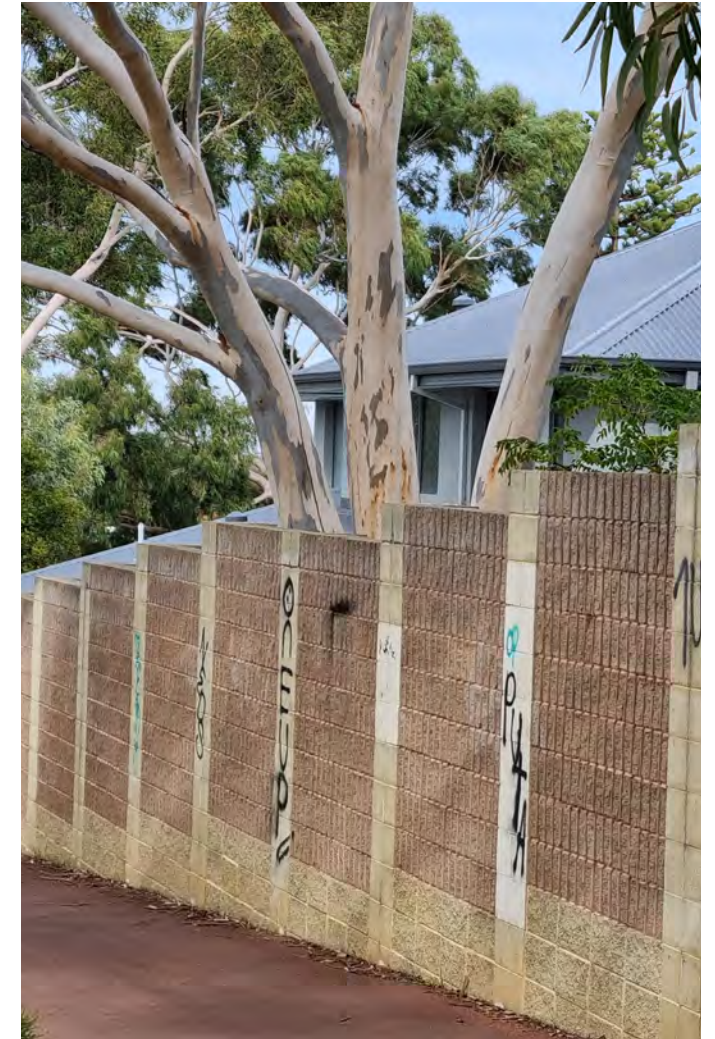
The viewpoint is located to the south west of the signage location on the western side of West Coast Highway on the public footpath. A wide band of roadside vegetation screens the view to the Langoulant Road overpass.

### VISUAL IMPACT

**NO IMPACT**

- No Visual Impact

The proposed signage will not be visible from this location.



PANORAMA (CONTEXT ONLY)





50MM FL REFERENCE VIEW

ORIGINAL PHOTO EXTENT - 35MM FL



## 5 PHOTO VIEW 9B KNUTSFORD STREET

Camera Lens  
Height From Ground  
**1.55m**

Camera Lens Focal Length  
(full frame equivalent)  
**35mm**

Horizontal  
Field of View  
**54.4°**

### VISUAL EFFECT

#### NEGLIGIBLE

- Viewpoint Screening - No view to signage

The signage will not be visible from this vantage point as it will be obstructed by a wide band of roadside vegetation.

### VISUAL SENSITIVITY

#### LOW

- Property View - Rear View

This vantage point is located on a public footpath in front of 9B Knutsford Street. The view to the proposed signage location is separated from the vantage point by a wide band of roadside vegetation.

### EXISTING LANDSCAPE CHARACTER

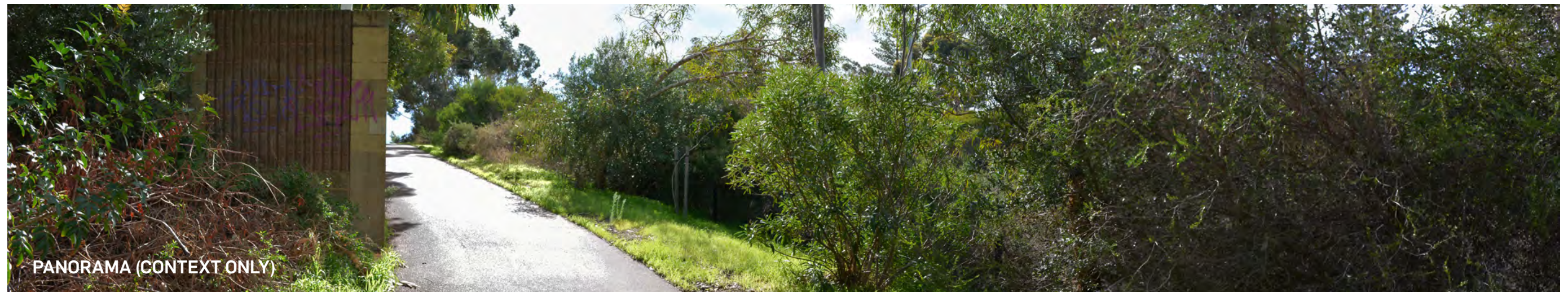
The viewpoint is located to the south west of the signage location on the western side of West Coast Highway on the public footpath. A wide band of roadside vegetation screens the view to the Langoulant Road overpass.

### VISUAL IMPACT

#### NO IMPACT

- No Visual Impact

The proposed signage will not be visible from this location.







50MM FL REFERENCE VIEW

ORIGINAL PHOTO EXTENT - 35MM FL



## 6 PHOTO VIEW 20 FRASER STREET

Camera Lens  
Height From Ground  
**1.55m**

Camera Lens Focal Length  
(full frame equivalent)  
**35mm**

Horizontal  
Field of View  
**54.4°**

### VISUAL EFFECT

**MODERATE**

#### ▪ Viewpoint Screening - Minor glimpse

The viewing location will provide a filtered view of the top of the signage. The majority of the signage will be screened by roadside vegetation. As roadside vegetation continues to grow it will reduce the area of signage that can be viewed. The digital signage screen will likely draw the attention of the viewer in the evening.

### VISUAL SENSITIVITY

**LOW / MODERATE**

#### ▪ Property View - Side View

This vantage point is located on the verge of 20 Fraser Street in close proximity to the sign. The view to the proposed signage location is partially screened from the vantage point by roadside vegetation. Views from the side of the residence residence are further separated by a boundary wall. Views of the signage is not likely to be prominent from within the residence.

### EXISTING LANDSCAPE CHARACTER

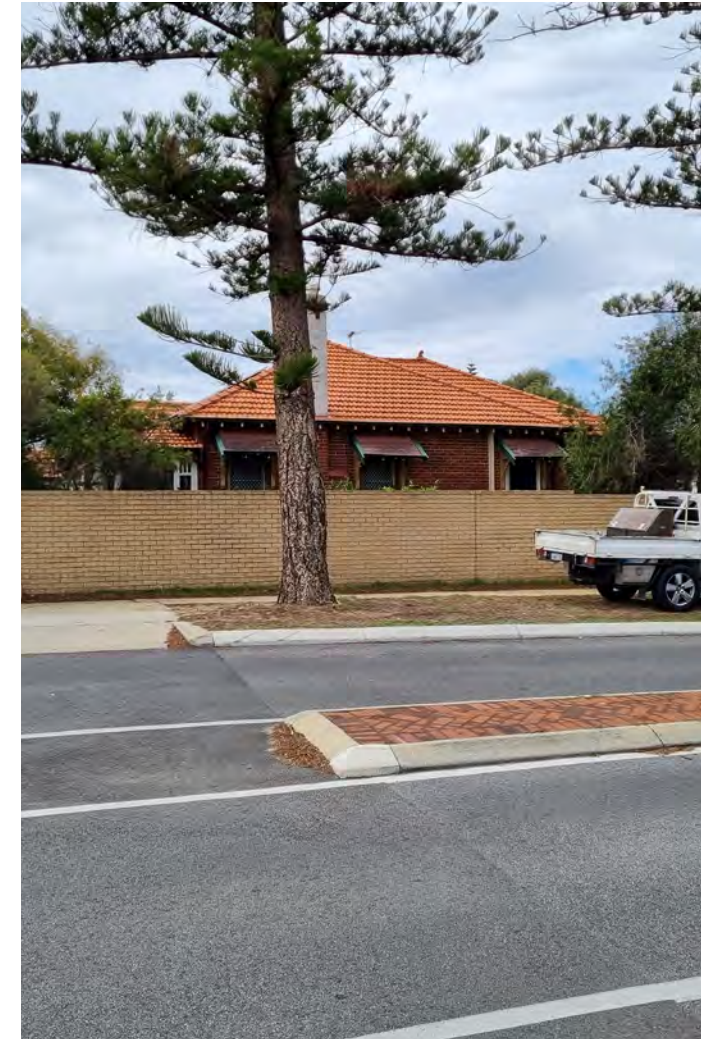
The viewpoint is located on the verge of 20 Fraser Street to the east of the signage location on the eastern side of the servetus street verge. A wide band of roadside vegetation limits the view to the Langoulant Road overpass.

### VISUAL IMPACT

**LOW / MODERATE**

#### ▪ Visual Prominence of Signage - Low

Remnant roadside vegetation will partially screen views to signage but views of the upper parts of the signs would be possible. In this instance, the moderate visual effect combined with a low/moderate level of visual sensitivity will result in a low/moderate potential visual impact.







50MM FL REFERENCE VIEW

ORIGINAL PHOTO EXTENT - 35MM FL



## 7 PHOTO VIEW 38A SERVETUS STREET

Camera Lens  
Height From Ground  
**1.55m**

Camera Lens Focal Length  
(full frame equivalent)  
**35mm**

Horizontal  
Field of View  
**54.4°**

### VISUAL EFFECT

**LOW**

#### ▪ Viewpoint Screening - Minor glimpse

A glimpse of the eastern portion of the signage will be visible from this vantage point however the majority of the signage will be screened by roadside vegetation. It is likely that this glimpse will disappear as roadside vegetation continues to grow.

### VISUAL SENSITIVITY

**LOW**

#### ▪ Property View - Front View

This vantage point is located on the verge of 38A Servetus Street. The view to the proposed signage location is separated from the vantage point by a wide band of roadside vegetation. Views from the residence are set back from the verge. the signage is not likely to be visible from within the residence.

### EXISTING LANDSCAPE CHARACTER

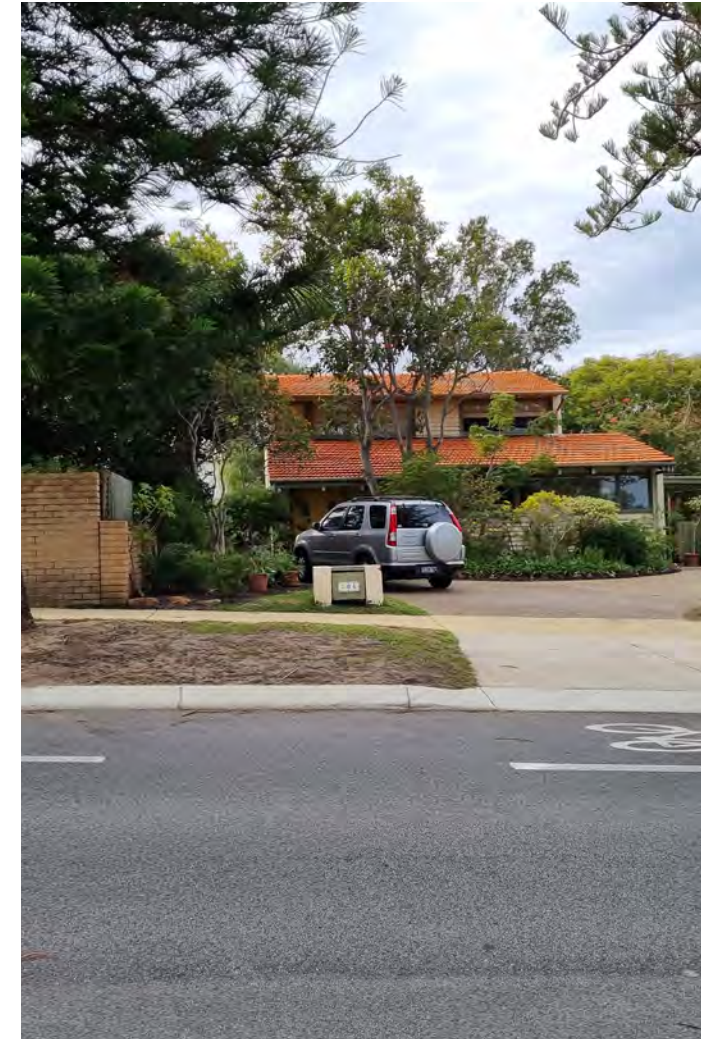
The viewpoint is located on the verge of 38A Servetus Street to the south east of the signage location on the eastern side of. A wide band of roadside vegetation limits the view to the Langoulant Road overpass.

### VISUAL IMPACT

**LOW**

#### ▪ Visual Prominence of Signage - Low

The proposed signage will not be visually prominent from this location.



PANORAMA (CONTEXT ONLY)





50MM FL REFERENCE VIEW

ORIGINAL PHOTO EXTENT - 35MM FL



## 8 PHOTO VIEW 121 SHENTON ROAD

Camera Lens  
Height From Ground  
**1.55m**

Camera Lens Focal Length  
(full frame equivalent)  
**35mm**

Horizontal  
Field of View  
**54.4°**

### VISUAL EFFECT

**LOW**

- Viewpoint Screening - No view to signage

The signage will not be visible from this vantage point as it will be obstructed by a wide band of roadside vegetation.

### VISUAL SENSITIVITY

**LOW**

- Property View - Front View

This vantage point is located on the verge of 121 Shenton Road. The view to the proposed signage location is separated from the vantage point by a wide band of roadside vegetation.

### EXISTING LANDSCAPE CHARACTER

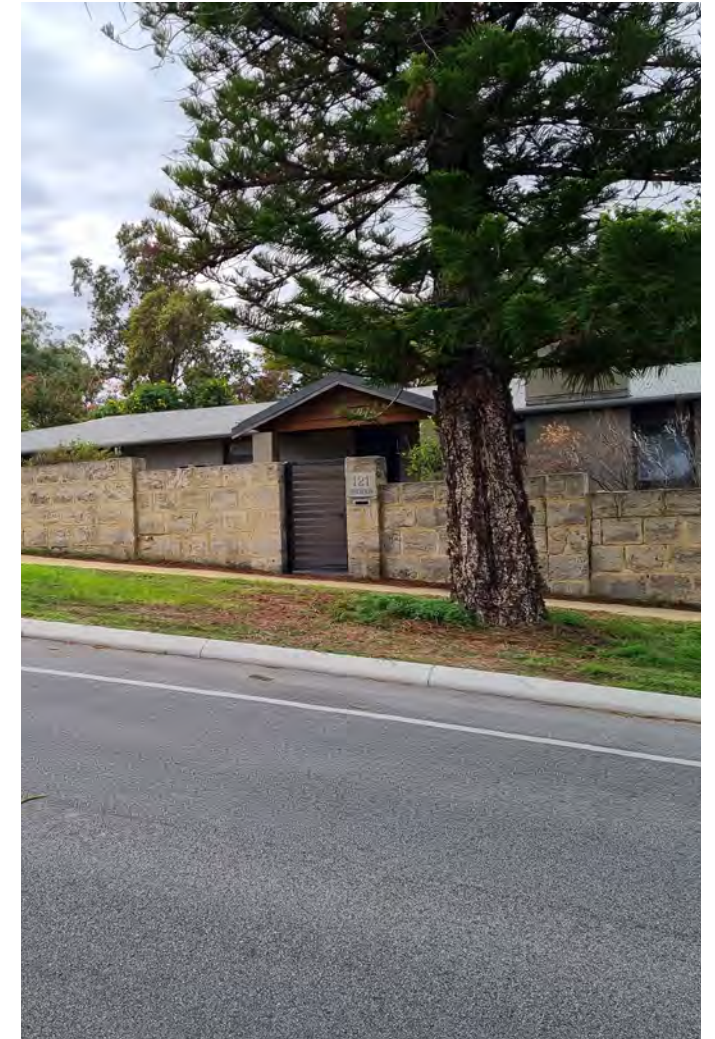
The viewpoint is located to the south east of the signage location on the eastern side of Servetus Street. A wide band of roadside vegetation screens the view to the Langoulant Road overpass.

### VISUAL IMPACT

**NO IMPACT**

- No Visual Impact

The proposed signage will not be visible from this location.







50MM FL REFERENCE VIEW

ORIGINAL PHOTO EXTENT - 35MM FL



City of Nedlands  
Plans Received  
12 July 2022

**Design**  
**for a better**  
*future /*

JCDECAUX

**DIGITAL ADVERTISING  
SIGNAGE COMPLIANCE  
REVIEW**

WEST COAST  
HIGHWAY SLK 7.79

wsp

JUNE 2022

CONFIDENTIAL

# Question today *Imagine tomorrow* Create for the future

## Digital Advertising Signage Compliance Review West Coast Highway SLK 7.79




JCDecaux

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REV	DATE	DETAILS
A	7/6/22	Draft for MRWA discussion
B	23/6/22	Final

	NAME	DATE	SIGNATURE
Prepared by:	Natalie Sham	31/05/2022	
Reviewed by:	Mark Fowler	07/06/2022	
Approved by:	Mark Fowler	23/6/22	

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# 1 PROJECT BACKGROUND

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## 1.1 INTRODUCTION

WSP has been commissioned by JCDecaux to undertake a site analysis of a proposed overhead electronic digital advertising device, affixed to the traffic bridge of Langouland Road. The proposed billboard is located on West Coast Highway at SLK 7.79, approximately 530 m north of the Curtin Avenue and Claremont Crescent intersection.

The proposed billboard is subject to Main Roads WA approval as the sign will be facing road users travelling northbound along the state-controlled road, West Coast Highway.

In this report, the proposed billboard and its location will be assessed on physical characteristics, site location, and crash history in accordance to the requirements within the *Policy and Application Guidelines for Advertising Signs within and beyond state road reserves (October 2020)*<sup>1</sup> set out by Main Roads WA (the policy).

This report sets out WSP's findings of the proposed billboard assessment in accordance with this policy, highlighting any factors that may have implications for road safety or traffic operation.

---

## 1.2 ASSESSMENT CRITERIA

The general permission criteria for the display of advertising devices must ensure a high level of safety for road users and must not affect traffic efficiency. The following criteria applies to advertising devices within the boundaries of state-controlled roads and outside the boundaries of, but visible from, state-controlled roads. The Main Roads WA policy specifies that an advertising device may be considered hazardous if it:

- Interferes with the effectiveness of traffic control devices (e.g. traffic signals, stop, or give way signs).
- Distracts a driver at a critical time (decision making areas).
- Obscures a driver's view of a road hazard (e.g. curves, traffic Stopping Sight Distance).
- Gives instructions to traffic to "stop", "halt" or other (e.g. give way, merge, turn).
- Imitates a traffic control device.
- Is a dangerous obstruction to road or other infrastructure, traffic, pedestrians, cyclists or other road users.
- Is in an area where there are several devices and the cumulative effect of those devices may be potentially hazardous, distracting or demanding.

The specific criteria applicable to the three main areas for assessment include:

- **Physical characteristics:** referring to elements such as the design, size, and display content to determine if the sign can be considered a hazard.
- **Site selection:** referring to lateral and longitudinal placement of a proposed sign in relation to the carriageway. The restrictions set out in the policy are for the purpose of minimising the risk of minimising driver distraction, the risk of a collision between an errant vehicle and an advertising device, as well as to preserve driver sightlines.

---

<sup>1</sup><https://www.mainroads.wa.gov.au/globalassets/technical-commercial/technical-library/road-and-traffic-engineering/traffic-management/policy-and-application-guidelines-for-advertising-signs-within-and-beyond-state-road-reserves.pdf>



- **Crash history:** referring to the quantity and type of crashes occurring on the road network in proximity of a billboard, over the most recent 5-year period compared to crash risk thresholds to determine if the proposal is located in a ‘high’ risk location.

## 1.3 SITE PROPOSAL

JCDecaux propose to install a digital billboard on the traffic bridge of Langouant Road, facing the West Coast Highway northbound carriageway. The proposed digital billboard has the dimensions of 12.53m x 3.81 m, which is similar to the dimensions of a “supersite” (12.66 m x 3.35 m) as defined in the policy.

The following parameters inform the assessment of this proposal:

- SLK location of the billboard on West Coast Highway = 7.79
- Proposed billboard is considered a *digital supersite* based on the face size
- West Coast Highway is a *State controlled road* and *non-freeway standard road*
- The posted speed limit on approach to the sign is 70km/h
- The average annual daily traffic (AADT) passing the billboard is 15,216.

The proposed location is shown below in Figure 1.1.



Figure 1.1 Location of proposed billboard

## 2 PHYSICAL CHARACTERISTICS

### 2.1 ASSESSMENT

Table 2.1 sets out the findings of the assessment of the proposed billboard, relevant to the physical characteristics criteria outlined in the policy. The assessment documented considers only the elements which have the potential to impact road safety or operational efficiency of the road network.

Table 2.1 Physical characteristics assessment

POLICY SECTION	COMPONENT	POLICY CRITERIA	CRITERIA ASSESSMENT	ASSESSMENT OUTCOME
4.1.3 (page 17)	Size and shape	<p>The dimensions of Advertising Devices shall generally conform to the industry standard values.</p> <p>The shape of the billboard must be rectangular.</p> <p>The maximum available area of any face of Advertising Device is 85m<sup>2</sup>.</p>	<p>The proposed sign has dimensions of 12.53 m x 3.81 m. It has an available area of 47.73m<sup>2</sup>, which is smaller than the maximum requirement.</p> <p>The dimensions of the proposed billboard do not match directly the dimensions in the standard for a supersite (12.66 m x 3.35 m), however it is very similar.</p>	Compliant
4.1.4.1 & 4.1.6 (Appendix B)	Luminance	<p>Digitally displayed signs must be capable of automatically adjusting luminance based on ambient light conditions. Luminance must not exceed:</p> <ul style="list-style-type: none"> <li>- Daytime: 6000 cd / m<sup>2</sup></li> <li>- Dawn/Dusk: 600 cd / m<sup>2</sup></li> <li>- Night: 300 cd / m<sup>2</sup></li> </ul>	<p>Luminance levels will not exceed those specified and will be automatically adjusted based on ambient light conditions. As per previous digital advertising sites a soft start will be applied to determine the most appropriate luminance levels for the location.</p>	Compliant
4.1.4.1 (page 17)	Display dwell time	<p>Devices must have a dwell time for each new message of greater than 35 seconds (less when congested) for 70km/h road.</p>	<p>Device will be configured to meet minimum 35s dwell time, and will be increased should the speed environment reduce.</p>	Compliant
4.1.4.1 (page 17)	Display transition	<p>Transitions between messages must not exceed 0.1 seconds and no transition animation or effect shall be permitted.</p>	<p>Device will be configured to ensure instantaneous transition between advertisements with no transition effect.</p>	Compliant
4.1.4.1 (page 17)	Sign direction	<p>Overhead infrastructure must be directed only at motorists passing underneath.</p>	<p>Sign will be mounted on the bridge such that it is facing directly at passing motorists (on the eastbound carriageway) only.</p>	Compliant



POLICY SECTION	COMPONENT	POLICY CRITERIA	CRITERIA ASSESSMENT	ASSESSMENT OUTCOME
4.1.4.4 (page 20)	Sign movement	Sign must not move and/or rotate.	Proposed sign is stationary.	Compliant
4.1.6 (page 20)	Engineering certification	Certification is required to verify the structure's capability to support a hanging billboard. Fixings will also be required to be designed to comply with relevant standards.	Appropriate engineering certification will be acquired for all structural elements.	Compliant
4.1.6 (page 20)	Driver glare	Retro-reflective materials and signs that may reflect sunlight from incidental light sources at drivers, are not permitted.	Digitally displayed signage used. No retro-reflective surface or material will be used on external surfaces.	Compliant

## 2.2 SUMMARY OF ASSESSMENT OUTCOMES

The physical characteristics of the proposed billboard are generally compliant with the criteria set out in the policy.

## 3 SITE SELECTION

### 3.1 ASSESSMENT

Table 3.1 sets out the findings of the assessment of the proposal relevant to the Site Selection criteria set out in the Guidelines.

Table 3.1 Site selection assessment

POLICY SECTION	COMPONENT	POLICY CRITERIA	CRITERIA ASSESSMENT	ASSESSMENT OUTCOME
4.1.2 (page 17) & 4.1.4.2 (Appendix A)	Prohibited Road Sections	Billboards cannot be located in specified road sections.	Proposed billboard location is not in any of the restricted road sections.	Compliant
		Billboard cannot be located within 85m of a t-intersection or crossroad	No intersection or crossroad is situated within the proximity of the currently proposed location.	Compliant
4.1.4.2 (page 19)	Clear zone	Billboard must not be located within clear zones.	Sign will be located on existing overhead structure and as such will not impact clear zone.	Compliant
4.1.4.2 (page 19)	Driver sightline areas	Billboard must be positioned as to achieve ASD, SISD, MGSD requirements.	Since the device is proposed on an existing structure, all approach and stopping sight distances are satisfied. The device does not interfere with any driver sightlines.	Compliant
4.1.4.2 (page 19)	Fixed VMS	Billboard must not be located within 500 m following a fixed VMS that is visible to a driver approaching the proposed sign.	No fixed VMS is located within 500m of the proposed billboard signs.	Compliant



POLICY SECTION	COMPONENT	POLICY CRITERIA	CRITERIA ASSESSMENT	ASSESSMENT OUTCOME
4.1.4.2 (page 19)	Electronic billboard spacing	<p>The distance between two electronic billboard signs visible to a driver at the same time must not be less than 250 m.</p> <p>The distance must not be less than 125 m if the electronic billboard signs are NOT visible to a driver at the same time.</p>	No other electronic billboards are present on West Coast Highway.	Compliant
4.1.4.2 (page 19)	Spacing between other signage	Billboards must not be located within 42m of road signage (given the West Coast Highway has a posted speed of 70 km/h).	No signs are located within the 42m restriction distance. The closest other signage is located 138 m from the proposed location.	Compliant
4.1.4.2 (page 19)	Traffic signage spacing	Billboard must not be located within 42m of any traffic or directional signage.	No signs are located within the 42m restriction distance.	Compliant
4.1.4.2 (page 19)	Maintenance access	Provision of safe access for maintenance must be provided.	The shared path of the bridge can provide maintenance access to the sign.	Compliant

## 3.2 SUMMARY OF ASSESSMENT OUTCOMES

The site selection of the proposed billboard is compliant with the criteria set out in the policy.

## 4 CASUALTY CRASH RATE

---

### 4.1 INTRODUCTION

The policy requires a risk profile to be determined for the road segments approaching and departing from a proposed digital advertising sign. The crash rate assessment is based on the formula below, which is used to determine a Casualty Crash Rate for six rolling 1 km sections, which start 1km in advance of the sign and end 500 m after. The analysis considers all Killed or Seriously Injured (KSI) crashes that have occurred at mid-block locations over the most recent 5-year period (2016-2020), using the Main Roads WA CARS system. The crash data is considered in respect of RUM codes to derive a crash score for the analysis.

The Casualty Crash Rate has been calculated in accordance with Appendix C of the policy, using the prescribed formula set out below, using the details of the proposed sign as set out in Section 1.3.

$$R = \frac{\sum_{t=1}^{20} C_t \times A_t \times 10^4}{n \times L \times V \times 365}$$

Where:

R = Casualty crash rate (expressed in terms of 10<sup>4</sup> ERU per 10<sup>8</sup> VKT)

t = RUM Group

C<sub>t</sub> = Crash Risk Score for a crash in RUM Group “t”

A<sub>t</sub> = Number of crashes in RUM Group “t”

n = Number of years of crash data (usually 5 years, unless the road or intersection has undergone significant roadworks within the last 5 years, then crash history prior and during roadworks are not to be included)

L = Length (km) of road section (usually 1km)

V = Annual Average Daily Traffic (AADT) for the section

365 = Number of days in one year

The Casualty Crash Rate determined using this formula is then compared to specified Critical Crash Rate values to classify the considered 1 km segment as having a ‘higher than critical’ or ‘lower than critical’ Casualty Crash Rate.

---

### 4.2 ASSESSMENT

Table 4.1 below provides the inputs to the calculation for each 1 km segment and the resultant Casualty Crash Rate using the details of the proposed billboard set out in Section 1.3. For the proposed location (highway with a posted speed of 70 km/h) the Critical Crash Rate is 212.7, in accordance with the policy.

The crash category results provided below in Table 4.1 are derived from a comparison between the average and Critical Crash Rates for the same road environment to determine if it is a low or high Casualty Crash Rate location.



Table 4.1 Casualty Crash Rate calculations

SECTION	START SLK	END SLK	AADT	NO. CRASHES	CRITICAL CRASH RATE	CRITICAL CRASH RATE (CRC)	CRASH CATEGORY
1	6.79	7.79	16022	3	212.7 (Highway, 70km/hr speed zone)	99	Low
2	6.89	7.89	16022	1		44	Low
3	6.99	7.99	16022	1		44	Low
4	7.09	8.09	16022	1		44	Low
5	7.19	8.19	16022	1		44	Low
6	7.29	8.29	16022	0		0	Low

Figure 4.1 demonstrates that all scores derived for the rolling 1km sections for the proposed site are below the Critical Crash Rate, thus satisfy the guidance set out in the policy.

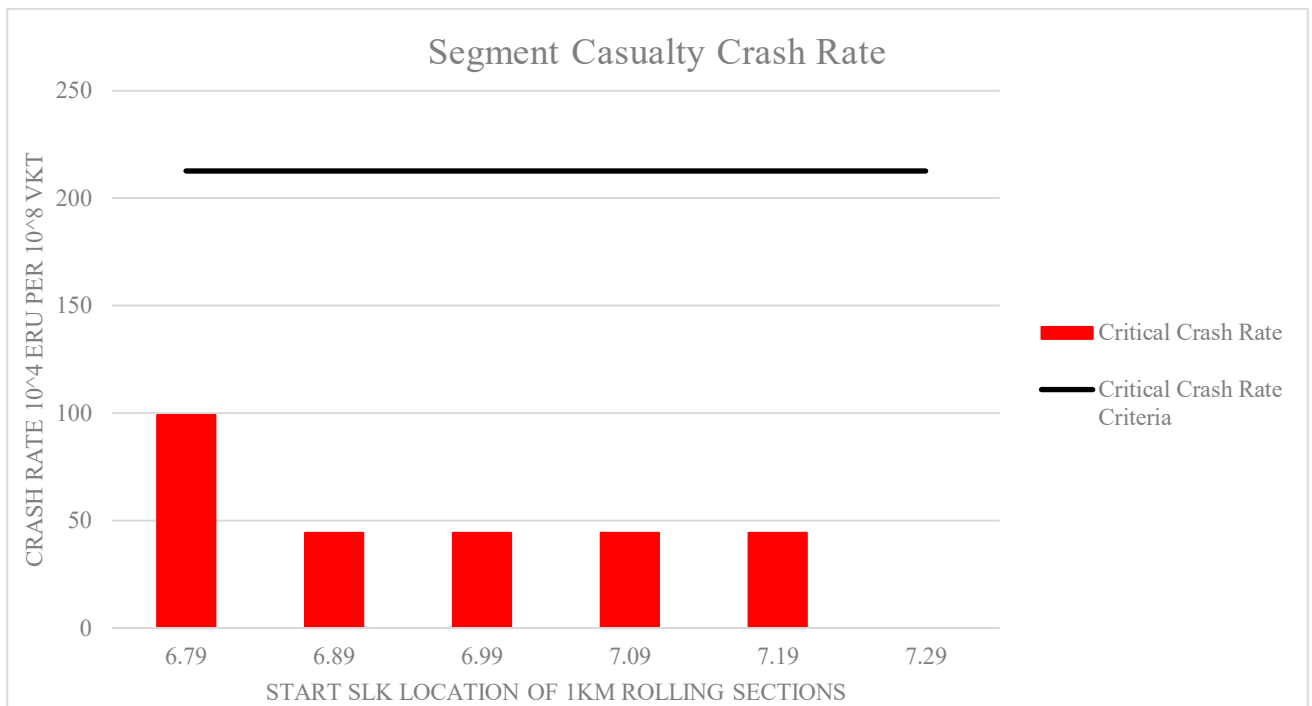


Figure 4.1 Casualty Crash Assessment

## 4.3 ASSESSMENT COMMENTARY

Figure 4.2 illustrates the location crashes that occurred during the 2016 to 2020 period for which the Casualty Crash rate assessment was undertaken. Over this 5-year period, only one collision occurred at SLK 7.25. Therefore, critical crash rate is significantly lower than the threshold. The crash risk analysis for the proposed billboard has proven to satisfy all criteria set out in the policy.



Figure 4.2 Collision site in relation to the proposed billboard location



## 5 CONCLUSION

WSP have assessed a proposed digital advertising sign at SLK 7.79 on the northbound carriageway of West Coast Highway. The assessment has been carried out in accordance *Policy and Application Guidelines for Advertising Signs within and beyond state road reserves* (October 2020), and considers the key elements which may impact road safety or traffic efficiency. The assessment has considered the physical characteristics, site selection and Casualty Crash Rate for the proposal.

This assessment has found the proposed billboard site compliant with the criteria set out in the policy.

City of Nedlands  
Plans Received  
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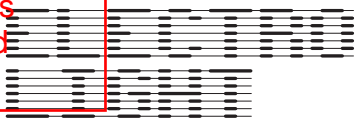
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JCDecaux  
  
 29th April 2022  
 Ref: 1096.112

LIGHTING IMPACT ASSESSMENT  
 OUTDOOR SIGNAGE AT LANGOULANT ROAD OVERPASS,  
 WEST COAST FREEWAY, SWANBOURNE, WA

**Lighting Impact Assessment Outdoor Signage at  
 Langoulant Rd Overpass, West Coast Freeway,  
 Swanbourne WA**

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DATE	REV	COMMENT	PREPARED BY	CHECKED BY
29/04/22	Rev A	For Information	NL	RS

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## 1. INTRODUCTION

Electrolight have been appointed by JCDecaux to undertake a Lighting Impact Assessment on the proposed digital signage to be installed at the Langoulant Road overpass on the West Coast Freeway, Western Australia. The objective of the assessment is to report on compliance with AS4282-2019 Control of the Obtrusive Effects of Outdoor Lighting and the Western Australia Main Roads “Policy and Application Guidelines for Advertising Signs”.

## 2. DEFINITIONS

### 2.1 Illuminance

The physical measure of illumination is illuminance. It is the luminous flux arriving at a surface divided by the area of the illuminated surface. Unit: lux (lx); 1 lx = 1 lm/m<sup>2</sup>.

(a) Horizontal illuminance (E<sub>h</sub>) The value of illuminance on a designated horizontal plane

(b) Vertical illuminance (E<sub>v</sub>) The value of illuminance on a designated vertical plane

Where the vertical illuminance is considered in the situation of potentially obtrusive light at a property boundary it is referred to as environmental vertical illuminance (E<sub>ve</sub>).

### 2.2 Luminance

The physical quantity corresponding to the brightness of a surface (e.g. a lamp, luminaire or reflecting material such as the road surface) when viewed from a specified direction. SI Unit: candela per square metre (cd/m<sup>2</sup>) – also referred to as “nits”.

### 2.3 Luminous Intensity

The concentration of luminous flux emitted in a specified direction. Unit: candela (cd).

### 2.4 Obtrusive Light

Spill Light which, because of quantitative, directional or spectral attributes in a given context, gives rise to annoyance, discomfort, distraction or a reduction in the ability to see essential information.

### 2.5 Threshold Increment

The measure of disability glare expressed as the percentage increase in contrast required between a standard object and its background (the carriageway) for it to be seen equally as well with the source of glare present as with it absent, derived in the specified manner. This metric is directly related to Veiling Luminance.

NOTE: The required value is a maximum for compliance of the lighting scheme.

### 2.6 AGI32 Light Simulation Software

AGI32 (by U.S. company Lighting Analysts) is an industry standard lighting simulation software package that can accurately model and predict the amount of light reaching a designated surface or workplane. AGI32 has been independently tested against the International Commission On Illumination (CIE) benchmark, CIE 171:2006, Test Cases to Assess the Accuracy of Lighting Computer Programs.

### 2.7 Upward Light Ratio (ULR)

The ratio between the luminous flux emitted above the horizontal plane to the total flux emitted by a light source. The ULR is used as a measure to limit direct spill light to the sky.

### 3. SITE DESCRIPTION AND SCOPE

The proposed digital signage is located on the Langoullant Road overpass over the West Coast Freeway, WA, and faces the northbound direction of traffic on the West Coast Freeway. The total active display (illuminated) area of the proposed digital signage is 39.94m<sup>2</sup>. The digital signage is to be in 24 hour operation. Refer Appendix A for proposed signage location plan and elevations.

The proposed digital signage is illuminated using LEDs installed within the front face. The brightness of the LEDs shall be controlled to provide upper and lower thresholds as required as well as automatically via a local light sensor to adjust to ambient lighting conditions.

For the purpose of this report the proposed specification of the digital signage is outlined in Appendix B. The signage includes baffles which mitigate upward waste light, resulting in an Upward Light Ratio (ULR) of not more than 50%. Alternative digital sign manufacturers may be used for this installation as long as they have equivalent lighting and performance characteristics and are commissioned as described in this report.

### 4. DESIGN GUIDELINES AND STANDARDS

The Lighting Impact Assessment will review the proposed digital signage against the follow Criteria, Design Guidelines and Standards.

- Western Australia Main Roads “Policy and Application Guidelines for Advertising Signs” Document (October 2020). (Refer Appendix C)
- AS 4282-2019 Control of the Obtrusive Effects of Outdoor Lighting.



## 5. LUMINANCE ASSESSMENT

The maximum permissible night time luminance of the signage is determined by the existing lighting environment of its surroundings. AS4282 outlines maximum average luminances for different Environmental Zones as shown in Table 1 below:

Environmental Zone	Description	Max Average Luminance (cd/m <sup>2</sup> )
A4	High district brightness e.g. Town and city centres, commercial areas, and residential areas abutting commercial areas	350
A3	Medium district brightness e.g. suburban areas in towns and cities	250
A2	Low district brightness e.g. sparsely inhabited rural and semi-rural areas	150
A1	Dark e.g. relatively uninhabited rural areas. No Road Lighting	0.1
A0	Intrinsically Dark e.g. Major Optical Observatories. No Road Lighting	0.1

Note: Where the signage is viewed against a predominantly dark background (e.g. night sky) then the maximum applicable environmental zone is A2

Based on an assessment of the surrounding environment, the proposed signage is located within Environmental Zone A3 under AS4282 therefore the maximum night time luminance of the signage is 250 cd/m<sup>2</sup> under the standard.

In addition, Appendix B of the Western Australia Main Roads "Policy and Application Guidelines for Advertising Signs" document outlines the maximum allowable day time, dawn/dusk and night time luminances of electronic signs to exhibit consistent apparent brightness in all lighting conditions (refer to Appendix C). The Guidelines require a maximum luminance limit of 6000cd/m<sup>2</sup> during the day, 600cd/m<sup>2</sup> at Dawn/Dusk and 300 cd/m<sup>2</sup> during night time operation.

Table 2 outlines the maximum luminance levels to comply with AS4282 and the Western Australia Main Roads "Policy Application Guidelines for Advertising Signs" for the various lighting conditions listed below:

Lighting Condition	Max Permissible Luminance (cd/m <sup>2</sup> ) #	Compliant
Day Time	6000	✓
Dawn/Dusk	600	✓
Night time	125*	✓

# The signage is to be dimmed on site to ensure the maximum luminance nominated above is not exceeded.

\* The maximum permissible luminance allowable under AS4282 and Western Australia Main Roads "Policy and Application Guidelines for Advertising Signs" is actually 250 cd/m<sup>2</sup>. The luminance limit shown above was derived from the result of the calculation and assessment in Section 5 and 6, to ensure compliance with other criteria of AS4282 and any additional lighting requirements as described in this report.

Appendix B of the Western Australia Main Roads “Policy and Application Guidelines for Advertising Signs” Document also requires that the signage be initially commissioned to half the recommended maximum luminances shown in the document for the various lighting conditions (see Table 3 below). The sign luminances shall be gradually increased over time to an appropriate level as agreed with Main Roads.

TABLE 3 - INITIAL LUMINANCE LEVELS FOR DIGITAL ADVERTISEMENTS		
Lighting Condition	Max Permissible Luminance (cd/m <sup>2</sup> )	Compliant
Day Time Luminance	3000	✓
Dawn/Dusk	300	✓
Night Time	125*	✓

\* The maximum night time luminance under the Western Australia Main Roads “Policy and Application Guidelines for Advertising Signs” is 300 cd/m<sup>2</sup>, half of this value is 150 cd/m<sup>2</sup>. However a value of 125 cd/m<sup>2</sup> was used instead as a result of the calculations and assessment necessary to ensure compliance with the relevant criteria of AS4282 and any additional lighting requirements as described in this report.

The operator of the screen must not exceed the maximum dimming levels above to comply with the Western Australia Main Roads “Policy and Application Guidelines for Advertising Signs” Document. To maintain constant visibility of the signage, the dimming value may increase to the maximum level at certain times of the day (such as in direct sunlight). This is to compensate for high levels of light striking the front the face of the sign, which would otherwise dull the image and make it difficult to view.



## 6. AS4282 ASSESSMENT

The proposed signage has been assessed against AS 4282-2019 Control of the Obtrusive Effects of Outdoor Lighting as outlined in Section 4.

AS4282 provides limits for different obtrusive factors associated with dark hours (night time) operation of outdoor lighting systems. Two sets of limiting values for spill light are given based on whether the lighting is operating before a curfew (known as “pre-curfew” operation) or operating after a curfew (known as post-curfew or curfewed operation). Pre-curfew spill lighting limits are higher than post-curfew values, on the understanding that spill light is more obtrusive late at night when residents are trying to sleep. Under AS4282, the post-curfew period is taken to be between 11pm and 6am daily. As it is intended that the digital signage be illuminated all night, the assessment will review the proposed signage under the more stringent post-curfew limits.

### Illuminance Assessment

The AS4282 assessment includes a review of nearby residential dwellings and calculation of the amount of illuminance (measured in Lux) that the properties are likely to receive from the signage during night time operation.

The acceptable level of illuminance will in part be determined by the night time lighting environment around the dwellings. AS4282 categorises the night time environment into different zones with maximum lighting limits as shown in Table 4 below:

TABLE 4 - MAXIMUM VALUES OF LIGHT TECHNICAL PARAMETERS			
Environmental Zone	Max Vertical Illuminance (lx)		Description
	Pre-curfew	Post-curfew	
A0	0	0	Intrinsically Dark e.g. Major Optical Observatories. No Road Lighting
A1	2	0.1	Dark e.g. relatively uninhabited rural areas. No Road Lighting
A2	5	1	Low district brightness e.g. sparsely inhabited rural and semi-rural areas
A3	10	2	Medium district brightness e.g. suburban areas in towns and cities
A4	25	5	High district brightness e.g. Town and city centres, commercial areas, and residential areas abutting commercial areas

Based on an assessment of the surrounding areas, the nearest dwellings with potential views to the signage are at the following locations:

Address	Zone	Address	Zone
8 James Road	A3	9b Knutsford Street	A3
8a James Road	A3	20 Fraser Street	A3
10 James Road	A3	38a Servetus Street	A3
12b James Road	A3	121 Shenton Rd	A3
14 James Road	A3		

As such, the dwellings above will form the focus of the illuminance assessment.

The proposed signage (and surrounding environment) was modelled in lighting calculation program AGI32 to determine the effect (if any) of the light spill from the proposed signage. Photometric data for the screen was provided by the signage manufacturer\*, with luminances corresponding to the night time limits outlined in Section 5. Appendix D shows the lighting model and the results of the calculations.

It should be noted that some of the houses are shielded by mature vegetation which effectively obstructs the spill light of the signage. However calculations were undertaken assuming there was no vegetation present as outlined in AS4282.

It can be seen from the lighting model that the maximum illuminance to dwellings in Zone A3 is 1.6 lux, at 8a James Rd which complies with the maximum limit of 2 lux for Zone A3 as outlined in Table 4.

#### Threshold Increment Assessment

The Threshold Increment was calculated for the northbound traffic on West Coast Freeway. The calculation grids were located at 1.5m above ground level for general traffic approaches, with an approach viewing distance of between 10 m to 200 m from the sign. The calculation results show that the Threshold Increment does not exceed 7.62% for any traffic approach (the allowable maximum under the standard is 20%).

#### Luminous Intensity

The luminous intensity limits nominated in the standard are not applicable for internally illuminated signage.

#### Additional Requirements:

The signage operator must ensure that the average luminance difference between successive images does not exceed 30% to ensure compliance with AS4282. The dwell time shall be 10 seconds or greater.

#### Summary:

It can therefore be seen that the proposed digital signage complies with all relevant requirements of AS 4282-2019 Control of the Obtrusive Effects of Outdoor Lighting.

\* Electrolight takes no responsibility for the accuracy of 3rd party provided photometric data.



## 7. SUMMARY

- When commissioned to the maximum dimming levels below, the illuminated signage will comply with the Western Australia Main Roads "Policy and Application Guidelines for Advertising Signs" Document and AS4282-2019 Control of the Obtrusive Effects of Outdoor Lighting.

LUMINANCE LEVELS FOR DIGITAL ADVERTISEMENTS		
Lighting Condition	Max Permissible Luminance (cd/m2) #	Compliant
Day Time	6000	✓
Dawn/Dusk	600	✓
Night time	125	✓

- The signage shall be initially commissioned to half the recommended maximum luminances outlined in the Western Australia Main Roads "Policy and Application Guidelines for Advertising Signs" (as shown in the table below). The luminance shall be gradually increased over time to the maximum levels shown in the table above if deemed appropriate by Main Roads.

INITIAL LUMINANCE LEVELS FOR DIGITAL ADVERTISEMENTS		
Lighting Condition	Max Permissible Luminance (cd/m2)	Compliant
Day Time Luminance	3000	✓
Dawn/Dusk	300	✓
Night Time	125	✓

- The signage operator must ensure that the average luminance difference between successive images does not exceed 30% to ensure compliance with AS4282. The dwell time shall be 10 seconds or greater.
- The proposed signage has been found to comply with all relevant requirements of AS4282-2019 Control of the Obtrusive Effects of Outdoor Lighting.
- In complying with the above requirements, the proposed signage should not result in unacceptable glare nor should it adversely impact the safety of pedestrians, residents or vehicular traffic. Additionally, the proposed signage should not cause any reduction in visual amenity to nearby residences or accommodation.

## 8. DESIGN CERTIFICATION

The proposed digital sign to be installed at Langoulant Road overpass on the West Coast Freeway, WA, if commissioned according to this report, will comply with the following criteria, guidelines and standards:

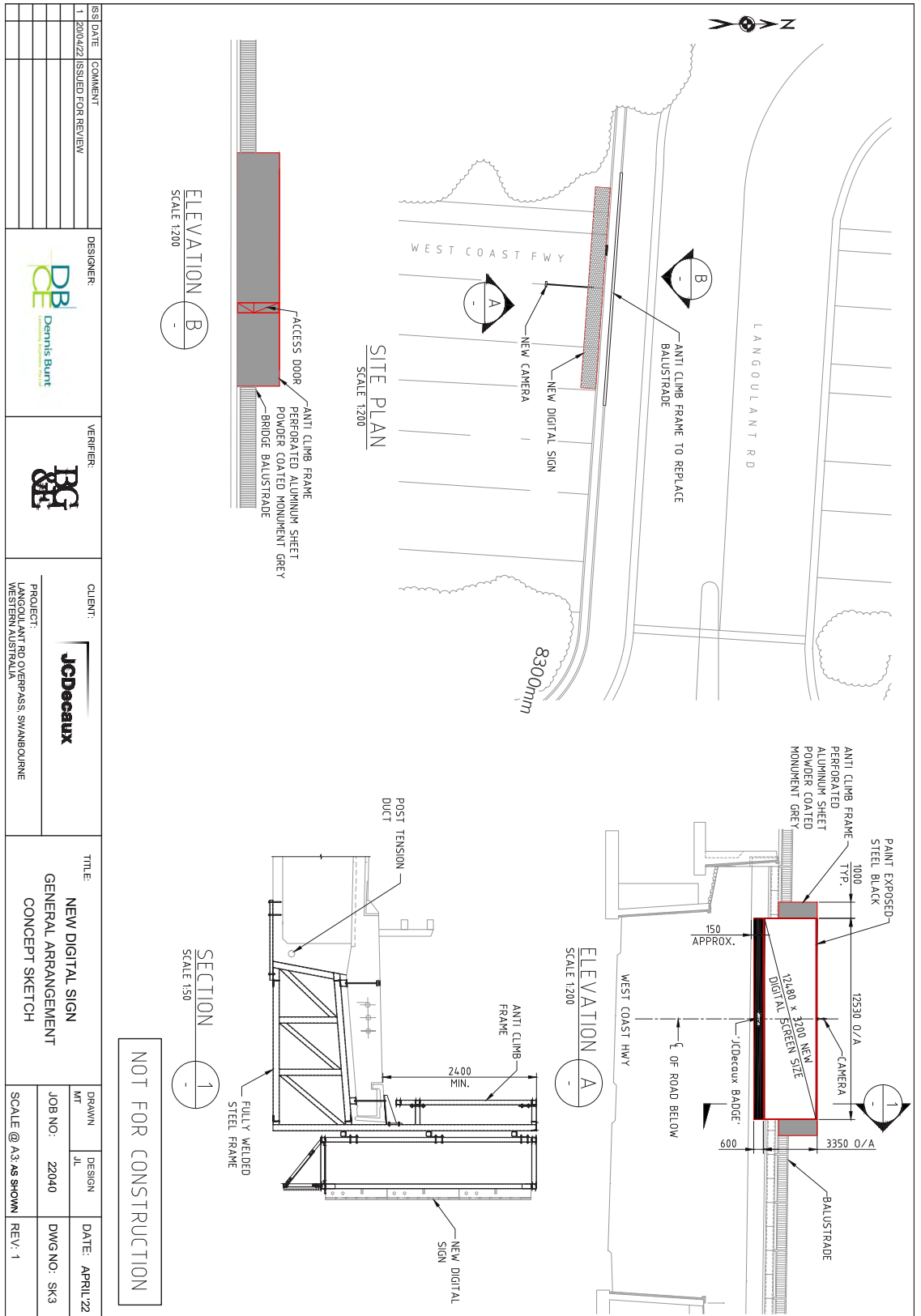
- Western Australia Main Roads “Policy and Application Guidelines for Advertising Signs” Document (October 2020) - Appendix B luminance and illuminance of electronic advertising signs.
- AS 4282-2019 Control of the Obtrusive Effects of Outdoor Lighting.



Ryan Shamier MIES  
Senior Lighting Designer  
Electrolight Sydney  
29/04/22



APPENDIX A  
SIGNAGE LOCATION PLAN



ISS. DATE: 12/07/22	COMMENT: ISSUED FOR REVIEW	DESIGNER: DB Dennis Burt	VERIFIER: BGF	CLIENT: JCDecaux	TITLE: NEW DIGITAL SIGN GENERAL ARRANGEMENT CONCEPT SKETCH	DRAWN: MT	DESIGN: JL	DATE: APRIL 22
				PROJECT: LANGOULLANT RD OVERPASS, SWANBOURNE WESTERN AUSTRALIA		JOB NO.: 22040	DWG NO.: SK3	SCALE: @ A3, AS SHOWN
								REV: 1

APPENDIX B  
DIGITAL SIGNAGE SPECIFICATION

[ DISPLAY SPECIFICATION ]

**OPTION 1**

Active Screen Size (WxH)	12.48 x 3.2m
Active Screen Size (Square Dimensions)	39.94m <sup>2</sup>
Number of Panels	10 x 3
Total Panels	30
Matrix Size (WxH)	1248 pixels x 320 pixels
Aspect Ratio	3.9:1
Display Weight	2316.52kg
Display Weight per Square Dimension	58kg/m <sup>2</sup>
Total Average Power Consumed	7.98kW
Total Maximum Power Consumed	23.96kW
Maximum Power Consumption per Square Dimension	0.6kW/m <sup>2</sup>
Current Draw	99.83 amps max load*
Mains Power Recommendation (per side)	Three-phase power at 50 amps per phase

\* Doesn't allow for in-rush current

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APPENDIX B  
DIGITAL SIGNAGE SPECIFICATION

# [ PRODUCT SPECIFICATION ]

## Outdoor 10mm

Product Specifications		Product Specifications	
LED Brand	AST	Gray Scale	16-bit Color Processing Depth
Physical Pitch	10mm, physical	Refresh Rate	3000+ Hz
Pixel Density	10,000 pixel/m <sup>2</sup>	Display Control	Synchronous control
Pixel Configuration	SMD LED	Power Supply	220V, 50Hz
Module Dimensions (WxH)	320mm x 160mm	Operation Temp.	-20° ~60°
Module Resolution (WxH)	32 x 16 pixels	Display Dimming	Auto/Manual, 8~256 Levels
Cabinet Material	Steel	Display Capacity	Text, image, graphics animations, video
Viewing Angle	H 140 Deg. / V 120 Deg.	Power Consumption (Max./Avg.)	0.6kw/sqm, 0.2kw/sqm
Best Viewing Distance	10+m	MTBF	50,000hrs
Maintenance	Rear access	Lifetime	100,000hrs
Protection Degree	IP65 front, IP54 rear	Lifetime	100,000 hours
Panel Net Weight	approx. 58kg/sqm	Warranty	5 years
Luminance	7000 nits		

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## APPENDIX C

### DIGITAL SIGNAGE SPECIFICATION

#### Luminance and Illumination of Electronic Advertising Signs

##### Safety and amenity

It is important that electronic billboards exhibit consistent apparent brightness in all lighting conditions, by maintaining a consistent ratio between the ambient light (illuminance) and light emitted by the billboard (luminance).

This allows the billboard to be easily read and reduces the time taken for a motorist to view the billboard content. Signs brighter than the ambient conditions may cause greater distraction and risk to drivers due to:

- Averting a motorists attention from important traffic devices / instructions.
- Temporary visual impairment where the difference in sign luminance and ambient light is disparate.

Due to the fast rate of change in ambient light during dusk and dawn periods, particular attention needs to be given to the luminance levels that are output during these periods to ensure that a consistent apparent brightness is maintained.

Any change to brightness levels should be applied during a message transition, not while an image is being displayed. This removes the risk that a motorist will be distracted by changing sign brightness.

##### Maximum Luminance

The following values are suggested maximum values for the varying ambient lighting conditions. The final luminance levels are to be determined based on the site specific requirements, including the orientation of the sign and shading around the sign.

- Daytime - 6000 cd/m<sup>2</sup>
- Dawn/Dusk - 600 cd/m<sup>2</sup>
- Night - 300 cd/m<sup>2</sup>

##### Commissioning Levels

It is required that when a new device is being commissioned, the initial luminance values be set to half the recommended maximum values outlined above, and gradually increased to an appropriate level as agreed to by Main Roads WA.

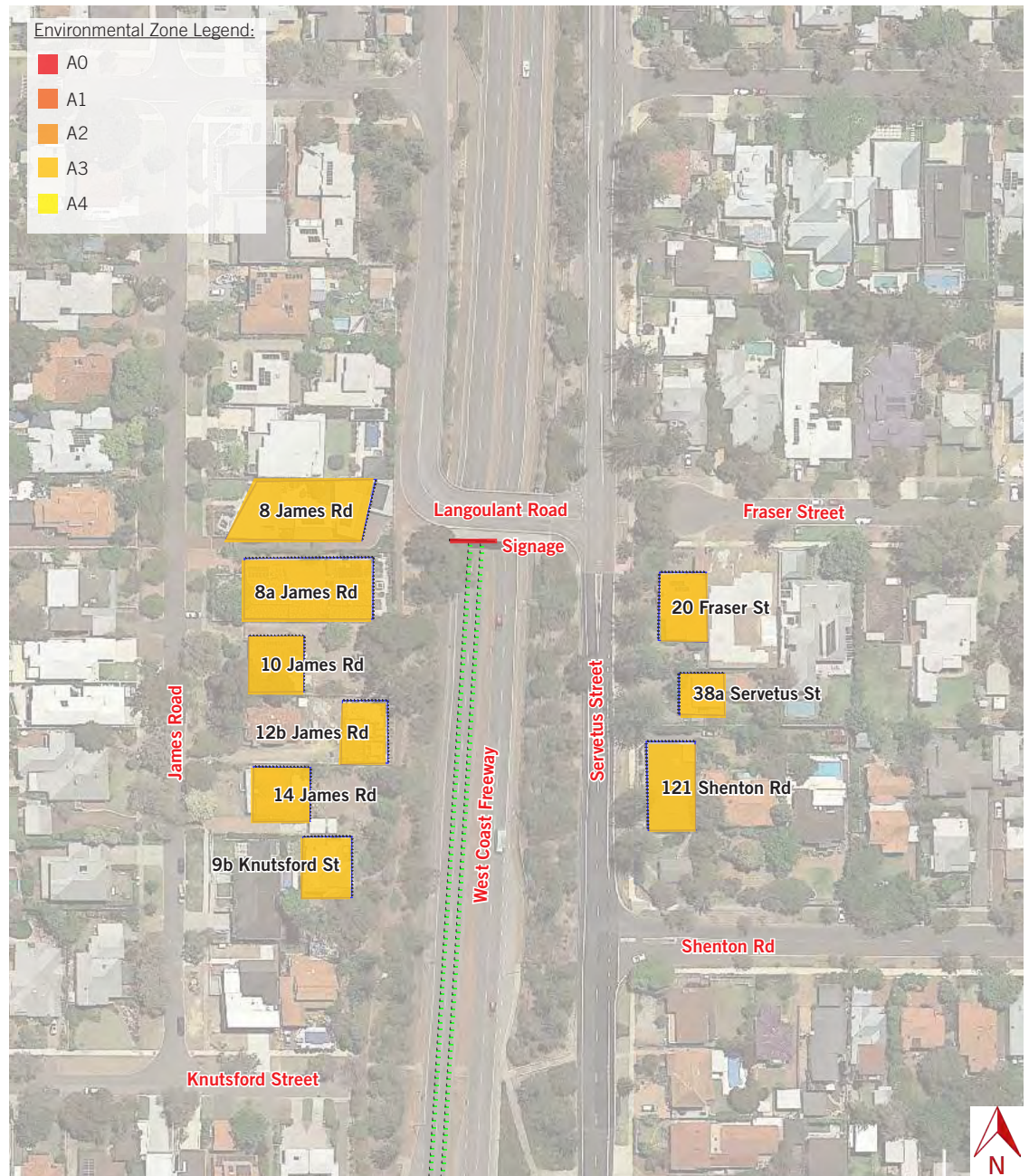
If required, the owner/operator of the billboard is responsible for shielding the electronic billboard to ensure that it does not cause a nuisance to surrounding properties.



APPENDIX D

OBTRUSIVE LIGHTING AND THRESHOLD INCREMENT CALCULATIONS

Calculation Summary			
Label	CalcType	Units	Max
10 James Rd Ill Seg1	Obtrusive - Ill	Lux	0.0
10 James Rd Ill Seg2	Obtrusive - Ill	Lux	0.0
121 Shenton Rd Ill Seg1	Obtrusive - Ill	Lux	0.0
121 Shenton Rd Ill Seg2	Obtrusive - Ill	Lux	0.0
12b James Rd Ill Seg1	Obtrusive - Ill	Lux	0.0
12b James Rd Ill Seg2	Obtrusive - Ill	Lux	0.0
14 James Rd Ill Seg1	Obtrusive - Ill	Lux	0.0
14 James Rd Ill Seg2	Obtrusive - Ill	Lux	0.0
20 Fraser St Ill Seg1	Obtrusive - Ill	Lux	0.0
20 Fraser St Ill Seg2	Obtrusive - Ill	Lux	0.0
38a Servetus St Ill Seg1	Obtrusive - Ill	Lux	0.0
38a Servetus St Ill Seg2	Obtrusive - Ill	Lux	0.0
8 James Rd Ill Seg1	Obtrusive - Ill	Lux	0.0
8a James Rd Ill Seg1	Obtrusive - Ill	Lux	1.6
8a James Rd Ill Seg2	Obtrusive - Ill	Lux	0.0
9b Knutsford St Ill Seg1	Obtrusive - Ill	Lux	0.0
9b Knutsford St Ill Seg2	Obtrusive - Ill	Lux	0.0





APPENDIX D

OBTRUSIVE LIGHTING AND THRESHOLD INCREMENT CALCULATIONS

Calculation Summary			
Label	CalcType	Units	Max
West Coast Highway (northbound)	Obtrusive - TI	%	7.62





## APPENDIX D

## OBTRUSIVE LIGHTING AND THRESHOLD INCREMENT CALCULATIONS

**Obtrusive Light - Compliance Report**

AS/NZS 4282:2019, A3 - Medium District Brightness, Curfew  
 Filename: 1096.112 Langoullant Rd  
 29/04/2022 11:34:13 AM

**Illuminance**

Maximum Allowable Value: 2 Lux

Calculations Tested (17):

Calculation Label	Test Results	Max. Illum.
8 James Rd_III_Seg1	PASS	0.0
8a James Rd_III_Seg1	PASS	1.6
8a James Rd_III_Seg2	PASS	0.0
10 James Rd_III_Seg1	PASS	0.0
10 James Rd_III_Seg2	PASS	0.0
12b James Rd_III_Seg1	PASS	0.0
12b James Rd_III_Seg2	PASS	0.0
14 James Rd_III_Seg1	PASS	0.0
14 James Rd_III_Seg2	PASS	0.0
9b Knutsford St_III_Seg1	PASS	0.0
9b Knutsford St_III_Seg2	PASS	0.0
121 Shenton Rd_III_Seg1	PASS	0.0
121 Shenton Rd_III_Seg2	PASS	0.0
38a Servetus St_III_Seg1	PASS	0.0
38a Servetus St_III_Seg2	PASS	0.0
20 Fraser St_III_Seg1	PASS	0.0
20 Fraser St_III_Seg2	PASS	0.0

**Threshold Increment (TI)**

Maximum Allowable Value: 20 %

Calculations Tested (1):

Calculation Label	Adaptation Luminance	Test Results
West Coast Highway (northbound)	1	PASS

## 16.4 PD61.09.22 Western Suburbs Greening Plan 2020-2025

<b>Meeting &amp; Date</b>	Council Meeting – 27 September 2022
<b>Applicant</b>	City of Nedlands
<b>Employee Disclosure under section 5.70 Local Government Act 1995</b>	Nil.
<b>Report Author</b>	Jessica Bruce - Acting Manager Health and Compliance
<b>Director</b>	Tony Free - Director Planning and Development
<b>Attachments</b>	1. Western Suburbs Greening Plan 2020-2025 2. Appendix 01 Recommendations & Implementation Actions

### Purpose

This report is being presented to Council to seek endorsement of the Western Suburbs Greening Plan 2020-2025 following the conclusion of community engagement activities and briefing of elected members.

### Recommendation

**Council endorses the Western Suburbs Greening Plan 2020-2025.**

### Voting Requirement

Simple majority.

### Background

In 1998 A Strategic Plan for Perth's Greenways was released by Tingay and Associates. This report was commissioned by the Ministry for Planning in association with the Commonwealth Department of Transport and Regional Development. Contained within this report were recommendations for local governments to identify potential and existing green corridors in their structure plans and Town Planning Schemes (if possible) along with the development of Local Planning Policies to deal with the planning and implementation of local greenways.

In response to this plan, the City of Nedlands in 2001 developed and approved its first Greenways Policy with the addition of a Western Suburbs Greening Plan 2002 commissioned by the Western Suburbs Regional Organisation of Councils (WESROC.). The Greenways Policy and the Western Suburbs Greening Plan 2002 have provided guidance to the City on how to integrate the natural environment into urban areas. Since that time the City has developed numerous greenways which has assisted the City to protect and



enhance biodiversity and the urban forest, improve habitats and connectivity for local fauna, and increase the City's capacity to absorb greenhouse gas emissions.

The aims of the Greening Plan are to:

- Identify areas of remnant vegetation within the Western Suburbs;
- Identify the potential to link these areas to form an integrated, cohesive network of greenways;
- Develop policies and broad management guidelines for the conservation, protection and enhancement of the identified greenways;
- Prepare broad management guidelines for the conservation and enhancement of local biodiversity;
- Recommend areas suitable as sites for establishing appropriate endemic habitats; and
- Identify opportunities for the local community to participate in the conservation and enhancement of local biodiversity.

The Western Suburbs Greening Plan 2002 provided a systematic approach for the City to manage vegetation along road reserves and in parks and reserves. It also provided a means by which the community could conserve and enhance local biodiversity.

The primary aim of the Plan was to assist in developing linkages between natural areas, to focus revegetation programs to increase canopy cover, connectivity, and habitat across the WESROC region. The Plan has assisted the City meet its obligations in regards to protecting and enhancing the urban forest, and it has also guided cross-boundary collaboration by linking greenways between councils which has allowed for improved environmental and sustainability outcomes in the WESROC region. For example, the Towns of Cottesloe and Claremont and Cities of Nedlands and Subiaco have all worked collaboratively to revegetate large areas along the rail corridor.

The City of Nedlands used the Western Suburbs Greening Plan 2002 to guide the City's greenways forward works programs, to seek capital budget funding through the annual budget, to assist sourcing grant funding for greenway development projects, and to educate and involve the wider community in greening projects. For example, over a nine year period between 2007 to 2016 over 100,000 subsidised native seedlings were sold to WESROC residents to use on their properties or council verges. Also, the City's community 'Friends of' groups have used the Plan to guide greening activities within their bushland areas.

Since 2002 the City has developed greenways at the following locations:

- Aberdare Road
- Allen Park
- Karella Street
- Birdwood Parade
- Heritage Lane
- Montgomery Avenue
- Mooro Drive
- Point Resolution
- Railway Parade
- River Foreshore areas (Watkins Rd, Waratah Place, and Bishop Road)

- Shenton Bushland
- Smyth Road
- Stephenson Avenue
- Stubbs Terrace
- Swanbourne Dunes
- The Esplanade
- Underwood Avenue

## Discussion

The revised Western Suburbs Greening Plan 2020-2025 (Attachment 1) has been updated to make the information current and to capture the implementation and progress of the 2002 Plan.

There are 24 recommendations and 13 implementation projects provided on pages 86 and 87 (Attachment 2 - Appendix 01 Recommendations & Implementation Actions).

Key changes to the 2020-2025 Greening Plan include:

- Inclusion of a vision statement;
- Inclusion of an 'Ecosystem Service Approach' section to detail a strategy for encouraging conservation of land, water and living resources in a way that is sustainable and equitable;
- Inclusion of a 'Planning & Strategic Documents' section;
- Inclusion of an 'Innovative Greening Projects' section;
- Summary of greening projects that have been completed since 2002; and
- Inclusion of 'Recommendations & Implementation Actions' for 2020-2025 (Attachment 2).

## Consultation

The six WESROC Councils and the Town of Cambridge provided significant input into the revised document between 2018 and 2020. This consultation is summarised below:

- An initial meeting with Ecoscape to confirm the scope of the review process;
- A number of planning meetings to review and update the recommendations and implementation actions (Attachment 2); and
- Several review periods where each local government was requested to review the content of the document and provide input.

The draft Western Suburbs Greening Plan 2020-2025 was finalised and endorsed by the WESROC Executive Committee and presented back to their respective local governments as an operational document. The City undertook further consultation of the Greening Plan for Nedlands residents between the 27 May and the 17 June 2022 and the 18 July – 5<sup>th</sup> August 2022. The City's community 'Friends of' groups were notified of the community engagement period and directed to the City's Your Voice community engagement platform to provide feedback on the greening plan. The Friends of Underwood Avenue Bushland and



the Nedlands Tree Canopy Advocates were also contacted and directed to the City's Your Voice community engagement platform to provide feedback. The wider community were notified through the City's POST Newspaper full page advertisements (Nedlands News), social media updates and the City's website under latest news.

The purpose of the Western Suburbs Greening Plan 2020-2025 is to capture the implementation and progress of the outdated 2002 Plan. Feedback from the City's community consultation cannot directly change the plan however, it can influence Policy reviews such as can the Greenways Policy, the Nature Strip Development Policy, Natural Areas Management Policy, and Natural Area Management Plans. The Administration is seeking Council endorsement of a plan that is reflective of the works and progress made from 2002 across the western suburbs.

An overview of the statistics and summary of the feedback from the community consultation is provided below.

Platform	Site Visits/Responses	Key Comments	City's Response
Your Voice	140 total visits (85 between 27 May – 17 June and 55 between 18 July and 5 August)	N/A	N/A
Your Voice	42 Western Suburbs Greening Plan 2020-2025 downloaded	N/A	N/A
Your Voice	9 FAQ downloaded	N/A	N/A
Your Voice	Seven written responses	<p>1.</p> <ul style="list-style-type: none"> <li>○ Support all greenway links and note that Underwood Bushland is mentioned several times and agree that it is a vital link for fauna and birdlife.</li> <li>○ Consider Policies that resist pressure to cover the City's green spaces with concrete.</li> <li>○ Identify the Tawarri site as a greenway that should be maintained and enhanced for the community and the environment.</li> <li>○ Support the re-introduction of banksia species at Pt Resolution for fauna including Carnaby Cockatoos.</li> <li>○ Along Nedlands Foreshore there are opportunities to re-establish endemic species and improve riparian biodiversity by creating small sandy beaches and reed beds.</li> <li>○ Support activities that enhance and contribute to the green areas within the City.</li> </ul>	<p>Comments noted. Council recently approved advertising Scheme Amendment No. 12, which deals with tree retention on private land. A supporting local planning policy has been prepared separately to guide the assessment of development applications for tree removal, destruction or damage. The City has a number of policies encouraging greening projects including the Greenways Policy, the Natural Areas Management Policy, the Nature Strip Development Policy, the Street Tree Policy and the Unauthorised Damage of Vegetation Policy.</p> <p>There are three Banksia species included on the annual planting program at Pt Resolution along with Eucalypt trees that provide habitat for Carnaby's Cockatoos.</p> <p>The possibility of re-establishing riparian vegetation can be included in feedback on the Nedlands Foreshore Management Plan.</p>



Platform	Visits/Responses	Key Comments	City's Response
Your Voice	Seven written responses	<p>2. Propose an upgrade of the foreshore landscaping between Waratah Place and Riverview Court Dalkeith.</p>	<p>Comments noted. The possibility of upgrading the foreshore landscaping between Waratah Place and Riverview Court Dalkeith can be included in feedback as part of the Foreshore Management Plan.</p>
		<p>3. Propose the development of a community garden similar to the Perth City Farm model to promote wellness at the individual, community, and planet level. Suggests some sites within Nedlands such as College Park, Masons Gardens, Melvista Park and David Cruickshank Reserve for example.</p>	<p>Comments noted.</p> <ul style="list-style-type: none"> <li>○ The City has a Community Gardens Council Policy that requires residents wishing to establish a community garden to formally write to the City to requesting permission to do so.</li> <li>○ The City has a community garden located in Swanbourne.</li> <li>○ If Council chose to develop a community garden precinct there would be significant cost implications that would require Council approval.</li> </ul> <p>If an incorporated business or association wished to coordinate a community garden the City would consider the proposal. In this instance the applicant would need to take into consideration the planning, building and leasing implications prior to seeking Council approval.</p>

Platform	Responses	Key Comments	City's Response
Your Voice	Seven written responses	<p>4.</p> <ul style="list-style-type: none"> <li>○ Excellent document, in particular, the emphasis on Noongar knowledge.</li> <li>○ Greenway along Underwood Avenue Bushland is not mentioned under Objective 2 and Maintain Greenways.</li> <li>○ UWA are not proposing to develop Underwood Avenue Bushland instead they plan to manage it and remove some bush on the west side adjacent to the buildings.</li> <li>○ The community is interested in working with UWA to manage the bushland.</li> </ul>	<p>Comments noted.</p> <p>The City is not in a position to modify the Greening Plan as it has been finalised.</p> <p>The City can support community group activities to preserve bushland on the City's land.</p>
		<p>5.</p> <ul style="list-style-type: none"> <li>○ Commendable to recognise the importance of green spaces within the Western Suburbs.</li> <li>○ Consider greater focus on dune conservation.</li> <li>○ Support the protection of all green spaces within the Western Suburbs and hopes green spaces increase rather than diminish.</li> </ul>	<p>Comments noted.</p> <p>The City is dedicated to work with community groups who want to undertake activities to preserve bushland on the City's land.</p>
		<p>6.</p> <ul style="list-style-type: none"> <li>○ Consideration for the Western Suburbs joining with other states on protection for trees on private property.</li> <li>○ Many thanks for your work in this important area.</li> </ul>	<p>Comments noted.</p> <p>Council recently approved advertising Scheme Amendment No. 12, which deals with tree retention on private land. A supporting local planning policy has been prepared separately to guide the assessment of development applications for tree removal, destruction or damage.</p> <p>The City has the Unauthorised Damage of Vegetation Council Policy to address damage to vegetation on public land.</p>



Platform	Responses	Key Comments	City's Response
Your Voice	Seven written responses	<p>7.</p> <ul style="list-style-type: none"> <li>○ The 2002 document was a visionary document and had notable successes including the Whadjuk Trails. WESROC should be commended for commissioning this important document.</li> <li>○ The Plan was written in 2019 and it is now 2022 more than halfway through the plan.</li> <li>○ Development pressure has led to accelerating challenges with many greening sites have been lost or are under threat. This pressure is leading to the fragmentation of the Whadjuk Trails.</li> <li>○ The Greening Plan may provide a false sense of how much bushland is left. Implementation of the Greening Plan will require significant collaborative effort and resources without this, it is an aspirational document. Suggest the following: <ul style="list-style-type: none"> <li>▪ The appointment of a WESROC project team to drive and coordinate goals, actions, funding and organise community workshops.</li> <li>▪ Solid data to inform action and measure outcomes including canopy cover.</li> <li>▪ Adoption of the 8 key strategic directions.</li> <li>▪ Stronger tree protection policies.</li> <li>▪ Maintenance of the Whadjuk Trails.</li> <li>▪ Increased revegetation of public land.</li> <li>▪ Revegetation of large private landholdings and drainage sumps.</li> <li>▪ Continue to encourage Native Gardens and the revegetation of verges.</li> </ul> </li> </ul>	<p>Comments noted.</p> <p>WESROC Councils are required to implement the Plan individually.</p> <p>Council recently approved advertising Scheme Amendment No. 12, which deals with tree retention on private land. A supporting local planning policy has been prepared separately to guide the assessment of development applications for tree removal, destruction or damage.</p> <p>The City intends to work with Department of Transport and the Western Australian Planning Commission to undertake coastal monitoring and protection activities.</p> <p>The City intends to continue working with Department of Biodiversity Conservation and Attractions to undertake river foreshore monitoring and protection activities.</p> <p>The City intends to progress further maintenance works of the Whadjuk Trail signage.</p> <p>Items not individually addressed can be considered for inclusion into Policy and Management Plan reviews such as can the Greenways Policy, the Nature Strip Development Policy, Natural Areas Management Policy and the natural areas and the Allen Park Bushland Management Plans.</p>

Platform	Responses		Key Comments	City's Response
Your Voice	Seven written responses	7. cont.	<ul style="list-style-type: none"> <li>▪ Resolve long standing tenure issues such as Underwood Bushland and Lot 150 Sayer St.</li> <li>▪ Climate Change protection by increased revegetation of Coastal reserves and rivers.</li> <li>▪ Improved disease control and tree protection.</li> <li>▪ Improved wildlife protection and pet control.</li> </ul> <p>A number of actions suggested for Allen Park such as extending greenway corridors along Odern Crescent and hydrozoning areas surrounding the Allen Park ovals. Continuation of the Whadjuk Trails through the grassed area north of the Bridge Club. Rezoning Lot 150 as conservation. Encouraging native verges and rain gardens. Improving wildlife linkages and fencing pathways and walk trails within Allen Park bushland.</p>	



## Strategic Implications

This item relates to the following elements from the City's Strategic Community Plan.

**Vision** Our city will be an environmentally-sensitive, beautiful and inclusive place.

**Values** **Great Natural and Built Environment**  
We protect our enhanced, engaging community spaces, heritage, the natural environment and our biodiversity through well-planned and managed development.

### Priority Area

- Retaining remnant bushland and cultural heritage

## Budget/Financial Implications

The endorsement of the Western Suburbs Greening Plan 2020-2025 will not affect the City's budget. The City developed a greenways forward works plan to align with the 2002 Greening Plan. This forward works plan has been included in the 10 year natural environment capital works plan and will be used to guide capital budget requests for future greening projects. These capital budget requests will be approved by Council on a case by case basis as part of the annual capital budget process. The impact of greening projects on rates will be subject to budgetary considerations in future capital budgets.

## Legislative and Policy Implications

The following legislative and policy implications relate to this item:

- Greenways Council Policy
- Natural Areas Management Council Policy
- Unauthorised Damage of Vegetation Council Policy

## Decision Implications

The community will benefit through the retention and enhancement of greenways as there are proven links between green spaces and improved wellbeing and health. Furthermore, maintaining and increasing green spaces in the City will assist to combat the negative effects that may result from climate change by reducing the heat island effect for example.

There is a risk that the City may not have the opportunity to source grant funding for greening projects if Council do not endorse the Greening Plan as strategic documents are generally required to support the application.

The Greening Plan includes a number of recommendations and implementation projects required to green the Western Suburbs (Attachment 2). Specific greening projects will be

approved through the City's annual capital budget process. Endorsing the Greening Plan does not bind the City to fund future greening projects.

Though the Greening Plan has been finalised, feedback from the engagement process can be incorporated into Policy reviews such as can the Greenways Policy, the Nature Strip Development Policy, Natural Areas Management Policy, and Natural Area Management Plans.

## **Conclusion**

The Western Suburbs Greening Plan 2020-2025 is a strategic planning document and provides a framework for integrating the natural environment into urban areas. The preservation and enhancement of greenways in the City is vital to the health and wellbeing of the community. Furthermore, greenway development will assist the City to meet its obligations in relation to managing the urban forest and they will improve the quality of remnant bushland areas within the City and provide an avenue for community involvement in environmental protection.

The City has used the Greening Plan since 2002 to develop a number of greenways within the City. The updated Greening Plan will assist the City to continue to develop greenways and to implement the City's Greenways Policy and the Urban Forest Strategy 2018-2023; and it is presented to Council for adoption.

## **Further Information**

Nil.



# WESTERN SUBURBS GREENING PLAN

2020-2025

WESTERN SUBURBS REGIONAL  
ORGANISATION OF COUNCILS



[science+design]  
ecoscape





Image: Forest Red-tailed Black Cockatoo | Sally Wallace  
Image cover: Bold Park | Ecoscape

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Western Suburbs Greening Plan 2020-2025  
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Dataset Disclaimer : Remnant vegetation figures and statistics are derived from the current remnant vegetation spatial dataset. The data has been captured using digital aerial photography from 1996-2020 and is updated annually (DPIRD, 2020). There may be some inconsistencies between the 2002 and 2020 spatial datasets that have resulted in the increased bushland extent, for example groups of parkland trees may be identified as bushland. Ecoscape have not corrected the remnant vegetation layer which would require a combination of aerial interpretation and ground-truthing. Reference: Department of Primary Industries and Regional Development (DPIRD) (2020) Remnant Native Vegetation (DPIRD-005) Spatial Dataset. DPIRD, WA. Available: <https://catalogue.data.wa.gov.au/dataset/native-vegetation-extent>

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# ACKNOWLEDGEMENTS

## ACKNOWLEDGEMENT OF COUNTRY

The Western Suburbs Regional Organisation of Councils (WESROC) acknowledges the Whadjuk Noongar people as the traditional custodians of Whadjuk Country, the land, waters and seas on which we operate. The region is a significant meeting place for the Whadjuk Noongar and surrounding Aboriginal Nations who have gathered here for thousands of years.

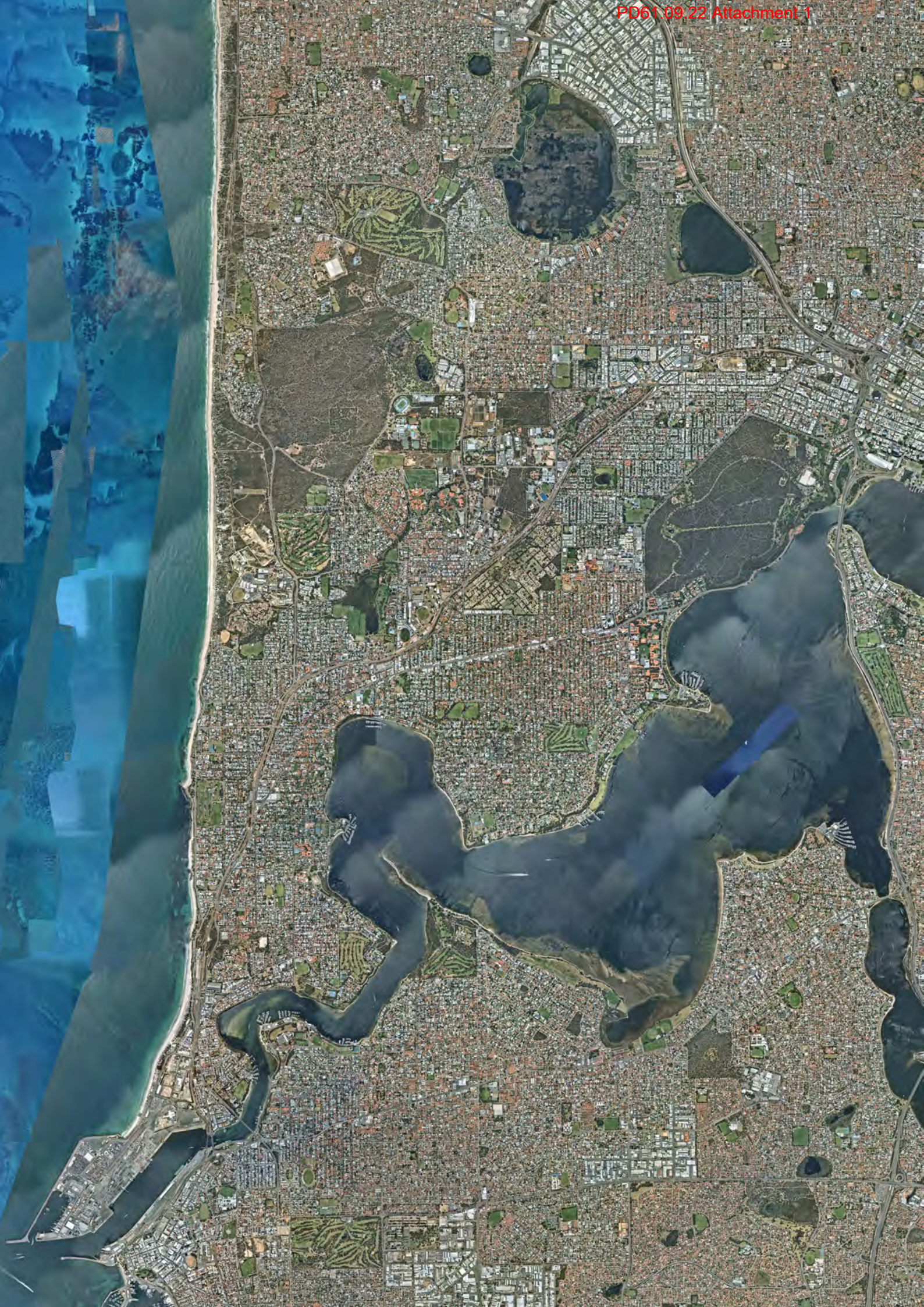
WESROC recognises the Whadjuk Noongar people's deep spiritual connection to and unique ability to care for Country. WESROC respects the Aboriginal and Torres Strait Islander people, their enduring culture and the contributions they make to the region. We pay our respects the Elders past and present.

## CONTRIBUTIONS TO THE GREENING PLAN

Ecoscape would like to thank the following people for their contribution to the development of the Western Suburbs Greening Plan 2020-2025:

- » Sally Wallace, WESROC Environmental Project Officer
- » Sharon Munro, WESROC Environmental Project Officer
- » Adeline Morrissey, Town of Cottesloe
- » Paddy Strano, Town of Mosman Park
- » Nic King, Town of Claremont
- » Sue Waite, Town of Cambridge
- » Donovan Norgard, Shire of Peppermint Grove
- » Veronique Largier, City of Subiaco
- » Vicki Shannon, City of Nedlands.







# 1.0 THE VISION

**Our vision is that by 2050 the Western Suburbs region forms a thriving, resilient and self-sustaining biodiversity corridor, where the community values and actively contributes to the health of the environment and endemic flora and fauna flourish in biodiversity rich habitats.**

The Western Suburbs Greening Plan is a joint venture between the six member Councils of the Towns of Claremont, Cottesloe and Mosman Park, the Cities of Nedlands and Subiaco, and the Shire of Peppermint Grove that comprise the Western Suburbs Regional Council (WESROC) and in partnership with the Town of Cambridge. The co-ordination capacity of WESROC enables a more integrated and powerful approach to regional environmental planning particularly for the Greening Plan.

## AIMS

The aims of the Greening Plan are to:

- » identify areas of remnant vegetation within the project area
- » identify the potential to link these areas to form an integrated, cohesive network of greenways
- » develop policies and broad management guidelines for the conservation, protection and enhancement of the identified greenways
- » prepare broad management guidelines for the conservation and enhancement of local biodiversity
- » recommend areas suitable as sites for establishing appropriate endemic habitats
- » identify opportunities for the local community to participate in the conservation and enhancement of local biodiversity.

## WHO IS WESROC?

WESROC was formed in 1995, comprises of the Towns of Claremont, Cottesloe and Mosman Park, the Shire of Peppermint Grove and the Cities of Nedlands and Subiaco along with the Town of Cambridge who work on a voluntary partnership on projects across or on shared boundaries, and to address cross-boundary regional issues.

WESROC is not a regional local government formed under section 3.61 of the Local Government Act 1995, and as such requires a lead council to provide administrative, financial and contractual arrangements for and on behalf of participating members. The lead council is the City of Nedlands.

## WHAT IS A GREENING PLAN?

A Greening Plan is a structured and systematic approach to managing, protecting, preserving and enhancing vegetation in parks and reserves, private land and road reserves. It includes rehabilitation of degraded areas, securing open space and developing and enhancing linkages between green areas to maintain environmental values.

A Greening Plan focuses on opportunities for both public and privately-owned private land managers to increase overall tree canopy cover, and create endemically focused greenways, which will promote a higher quality of liveable neighbourhoods and foster biodiversity values.

## WHY DO WE NEED ONE?


As our cities grow, it's important to consider the infrastructure and development impacts have on our natural areas. What was once a complex dune and floodplain system is now covered in concrete and built form - how does that affect the area's ecosystem?

Perth has one of the fastest growth rates in Australia, with an estimated population of 2.17 million by 2025. The challenge for local governments is to balance the competing demands to provide infrastructure and development to support population growth with the pressures on biodiversity, amenity, accessibility and resilience of our urban greenways.

## ECOSYSTEM SERVICE APPROACH

Ecosystem services are vital for humans in urban regions, however urban development poses a great risk for the ability of ecosystems to provide these services. The most important ecosystem services provided by urban nature in functional urban areas, such as the WESROC area, are an important part of the high-quality living environment and public health.

**Ecosystem services can be defined simply as the benefits natural ecosystems supply to guarantee human well-being. Although the human species presents a certain level of detachment from the direct relationships with the environment, especially due to cultural and technological issues, we are still fundamentally dependent on the flow of ecosystem services. For instance, a car can only move with fuel (gas, electricity, biodiesel, etc.), construction is only possible with raw material, our breathing depends on the production of oxygen by photosynthesizing organisms...**

*The ecosystem service approach and its application as a tool for integrated coastal management. Carla I. Elliff , Ruy K.P. Kikuchi Natureza & Conservação Brazilian Journal of Nature Conservation 2015 Published by Elsevier Editora Ltda.*

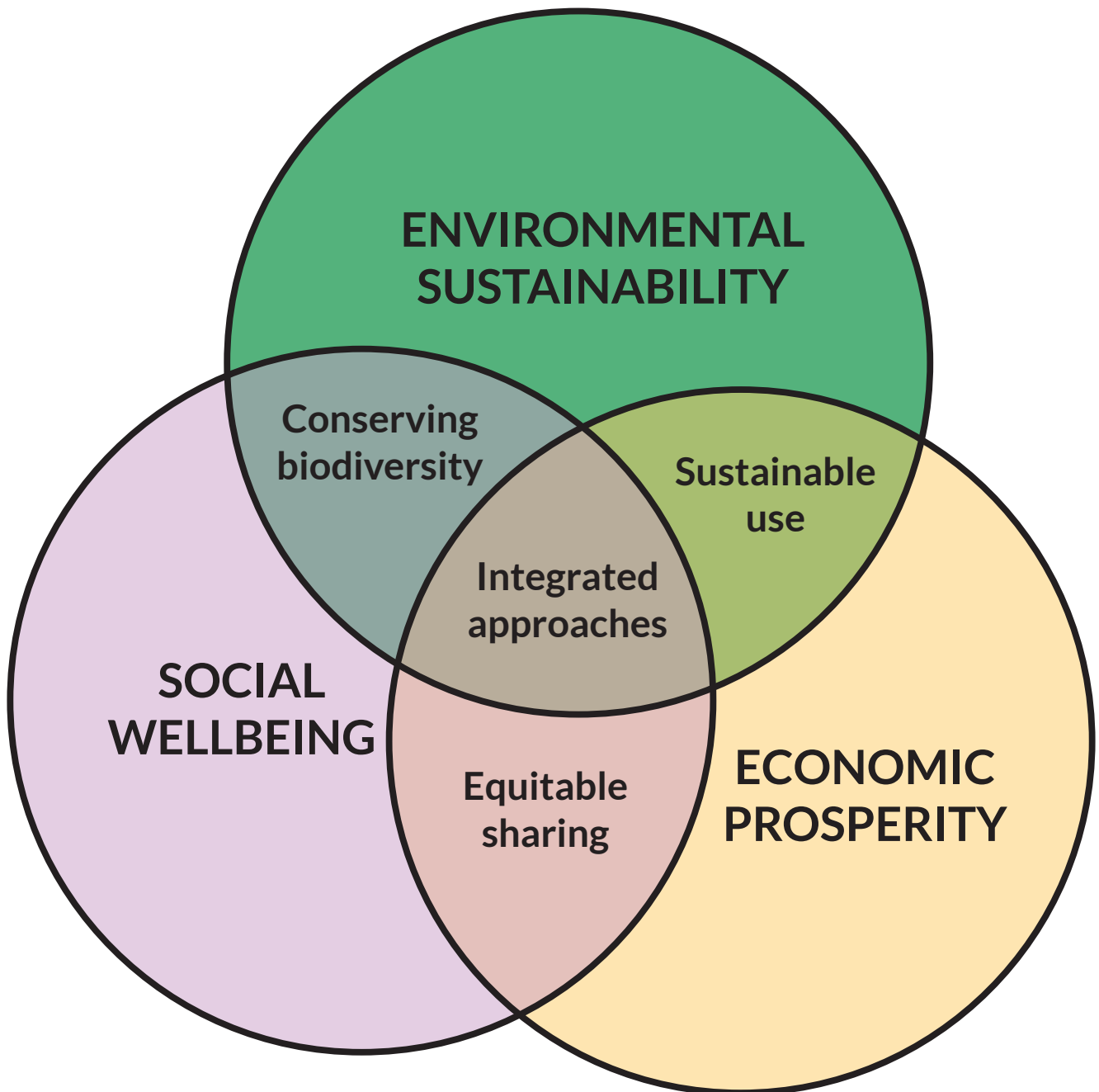
Refer graphic right.

For example within the WESROC boundary, existing and remnant vegetation can have a role in carbon dioxide sequestration and thus in climate change mitigation. For example, estimates of carbon sinks can be compared to total CO<sub>2</sub> emissions of an urban area, and the LGAs that make up the WESROC can aim at both increasing carbon sinks and decreasing CO<sub>2</sub> emissions with considered land-use planning across the whole region. Large and contiguous core natural areas, smaller green areas, and ecological connections between these spaces are the essence of regional ecological networks and are essential for maintaining interconnected habitats for species and biological diversity. Both local and regional level ecological networks are vital for maintaining ecosystem services in urban regions, particularly within small LGAs. The impacts of climate change coupled with land-use and land cover change will bring serious challenges for maintaining ecosystem services in these areas.

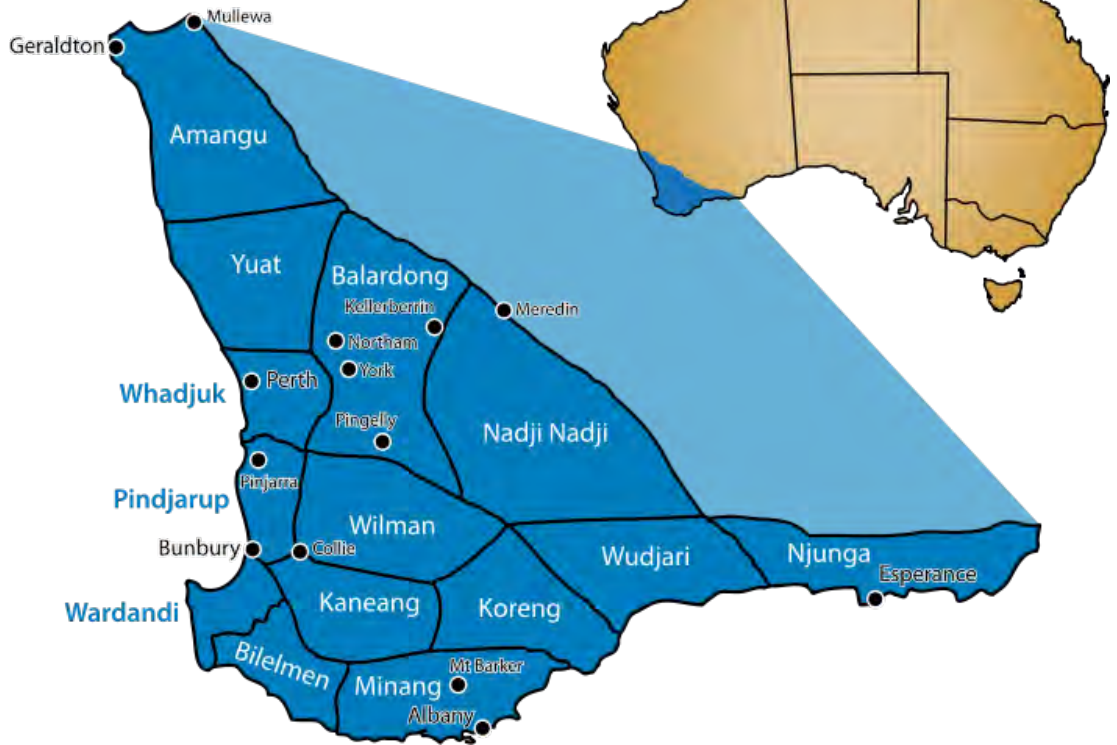
The ecosystem services approach to greenspace planning and policy, such as this Greening Plan, provide an opportunity for land-use planning to develop ecologically sustainable urban regions across broader services. For example studies show that is not possible to clearly separate the areas of influence within a coastal ecosystem of oceanography, geology, and biology as the flow of services is very interactive. Elliff & Kikuchi, state that more than one service can be delivered by the same ecosystem, while the same service may be delivered by different ecosystems. Thus, by considering this interactivity, by means of including multidisciplinary teams in decision-making processes and taking an integrated view of the environment, it is possible to understand the limits of the environment and its resources, creating policies that allow for sustainable development.

By integrating the ecosystem service approach and the decision-making process in greenspace policy and planning, ecosystem-based management strategies can be developed. While isolated these processes of management such as in WESROC by LGA boundary, the decision-making process considers social preferences and human activities without necessarily accounting for the inherent value of nature or the benefits provided by ecosystem services. However, by striving for more sustainable and resilient policies, LGA managers understand that an ecosystem-based management strategy would allow an integrative approach toward the issue at hand, valuing the natural capital of the area, respecting the environment's carrying capacity and reaching long-term and fair benefits to all involved.





**NOONGAR GROUPS (in white/blue)**  
**MAJOR CITIES/TOWNS (in black)**



**60,000 years ago -  
 Before contact**

**Aboriginal peoples are the oldest surviving culture in the world, having established ways of managing their land and society that were sustainable and ensured good health. They have occupied Australia for at least 60,000 years. While there was significant contact and trade between the diverse peoples who inhabited this continent, there was no contact, no exchange of cultures or knowledge between Indigenous Australians and the rest of the world.**

*<http://www.shareourpride.org.au/sections/our-shared-history/>*



## 2.0 INTRODUCTION TO WESROC

### ABORIGINAL CULTURE

It has been acknowledged that traditionally the region of Perth in which the Noongar resided was part of the Whadjuk territory. Whadjuk's territory extends: "... Swan River and northern and eastern tributaries inland to beyond Mount Helena; at Kalamunda, Armadale, Victoria Planes, South of Toodyay, and western vicinity of York; at Perth; south along the coast to near Pinjarra". *Indigenous history of the Swan and Canning rivers, 2010*

For thousands of years Noongar people have resided on and had cultural connection to the booja – land. Everything in our vast landscape has meaning and purpose. We speak our own language and have our own lore and customs. The lore is characterised by a strong spiritual connection to country. This means caring for the natural environment and for places of significance.

Our lore relates to ceremonies, and to rituals for hunting and gathering when food is abundant and in season. Connection to booja is passed on through our stories, art, song and dance. Noongar people not only survived European colonisation but we thrived as family groups and sought to assert our rights to our booja. For Noongar people, the south-west of Western Australia is ngulla booja – our country. (<https://www.noongarculture.org.au/connection-to-country/>)

Whadjuk is the name of the dialectal group from the Perth area. Whadjuk is situated south of Yuat and north of the Pinjarup dialectal groups. The major cities and towns within the Whadjuk region include Perth, Fremantle, Joondalup, Armadale, Toodyay, Wundowie, Bullsbrook and Chidlow. The approximate size of the Whadjuk region is 5,580 km.

Throughout the Whadjuk Region there are a range of significant Noongar sites. For instance, Ngooloomayup, known as Carnac Island; Meeandip, known as Garden Island; Gargangara north of Armadale; and Goolamrup, the suburb known as Kelmscott. Noongar people may refer to Kings Park as Karra katta or the hill of the spiders or Geenunginy Bo, the place for looking a long way. Dyarlgarro Beeliar is known as the Canning River and Derbal Yiragan, the Perth estuary waters. <https://www.noongarculture.org.au/whadjuk/>

The inhabitants and custodians of the coastal strip between Yanchep and Fremantle were collectively known as the Mooro. The Mooro were lead by Yellagonga who had territorial control over this vast domain. Yellagonga's group was one of several that were collectively known as the Whadjuk, who were based around the Swan River. Whadjuk was a part of the greater group of fourteen, which formed the south west socio-linguistic block still known today as Noongar.

The Noongar people lived in balance with the natural environment, the main source of food came from the sea, the Swan River and the extensive system of freshwater lakes that once lay between the coast and the Darling Escarpment. Their social structure was focused on the family with Noongar family groups occupying distinct areas of Noongar Country. (*South West Aboriginal Land and Sea Council*)

The lake system and wetlands, from Yanchep in the North to Galup (Lake Monger) and including Ngoogenboro (Herdsman Lake) throughout the coastal dune system and the Swan coastal plain, provided a strong economic base for Noongar people. The wide variety of ecosystems, aquatic vegetation, and forests supplied fresh water, fish, birds and waterfowl along with kangaroo and other small animals for food and clothing, tools for hunting and materials, and resources for building shelters and for trade with neighbours.

Their society was well established and structured. There has always been a strong focus on family and extended family. The community consists of Elders both male and female, spiritual leader, family groups and children. The Law and Dreaming is passed on through stories, dance, painting and caribberie - corroborees.

They were a hunter, gatherer, fisher clan who maintained a small, environmentally sustainable population.

It was for this reason that Aboriginal people were able to sustain a continuous and harmonious lifestyle for over 60,000 years.

*Image top left: Noongar Regions Map*

*Image bottom left: Derbal Nara Whadjuk boodjar (<https://www.derbalnara.org.au/whadjuk-boodjar>)*

INTRODUCTION TO WESROC

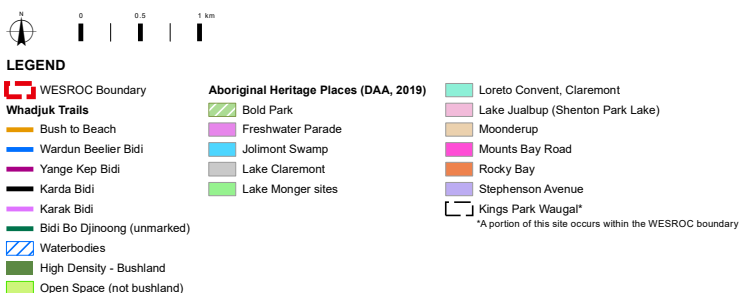
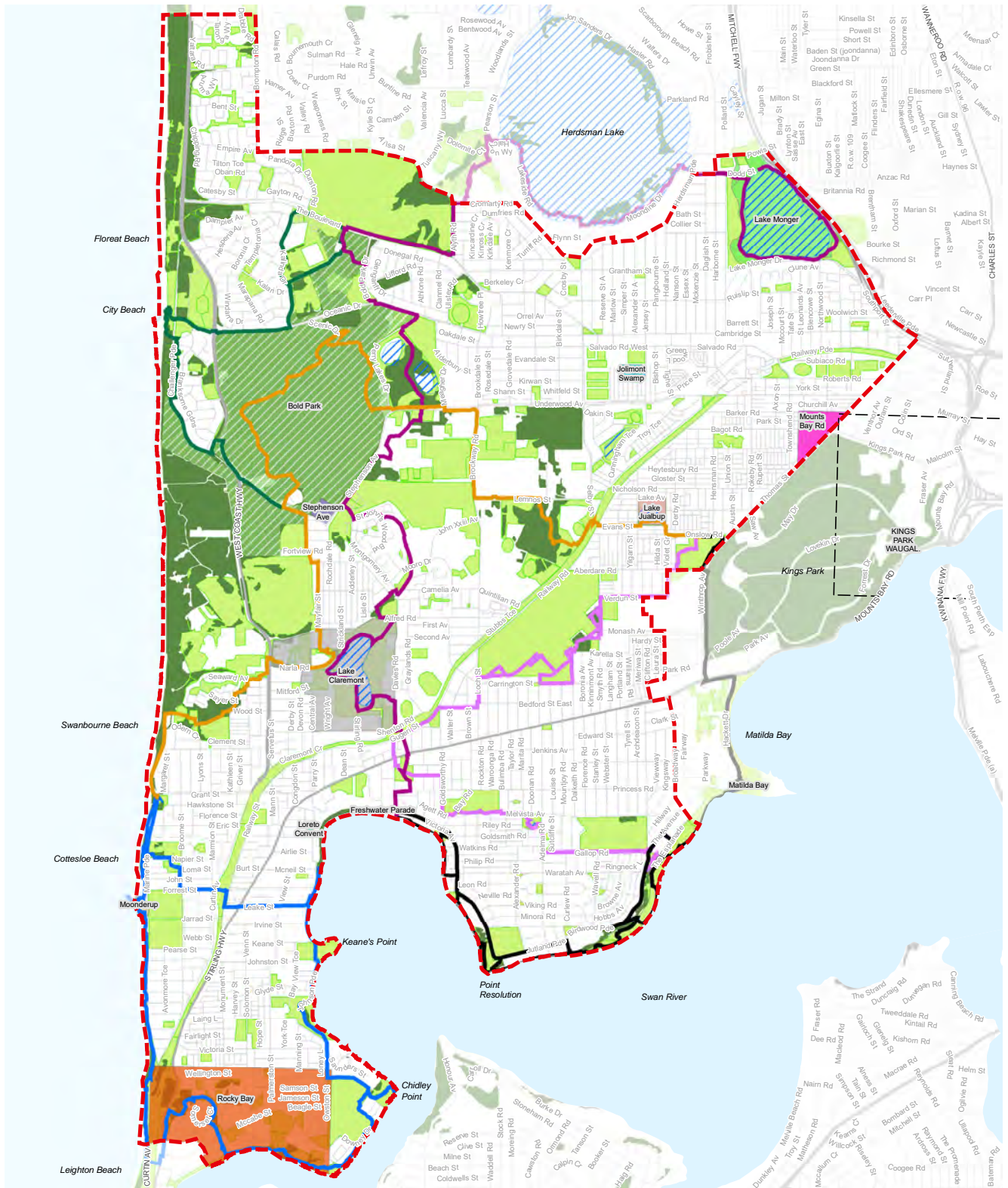


Figure 1: Aboriginal Heritage Sites & Trails Plan



Prior to European settlement, the Whadjuk and Mooro people hunted on the land extending along the whole of the Swan River's north bank from Garunup (Rocky Bay) to Booriarup (Point Currie), then north again to a point a little south of the Moore River. One of the favourite camping places of the Mooro was near the corner of Archdeacon Street and Edward Street, where water existed in a shallow spring (Williams, 1984).

Nedlands and Kings Park were prime hunting grounds. The river, swamps and coastal lakes contained an abundance of wildlife. They contained a wide variety of food, including fish, waterbirds, turtles, marsupials, vegetable foods and fresh water. Aboriginal women went crabbing and prawning around Matilda Bay, a stretch of water they called 'godroo' or 'gurndandalup'. Favourite meeting places included Jualbup Lake, Hyde Park and Lake Claremont (Williams, 1984).

The register of Aboriginal Sites administered by the Department of Aboriginal Affairs (DAA) indicates 12 heritage sites within the Western Suburbs. These sites are located on Figure 1.

Figure 1 maps the Whadjuk Trails across WESROC. The Whadjuk network of walking trails lies on Noongar land, connecting remnant bushland areas in the western suburbs of Perth. With links to iconic, heritage and Noongar trails in the area, they offer users a unique experience and appreciation for the land, catering for a large variety of interests. The location of the network of trails resulted from comprehensive input from the community and WESROC member Councils over many years.

Aboriginal sites are of immense cultural, scientific, educational and historic interest and provide Aboriginal people with an important link to their present and past culture. We acknowledge that Aboriginal and Torres Strait Islander peoples need to be part of the WESROC Greening Plan implementation.

## POST-COLONIALISM

In December, 1696, three ships in the fleet commanded by de Vlamingh anchored off Rottnest Island and on 5th January, 1697, a well-armed party landed near the present-day Cottesloe Beach, marching eastward to the Swan River near Freshwater Bay. It is recorded that they tried to make contact with Noongar people to enquire about the fate of survivors of the Ridderschap van Hollant, lost in 1694, but were unsuccessful. Following this encounter, they sailed north, but not before de Vlamingh had bestowed the name Swan on the river because of the black swans he saw swimming there.

Approximately 100 years later, in 1829, Captain James Stirling founded Perth as part of the Swan River Colony. Stirling thought the natural environment around Perth was "as beautiful as anything of this kind I had ever witnessed" and advocated that a colony be established there. The British Government agreed to found the colony as the first free settlement in Australia, and settlers began to arrive in Western Australia in June 1829.

From there transport and communication grew slowly on the Swan Coastal Plain. The colony struggled but with steady improvement in communication and the development of Fremantle Harbour, expansion of the area occurred. The Western Suburbs became an important link between Perth and Fremantle with the help of the river, roads and railway. Towards the end of the century small settlements between Perth and Fremantle established and Claremont and Subiaco developed into major centres (Williams, 1984).

The Western Suburbs contain a high proportion of heritage listed housing that contributes a significant amount to the character of the Perth Metropolitan Area. Fortunately, a number of significant heritage trees have been protected and retained throughout the area; giving the Western Suburbs a unique greenscape. Some localities have been predominantly planted with one type of species. The Norfolk Island Pines that dominate the landscape of Cottesloe provide a unique sense of place and are an important visual link to the history of the area. Furthermore, large areas have been retained as natural bushland for biodiversity and recreational purposes, such as Bold Park.

Development and population increases within the area have resulted in a number of challenges affecting the environment.

**The Perth and Peel regions are expected to accommodate an additional 1.5 million people by 2050, bringing the area's total population to more than 3.5 million.**

**Whether that population growth is reached sooner – or later – it is incumbent on the present generation to lay the foundations for that growth to occur without further compromising our environment, both for its intrinsic value and because of the value it has to the health and wellbeing of the community.**

*Perth and Peel @ 3.5 million Environmental impacts, risks and remedies, Environmental Protection Authority, 2015*

INTRODUCTION TO WESROC

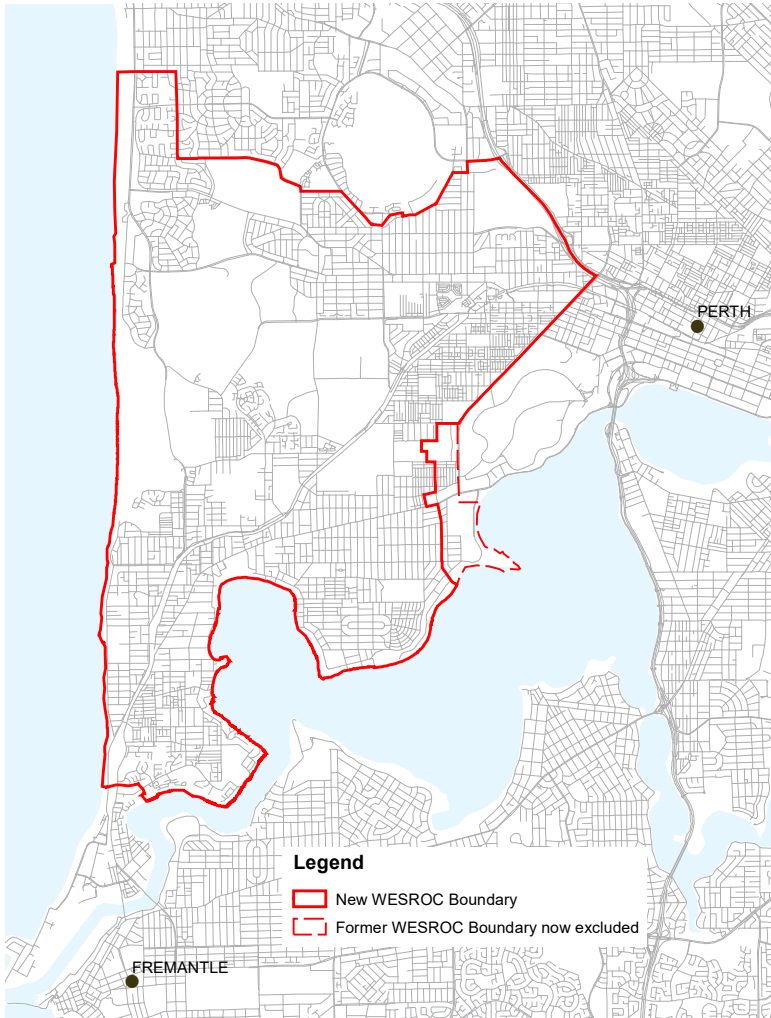


Figure 2: Western Suburbs

Image: John Street Cottesloe | Nicole Croudace

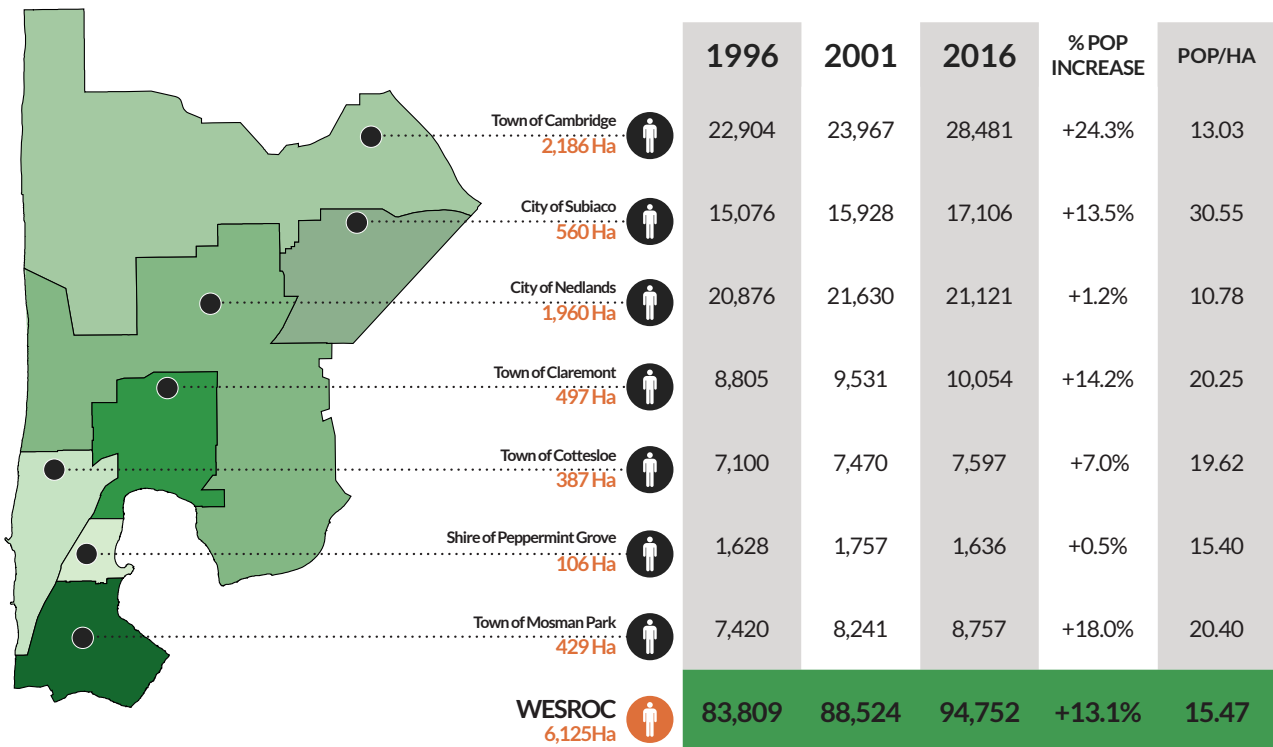


Figure 3: Population Statistics





Image: Western Suburbs | Julian Croudace

## WESTERN SUBURBS

The Western Suburbs are located between Perth and Fremantle as shown in Figure 2. WESROC consists of six member Councils of the Towns of Claremont, Cottesloe and Mosman Park, the Cities of Nedlands and Subiaco, and the Shire of Peppermint Grove and a partnership with the Town of Cambridge. They stretch from the coast to the river and have a total area of 6,125 Ha. Since 2002, the boundary of WESROC has changed due to an alignment change to the City of Subiaco and the City of Perth renegotiating the local government boundary. Figure 2 identifies the 2002 boundary and the revised boundary.

Overall, the WESROC population has increased 13.1% since the 1996 figures partly due to new high density developments and subdivisions as shown in Figure 3.

Figure 4 Land Use Plan provides an overview of the various land use types within each of the local government areas. Below is a summary the general land use categories per member local government area.

### **Town of Cambridge**

- » 38% - Parks & Recreation & Parks & Recreation (Restricted)
- » 5% - Primary Regional Roads, Other Regional Roads & Railways
- » 1% - Public Purposes (Commonwealth Govt., High School & WAWA)
- » 56% - Urban & Urban Deferred
- » 0.3% - Waterways.

### **Town of Claremont**

- » 22% - Parks & Recreation & Parks & Recreation (Restricted)
- » 7% - Primary Regional Roads, Other Regional Roads & Railways
- » 70% - Urban
- » 1% - Waterways.

### **Town of Cottesloe**

- » 15% - Parks & Recreation & Parks & Recreation (Restricted)
- » 9% - Primary Regional Roads & Railways
- » 75% - Urban
- » 0.5% - Waterways.



INTRODUCTION TO WESROC

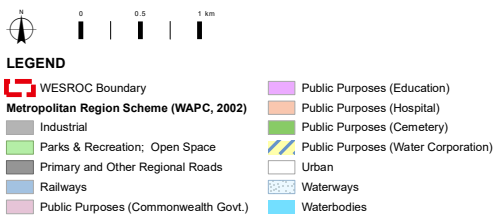
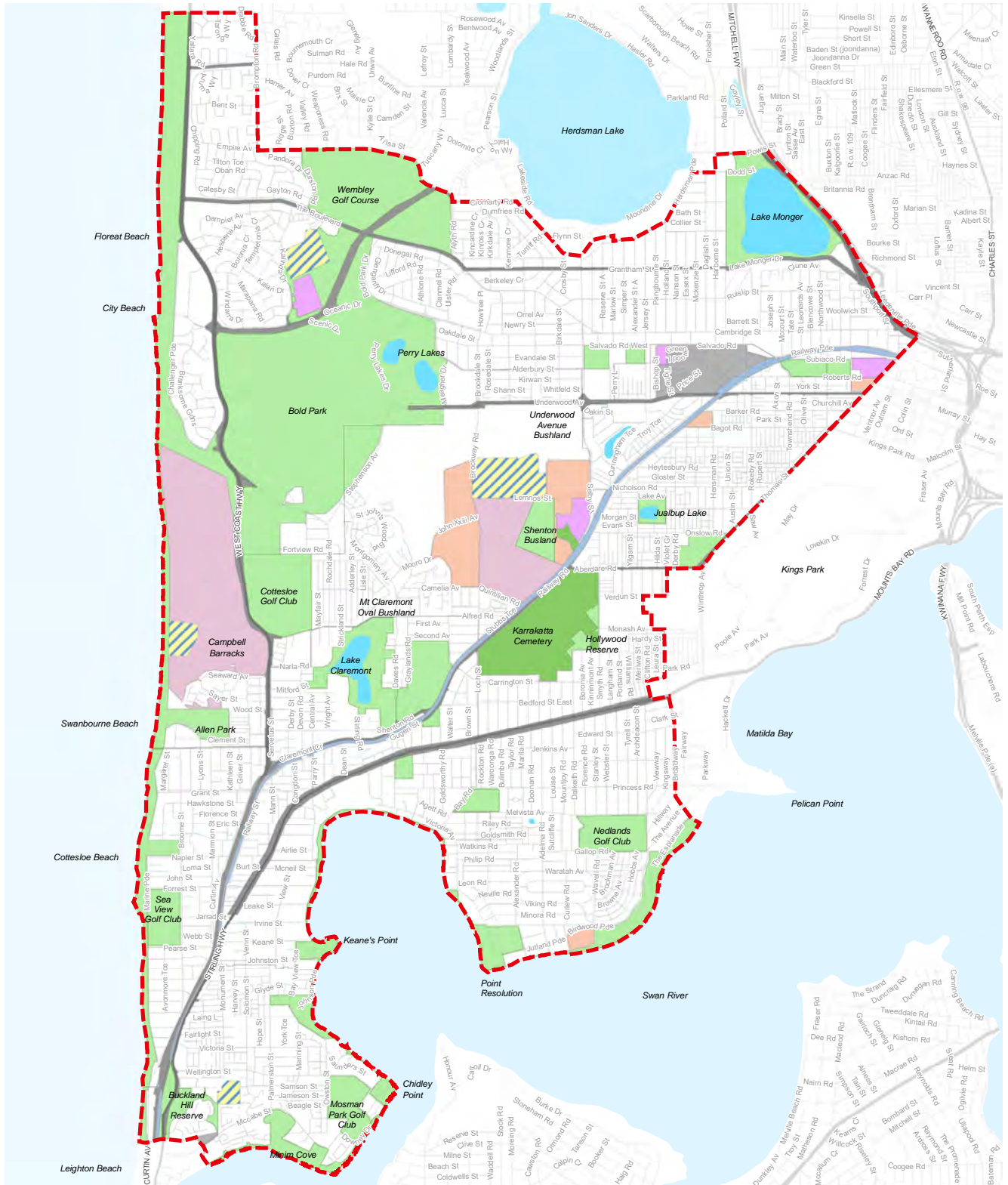


Figure 4: Land Use Plan



**Town of Mosman Park**

- » 21% - Parks & Recreation & Parks & Recreation (Restricted)
- » 0.5% - Industrial
- » 3% - Primary Regional Roads & Railways
- » 1% - Public Purposes (WAWA)
- » 74% - Urban.

**City of Nedlands**

- » 12% - Parks & Recreation & Parks & Recreation (Restricted)
- » 3% - Primary Regional Roads, Other Regional Roads & Railways
- » 26% - Public Purposes (Commonwealth Govt., High School, Hospital, Special Uses & WAWA)
- » 59% - Urban.

**Shire of Peppermint Grove**

- » 10% - Parks & Recreation
- » 5% - Primary Regional Roads & Railways
- » 85% - Urban.

**City of Subiaco**

- » 6% - Parks & Recreation & Parks & Recreation (Restricted)
- » 9% - Industrial
- » 6% - Other Regional Roads & Railways
- » 3% - Public Purposes (High School, Hospital & Technical School)
- » 75% - Urban.

There is good potential within the Western Suburbs to increase the biodiversity of the area through improving the quality of existing bushland and wetlands, as well as through the creation of new areas and increasing the networks between the different areas. Without a strong action towards conserving and managing existing bushland and regenerated bushland; these environmental values are threatened by the impact of human activities and urban living. Statistics relating to canopy cover are detailed on in Figure 5 Canopy Cover Statistics, the information has been sourced from the STATISTICAL REPORT – The Urban Canopy of Perth and Peel. This summary identifies the clear progression of increased canopy cover in open space, roadways as well as street blocks, however it does highlight an alarming trend in canopy reduction on development site.


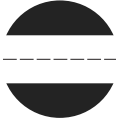


	Town of Cambridge	City of Subiaco	City of Nedlands	Town of Cottesloe	Town of Claremont	Shire of Peppermint Grove	Town of Mosman Park	WESROC
<b>PARKS</b>								
 2009	18%	24%	15%	4%	11%	20%	13%	15%
2016	24%	31%	21%	6%	14%	21%	16%	19%
<b>% CHANGE</b>	+4.3%	+9.5%	+4.9%	+1.6%	+4.6%	+0.3%	+3.1%	+4%
<b>ROADS</b>								
 2009	13%	20%	18%	12%	18%	22%	11%	16%
2016	18%	27%	24%	17%	24%	22%	15%	21%
<b>% CHANGE</b>	+3.9%	+8.0%	+6.9%	+5.2%	+6.9%	-0.1%	+3.3%	+3%
<b>STREET BLOCKS</b>								
 2009	13%	15%	16%	12%	15%	19%	13%	15%
2016	16%	19%	19%	15%	18%	23%	16%	18%
<b>% CHANGE</b>	+1.6%	+3.5%	+3.6%	+3.0%	+2.6%	+3.9%	+2.6%	+3%
<b>DEVELOPMENT LOTS</b>								
 2009	13%	13%	15%	10%	23%	14%	9%	14%
2016	5%	6%	7%	6%	10%	15%	6%	8%
<b>% CHANGE</b>	-58%	-53%	-53%	-45%	-70%	+20%	-28%	-43%

Figure 5: Canopy Cover Statistics







## BIOPHYSICAL CONTEXT

### Geomorphology

WESROC consists of two major relic dune systems; the Spearwood Dunes System and Quindalup Dune System.

The Spearwood Dune System covers approximately 95% of the study area and consists of a core of aeolinite with a hard capping of secondary calcite overlain by a variable depth of sand (W.M. McArthur, 1991). This dune system is characterised by limestone capped peaks such as Reabold Hill in Bold Park. The wetlands of the Spearwood dunes are associated with peats and carbonate sands and occasionally clays overlaying sands. Most of the wetlands in the study area occur on this system.

The youngest landform in the area is the Quindalup Dune System consisting of steep parabolic dunes extending approximately 2.5km inland, west of and between Perry Lakes and Lake Claremont and covers 3% of the study area. The steep profile and exposure to winds make it vulnerable to erosion if the fragile vegetation cover is lost.

The Herdsman Association covers 1.5% of the study area confined to Lake Monger and consists of Peats and allied organic soils.

A small portion of Vasse Association covers 0.5% of the study area and consists of estuarine deposits of very recent origin. It is usually very wet and naturally fertile.

### Landform & Soils

The information in this section is derived from the environmental geology maps of Gozzard (1983a; 1983b) and Geological Survey of Western Australia (1977).

The Western Suburbs lie within four major geological units:

- » Swamp Deposits (Holocene)
- » Safety Bay Sand
- » Sand derived from Tamala Limestone
- » Tamala Limestone.

These units are described in the following paragraphs, with reference to the geomorphic setting in which they occur.

*Image: Perry Lakes | Leela Day*

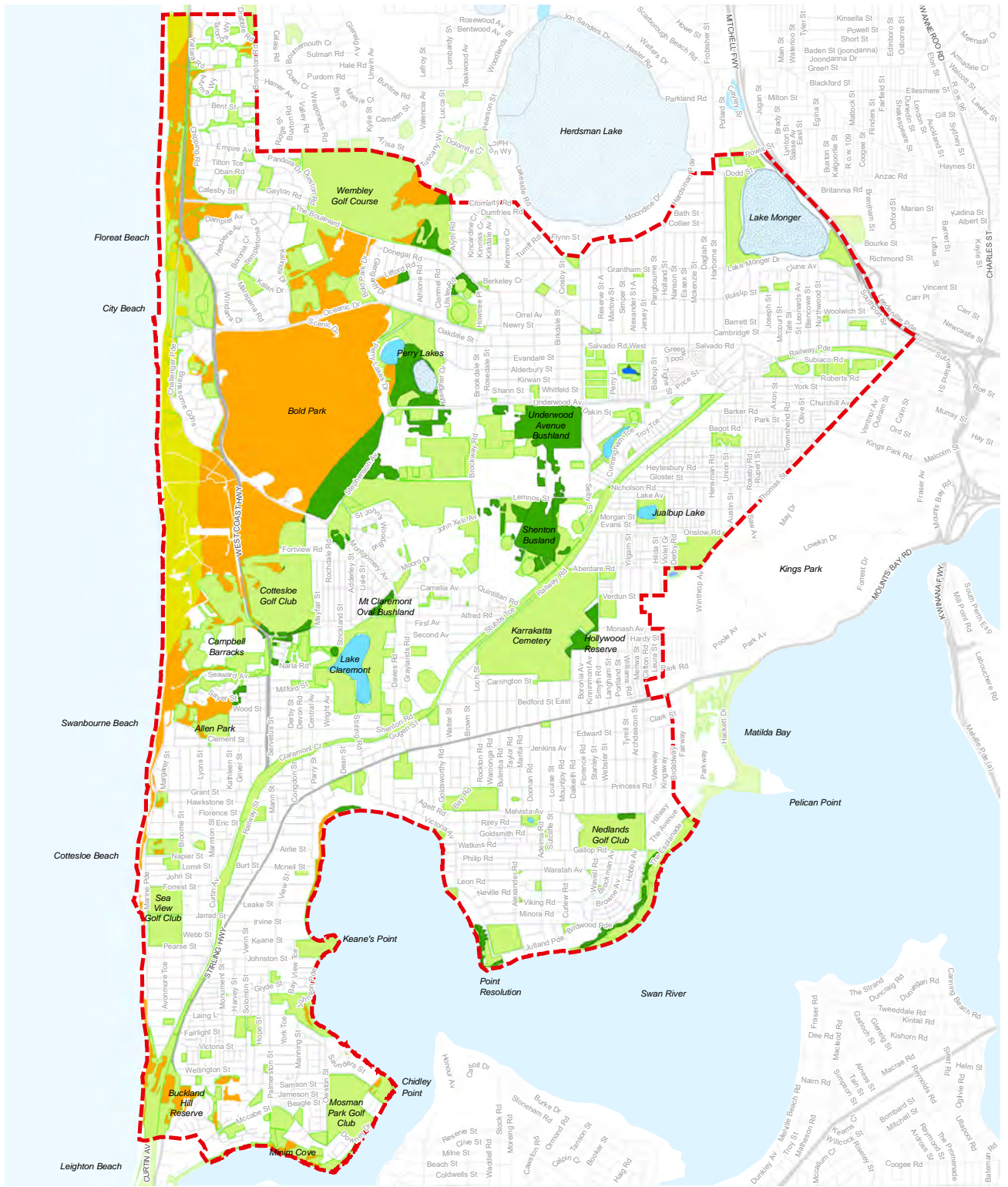
The Spearwood Dune system in the study area consists of underlying Pleistocene Tamala Limestone (map unit LS1 of Gozzard, 1986), though is mainly concealed by overlying Late Pleistocene regolith of pale and olive yellow sand (map unit S7 of Gozzard, 1986). This layer consists of medium to coarse grained, sub-angular to sub-rounded quartz and a trace of feldspar, moderately sorted, and of residual origin formed by the decomposition of the underlying Tamala Limestone. There are two associated soils of the Spearwood system; the western zone, the Cottesloe Association and immediately to the east, the Karrakatta Association. The Cottesloe Association consists of shallow yellow-brown sands and exposed limestone, while the Karrakatta Association to the east has deep yellow-brown sands (Churchward and McArthur, 1980).

Also located within the Spearwood Dune System are small areas of Holocene peaty clay (map unit Cps of Gozzard, 1986) occurring at Perry Lakes, Lake Claremont, Mason Gardens and Queen Elizabeth II Medical Centre. The Association consists of dark grey and black clay with variable sand content, and is of Lacustrine origin.

A strip of Early Holocene alluvium (map unit S14 of Gozzard, 1986) in the Vasse Association, 150m wide along the Nedlands foreshore consists of pale grey to white, well sorted, medium grained, subangular, quartz and feldspar with abundant whole and broken bivalves and gastropod shells.

Two units of calcareous sand comprise the Holocene Safety Bay Sand (map units S1 and S2 of Gozzard, 1986). The formation typically forms shoreline deposits and parabolic aeolian dunes corresponding to the Quindalup Dune System. The sands are white, fine to medium grained, sub-rounded quartz and shell debris of aeolian origin. The S1 unit is the poorly vegetated foredune next to the shore, forming a zone between 150 – 300m wide, extending from Cottesloe Beach to Trigg Island. The S2 unit extends up to 2.5km inland between Perry Lakes and Lake Claremont. Large areas of mainly open space which enclose the S2 unit are Allen Park, Swanbourne Rifle Range and Cottesloe Golf Course.

INTRODUCTION TO WESROC



LEGEND

- WESROC Boundary
- Swan Coastal Plain Wetlands (DBCA, 2016)
- Lake
- Artificial Lake
- Open Space (not bushland)

Remnant Vegetation (DPIRD, 2016)

- Cottesloe Complex-Central and South: Mosaic of woodland of Tuart, Jarrah, Marri and closed heath on the Limestone outcrops.
- Herdsman Complex: Sedgeland and fringing woodland of Flooded Gum and Melaleuca species.
- Karrakatta Complex-Central and South: Predominantly open forest of Tuart, Jarrah and Marri and woodland of Jarrah and Banksia species.
- Quindalup Complex: Coastal dune complex.

Fauna Habitat

Remnant vegetation and wetlands contribute to fauna habitat.  
Tree canopy along corridors and in public open space also contribute to wildlife corridors.

Figure 6: Biological Environment Plan





Image: Lake Claremont | Sally Wallace

## Wetlands

Wetlands in the western suburbs occur in the Spearwood system, near the boundary between the Karrakatta and Cottesloe Associations. The wetlands in the area have been affected by European settlement showing influences from a range of land uses. Many of the wetlands have been filled or drained. The large wetland of Lake Monger is described geologically as a marsh in a low-level interbarrier depression, while the smaller wetlands such as Claremont and Jualbup Lake are described as swamps in interdunal swales (Gozzard, 1986). All of the wetlands in the area have significant social value and are also important refuges for waterbirds.

The study area contains the following wetland habitats:

- » Lake Monger
- » Perry Lakes
- » Jualbup Lake
- » Lake Claremont
- » Mabel Talbot Lake.

Lake Monger is completely surrounded by urban development, being surrounded on two sides by residential development and on its third by the Mitchell Freeway. It has become very important in the urban landscape and receives heavy use for passive recreation with some active uses on the west. The only original vegetation that remains are a few sedges around the lake margins, most of the lake being surrounded by lawns and exotic trees. A small island in the south-west supports Typha and sedges. The lake has minimal habitat diversity compared to Lake Claremont and Perry Lakes but supports very large numbers of birds and is an important drought refuge.

Perry Lakes are situated in interdunal swales east of the high coastal dunes of Bold Park. The eastern swamps have been shaped to provide areas of open water in the open space around Perry Lakes Stadium. A third small seasonal wetland called Camel Lake to the west has been less modified. Perry Lakes Open Space is well used parkland thus has large social value as well as functioning as infiltration basins for storm water received from the surrounding residential area. Since 2002, Perry Lakes has been developed with medium density residential development on the fringe of the wetland environment.

Jualbup Lake is the more northerly of two small areas of swamp deposits in a shallow valley below 15m AHD which extends north from Matilda Bay on the western side of Kings Park. The Lake is a compensating basin in the main drainage system of Hollywood and Shenton Park and is linked to the main drain network of West Perth, Leederville, Subiaco, Daglish and Perry Lake.

Lake Claremont is in an interdunal depression in the Spearwood Dune System, within the Karrakatta Association, close to the interface with the Cottesloe Association. Land on the south and south-west of the lake is used for playing fields with commercial uses on the south-east. There is a limited area of tuart woodland on the north and north-west of the lake. Similar to Perry Lakes, the northwestern fringe of Lake Claremont has been developed for residential land use, resulting in clearing of natural vegetation.

Mabel Talbot Lake functions as a small drainage wetland with landscaped surroundings. (Source: Arnold, 1990)

## Cultural & Landscape Qualities of the Swan River

Riparian and estuarine landscapes are essential places in our biophysical, visual and cultural experience. Our recognition of a river as being a pleasant or important place to be, is a first step in planning how it can be preserved and managed for the enjoyment of all people. WESROC is bounded by the Swan River to the East and the Indian Ocean to the West.

The Swan River Estuary and its tributaries are integral to Perth's cultural and environmental identity. The river system has a natural beauty which must be preserved and managed for the enjoyment of all West Australians, as well as for visitors to our State. The Swan River System Landscape Description prepared in 1997 was the first step towards achieving landscape protection. Initial work divided the river system into 23 precincts; providing a description of each in terms of dominant landscape features, views and important elements in the environment. The aim is to use these descriptions to guide the community, government, and individual landowners in making sound management planning decisions about the river environment. Aiming to cater for a range of uses and diverse values and to promote sustainability in the management of the landscape.

INTRODUCTION TO WESROC

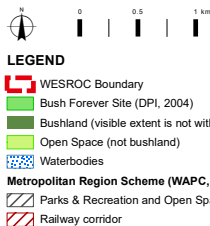
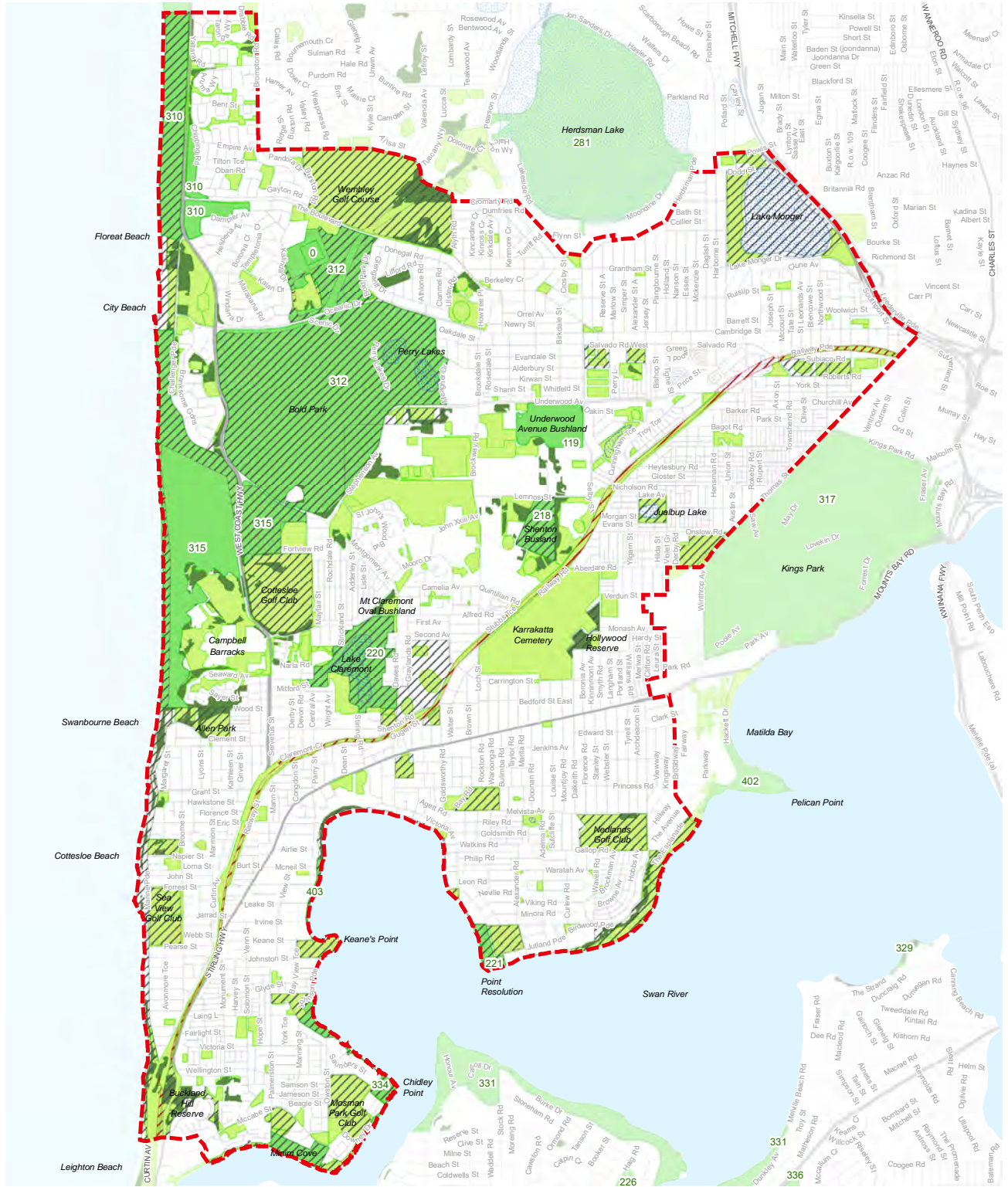


Figure 7: Bush Forever Plan



The guideline suggests in the past, natural resource planners often considered the river environment as a combination of components and processes, without detailed consideration of the aesthetics or cultural associations of the landscape and significance of the river setting for the community.

## Bush Forever Sites

Bush Forever is a plan that is designed to protect the biodiversity on the Swan coastal plain (Government of Western Australia, 2000b). The Bush Forever Policy (State Planning Policy 2.8) was adopted in June 2010, the key objectives of this policy are to:

- » Establish a regional conservation system that is comprehensive, adequate and representative of the ecological communities of the Swan Coastal Plain of the Perth Metropolitan Region.
- » Protect and manage significant bushland through a range of mechanisms and share responsibility
- » Provide an implementation framework for significant bushland areas recommended for protection and management to assist conservation planning and decision making (WAPC, 2010).

There are 495 sites across the metropolitan region that represent 26 vegetation types (Urban Bushland Council, 2020). Within WESROC there are 10 Bush Forever sites that correspond with bushland and wetland areas, these are:

- » 119 Underwood Avenue Bushland, Shenton Park
- » 218 Shenton Bushland, Shenton Park
- » 220 Lake Claremont, Claremont/Swanbourne
- » 221 Point Resolution Reserve, Dalkeith
- » 310 Floreat Beach Bushland, City Beach/Scarborough
- » 312 Bold Park and Adjacent Bushland, City Beach
- » 315 Swanbourne Bushland, Swanbourne/City Beach
- » 334 Chidley Point and Adjacent Bushland, Mosman Park
- » 335 Minim Cove, Mosman Park
- » 403 Peppermint Grove Foreshore, Peppermint Grove.

## Bushland

In 2002 the bushland covered 12% (785 Ha) of WESROC. The Bushland has increased to 14% (854 Ha) resulting in no net loss of bushland within WESROC. The largest portions of bushland are contained in Bold Park (324 Ha) and Swanbourne Bushland (92 Ha) in the western region of the Western Suburbs. The Western Suburbs contained five vegetation complexes prior to clearing, as described by Heddle et al. (1980), with 4 complexes left in remaining remnant bushland. These vegetation complexes correspond to major landforms and soil types defined by Churchward and McArthur (1980), and are recognised in Bush Forever (Government of Western Australia, 2000b). The five vegetation complexes are:

- » Karrakatta Complex – Central and South
- » Cottesloe Complex – Central and South
- » Herdsman Complex (no longer present)
- » Quindalup Complex
- » Vasse Complex (small portion).

The distribution of the remaining vegetation complexes within the Western Suburbs and land reserved for parks recreation and open space based on Town Planning Schemes is shown in Figure 5.

A brief description of each of the five complexes, based on Heddle et al. (1980) is provided in Table 1.

## Classification of Vegetation Density

An important aspect of developing the Greening Plan was to determine the distribution of vegetation density levels within the Western Suburbs. This enabled the identification of areas with potential for rehabilitation and thus greenway establishment. Vegetation density was divided into the following categories:

- » Bushland (high density)
- » Parkland/Golf Courses (medium density)
- » Grassland and Ovals (low density).

Most of the green spaces in the Western Suburbs are fragmented, however large bushland areas are found within or adjoining the Western Suburbs such as Bold Park and Kings Park. A desktop review has identified over 33% of the WESROC is classified as open space with a Vegetation Classification Density (VCD) of high, medium or low density.

- » 13.9% is classified as High Density. A High VCD could be described as coastal dunes and foreshore areas, Buckland Hill Reserve, Bold Park, Perry Lakes, Underwood Avenue Bushland, Shenton Bushland and Hollywood Reserve.
- » 12.5% is classified as Medium Density. A Medium VCD could be described as Railway corridor or sporting ovals.
- » 6.4% is classified as Low Density. A Low VCD could be described as parklands, golf courses and Karrakatta Cemetery.

A further comparison of VCD and Land Use has identified:

- » 67% of bushland within High Density is on land reserved as Parks and Recreation
- » 17% of bushland within High Density occurs on land that is for Public Purposes, the majority (14%) being on Campbell Barracks.
- » 12.5% of bushland within High Density occurs on unprotected tenure (urban)
- » 55% of Medium Density open space occurs on land reserves for Parks and Recreation
- » 18.5% of Medium Density open space occurs on land that is for Public Purposes
- » 3% of Medium Density open space occurs on 'urban' tenure
- » 26% of Low Density open space occurs on land reserves for Parks and Recreation
- » 17% of Low Density open space occurs on land that is for Public Purposes
- » 41% of Low Density open space occurs on 'urban' tenure.

Figure 8 shows the distribution of vegetation density levels in the Western Suburbs.

## INTRODUCTION TO WESROC

Table 1: Vegetation Complexes

LANDFORM UNIT	Quindalup Dunes   Quindalup Complex	Spearwood Dunes   Cottesloe Complex	Spearwood Dunes   Karrakatta Complex	Spearwood Dunes   Herdsman Complex
Vegetation Complex	Quindalup Complex	Cottesloe Complex – Central and South	Karrakatta Complex – Central and South	Herdsman Complex
Vegetation Description	Restricted to the coastal dunes and encompasses the characteristic strand vegetation of spinifex, <i>Cakile</i> , <i>Carpobrotus</i> to stable dune communities of <i>Acacia</i> , <i>Myoporum</i> and <i>Spyridium</i> .	Supports heaths on limestone outcrops, with deeper sands supporting a mosaic of woodlands of tuart mixed with open forest of <i>Tuart-Jarra-Marri</i> .	Predominantly open forest of <i>Eucalyptus gomphocephala</i> , <i>E. marginata</i> , <i>E. todtiana</i> ; closed heath on limestone outcrops.	Sedgelands and fringing woodland of <i>Eucalyptus rudis</i> , <i>Melaleuca</i> species.
Examples	Western section of Swanbourne bushland.	The majority of Bold Park (Bush Forever site No. 312), eastern section of Swanbourne bushland, Chidley Point bushland and Peppermint Grove foreshore.	Includes Shenton Bushland (Bush Forever site No. 218), Underwood Avenue Bushland (Bush forever site No. 119), Point Resolution Reserve (Bush Forever site No. 221), eastern section of Bold Park (Bush Forever site No. 312), Pelican Point (Bush Forever site No. 402), Birdwood Parade Reserve and Hollywood Reserve.	None
Area remaining within WESROC (2002)	99 Ha	521 Ha	165 Ha	0 Ha
Area remaining within WESROC (2019)	115 Ha (1.1% of the extent remaining within the MRS)	569.24 Ha (5.92% of the extent remaining within the MRS)	169.28Ha (3.94% of the extent remaining within the MRS)	0 Ha
Pre-European Extent on the Swan Coastal Plain (SCP)	54,5734 Ha	45,300 Ha	53,081 Ha	9,665 Ha
Area Remaining on the SCP (2019)	33,011 Ha (60.5% remaining of original extent)	14,568 Ha (32% remaining of original extent)	12,467 Ha (23.5% remaining of original extent)	3,104 Ha (32% remaining of original extent)
Area Remaining within the Metropolitan Regions Scheme (MRS) (2019)	10,413 Ha (42.5% remaining of original extent)	9,609 Ha (27.5% remaining of original extent)	4,291 Ha (12.5% remaining of original extent)	2,192 Ha (33.5% remaining of original extent)

*Bushland extent: Remnant vegetation figures and statistics are derived from the 2020 remnant vegetation spatial dataset. The data has been captured using digital aerial photography from 1996-2020 and is updated annually (DPIRD, 2020). There may be some inconsistencies between the 2002 and 2020 spatial datasets that have resulted in the increased bushland extent, for example groups of parkland trees may be identified as bushland. Ecoscape have not corrected the remnant vegetation layer which would require a combination of aerial interpretation and ground-truthing.*

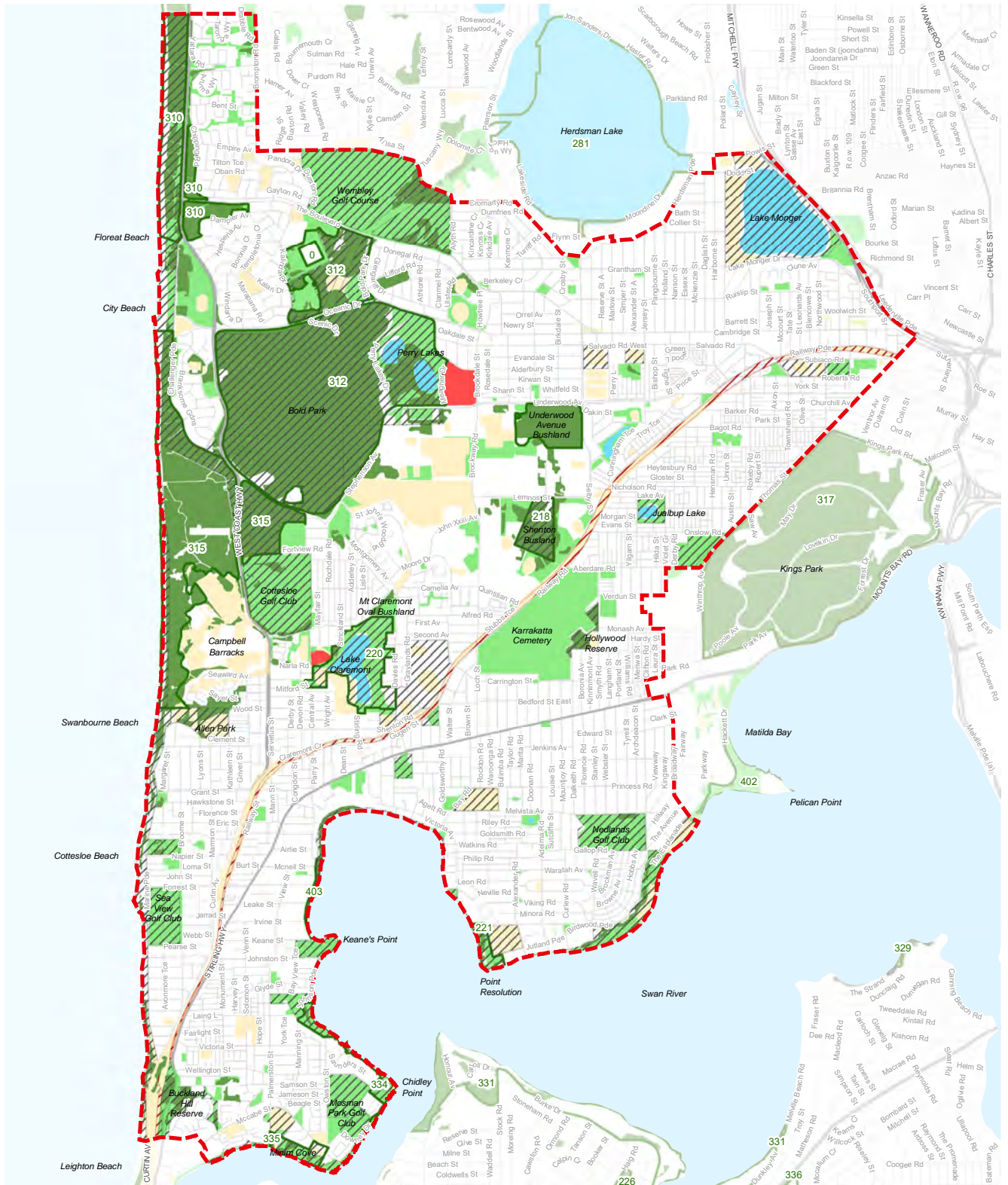
*Reference: Government of Western Australia. (2019). 2018 South West Vegetation Complex Statistics. Current as of March 2019. WA Department of Biodiversity, Conservation and Attractions, Perth, <https://catalogue.data.wa.gov.au/dataset/dbca>*

## Threatened Ecological Communities

Ecological communities are naturally occurring biological assemblages associated with a particular type of habitat. Threatened Ecological Communities are recognised as being at risk of extinction (DPAW, 2017). One Threatened Ecological Community (TEC) occurs within the Study Area in Mosman Park (DBCA, 2018), which is the *Callitris preissii* (or *Melaleuca lanceolata*) forests and woodlands, Swan Coastal Plain. This TEC is listed as vulnerable – category B which is defined as an ecological community that is vulnerable to threatening processes and is either restricted in range or only found at a few locations) (DPAW, 2017). An Interim Recovery plan for this community has been developed by DPAW (2014).



INTRODUCTION TO WESROC



**LEGEND**

- WESROC Boundary
- Bush Forever Site (DPI, 2004)
- Waterbodies
- Vegetation Classification**
  - High Density - Bushland
  - Medium Density - Parkland/Golf Course
  - Low Density - Grassland/Ovals
  - Developed since 2002
- Metropolitan Region Scheme (WAPC, 2002)**
- Land Reserved For:**
  - Parks & Recreation and Open Space
  - Railway corridor

Figure 8: Vegetation Density Plan

## INTRODUCTION TO WESROC

## Threatened &amp; Priority Flora

Conservation significant flora species are those that are listed as TF (Threatened Flora) and (within Western Australia) as PF (Priority Flora). TF species are listed as Threatened by the Western Australian DBCA and protected under the provisions of the BC Act. Some State-listed TF are provided with additional protection as they are also listed under the Commonwealth EPBC Act.

Flora are listed as PF where populations are geographically restricted or threatened by local processes, or where there is insufficient information to formally assign them to TF categories. Whilst PF are not specifically listed in the BC Act, some may qualify as being of special conservation interest and these have a greater level of protection than unlisted species.

According to the Department of Biodiversity, Conservation and Attractions (DBCA) database the following species are known to occur within or near to the Study area, as shown in Table 2.



Image: *Dodonaea hackettiana* | Ecoscape

Table 2: Threatened and Priority Flora species

SPECIES	STATUS <sup>1</sup>	FAMILY	FLOWERING PERIOD	HABIT	HABITAT
<i>Eucalyptus x mundijongensis</i>	P1	Myrtaceae		Tree to 25m high; bark fibrous, fissured, grey; branchlets smooth.	Loam, paddocks.
<i>Picris compacta</i>	Presumed extinct	Asteraceae		Herb; 0.09-1.2m high; flowers yellow.	Loam, limestone, river banks.
<i>Acacia benthamii</i>	P2	Mimosaceae	Aug-Sep	Shrub to 1m high; flowers yellow.	Sand, typically on limestone breakways.
<i>Schoenus capillifolius</i>	P3	Cyperaceae	Oct-Nov	Semi-aquatic tufted annual sedge; 0.05m high; flowers green.	Brown mud, claypans.
<i>Angianthus micropodioides</i>	P3	Asteraceae	Nov-Feb	Erect or decumbent annual herb; 0.03-0.15m high; flowers yellow, white.	Saline sandy soils, river edges, saline depressions, claypans.
<i>Aotus cordifolia</i>	Not threatened (formerly P3)	Papilionaceae	Aug-Jan	Erect or straggling shrub; 0.3-1.5m high; flowers yellow.	Peaty soils, swamps.
<i>Beyeria cinerea</i> (Müll.Arg.) Benth. subsp. <i>cinerea</i>	P3	Euphorbiaceae	Aug-Nov	Open, erect shrub; 0.3-0.9m high; 0.4-0.8m wide; flowers green, yellow	Sand over limestone, road verges, gullies
<i>Hibbertia spicata</i>	Not threatened (formerly P3)	Dipsacaceae	Jul-Nov	Shrub; 0.2-0.7m high; flowers yellow.	Sand, limestone and laterite soils, near coastal areas of limestone.
<i>Hibbertia leptotheca</i> (J.R.Wheeler) K.R.Thiele	P3	Dipsacaceae	Jul-Oct	Erect or spreading shrub; 0.2-0.5m high; flowers yellow.	Sand, near coastal limestone ridges, outcrops and cliffs.
<i>Jacksonia sericea</i>	P4	Papilionaceae	Dec-Feb	Spreading shrub to 0.6 m. Flowers orange.	Calcareous and sandy soils.
<i>Lambertia multiflora</i>	Not threatened (formerly P3)				
<i>Dodonaea hackettiana</i>	P4	Sapindaceae	Jul-Oct	Shrub or tree 1-5 m. Flowers yellow, green, red.	Sand, outcropping limestone.
<i>Calytrix sylvana</i>	Not threatened (formerly P4)	Myrtaceae	Dec-Mar	Shrub; 0.3-1m high; flowers purple.	Sand, near lakes.
<i>Grevillea thelemanniana</i>	Threatened	Proteaceae	May-Nov	Spreading shrub 0.3-1.5m. Flowers pink, red.	Sand, sandy clay, and winter-wet low-lying flats.

Notes: 1. The definitions of the Conservation codes for Western Australian flora and fauna (DBCA 2019)



## Fauna

Bold Park's tuart-banksia woodlands and limestone heaths support a range of fauna habitats. Three mammal species occur in Bold Park, the common brushtail possum (*Trichosurus vulpecula*) and two bat species, the white-striped mastiff bat (*Tadorida australis*) and Gould's wattled bat (*Chalinolobus gouldii*). Additionally, there are 28 reptile species found within the Park, including the rare and endangered black striped snake (*Vermicella colonotus*). Three frog species have been recorded by the BPGA, including the banjo frog (*Limnodynastes dorsalis*), moaning frog (*Heleioporus eyrei*) and turtle frog (*Myobatrachus gouldii*). The Park has a rich avifauna with 91 bird species recorded, including vagrants, migrants and nomadic species that are likely to occur sporadically. ([bgpa.wa.gov.au/bold-park/visit/biodiversity](http://bgpa.wa.gov.au/bold-park/visit/biodiversity))

According to the City of Subiaco's Wildlife Enhancement Plan 2014-2019, they have the same three mammals as Bold Park as well as a diverse number of water birds, reptiles, amphibians, fish and aquatic macro-invertebrates. Swanbourne Bushland contains significant populations of insectivorous passerine birds including Splendid, Variegated and White-winged Fairy-wrens and White-browed Scrubwren (Bush Forever, 2000).

In general, frogs and small reptile species, particularly skinks and bobtails, display an ability to persist in urban bushland remnants. Frogs such as the Banjo Frog (*Limnodynastes dorsalis*) and Moaning Frog (*Heleioporus eyrei*) are usually found in bushland areas in close proximity to wetlands.

Small bird species such as fairy-wrens, scrub-wrens and thornbills tend to disappear from urban bushland as they

require a large area to support a viable population, they are vulnerable to predation by cats, and they generally do not traverse through unfavourable habitat. Consequently, they are unable to recolonise isolated bushland remnants. Larger bird species such as many honeyeaters and parrots are able to utilise bushland remnants, as they are able to fly over urban areas. Birds such as the Australian magpie, Australian raven and the introduced rainbow lorikeet thrive in the urban environment.

There are several species of feral animal within the western suburbs, as well as domestic cats and dogs. Bold Park is also used for horse exercising. Cats are the most likely invader from urban areas. Known vertebrate feral animal species are:

- » *Felis catus*, Cat
- » *Vulpes vulpes*, European Red Fox
- » *Oryctolagus cuniculus*, Rabbit
- » *Canis familiaris*, Domestic Dog
- » *Mus musculus*, House Mouse
- » *Rattus rattus*, Black Rat
- » *Columba livia*, Rock Dove or Feral Pigeon
- » *Streptopelia senegalensis*, Laughing Turtle Dove
- » *Dacelo novaeguineae*, Laughing Kookaburra
- » *Cacatua roseicapilla*, Galah
- » *Lepus curpaeums*, Rabbit
- » *Cacatua tenuirostris*, Long-billed corella
- » *Trichoglossus haematodus*, Rainbow lorikeets.

The feral rodents, the House Mouse and Black Rat, are ubiquitous species commonly associated with human settlement and are difficult to control in bushland areas.



Image: *Calyptorhynchus latirostris* (Carnaby's Black Cockatoo) | Sally Wallace



Image: *Limnodynastes dorsalis* (Banjo Frog) | Jordan Vos

INTRODUCTION TO WESROC

# LANDSCAPE CHARACTER TYPES

The Landscape Character Types for this area comprise of broad scale residential and commercial/light industrial areas and natural landforms and water bodies. The following character types are based on the inventory of the physical landscape and its overall appearance. The total visual character is the collective assessment of landform, climate, vegetation, waterform, and the cultural and land-use patterns. The Western Suburbs can be divided into predominantly 4 different Landscape Character Types across the site as shown in Figure 9 and described below.

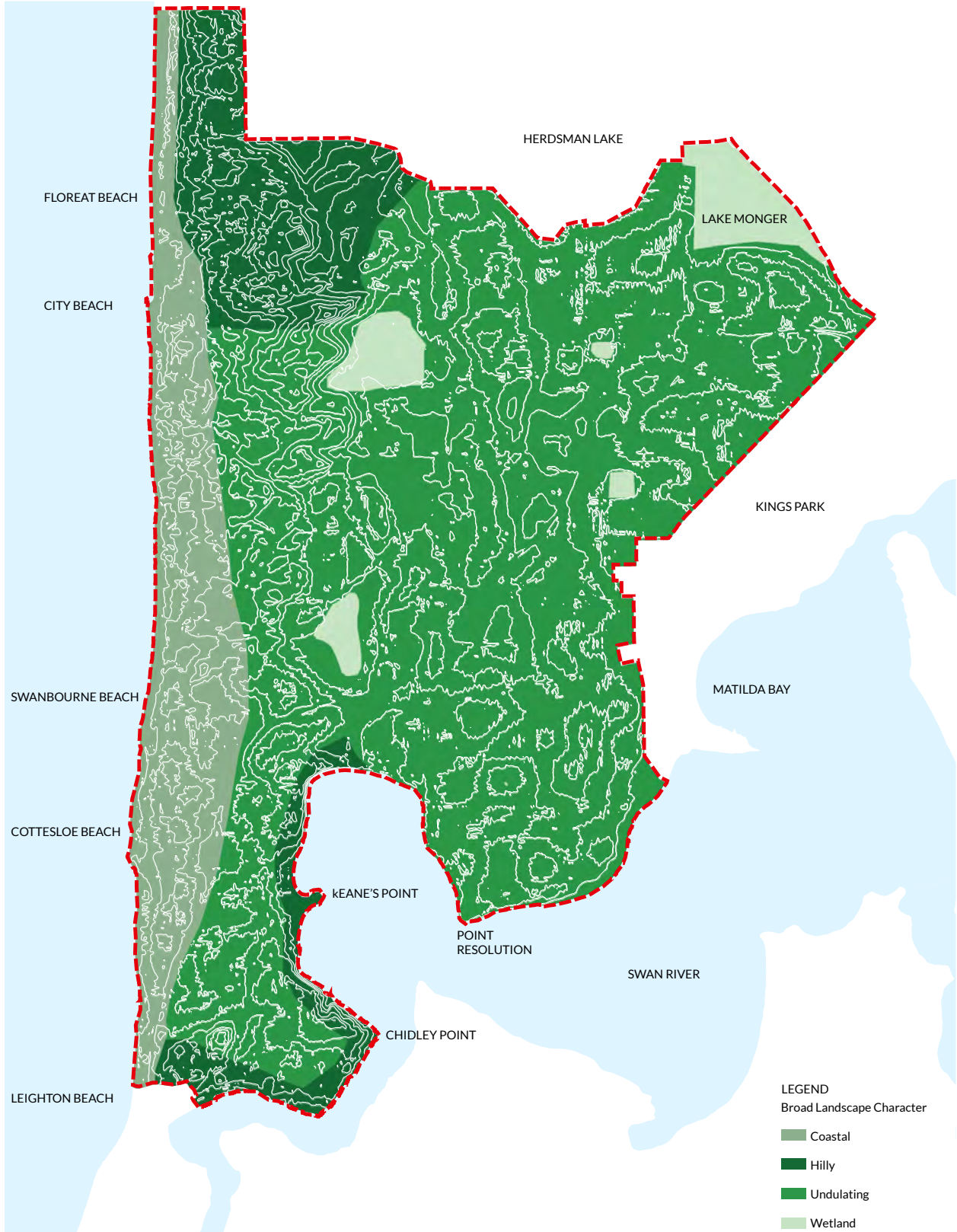


Figure 9: Landscape Character Plan



## #1 | Coastal zone

### Landscape Characteristics

Long narrow zone from the western edge of the Indian Ocean to Marine Parade of Cottesloe and along the West Coast Highway to Wembley Downs.

### Soil Type

Quindalup Dunal System with some exposed limestone.

### Visual Characteristic

White sandy beaches, low growing pale green and olive green scrubby vegetation, some creamy-grey exposed limestone outcrops.

Dark grey bitumen of access roads and various colours of the rooflines of residential areas.

### Landuse

Predominantly recreational use, of the beaches and sand dune area. Some high-density residential use along the Cottesloe area and Governmental Defence use along the Swanbourne area.



Image: Cottesloe | Nicole Croudace

## #2 | Isolated low lying freshwater lakes swamps

### Landscape Characteristics

Several isolated areas across the site.

### Soil Type

These areas consist of grey/black sands of the Spearwood Dune System.

### Visual Characteristic

Pale blue of shallower lakes to darker green water of slow moving low lying wetland and circular lakes.

Vegetation is generally of Flooded Gum Melaleuca species and several areas of wetland grasses and rushes.

### Landuse

Several watercourses and waterbodies, such as Perry Lakes, Lake Claremont, Lake Monger, Shenton Park and parts of Bold Park.

Perimeter of parts of the Swan River and the coastal zone of the Indian Ocean.

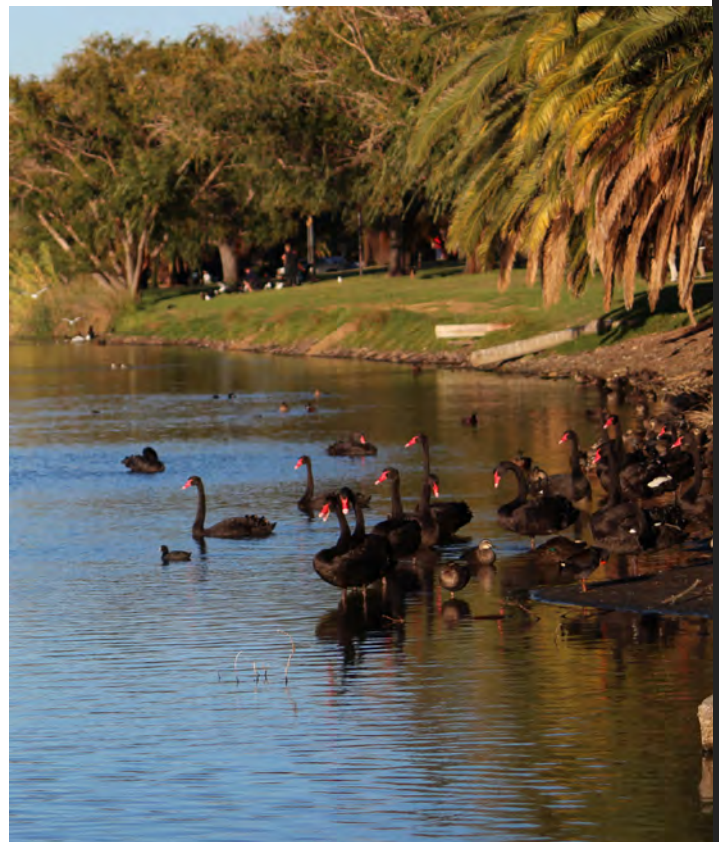


Image: Lake Monger | Sally Wallace



## INTRODUCTION TO WESROC

**#3 | Undulating landscapes****Landscape Characteristics**

Gentle rolling flat to gently inclined plains and rounded foothills.

**Soil Type**

The area between the dunal landforms and the Swan River consist of Spearwood sands which are divided into Karrakatta soils and Cottesloe sands. The Karrakatta soils are limestone and have deep limestone deposits.

The Cottesloe sands on the western side of Karrakatta are, brown to yellow on the surface with surface limestone, exposed at several places.

**Visual Characteristic**

Corridors and large areas of grey-green vegetation varying from natural Jarrah/Marri woodland to the darker green of street trees and public open space comprising of predominantly non-indigenous species and grassy areas.

Some areas of green open grassland consist of golf courses and public parks.

Dense grey roofed and red brick buildings of large commercial and light industrial activities occur in Shenton Park, Osborne Park and Cottesloe/Nedlands.

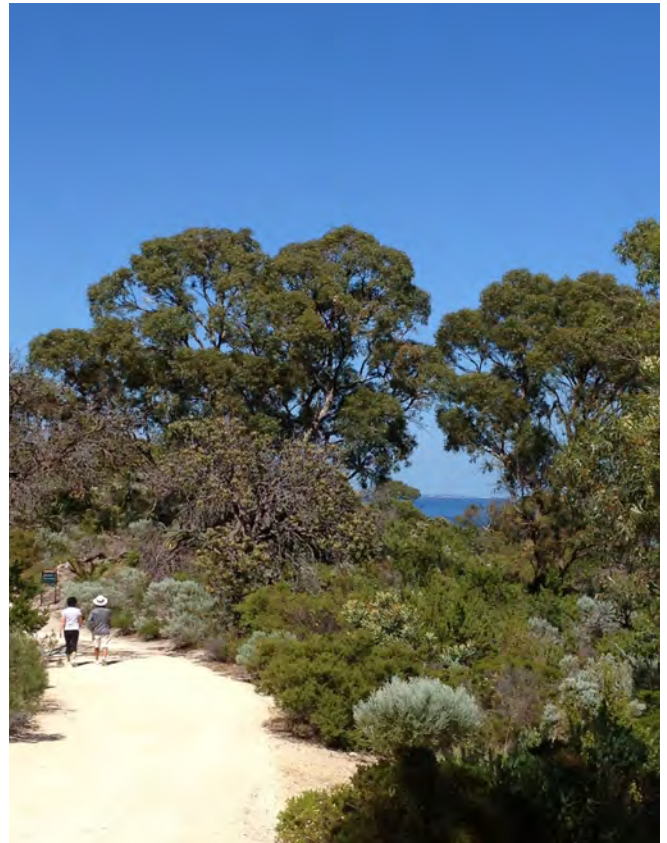


Image: Bold Park Zamia Trail | Sally Wallace

**#4 | Hilly landscapes****Landscape Characteristics**

Remnant hills and limestone outcrops and larger inland dunes.

**Soil Type**

Areas characterised by grey to brown sands of the Spearwood Dune System with relatively high relief. Soft yellow to rich toffee coloured sand. Rough limestone outcrops exposed in some places.

**Visual Characteristic**

Dense grey green vegetation that form parts of Monument Hill and the Reabold Hill/ Bold Park area. Darker green of street trees and residential areas. Native vegetation of Reabold Hill and Bold Park.

Pale cream to darker grey of the exposed limestone outcrops and cliff faces. Grey bitumen or the main roadways and grey to silver of rooftops of commercial and light industrial buildings. Predominantly red and brown tiled roofs of the residential areas.

**Landuse**

Public open space along the Swan River perimeter. Residential and open areas on the remnant limestone hills of Floreat and Buckland Hill Monument Hill and Mt Claremont. Recreational areas along the Swan River foreshore. Some retail, commercial and light industrial areas. Grid patterned street layout and sub-divisions. Main feeder roads leading to side roads, Highways and railway lines.



Image: Mount Claremont | Sally Wallace



## PLANNING & STRATEGIC DOCUMENTS

### Strategic Planning Context

The WESROC Greening Plan contributes and aligns with the overall improvement of the environment, social and economic outcomes for the community on a regional, state, national and international level. The following summarises important strategies that identify objectives that support change.

### Global

#### *UN Sustainable Development Goals*

The 2030 Agenda for Sustainable Development, is a plan of action for people, planet and prosperity. The Heads of State and Government and High Representatives, meeting at the United Nations Headquarters in New York from 25-27 September 2015 set new global Sustainable Development Goals. The Agenda aims for a collective journey to be undertaken by all countries and stakeholders, to act in a collaborative partnership which is urgently needed to shift the world onto a sustainable and resilient path. The Goals and targets will stimulate action over the next fifteen years in areas of critical importance for humanity and the planet:

- » People
- » Planet
- » Prosperity
- » Peace
- » Partnership.

Of the 17 Sustainable Development Goals, the following are particularly relevant to the WESROC Greening Plan:

#### **Goal 6. Ensure availability and sustainable management of water and sanitation for all:**

- » By 2030, improve water quality by reducing pollution, eliminating dumping and minimizing release of hazardous chemicals and materials, halving the proportion of untreated wastewater and substantially increasing recycling and safe reuse globally
- » By 2030, substantially increase water-use efficiency across all sectors and ensure sustainable withdrawals and supply of freshwater to address water scarcity and substantially reduce the number of people suffering from water scarcity
- » By 2030, implement integrated water resources management at all levels, including through transboundary cooperation as appropriate
- » By 2020, protect and restore water-related ecosystems, including mountains, forests, wetlands, rivers, aquifers and lakes
- » By 2030, expand international cooperation and capacity-building support to developing countries in water- and sanitation-related activities and programmes, including water harvesting, desalination, water efficiency, wastewater treatment, recycling and reuse technologies



Image: Perry Lakes Development | Nicole Croudace

- » Support and strengthen the participation of local communities in improving water and sanitation management

#### **Goal 11. Make cities and human settlements inclusive, safe, resilient and sustainable**

- » By 2030, enhance inclusive and sustainable urbanization and capacity for participatory, integrated and sustainable human settlement planning and management in all countries
- » Strengthen efforts to protect and safeguard the world's cultural and natural heritage
- » By 2030, reduce the adverse per capita environmental impact of cities, including by paying special attention to air quality and municipal and other waste management
- » By 2030, provide universal access to safe, inclusive and accessible, green and public spaces, in particular for women and children, older persons and persons with disabilities
- » Support positive economic, social and environmental links between urban, peri-urban and rural areas by strengthening national and regional development planning

#### **Goal 13. Take urgent action to combat climate change and its impacts**

- » Strengthen resilience and adaptive capacity to climate-related hazards and natural disasters in all countries
- » Integrate climate change measures into national policies, strategies and planning
- » Improve education, awareness-raising and human and institutional capacity on climate change mitigation, adaptation, impact reduction and early warning
- » Implement the commitment undertaken by developed-country parties to the United Nations Framework Convention on Climate Change to a goal of mobilizing jointly \$100 billion annually by 2020 from all sources to address the needs of developing countries in the context of meaningful mitigation actions and transparency on implementation and fully operationalize the Green Climate Fund through its capitalization as soon as possible

## INTRODUCTION TO WESROC



Image: Tawarri Nedlands | Julian Croudace

- » Promote mechanisms for raising capacity for effective climate change-related planning and management in least developed countries and small island developing States, including focusing on women, youth and local and marginalized communities

**Goal 15. Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss**

- » By 2020, ensure the conservation, restoration and sustainable use of terrestrial and inland freshwater ecosystems and their services, in particular forests, wetlands, mountains and drylands, in line with obligations under international agreements
- » By 2020, promote the implementation of sustainable management of all types of forests, halt deforestation, restore degraded forests and substantially increase afforestation and reforestation globally
- » By 2030, combat desertification, restore degraded land and soil, including land affected by desertification, drought and floods, and strive to achieve a land degradation-neutral world
- » Take urgent and significant action to reduce the degradation of natural habitats, halt the loss of biodiversity and, by 2020, protect and prevent the extinction of threatened species
- » Promote fair and equitable sharing of the benefits arising from the utilization of genetic resources and promote appropriate access to such resources, as internationally agreed
- » Take urgent action to end poaching and trafficking of protected species of flora and fauna and address both demand and supply of illegal wildlife products
- » By 2020, introduce measures to prevent the introduction and significantly reduce the impact of invasive alien species on land and water ecosystems and control or eradicate the priority species
- » By 2020, integrate ecosystem and biodiversity values into national and local planning, development processes, poverty reduction strategies and accounts

- » Mobilize and significantly increase financial resources from all sources to conserve and sustainably use biodiversity and ecosystems
- » Mobilize significant resources from all sources and at all levels to finance sustainable forest management and provide adequate incentives to developing countries to advance such management, including for conservation and reforestation
- » Enhance global support for efforts to combat poaching and trafficking of protected species, including by increasing the capacity of local communities to pursue sustainable livelihood opportunities

## National

### ***Australia's Biodiversity Conservation Strategy 2010 –2030***

Australia's Biodiversity Conservation Strategy 2010–2030 presents a long-term view of a future in which:

- » the importance of biodiversity to our existence is recognised and, as a consequence, consumption patterns are balanced against the imperatives of the environment;
- » all Australians including Indigenous peoples, farmers, land managers, industry, governments and community groups such as Landcare are working together to conserve biodiversity;
- » we have reduced the impacts of existing threats such as invasive species so that their impact on biodiversity is negligible; and
- » we have managed emerging threats such as changing fire regimes, reduction in water availability and the impacts of climate change to the extent that the threat to the environment is minimised and any damage is reversed.

Biodiversity is not static; it is constantly changing. It can be increased by genetic change and evolutionary processes, and it can be reduced by threats which lead to population decline and extinction. Biodiversity in Australia is currently declining because of the impacts of a range of threats. If we continue to live unsustainably, we risk the degeneration of the ecological systems that support our life and our nation's productivity. We also risk eroding the legacy we leave future generations. Collectively we have a civic responsibility to help sustain



our living planet. Conserving biodiversity is central to living sustainably and is an essential part of safeguarding the biological life support systems on Earth.

The Priorities for action section identifies three national priorities for action to help stop the decline in Australia's biodiversity. These priorities for action are:

Engaging all Australians in biodiversity conservation through:

- » mainstreaming biodiversity
- » increasing Indigenous engagement
- » enhancing strategic investments and partnerships.

Building ecosystem resilience in a changing climate by:

- » protecting diversity
- » maintaining and re-establishing ecosystem functions
- » reducing threats to biodiversity.

Getting measurable results through:

- » improving and sharing knowledge
- » delivering conservation initiatives efficiently
- » implementing robust national monitoring, reporting and evaluation.

**“Western Australia’s unique natural environment encompasses pristine and diverse natural areas both onshore and offshore, with world-renowned biodiversity, scenic landscapes, heritage sites, marine and coastal areas and places of cultural significance. The clean and beautiful natural environment is a major contributor to the State’s liveability and attractiveness.”**

*State Planning Strategy 2050*

## State

### **100-year Biodiversity Conservation Strategy for Western Australia**

A 100-year Biodiversity Conservation Strategy for Western Australia (Draft) has been prepared in response not only to the problem of continuing decline in indigenous biodiversity, but also the opportunity we still have to protect and restore biodiversity in the State. The health and well-being of all Western Australians and future generations, and the State's economy, is dependent on our ability to reverse this decline and maintain biodiversity values. The most important general causes of biodiversity loss in WA are:

- » habitat loss and modification associated with land and natural resource uses and practices;
- » biophysical consequences of introduced species (plants, animals and pathogens); and
- » effects of human-induced climate change.

The overall goal of the strategy is to recover and conserve WA's biodiversity within 100 years. This will require focusing on those species and ecosystems that are known to be under significant pressure from a range of factors and on the brink of extinction, while at the same time preventing decline of biodiversity in ecosystems and landscapes that are ecologically intact and in relatively good condition. This strategy will require initiatives that reach across generations and communities, and that improve knowledge and technical capacity to predict changes and determine trends in biodiversity.

Eight key strategic directions provide an overarching framework for 138 lower order primary actions to meet the strategy's goal and vision:

- » Build biodiversity knowledge and improve information management
- » Promote awareness and understanding of biodiversity and related conservation issues
- » Engage and encourage people in biodiversity conservation management
- » Improve biodiversity conservation requirements in natural resource use sectors
- » Enhance effective institutional mechanisms and improve integration and coordination of biodiversity conservation
- » Establish and manage the formal conservation reserve system
- » Recover threatened species and ecological communities and manage other significant species/ecological communities and ecosystems
- » Conserve landscapes/seascapes for biodiversity (integrating on- and off-reserve conservation and managing system-wide threats).

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Image: Matilda Bay Foreshore | Nicole Croudace

The following principles are the basis for the objectives listed above and will guide their implementation:

- » **Maximise investment for long-term public benefits** | Biodiversity conservation is an investment that yields substantial individual, local, regional, State, national and international benefits. Investment at a State level should be targeted to achieve the greatest benefits for the people of WA, and to bring about the greatest level of public good that will reach across generations.
- » **Shared responsibility to ensure effectiveness** | All Western Australians depend on biodiversity and have a responsibility to contribute to its conservation and to use biological resources in a sustainable manner. Because biodiversity transcends institutional, administrative and political boundaries, cooperation and support are vital for effective conservation and integration of actions across organisations and jurisdictions. Biodiversity conservation in WA is also affected by national and international obligations.
- » **All indigenous biodiversity values need to be conserved** | Indigenous forms of life warrant respect from humanity, irrespective of utilitarian value or whether they have an immediate benefit to humans.
- » **Biodiversity is best conserved in situ** | Conservation of species where they occur (and not just in a botanic garden, zoo or laboratory) is a prerequisite for maintaining ecological and evolutionary processes. Consequently, a central pillar of biodiversity conservation is the establishment of a conservation reserve system that provides security of tenure and purpose in perpetuity, and management of other natural systems.
- » **Ensure that actions are outcome-focused** | Action to conserve biodiversity must be approached with a clear focus on outcomes and be based on an adaptive management approach where research and evaluating effectiveness of actions are integral components to build effective management regimes
- » **Prevention is better than cure** | Prevention of ecosystem damage and species loss is more cost-effective than attempting rehabilitation or recovery. The causes of biodiversity loss must be anticipated and acted on at the source.

- » **Manage for the future, but learn from the past** | Actions need to ensure that the benefits enjoyed from biodiversity by today's generation are available or enhanced for future generations. Decision making and priority setting need to be informed by past experience and scientific knowledge.
- » **Be precautionary in making decisions** | Lack of full scientific certainty should not be a hindrance to enacting management to conserve biodiversity or postponing measures to prevent environmental degradation or harm. Avoid selecting irreversible options.
- » **Achieve a balance in actions** | Indigenous species (or taxa) and ecological communities close to extinction require special attention, together with strategic investment that provides for conservation of intact ecosystems and landscapes.
- » **Gain understanding** | Conservation is improved by ongoing improvement in knowledge and understanding of species, populations, ecological communities, ecosystems and social-ecological systems. This will require building scientific knowledge, and ensuring recognition of indigenous and local knowledge where appropriate.

## Swan Region Strategy for Natural Resource Management

The purpose of the Swan Region Strategy for Natural Resource Management, is to provide a strategic, integrated framework for natural resource management in the Swan Region of Western Australia. The natural resources of the Swan Region are protected and managed sustainably in their own right and for the enhancement of the quality of life for present and future generations. Key aspirational goals include:

- » Perth is an eco-city where natural assets are valued and used sustainably
- » Land use and development is sustainable and appropriate to land capability and suitability
- » Residents and visitors value and enjoy access to high quality natural areas
- » Aboriginal cultural heritage values are integral to the way we view and manage the environment
- » Water quality (marine and freshwater) is maintained and water resources are used sustainably





Image: View south over the Western Suburbs | Julian Croudace

- » Biodiversity and ecosystem function is protected, managed and restored
- » Air is healthy for the community and the environment
- » Climate change is addressed to ensure the Swan Region remains liveable and resilient

Action Areas and Strategic Objectives include:

*Leadership, Coordination and Governance*

- » Work towards agreed priorities and outcomes
- » Work collaboratively
- » Apply environmental accounting approaches
- » Invest in natural assets
- » Ensure policies, legislation and standards are effective
- » Reflect Aboriginal cultural heritage values in policy and practice
- » Ensure land use planning is environmentally sensitive

*Asset Protection and Sustainable Use*

- » Manage assets within a landscape system
- » Address drivers, risks and threats
- » Enforce regulations and approval conditions
- » Support voluntary environmental standards
- » Transform Perth into an eco-city

*Awareness, Participation and Capacity Building*

- » Build community awareness and participation
- » Support environmental community groups
- » Involve the Aboriginal community
- » Build the capacity of local government
- » Enhance the environmental sustainability of businesses and organisations
- » Support environmental stewardship
- » Recognise and celebrate achievements

*Knowledge, Research and Adaptive Management*

- » Focus research, development and innovation on critical needs and knowledge gaps
- » Ensure essential knowledge is accessible to decision-makers
- » Integrate scientific and traditional ecological knowledge
- » Monitor and report on resource condition
- » Monitor and evaluate environmental programs

The development of this Strategy has been guided by the fundamental principles from the 2004 Strategy along with new information and thinking in natural resource management. These principles recognise the need to pursue sustainable development in the Region, and highlight the importance of partnerships and collaboration. They are primarily concerned with:

- » **Integrated Management** | The management of natural resources should be integrated within regions and catchments as well as across industry sectors, government agencies and specific issues
- » **Priority Based** | Natural resource management actions should be undertaken according to priorities that are based on the best available science and information and a rigorous assessment of cost-effectiveness and relative value compared with other options
- » **Intergenerational Equity** | The current society should meet its needs in ways to ensure that the health, diversity and productivity of the environment are maintained, without reducing the capacity of future generations to meet their needs
- » **Shared Responsibility** | Everyone, including government, industry, business and the wider community play a vital role in protecting and managing the Region's natural assets
- » **Partnerships** | Effective natural resource management requires partnerships across government, non-government organisations, community, business and industry to achieve large scale, lasting change
- » **The Precautionary Principle** | Where there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation
- » **Prevention is Better than Cure** | Protecting natural systems from damage is far more cost-effective than attempting rehabilitation once the damage is done, as some biodiversity assets once lost can never be recovered
- » **Audit, Review and Adaptive Management** | Regular audit, review and improvement of legislation, policies, plans and strategies are essential for efficient and effective natural resource management

## INTRODUCTION TO WESROC



Image: Nedlands Foreshore | Frank Kotai

### Swan Canning River Protection Strategy

Western Australia's Swan Canning Riverpark is renowned for its natural beauty and cultural and recreational significance. An integral part of Perth's landscape and economy, the Riverpark comprises the Swan and Canning rivers and the public foreshore reserves surrounding them. Located on the WESROC Greening Plan boundary the Swan River has been celebrated across art, literature, music, film and ancient Aboriginal storytelling and culture. It is culturally significant to Aboriginal and non-Aboriginal people and there is an expectation that it will be protected now and into the future. Historically we have changed the natural river system; in the waterway itself, on the coastal plain for industry and suburban development, and in the broader landscape where the Wheatbelt was cleared to feed our growing population. These changes add to the complex web of ecological pressures that impact our rivers and increase their vulnerability to oxygen depletion, nutrient enrichment and other biodiversity threats. This long-term strategy recognises Perth's rapid growth and priority river pressures by establishing a clear path to help conserve the Riverpark's natural, cultural and social amenity values. River system management is challenging; it involves uncertainty and rapid changes. Understanding and addressing the issues goes beyond the capacity of any one organisation. It requires adaptive management, working across organisational boundaries and applying innovative, comprehensive solutions. A coordinated management approach is essential in protecting our rivers and ensuring community values for future generations.

Through consultation with the community, four values were identified:

- » **Ecosystem health** | including water quality, environmental flow, biodiversity and foreshore condition, making it the basis of the other values
- » **Sense of place** | including the connection people have with the rivers, related to their beliefs, traditions, memories and commitment to looking after them
- » **Community benefit** | including aesthetics, providing opportunities and facilities for a broad range of activities, providing activities and events and maintaining public access and safety

- » **Economic benefit** | the additional financial benefit of commercial and residential development and tourism opportunities gained by their proximity to the Riverpark.

Known as Derbal Yerrigan to Noongar people, the Swan River was named Swarte Swaene Revier by Willem de Vlamingh in 1697 after the black swans he saw there. This was anglicised to Swan River by Captain James Stirling in 1829.

A coordinated management approach is essential to maintain, protect and enhance the ecological and community benefits of the Riverpark. The Swan Canning River Protection Strategy aims to address the issues facing the Riverpark and will focus on the on-ground actions to achieve four broad outcomes:

#### *Better coordination:*

- » Increase management coordination and collaboration between organisations with Riverpark responsibilities.

#### *A healthy river ecosystem:*

- » Improve water quality and manage environmental flows
- » Ensure management decisions are based on appropriate knowledge
- » Protect, manage and enhance biodiversity

#### *Improving community engagement and enjoyment:*

- » Maintain and improve sense of place with the Riverpark
- » Provide access and a safe environment for Riverpark visitors
- » Improve public knowledge and understanding of the Riverpark
- » Improve the way we do business.





Image: Cottesloe Foreshore | Frank Kotai

## WA Coastal Zone Strategy

Our coast is one of WA's most valuable natural assets, rich in biodiversity, landscape, aboriginal and heritage values. The coast offers diverse opportunities for recreation, tourism, commercial, industrial and residential development, and contributes to the health and social wellbeing of Western Australians. The vision for the WA Coastal Strategy is a sustainable coast for the long-term benefit of the community and visitors to the State. To achieve this vision, 5 key objectives have been adopted to guide the management and use of the coastal zone:

### **Environment | Conserve the State's natural coastal values and assets through sustainable use.**

Key Objective | Protect, conserve, enhance and maintain natural coastal values.

### **Community | Ensure safe public access to the coast and involve the community in coastal planning and management activities.**

Key Objective | Ensure public ownership of coastal and estuarine foreshore reserves for management, safe public access, recreation and conservation.

### **Economy | Provide for the sustainable use of natural coastal resources.**

Key Objective | Ensure natural coastal resources are used in an equitable and sustainable manner.

### **Infrastructure | Ensure the location of facilities and infrastructure in the coastal zone is sustainable and suitable.**

Key Objective | Locate and design coastal development, infrastructure and facilities taking into account coastal processes, landform stability, water quality, environmental flows, hydrological cycles, coastal hazards and climate change.

### **Governance | Build community confidence in coastal planning and management.**

Key Objective | Align policy, planning and development in the coastal zone with the public interest.

Stewardship of the coast is a shared responsibility. Governments at all levels, private organisations, natural resource management groups, the community and individuals each have important, complementary and differentiated roles in coastal planning and management.

## Relevant Policies & Documents

The following highlights a number of relevant policies, strategies and management plans identified on WESROC member council sites which are pertinent to the 2020-2025 Greening Plan.

### Town of Cambridge

- » Local Planning Policy 2.1: Precinct P1: City Beach
- » Local Planning Policy 2.1.1: St John's Wood, Mt Claremont
- » Local Planning Policy 2.2: Precinct P2: Reabold
- » Local Planning Policy 2.3: Precinct P3: Floreat
- » Local Planning Policy 2.4: Precinct P4: Wembley
- » Local Planning Policy 2.4.1: Jersey Street, Jolimont
- » Local Planning Policy 2.4.2: Parkside Walk, Jolimont (Design Guidelines)
- » Local Planning Policy 2.5: Precinct P5: West Leederville
- » Local Planning Policy 2.5.1: Holyrood Conservation Area
- » Local Planning Policy 2.6: Precinct P6: Lake Monger
- » Local Planning Policy 3.1: Streetscape
- » Local Planning Policy 3.16: Landscaping and Water Sensitive Urban Design
- » Council Policy 5.1.1 Management of natural conservation areas within public open space
- » Council Policy 5.1.3 Management of Street Trees
- » Council Policy 5.1.4 Management of Park Trees
- » Council Policy 5.1.5 Street Tree Protection During Property Development
- » Biodiversity Action Plan 2011-2015
- » DRAFT Biodiversity Action Plan 2016-2020
- » Bike Plan Summary Report
- » Lake Monger Reserve Management Plan 2008-2018
- » Community Engagement Framework 2016
- » Community Perception Survey 2006 / 2008 / 2010
- » 2010 Values and Attitudes Study Key Findings
- » Community Engagement Study 2013
- » Your Town Our Future Survey 2017.

### City of Subiaco

- » Strategic Asset Management Plan 2019
- » Strategic Community Plan 2017-2027
- » Rosalie Park Management Plan 2013-2018
- » Street and Reserve Trees Protocols
- » Sustainability and Resilience Strategy 2016-2021
- » Urban Forest Strategy 2018
- » Verge Policy Management Guidelines 2015
- » Plant Pathogen Management Plan 2015-2019
- » Environmental Enhancement Plan 2012-2016
- » Wildlife Enhancement Plan 2014-2019.

### City of Nedlands

- » Policy 6.27 Old Swanbourne Hospital Precinct (LPP)
- » Policy 6.8 Subdivision Policy (LPP)
- » City of Nedlands Urban Forest Strategy 2018-2023
- » Strategic Community Plan Nedlands 2028
- » Allen Park Master Plan 2017
- » Strategic Recreation Plan 2010 - 2015
- » Draft Natural Areas Management Plan 2019 - 2024
- » Draft Shenton Bushland Management Plan 2019 - 2024
- » Draft Allen Park Bushland Management Plan 2019 - 2024
- » Draft Hollywood Reserve Management Plan 2019 - 2024
- » Draft Birdwood Parade Management Plan 2019 - 2024
- » Draft Point Resolution Bushland Management Plan 2019 - 2024
- » Draft Mt Claremont Oval Bushland Management Plan 2019 - 2024
- » Asset Management Strategy 2019-2029
- » Urban Forest Strategy 2018-2023
- » Council Policy - Community Friends Groups
- » Council Policy - Greenways
- » Council Policy - Illegal Clearing of Vegetation
- » Council Policy - Nature Strip Development
- » Council Policy - Street Trees
- » Local Planning Policy - Landscaping Plans.



**Town of Cottesloe**

- » Railway corridor Greening plan created as a landscaping design for the new Principal Shared Path (2019).
- » Street Tree Policy
- » Street Tree Masterplan
- » Beach Policy
- » Human Enhanced Climate Change Policy
- » Residential Verges Policy
- » Town of Cottesloe Natural Areas Management Plan (2008)
- » Town of Cottesloe Natural Areas Management Plan Addendum (2015).

**Town of Claremont**

- » Strategic Community Plan 2015-2023
- » Tree Preservation Policy
- » Street Tree Policy
- » Street Tree Masterplan
- » Verge Landscape Guidelines, reviewed 2020
- » Lake Claremont Management Plan 2016-2021.

**Shire of Peppermint Grove**

- » Community Strategic Plan.

**Town of Mosman Park**

- » Significant Tree (Public Land) Policy 2.1.4
- » Street Tree Policy 2.2.7
- » Management of Vegetation in Public Reserves
- » Verge Treatment
- » Bay View Park Environmental Management Plan 2009
- » Bay View Park Revegetation Plan 2010
- » Buckland Hill Conservation Management Plan 2019
- » Chidley Point Reserve Management Plan 2018
- » Garungup Reserve Environmental Management Plan 2018
- » South Mosman Park Bushland Management Plan 2009
- » Mosman Beach Management Plan 2003
- » Point Roe Management Plan 2019.



Image left: City Beach | Julian Croudace



**Australians of today are deeply concerned about environment issues like global warming. Surviving on this land for more than 60,000 years, Aboriginal and Torres Strait Islanders established effective ways to use and sustain resources. One important aspect is the right of certain people to control the use of resources in a particular area. Aboriginal and Torres Strait Islander people don't see themselves as 'owning' land, animals, plants or nature, but rather belonging with these things as equal parts of creation.**

<http://www.shareourpride.org.au/sections/our-culture/>





Figure 10: Research and Innovation

## 3.0 DEVELOPING THE GREENING PLAN

### INNOVATIVE GREENING APPROACHES

#### Cultural Land Management

Incorporating Aboriginal people’s knowledge and understanding of place is essential for effective management of green spaces, however as research states, this is not currently part of the Aboriginal Heritage (AH) Act, it “does not include provision for management plans, denying Aboriginal custodians an avenue for proactive and holistic management” (Kwaymullina et al., 2015). Acknowledgement of significant and sacred sites is needed to ensure key places are appropriately included in management plans. Jones et al (2016) discusses the lack of registration for significant sites, the reinterpretation of ‘sacred’ now only includes sites with ongoing religious significance. “Thirty-five sites were

deregistered and 1,262 sites were blocked from registration” (Butterly, 2015). “At no stage have Aboriginal custodians been notified about the changing status of their heritage” (Jones et al. 2016). In March 2019, a discussion paper for the review of the Aboriginal Heritage Act 1972 set out proposals to recognise, protect, manage and celebrate the places and objects that are important to Aboriginal culture. The Aboriginal Heritage Act 1972 Review Discussion Paper identifies a number of key changes which will provide guidance and influence in the land management and greening of WESROC. The table below provides a comparison between the current and proposed positions which directly relate to the WESROC Greening Plan.

Image left: DBCA Aboriginal Ranger Program | <https://www.dbcwa.wa.gov.au/parks-and-wildlife-service/aboriginal-ranger-program>

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Table 3: Aboriginal Heritage Act 1972 | Proposed Changes

#	CURRENT POSITION ABORIGINAL HERITAGE ACT 1972	PROPOSED POSITION CHANGES
1	Intangible heritage is not protected.	Landscape features associated with the Dreaming and the songs and stories that connect them will be recognised as cultural landscapes and therefore covered by the new Act.
2	Aboriginal people have to prove why a place or object is important and have no control over what is registered on the Register of Aboriginal Places and Objects.	Aboriginal Knowledge Holders will no longer have to prove or justify why a place or object is important to them, they will simply have to provide enough information to explain why it is important and where it is located. Aboriginal Knowledge Holders will be able to register any place or object that is culturally important to them as long as it meets the minimum reporting standards set by a new Aboriginal Heritage Council to ensure the information recorded on the Aboriginal Heritage Register is clear and accurate. (The Aboriginal Heritage Register will be the new name for the Register of Aboriginal Places and Objects).
3	There is no statutory requirement for Aboriginal people to be consulted about impacts to their cultural heritage	Local Aboriginal Heritage Services (LAHSs), which must be 100% Aboriginal, will ensure that the right people to speak for Country are identified and either conduct or coordinate culturally appropriate consultation. Where a LAHS exists, there will be a statutory obligation to consult with the LAHS on activity within its area of responsibility. Where there is no LAHS in an area, the Department of Planning, Lands and Heritage will be required to identify and consult with the people who have cultural authority for the area.
4	There is no statutory role for Aboriginal people in making decisions about their cultural heritage	By law, the relevant Aboriginal people's views must be taken into account in any decision that affects Aboriginal heritage. Local Aboriginal Heritage Services (100% Aboriginal) will have the statutory role of ensuring that the right people are involved in the decision-making process and facilitating agreements between them and land use proponents in their areas of responsibility. Decisions on land use proposals that have a significant impact on Aboriginal heritage, whether they are subject to an agreement or not, will still be made by the Minister for Aboriginal Affairs, but the Minister will have a statutory obligation to have regard to the views of the relevant Aboriginal people.
5	There is no statutory requirement to promote public awareness of the importance of Aboriginal heritage (as there is for State heritage)	The Aboriginal Heritage Council will have a statutory function to promote education, training and raise awareness of the importance of Aboriginal heritage, and provide grants and other assistance to promote its conservation.
6	There are restrictions on the active management of heritage in Protected Areas	New regulations will allow the appropriate Aboriginal people to manage their heritage in Protected Areas.

It is important to address the assumption that western knowledge is superior, as Stocker et al. (2016) states, “*knowledge partnerships...often carry the implicit presumption that Western knowledge systems are superior to indigenous knowledge systems*” resulting in a “*failure to recognise the critical relevance of these latter to sustainable environmental management*” (Langton, 1998). Therefore the challenge is to develop management methods that are not only consultation based, rather a collaborative and holistic approach is needed. Across agencies and community groups with coastal planning and management responsibility, higher order Noongar sustainability principles should be applied. Ideally in a collaborative approach with Noongar owners (Stocker et al. 2016). Howitt et al. (2013) states “*the priorities of the conservation agency will be insufficiently flexible to allow Noongar agency and ontologies to be expressed*”, ensuring that a flexible approach is taken toward management of green spaces will be key in a collaborative way forward.

Aboriginal knowledge can provide a deeper layer of understanding place and ecological systems that could improve future management practices. Aboriginal people's approach to “*Management of country is interwoven with family, spirituality (the Dreaming) and knowledge*” (Jones et al, 2016). An understanding of seasonal weather, species and coastal conditions is evident in traditional knowledge of ecological systems and can therefore benefit planning and decision-making for sustainability and climate change (Turner and

Spalding 2013). Indigenous language and use of place naming is an important way of understanding place, environment and history. “*The creation stories are embedded in the names of places in the landscape of the song line*” (Nannup and Hopper 2015:4). Woollorton et al. suggests that “*for human and ecological health and well-being, education for management of groundwater and wetlands must include Indigenous language studies – including the role English has played in the colonisation and depletion of Country*”. Embedding this knowledge is critical to the development of management and maintenance plans for future and existing greenways within WESROC. It can also be applied to creating a more informed Green Community through education and advocacy by the LGA members of WESROC.

It is important to ensure a connection and presence for Aboriginal people in key places of significance. As Harris (2002) discusses, despite families having long standing connection to key public spaces, a lack of presence can lead to the assumption that these are not Aboriginal spaces (Jones et al, 2016). “*Aboriginal people need to be more than artists and consultants. They need housing and services in the area. Furthermore, they need to be involved in the planning and management of these spaces so they feel comfortable returning to them*” (Jones et al, 2016). Creating opportunity for ongoing connection would benefit not only people's connection to place but also the environment. “*One's place and all its species, waterways and entities are family. This Noongar-place*



relationship is called *Kurduboodjar*, meaning both heartlands and love of place” (Wooltorton et al. 2019).

The WESROC area includes water bodies such as Lake Monger, the Swan River and a prominent section of coast line, therefore the connection and understanding of water bodies is necessary for appropriate planning and management. *“The relationship between people’s waug – soul, spirit or breath – and waugal, the powerful, vital dynamism of Boodjar – explains the deep interconnection between the health of people and ecosystem health through gabbidordok”* (Wooltorton et al. 2019), *gabbidordok* is defined as living water. The spirit of place comes through in this description of place and waterways having a living and animated nature. *“Noongar people believe that if you harm the resting place of the rainbow serpent or his earthly beings at the place of water then the country would dry up and die.”* These ways of understanding water and the interconnectedness of our environment are deep and spiritual; and should be acknowledged in our approach to waterways within the urban landscape. It is essential for environment and the health of communities that water ways, including ground water, are managed holistically. As Wooltorton et al. (2019) discusses, Human actions on the surface dictate ground water’s condition, and these actions include draining, fertilising, building, boring and pumping, burning or respecting water and its cosmology. *“These groundwater reciprocities and interdependencies can be enriched by on-going Noongar stories and contemporary social and ecological thought”.*

## Health & Wellbeing

### *Social and mental wellbeing*

There are proven links between green infrastructure and improved wellbeing at an individual and community level, Shanahan (2016) found that “higher levels of nature relatedness predicted greater feelings of social cohesion and

higher levels of physical activity” based on a scientific report undertaken to explore the health benefits from natural experiences. Public open space facilitates potential for social interactions within communities and therefore, this potential could lead to greater wellbeing, reduce social isolation and create social capital (S. M. A. Haq, 2011).

WESROC is estimated to have 2,010 Ha green space. Bushland is 854 Ha and structured recreational places with amenity is approximately 1,156 Ha.

Without enough greenspace in the local environment feelings of loneliness and lack of social support increase. According to the article “Creating sense of community: The role of public space” in the Journal of Environmental Psychology vol 32, it is important that both natural green spaces and places with amenities are provided, as an increased sense of community is linked to landscaping and pathways within natural areas. Furthermore, there has been extensive research that suggests biodiversity is positively linked to psychological and mental health outcomes. Biodiversity can increase exposure to microbiota which improves health via immune system development and regulation. Therefore, it is important to encourage increased biodiversity in public spaces and protection of natural open space within our urban environments. This can be facilitated through increasing tree canopy, which is an important part of passive recreation relating to biodiversity and recreation within an urban landscape. Further evidence shows that complex vegetation arrangements or natural vegetation is preferred by users of green space and grass only areas less desirable. Figure 8: Vegetation density, indicates the proportion of each type of green space within WESROC.

Green spaces and the natural environment provide a plethora of nonmaterial benefits such as “spiritual enrichment, cognitive development, reflection, recreation and aesthetic experiences” as well as preventative and restorative health

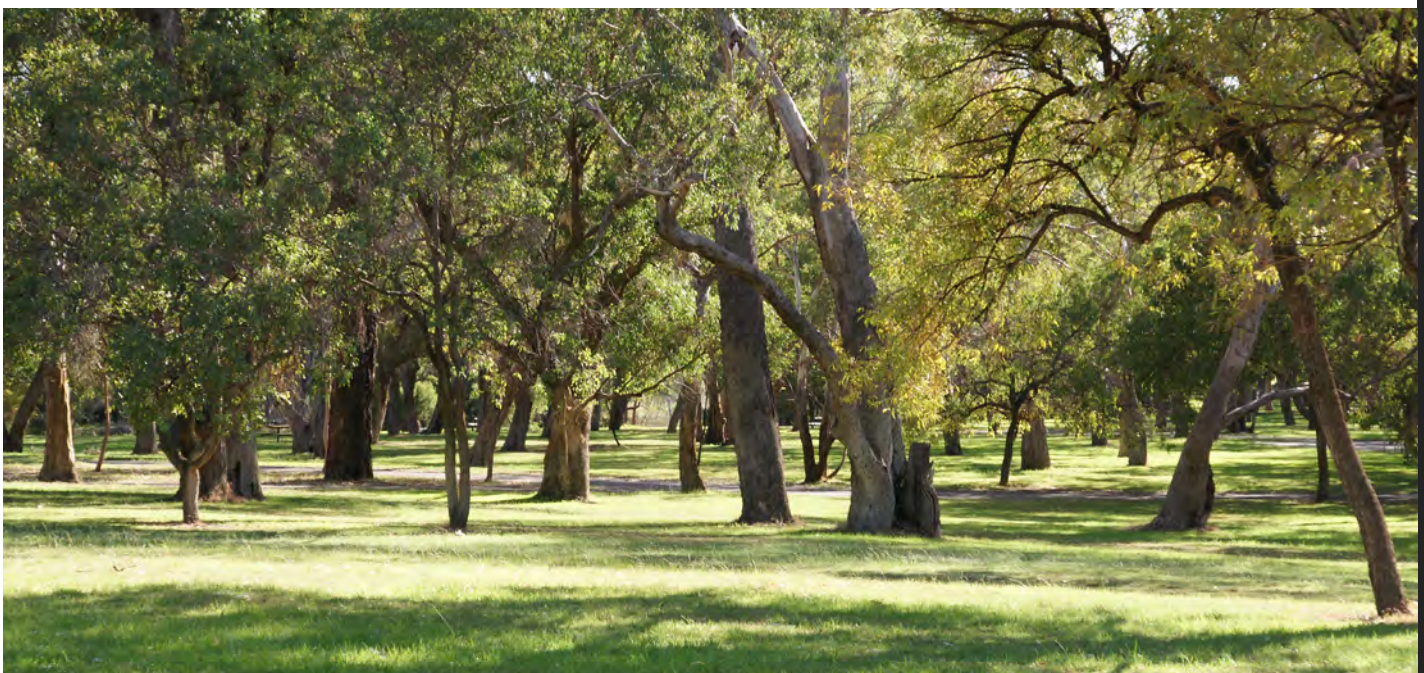


Image: Bold Park | Nicole Croudace

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advantages. According to Cecily Maller (2005), contact with nature can offer an affordable, accessible and equitable choice in tackling growing mental health issues. Francis et al. (2012) notes that to benefit mental health, the quality of public open space is more important than a quantity. De Vries et al. (2013) found the quality of streetscape greenery linked to the perceived social cohesion in neighbourhoods, this has been defined as “a sense of community, with a focus on trust, shared norms and values, positive and friendly relationships, and feelings of being accepted and belonging”.

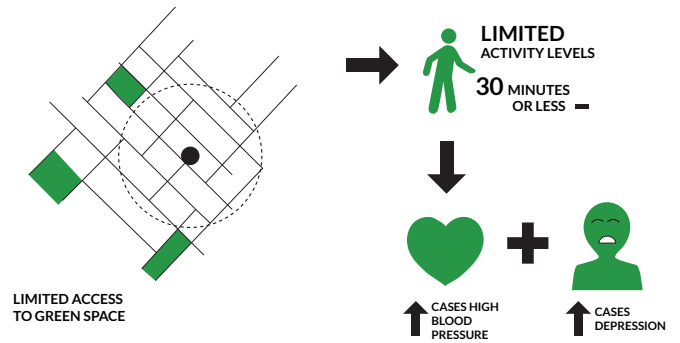
The creation of quality natural and structured open space and streetscapes can be a powerful community support mechanism. A number of suburbs within WESROC are fortunate to have all of these qualities; however, there are opportunities that can be explored to further reinforce and connect these places through well defined green infrastructure networks.

**Liveable walkable places benefiting physical health**

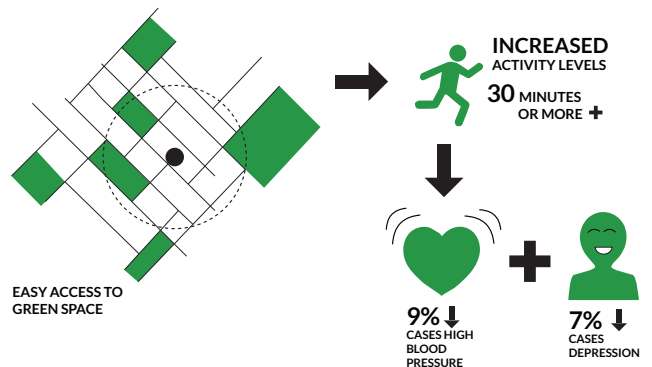
As urbanization increases, physical and mental health is becoming an important global issue. Cities are epicentres for chronic, non-communicable physical and mental health conditions. Quality green space provisions are a wise investment in public health, views of nature and experiences in nature have shown to assist physical healing. An article in the Journal of Environmental Psychology, 2016 by Gidlow states, when walking; natural landscapes produce better short-term cognitive benefits than residential environments. Furthermore, green space can impact ongoing health through better sleep patterns; living in a greener neighbourhood was linked to a lower risk of insufficient sleep. Ensuring neighbourhoods are planned with walkable access to green space has proven to increase physical activity.

Increased access leads to increased activity levels and exercise which has shown to reduce health issues; statistics determined in the study - Health Benefits from Nature Experiences, Scientific Reports, vol. 6 2016 stated 7% less cases of depression and 9% less cases of high blood pressure if people met the minimum criteria of 30min exercise or more. The amenity and type of green space provided can directly impact improved health through providing greater opportunity for exercise or more varied activities. This improved physical function is associated with retention of green spaces and bushland. Reasons could be due to the size and diversity of the landscape and larger spaces providing more opportunity to be physically active for longer. The prime location within WESROC of this scale and offering the diversity of landscape type is Bold Park. For improved activity and likelihood of social interaction it may be better to provide one large park in the neighbourhood rather than many smaller parks. It is also imperative for parks to have certain qualities that encourage visitation and interaction, such as visible access points and pathways, and providing places to relax and socialise.

## 0-20% GREEN SPACE



## 20% + GREEN SPACE



**“Compared with participants living in neighbourhoods containing 0–20% green space, those in greener areas were significantly more likely to walk and participate in moderate to vigorous physical activity at least once a week.”**

*“Testing spatial measures of public open space planning standards with walking and physical activity health outcomes: Findings from the Australian national liveability study,” Landscape and Urban Planning, vol. 17 2017*





Image: Reabold Hill | Julian Croudace

### **Benefits of Private Green on health**

In addition to public open space, private gardens offer important opportunities for people to connect with nature. Gardening can benefit mental health and most often occurs in a private garden. Private green spaces can be a buffer to the lack of public green spaces, however as private green is diminished through infill development there is increased need for public spaces that are easily accessible. This suggests that private spaces may buffer the need for public green in local neighbourhoods, or conversely as private space becomes less available there is a greater need for public greens closer to home.

An example is evident in Adelaide's older suburbs where with infill development, these places have seen a large loss of private green space without a corresponding increase in POS. A similar trend has happened in the Subiaco area with high rates of urban infill development, this increases the need for quality public green spaces that are easily accessible. Influencing this conundrum, will be the role of the planning officers within each LGA, in assessing infill development in consideration of the potential access to public green spaces within an acceptable walking distance of the development.

### **Safety perceptions in green space**

Perceived safety of green spaces can impact if and how they are used as well as a resident's sense of community. Although people value benefits of green space, they are sometimes associated with feelings of insecurity and crime. This can lead to a reduced use for physical activity within a public green space and then compounded by minimal maintenance with more graffiti can increase stress levels, therefore these public green spaces are less likely used recreationally. Concerns for community safety in certain types of green space are impacted by perceived or actual crime rates, with well-known implications for mental health according to the study "Does rising crime lead to increasing distress?" for the Social Science & Medicine, vol. 138 in 2015. Additionally, reduced use of green space can be impacted by the quality

of access to them, physical or visual barriers such as busy roads and derelict housing can deter resident's use due to the concerns around safety and increased low aesthetic appeal. Psychological benefits are linked to green areas that are abundant in wildlife, however these types of places can be perceived as less safe for children. This indicates a need for education on safety in relation to nature and the 'wild' as these fauna rich places could be a missed opportunity for increased mental wellbeing, additionally there is evidence that experiences in nature throughout childhood appear to increase adult environmentalism, based on research undertaken by Wells 2006.

### **Demographics**

Various demographics benefit from green space in different ways. The provision of greenspace has proven to be extremely beneficial for the elderly demographic. It is difficult for older people to maintain physical activity, therefore providing green spaces that encourage older people to be active, even if it is only at a light level, is important for public health. Trees increase likelihood for elderly to use public spaces however it is equally important to provide amenities such as seating and toilets that enable older people's ease and enjoyment in public spaces. Social isolation has been significantly associated with increased mortality in older people, therefore easy access to public spaces that provide opportunity for social interaction are imperative. According to Kaczynski 2009, the "Association of parkland proximity with neighborhood and park-based physical activity: Variations by gender and age" states that younger and older groups are more sensitive to greenspace provision than middle-aged adult. This illustrates the need to provide green spaces with particular amenity for older people, people with disabilities and women and children as The United Nations (2016) has identified in their goals for 2030. There is opportunity for the LGA's within WESROC to identify the areas of significantly aging populations and focus informed efforts of greening and amenity within these zones.





Image: Forest Red-tailed Black Cockatoo | Western Australian Museum

## Re-wilding Urban Landscapes

### Flora and Fauna

Public Open Spaces are vital within urban areas for providing fauna habitat. Within urban green spaces there are strong links between the presence of native plants and the diversity and abundance of native animals. Studies have shown that native planting in residential areas, including private and public space, benefit native bird species.

**Good quality open space should include a variety of habitats, structural complexity in understorey vegetation, and specific habitat features such as tree hollows.**

*“Key lessons for achieving biodiversity-sensitive cities and towns,” Ecological Management & Restoration, vol. 16, no. 3, 2015*

Bold Park is a significant natural public open space within WESROC that provides quality habitat for native fauna, it is key locations like Bold Park that are preserved to encourage biodiversity. A decline in conservation and protection of existing habitats can have detrimental impacts on fauna and therefore need to be preserved as a priority. Key habitats such as native mid storey and ground vegetation, trees (both live and dead), seedlings, hollows and logs are declining. If habitat structures are in short supply or non-existent, species may not be able to survive in urban greenspace habitats. Anti-social behaviour and safety for recreational access concerns can be a reason why particular habitat structures are reduced in urban landscapes.

Specific fauna habitat requirements and appropriate plant species can be identified within WESROC to ensure they are protected and reinstated in urban green spaces. Table 2: Declared Rare and Priority Flora Species, and the ‘Fauna’ section of this strategy provide a starting point for flora and fauna species that can be addressed as a priority. Clear communication and advocacy to facilitate improved understanding of native plants and the types of fauna that are attracted. As an example, some native plants labelled as ‘bird attracting plants’ attract native honeyeaters that can be aggressive therefore not providing safe places for smaller



species. To help minimise the impact of aggressive birds that deter other more passive bird species, would be the planting of dense, low-nectar producing native shrubs. Reintroduction of other species is also possible in urban habitats. This could include amphibians by creating and maintaining appropriate levels of habitat succession, healthy water quality, terrestrial habitat, connection to other populations and eliminating fish predators within the wetlands and waterbodies found within WESROC. Urban infrastructure such as lighting has shown to have negative effects on vegetation. It can cause early blooming, late leaf loss and longer growth periods for plants, which has potential to impact the floral community makeup. Therefore, consideration needs to be made by the local government authorities within WESROC for flora and fauna when selecting amenities for public open spaces.

**Biodiversity in the urban environment**

Cities are important environments for conservation, with potential opportunities to integrate people in conservation through innovative habitats. According to Key lessons for achieving biodiversity-sensitive cities and towns,” Ecological Management & Restoration, vol. 16 2015, “In Australia, cities are disproportionately important for the conservation of species of national significance, with urban regions supporting more threatened species per unit-area than non-urban regions”. In an urban location it is vital to not only include green spaces in new developments but conserve existing habitat structures wherever possible, to retain habitat structures in urban greenspace that are perceived as ‘hazardous’ or ‘untidy’ by the public. This is especially important as these structures are often difficult to replace once removed.

**The loss of a single large eucalypt tree in an urban area cannot be completely offset by establishing many younger trees, and simple revegetation offset tactics inadequately compensate all species.**

*“Key lessons for achieving biodiversity-sensitive cities and towns,” Ecological Management & Restoration, vol. 16, no. 3, 2015*

The recent anecdotal community reports in 2018 of Peregrine Falcon’s using a Crawley apartment building as a breeding ground illustrates the potential city infrastructure has in facilitating habitat. This example of being in close proximity to residential land use can contribute to local knowledge and understanding of fauna which in turn leads to a stronger appreciation for the natural environment. Interacting with urban biodiversity has been shown to benefit physical and psychological health, improve quality of life, and raise real-estate prices.

**Connecting people with nature**

Urban infrastructure can be a vehicle through which people engage with their natural environment. Ways to decrease negative misconceptions include ‘Cues to care’ these can be elements such as attractive seating, intentional paths, well maintained garden beds, and signage, refer Figure 11.

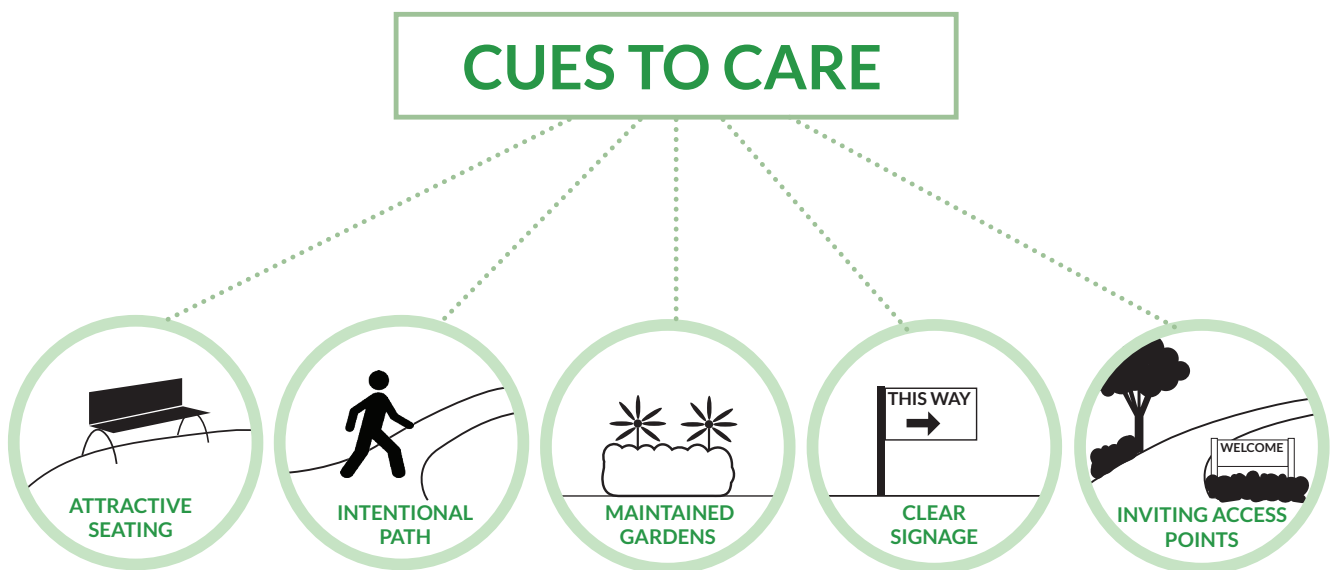


Figure 11: Cues to Care

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Image: Shenton Quarter | Nicole Croudace

Community connection, perception and appreciation for nature within urban green spaces and adjacent reserves can be facilitated through conservation efforts, such as education about local biodiversity. Creating opportunity to connect with the natural environment can engender stewardship for the local environment, therefore promoting these places as multi-functional for people and biodiversity. It is important to increase environmental awareness in residential communities using methods such as Community Groups, Friends of Groups and other programs including sustainable living workshops (composting, water-wise and bush friendly gardens) and guided walks. Improved awareness and guidelines on specific species identified for protection within specific neighbourhoods can lead to better conservation potential and outcomes in built projects. For example, earthworm populations decrease in soils covered with gravel and increase in soils covered with bark mulch and no plants. Sharing this type of knowledge has potential to educate and impact local communities' choices in their own gardens as well as understand processes and environments in public places. These research findings may guide future material and amenity choices within WESROC's public open spaces.

## Pollinators

It is an essential ecological survival function. Without pollinators, the human race and all of earth's terrestrial ecosystems would not survive.

In Australia it is estimated that approximately 65% of all flowering plants and some seed species such as cycads and pines, require insect pollinators. This percentage is even higher, up to 80%, for crops that provide fruits, vegetables, textile-related fibres and medicinal products. The majority of flowering plant species found world-wide require animal-mediated pollination to make the seeds that will become the next generation of plants.

However, a study undertaken in 2017 by a UWA PHD student has found that birds are much better at pollinating the Western Australian floral emblem, the Kangaroo Paw, than bees, mainly due to their size. In the south-west of WA, approximately 15% of the 8,000 flowering species

are pollinated by birds and/or mammals. This is the highest percentage in the world. However, little is known about the impact of birds and mammals on pollinating plants. 'We have highly fragmented landscapes in WA, and birds are able to travel further distances,' and 'It's quite easy to see that birds are able to share greater amounts of pollen more widely than insects can.' This ultimately keeps up higher genetic diversity, which is useful for a species' continued survival. The study adds that improving our understanding of the role that birds and mammals play in pollination will allow us to make more effective management and conservation decisions in relation to biodiversity and greening. 'This is just a small part of the overall puzzle. Right now, nearly 40% of plants threatened with extinction in the southwest are pollinated by birds or mammals, which is quite disproportionate. Maybe it's because birds aren't around in these areas or they are outcompeted for resources or there are others plants being favoured over local native plants.'

Pollinators are primarily insects, but sometimes avian or mammalian; they fertilise plants, resulting in the formation of seeds and the fruit surrounding seeds. There are many pollinator species globally however only a few species of pollinators have a direct and easily recognised economic importance to the contribution to ecological function and biodiversity resilience. However, it is possible that pollinator species richness may create resilience to losses of current dominant species. Western Australia is recognised as a diversity hotspot across the globe's Mediterranean climate areas with over 13,000 species of plants therefore this process is critical to long term greening and biodiversity. This significant diversity has evolved through aridity, low carbon soils and a lack of either glacial or volcanic activity to add mineral nutrients to the local geology. The relationships with pollinators include some of the most extreme and bizarre examples anywhere on the planet. In Western Australia, marsupials, birds, bees, beetles, wasps, moths and even emus have a role in pollinating our rich species diversity.

Key management and policy measures need to focus on species not just in human dominated landscapes but need to benefit wider diversity of species including those in specialised habitats. Furthermore, specific practices targeted at endangered and





Image: Example of a very wide east-west orientated street - Grant Street Cottesloe

rare species are needed to not just guarantee the habitat requirements of a wider diversity of species, but for intrinsic biodiversity value. Since colonisation, Perth has lost 70% of its green cover. By 2050 it is expected a further 3% will be lost. This is habitat destruction on a huge scale. The following list critical roles pollination plays in the local WESROC environment:

- » Pollination through insects and other local fauna species is a much more reliable and efficient pollination mechanism than chance dispersal.
- » Determines plant community structures.
- » Pollination by insects and birds is particularly important for many Western Australian native trees and shrubs, particularly the Myrtaceae family. Therefore, the retention and protection of mature existing native tree species and remnant vegetation is critical.
- » Pollination is vital for crop production. One third of the human food supply is crops that are dependent on pollination by bees.

Providing support to pollinators on a small scale is a good method of supporting this critical network in an urban environment. There are a number of approaches individual residences, schools, community groups or other institutions within WESROC can make a difference. These are outlined below:

- » Protect existing natural native vegetation | where possible retain and protect existing native tree species and remnant vegetation.
- » Plant a native garden | choose native species, particularly species from the Myrtaceae family in Western Australia.
- » Seasonal flowering | ensure species planted have a variety of seasonal flowering, this will ensure there is always flowering so that the pollinators have something to attract them every season.
- » Minimise mulch | leaving bare soil exposed in some areas will provide habitat for some species of pollinators.
- » Bird and bee real estate opportunities | create opportunities to support habitat through retaining dead tree trunks or installing a bird or bee house or similar.
- » Garden structure | the bordering around fruits and vegetables with native flowers will improve pollination

of the crops and also support bees when the crops stop blooming. It will also attract and support other pollinators such as wasps and hover flies that control crop pests.

- » Avoid using chemicals in backyard gardens | chemicals and pesticides can affect more than pests. Installing plants that attract natural pest-eaters as well as undertaking “companion planting” is an excellent approach to supporting pollinators in a garden setting.

## Climate Change

### Changing climate

The WESROC precinct is bordered by large water bodies including the Indian Ocean and the Swan River to the West and South. It is therefore largely affected by changing coastal conditions. Historical accounts of sea level change, as well as extensive research, have shown that climate change is undeniable. Although 7000 years old, Aboriginal accounts of rising sea levels associated with the Holocene warming have been found to be accurate (P. D. a. N. J. R. Nunn, 2015). Stories of a time when people could walk out past Wadjemup Bidi (Rottnest Island), illustrate the change that has already taken place in Western Australia’s coastal environment. In the story ‘When the Sea Levels Rose’ (N. Nannup, 2006), a proactive approach was taken to sea level rising, “Nginyarn and kaarda knew... and they prepared for it”. A proactive approach is needed now in regards to Urban Heat Island (UHI) effects and our changing climate. Opportunities to embark on a partnership with Traditional Land Owners and the Local Governments of WESROC, could be a positive step towards enlightened land management practices associated with climate change.

### Urban Heat Island effect

The increase of global warming will worsen the adverse effects of urban heat islands on health and the macroeconomic costs which are associated with maintaining a comfortable living environment for people. Ensuring cities have well connected and managed urban green infrastructure such as parks and trees is key to mitigating the effects of UHI. According to the Victorian Centre for Climate Change and Adaption Research, just a 10% increase in vegetated cover would reduce urban surface temperatures during the day by approximately

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one degree Celsius. Trees specifically shade buildings and streets in the urban environment. While the WESROC area has a significant mature tree network, there is opportunity to increase greening and shade provision. Specific streets that should be prioritised for tree planting can be identified by the Height: Width ratio. In a study completed in 2015, *Planning for cooler cities: A framework to prioritise green infrastructure to mitigate high temperatures in urban landscapes*; wide /very wide, east-west orientated streets should be prioritised for street trees because of high solar exposure. For example Grant Street in Cottesloe, refer image above.

It is important to ensure established trees are given supplementary irrigation in extreme heat as hot weather leads to low water availability. Large trees dying have the most serious impact in extreme weather conditions, this is due to the reduction in cooling they provide, the associated replacement costs and the time to grow to provide the same positive cooling affects. In managing heat trapping it is best to ensure trees do not form a continuous canopy, this allows ventilation and long-wave radiation to escape through the foliage, rather than trapping it at ground level. Parks also play an important role in urban green infrastructure; research data suggests parks cooling effects can reach up to 1 km from the park boundary and water bodies can increase cooling effects. Refer Figure 5: *Land Use identifies existing open space*. Preserving existing green spaces and ensuring they are healthily maintained is an important part of Local Government’s responsibility as caretakers of these spaces which are a vital part of the whole urban environment.

**Stormwater treatments**

The hydrological benefits of urban green space have been well researched, demonstrating the management of stormwater runoff through landscaping has cooling benefits and provides fauna habitat. Hard stormwater treatments can be reduced through the application of vegetation to detain water and encourage aquifer recharge. These systems are able to reduce water treatment costs and flooding risks, and they can also provide new or additional habitats for plants and local fauna within the urban environment. Increased complexity of vegetation habitats can increase hydrological resilience and improve urban biodiversity habitats. There are a number of existing streetscape locations within the urban environment of WESROC that currently have improved runoff and stormwater treatments, including the Parkside Development in Jolimont, which has integrated rain gardens into the streetscape, refer image above. Another example in a very urban setting is the Kings Square redevelopment in the City of Perth, refer image above. As part of the design of the streetscape, a water sensitive urban design strategy was developed that includes a network of raingardens integrated with street parking. These raingardens provide retention, filtration, litter management and bio-remediation outcomes and integration with street furniture and lighting. The raingardens are designed to fit into the cross-sectional parking dimension between road crossing points. They are located to accommodate alfresco dining and retail

opportunities at certain locations with shade, rest points and amenity provided by the vegetation and trees. These two residential and urban examples highlight there is an opportunity to identify additional locations either through carparks, planning conditions for new developments and in public open space within WESROC to implement similar solutions.

**Effects of climate on community**

Our urban planning approach and local government policy needs to address areas with particularly vulnerable communities to ensure UHI effects are reduced. “Outside aged care facilities, schools and community centres, health care centres, socio-economic support locations, and social housing complexes”, are all areas identified by the study, *Planning for cooler cities: A framework to prioritise green infrastructure to mitigate high temperatures in urban landscapes*, that offer a starting point for urban greening efforts to be made. Refer Figure 12: *WESROC Example of vulnerable communities*; this is an example of key locations within a WESROC LGA, that should be prioritised for increasing green infrastructure initiatives. Vulnerable populations include the elderly, people with pre-existing physical or mental illness, infants and children as well as people living alone or in low socio-economic circumstances.



Image: Kings Square Rain Gardens | Drawing by AECOM



Image: Rain Gardens in Parkside, Jolimont | Julian Croudace



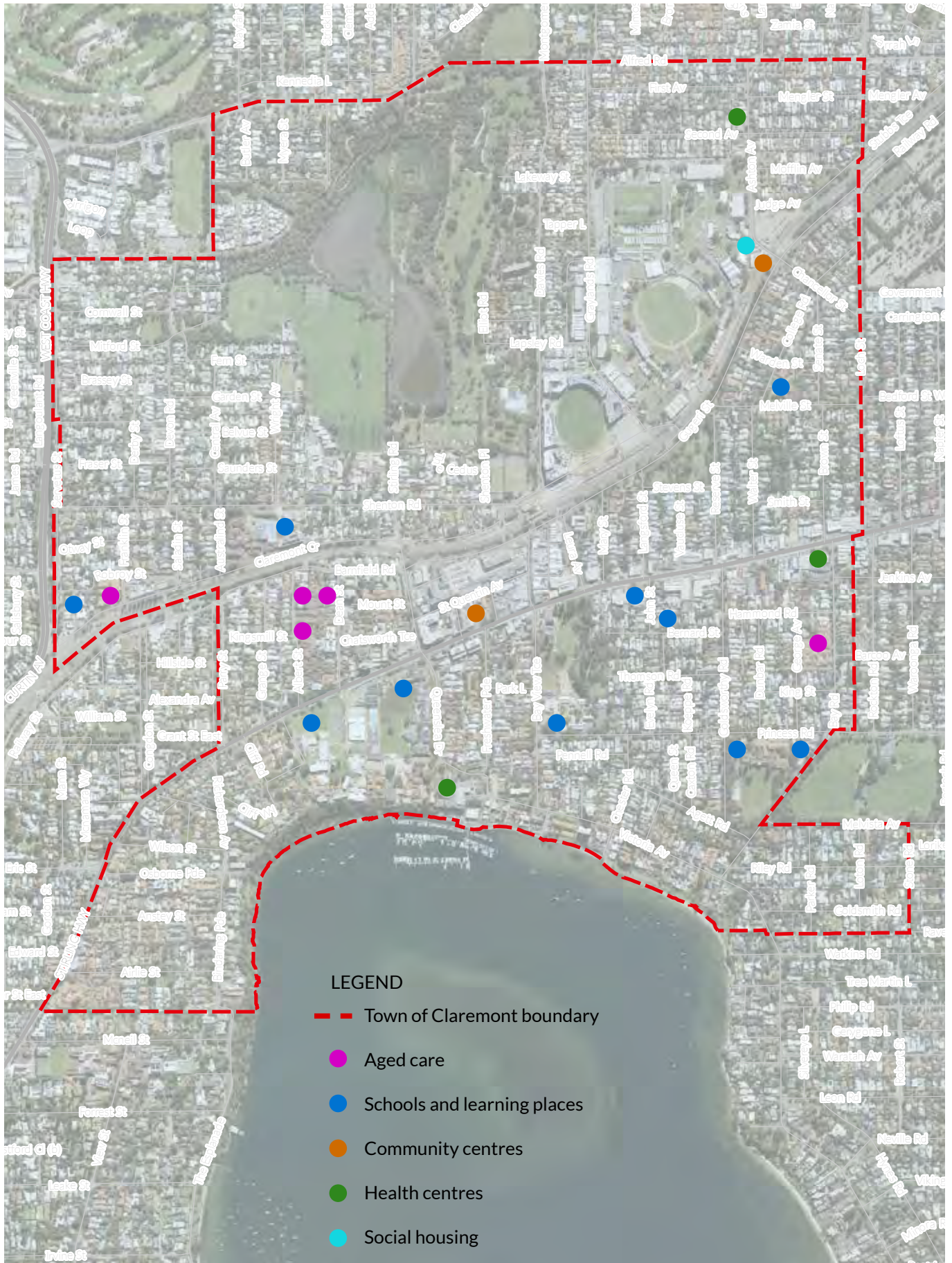


Figure 12: WESROC Example of vulnerable communities



## DEVELOPING THE GREENING PLAN



Image: Friends of Bold Park Bushland Inc | <https://www.facebook.com/ReaboldHill/>

Identifying ways to mitigate the UHI effects within these communities will greatly benefit the wider community and has potential to relieve stress on health services. To identify these areas and the particular risk factors, knowledge of key LGA staff should be sought combined with consulting with professionals that have a deep knowledge of local demographics, such as local social service and health professionals. Vegetation in lower income urban areas is especially important as the Ecological Applications, vol. 21 2011 states, “lower income populations have less means to cope with extreme temperatures. While wealthier people may have access to cooling systems, the low-income population relies more on what is publicly available.” Therefore, it is imperative to ensure the green infrastructure publicly available is abundant and maintained effectively to service its local community. Figure 5: Land Use, shows the green infrastructure currently existing within WESROC.

## Citizen Science

### *The importance of private spaces*

Private spaces and residential gardens are particularly important opportunities to improve biodiversity and green links, as urban areas comprise of a large portion of domestic land use. The Land use map, Figure 5 displays the high portion of urban land within WESROC. Maximising biodiversity, conservation through tree retention and encouraging native planting are key activities which can easily occur within residential land holdings; they are also considered vital in developing wildlife corridor connectivity with in urban areas. Gardens facilitate the essential interactions between people and wildlife which foster long-term pro-environmental behaviour, according to P. T. Maiteny who authored *Mind in the gap: summary of research exploring ‘inner’ influences on pro-sustainability learning and behaviour* for the Environmental Education Research in 2010. It has been concluded that the combined impact private spaces can have on the wider environment can be both positive, through enhanced biodiversity and negative, through application of lawn chemicals, predation by domestic cats, or the enhancement of biological invasions (Goddard, 2013).

Therefore, education and influencing popular opinion is an important method through which these spaces can contribute positively. A 2009 article in *Landscape and Urban Planning*, Australian native gardens: Is there scope for a community shift? Suggests - “Norms theory suggests that if we can change the paradigm of what is fashionable in terms of gardens then this can be used to create a shift in gardening practices. The article continues with opinions about the aesthetic appeal of native gardens are becoming more positive; this suggests and gives hope for changing attitudes towards encouraging biodiversity into our own backyards.

### **Community initiatives**

Incentive programmes are an opportunity that encourage the community to plant native species as well as increase awareness and positive associations with the environment. A key method in addressing this is through the cultural norms and conventions of residential landscapes. Research undertaken by Goddard in 2013 - *Why garden for wildlife?* Social and ecological drivers, motivations and barriers for biodiversity management in residential landscapes, showed that the most important influence on gardening are friends and neighbours, this implies that prevailing social norms are the main driver for management and attitudes towards gardens. Methods which local government can adopt to encourage native gardens include sending out information on local indigenous plants to all new residents as a welcome to the neighbourhood, and building relationships with local nurseries to encourage supply and demand for local native species particular to those vegetation communities in that region. It has been discussed that top-down financial incentives do not have as much of an impact as “community-driven initiatives that engage, educate and empower residents”. Therefore, community driven projects should be facilitated and encouraged by WESROC local governments as a priority.

### **‘Spaces between’**

The exchange of ecological knowledge can empower residents to become local stewards thereby creating sustainable and resilient communities. Spaces that serve



this purpose are allotment gardens, pocket parks, empty lots (private or Council owned) and collectively managed urban places. The term 'spaces between' has been defined by Moran in an article in *GeoJournal* 2011, titled - Between outside and inside? Prison visiting rooms as liminal carceral spaces. They are spaces that are "at the margins", characterized by emergence and flux, fluidity and malleability, and are neither segregated nor uncontained". These places present immense opportunity for ground up projects with strong community involvement. Research shows that special features of informal green space that distinguish it from formal spaces are appreciated by residents, these features include naturalness, less maintained look, diversity and mystery. These imperfect spaces are an asset to community and biodiversity and should therefore be protected from development as part of urban infill.

## Studies have demonstrated that nature experiences in childhood play a vital role in developing nature-oriented attitudes which in turn creates preferences for nature-based activities in adult life.

*"Visiting green space is associated with mental health and vitality: A cross-sectional study in four european cities," Health Place, vol. 38, pp. 8-15, 2016.*

### **The positive impacts of Education**

Continuing education is needed to dispel the misconceptions surrounding safety in natural environments and the fauna that inhabits them. Research shows the highest subgroup

of 'unwelcome' animals is insects; unfortunately, this is concerning as insects are a vital part of global biodiversity and have a very important role in ecosystem function. In Goddard's study, education of children and the school environment is shown to have the greatest responsibility for encouraging first-hand experience of nature.

Therefore, schools have a strong impact on community awareness and attraction towards natural environments, it is these institutions who must ensure ongoing connections to nature are fostered. The responsibility on a local government and planning scale within WESROC is to provide quality spaces for children to connect with nature that are in close connection to educational intuitions. These spaces provide opportunity for risk taking, discovery and creativity, providing a stronger sense of self, inspiring basic emotional states, and enhancing psychological restoration. Initiatives encouraged by the Town of Claremont in collaboration with local schools to undertake Landcare activities are a good example of fostering an appreciation for our natural environment in children.

### **Green Linkages & Infrastructure**

#### **Green infrastructure's environmental benefit**

Green infrastructure (GI) is defined as a network of spaces including "parks and reserves, backyards and gardens, waterways and wetlands, greenery on streets and transport corridors, pathways and greenways, squares and plazas, roof gardens and living walls, sports fields and cemeteries (Roger Jones, 2015). Figure 13: What is Green Infrastructure? illustrates the spaces that define green infrastructure within WESROC and Figure 7: Bush Forever Plan, displays the existing green spaces within the WESROC area. Each of these spaces is an important part of the whole, providing benefits to people and biodiversity, GI plays a key role "in creating, restoring and enhancing habitats and linkages between them" (Gemma Jerome, 2019). These spaces serve urban communities in changing the local macro-climatic conditions. Protecting existing green links and providing extended connections for biodiversity is an important goal



Image: Nature Orientated Attitudes

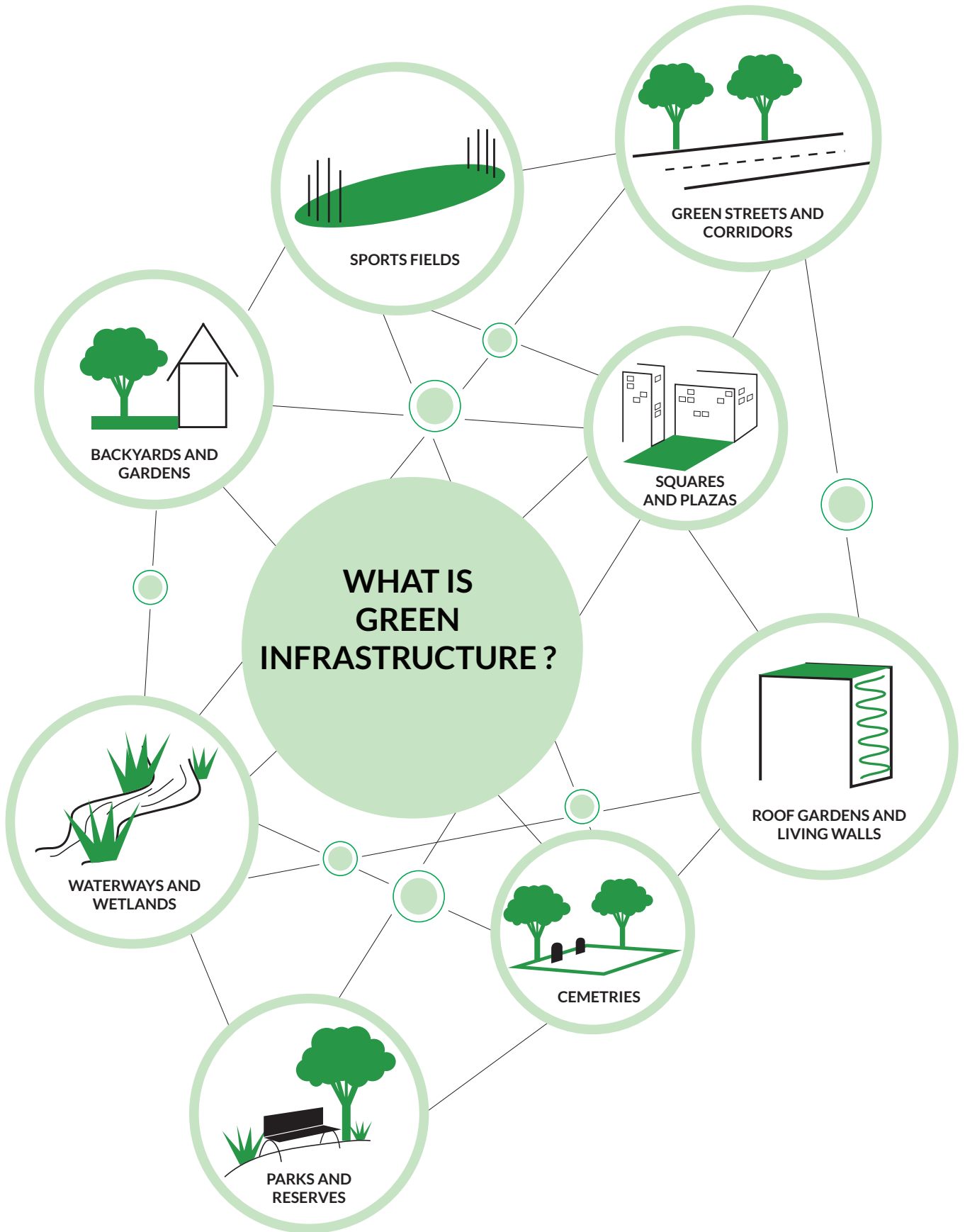


Figure 13: What is Green Infrastructure?





Image: Example of urban environment adjacent greenspace - Bendat Basketball Centre | Ecoscape

for the WESROC area. The prime mechanism through which nature is protected within cities is through the development of and protection of Green Infrastructure. According to Hobbs, "Nature Conservation: The role of corridors" 1990, without the connections between urban green spaces, isolated places have limited benefits for biodiversity, because dispersal and gene flow are restricted. The suburbs within the WESROC area have valuable mature trees and verge space that form part of the existing green links and infrastructure. Creating wildlife corridors and means for fauna to connect is beneficial for key species to move across urban environments. The Ecologic Institute and GHK Consulting, Berlin, firmly believe GI should be strategic and needs a "co-ordinated initiatives that focus on maintaining, restoring, improving and connecting existing areas and features, as well as creating new areas and features." Research demonstrates the importance of having a strategic green plan such as this strategy for WESROC.

### **Green infrastructure improving liveability**

Green infrastructure also has economic benefits, by improving amenity it has potential to increase property values as well as improve consumer activity. These spaces are also a 'free service' that can support other economic activities such as recreation, sport and tourism. Public spaces along the Swan River, such as sporting ovals provide this service within WESROC. There is evidence that GI in urban environments benefit economically deprived communities more than others, therefore GI provided to these communities can create more equal socioeconomic conditions. The Victoria University, prepared a Green Paper for assessing the economic value of GI, and recorded that GI can also increase urban liveability and is increasingly being recognised as one of the main aspects contributing to liveability. By reducing climate impact related risk well designed GI can "lessen the physical, emotional and financial cost of damaging events". Correct land management and green infrastructure along the waterfront, both beach front and river front in WESROC provide a buffer against the effects of our changing climate and is therefore a valuable investment.

**"Sensitively managing established urban areas adjacent to large areas of greenspace, is important to reduce negative effects on adjacent habitats".**

*"Key lessons for achieving biodiversity-sensitive cities and towns," Ecological Management & Restoration, vol. 16 2015*

### **'Urban Edges'**

Urban edges are a key area that GI has an impact on, within WESROC locations including Bold Park, Lake Monger and Bush Forever sites can be defined as 'wildland'. According to E. Arroyo (2000), "When development is configured in a manner that creates a high ratio of development edge to wildland, there is an increase in the potential impacts caused by human use". It is essential the interface between urban and wild provides a positive effect on the 'wild' side. Green links strategically placed adjacent to bush forever areas can become key migratory connections for these pockets that would otherwise become isolated.

## DEVELOPING THE GREENING PLAN

## GREENING PLAN 2002 OBJECTIVES &amp; RECOMMENDATIONS

The following table outlines the original 2002 Greening Plan Objectives and Recommendations. Following the adoption of the WESROC Greening Plan in 2002, the LGA members of WESROC have been working towards these Objectives and Recommendations.

Table 4: 2002 Greening Plan Objectives &amp; Recommendations

OBJECTIVE	RECOMMENDATIONS
<b>Objective 1: Protection and Management of Existing Bushland</b>	
1.1	Retain and improve, where possible, all existing bushland and wetlands found within the Western Suburbs.
1.2	Develop management plans for all major bushland and wetland areas within the Western Suburbs.
1.3	Encourage community involvement in the management of existing bushland. Ensure that adequate training is given to volunteer groups before undertaking restoration efforts.
<b>Objective 2: Develop and Maintain Greenways</b>	
2.1	Develop greenways in the order of regional linkages, securing linkages and developing linkages on local government managed land.
2.2	Develop and maintain greenways to encourage movement of native biota.
2.3	Develop partnerships with major land owners such as Main Roads WA, Westrail and Western Power to increase the ecological and aesthetic value of their land so they have the capacity to act as greenways.
2.4	Encourage individual, corporate and institution land owners to contribute to the greenway program through the development of ecological and aesthetic enhancement of their land.
2.5	Undertake detailed planning and design of greenway project sites.
<b>Objective 3: Establishing Greenways on Publicly Owned Land</b>	
3.1	Expanding Existing Bushland Areas: <ul style="list-style-type: none"> <li>» <i>Where possible expand existing remnants through restoration of contiguous land.</i></li> <li>» <i>Increase the quantity and quality of bushland adjoining existing remnants.</i></li> <li>» <i>Develop demonstration sites that show the contiguous expansion of bushland through various restoration techniques.</i></li> </ul>
3.2	Greening Parkland Areas: <ul style="list-style-type: none"> <li>» <i>Identify public open space areas that may contribute to greenway development</i></li> <li>» <i>Prepare innovative designs for sites that demonstrate a distinctive sense of place for each area that embraces the unique characteristics of the environment.</i></li> <li>» <i>Establish community ownership of parks through precinct groups, schools or friends of park groups.</i></li> <li>» <i>Incorporate public art to create spaces with unique identities that create a sense of place and local community ownership.</i></li> <li>» <i>Implement the greening and habitat enhancement of parts of public open space.</i></li> <li>» <i>Demonstrate the use of primarily native flora in the design of public open space.</i></li> </ul>
3.3	Greening Coastal and River Foreshore Areas: <ul style="list-style-type: none"> <li>» <i>Develop a continuous and contiguous greenway along the river foreshore and coastal areas.</i></li> <li>» <i>Develop ecological and landscape designs that minimise conflicts with adjoining owners through their involvement in the design process.</i></li> <li>» <i>Create interpretative displays that educate and inform the public about the environmental process in coastal areas, and the Aboriginal and European history of the areas.</i></li> </ul>
3.4	Greening Streetscapes: <ul style="list-style-type: none"> <li>» <i>Use streetscapes as a means of connecting natural bushland areas</i></li> <li>» <i>Increase the aesthetic and ecological values of existing streetscapes</i></li> <li>» <i>Encourage community involvement in streetscape design</i></li> <li>» <i>Develop demonstration sites that help create new precedents in streetscape design within the context of greenways</i></li> <li>» <i>Develop designs and plans for different road and street hierarchies (taking account of public safety and design requirements) which incorporate greenway principals, the retention of existing trees and the involvement of the community in the process.</i></li> </ul>
3.5	Greening of Other Public Land: <ul style="list-style-type: none"> <li>» <i>Work with relevant government land owners and departments to develop their land for greenway purposes.</i></li> <li>» <i>Encourage the use of innovative design that meet sustainability measures in the greening of government land.</i></li> </ul>



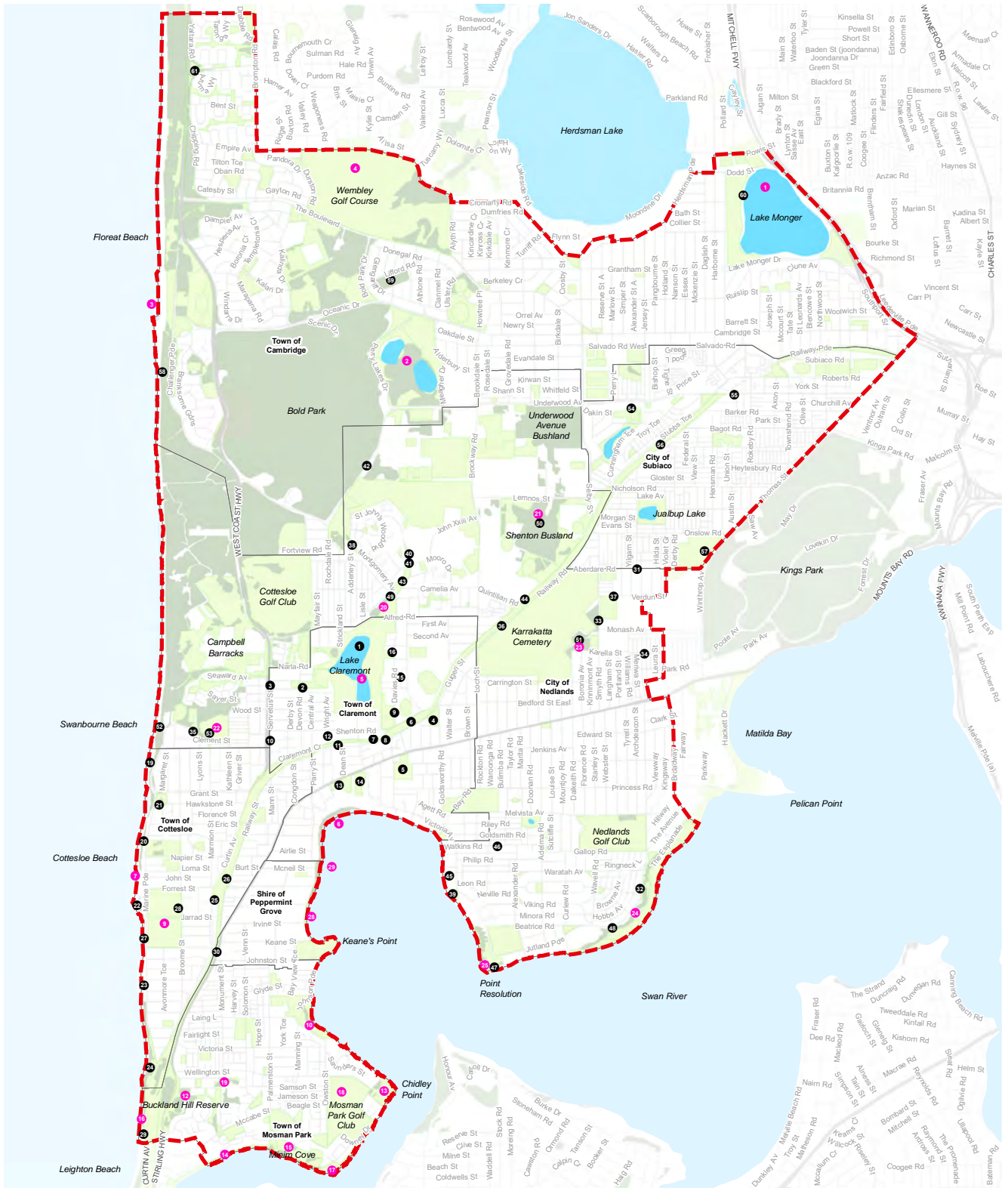


Image: Herdsman Lake boardwalk | Sally Wallace

OBJECTIVE	RECOMMENDATIONS
<b>Objective 4: Greening of Private Land</b>	
4.1	Greening Residential Land: <ul style="list-style-type: none"> <li>» Encourage private residences adjacent to greenways to introduce indigenous vegetation into their property.</li> <li>» Encourage properties not directly related to the Greening Plan to vegetate their property with appropriate local species as this contributes to the amenity of the area.</li> <li>» Promote that all landowners have the opportunity to participate in and contribute to the creation of a more attractive and sustainable environment.</li> <li>» Encourage the development of planting plans which provide appropriate indigenous species and incorporate any existing significant vegetation.</li> <li>» Promote planting lists of appropriate flora for private property abutting major greenways to maximise the width of greenways and include requirements for appropriate landscape plans into future major development approvals.</li> </ul>
4.2	Greening Residential Institutions and Corporations: <ul style="list-style-type: none"> <li>» Involve educational institutions, corporations and businesses in the implementation of the greening plan.</li> <li>» Involve school and tertiary institutions in the monitoring and evaluation of the greenways program.</li> <li>» Provide formal recognition, assistance and planning and resources to participating Institutes.</li> <li>» Involve students in projects to educate them in all aspects of the Greening Plan.</li> </ul>
<b>Objective 5 : Community Education, Awareness and Involvement</b>	
5.1	Develop a community awareness and involvement program for the Western Suburbs Greening Program.
5.2	Actively involve the community in green plan initiatives.
5.3	Provide literature and support to land owners who wish to undertake greening initiatives particularly within greenway priority areas.



DEVELOPING THE GREENING PLAN



**LEGEND**

**WESROC Greening Projects**

- Planning Document
- On-ground Implementation
- ▭ WESROC Boundary
- ▭ Local Government Boundaries
- ▭ Waterbodies

**Vegetation Classification**

- ▭ High Density - Bushland
- ▭ Open Space

Figure 14: Greening Projects since 2002



Table 5: List of WESROC Actions and Locations

Please read in conjunction with Figure 14.

ON-GOUND IMPLEMENTATION PROJECTS (shown on Figure 14)		
Number	Action	LGA
1	Revegetation project Lake Claremont	Town of Claremont
2	Revegetation project at McKenzie Bush	Town of Claremont
3	Revegetation project at Servetus Street	Town of Claremont
4	Revegetation project at Rowe Park	Town of Claremont
5	Revegetation project at Claremont Park	Town of Claremont
6	Greenways developed at Shenton Road	Town of Claremont
7	Greenways developed at Claremont Crescent	Town of Claremont
8	Greenways developed at Guger Street	Town of Claremont
9	Greenways developed at Davies Road	Town of Claremont
10	Greenways developed at Servetus Street	Town of Claremont
11	Greenways developed at Barnfield Road	Town of Claremont
12	Encouraging Scotch College to undertake landcare activities within their school grounds.	Town of Claremont
13	Encouraging Methodist Ladies College to undertake landcare activities within their school grounds.	Town of Claremont
14	Encouraging ChristChurch Grammar to undertake landcare activities within their school grounds.	Town of Claremont
15	Restoration of garden beds at Motteram Ave Park	Town of Claremont
16	Restoration of garden beds at Mulder Park	Town of Claremont
17	Restoration of garden beds at Maclagan Park	Town of Claremont
18	Restoration of garden beds at Mackenzie Bushland	Town of Claremont
19	Greenways developed/ maintained Dunes between Swanbourne boundary and N9 beach access path	Town of Claremont
20	Greenways developed/ maintained Dunes between Cottesloe Main beach and Grant Street	Town of Cottesloe
21	Greenways developed/ maintained Grant Marine Park	Town of Cottesloe
22	Greenways developed/ maintained Mudurup Rocks	Town of Cottesloe
23	Greenways developed/ maintained Dunes between Dutch Inn Groyne and Salgado Street	Town of Cottesloe
24	Greenways developed/ maintained Sydney Street dunes to Mosman Park Boundary (includes Vlamingh)	Town of Cottesloe
25	Greenways developed/ maintained Grant Street and Curtin Avenue (road reserve along train line)	Town of Cottesloe
26	Greenways developed/ maintained Railway Road and carpark (road reserve along the train line)	Town of Cottesloe
27	Locations of Native tree nodes along the Cottesloe Foreshore	Town of Cottesloe
28	Greenways maintained Cottesloe Native Garden	Town of Cottesloe
29	Restoration of Mosman Beach dunes	Town of Mosman Park
30	Planting Agonis flexuosa along Stirling Highway verges within the SPG jurisdiction as per Transit Reserve greening plan.	Shire of Peppermint Grove
31	Greenways developed on Aberdare Road	City of Nedlands
32	Greenways developed on Birdwood Parade	City of Nedlands
33	Greenways developed on Smyth Road	City of Nedlands
34	Greenways developed on Karella Street	City of Nedlands
35	Greenways developed on Odern Crescent	City of Nedlands
36	Greenways developed on Railway Road	City of Nedlands
37	Greenways developed on Verdun Street	City of Nedlands
38	Greenways developed on Montgomery Avenue	City of Nedlands
39	Greenways developed on Bishop Rd Reserve	City of Nedlands
40	Greenways developed on Heritage Lane	City of Nedlands
41	Greenways developed on Mooro Park	City of Nedlands
42	Greenways developed on Stephenson Avenue	City of Nedlands
43	Greenways developed on Pine Tree Park	City of Nedlands
44	Greenways developed on Stubbs Terrace	City of Nedlands
45	Greenways developed on Waratah Place	City of Nedlands
46	Greenways developed on Watkins Road	City of Nedlands
47	Revegetation at Point Resolution	City of Nedlands
48	Revegetation at Birdwood Parade	City of Nedlands
49	Revegetation at Mt Claremont Oval Bushland	City of Nedlands
50	Revegetation at Shenton Bushland	City of Nedlands
51	Revegetation at Hollywood Reserve	City of Nedlands
52	Revegetation at Swanbourne Dunes	City of Nedlands
53	Revegetation at Allen Park	City of Nedlands
54	Jolimont Primary to protect and enhance remaining bushland on the school site	City of Subiaco
55	Hay Street median islands greenways project undertaken.	City of Subiaco
56	Rail Corridor Greenway – Nash Street to Hay street both sides of rail reserve planted and maintained as greenways. Hadyen Bunton Drive to Thomas street works ongoing.	City of Subiaco
57	Rosalie Park regional greenway establishment.	City of Subiaco
58	Ongoing restoration of coastal dunes	Town on Cambridge
59	Revegetation and Verge planting of trees	Town on Cambridge
60	Extensive regenerative works undertaken at Lake Monger	Town on Cambridge
61	Grass and mono-culture of Acacia removed and 1500 native seedlings planted	Town on Cambridge
PLANNING DOCUMENTS (shown on Figure 14)		
Map No.	Document	LGA
1	Lake Monger Reserve Management Plan	Town of Cambridge
2	Perry Lakes Reserve Management Plan	Town of Cambridge
3	The Coastal Dunes Management Plan	Town of Cambridge
4	Wembley Golf Complex Management Plan	Town of Cambridge
5	Management Plan for Lake Claremont, updated plan for 2016-2021	Town of Claremont
6	Management Plan for Foreshore	Town of Claremont
7	Cottesloe Natural Areas Management Plan 2008	Town of Cottesloe
8	Cottesloe Natural Areas Management Plan, Addendum 1 2015	Town of Cottesloe
9	Sea View Golf Club Management Plan (2012)	Town of Cottesloe
10	Bay View Park Environmental Management Plan 2009	Town of Mosman Park
11	Bay View Park Revegetation Plan 2010	Town of Mosman Park
12	Buckland Hill Conservation Management Plan (2019)	Town of Mosman Park
13	Chidley Point Reserve MP 2018	Town of Mosman Park
14	Garungup Reserve Environmental Management Plan 2018	Town of Mosman Park
15	South Mosman Park Bushland Management Plan 2009	Town of Mosman Park
16	Mosman Beach Management Plan 2003	Town of Mosman Park
17	Point Roe Management Plan 2019	Town of Mosman Park
18	Mosman Park Golf Club Environmental Management Plan	Town of Mosman Park
19	Monument Hill Revitalisation Plan	Town of Mosman Park
20	Mount Claremont Oval Reserve Management Plan 2013 (revised 2019-2024)	City of Nedlands
21	Draft Shenton Bushland Management Plan 2019 – 2024	City of Nedlands
22	Draft Allen Park Bushland Management Plan 2019 – 2024	City of Nedlands
23	Draft Hollywood Reserve Management Plan 2019 – 2024	City of Nedlands
24	Draft Birdwood Parade Management Plan 2019 – 2024	City of Nedlands
25	Draft Point Resolution Bushland Management Plan 2019 – 2024	City of Nedlands
28	Foreshore Environmental Management Plan May 2015	Shire of Peppermint Grove
29	WESROC Foreshore Management Plan May 2016	Shire of Peppermint Grove

## DEVELOPING THE GREENING PLAN

## WHAT'S HAPPENED SINCE 2002?

The members of WESROC have undertaken a considerable number of projects and actions aligned with the Greening Plan 2002 objectives and recommendations. The following pages describe the actions and projects undertaken by WESROC member council for each objective.

Table 6: 2002 Objective 1 Protection and Management of Existing Bushland

WESROC MEMBER	ACTIONS & COMPLETED PROJECTS
<b>Objective 1: Protection and Management of Existing Bushland</b>	
<b>Town of Cambridge</b>	<ul style="list-style-type: none"> <li>» Biodiversity Action Plan 2011-2015 developed in 2011. Update for 2016-2020 currently drafted.</li> <li>» Management plans in place for Lake Monger Reserve, Perry Lakes Reserve, The Coastal Dunes and Wembley Golf Complex. All other natural areas are managed under the Biodiversity Action Plan.</li> <li>» Three community groups active within the Town, the latest formed in 2016.</li> </ul>
<b>Town of Claremont</b>	<ul style="list-style-type: none"> <li>» Revegetation projects at Lake Claremont, McKenzie Bush, Servetus Street, Rowe Park and Claremont Park.</li> <li>» Management Plan for Lake Claremont.</li> <li>» Management Plan for Foreshore.</li> <li>» Assist FOLC with technical support and guidance.</li> <li>» Mofflin to Second Ave verge garden.</li> <li>» Claremont Crescecent verge gardens.</li> <li>» Guger Street verge gardens.</li> <li>» Lake Claremont vegetation buffer complete.</li> </ul>
<b>Town of Cottesloe</b>	<ul style="list-style-type: none"> <li>» Cottesloe Natural Areas Management Plan (2008).</li> <li>» Cottesloe Natural Areas Management Plan, Addendum 1 (2015).</li> <li>» Cottesloe Coastcare Association are actively involved in the management of coastal reserves and other natural areas in the Town.</li> <li>» Revegetation projects along coastal sites.</li> </ul>
<b>Town of Mosman Park</b>	<ul style="list-style-type: none"> <li>» All Mosman Park owned bushlands are managed for conservation.</li> <li>» Existing Management Plans for: <ul style="list-style-type: none"> <li>- Bay View Park Environmental Management Plan (2009)</li> <li>- Bay View Park Revegetation Plan (2010)</li> <li>- Chidley Point Reserve MP (2011) – due to be updated in 2017</li> <li>- Chidley Point Reserve Management Plan (2018)</li> <li>- South Mosman Park Bushland Management Plan (2009)</li> <li>- Point Roe Management Plan (2019)</li> <li>- Mosman Beach Management Plan (2003).</li> </ul> </li> <li>» One active 'Friends Of' volunteer group (Friends of Mosman Park Bushland) and encouraging others to be developed through developing a Friends Group User Manual. The current Friends Group is given training opportunities and funding to purchase equipment and resources.</li> </ul>
<b>City of Nedlands</b>	<ul style="list-style-type: none"> <li>» All Nedlands owned bushlands managed for conservation.</li> <li>» New management plan developed for Mount Claremont Oval Reserve (2013) and all existing bushland management plans reviewed and updated in 2013.</li> <li>» Five community groups active within Nedlands reserves (including one new group est. 2007).</li> <li>» Greenways Policy 2001 (updated 2012 and 2017).</li> </ul>
<b>Shire of Peppermint Grove</b>	<ul style="list-style-type: none"> <li>» SPG Foreshore Environmental Management Plan May 2015 (Natural Area Consulting).</li> <li>» WESROC Foreshore Management Plan May 2016 (Seashore Engineering).</li> </ul>
<b>City of Subiaco</b>	<ul style="list-style-type: none"> <li>» All Subiaco owned bushland managed for conservation – Now in the City of Perth.</li> <li>» Working with Jolimont Primary to protect and enhance remaining bushland on the school site. Federal government grants received for works.</li> <li>» City of Subiaco Environmental Volunteers group works in bushland and green corridor areas.</li> <li>» Regular dieback treatment and mapping of all reserves in the city to protect existing values.</li> <li>» City of Subiaco Wildlife Enhancement Plan.</li> <li>» City of Subiaco Plant Pathogen Management Plan.</li> <li>» City of Subiaco Environmental Enhancement Plan 2012-2016.</li> </ul>



Table 7: 2002 Objective 2 Develop and Maintain Greenways

WESROC MEMBER	ACTIONS & COMPLETED PROJECTS
<b>Objective 2: Develop and Maintain Greenways</b>	
Town of Cambridge	<ul style="list-style-type: none"> <li>» Continue revegetation of coastal dunes and Lake Monger, Roscommon Park. Verge planting of trees.</li> <li>» Monitor and maintain existing greenways through weed control and infill planting.</li> <li>» Partnership opportunities being investigated eg. with Water Corporation.</li> <li>» Native Plant Subsidy Scheme.</li> <li>» Implement actions under Lake Monger Rehabilitation Plan, Western Side of the Lake.</li> </ul>
Town of Claremont	<ul style="list-style-type: none"> <li>» Greenways developed at Shenton Road, Claremont Crescent, Guger Street, Davies Road, Servetus Street and Barnfield Road.</li> <li>» Encouraging Scotch College, ChristChurch Grammar and Methodist Ladies College to undertake landcare activities within their school grounds.</li> </ul>
Town of Cottesloe	<ul style="list-style-type: none"> <li>» MOU with PTA signed 2008.</li> <li>» Greenways developed/ maintained: <ul style="list-style-type: none"> <li>- Dunes between Swanbourne boundary and N9 beach access path</li> <li>- Dunes between Cottesloe Main beach and Grant Street</li> <li>- Grant Marine Park</li> <li>- Mudurup Rocks</li> <li>- Dunes between Dutch Inn Groyne and Salvado Street</li> <li>- Sydney Street dunes to Mosman Park Boundary (includes Vlamingh)</li> <li>- Grant Street and Curtin Avenue (road reserve along train line)</li> <li>- Railway Road and carpark (road reserve along the train line)</li> </ul> </li> <li>» Railway corridor Greening plan created as a landscaping design for the new Principal Shared Path (2019).</li> <li>» Street tree policy updated (2019) – ensures a minimum of one tree is planted per verge adjacent to each residential property, including new developments.</li> <li>» Locations of Native tree nodes along the Cottesloe Foreshore determined and planted as a trial for more tree nodes.</li> </ul>
Town of Mosman Park	<ul style="list-style-type: none"> <li>» The Town has good local bushland linkages, especially between Garungup Park, Minim Cove and Point Roe Park along the river.</li> <li>» The restoration of Mosman Beach dunes in stages has significantly improved the visual amenity of the beach, as well as providing habitat for local fauna.</li> <li>» The Town has facilitated a Environmental Management Plan for the local Golf Club to use and follow.</li> <li>» The Town has a couple of community verge gardens maintained by a collection of residences.</li> <li>» The Vlamingh Parklands (1998).</li> <li>» Memorandum of Understanding with the Public Transport Authority of WA, signed 2008.</li> <li>» Street Tree Masterplan (2019).</li> </ul>
City of Nedlands	<ul style="list-style-type: none"> <li>» MOU with PTA signed 2008.</li> <li>» Greenways developed: <ul style="list-style-type: none"> <li>- Aberdare Road, Birdwood Parade, Smyth Road, Karella Street, Odern Crescent, Railway Road, Verdun Street, Montgomery Avenue, Bishop Rd Reserve, Heritage Lane, Mooro Park, Stephenson Avenue, Pine Tree Park, Stubbs Terrace, Waratah Place and Watkins Road.</li> <li>- coastal and river foreshore greenways developed and enhanced.</li> </ul> </li> </ul>
Shire of Peppermint Grove	<ul style="list-style-type: none"> <li>» Planting <i>agonis flexuosa</i> along Stirling Highway verges within the SPG jurisdiction as per Transit Reserve greening plan.</li> </ul>
City of Subiaco	<ul style="list-style-type: none"> <li>» MOU with PTA signed 2008.</li> <li>» Hay Street median islands greenways project undertaken.</li> <li>» Rail Corridor Greenway – Nash Street to Hay street both sides of rail reserve planted and maintained as greenways. Hadyen Bunton Drive to Thomas street works ongoing.</li> <li>» Rosalie Park regional greenway establishment.</li> <li>» City of Subiaco Wildlife Enhancement Plan.</li> <li>» City of Subiaco Plant Pathogen Management Plan.</li> <li>» City of Subiaco Environmental Enhancement Plan 2012-2016.</li> <li>» City of Subiaco Sustainability and Resilience Strategy 2016-2021.</li> </ul>

## DEVELOPING THE GREENING PLAN

Table 8: 2002 Objective 3 Establishing Greenways on Publicly Owned Land

WESROC MEMBER	ACTIONS & COMPLETED PROJECTS
<b>Objective 3: Establishing Greenways on Publicly Owned Land   Expanding Existing Bushland Areas</b>	
Town of Cambridge	» Rehabilitation works undertaken at the coastal dunes, Challenger Park, Chipping Park, Fred Burton Park, Roscommon Park, The Quarry Amphitheatre, and Templetonia Park.
Town of Claremont	» Revegetation projects at Lake Claremont, McKenzie Bush, Rowe Park, Claremont Park and Claremont foreshore. » Bradley method of revegetation has been used as a guiding principle for all restoration works.
Town of Cottesloe	» Cottesloe Native Garden – weed eradication and replanting. » Increased dune system restoration works including weed control, erosion control and revegetation with native seedlings to create habitat linkages in northern, central and southern coastal sites. » Demonstration sites exist on the foreshore between the main beach and North Cottesloe SLSC where all dunes have undergone restoration works over a number of years.
Town of Mosman Park	» Minim Cove Park's Bushblock project to protect a patch of remnant bushland. » Conversion of grass into bushland to expand bushland buffer at Minim Cove Park. » Revegetation and erosion control at the Mosman Beach dunes. » Revegetation of Beehive Montessori School verge (2015 and further expansion in 2017). » Conversion of weedy carpark verge at Mosman Beach into native bushland. » Christ Church Grammar School 'Chidley Sanctuary' project – on-going conservation maintenance of a section of bushland with the students since 2008.
City of Nedlands	» Point Resolution Greenway Buffer project. » Degraded edges of bushlands restored. » Flyash Hill Greenway linkage Project. » Artistic limestone wall murals project (Friends of Allen Park and Swanbourne Primary School). » Nedlands library native garden project. » Shenton Bushland "Barrens Project". » Swanbourne Primary bushland revegetation project. » David Cruickshank ecozone project.
Shire of Peppermint Grove	» Planting and hydrozoning along Freshwater Bay Foreshore Bush Forever site.
City of Subiaco	» Jolimont Primary bushland area expanded to include green corridor linkages. » Rosalie Primary School Greenway planting around school site. » Direct seeding trial undertaken along rail reserve to trial different restoration techniques.
<b>Objective 3: Establishing Greenways on Publicly Owned Land   Greening Parkland Areas</b>	
Town of Claremont	» FOLC are a registered non for profit organisation. » FOLC are now a registered tax deductible organisation. » FOLC membership has increased dramatically over the last ten years. » A number of art installations at the Lakeway subdivision. » WESROC Whadjuk trails provide signage about the Noongar and natural history of the local area.
Town of Cottesloe	» Draft concept plan for John Black Dune Park (2014) and Railway corridor Greening plan created as a landscaping design for the new Principal Shared Path (2019). » Concept design for a nature discovery scape near Vlamingh in a restoration site (2019). » Cottesloe Coastcare Association are actively involved in the management of coastal reserves and other natural areas in the Town. » The Town supports local primary schools in tree planting activities and participation in National Tree Day. » Installation of sculptures purchased from 'Sculpture by the Sea' exhibition. » All natural areas are restored using native coastal tubestock.



## DEVELOPING THE GREENING PLAN

WESROC MEMBER	ACTIONS & COMPLETED PROJECTS
Town of Mosman Park	<ul style="list-style-type: none"> <li>» Continuous revegetation along the river foreshore extending from Garungup Park, Minim Cove and Chidley Point Reserve.</li> <li>» Interpretative signage installed along Garungup Reserve, Minim Cove and Point Roe Park as part of the Wadjuk Trails network along the coast and river foreshore. Meandering limestone pathways through Garungup Reserve, Boardwalk at Point Roe Park and other pathways to encourage the community to visit and explore the bushland. And in 2015, with assistance from the Mosman Park Men's Shed and Nature Play Australia, constructed an Adventure Play Playground at Minim Cove Park.</li> <li>» Regular community and school engagement throughout the year at a number of bushland areas (CCGS, Beehive Montessori, PLC, Scotch College, St Kilda's, Swan Canoe Club, FoMPB).</li> <li>» Dragonfly Statue at Bay View Park and proposed sculpture at Chidley Point Reserve to be installed in 2016 or early 2017.</li> <li>» Nature Strips Policy &amp; 'Residents Guide to Designing a Sustainable Nature strip' developed (current under review and to be updated). The Street Tree Policy and Guidelines is also under review to be updated. Annual WESROC Native Plant Subsidy Scheme.</li> </ul>
City of Subiaco	<ul style="list-style-type: none"> <li>» City of Subiaco Hydrozoning policy.</li> <li>» Cliff Sadlier Reserve Cockatoo food planting project in collaboration with Birdlife Australia.</li> <li>» Mabel Talbot Reserve Cockatoo food planting project in collaboration with Birdlife Australia.</li> <li>» Mabel Talbot bird signage project in collaboration with Birdlife Australia.</li> <li>» Jersey street park nature play and greenway plantings.</li> <li>» Dom Serra grove verge greenway planting.</li> <li>» Rosalie Park green ways developed.</li> <li>» Mueller park greenways and hydrozone areas.</li> <li>» Cliff sadlier reserve Native demonstration garden.</li> </ul>
<b>Objective 3: Establishing Greenways on Publicly Owned Land   Greening Coastal and River Foreshore Areas</b>	
Town of Cambridge	<ul style="list-style-type: none"> <li>» Ongoing restoration of the coastal dunes.</li> <li>» Interpretative signage installed at Roscommon Park and Lake Monger. Interpretive signage also installed along the Bush to Beach trail and Yange Kep Bidi Trail, both part of the Wadjuk trails network.</li> </ul>
Town of Cottesloe	<ul style="list-style-type: none"> <li>» Greenways developed/ maintained: <ul style="list-style-type: none"> <li>- Dunes between Swanbourne boundary and N9 beach access path</li> <li>- Dunes between Cottesloe Main beach and Grant Street</li> <li>- Grant Marine Park</li> <li>- Mudurup Rocks</li> <li>- Dunes between Dutch Inn Groyne and Salvado Street</li> <li>- Sydney Street dunes to Mosman Park Boundary (includes Vlamingh).</li> </ul> </li> <li>» Interpretive signage installed along Cottesloe dunes, Grant Marine Park and as part of the Wadjuk Trails, Bush to Beach, network along the coast. Plant specie signs at the C2 site.</li> </ul>
Town of Mosman Park	<ul style="list-style-type: none"> <li>» Regular revegetation projects along the river foreshore and Mosman Beach to improve condition and quality of bushland/ greenways.</li> <li>» Try our best to accommodate and assist residents interested in caring and restoring bushland adjacent to their properties. We plant low-lying species where possible so not to impact on residents views of the Swan River and promote harmonious relationships.</li> <li>» The Town has been successful with securing Coastwest Funding (WAPC) in years 2011-2014 and 2016 where the community has played an important role and shown much interest. Informational signage has been installed across most bushland reserves to educate visitors on history and significance (Mosman Park Heritage Trail).</li> <li>» Street Tree Masterplan (2019).</li> </ul>
City of Nedlands	<ul style="list-style-type: none"> <li>» Excess of 10 greening projects undertaken along the Swan River Foreshore in collaboration with DBCA.</li> <li>» Excess of 7 greening projects undertaken along the Coastal Greenway in conjunction with the WAPC and the Australian Governments Caring for our Country program.</li> <li>» Interpretive signage installed along Swanbourne Dunes and as part of the Wadjuk Trails network along the coast and river foreshore.</li> <li>» Annual street tree planting program.</li> </ul>
<b>Objective 3: Establishing Greenways on Publicly Owned Land   Greening Streetscapes</b>	
Town of Cambridge	<ul style="list-style-type: none"> <li>» Updated verge policy with encouragement for native verges.</li> <li>» Conversion of grass medians to native plantings along Oceanic Dve and The Boulevard.</li> </ul>
Town of Claremont	<ul style="list-style-type: none"> <li>» Approved Street Tree Masterplan.</li> <li>» Waterwise Council.</li> <li>» WESROC native plant subsidy scheme.</li> </ul>

DEVELOPING THE GREENING PLAN



Image: Mosman Park Minim Cove | Ecoscape

WESROC MEMBER	ACTIONS & COMPLETED PROJECTS
<p><b>Town of Cottesloe</b></p>	<ul style="list-style-type: none"> <li>» Annual WESROC Native Plant Subsidy Scheme.</li> <li>» Street tree policy updated (2019) – ensures a minimum of one tree is planted per verge adjacent to each residential property, including new developments.</li> <li>» Native waterwise verge rebate available for residents who covert grass verge to native plants.</li> <li>» Demonstration gardens at the corners of:                             <ul style="list-style-type: none"> <li>- Eric Street and Curtin Avenue; Grant Street and Marine Parade; Railway Street near Albion Street; Napier Street near Broome Street; the Grove Library.</li> </ul> </li> <li>» Locations of Native tree nodes along the Cottesloe Foreshore determined and planted as a trial for more tree nodes.</li> </ul>
<p><b>Town of Mosman Park</b></p>	<ul style="list-style-type: none"> <li>» The Town's Nature Strip Policy &amp; Guide + Streetscape Policy and Guidelines are currently under review and due to be updated. The community has already shown strong interest in being involved in the recreation of this and it's clearly a topic they are passionate about. We promote water efficient verges (and promote Water Corps Guide to Waterwise Verges) and encourage residents to plant native species in their gardens and verges where possible. The Water Corp recently offered Councils the opportunity to have their Nature Strip/Verge Guidelines reviewed by a consultant, so we have direction as to where we can improve.</li> </ul>
<p><b>City of Nedlands</b></p>	<ul style="list-style-type: none"> <li>» Streetscapes revegetated at numerous locations.</li> <li>» Annual WESROC native Plant Subsidy Scheme.</li> </ul>
<p><b>City of Subiaco</b></p>	<ul style="list-style-type: none"> <li>» Annual WESROC native Plant Subsidy Scheme.</li> <li>» City of Subiaco Verge Development Assistance program.</li> <li>» Western Suburbs Greening Plan Guide.</li> <li>» City of Subiaco Street tree planting program and street tree policy.</li> <li>» Interpretive signage installed in parkas and reserves as part of the Wadjuk Trails network along the coast and river foreshore.</li> <li>» City of Subiaco Wildlife Enhancement Plan.</li> <li>» City of Subiaco Plant Pathogen Management Plan.</li> <li>» City of Subiaco Environmental Enhancement Plan 2012-2016.</li> <li>» City of Subiaco Sustainability and Resilience Strategy 2016-2021.</li> </ul>
<p><b>Objective 3: Establishing Greenways on Publicly Owned Land   Greening of Other Public Land</b></p>	
<p><b>Town of Cottesloe</b></p>	<ul style="list-style-type: none"> <li>» Railway corridor Greening plan created as a landscaping design for the new Principal Shared Path (2019).</li> </ul>
<p><b>Town of Mosman Park</b></p>	<ul style="list-style-type: none"> <li>» Most of the bushland areas found in the Town are owned and managed by the Town. Small pockets (particular Buckland Hill) are owned by the Water Corporation and Public Transport Authority. We are beginning to work collaboratively to ensure these areas are maintained and cared for.</li> </ul>
<p><b>City of Nedlands</b></p>	<ul style="list-style-type: none"> <li>» Two state government reserves co-managed with funding provided to the City (one at Allen Park in conjunction with the Department of Defence and one at Shenton Bushland in conjunction with the Department of Health).</li> </ul>



Table 9: 2002 Objective 4 Greening of Private Land

WESROC MEMBER	ACTIONS & COMPLETED PROJECTS
<b>Objective 4: Greening of Private Land   Greening Residential Land</b>	
Town of Cambridge	» <i>Promotion of the WESROC Native Plant Subsidy Scheme through scheme advertising and native gardening workshops.</i>
Town of Claremont	» <i>WESROC native plant subsidy.</i> » <i>TOC Verge Policy and guidelines.</i> » <i>WESROC Greening Plan.</i>
Town of Cottesloe	» <i>Annual WESROC Native Plant Subsidy Scheme.</i> » <i>Native waterwise verge rebate available for residents who covert grass verge to native plants.</i> » <i>Community events: native garden workshop.</i> » <i>'Safeguarding our Water Supplies' forum.</i> » <i>'Protecting our Urban Forests' forum.</i> » <i>Town of Cottesloe Residential Verges Policy.</i> » <i>Town of Cottesloe Street Trees Policy.</i> » <i>'Coastal Gardens' booklets and pamphlets.</i> » <i>Information on suitable planting species available on the Town's website.</i>
Town of Mosman Park	» <i>Annual WESROC native Plant Subsidy Scheme.</i> » <i>Town of Mosman Park Nature Strips Policy &amp; Guide to Sustainable Verge.</i> » <i>Western Suburbs Greening Plan Guide.</i> » <i>The Town is in the process of developing a letter/document for residents who live adjacent to bushland areas to encourage native plants (and even better, choosing species from the Enviro Mgmt Plan for the site).</i>
City of Nedlands	» <i>Annual WESROC native Plant Subsidy Scheme.</i> » <i>City of Nedlands Greenways, Water Wise Gardens and Nature Strips Policy.</i> » <i>Western Suburbs Greening Plan Guide.</i>
City of Subiaco	» <i>Annual WESROC native Plant Subsidy Scheme.</i> » <i>City of Subiaco Verge Development Assistance program.</i> » <i>Western Suburbs Greening Plan Guide.</i> » <i>Rosalie Primary school greenway planting events and monitoring via vegetation transects as part of the science curriculum.</i> » <i>Jolimont Primary school greenway planting events.</i> » <i>City of Subiaco Wildlife Enhancement Plan.</i> » <i>City of Subiaco Plant Pathogen Management Plan.</i> » <i>City of Subiaco Environmental Enhancement Plan 2012-2016.</i> » <i>City of Subiaco Sustainability and Resilience Strategy.</i>
<b>Objective 4: Greening of Private Land   Greening Residential Institutions and Corporations</b>	
Town of Cottesloe	» <i>The Town supports local primary schools in tree planting activities and participation in National Tree Day.</i> » <i>Identified in revegetation plans developed under the Biodiversity Action Plan.</i> » <i>Waterwise garden award category in the TOC Garden Awards- covers residential and commercial properties.</i> » <i>Annual Arbor Day planting with local primary schools</i>
Town of Mosman Park	» <i>The Greening Plan 2002 was advertised amongst the community and schools when it was launched.</i>







Table 10: 2002 Objective 5 Community Education, Awareness and Involvement

WESROC MEMBER	ACTIONS & COMPLETED PROJECTS
Objective 5 : Community Education, Awareness and Involvement	
Town of Cambridge	» Promotion of the WESROC Native Plant Subsidy Scheme through scheme advertising, native gardening workshops and National Tree Day.
Town of Claremont	» Annual WESROC native Plant Subsidy Scheme. » TOC verge Policy and guidelines. » Western Suburbs Greening Plan Guide.
Town of Cottesloe	» Annual WESROC Native Plant Subsidy Scheme. » Community events: native garden workshop. » 'Safeguarding our Water Supplies' forum. » 'Protecting our Urban Forests' forum. » Town of Cottesloe Residential Verges Policy . » Town of Cottesloe Street Trees Policy. » 'Coastal Gardens' booklets and pamphlets. » Information on suitable planting species available on the Town's website. » Other organisations providing on-ground assistance through Cottesloe Coastcare Association including schools, universities and corporate organisations.
Town of Mosman Park	» Annual WESROC Native Plant Subsidy Scheme. » Town of Mosman Park Nature Strips Policy & Guide to Sustainable Verge. » Western Suburbs Greening Plan Guide.
City of Nedlands	» Annual WESROC native Plant Subsidy Scheme. » City of Nedlands Greenways, Water Wise Gardens and Nature Strips Policy. » Western Suburbs Greening Plan Guide. » National Tree Day. » Clean up Australia Day. » Bushcare Major Day Out events held annually.
City of Subiaco	» Annual WESROC native Plant Subsidy Scheme. » City of Subiaco Water wise, Native and bushfood gardening workshops held annually. » City of Subiaco verge development assistance program. » Western Suburbs Greening Plan Guide. » Rosalie Primary, Subiaco primary, Jolimont Primary, Perth Modern school nest box building, installation and monitoring project. » National Tree Day Community greenway establishment planting events held annually. » Sustainable Verge and Garden awards promote sustainable landscape choices that meets the intents of the greening plan.



Image: Subiaco Primary School Planting Day | <https://subiacops.wa.edu.au/project/national-tree-planting-day-2019/>

Image p60 top: Friends of Shenton Bushland | City of Nedlands

Image p60 centre left: Arbor Day tree planting ceremony | Town of Cambridge

Image p60 centre right: Cottesloe Coastcare Corporate Days | Taurus

Image p60 bottom: Friends of Lake Claremont | Urban Bushland Council WA

# 4.0 WESROC GREENING PLAN 2020-2025

## OBJECTIVES

### Objective 1 | Protection and Management

The Western Suburbs has a number of important remnant vegetation areas, coastal environments, waterways and wetlands that provide the region with high natural conservation values. Much of this land is in reserves vested with either local or state government. Other lands which contain bushland is in private or institutional hands.

One of most important aspects of the Greening Plan is to protect and manage those areas of extant vegetation and wetlands. These areas provide most of the biodiversity found within the region and therefore require protection. Further loss of this resource will diminish the regions natural values and compromise the restorative capacity of degraded areas.

For those areas which have moderate to high conservation values but are still in either private or government or institutional hands strategies need to be developed to ensure that as far as possible the land is managed for conservation purposes.

For those areas already vested with Local Government for conservation purposes the main issues are to do with appropriate management.

Some of the main management issues that need to be addressed include the following:

- » **Fire Control** | limiting arson events through education, fuel reduction measures eg weed control, response time, neighbourhood watch and fire breaks.
- » **Weed Control** | management of major invasive weeds, revegetate areas where weeds have been removed.
- » **Access Control** | rationalising the number of tracks, removing weeds, determining appropriate track sizes, appropriate fencing and gates.
- » **Water quality and quantity management** | managing water levels, managing nutrient inputs, managing on a catchment scale.
- » **Feral Animal Control** | control feral animals eg foxes, rabbits etc through trapping and baiting programs.
- » **Domestic Pets** | manage cats through curfews if possible and manage other pets eg dogs on leashes.
- » **Disease** | manage disease through good hygiene practices and inoculation procedures.
- » **Restoration of Degraded areas** | restore degraded areas of bushland through appropriate bushland restoration techniques

### *Environmental Management Plans*

In order to undertake staged and appropriate management of natural areas an Environmental Management Plan is usually prepared. This document defines the biophysical and cultural attributes of the site and the major environmental issues. Strategies and recommendations are then developed for the main environmental issues. A staged works program is developed for the term of the management plan (usually five years) along with budget requirements. Community involvement in the preparation of the management plan is important.

Such plans have been developed for many of the bushland areas in the Western Suburbs. In particular those reserves vested with either local government or state government have environmental management plans to direct future management of the conservation values of these bushland remnants.

Bushland on private land, on the other hand, is generally not managed with such a plan. These areas are most likely at threat because of the potential impacts arising through poor planning and management.

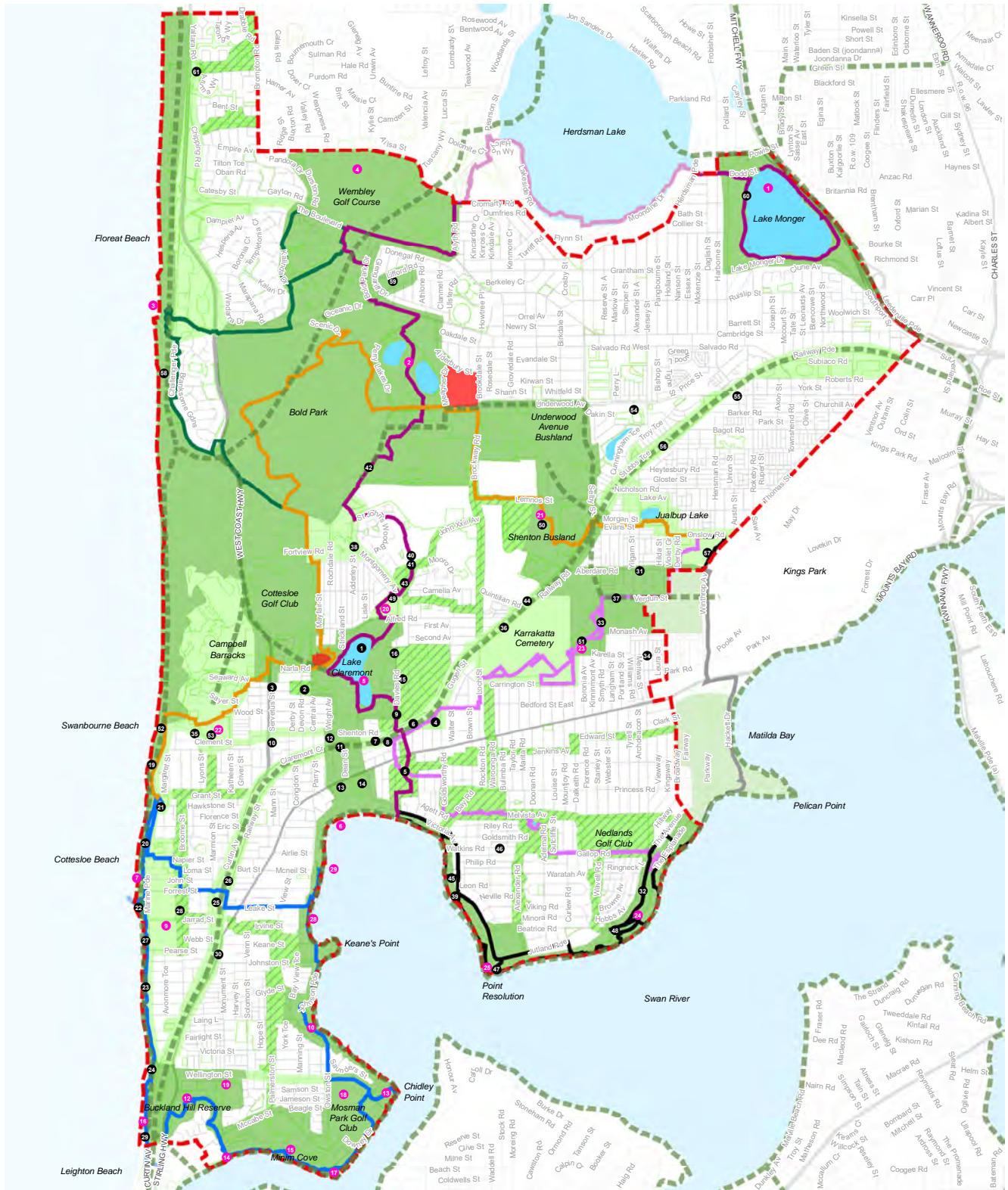


### *Objective 1 | Targets*

The following targets have been redefined for Objective 1 based on the 2002 Targets.

- » Retain and improve, where possible, all existing bushland and wetlands found within the Western Suburbs.
- » Ensure Management Plans for bushland and wetlands are reviewed and updated when required and include an avenue for Aboriginal custodians to have proactive and holistic input into the review and development.
- » Develop a strategy to identify where greenways can be linked across council boundaries within the Western Suburbs.
- » Work with Government agencies, leasees and land owners to protect remnant bushland within their management control.





**LEGEND**

<ul style="list-style-type: none"> <li>WESROC Greening Projects</li> <li>● Planning Document</li> <li>● On-ground Implementation</li> <li>Perth Metropolitan Regional Greenways</li> <li>WESROC Boundary</li> <li>Waterbodies</li> <li>Developed since 2002</li> <li>Open Space</li> </ul>	<ul style="list-style-type: none"> <li>Whadjuk Trails</li> <li>Bush to Beach</li> <li>Wardun Beelker Bidi</li> <li>Yange Kep Bidi</li> <li>Karak Bidi</li> <li>Bidi Bo Djiingo (unmarked)</li> </ul>	<ul style="list-style-type: none"> <li>Western Suburbs Greenways</li> <li>Regional greenway - link between significant bushland, coastal, riverine, wetland habitats</li> <li>Securing greenway - link between locally significant bushland and extending regionally significant bushland.</li> <li>Developing greenways - link between open space, parks and recreation areas to remnant bushland.</li> </ul>
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Figure 15: 2020-2025 WESROC Greening Plan







## Objective 2 | Expanding Greenways

Ecologically, greenways are important simply because they protect the integrity of natural areas. They provide habitat for flora and fauna and can play a key role in allowing wildlife to move between habitat areas that would otherwise be isolated to meet daily or seasonal needs. Enhancing connectivity may also increase the long term health of populations by increasing genetic exchange and by maintaining natural demographic processes, such as recolonisation following local extinctions. Because greenways have a high ratio of edge to interior, they are very exposed to surrounding elements. Edge effects such as the invasion of weeds can limit the effectiveness of corridors. Some greenways may also have limitations as movement corridors if they are severed by roads.

Social benefits of greenways include increased aesthetic appeal of the urban landscape; recreational use for cyclists, runners and walkers; adds to the sense of history and culture that is important to people's sense of place and increases community ties by linking parks, historical sites, residential areas, and shopping districts.

Greenways should be developed by revegetation using predominantly local native species in the species proportion and densities required for fauna. This will increase habitats for native fauna and encourage their movement between bushland areas.

Parts of the Western Suburbs have a high urban density which limits opportunities for creating greenways that provide suitable habitat for terrestrial fauna due to the lack of area available for revegetation and the highly fragmented nature of the urban environment. However in other parts the suburbs contain large street verges and private garden which could potentially contribute habitat value for some mammals (eg bats), birds, reptiles, amphibians, and insects.



### Objective 2 | Targets

The following targets have been redefined for Objective 2 based on the 2002 Targets.

- » Maintain and, where possible, increase greenways linking and engaging with living water to encourage movement of local endemic biota and to create regional linkages within and between local government managed land.
- » Expand the greenway program by partnering with individual, corporate and institutional land owners or leasees to enhance the ecological and aesthetic characteristics of their land to support greenway development.

Image left: Allen Park | Sally Wallace

## Objective 3 | Greening Public Open Space

### Expanding Existing Bushland Areas

Areas that are set aside for conservation value such as Birdwood Parade and Point Resolution contain land within the reserve and adjoining it that is often degraded and unused. For example road verges or large grassland areas within the bushland setting. These areas often contribute to bushland management problems through weed invasion and excess water and nutrients.

In many cases these areas are quite large relative to the existing bushland and wetland remnant. These areas therefore offer a good opportunity to expand the area of bush in a contiguous manner and therefore contribute positively to a larger and more valuable remnant.

Wetlands also often contain small areas of fringing vegetation which could be further expanded by amending the shape and substrate of the wetland to extend the habitat area available for aquatic flora and fauna.

### Greening Parkland Areas

Approximately 19% of green space in the Western Suburbs is comprised of large lawned areas with scattered trees. While some of these areas serve specific functions related to sport and other recreation activities others sit largely unused. These areas contribute to the sense of spaciousness and lushness within the urban fabric and reflect a largely European landscape paradigm brought to Australia by early settlers.

Public open space in this form provides an opportunity to establish vegetation at edges or other under utilised areas which will reduce expenditure on the maintenance of grassed areas, provide additional shade for recreational activities and maximise the environmental values of the area.

Constructed wetlands may be used as a component of the treatment of stormwater. Well designed and constructed wetlands that are vegetated can act as effective biological filters. The Water Sensitive Urban Design - Constructed Wetlands for stormwater management, prepared by the Department of Water (June 2011) includes recommendations on the design of vegetated constructed wetlands.

### Coastal and River Foreshore Areas

The coastal and river foreshore reserves are important for comprehensive greenways as they represent large contiguous areas of open space that contain significant natural vegetation. They are also areas that have high recreational appeal. Some are highly contentious when changes are proposed which are perceived to reduce views to the water bodies from the adjoining residence.

These areas provide an important opportunity to develop continuous areas of bushland from Mosman Park to City Beach and Matilda Bay.

## WESROC GREENING PLAN 2020-2025

It may not be possible to revegetate the entire foreshore with all the structural and floristic elements that would have originally occurred due to conflicts with adjoining owners over views. It should, however be possible to cater for continuity of vegetation allowing for views and vistas through the use of low growing species and sensitively placed trees.

### Streetscapes

The road hierarchy throughout the western suburbs consists of:

- » Main roads (eg Stirling Highway)
- » Distributor roads (eg Rokeby Road)
- » Local Roads (eg Dalkeith Road).

Streetscapes provide important conduits between different areas. They not only provide corridors for traffic and pedestrian movement but also the potential ability to provide corridors for wildlife, and defining the character of suburbs. Streetscapes are significant Green Infrastructure links within our urban fabric.

### Street verge with potential for revegetation

The Greening Plan provides an opportunity to modify existing streetscapes to increase visual amenity, habitat value, microclimatic change and recreational value.

Developing greenways that follow existing streets and link into regional greenway zones is a priority. These areas can help to provide a visual and ecological link to the other more major zones, creating a pattern of recognisability through suburban areas.

This use of local native species maintains a strong sense of place. Streetscape verge corridors may also act as transitional vegetation areas between one vegetation type and another.

Streets will need to be assessed individually to determine their suitability for modification consistent with the aims and objectives of the Greening Plan. The assessment needs to consider existing and proposed adjoining land uses, views and vistas, cultural and historical context, scale and density of existing trees and built environment, parking and community values.

Streetscapes have the potential to demonstrate a number of new design ideas which contribute to the ecological and aesthetic value of the suburbs but do not necessarily remove the existing vegetation structure within the streetscape. This can be achieved by increasing the density of trees and planting verges, medians and roundabouts and innovative stormwater solutions.

### Greening of Other Public Land

A large proportion of the land use in the Western Suburbs is owned in either freehold or vested with various state and commonwealth authorities. The railway reserve is one important example that contains a large area of land, provides an important corridor, is in the public gaze and connects to other areas of bushland.

These areas of government owned land can contribute positively to the environment through greening activities and habitat creation. In particular those areas that lie contiguous with existing bushland are important in the development.



### Objective 3 | Targets

The following targets have been redefined for Objective 3 based on the 2002 Targets.

- » Where possible, increase the quantity and quality of bushland adjoining existing remnants.
- » Identify public open space areas that may contribute to greenway development.
- » Establish community ownership of parks through precinct groups, schools or environmental volunteer groups.
- » Incorporate public art to create spaces with unique identities that create a sense of place and local community ownership.
- » Demonstrate the use of primarily local endemic flora in the design of public open space.
- » Develop a continuous and contiguous greenway along the river foreshore and coastal areas. Coastal works should be conducted in consultation with coastal environmental volunteer groups where appropriate.
- » Create interpretative displays that educate and inform the public about the environmental process in natural areas, and the Aboriginal and European history of the areas.
- » Continue to use streetscapes (including verges) to connect natural bushland areas.
- » Develop designs and plans for different road and street hierarchies (taking account of public safety and design requirements), which incorporate greenway principals, the retention of existing trees and the involvement of the community in the process.
- » Work with relevant government land owners, leasees and departments to develop their land for greenway purposes.



## Objective 4 | Green Community

Apart from gaining public support towards the objectives of the Greening Plan the main aims of community education should be about changing attitudes, removing apathy, clarifying misconceptions and encouraging positive actions.

Within the community there are range of views regarding the existence of bushland within urban settings. Some may take the existence of bushland for granted, content to leave it in the care of others or complacent in the belief that it will always be there. There are others who consider bushlands a threat, viewing them as fire hazards and as havens for snakes, vermin and undesirable elements. Sometimes urban bushland has been treated as a waste ground for garden prunings, waste soil, grass clippings, and construction rubble. There are also misconceptions about the collection and removal of dead wood. These views may prevail due to unfamiliarity with local native flora and fauna and therefore lack of appreciation of the complexity and uniqueness of bushland ecosystems.

There are however many people in the community who value bushland highly and are willing to actively conserve and enhance it in conservation efforts with local authorities. Community involvement is crucial if the objectives of the greening plan are to be met. Community involvement:

- » fosters a more interested and aware community, with a pride of achievement and sense of ownership in their local area
- » engenders more acceptable and lasting decisions
- » provides solid support and a mandate for implementing tough decisions
- » allows information to transmit quickly and effectively through the community
- » can bring the community together
- » provides valuable information, expertise and feedback on environmental issues in the local area.

### Residential Areas

Many of the proposed greenways incorporate residential streets and so private property plays a key role in how effective the greenways will function as wildlife corridors. There are a number of suburbs that have maintained large blocks with substantial gardens. The leafy character of many of the Western Suburbs is an advantage to green planning and aesthetic development of the suburbs. The large blocks enable a number of initiatives to be developed that encourage individual land owners to contribute to the Greening Plan. These include:

- » the use of parts of back yards for an interconnecting greenway
- » backyards providing interconnected networks for greenway development through private land
- » the reduction in lawn areas to reduce water consumption and allow opportunity for increased planting trees and shrubs as habitat areas for birds, reptiles and insects

- » the increase the use of native flora in highly designed gardens that demonstrate that the use of natives can develop the same aesthetic appeal as traditional non-native plants
- » training and educational programs for land owners about how to manage and maintain native plants and gardens
- » the creation of a sense of lushness by the use of native plants through colour, texture and plant density without the dependency on large volumes of water
- » the integration of innovative irrigation systems such as grey-water systems
- » the integration and encouragement of small scale frog ponds, nesting boxes and other habitat fabrication initiatives.

Smaller lots with large houses offer less greening opportunities because of the limited space available. However it is possible to use the available area to develop highly aesthetic gardens. Furthermore it is possible to integrate front gardens with street verges to create more habitat areas.



### Objective 4 | Targets

The following targets have been redefined for Objective 4 based on the 2002 Targets.

- » Encourage private residences adjacent to greenways to introduce local endemic flora into their property.
- » Encourage the development of planting plans that provide appropriate local endemic species and incorporate any existing significant vegetation.
- » Include requirements for local endemic species focused landscape plans into future major development approvals, especially those developments abutting existing greenways.
- » Create knowledge partnerships with Traditional Owners within WESROC to align strategic greenways and sustainability principles where practicable.
- » Encourage educational and advocacy role of local governments to highlight the significance of rich biodiversity and the value it holds across private and public land holdings.
- » Incentivise community support for Urban Greenway Infrastructure by empowering through the utilisation of a Citizen Science approach for key projects.
- » Collaborate with institutional and educational facilities to identify developing greenway projects to provide an







educational platform to positively change the behaviour of how we live for future generations.

- » Encourage community participation in the maintenance of existing natural areas and empower environmental volunteer groups to continue their work in preserving natural areas within WESROC.

## IMPLEMENTATION

### WESROC Policy & Management

The Greening Plan is a concept which reaches far into the future. This strategy has to be seen as a long term commitment by the various Councils that form WESROC. In order to sustain the Greening Plan initiative the plan has to be incorporated into policies and statues that affect the everyday business of Council.

The following outlines the Implementation projects for each objective:

#### Objective 1 | Protection and Management

- » Investigate integration of cultural land management practices and scientific climate knowledge to identify new management processes that ensure the resilience of the Greenways in a changing environment.
- » Conduct an urban edge assessment to determine the key areas that require management and intervention in the creation of greenway interfaces.
- » Develop a five year forward works programs for greenway development and incorporate into capital works budgets.
- » Develop strategic documents to promote the protection of unmanaged remnant bushland.

#### Objective 2 | Expanding Greenways

- » Prepare a strategic urban forest strategy for WESROC based on a review of individual urban forest strategies and urban heat island mapping to support increased canopy cover aligned with trails and key pedestrian networks across LGA areas.
- » Engage with community to conduct a study of fauna species, particularly pollinators, to monitor impacts of completed greening works and ensure appropriate habitat is maintained or created.
- » Conduct a study to identify key vulnerability social and environmental risk factors to identify strategic urban greenway infrastructure projects across WESROC.
- » Seek community input in identifying areas within the WESROC suburbs that could be developed through short or long-term greening opportunities. Such as laneways, pocket parks, and car park areas with no trees.
- » Conduct an assessment of the existing Urban Green Infrastructure to identify the economic value of the WESROC Greenways by taking account of the economic, health and social benefits.

#### Objective 3 | Greening Public Open Space

- » Review extent of artificial lighting that may impact greenway biodiversity species complexities.
- » Investigate integrations of dual language (English and Whadjuk Noongar) signage and interpretive displays for natural areas and consider using dual language for existing signage that requires replacement. The Whadjuk trails signage can be used as a template for this.

#### Objective 4 | Green Community

- » Conduct a study to identify areas that are deficient in open space and would benefit from greening initiatives.
- » Engage the community to explore their local greenways through educational events such as walking sections of the Whadjuk Trails.

### Future Development & Projects

The Western Suburbs Greening Plan must operate within Town Planning Schemes, Policies and Strategic Plans of the various member Councils in order to achieve an integrated implementation and increased awareness of the Plan.

Where development of land may have implications for the Greening Plan, the relevant Council should inform the proponent of the relevance of the Greening Plan.

The proponent should also be encouraged, through liaison with relevant Council officers, to develop concept landscape plans to ensure that they are implemented in accordance with the Greening Plan.

Some of the other policy initiatives that need to be considered include:

- » Critical assessment of requests for removal of any mature trees or vegetation;
- » The development of policy guidelines for verge planting including species lists etc;
- » Incorporation of Green Plan initiatives at the Development Application/Building Approval stages of development; and
- » The encouragement of planting of local native vegetation on private land.

### Greening Projects

Considerable assessment and planning is required for all projects and this work should be conducted through partnership between community and Council staff.

Each project area is to include a summary of the values and significant features of the defined site, issues to be considered and prioritised actions and budgets that are required. Member Councils of WESROC should be involved in choosing appropriate sites. Projects should be divided into two types based on scale; regional and local.

#### Regional

Regional project sites may span over a number of Local Government Areas and consequently may need to be managed by a number of Councils. This should be coordinated by WESROC.



Image: Christ Church Swan River Foreshore | Ecoscape

The coastal greenway is an example of a regional project site that will need to be coordinated by The Town of Cambridge, The City of Nedlands, The Town of Cottesloe and The Town of Mosman Park. The listed local governments could oversee the assessment and planning of the project site, although each local government will undertake the ground works. Allocated funding for the ground works could be subdivided to each local government based on the percentage of area of the whole project site. Some prioritised actions for the coastal greenway may include:

- » Community involvement in weed control and dune revegetation with local native species.
- » Renewal of derelict fencing.
- » Fencing off and rehabilitation of informal access paths and re-aligning and consolidating formal access paths.
- » Create interpretative displays that educate and inform the public about the environmental process in coastal areas.

### Local

Local project sites are small areas that generally occur completely within a single Local Government Area. One local government is likely to undertake the assessment, planning and ground works. Some Prioritised actions may include:

- » Involvement of community in streetscape design and planting.
- » Supply Greening Plan information to surrounding residents and how they can contribute with their gardens.
- » Identify locations for planting outside areas used for active or passive recreation within public open space.

### Community Participation

Very few members of the community would want to be involved in more than one or two local sites whilst some will have a specific interest in the type of involvement they wish to participate. The Greening Plan not only needs to be broken down into individual sites but needs also to facilitate the establishment of specific interest working groups. Typical types of actions individuals and groups could support include:

- » site action planning for specific sites
- » working with established individual 'friends of', or working groups for specific sites

- » seed collection and propagation of indigenous species
- » revegetation / rehabilitation planting days
- » bushland maintenance programs including weed eradication teams
- » supporting existing and establishing new cultural and environmental local and regional trails
- » permaculture / food production / city farm / community garden projects
- » fauna watching and protection
- » co-ordinating recreational cycle networks
- » establishing school programmes
- » community arts projects.

A significant challenge in implementing the Greening Plan will be harnessing the needs and priorities that individuals and groups may have whilst maintaining an overall strategic focus.

### Funding

An increase in available funding for the Western Suburbs Greening Plan will be required. This may be through yearly budget allocation by Councils or from external funding sources. There are a number of external sources of funding available in the form of grants and employment and training programs, some which are described below.

#### Communities Environment Program

The Australian Government annually invests through the Communities Environment Program (CEP) to support a wide range of small-scale, on-ground projects that aim to conserve, protect and manage our environment.

The program seeks to support community groups—including those that may not be able to compete in larger and more competitive grant programs—to address local environmental priorities. The program also seeks to encourage the community to connect with their local natural environment and to build and strengthen local communities.

The following activities are provided as a guide to the types of projects that may be suitable for a grant under the program that align with the Greening Plan:



- » monitoring local flora, fauna, water quality or marine debris
- » supporting the recovery of threatened species and/or threatened ecological communities
- » seed collection, propagation and planting of trees and understorey to control erosion and/or rehabilitate degraded natural habitats, riverbanks, wetlands and/or coasts
- » improving or increasing the extent of suitable habitat, vegetation linkages and available food sources for native animals, including in urban areas
- » reducing the impact of invasive weeds, pest animals, diseases and erosion on threatened species and natural habitats
- » installing infrastructure (such as boardwalks) or fencing to manage access to sensitive natural habitats
- » reducing the impact of waste and litter on natural habitats (e.g. litter clean-up events, marine debris collection or litter management infrastructure)
- » workshops to increase community skills in monitoring, conserving, and/or protecting threatened species, ecological communities or other important environmental assets.

### **Coastwest**

Coastwest grants support coastal land managers and community organisations to undertake projects to rehabilitate, restore and enhance coastal sites. Coastwest is a WAPC initiative administered by the Department of Planning, Lands and Heritage.

Grants between \$5,000 and \$50,000 are available to support:

- » the implementation of local and regional coastal plans and strategies, especially those devised in accordance with State Planning Policy 2.6: State Coastal Planning Policy (SPP 2.6)
- » coastal management actions that reduce exposure to coastal hazards and risks to preserve Western Australia's beaches and foreshores
- » sustainable recreational and tourist use of the coast by assisting in the maintenance of the recreational amenity and provision of public access to the coast
- » the capacity of Western Australian communities to increase their involvement in coastal zone management activities, through joint coastal research activities, education and training
- » the identification, protection and maintenance of environmental values, aesthetic qualities, biodiversity and water quality in the coastal zone.

### **Greening Australia**

Greening Australia believe that people thrive when nature thrives. Their personal, social and economic wellbeing are all inextricably linked with our land and sea. A healthy environment provides us with fresh air to breathe, clean water to drink, healthy soils for growing our crops, and

medicine to heal us. Resilient ecosystems help to mitigate the effects of climate change.

But our environment and our biodiversity are in decline; more than 1,700 species and ecological communities are known to be threatened or at risk of extinction.

By restoring Australia's fragile and diverse ecosystems and habitat, we restore local economies with them, helping to create healthy, productive landscapes where people and nature can thrive.

### **Lotterywest | Building Community**

The objective of this grant program is to create opportunities for the whole community to come together as a means of enhancing community connection, strengthening social capital and encouraging community to repair and rebuild itself. Key outcomes focus of this grant program:

- » Community is connected through local initiatives that strengthen wellbeing, promote participation and volunteering, and encourage re-connection after a period of distancing and isolation.
- » Marginalised, minority and disadvantaged groups at risk of experiencing prolonged impacts of social isolation and discrimination are actively included in community.
- » Aboriginal people retain and strengthen connection to country, identity and culture.

### **Corporate Sponsorship**

There are a number of bushland management activities currently funded (either jointly or wholly) by corporate parties, such as Alinta Gas, Western Power, Alcoa, Woodside, insurance companies and banks. This avenue for funds for implementing works should be explored more fully.



Image: Charles Court Foreshore | Ecoscape







## ACRONYMS

ACRONYM	MEANING
WESROC	Western Suburbs Regional Organisation of Councils
DAA	Department of Aboriginal Affairs
AHD	Australian Height Datum
WAPC	Western Australian Planning Commission
Ha	Hectare
DPAW	Department of Parks and Wildlife (now referred to as Department of Biodiversity, Conservation and Attractions)
DBCA	Department of Biodiversity, Conservation and Attractions
TEC	Threatened Ecological Community
SCP	Swan Coastal Plain
TF	Threatened Flora
PF	Priority Flora
BC Act	Biodiversity Conservation Act 2016 Western Australia
EPBC Act	Commonwealth Environment Protection and Biodiversity Conservation Act 1999
WA	Western Australia
LGA	Local Government Authority
POS	Public Open Space
UWA	University of Western Australia
PHD	Doctor of Philosophy
UHI	Urban Heat Island
GI	Green Infrastructure
CEP	Communities Environment Program

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# APPENDIX 01

## RECOMMENDATIONS & IMPLEMENTATION ACTIONS

#	RECOMMENDATIONS	IMP#	IMPLEMENTATION PROJECTS
<b>Objective 1: Protection and Management</b>			
1.1	Retain and improve, where possible, all existing bushland and wetlands found within the Western Suburbs.	IMP1.1	<i>Investigate integration of cultural land management practices and scientific climate knowledge to identify new management processes that ensure the resilience of the Greenways in a changing environment.</i>
1.2	Ensure Management Plans for bushland and wetlands are reviewed and updated when required and include an avenue for Aboriginal custodians to have proactive and holistic input into the review and development.	IMP1.2	<i>Conduct an urban edge assessment to determine the key areas that require management and intervention in the creation of greenway interfaces.</i>
1.3	Develop a strategy to identify where greenways can be linked across council boundaries within the Western Suburbs.	IMP1.3	<i>Develop a five year forward works programs for greenway development and incorporate into capital works budgets.</i>
1.4	Work with Government agencies, leasees and land owners to protect remnant bushland within their management control.	IMP1.4	<i>Develop strategic documents to promote the protection of unmanaged remnant bushland.</i>
<b>Objective 2: Expanding Greenways</b>			
2.1	Maintain and, where possible, increase greenways linking and engaging with living water to encourage movement of local endemic biota and to create regional linkages within and between local government managed land.	IMP2.1	<i>Prepare a strategic urban forest strategy for WESROC based on a review of individual urban forest strategies and urban heat island mapping to support increased canopy cover aligned with trails and key pedestrian networks across LGA areas.</i>
2.2	Expand the greenway program by partnering with individual, corporate and institutional land owners or leasees to enhance the ecological and aesthetic characteristics of their land to support greenway development.	IMP2.2	<i>Engage with community to conduct a study of fauna species, particularly pollinators, to monitor impacts of completed greening works and ensure appropriate habitat is maintained or created.</i>
		IMP2.3	<i>Conduct a study to identify key vulnerability social and environmental risk factors to identify strategic urban greenway infrastructure projects across WESROC.</i>
		IMP2.4	<i>Seek community input in identifying areas within the WESROC suburbs that could be developed through short or long-term greening opportunities. Such as laneways, pocket parks, and car park areas with no trees.</i>
		IMP2.5	<i>Conduct an assessment of the existing UGI to identify the economic value of the WESROC Greenways by taking account of the economic, health and social benefits. Environmental benefits?</i>



#	RECOMMENDATIONS	IMP#	IMPLEMENTATION PROJECTS
<b>Objective 3: Greening Public Open Space</b>			
3.1	Where possible, increase the quantity and quality of bushland adjoining existing remnants.	IMP3.1	<i>Review extent of artificial lighting that may impact greenway biodiversity species complexities.</i>
3.2	Identify public open space areas that may contribute to greenway development.	IMP3.2	<i>Investigate integrations of dual language (English and Whadjuk Noongar) signage and interpretive displays for natural areas and consider using dual language for existing signage that requires replacement. The Whadjuk trails signage can be used as a template for this.</i>
3.3	Establish community ownership of parks through precinct groups, schools or environmental volunteer groups.		
3.4	Incorporate public art to create spaces with unique identities that create a sense of place and local community ownership.		
3.5	Demonstrate the use of primarily local endemic flora in the design of public open space.		
3.6	Develop a continuous and contiguous greenway along the river foreshore and coastal areas. Coastal works should be conducted in consultation with coastal environmental volunteer groups where appropriate.		
3.7	Create interpretive displays that educate and inform the public about the environmental process in natural areas, and the Aboriginal and European history of the areas.		
3.8	Continue to use streetscapes (including verges) to connect natural bushland areas.		
3.9	Develop designs and plans for different road and street hierarchies (taking account of public safety and design requirements), which incorporate greenway principals, the retention of existing trees and the involvement of the community in the process.		
3.10	Work with relevant government land owners, leasees and departments to develop their land for greenway purposes.		
<b>Objective 4: Green Community</b>			
4.1	Encourage private residences adjacent to greenways to introduce local endemic flora into their property.	IMP4.1	<i>Conduct a study to identify areas that are deficient in open space and would benefit from greening initiatives.</i>
4.2	Encourage the development of planting plans that provide appropriate local endemic species and incorporate any existing significant vegetation.	IMP4.2	<i>Engage the community to explore their local greenways through educational events such as walking sections of the Whadjuk Trails.</i>
4.3	Include requirements for local endemic species focused landscape plans into future major development approvals, especially those developments abutting existing greenways.		
4.4	Create knowledge partnerships with Traditional Owners within WESROC to align strategic greenways and sustainability principles where practicable.		
4.5	Encourage educational and advocacy role of local governments to highlight the significance of rich biodiversity and the value it holds across private and public land holdings.		
4.6	Incentivise community support for Urban Greenway Infrastructure by empowering through the utilisation of a Citizen Science approach for key projects.		
4.7	Collaborate with institutional and educational facilities to identify developing greenway projects to provide an educational platform to positively change the behaviour of how we live for future generations.		
4.8	Encourage community participation in the maintenance of existing natural areas and empower environmental volunteer groups to continue their work in preserving natural areas within WESROC.		







## APPENDIX 01 RECOMMENDATIONS &amp; IMPLEMENTATION ACTIONS

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4.8	Encourage community participation in the maintenance of existing natural areas and empower environmental volunteer groups to continue their work in preserving natural areas within WESROC.		



## 16.5 PD62.09.22 Permeable Ground Stabilisation Point Resolution

<b>Meeting &amp; Date</b>	Council Meeting – 27 September 2022
<b>Applicant</b>	City of Nedlands
<b>Employee Disclosure under section 5.70 Local Government Act 1995</b>	Nil
<b>Report Author</b>	Jessica Bruce – Acting Manager Health and Compliance
<b>Director</b>	Tony Free - Director Planning and Development
<b>Attachments</b>	Nil

### Purpose

The purpose of this report is to respond to Council's request to investigate the installation of a permeable ground stabilisation system on the northern firebreak at Point Resolution Reserve.

### Recommendation

**Council:**

**Include the upgrade of the northern firebreak at Point Resolution as part of the Foreshore Management Plan.**

### Voting Requirement

Simple Majority.

### Background

Council at its meeting held on the 14 December 2021 resolved to request that the Chief Executive Officer prepare a report considering a recommendation to regrade and install a permeable ground stabilisation system on the vehicle access track to White beach near the Western end of Beatrice Road at Point Resolution Reserve.

### Discussion

The City maintains a number of pathways consisting of asphalt and sand across six key bushland areas. These pathways provide a number of functions including fire risk reduction through the provision of firebreaks, recreation access for the community, and access for maintenance and Department of Fire and Emergency Services (DFES) vehicles.

In order to access the City's reserves, the City has four-wheel drive vehicles to negotiate along firebreaks and sand tracks to undertake maintenance activities.

Point Resolution has seven pathways providing community access to the river foreshore which include four consisting of asphalt, one boardwalk and two sand tracks. Two of these pathways located in the northern part of the Reserve provide vehicle access for City staff, contractors, DFES vehicles, and the Department of Biodiversity Conservation and Attractions (DBCA) river officers.

The pathway relating to this Notice of Motion is the most northern fire break and consists of sand and grass. This links up other sand pathways along the river foreshore and an asphalt pathway providing a nearby alternative route directly to the foreshore. This is frequently used by authorised vehicles and is not accessible by public vehicles.



Map: Northern firebreak proposed for stabilisation (red) and nearby adjacent asphalt pathway (yellow)



Photo: Northern firebreak proposed for stabilisation

The City obtained two quotes which costed the works at approximately \$18,000 (ex GST).

This response to the Notice of Motion aligns with the City's current progress to develop an integrated Foreshore Management Plan. The City is currently developing a more strategic



approach and long term planning document that guides the use, activity, development, and environmental protection of the marine and physical environmental with the foreshore area. It would be appropriate for the upgrade of the northern firebreak to be included as part of this Plan whereby it can be appropriately prioritised and listed as part of the implementation framework aligning with the long-term objectives for the use of the foreshore.

## Consultation

Point Resolution Reserve falls within the Swan River Development Control Area (DCA) for which the DBCA is the overarching management authority under the Swan and Canning Rivers Management Act 2006. The DBCA have advised that they have a plastic-free Riverpark initiative which is focusing on the elimination of single-use plastics within the Riverpark. Whilst permeable stabilisation cells are not considered a single use plastic, they are made of plastic and the use of plastics within building materials is also being discouraged by the DBCA.

City officers and contractors do not encounter issues when accessing the foreshore along the northern firebreak using four-wheel drive vehicles. Upgrading this track should be prioritised with considerations to other foreshore improvements.

## Strategic Implications

This item relates to the following elements from the City's Strategic Community Plan.

**Vision** Our city will be an environmentally-sensitive, beautiful and inclusive place.

**Values** **Great Natural and Built Environment**  
We protect our enhanced, engaging community spaces, heritage, the natural environment and our biodiversity through well-planned and managed development.

### Priority Area

Retaining remnant bushland and cultural heritage

## Budget/Financial Implications

The cost to stabilise the firebreak with permeable stabilisation cells is \$18,250 (excluding GST and oncosts). There is no budget allocation for this item within the 2022/23 Capital budget.

## Legislative and Policy Implications

The following legislative and policy implications relate to this item:

- Natural Areas Management Council Policy

- Natural Areas Path Network Council Policy

## **Decision Implications**

The stabilisation of the northern firebreak is not included in the 2022/23 Capital budget. If this item is included, it will reduce existing funds available for asset renewal.

Including this permeable ground stabilisation system as part of current Foreshore Management Plan progress will allow for it to be considered and prioritised aligning with the implementation framework. The firebreak will remain in its current condition until the Foreshore Management Plan is finalised.

## **Conclusion**

Administration recommends upgrade to the northern firebreak be included as part of the integrated City of Nedlands Foreshore Management Plan that is currently being progressed. Once the Foreshore Management Plan is finalised and endorsed by Council, the City will be in a clear position to upgrade the northern firebreak with the appropriate budget allocation.

## **Further Information**

N/A



## 16.6 PD63.09.22 Procurement of Consultant - RFQ 2022-23.01 - Public Open Space Strategy and Local Planning Policy

<b>Meeting &amp; Date</b>	Council Meeting – 27 September 2022
<b>Applicant</b>	City of Nedlands
<b>Employee Disclosure under section 5.70 Local Government Act 1995</b>	The author, reviewers and authoriser of this report declare they have no financial or impartiality interest with this matter.  There is no financial or personal relationship between City staff involved in the preparation of this report and the proponents or their consultants.
<b>Report Author</b>	Roy Winslow – Manager Urban Planning
<b>Director</b>	Tony Free - Director Planning & Development / Bill Parker - CEO
<b>Confidential Attachments</b>	1. CONFIDENTIAL LK Advisory – Response to City of Nedlands RFQ 2022-23.01 Public Open Space Strategy and Local Planning Policy 2. CONFIDENTIAL RFQ 2022-23.01 – Evaluation Report - Public Open Space Strategy and Local Planning Policy

### Purpose

In accordance with Council’s Procurement of Good and Services Policy, the purpose of this report is to seek Council’s consideration for the approval of Request for Quotation (RFQ) 2022-23.01 - Public Open Space Strategy and Local Planning Policy. Council’s consideration is required as only one submission was received in the procurement band between \$50 001 and \$250 000.

### Recommendation

**That Council accepts the Request for Quotation received from LK Advisory for delivery of the City’s Public Open Space Strategy and Local Planning Policy up to \$78,345 (excluding GST).**

### Voting Requirement

Simple Majority.

### Background

#### 22 March 2022 OCM - Public Open Space Strategy and Local Planning Policy

LK Advisory completed a Community Benefits and Infrastructure Contributions research project for the City in February 2022. At the 22 March 2022 OCM, Council considered this project (Item 16.5) and resolved to select a cash-in-lieu of public open space developer contribution model. Council simultaneously resolved to support the development of a Public

Open Space Strategy and associated Local Planning Policy to provide evidence based, statutory support to the chosen developer contribution model.

In accordance with this resolution, the City has undertaken a Request for Quotation process.

### **Procurement of Good and Services Policy**

At the 24 May 2022 OCM (Item 17.2) the City of Nedlands Procurement of Good and Services Policy was reviewed by Council and amended.

The procurement thresholds table between \$50 001 and \$250 000 was amended. This amendment removed the CEO's ability to exercise discretion where only one written quotation is received for purchases between \$50 001 and \$250 000. The CEO's discretion was replaced with the requirement that the matter be brought to Council for its consideration.

The City has recently sought five (5) written quotations for the delivery of a Public Open Space Strategy and associated Local Planning Policy.

At the close of the RFQ process only one (1) supplier had submitted a proposal for this procurement process, being LK Advisory (see **Attachment 1**). An evaluation of the RFQ by City planning and procurement staff (see **Attachment 2**) confirmed that LK Advisory possess relevant knowledge and resources to complete the project, and demonstrate a thorough understanding of public open space and developer contribution models in a local government context.

The Chief Executive Officer has endorsed the evaluation report and this matter is now presented to Council for its consideration.

### **Discussion**

City officers have investigated why the other four suppliers did not submit a quote for this service. Feedback received from these suppliers indicated the suppliers did not have the capacity to take on an additional project at this time, or aspects of the scope was outside of their business capabilities.

### **Consultation**

Consultation was conducted between City officers and

- Preferred panel program suppliers (both those who submitted quotes and those who did not)
- Other Local Governments (reference checks)

### **Strategic Implications**



This item relates to the following elements from the City's Strategic Community Plan.

**Vision** Our city will be an environmentally sensitive, beautiful, and inclusive place.

**Values** **Great Natural and Built Environment**  
We protect our enhanced, engaging community spaces, heritage, the natural environment and our biodiversity through well-planned and managed development.

**Priority Area** Urban form - protecting our quality living environment  
Renewal of community infrastructure such as roads, footpaths, community and sports facilities

## **Budget/Financial Implications**

Adequate funds are planned and listed in the 2022/23 Annual Budget for this matter.

## **Legislative and Policy Implications**

[City of Nedlands Procurement of Goods and Services Policy](#)

[Local Government \(Functions & General\) Regulation 1996](#)

## **Decision Implications**

If Council endorses the recommendation, the City can proceed with finalising the RFQ process for the City's Public Open Space Strategy and associated Local Planning Policy.

If Council does not endorse the recommendation, the programme for completion of the City's Public Open Space Strategy and associated Local Planning Policy will be delayed. Another RFQ process will need to be completed to attempt to obtain additional submissions from consultants. Given the nature of the work required and the current lack of capacity in the consultancy field, the City may continue to face difficulties in obtaining additional quotes.

## **Conclusion**

It is recommended that Council accepts the response to RFQ 2022-23.01 - Public Open Space Strategy and associated Local Planning Policy provided by LK Advisory.

## **Further Information**

Nil.





## 17. Divisional Reports - Technical Services Report No's TS20.09.22

### 17.1 TS20.09.22 RFQ 2022-23.06 Supply and Application of Crack Sealing

<b>Meeting &amp; Date</b>	Council Meeting – 27 September 2022
<b>Applicant</b>	City of Nedlands
<b>Employee Disclosure under section 5.70 Local Government Act 1995</b>	Nil.
<b>Report Author</b>	Jason Spyker – Coordinator Civil Maintenance
<b>Director</b>	Andrew Melville – Acting Director Technical Services
<b>Attachments</b>	1. CONFIDENTIAL Evaluation and Recommendation Report – Award RFQ 2022-23.02 Supply and Application of Crack Sealing

#### Purpose

The purpose of the report is for Council to accept the evaluation and recommendation for the award of RFQ 2022-23.02 Supply and Application of Crack Sealing to Pro Crack Seal.

#### Recommendation

That Council:

1. approves the award of the contract for Supply and Application of Crack Sealing in accordance with the City's Request for Quote number RFQ 2022-23.02 and comprising of that request, the City's Conditions of Contract and the Pro Crack Seal submission;
2. instructs the CEO to arrange for a Letter of Acceptance and a Contract document be sent to Pro Crack Seal for execution; and
3. instructs the CEO to arrange for all other quote respondents to be advised of the outcome.

#### Voting Requirement

Simple Majority.

#### Background

The City appointed an experienced civil consultant (Talis) to undertake an inspection and condition assessment for the City's Road network in March 2021. The condition assessment report revealed that our large road asset base is in average to good condition. Sixty-two roads require intervention to prevent further deterioration and to extract the maximum serviceable life out of the assets at optimal costs.

The City has a requirement to maintain and provide trafficable road network assets within the public realm. Road crack sealing is the first line of defence for average to good condition sealed surfaces suffering from non-structural cracking. Road crack sealing is a recognised pavement maintenance technique, extending the life of the pavement with the application of hot bituminised crumb rubber crack sealing product to cracks preventing water from entering the road pavement sub grade and compromising its structural integrity.

Typical benefits include:

- Preventing water ingress into the road base layers and preserve integrity of sealed surface.
- Reducing the likelihood of further deterioration of the road and pavement until the seal layer is resurfaced.
- Preserving pavement for an extended period at the lowest cost.

Due to the specialised skills set and equipment requirements needed to undertake this function, the City is required to engage the services of an experienced contractor to undertake such works.

The City does not have the internal resources or expertise to undertake these types of works.

To ensure that the City can continue to undertake these vital works, a Request for Quote was offered to six (6) organisations through the WALGA PSP-009 panel during the period 28 June 2022 – 28 July 2022. The City received a total of two (2) submissions.

## Discussion

After the closure of the tender period, the evaluation panel completed the analysis and evaluation of the two (2) submissions. At the conclusion of the process Pro Crack Seal was nominated as the preferred supplier for this package of works. The submissions were rated against the following criteria:

- Relevant Experience (20%),
- Key personnel skills and experience (30%),
- Respondents resources (30%), and
- Demonstrated Understanding (20%)

Pro Crack Seal provided information on similar works that they have recently undertaken, successfully demonstrating an ability to complete the requirements of this request.



Key personnel listed were experienced, suitably skilled and have experience delivering similar works.

The Respondent's resources were detailed and provided good information on contingency planning to ensure the maintenance works would be delivered.

Pro Crack Sealing have provided a comprehensive understanding of the City's requirements. This includes the detailed process of site preparation, removal of weeds and subsequent application of the road crack seal product.

Following the due diligence processes that the City has undertaken, the City is confident that Pro Crack Seal can complete the scope of work to the required standards, and that their offer represents good value for money to the City within the market.

## Consultation

Not Required.

## Strategic Implications

This item relates to the following elements from the City's Strategic Community Plan.

**Vision** Our city will be an environmentally-sensitive, beautiful and inclusive place.

**Values** **Healthy and Safe**  
Our City has clean, safe neighbourhoods where public health is protected and promoted.

**Great Natural and Built Environment**  
We protect our enhanced, engaging community spaces, heritage, the natural environment and our biodiversity through well-planned and managed development.

**High standard of services**  
We have local services delivered to a high standard that take the needs of our diverse community into account.

**Easy to Get Around**  
We strive for our City to be easy to get around by preferred mode of travel, whether by car, public transport, cycle or foot.

## Priority Area

- Urban form - protecting our quality living environment

- Renewal of community infrastructure such as roads, footpaths, community and sports facilities

## Budget/Financial Implications

Council provides funding for the operation and maintenance of the road network within the City's annual operational budget. Currently, the annual operational budget provides for inspections, minor repairs, operating the existing road network, and funding to cover a basic level of service for maintaining the City's existing road network. The works covered by this contract would be undertaken within the annual operational budget allocation for Road Maintenance.

The forecast annual expenditure under this contract is estimated to be approximately \$55,000 in its first year, which represents approx. 10% of the road maintenance contract budget for the financial year. There are currently a backlog of road crack sealing works that are required, and as such long term expenditure is expected to be lower in future years.

## Legislative and Policy Implications

The award of this quote is governed by the City of Nedlands [Procurement of Goods and Services Policy](#).

The works to be delivered under this contract are in line with the City of Nedlands [Asset Management Policy](#).

## Decision Implications

By endorsing the officer recommendation, a contractor will be appointed to provide the required service functions to enable the City to deliver the continuous improvements, along with the operational and maintenance activities required to ensure that the road network operates at maximum efficiency.

By not endorsing the recommendation, ongoing road assets will be unable to be effectively maintained, and the road network degradation will continue to accelerate, negatively impacting the City's financial capacity to deliver future capital works, private property and business owners.

## Conclusion

Pro Crack Seal have completed road crack seal projects for other metropolitan local governments, have the required skills and experience necessary to complete the works. It is for these reasons that they are the recommended organisation for this contract of works.



Pro Crack Seal scored highly in a number of areas. The price schedule provided by Pro Crack Seal Civil was the lowest of the assessed submissions. Their submission demonstrated suitable organisational capabilities, high quality outcomes from similar work backed up by references and an excellent understanding of the requirements of the contract. Assessment officers were in agreement that Pro Crack Seal offered the best overall value for money.

### **Further Information**

Nil.

## 18. Divisional Reports - Community Services & Development Report No's CSD05.09.22 to CSD06.09.22

### 18.1 Cricket Turf Wicket Maintenance Agreements

<b>Meeting &amp; Date</b>	Council Meeting - 27 September 2022
<b>Applicant</b>	City of Nedlands
<b>Employee Disclosure under section 5.70 Local Government Act 1995</b>	Nil.
<b>Report Author</b>	Amanda Cronin, A/Manager Community Development
<b>CEO</b>	Bill Parker
<b>Attachments</b>	Nil.

#### Purpose

The City of Nedlands has Turf Wicket Maintenance agreements with three cricket clubs: Claremont Nedlands Cricket Club (CNCC), Western Suburbs Cricket Club (WSCC) and Swanbourne Cricket Club (SCC). The agreements have now expired and need to be renewed before the 2022/23 cricket season.

It is proposed to continue to provide financial support to the Clubs for turf wicket maintenance for a term of five years, 1 July 2022 – 30 June 2027.

This report considers the option for Clubs to manage outfield mowing, in addition to turf wicket maintenance, in return for an additional subsidy.

#### Recommendation

Council agrees to:

1. **enter into 5-year agreements for the preparation and maintenance of the centre and practice turf cricket wickets and provide a subsidy as follows:**
  - a. **\$49,289 (ex GST) per annum to Western Suburbs Cricket Club for College Park, indexed at 3.5% in following years;**
  - b. **\$33,012 (ex GST) per annum to Claremont Nedlands Cricket Club for Melvista Oval, indexed at 3.5% in following years; and**
  - c. **\$33,012 (ex GST) per annum to Swanbourne Cricket Club for Swanbourne Oval, indexed at 3.5% in following years;**



2. update the key terms of the agreement to include the option for Clubs to deliver outfield mowing at a higher level of service and provide an additional subsidy as follows:
  - a. \$ 4,034 (ex GST) to Claremont Nedlands Cricket Club for 1 September – 31 March annually, indexed at 3.5% in following years;
  - b. \$ 3,565 (ex GST) per cricket season to Western Suburbs Cricket Club, indexed at 3.5% in following years; and
  - c. \$3,496 (ex GST) per cricket season to Swanbourne Cricket Club, indexed at 3.5% in following years; and
3. execute each subsidy in a Turf Wicket Maintenance Agreement and applies the Council seal.

## Voting Requirement

Simple Majority.

## Background

The City has four turf centre wickets (one at Allen Park, one at Melvista Oval and two at College Park) and practice turf wickets at all ovals.

Since 2006, the City has provided financial assistance to cricket clubs based in the City towards the costs associated with maintaining turf cricket wickets. This financial assistance has been provided via a Turf Wicket Agreement and associated subsidy.

Prior to this agreement, the City exclusively maintained turf wicket facilities across the City. This management model was more costly for the City due to staffing costs. The agreements are a more practical management model for maintaining turf wickets, allowing the individual clubs to maintain the turf to its required standards.

The City has agreements with CNCC, WSCC and SCC for the maintenance of the turf wickets at Melvista Oval, College Park and Allen Park Upper Oval respectively. The agreements are for each club to maintain the centre turf wicket and practice turf wickets at its respective oval, with the City providing a subsidy to the clubs to undertake the work. These agreements are now due for renewal for the 2022/23 Cricket Season.

Clubs have expressed a desire to amend their agreements to include the option to manage outfield mowing at a higher level of service. CNCC trialed this arrangement for the 2021/2022 cricket season, at no cost to the City.

## Discussion

To date, the agreements include provision for the Cricket Clubs to maintain the turf wickets only, while the City maintained the outfield. Sports turf mowing services are currently delivered by the City internally. The level of service is limited by the equipment the City owns, its staff resourcing and the ability to maintain the equipment to ensure turf cutting effectiveness. Unfortunately, the City does not have the resources to provide a higher level of service to the cricket clubs.

If the option of mowing the outfield is included in the agreements, the Clubs would be responsible for mowing the outfield for the summer Cricket season which runs from October to March. The City would contribute the amount ordinarily spent by the City on the mowing program for these fields as an additional subsidy in the agreements. Clubs can opt in or opt out for this arrangement. The Clubs would need to fund the gap between the City service level and the increased level they wish to achieve.

The 2021/22 subsidy and the proposed increase for 2022/23 has been outlined below.

Turf Wicket Agreement Subsidy 2022/23 proposal

Club	Subsidy 21/22	Proposed Subsidy 22/23 (index by 3.5%)	Optional Increase for mowing 22/23	Proposed Total Subsidy 22/23 (inc mowing)
WSCC	\$47,622	\$49,289	\$3,565	\$52,854
CNCC	\$31,896	\$33,012	\$4,034	\$37,046
SCC	\$31,896	\$33,012	\$3,496	\$36,508
<b>Total</b>	<b>\$111,414</b>	<b>\$115,313</b>	<b>\$11,095</b>	<b>\$126,408</b>

CNCC have requested to manage mowing at Melvista Oval from 1 September – 31 March annually and this variation is reflected in the above table.

## Consultation

The cricket clubs have been consulted and are supportive of the renewed Turf Wicket Maintenance Agreement.

Parks Services have been consulted and are supportive of the renewed Turf Wicket Maintenance Agreement.

## Strategic Implications

This item relates to the following elements from the City's Strategic Community Plan.

**Vision** Our city will be an environmentally sensitive, beautiful and inclusive place.

**Values** **High Standard of Services**  
We have local services delivered to a high standard that take the needs of our diverse community into account.



### **Great Communities**

We enjoy places, events and facilities that bring people together. We are inclusive and connected, caring and support volunteers. We are strong for culture, arts, sport and recreation. We have protected amenity, respect our history and have strong community leadership.

### **Provide for Sport and Recreation**

Increase the level of service for parks, ovals and associated equipment.

## **Budget/Financial Implications**

The total proposed subsidy amount is \$126,408 (ex GST) for the 2022/23 Cricket season. This would be allocated to the existing Parks Services budget for each oval and therefore does not require further budget consideration.

Allowing the cricket clubs to mow the outfield during the cricket season is a reduction of 8% of the area currently mowed by Parks Services. The Clubs would manage the mowing for 6-7 months of the year only. The City would continue to manage the mowing for the rest of the year. Therefore, this arrangement will not equate to a reduction in FTE immediately. It is anticipated that the FTE assigned to mowing of sports grounds will reduce by 0.2 of an FTE in the long term, should the Clubs opt in to manage mowing.

### **Priority Area**

- Renewal of community infrastructure such as roads, footpaths, community and sports facilities
- Providing for sport and recreation

## **Legislative and Policy Implications**

The Council Provided Grants, Subsidies and Donations Council Policy outlines that any other requests for funds from Council (including requests over \$5,000) will be presented to Council for a decision.

[Council Provided Grants, Subsidies and Donations Policy](#)

## Decision Implications

If Council endorse Part 1 of the recommendation, the City will enter into Turf Wicket Maintenance Agreements with CNCC, WSCC and SCC. The Agreements will be for a term of five years, 1 July 2022 – 30 June 2027. Under the new agreements, the cricket clubs will be responsible for maintaining the turf wicket facilities at Melvista Oval, College Park and Allen Park Upper Oval.

If Council endorse Part 2 of the recommendation, the City will update the key terms of the agreement to include the option for Clubs to deliver outfield mowing at a higher level of service and provide an additional subsidy. The Clubs will have the option to opt in or opt out to manage the mowing of outfield for 6-7 months annually for the duration of the agreement.

If Council does not endorse Part 1 of the recommendation to include maintenance of turf wickets in the key terms of the agreement, the City will then need to undertake this work at Melvista Oval, College Park and Allen Park Upper Oval. The City does not currently undertake this work as it's been managed directly by the Clubs since 2006. The City does not have staff allocated or those skilled in turf wicket maintenance. This would require an increase in staffing or funding for external contractors to manage the maintenance of turf wicket facilities across these facilities.

If Council does not endorse Part 2 of the recommendation to include mowing in the key terms of the agreement, the agreement will remain the same as previous years, and only include management of turf wicket facilities and the associated subsidy. The City will continue to manage outfield mowing at the current level of service, and no additional subsidy will be provided to the Clubs for mowing. Likewise, if the Clubs do not opt in to manage outfield mowing, the City will continue to manage this service.

## Conclusion

It is recommended that Council extend the Turf Wicket Maintenance Agreements and associated subsidies with Western Suburbs Cricket Club, Claremont Nedlands Cricket Club and Swanbourne Cricket Club for the maintenance of turf wicket facilities at College Park Upper Oval, Melvista Oval and Allen Park Upper Oval. A term of five years will greatly assist the Clubs with forward planning. The Clubs have a proven track record in maintaining the cricket wicket facilities.

The additional subsidy will support the Clubs who opt in to manage outfield mowing for the summer cricket season to a higher level of service. The subsidy will assist the Clubs achieve the mowing standards they require, without requiring further budget consideration. The Clubs will cover the difference in cost associated with providing a higher level of service.

## Further Information

Nil.



## 18.2 CSD06.09.22 CRSFF Application Nedlands Yacht Club Sail Training Centre Redevelopment

<b>Meeting &amp; Date</b>	Council Meeting - 27 September 2022
<b>Applicant</b>	City of Nedlands
<b>Employee Disclosure under section 5.70 Local Government Act 1995</b>	Nil.
<b>Report Author</b>	Amanda Cronin, A/Manager Community Development
<b>CEO</b>	Bill Parker
<b>Attachments</b>	1. Proposed Nedlands Yacht Club Sail Training Centre Redevelopment

### Purpose

This item seeks Council's endorsement of the Nedlands Yacht Club's (NYC) grant application to the Department of Local Government, Sport and Cultural Industries (DLGSCI) for the Community Sport and Recreation Facilities Fund (CSRFF) Forward Planning Round.

All CSRFF applications to DLGSCI must be accompanied by a formal Council resolution. The DLGSCI's current CSRFF Forward Planning Round closes on 30 September 2022. It is important that Council decide on this matter at the 27 September Council meeting so the Club can meet the 30 September deadline.

### Recommendation

#### Council:

1. **advises Department of Local Government, Sport and Cultural Industries that it has ranked and rated the Nedlands Yacht Club Sail Training Centre Redevelopment as well planned and needed by the applicant (B Rating),**
2. **endorses the above application to Department of Local Government, Sport and Cultural Industries conditional on:**
  - a. **all necessary statutory approvals are obtained by the applicant; and**
  - b. **the project receives DLGSCI funding; and**
  - c. **project funding being endorsed by Council as part of the 2023/24 and 2024/25 annual budget; and**

- requests the CEO to list the amount of \$543,333 for inclusion in the Long Term Financial Plan across the 2023/2024 and 2024/2025 financial years, i.e. \$271,667 per financial year.

## Voting Requirement

Simple Majority.

## Background

The DLGSCI administers the CSRFF. The purpose of the fund is to provide financial assistance to sporting clubs and local government authorities to develop basic infrastructure for sport and recreation. The program aims to increase participation in sport and recreation, with an emphasis on physical activity, through rational development of sustainable, good quality, well designed and well utilised facilities. This fund has three categories, shown below:

Table 1: CSRFF Grant Categories

Grant Category	Total Project Cost Range	Standard DLGCSI Contribution	Frequency
Small Grant	≤ \$300,000	\$2,500 – \$100,000	Bi-annual
Annual Grant	\$300,001 - \$500,000	\$100,001 - \$166,666	Annual
Forward Planning Grant	≥ \$500,000	\$166,667 - \$1,000,000	Annual

For applications to be supported by DLGSC, they must firstly be endorsed by the relevant Local Government Authority. For approved projects, DLGSC will provide a grant of a maximum of 1/3 of the total project costs.

**Ranking:** The City is required by DLGSC to rank in priority order the applications received for each CSRFF round.

**Rating:** The City is required by DLGSC to rate each application as one of these:

- A - Well planned and needed by municipality
- B - Well planned and needed by applicant
- C - Needed by municipality, more planning required
- D - Needed by applicant, more planning required
- E - Idea has merit, more preliminary work needed
- F - Not recommended.



## Discussion

An overview of the proposal is below:

Table 2: CSRFF Forward Planning 2022/2023 September Round

Applicant	Project	Total Project Cost (Ex GST)	Club Contribution	Amount Requested of State Govt.	Amount Requested of Council
Nedlands Yacht Club	Nedlands Yacht Club Sail Training Centre Redevelopment	\$1.63 million	\$543,333	\$543,333	\$543,333
<b>Total Grant Amount Being Requested from Council</b>					<b>\$543,333</b>

### Nedlands Yacht Club

NYC was established in 1952. The Club is located on the esplanade in Nedlands, on crown land vested in the City. The Club leases this land from the City. The current Junior Clubhouse was built in 1955 by volunteers and does not meet the current building codes or standards for disability access or privacy.

NYC is seeking a CSRFF grant to demolish the existing junior clubhouse and build a new Sail Training Centre. A rendition of the proposal can be seen at Attachment 1. The new building will be used as a sail training centre and a clubhouse. NYC propose to build a modern training facility with ablutions, accessible toilets, storage, and a training room to cater for its growing number of junior sailors and sailing course participants. NYC have investigated renovating the existing facility however they have concluded that building a new facility is more functional and cost-effective than renovating the current building. NYC will be responsible for all operational costs associated with the new building.

The total project cost for this project is \$1.6million. NYC will contribute \$493,334 in cash and \$50,000 in volunteer labor, totaling \$543,333. The Club are asking DLGSCI to contribute \$543,333 and a Council grant of \$543,333. This fits with the standard approach to funding such projects, which is that the Club, State Government and Council each contribute 1/3 of the total project cost.

NYC has a membership of 506, including all ages ranging from 7 – 80. Their female membership is higher than the national average for yacht clubs, and 50% of their junior sailors are female. NYC has a junior and school sailing program which includes several local schools. Over 310 children have participated in their sailing programs in the last 12 months. The Club also hosts several competitions including the State Championships, Sporting Schools State Championships, and the Optimist State Championships.

The project will have a high level of community benefit for City residents who are members of the Club. Additionally, the project will benefit other members of the community who may attend the club for sailing, school programs, fundraising or other events. It will also provide some benefit to the UWA Soccer Club and WA Windsurfing who also use the facility. The development of a new Sail Training Centre will assist the club's viability as it will allow the

club to increase participation levels and will add no additional running costs to the club in the long term. The project is expected to be completed in April 2025.

## Consultation

The applicant has completed a formal application to submit to DLGSCI for this grant round. The application is available to Councillors on request from the CEO's office.

## Strategic Implications

This item relates to the following elements from the City's Strategic Community Plan.

**Vision** Our city will be an environmentally sensitive, beautiful and inclusive place.

**Values** **Great Natural and Built Environment**  
We protect our enhanced, engaging community spaces, heritage, the natural environment and our biodiversity through well-planned and managed development.

**Great Communities**  
We enjoy places, events and facilities that bring people together. We are inclusive and connected, caring and support volunteers. We are strong for culture, arts, sport and recreation. We have protected amenity, respect our history and have strong community leadership.

## Priority Area

- Renewal of community infrastructure such as roads, footpaths, community, and sports facilities.
- Providing for sport and recreation.

The City currently has no approved Strategic Recreation Plan in place. However, ongoing upgrade of sporting and community facilities within the City of Nedlands is identified as a priority in the City's Strategic Community Plan. The application is consistent with Council's strategic priorities being renewal of community infrastructure and providing for sport and recreation. The project will benefit the junior club members, especially female participation, as well as the wider community who use the sailing facilities.



## Budget/Financial Implications

Nedlands Yacht Club are requesting a \$543,333 contribution from Council. The grant would be paid to the club on the completion of the project, which is scheduled for April 2025.

It is recommended that this be included in the long-term financial plan in the capital works budget and spread out over the 2023/2024 and 2024/2025 financial years. Therefore, the financial implication of providing grant funding to the Nedlands Yacht Club will be factored into long term financial planning. This will have no impact on the 2022/2023 budget.

## Legislative and Policy Implications

### Council Policy

Councils' Capital Grants to Sporting Clubs policy states that

"To ensure the financial support it provides to sporting clubs is effectively targeted to achieve maximum community benefit, Council will consider the following key priorities:

1. Multi-use: priority will be given to developing facilities that will be used by more than one sporting club or type, particularly where such clubs are not yet sharing facilities. This is to facilitate the intent of maximising efficiencies and encouraging clubs to share some facilities while still retaining each club's separate management and identity.
2. Recreation Plan rating: priority will be given to supporting sports identified as a high priority in the City's Strategic Recreation Plan. The Strategic Recreation Plan provides a rating for each sport type, based on two factors: the demand to play that sport type and the facilities already provided for that sport type. These two factors result in a rating for each sport type as high, medium or low priority for facility development. Sport types with a high level of demand (growing membership) and a low level of existing facilities receive the highest rating.
3. Other funding: priority will be given to projects that are eligible for funding from other government bodies such as the Department of Recreation's Community Sport and Recreation Development Fund (CSRFF) or Lotterywest funding. This is to facilitate the overall financial viability of the project and contribute most effectively to the upgrade of community facilities.
4. Level of community benefit: priority will be given to projects that demonstrate a high level of benefit to the local City of Nedlands community. This will include, but is not limited to, City of Nedlands resident membership of the applicant sporting club (total and proportional), support for junior sport and the level of community access (i.e., by non-club members and by community groups and organisations)".

### DLGSC Requirements

In general, DLGSC will fund up to 1/3 of the total cost of an approved project, with the remaining 2/3 to be funded by either the applicant sporting club or a combination of the applicant sporting club and the relevant local government authority.

DLGSC will only consider projects endorsed by the relevant local government. However, Councils may endorse projects without necessarily providing funding to them.

## **Decision Implications**

Council is required to decide on the Club's application by the grant round closing date of 30 September 2022. If Council endorses the application, it will be submitted to DLGSCI for consideration. If Council does not endorse the Club's application, the Club cannot proceed with their application to DLGSCI.

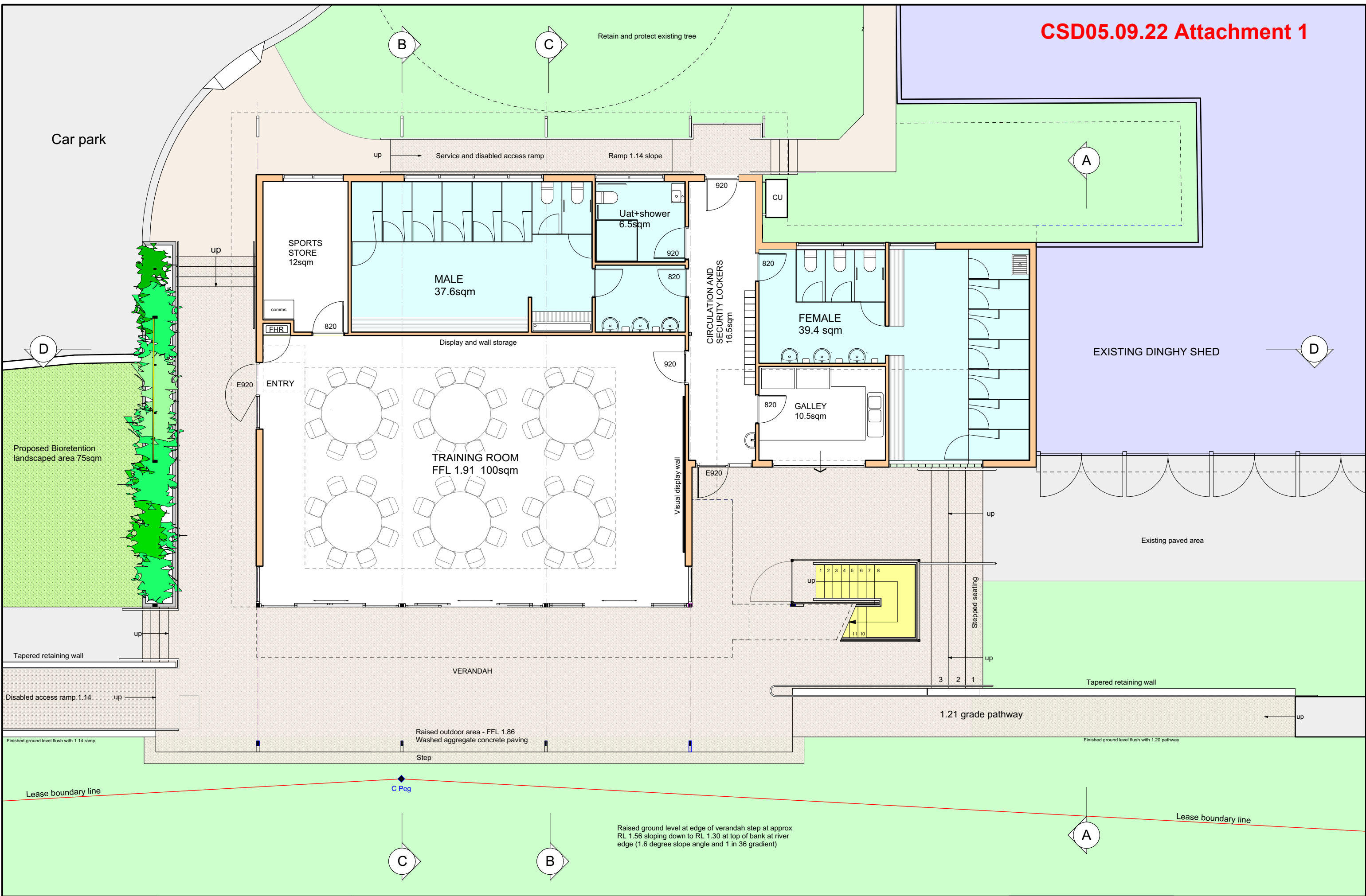
## **Conclusion**

It is recommended that Council endorses the Nedlands Yacht Club application for funding to Department of Local Government, Sport and Cultural Industries and approves a grant of \$543,333 for its Sail Training Centre Redevelopment, on the condition it receives state government support and meet all necessary statutory approvals. Council's support for the application will strengthen the Clubs ability to receive funding from state government and is consistent with Council's strategic aim of providing sport and recreation infrastructure as essential for healthy communities.

## **Further Information**

Nil.





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Certification	
Approval	
Tender	
Construction	

**NEDLANDS YACHT CLUB**  
 Proposed Sail Training Centre  
 Esplanade, Nedlands WA 6009  
 Scale 1:100  
 Date 06/2022  
 Job No 822  
 Drwg GROUND FLOOR PLAN





NYC



**19. Divisional Reports - Corporate & Strategy Report No's CPS39.09.22 to CPS42.09.22**

**19.1 CPS39.09.22 Lease to Leo Heaney Pty Ltd – Portion of Reserve 45054 John XXIII Depot in Mt Claremont**

<b>Meeting &amp; Date</b>	Council Meeting – 27 September 2022
<b>Applicant</b>	Leo Heaney Pty Ltd
<b>Employee Disclosure under section 5.70 Local Government Act 1995</b>	Nil.
<b>Report Author</b>	Michael Cole – Director Corporate Services
<b>Director</b>	Michael Cole – Director Corporate Services
<b>Attachments</b>	1. CONFIDENTIAL – Public Submission – Letter to Cr Smyth 2. CONFIDENTIAL – Mt Claremont Depot Lease 3. CONFIDENTIAL – Submission – Proposed Lease of Portion of Lot 502, John XXIII Ave, Mount Claremont

**Purpose**

At its meeting of 26 April 2022, Council approved Key Terms for a lease to Leo Heaney Pty Ltd for portion of the currently vacant area within the City's John XXIII Depot in Mount Claremont and requested the CEO to commence public advertising of the proposed new lease.

This report is presented to allow Council to consider submissions received during the advertising period.

This report was considered at the 23 August Council meeting and an alternative motion to refuse the lease was lost. As a foreshadowing of the officer's recommendation was not made, the report lapsed. The matter is now referred to Council for consideration of the officer recommendation.

**Recommendation**

**That Council:**

- 1. In accordance with section 3.58 of the *Local Government Act 1995*, notes that each of the public submissions received during the statutory advertising period has been considered;**
- 2. requests the Chief Executive Officer proceed with the proposed new lease for Leo Heaney Pty Ltd for portion of the currently vacant area within Reserve 45054 at the City's John XXIII Depot in Mount Claremont; and**

- 3. authorises the Chief Executive Officer and Mayor to execute the agreements and apply the City's Common Seal.**

## **Voting Requirement**

Simple Majority.

## **Background**

On 17 February 2022 the City was contacted by Leo Heaney Pty Ltd ('Applicant') about potentially leasing the vacant portion of the City's Mount Claremont Depot ('Site').

Reserve 45054 is vested to the City for care, control and management for the purposes of 'Depot Site'.

The portion of the Site that the Applicant seeks to lease was formally leased by the Town of Claremont until the arrangement was terminated in 2020. The Site has been vacant and unused since.

The Applicants are a street tree watering, planting and water cartage company who currently hold contracts with the City of Vincent and Town of Cambridge. The Applicant seeks a short-term lease on portion the Site for the purposes of storing the company vehicles and uses ancillary thereto.

At its meeting of 26 April 2022, Council approved key terms for a lease to Leo Heaney Pty Ltd for portion of the currently vacant area within the City's John XXIII Depot in Mount Claremont and requested the CEO to commence public advertising of the proposed new lease.

This report was presented to the 23 August 2022 Council meeting and an alternative motion to refuse the lease was lost. As a foreshadowing of the officer's recommendation was not made, the report lapsed. The matter is now referred to Council for consideration of the officer's recommendation.

## **Discussion**

Following Council's resolution of 26 April 2022 (Item 17.1), the CEO commenced the statutory advertising of the disposition by negotiation in accordance with section 3.58(3) of the *Local Government Act 1995*.

During the public advertising period, the City received a total of 3 submissions from the public. These submissions have been provided to Elected members in full in the confidential attachment.

The table following shows a breakdown of the types of comments received within each of the submissions.



<b>Submission</b>	<b>Officer Comments</b>
<p>Concerns raised about the traversing of heavy vehicles along the current non-gazetted road from the Depot to John XXIII Avenue.</p> <p>Safety concerns for students who enter via the same road.</p> <p>Measures have been put in place to ease concerns and the use of heavy vehicles would seem counterproductive</p>	<p>The submission is noted and was raised when Council considered this in April 2022 when considering key terms of the proposed lease.</p> <p>Leo Heaney Pty Ltd have advised the Site will be used primarily to store the trucks that are used the least amount (estimated at this time to be 3 or 4 water trucks). However, in the event these trucks need to be utilised, they are generally operated before school hours and would likely be back at the Site prior to school finishing for the day.</p> <p>Leo Heaney Pty Ltd advised they currently hold contracts with other Local Government entities. As such, they are generally required to undertake works early in the morning and have those works completed by early afternoon before school finishes and community sporting activities take place.</p>
<p>Concerns about daily traffic issues with students arriving between 6.45am and 6pm depending on pre and post school commitments.</p> <p>Comment that Council should provide better paths interconnecting McGillivray and the hockey stadium to allow students to cycle safely there.</p> <p>The trucks will be using same entry road as new student car park.</p>	<p>The submission is also noted and was raised when Council considered this in April 2022 when considering key terms of the proposed lease.</p> <p>Leo Heaney Pty Ltd have advised the Site will be used primarily to store the trucks that are used the least amount (estimated at this time to be 3 or 4 water trucks). However, in the event these trucks need to be utilised, they are generally operated before school hours and would likely be back at the Site prior to school finishing for the day.</p> <p>Leo Heaney Pty Ltd advised they currently hold contracts with other Local Government entities. As such, they are generally required to undertake works early in the morning and have those works completed by early afternoon before school finishes and community sporting activities take place. Council has been considering connective paths in the location as part of the Schools Sport Circuit concept.</p>

## Consultation

The proposed lease was advertised in the local Post Newspaper on 11 June and was readvertised again on 25 June 2022 due to an administrative error with the first advertisement. Submissions closed on 11 July 2022. The notice was also available on the City's website during this period.

## Strategic Implications

This item relates to the following elements from the City's Strategic Community Plan.

**Vision** Our city will be an environmentally-sensitive, beautiful and inclusive place.

**Values** **Great Governance and Civic Leadership**  
We value our Council's quality decision-making, effective and innovative leadership, transparency, accountability, equity, integrity and wise stewardship of the community's assets and resources. We have an involved community and collaborate with others, valuing respectful debate and deliberation.

## Budget/Financial Implications

The lease as proposed would be at no cost to Council.

Should elected members agree to the recommendation as proposed and the lease runs for the full 23-months, the City will receive revenue of \$28,750 plus outgoings.

## Legislative and Policy Implications

Section 3.58 of the *Local Government Act 1995* ('Act') governs how Local Governments can dispose of property, in this case by way of lease.

Given the Reserve is under the City's care and control, consistent with s3.58 of the Act, an agreement of tenure is required to formalise the lease of the land.

## Decision Implications

Should elected members choose to endorse the recommendation as contained within this report, the Applicant would lease the Site in accordance with the Key Terms as noted above. Should the arrangement run for the full 23-months, following a market valuation the City would realise revenue of \$28,750 plus outgoings plus GST.

Should elected members choose not to endorse the recommendation as contained within this report, the Site would remain vacant and/or available for the City's depot activities.



## **Conclusion**

The Applicant is proposing to lease a part of the Site which is currently vacant and unused.

The City has negotiated clauses to ensure it is not locked into the arrangement for any more than 6-months at a time. This allows it to remain flexible for future decision making.

The lease as proposed would be at no cost to Council and if endorsed, and runs for the full 23-months, would realise estimated revenue of between \$23,000 and \$29,000.

Concerns about truck movements and safety of students using the same access have been raised during the public submission period. Similar concerns were considered by Council at its meeting in April 2022.

## **Further Information**

Nil.

## 19.2 CPS40.09.22 Lease to WMRC – City of Nedlands John XXIII Depot in Mt Claremont, Portion of Reserve 45054, Lot 502 on Deposited Plan 73830, Mt Claremont

<b>Meeting &amp; Date</b>	Council Meeting – 27 September 2022
<b>Applicant</b>	WMRC (Western Metropolitan Regional Council)
<b>Employee Disclosure under section 5.70 Local Government Act 1995</b>	Nil.
<b>Report Author</b>	Peter Scassera, Coordinator Land and Property
<b>Director</b>	Michael Cole Director Corporate Services
<b>Attachments</b>	1. WMRC Request letter 2. Proposed Lease area

### Purpose

The purpose of this report is for Council to consider approving a proposal from the Western Metropolitan Regional Council (WMRC) for a Green Waste Facility at the City of Nedlands Mount Claremont Depot site, through a lease disposal of a 1105m<sup>2</sup> (approx.) portion of Reserve 45054, subject to the Council reviewing and approving the key terms of the lease following negotiations.

### Recommendation

#### That Council:

1. **approve in-principle the proposal to lease a 1105m<sup>2</sup> (approx.) portion of Reserve 45054, Lot 502 on Deposited Plan 73830, Mount Claremont to WMRC for a Green Waste Facility;**
2. **delegates to the Chief Executive Officer the authority to negotiate the key terms of a lease with WMRC and refer the key terms back to Council for consideration; and**
3. **notes that the approval in-principle of the proposal does not create an agreement to lease or fetter the City's discretion in the exercise of its statutory functions.**

### Voting Requirement

Simple Majority.



## Background

Reserve 45054 comprises Lot 502 on Deposited Plan 73830 and is land owned by the State of Western Australia that has been vested to the City of Nedlands (City) by way of a Management Order.

The Management Order for Reserve 45054 provides the City with a statutory right to manage and control the Crown land for the purpose of a Depot Site with power to lease for any term not exceeding 21 years, subject to consent of the Minister for Lands.

Reserve 45054 currently consists of land used as the City of Nedlands Mount Claremont Depot, a vacant holding yard and a Depot Storage Facility. The Depot Storage Facility is subject to a lease with the City of Subiaco. This lease commenced on 1 September 2019 and provides rental revenue for the City.

The proposal seeks approval from the City to utilise a 1105m<sup>2</sup> (approx.) portion of Reserve 45054 to accommodate a Green Waste Facility utilised by WMRC. The proposed area required by WMRC will be within the existing City of Nedlands Mount Claremont Depot site and will be accessed through the existing entry gate from a driveway connecting onto John XXIII Avenue.

Reserve 45054 is land classified within the Metropolitan Region Scheme (MRS) area for public purposes. A use that is within the definition of “public purpose” can therefore be considered.

WMRC operates a Department of Water and Environmental Regulation (DWER) licenced Green Waste Facility for the storage and loading of Green Waste on land adjacent to the City’s Mount Claremont Depot site pursuant to a lease.

Historically, the Parties to the lease were WMRC and the Department of Local Government, Sport and Cultural Industries, however on the 3rd May 2022 the State of Western Australia transferred the land to Christ Church Grammar School (CCGS) who subsequently became the Assignee to the lease. This lease will end on 31 December 2022 with no option for a further term or an opportunity for renewal.

In order to allow current operation to continue in the precinct, WMRC is seeking to secure tenure for an alternative site to facilitate Green Waste storage for its member councils, other metropolitan councils, commercial operators, and residents from the western metropolitan area. Investigations by WMRC have identified a section of the City’s Mount Claremont Depot site as suitable.

### Discussion

Reserve 45054 is located within the locality of Mount Claremont and is situated approximately 300m from John XXIII Avenue being the major thoroughfare connecting Mooro Drive to Brockway Road. Development surrounding Reserve 45054 comprises Graylands Hospital, John XXIII College and UWA Sports Park.

Reserve 45054 is an MRS Reserve classified for public purposes. Noting the current use of part of the site by the City of Nedlands and City of Subiaco, it is considered that a use that is within the definition of “public purpose” can continue to operate on the site. The MRS

defines “public purpose” as “Land for public facilities such as hospitals, high schools, universities, car parks, and prisons, utilities for electricity and water, commonwealth government and other special uses”.

Reserve 45054 is also Crown land vested to the City by way of a Management Order. A Management Order provides a nominated management body with a statutory right to care, control and manage Crown land in accordance with any conditions on the use and development of the reserve and may grant the management body certain powers to deal with the land, such as the power to lease.

The Management Order for Reserve 45054 permits the land to be used for the purpose of a ‘Depot Site’ and requires the City to seek the consent of the Minister for Lands prior to formalising any agreement for lease over the Reserve.

WMRC’s proposal will enable the current Green Waste Facility operations to continue in the precinct. These operations facilitate productive environmental use of land for storage, transfer and decontamination of green waste.

In recent years WMRC have not undertaken any mulching or grinding on their existing site and have advised within their proposal that they are not planning to do this in future. This will help to limit the amount of dust produced as part of WMRC’s operations however further refinement of the proposal may be appropriately addressed and negotiated through the agreed key terms of any forthcoming lease should Council resolve to proceed with further negotiations.

A summary of the current Green Waste Facility operation is detailed below:

- Throughput FY21/22: 3000t of Garden Organic (GO) Bin Greenwaste and 4000t of Bulk Green waste. With more councils moving from GO to Food Organics Garden Organics (FOGO) the GO throughput is expected decrease in future years.
- FOGO is not being stored or processed on this site.
- Estimated throughput for FY22/23 is 5800t.
- City of Nedlands delivered 248t of Greenwaste in the last FY.
- Delivery traffic per week: 12 side loader compactor trucks with GO Greenwaste and 60-80 smaller trucks from Councils deliver Bulk Greenwaste. Total 80-100 trucks per week.
- 6-7 walking floor semi-trailers need to be loaded per week for transfer to processing sites.
- Current opening hours: 7am to 4pm Monday to Friday
- The current site is licenced for 20,000 tonnes annual throughput

Preliminary discussions with WMRC indicate they are seeking a 3 year lease term (subject to negotiation) for a lease that facilitates the following requirements:

- Approx. 1100sqm storage and loading area.
- Truck accessibility.
- Opening hours from 7am – 4pm Monday to Friday with the option to load semi- trailers on weekends.
- Construction of 2.5m high loading ramp with a footprint of 12m\*6.5m.



- Construction of L shaped storage bunker with concrete elements or road barriers.
- Accessible for 17-20 trucks per day.
- Access to nearest fire hydrant or alternatively we install water tank.
- WMRC staff is loading 5-7 semi-trailers per week.
- Estimated throughput for FY22/23 is 5800t.

An overview of the proposed lease area is shown in attachment 2.

Officers believe WMRC's requirements can be accommodated within the main section of the City's Mount Claremont Depot sit with some slight modifications to the layout of the yard to mitigate any potential adverse impacts to the City's operations and adjacent neighbours.

The recommendation proposes granting in-principal approval for WMRC to lease a 1105m<sup>2</sup> (approx.) portion of Reserve 45054 for a Green Waste Facility subject to delegation to the City's CEO to negotiate the key terms of a lease and the Council reviewing and approving the key terms following negotiations.

If the Council is minded to grant in-principal approval for WMRC's proposal, it is recommended that the lease will be subject to but not limited to the following conditions:

- a. Consent of the Minister for Lands.
- b. All required regulatory approvals from the City of Nedlands being successfully obtained and any conditions thereon being complied with by the proponent, including but not limited to any applicable requirements for environmental health approval or other form of approval required by the City's Local Laws or adopted Policies of Council.
- c. The rent being set at fair market rental in accordance with a market rental valuation assessment.
- d. A redevelopment clause.
- e. An insurance clause providing adequate insurance coverage (including public liability).
- f. An indemnity clause indemnifying the City.
- g. WMRC paying any and all legal costs which have been incurred in the preparation and registration of a lease agreement, and other agreements pertaining to this proposal.
- h. WMRC being responsible for any capital costs (e.g. loading ramp construction, installation of barriers etc.)
- i. WMRC remediating the lease area to its original state at the conclusion of the lease term.

The City will be required to advertise the proposed lease under section 3.58 of the Local Government Act 1995 and refer any submissions back to Council for consideration.

## Consultation

Consultation with WRMC has occurred.

Internal engagement has also occurred. Officers believe the proposal aligns with the permitted use prescribed by the Management Order for Reserve 45054 and is consistent with the public purpose definition under the MRS. In this regard, it is considered that a proposal for a Green Waste Facility can be considered.

## Strategic Implications

This item relates to the following elements from the City's Strategic Community Plan.

**Vision** Our city will be an environmentally-sensitive, beautiful and inclusive place.

**Values** **Healthy and Safe**  
Our City has clean, safe neighbourhoods where public health is protected and promoted.

### **Great Natural and Built Environment**

We protect our enhanced, engaging community spaces, heritage, the natural environment and our biodiversity through well-planned and managed development.

### **High standard of services**

We have local services delivered to a high standard that take the needs of our diverse community into account.

### **Great Governance and Civic Leadership**

We value our Council's quality decision-making, effective and innovative leadership, transparency, accountability, equity, integrity and wise stewardship of the community's assets and resources. We have an involved community and collaborate with others, valuing respectful debate and deliberation.

### **Great for Business**

Our City has a strong economic base with renowned Centres of Excellence and is attractive to entrepreneurs and start-ups.

## Priority Area

- Working with neighboring Councils to achieve the best outcomes for the western suburbs as a whole

## Budget/Financial Implications

The lease would be at no cost to Council.

Should the Council agree to pursue a lease with WMRC, the City is expected to receive revenue equivalent to a market rental valuation assessment for the lease term.

## Legislative and Policy Implications

The City is bound by specific conditions under the Local Government Act 1995 with regard to the disposal of property. Section 3.58 of the Act enables a local government to dispose of a property to the highest bidder at a public auction, by way of a public tender process or by giving local public notice of the proposed disposition and following the public consultation



process as prescribed by sub-section section 3.58 (3) of the Act. In this context, disposing of property means to 'sell, lease or otherwise dispose of, whether absolutely or not'.

Proposals to lease or licence land will be subject to the terms of the City's Retention, Acquisition, Improvement and Disposal of Land Policy.

Crown land reserves vested to the City by way of a Management Order are generally subject to conditions. Consent is required from the Minister for Lands prior to formalising any lease agreement for Reserve 45054.

## **Decision Implications**

Should Council resolve to grant in-principle approval for the disposal of a 1,105m<sup>2</sup> (approx.) portion of Reserve 45054 to WMRC by way of lease, Officers will arrange for a market rental valuation analysis to be undertaken by a licensed Valuer to determine the rental revenue that may be achieved, it is recommended that the rent is set in accordance with the valuation assessment.

Further to the above, Officers will work with WMRC to negotiate key terms for a lease and refer the key terms back to Council for review and approval.

If Council do not resolve to grant in-principle approval for the disposal of a portion of Reserve 45054 to WMRC by way of lease, Officers will not progress this matter any further.

## **Conclusion**

WMRC's current lease is due to expire on 31 December 2022 and does not provide a further term option or an opportunity for renewal. To allow their operations to continue in the precinct WRMC have requested the use of a 1,105m<sup>2</sup> (approx.) portion of Reserve 45054 located within the City's Mount Claremont Depot site in accordance with a lease agreement for the purpose of Green Waste storage and handling. Officers believe this request can be accommodated with minimal impact on the City's operations and presents an opportunity to increase revenue generation from this site.

## **Further Information**

Nil.



Enquiries  
Contact: Peter Engel  
Phone: 9384 4003  
Mobile: 0432533662

18 July 2022

Mr Daniel Kennedy-Stiff  
Manager of City Projects and Programs  
City of Nedlands  
71 Stirling Highway  
Nedlands WA 6009

Dear Daniel

### **WMRC's Green Waste Facility relocation to City of Nedlands John XXIII Depot concept / proposal**

Background: The WMRC operates a DWER licenced Greenwaste Facility for the storage and loading of Greenwaste. Over the last couple of years WMRC had a lease agreement with Department of Local Government, Sport and Cultural Industries. The land was recently transferred to Christchurch Grammar School and we have a current lease agreement with CCGS until 31 December 2022. WMRC is seeking an alternative site to facilitate Greenwaste storage for its member councils, other metropolitan councils, commercial operators, and residents from the western metropolitan area.

The Greenwaste facility is solely used for storage, transfer and decontamination. In the last couple of years there was no mulching or grinding done on site and WMRC is also not planning to do this in future.

WMRC is looking for a new Greenwaste facility in the precinct and identified a section of the City of Nedlands John XXIII Depot as suitable.

WMRC is looking for a three-year lease term negotiable.

Snapshot of the current Greenwaste Facility:

- Throughput FY22: 3000t of GO Bin Greenwaste and 4000t of Bulk Green waste. With more councils moving from GO to FOGO the GO throughput is going to decrease. FOGO is not being stored or processed on this site. Estimated throughput for FY23 is 5800t.
- City of Nedlands delivered 248t of Greenwaste in the last FY.
- Delivery traffic per week: 12 side loader compactor trucks with GO Greenwaste and 60-80 smaller trucks from Councils deliver Bulk Greenwaste. Total 80-100 trucks per week

#### **WMRC Member Councils**

Town of Claremont | Town of Cottesloe | Town of Mosman Park | City of Subiaco | Shire of Peppermint Grove  
with Town of Cambridge





- 6-7 walking floor semi-trailers need to be loaded per week on for transfer to processing sites.
- Required opening hours: 7am to 4pm Monday to Friday
- The current site is licenced for 20,000 tonnes annual throughput (please refer to our GW licence)

Requirements for new Greenwaste Facility:

- 1100sqm storage and loading area
- Truck accessibility
- Opening hours from 7am – 4pm Monday to Friday with the option to load semi-trailers on weekends
- Construction of 2.5m high loading ramp with a footprint of 12m\*6.5m
- Construction of L shaped storage bunker with concrete elements or road barriers
- Accessible for 17-20 trucks per day
- Access to nearest fire hydrant or alternatively we install water tank
- WMRC staff is loading 5-7 semi-trailers per week

**WMRC Member Councils**

Town of Claremont | Town of Cottesloe | Town of Mosman Park | City of Subiaco | Shire of Peppermint Grove  
with Town of Cambridge





### 19.3 CPS41.09.22 Tawarri Hot Springs Pty Ltd – Request licence to occupy portion of Reserve 17391 Esplanade Dalkeith

<b>Meeting &amp; Date</b>	Council Meeting – 27 September 2022
<b>Applicant</b>	Tawarri Hot Springs Pty Ltd
<b>Employee Disclosure under section 5.70 Local Government Act 1995</b>	
<b>Report Author</b>	Peter Scasserra - Coordinator Land and Property
<b>Director</b>	Michael Cole - Director Corporate Services
<b>Attachments</b>	Nil.

#### Purpose

For Council to consider a request from Tawarri Hot Springs Pty Ltd for a licence to occupy a portion of Reserve 17391 for the purposes of two geothermal artesian bores and an electricity transformer/sub-station as well as undertake the ongoing maintenance of this infrastructure.

#### Recommendation

**That Council refuse the request from Tawarri Hot Springs Pty Ltd for a licence to occupy portion of Reserve 17391, Lot 500 on Deposited Plan 418496 (being land vested to the City of Nedlands by way of a Management Order ) to construct the necessary bores and electricity transformer/sub-station to support the proposed Tawarri Hot Springs development.**

#### Voting Requirement

Simple Majority.

#### Background

Reserve 17391 is land owned by the State of Western Australia and historically comprised of several older lots vested to the City of Nedlands (City) by way of Management Order I749288.

On 20 April 2022 Management Order I749288 was revoked by the State of Western Australia (State) and replaced with Management Order P116998, this followed the excision of a portion of the land that was delivered back to the State, subsequently Reserve 17391 was redescribed and now comprises Lots 500 and 501 on Deposited Plan 418496.

The new Management Order for Reserve 17391 continues to provide the City with the statutory right to care, control and manage Crown land for the purpose of Recreation with power to lease for any term not exceeding 21 years, subject to the consent of the Minister for Lands, however excludes the portion that was formally excised.

Lot 500 is predominantly a sloping site that currently consists of natural bushland and is located adjacent to public open space and recreational facilities along the Esplanade, Dalkeith. The land is encumbered by a Memorial under the Contaminated Sites Act 2003.

Reserve 17391 is land classified within the Metropolitan Region Scheme (MRS) area for parks and recreation. A use that is within the definition of “parks and recreation” can therefore be considered.

Tawarri Hot Springs Pty Ltd (THS) have been requested by the Department of Planning, Land and Heritage (DPLH) to formally seek confirmation from the City of Nedlands that it will permit THS to construct the necessary bores and electricity transformer/sub-station on portion of Reserve 17391 as per their submitted development application. This would involve the City agreeing to a licence that permits THS to occupy portions of the land that is covered by Management Order P116988 on a non-exclusive basis.

The proposal therefore seeks approval from the City to utilise a portion of Reserve 17391 (part of Lot 500) to accommodate two geothermal artesian bores and an electricity transformer/sub-station pursuant to a licence which permits the proponent to undertake the ongoing maintenance of this infrastructure.

THS had entered into an MOU with the City. At the time of signing the MOU, it was conveyed to THS that this MOU can be used as a non-binding statement of intent that the City is willing to work with THS on the Licence Agreement. THS were also advised that the City will only proceed with the preparation of such documents should all other Lease and DA requirements gain formal approval of Council.

At its meeting of 29 March 2022, Council resolved to not proceed with the major land transaction and therefore the lease with THS. In addition, at the same meeting Council decided not to deal with the report relating to the State Development Assessment Unit Planning application for THS on the basis that a lease had not been supported by Council.

## **Discussion**

Reserve 17391 is located within the locality of Dalkeith and is situated along the Esplanade being one of the major thoroughfares providing vehicular access to the City’s foreshore. Development surrounding Reserve 17391 comprises residential dwellings, play grounds, two yacht clubs, recreational facilities, car parks, ablutions, club rooms and an inoperative function centre.

Reserve 17391 is an MRS Reserve classified for the purpose of parks and recreation, it is considered that a use that is within the definition of “parks and recreation” can continue to operate on the site. The MRS defines “parks and recreation” as “Land of regional significance for ecological, recreation or landscape purposes”.



Reserve 17391 is also Crown land vested to the City by way of a Management Order. The Management Order provides the City with a statutory right to care, control and manage the Crown land in accordance with the conditions on the use and development of the reserve and also grants the City certain powers to deal with the land.

Management Order P116988 permits the land to be used for the purpose of 'Recreation' only and requires the City to seek consent of the Minister for Lands prior to formalising any agreement for lease of the Reserve.

At the Special Council Meeting held 29 March 2022, the Council resolved to not proceed with the major land transaction proposed to facilitate the THS development on the basis of commercial risk, inappropriate use of public land, cost of car parking and the location of the development was deemed inappropriate for such an enterprise.

Following the above resolution, the Minister for Lands used his power to proceed with the development and formally excised the Tawarri site from Reserve 17391, resulting in the City no longer having the care, control and management of that portion of the reserve, a reduction in the reserve area, redescription of lots and Management Order I749288 being revoked and replaced by Management Order P116988.

Considering Council did not support the THS development proposal, it would follow that Council would not support a licence to permit use of an adjoining reserve to construct the necessary bores and electricity transformer/sub-station. Therefore the recommendation proposes to refuse the request from THS for a licence to occupy a portion of Reserve 17391.

Should the THS development proceed, it is recommended that the development must contain all infrastructure within the development site.

## Consultation

Other than preliminary discussion that gave rise to the MOU with THS, there has been no further consultation on this request.

## Strategic Implications

This item relates to the following elements from the City's Strategic Community Plan.

**Vision** Our city will be an environmentally-sensitive, beautiful and inclusive place.

**Values** **Great Natural and Built Environment**  
We protect our enhanced, engaging community spaces, heritage, the natural environment and our biodiversity through well-planned and managed development.

### **Reflects Identities**

We value our precinct character and charm. Our neighbourhoods are family-friendly with a strong sense of place.

## Priority Area

- Urban form - protecting our quality living environment
- Retaining remnant bushland and cultural heritage

## Budget/Financial Implications

There are no budget or financial implications for the recommendation in this report.

Should Council agree to a licence appropriate terms would need to be negotiated with the applicant and a market valuation would be obtained. This could result in some licence income coming to the City.

## Legislative and Policy Implications

The City is bound by specific conditions under the Local Government Act 1995 with regard to the disposal of property. Section 3.58 of the Act enables a local government to dispose of a property to the highest bidder at a public auction, by way of a public tender process or by giving local public notice of the proposed disposition and following the public consultation process as prescribed by sub-section section 3.58 (3) of the Act. In this context, disposing of property means to 'sell, lease or otherwise dispose of, whether absolutely or not'. Any licence as that requested by THS would be dealt with under this section of the Act.

Proposals to lease or licence land will be subject to the terms of the City's Retention, Acquisition, Improvement and Disposal of Land Policy, and Disposal and Acquisition of Land Policy.

Crown land reserves vested to the City by way of a Management Order are generally subject to conditions. Should the City resolve to proceed with an agreement for lease or licence for Reserve 17391, consent from the Minister for Lands is required.

## Decision Implications

Should Council resolve to refuse the request for a licence to occupy a portion of Reserve 17391 to THS, Officers will not progress this matter any further.

If Council resolve to approve a licence with THS for a portion of Reserve 17391, Officers will arrange for a market rental valuation analysis to be undertaken by a licensed Valuer to determine the licence income that may be achieved. Officers will also work with THS to negotiate key terms for a licence and refer the key terms back to Council for review and approval.



## **Conclusion**

DPLH have requested THS seek approval from the City to permit THS to construct the necessary bores and electricity transformer/sub-station required to facilitate their development on the adjacent Tawarri site. This proposal will require consideration for a non-exclusive use licence for portion of Reserve 17391 (part of Lot 500) subject to consent from the Minister for Lands. Officers believe a licence should be refused on the basis that this decision is consistent with Council not supporting the THS development proposal.

## **Further Information**

Nil.

## 19.4 CPS42.09.22 Reclassification of Crown Reserve – Swanbourne

<b>Meeting &amp; Date</b>	Council Meeting - 27 September 2022
<b>Applicant</b>	City of Nedlands
<b>Employee Disclosure under section 5.70 Local Government Ac 1995</b>	Nil.
<b>Report Author</b>	Peter Scassera– Coordinator Land and Property
<b>Director</b>	Michael Cole - Director Corporate Services
<b>Attachments</b>	1. Notice of Motion – 28 September 2021 2. Parcels for Consideration – Visual Image

### Purpose

Following a Notice of Motion on 28 September 2021, elected members are presented with this report to consider the reclassification of various parcels of land (both freehold and crown reserve) located within the Allen Park Precinct and greater Swanbourne area.

### Recommendation

**That Council authorise the Chief Executive Officer to liaise with the Department of Planning, Lands and Heritage and request the Minister for Lands to amend the classification of the following parcels of land from Class ‘C’ Reserve to Class ‘A’ Reserve;**

1. Reserve 47257
2. Reserve 19842
3. Reserve 23729

### Voting Requirement

Simple Majority.

### Background

The Allen Park Master Plan (‘APMP’) was endorsed in 2017 and noted various land tenure arrangements and community concerns that land currently utilised for bushland preservation may be reclaimed for development in the future

On 28 September 2021, following a Notice of Motion (‘NoM’) Council requested the CEO investigate the various parcels of land mentioned in the APMP to be reclassified as Class ‘A’ Reserve in order to achieve the highest level of protection.



This report outlines the current ownership details and current use of each of those parcels and recommends to the elected members an appropriate pathway to reflect the intent of the Notice of Motion whilst also protecting the best interests of the City's ratepayers.

## Discussion

As mentioned above, the Allen Park Master Plan ('APMP') was endorsed in 2017 and noted various land tenure arrangements and community concerns that land currently utilised for bushland preservation may be reclaimed for development in the future.

Following the reclamation by the Minister for Lands of a portion of land within the Allen Park precinct for 'WA Children's Hospice Project' it was evident some parts of the community had an appetite to ensure the rest of the precinct remained as protected from future development as possible under the *Land Administration Act 1997*.

Subsequently, on 28 September 2021, following a Notice of Motion ('NoM') (see attachment 1), Council requested the CEO investigate the various parcels of land mentioned in the APMP to be reclassified as Class 'A' Reserve in order to achieve the highest level of protection available.

Following this NoM, officers investigated the current land tenure arrangements for each of the parcels as noted within and also other parcels of land located nearby that the City either owned (in freehold) or were in care and control of (Crown land vested to the City via Management Order).

The following nine land parcels have been identified as the only parcels within the Allen Park Heritage precinct that relate to land tenure issues not acted upon by Council.

Below is an outline of each parcel, proprietor (owner) details, the current zoning, use, and also the social, environmental and financial considerations. For elected members reference, a visual of each parcel is contained in attachment 2.

### 1. Class 'C' Reserve 47257

Owner:	State of WA
LPS3 Zoning:	Public Open Space
Current Use:	Bushland/Public Open Space
Social/Environmental Value:	Yes
Financial Value:	No

### 2. Lot 1 on Diagram 24967

Owner:	City of Nedlands
LPS3 Zoning:	Environmental Conservation
Current Use:	Bushland
Social/Environmental Value:	Yes
Financial Value:	Yes

3. Lot 131 on Plan 222332 (Old Mayo House)

Owner:	City of Nedlands
LPS3 Zoning:	Environmental Conservation
Current Use:	Leased to Mayo Community Garden Inc.
Social/Environmental Value:	Yes
Financial Value:	Yes

4. Class 'C' Reserve 19842 (9 Sayer Street, Swanbourne)

Owner:	State of WA
LPS3 Zoning:	Public Open Space
Current Use:	Bushland
Social/Environmental Value:	Yes
Financial Value:	No

5. Lot 150 on Plan 222332 (11 Sayer Street, Swanbourne)

Owner:	City of Nedlands
LPS3 Zoning:	R25 No Current Use (Degraded with isolated native plants)
Social/Environmental Value:	Yes
Financial Value:	Yes

6. Lot 139 on Plan 222332 (12 Sayer Street, Swanbourne)

Owner:	City of Nedlands
LPS3 Zoning:	Environmental Conservation
Current Use:	Bushland
Social/Environmental Value:	Yes
Financial Value:	Yes

7. Lot 301 on Plan 22248

Owner:	Commonwealth
LPS3 Zoning:	N/A (MRS - Public Purpose Reserve)
Current Use:	Bushland
Social/Environmental Value:	Yes
Financial Value:	No

8. Lot 192 on Plan 204900

Owner:	City of Nedlands
LPS3 Zoning:	N/A (MRS – Park & Recreation Reserve)
Current Use:	Driveway/Bushland/Public Open Space
Social/Environmental Value:	Yes
Financial Value:	Yes



9. Class 'C' Reserve 23729

Owner:	State of WA
LPS3 Zoning:	N/A (MRS - Park & Recreation Reserve)
Current Use:	Bushland
Social/Environmental Value:	Yes
Financial Value:	No

The bushland areas within Allen Park have been managed for environmental conservation by the City in collaboration with the community since the early 1990s. It is an important ecological corridor that provides habitat for wildlife including the endangered Carnaby's Black-Cockatoos. Furthermore, the bushland protects vulnerable coastal foreshore areas from erosion.

Two community groups are involved in the conservation of the bushland, the Friends of Allen Park Bushland Group and the Swanbourne Coastal Alliance. The collaboration between the City and the community has led to a significant improvement in the quality of the bushland and as such it is considered an important community asset.

These areas have received significant funding from the City of Nedlands and grant funding bodies including National Heritage Grants, the Western Australian Local Government Association, Perth Biodiversity Project funding, Australian Government Coastcare Grant program, Lotterywest grants and the Western Australian Planning Commission's Coastwest Grants program. Furthermore, the community has provided substantial in-kind resources to improve the quality of the bushland over the last twenty years as such they warrant the highest order of protection.

Elected members are also advised at this point that the recommendation as contained within this report also has strong synergies to a previous resolution of Council in 2014 (PD9.14). This resolution essentially adopted various Natural Area Management Plans and instructed the Administration to undertake land administrative tasks to reclassify parcels of land within the Allen Park Precinct.

The recommendation within this report reflects some of the above land administration tasks whilst also proposes to ensure the protection of additional areas of land to the north of the Allen Park Precinct (Whole of Reserve 47257).

### **Land Investment Strategy**

Elected members will note the City does not have an endorsed strategic approach towards land investment and therefore changes to the City's freehold land portfolio are not recommended. Officers are currently working on this strategy and anticipate it will be ready for consideration early 2023.

### **Consultation**

Throughout the Allen Park master planning process, the community were extensively consulted with. The resultant Allen Park Master Plan has formed the basis of both the Notice of Motion and this report.

## Strategic Implications

**Vision** Our city will be an environmentally-sensitive, beautiful and inclusive place.

**Values** **Great Natural and Built Environment**

We protect our enhanced, engaging community spaces, heritage, the natural environment and our biodiversity through well-planned and managed development.

### Priority Area

- Retaining remnant bushland and cultural heritage

## Budget/Financial Implications

Should elected members choose to endorse the recommendation as proposed, there would be no effect to the City's budget.

## Legislative and Policy Implications

The [Land Administration Act 1997](#) provides the legislative basis for the creation, management, amendment and cancellation of reserves of Crown land.

The recommendation as contained within this report is also consistent with the City's 'Natural Areas Management' Council Policy and Greenways Policy

Whilst not legislation or policy, the recommendation is also consistent with the resolution of Council in 2014 (PD9.14).

## Decision Implications

Should elected members approve the recommendation as contained within this report, the subject Reserves currently classified as Class 'C' will be considered for reclassification to Class 'A' by the Minister for Lands and be subject to a parliamentary procedure.

Provided Parliament resolve to amend the classification of the Reserves the Minister for Lands may by order reclassify Reserves 47257, 19842 and 23729 from Class 'C' to Class 'A'.

The current Management Orders will be revoked and replaced with new Management Orders as part of the reclassification process. This ensures the City of Nedlands retains the care, control and management of the land, the application to reclassify the Reserves will request the City of Nedlands is nominated as the Management Body for the new



Management Orders and further request the current purpose of Parks and Recreation be retained.

Reclassifying a Class 'C' Reserve to a Class 'A' Reserve will provide the highest level of protection available for Crown land created under the *Land Administration Act 1997* in order to safeguard areas of high conservation or high community value.

Should elected members choose not to approve the recommendation as contained within this report, the Reserves currently classified as Class 'C' will remain unchanged.

## Conclusion

It is clear of the nine parcels identified, there are opportunities to acquire a greater level of protection for some parcels of land within the precinct under the *Land Administration Act 1997*.

However, it is noted that some of the parcels of land currently offer the City financial value (freehold lots) and also that one parcel is owned by the Commonwealth - with the future of that site being very difficult to influence at this time. The table below references each parcel investigated and notes a recommendation alongside.

<u>Lot</u>	<u>Owner</u>	<u>Reccomendation</u>
Class 'C' Reserve 47257	State of WA	Request reclassification to Class 'A'
Lot 1 on Diagram 24967	City of Nedlands	Owned in freehold by the City, remain unchanged
Lot 131 on Plan 222332 (Old Mayo House)	City of Nedlands	Owned in freehold by the City, remain unchanged
Class 'C' Reserve 19842 (9 Sayer Street, Swanbourne)	State of WA	Request reclassification to Class 'A'
Lot 150 on Plan 222332 (11 Sayer Street, Swanbourne)	City of Nedlands	Owned in freehold by the City, remain unchanged
Lot 139 on Plan 222332 (12 Sayer Street, Swanbourne)	City of Nedlands	Owned in freehold by the City, remain unchanged
Lot 301 on Plan 22248	Commonwealth	City unable to influence, investigate further.
Lot 192 on Plan 204900	City of Nedlands	Owned in freehold by the City, remain unchanged
Class 'C' Reserve 23729	State of WA	Request reclassification to Class 'A'

Given the circumstances above, it is recommended that three parcels (Reserves 47257, 19842 and 23729) be provided the greatest level of protection available under the *Land Administration Act 1997*.

This position will appropriately protect the land which the City does not own, whilst also allowing the City to continue to realise the financial value of holding the parcels it does.

## Further Information

Nil.

**14.1 Councillor Horley – Allen Park A Glass Recreation Reserve**

At the Council meeting on 24 August 2021 Councillor Horley gave notice of her intention to move the following at this meeting.

Moved – Councillor Horley  
Seconded – Councillor Smyth

**Council Resolution**

**That Council:**

1. requests an update from the CEO with regard to the land tenure arrangements as suggested in the Allen Park Master Plan (extract below); and



<p>Land Tenure: multiple land tenure arrangements and concern that land currently owned for business preservation may be reclaimed for development.</p>	<p>The resolution clearly sets out the purpose of a number of existing land tenure and land tenure arrangements:</p>			<p>The community acknowledges that they are passionate about the Allan Park Project and the community they live and reside in, and will fight for what they believe is important in retaining the social fabric of their community. The focus of land tenure use is a number of blocks and reserves continued for of high concern.</p> <p>It is recommended that Council act to resolve the outstanding land tenure issues within the Allan Park Project that continue to be of high community concern, in particular lots 138 and 133 ("the walkway"). These 2 lots provide a valuable link and connection point within the precinct, and should if possible be retained as permanent footpath and connection walkway. In particular, the walkway provides the link for people that are aged or infirm to access the parkland from residential areas to the north east northward. The only alternative route is a rather through either lot 62 or via the street through network which would increase through to a road.</p> <p>Lot 138 is considered to be reclassified as additional footpath. It is not possible for 48V to be removed from this lot for provision to community for the purpose of no use, as the lot is considered of financial value to the City. There has been some suggestions that the community may consider a franchise arrangement with the City for the land, and it is recommended this be further explored.</p>	
	Class A Reserve 10049	MP Upper position	NO access to City for purpose of recreation		
	Class A Reserve 10044 - Lot 405 as DP 84173	Includes: 48V (bridge) Club, 48VFC, 48V Lower Park, 10043C, 48VFC Family Housing, 48V Lower House	NO access to City for purpose of recreation		
	Reserve 10081, 10050 (Class A Reserve)		NO access to City for purpose of recreation		
	Reserve 10067 - (Class C Reserve)		NO access to City for purpose of recreation		
	lot 1	Central West Area	Freehold - State Reserve lot		
	lot 131	Old Mayo House	Owned Freehold by the City		
	lot 149	9 Sayer Street	Owned by the State		Endowment - Allotment
	lot 134	1/1 Sayer Street	Owned Freehold by the City of Westland		Reclassified
lot 133	1/1 Sayer Street	Owned Freehold by the City of Westland	Owned Freehold to the City of DCU		
lot 132 "The Walkway"	9 Sayer Street	City of Westland	Leased Freehold for the duration of 999 years		

				Class C Reserve 47257
Lot 131			Proposed Precinct Commissioner of Westland	
<p>Class A has the greatest degree of protection, requiring approval of Parliament to amend the reserve's purpose or area, or to cancel the reservation. The classification is suitable to protect areas of high conservation or high community value.</p> <p>Apart from conservation reserves, the Minister has general power to deal with reserves which are not Class A or B, and retains legal and policy control of the use of reserves generally.</p> <p>Lot 130 highlights a major concern raised by the City of Westland. The Council have identified this lot is important to the development of additional greenway for built greenfield.</p> <p>Lots 138 and 133 ("the walkway") highlighted in orange are of considerable concern to the community as there is a belief that the lot could be reclassified for alternative purposes, which is possible for developments on those lots. The City of Westland are the registered proprietor of the land. The lot is for the purpose of lease for the aged and there is a Crown Grant over the land. The leasing has been changed under the Town Planning Act to recreation. However the formal purpose of the lot is only for aged care.</p> <p>A Crown Grant also reserves to the Crown the right to resume (now called taking) the land or any part of it for the construction of public works under the Transfer of Land Act.</p> <p>There is a significant amount of concern within the community regarding lots 130, 138 and lot 133 in particular. Over a number of years, lots 138 and 133 have been reclassified as part of the footpath greenway. Lot 133 includes a major walkway that runs the north east residential area of Swantonville to the Allan Park Club and sporting grounds. The area is also considered important to the inclusivity of the precinct, and it is important to identify and future.</p>				

2. if no progress has been made requests the CEO to formally commence discussions with the Department of Planning, Lands and Heritage to reclassify each of the below parcels of land as Class A Reserve. (image depicting where these parcels are located below):

- Class C Reserve 47257
- Lot 1, DP24967 (the big triangle piece of land in Swanbourne)
- Lot 131, DP222332 (old Mayo House)
- Lot 149, DP222332 (9 Sayer Street)

- Lot 150, DP222332 (11 Sayer Street)
- Lot 139, DP222332 (12 Sayer Street)
- Lot 301, DP22248 (Owned by Commonwealth)



**CARRIED 8/4**  
**(Against: Crs. McManus Hodsdon Wetherall & Senathirajah)**



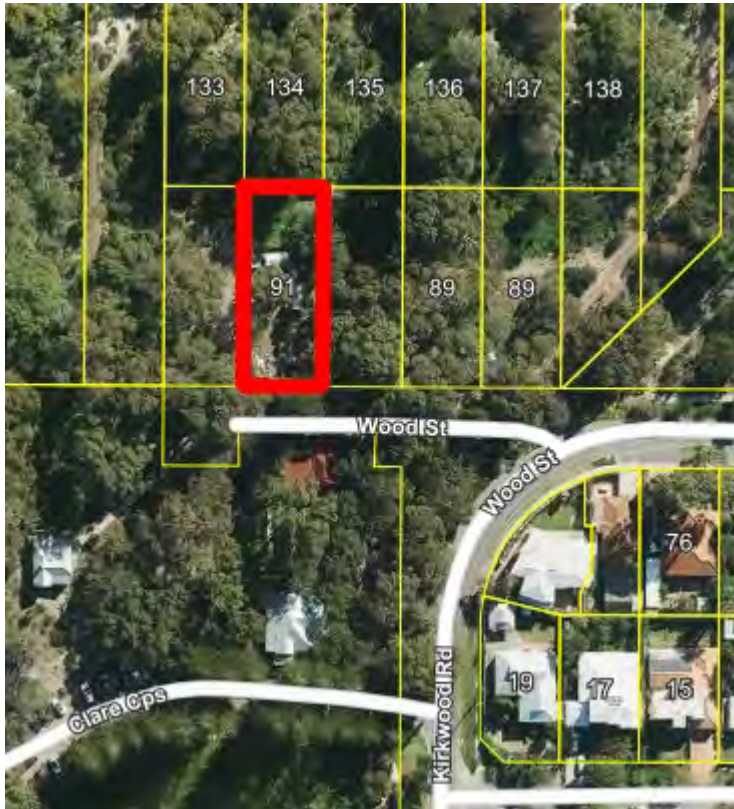
1. Class 'C' Reserve 47257



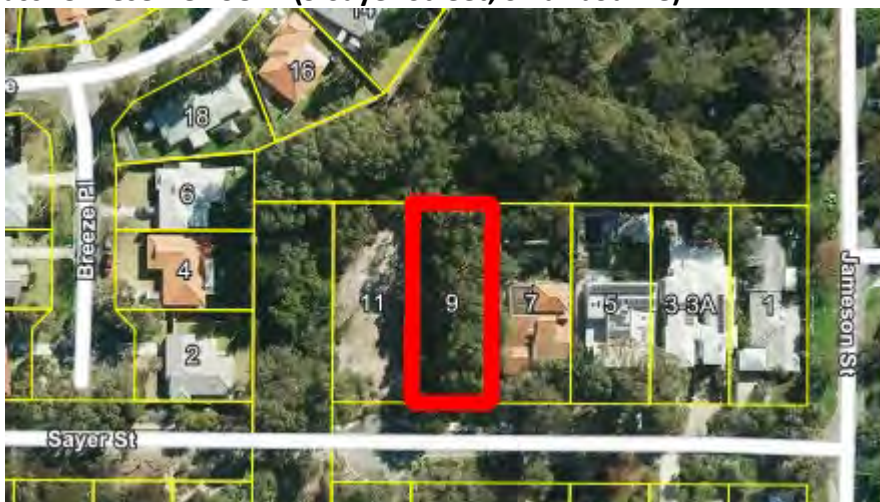
2. Lot 1 on Diagram 24967



3. Lot 131 on Plan 222332 (Old Mayo House)

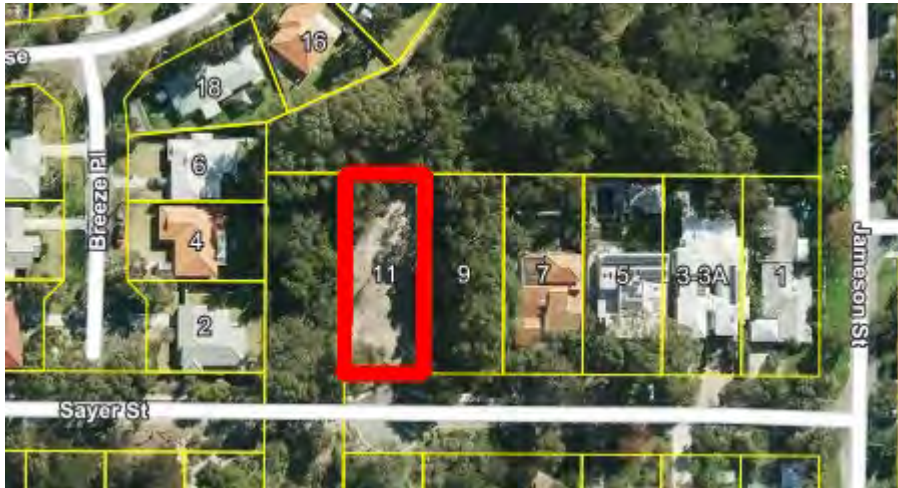


4. Class 'C' Reserve 19842 (9 Sayer Street, Swanbourne)

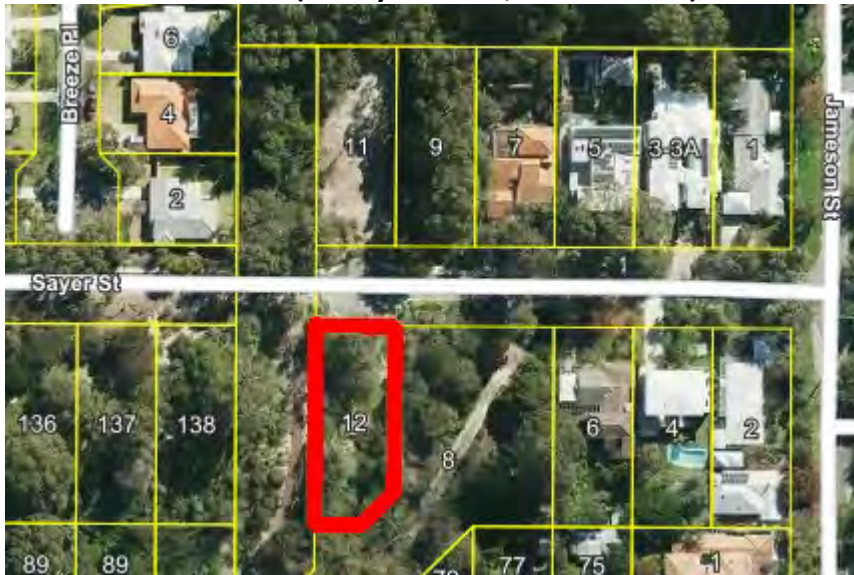




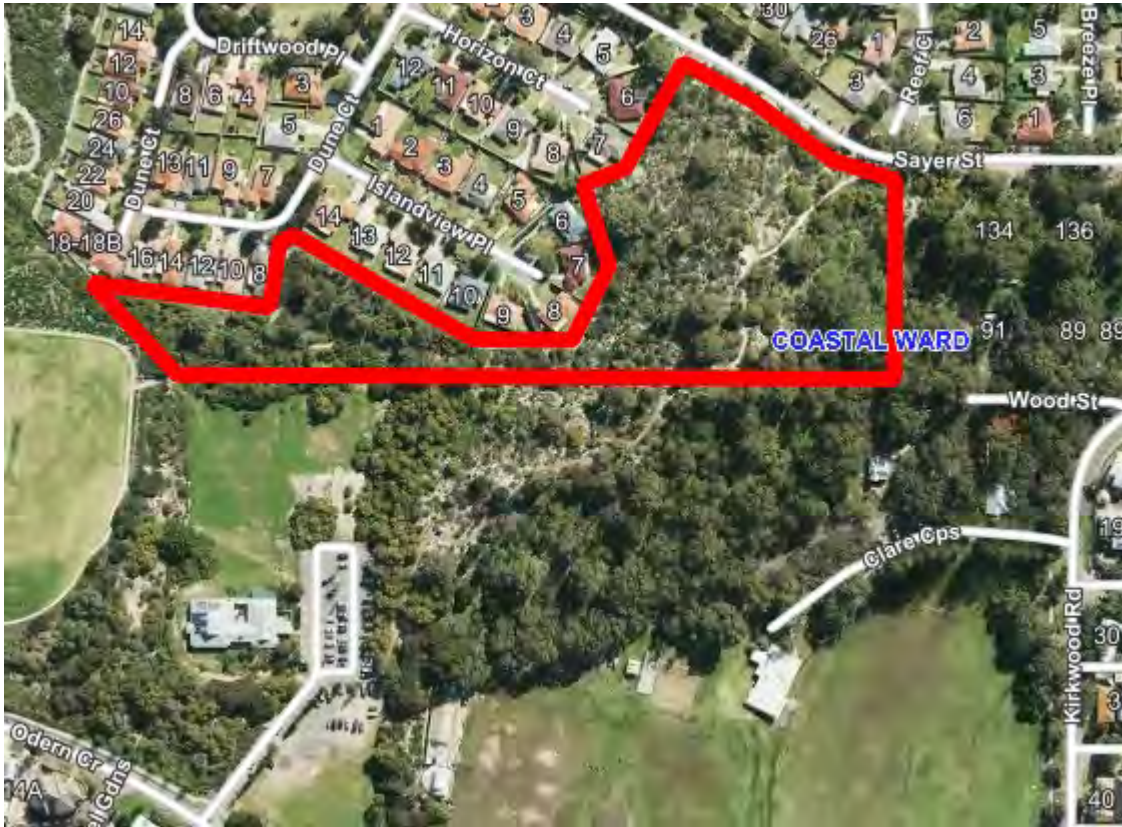
5. Lot 150 on Plan 222332 (11 Sayer Street, Swanbourne)



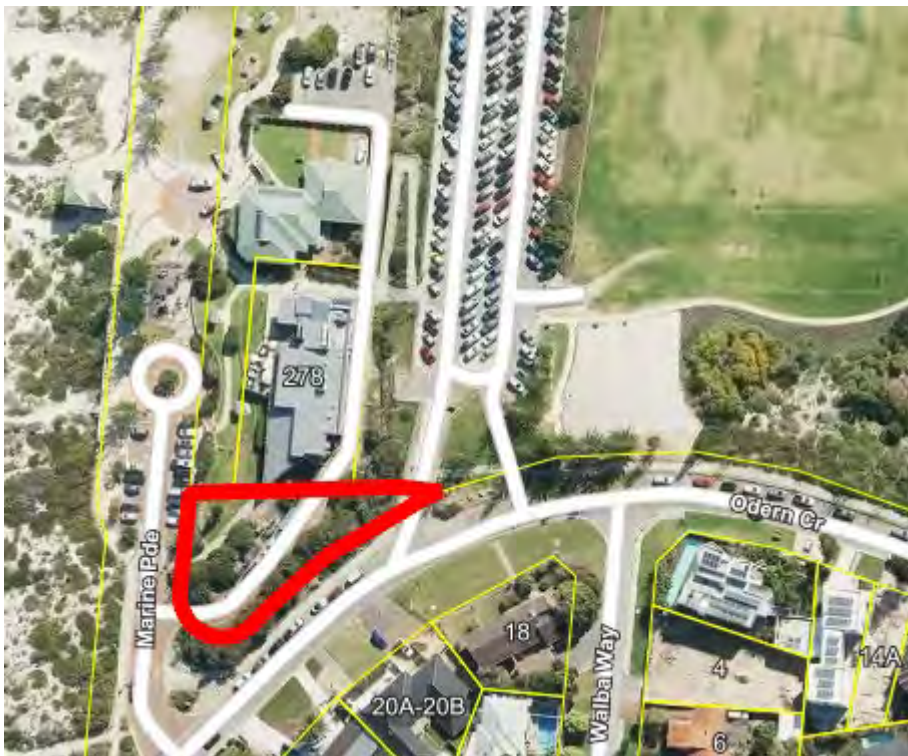
6. Lot 139 on Plan 222332 (12 Sayer Street, Swanbourne)



7. Lot 301 on Plan 22248

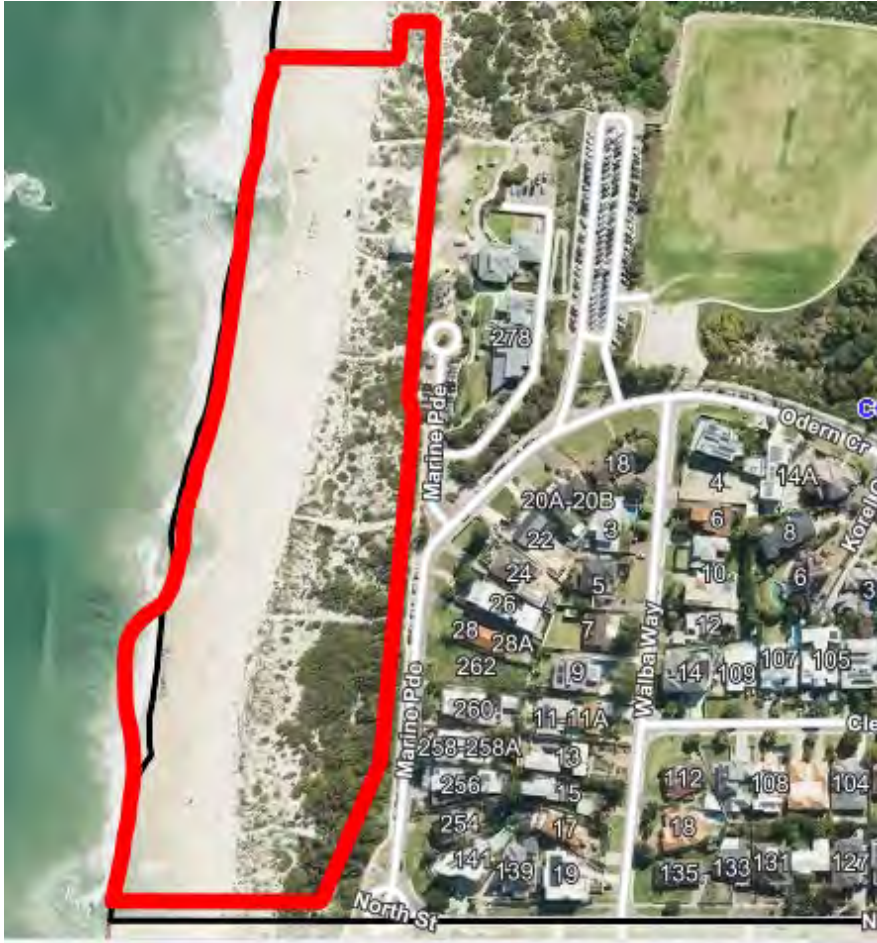


8. Lot 192 on Plan 204900





9. Class 'C' Reserve 23729



## 20. Reports by the Chief Executive Officer CEO10.09.22 to CEO11.09.22

### 20.1 CEO10.09.22 Annual Review of the City of Nedlands Register of Delegations

<b>Meeting &amp; Date</b>	Council Meeting – 27 September 2022
<b>Applicant</b>	City of Nedlands
<b>Employee Disclosure under section 5.70 Local Government Act 1995</b>	Nil.
<b>Report Authors</b>	Nicole Ceric, Executive Officer Sam Curulli, Governance Officer
<b>CEO</b>	Bill Parker
<b>Attachments</b>	1. Register of Delegations - with track changes

#### Purpose

The City is required to review its Register of Delegations annually in accordance with section 5.46(2) of the *Local Government Act 1995*. This review has now been completed and is presented to Council for approval.

#### Recommendation

**That Council approves the delegations made to the Chief Executive Officer and Committees, as contained in the Register of Delegations, Attachment 1.**

#### Voting Requirement

Absolute Majority.

#### Background

At least once every financial year, delegations from the *Local Government Act 1995* and the City of Nedlands Local Planning Scheme No.3 are to be reviewed by the delegator, either Council or the Chief Executive Officer.

The last review was undertaken at the Ordinary Council Meeting on 22 June 2021. The Annual review has now been completed by the Chief Executive Officer and is presented with the recommended changes explained.

**Attachment 1** is the current Register of Delegations with track changes showing a range of proposed changes.



The first change is that of the **Introductory Section** of this delegation. There is no legislative requirement surrounding this change, however the addition of this section provides an extensive key and breakdown in understanding and interpreting the Register of Delegations and ensures good governance and transparency in the City's register. A large majority of band 1 and 2 local governments are beginning to include this section in their delegations register as a means of interpretation and transparency. The risk factor of changing legislation is mitigated due to the annual register review requirement.

The addition of **Head of Power** above each delegation ensures good governance advising readers of the appropriate legislation that bounds each of the delegations concerned.

The change of wording from **Local Government to Council** provides transparency and easier identification when interpreting the register, specifically in distinguishing Council to CEO and CEO to Employees delegations.

The removal of the \$5,000 limit in **Delegation 1.1.2- Compensation- Damage Incurred when Performing Executive Functions** as section 3.22(1) of the *Local Government Act 1995* does not suggest an amount, and rather should be an amount determined on an individual basis when required.

The addition of Director Planning and Development for **Delegation 1.1.4- Declare Vehicle is Abandoned Vehicle Wreck**, due to the nature of the delegation and the need for an additional subdelegate.

The proposal to increase the Chief Executive Officer's delegated authority from \$249,999 to \$500,000 (GST exclusive) in **Delegation 1.1.17- Tenders for Goods and Services- Accepting and Rejecting Tenders; Varying Contracts; Exercising Contract Extension Options**. This proposed increase will be of assistance with the delivery of the City's Annual Capital Works Program. Between 01 July 2021 to 08 August 2022, there were three tenders approved between \$250,000 and \$500,000. They are as follows:

- RFT 2020-21.13- Provision of Educting Services- \$300,000.00
- RFT21NB05- Civil Works Road Rehabilitation on Mooro Drive, Mount Claremont- \$471,310.10
- RFT2021-22.06- Provision of Stormwater Construction and Maintenance Works- \$425,000.00

As the City's Capital Works Program matures and progresses, we will see an increase in the number and value of projects being delivered. The average value of the projects being undertaken are expected to fall within the \$400-800k range.

Under the current timelines, Council Reports for the award of Tenders above \$250,000 are required to be finalised approximately 6 weeks before the Ordinary Council Meeting to ensure that it is considered in accordance with the Council's Governance Framework. The current procurement period includes a 3-4 week advertisement period followed by a 2 week period to undertake the tender review and the drafting of Evaluation and Council reports. There is then a 6-week period where no works can occur whilst Administration awaits the decision of the OCM. This means an ideal procurement process will take a minimum of 3 months, out of 12 months of a delivery year. The 6-week period awaiting the

decision of Council effectively doubles the time taken for the procurement process to be completed. Currently a typical procurement process is taking 4 months.

It is important to note that Council have existing protections regarding the Administration's procurement and awarding of contracts. These include:

1. Procurement Policy and process
2. All RFT Evaluation Reports are reviewed by Procurement and Probity.
3. All RFT's are signed off by the Evaluation Panel, Procurement, the relevant Manager and Director before being approved the CEO prior to being presented to Council.

By altering the CEO's delegation to enter into contracts and increasing the contract value that is able to be awarded, the City will be able to reduce, by half, the time taken to undertake the procurement, thereby improving efficiencies within the process, considering the existing protections with regard to the awarding of contracts.

The removal of the above mentioned 6-week period from the procurement process will lead to an improvement of the Capital Works delivery process by:

- Reducing the time taken to award a contract – which may lead to less escalation built into tenderers prices.
- A smoothing in the delivery team's workload – leading to improved project management and more consistent levels of work onsite throughout the year.
- An approximate 5% increase in efficiency due to a more streamlined process – allowing each Project Manager to deliver 1-2 additional projects of this size annually.

As per s.3.57 of the Local Government (Functions and General) Regulations. Contracts awarded by the CEO will still require an evaluation and recommendation report signed by:

- The Tender Evaluation Panel
- The Coordinator Procurement and Contracts
- the relevant Director,
- and the CEO

The required reports confirm that there is budget available. Should additional budget be required, a budget adjustment will be brought to Council for an approval prior to a contract being entered into. The CEO is only able to approve a contract where there is available budget.

The multiple upcoming contracts and the increasing costs of construction and maintenance across all industries are all appropriate factors supporting the proposal of a delegated increase. When comparing other Local Governments, the City of Subiaco currently has a CEO delegated authority amount of \$350,000 and the City of Joondalup an amount of \$500,000. Council can place conditions the acceptance of tenders for specific projects during the annual budget process.

Additionally, it is proposed to reword function 8 to reflect the following, "Authority to vary a contract that has been entered into with a successful tenderer, provided the variation/s are necessary for the goods and services to be supplied, and do not change the scope of the original contract and the revised contract value remains within the approved budget. This



provides transparency and by removing set limits, the City is able to ensure minimal disruption to Council in its operations. This proposed function allows the CEO to vary a contract within the approved budget. In the event that the variation will be above the approved budget, it will be required to be taken back to Council for further consideration.

In **Delegation 1.1.20- Disposing of Property**, an edit of the maximum value in council condition (b) to \$100,000 as per s.3.58 of the *Local Government Act 1995*. Further, the maximum value of \$50,000 has been inputted in CEO conditions on this sub-delegation as per section 5.43 of the *Local Government Act 1995*.

The inclusion of the appropriate \$1,000 limits in **Delegation 1.1.22- Defer, Grant Discounts, Waive or Write Off Debts** as per section 6.12 of the *Local Government Act 1995*. Additionally, changing of wording in Council conditions on this delegation, reflecting that a debt may only be waived, and concession granted where “it is only to charitable or not for profit community groups”, to standardize wording for easier interpretation. Further, the addition of council condition “e) For the CEO to report to Council on the exercise of this delegation”, as is a requirement of section 6.12(1)(c) of the *Local Government Act 1995*.

The inclusion of City of Nedlands Investment of Council Funds Policy, in **Delegation 1.1.23- Power to Invest and Manage Investments**.

The inclusion of the City of Nedlands Hardship provisions Policy, in **Delegation 1.1.25- Agreement as to Payment of Rates and Service Charges**.

The inclusion of Coordinator Procurement and Contracts and Procurement Officer as delegates for **Delegation 1.2.5- Appoint Persons (other than employees) to Open Tenders** as a result of additional City staff and relevant competencies to perform delegated tasks.

The inclusion of the Director Corporate Services as a delegate for **Delegation 1.2.10 Financial Management Systems and Procedures** due to the financial nature of this delegation, and to align with the delegates from Shire of Harvey, City of Stirling and City of Busselton. Currently, there are no delegates for this delegation.

The inclusion of the Director Corporate Services as a delegate for **Delegation 1.2.11- Audit-CEO Review of Systems and Procedures** due to the financial nature of this delegation, and to align with the delegates from Shire of Harvey, City of Stirling and City of Busselton. Currently, there are no delegates for this delegation.

The addition of Manager Building Services and Senior Building Surveyor in **Delegation 2.1.4- Designate Employees as Authorised Persons**, due to the nature of the delegation, the addition of these appropriate delegates mitigates risk, ensures effectiveness of the delegation and aligns the City with Shire of Harvey and City of Busselton delegations.

For each of the delegations: **2.1.7- Referrals and Issuing Certificates, 2.1.8 - Private Pool Barrier - Alternative and Performance Solutions & 2.1.9 - Smoke Alarms - Alternative Solutions**, function (2) refers to the authority to either approve/refuse a smoke alarm, approve a door for compliance purposes and authority to issue a certificate for building compliance. The addition of a CEO conditions under each of these delegations, includes “In undertaking function 2 of this delegation, the subdelegate must be appropriately qualified

pursuant to r.5 of the Building Regulations 2012 and must hold the appropriate registration in accordance with the Building Services (Registration) Regulations 2011”.

The change from Bush Fire Control Officer as a delegate to CEO in **Delegation 3.1.2 - Prohibited Burning Times- Vary**, as the City does not have a Bush Fire Control Officer.

The addition of Council condition that “an exemption will not be granted unless it is demonstrated that the number of cats to be exempt will not be a nuisance or injurious or dangerous to health” on **Delegation 4.1.3 - Approval to Breed Cats**, as per s.37 of the Cat Act.

The addition of council condition on sub-delegation that “notices of decisions must include advice as to review rights in accordance with r.11 of the Cat (Uniform Local Provisions) Regulations 2013” on **Delegation 4.1.5 - Application to Keep Additional Cats**.

The addition of the \$50 maximum value in function (1), in **Delegation 5.1.1 - Part Payment of Sterilisation Costs/ Directions to Veterinary Surgeons**, as per s.10A(1)(a) of the Dog Act 1976.

The addition of council conditions on **Delegation 7.1.2 Notices - Deal with Objections and Give Effect to Notices**, “The Chief Executive Officer is permitted to sub-delegate to employees” as per s.10AA(3) of the Graffiti Vandalism Act.

The addition of the \$1,000 maximum value on council conditions on **Delegation 8.1.4 - Determine Compensation for Seized Items**, as per s.264 of the Public Health Act.

## Key Relevant Previous Council Decisions:

Ordinary Council Meeting - 22 June 2021 - Annual Review & Amendment

Ordinary Council Meeting - 23 February 2021 - Amendment

Ordinary Council Meeting - 23 June 2020 - Annual Review & Amendment

Ordinary Council Meeting - 26 May 2020 - Amendment

Ordinary Council Meeting - 25 February 2020 - Amendment

## Consultation

The Chief Executive Officer reviewed the Register of Delegations in consultation with the Executive Officer, Governance Officer, Directors and relevant staff members to ensure the register complied with the requirements under the *Local Government Act 1995* and the City’s daily operational requirements. On 18 August 2022, a Concept Forum was held with Council Members to discuss the proposed changes to the Register of Delegations. During this Concept Forum, questions and requests for further information were raised and promptly responded to either in session or taken on notice.



## Strategic Implications

**Vision** Our city will be an environmentally-sensitive, beautiful and inclusive place.

**Values** **Great Governance and Civic Leadership**

We value our Council's quality decision-making, effective and innovative leadership, transparency, accountability, equity, integrity and wise stewardship of the community's assets and resources. We have an involved community and collaborate with others, valuing respectful debate and deliberation.

## Budget/Financial Implications

Nil.

## Legislative and Policy Implications

Under section 5.46(2) of the [Local Government Act 1995](#) the CEO is to keep a register of the delegations made under the Act and at least once every financial year these delegations are to be reviewed by the delegator.

Should Council not review and approve this review of the Register of Delegations Council would be in breach of the Local Government Act as the delegator.

## Conclusion

The Chief Executive Officer has reviewed the Register of Delegations as required by the *Local Government Act 1995* and is recommending the amendments as shown with track changes in the attached Register of Delegations to be approved by Council.



## Register of Delegations

Current as at.....

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## INTRODUCTION

### Introduction

This document is a register of the delegations, authorisations, and appointments of the City of Nedlands. Some legislation confers powers on local governments to allow Council to delegate power to a committee of the local government, the local governments CEO or in limited circumstances other persons or employees.

The purpose of delegating a power is to allow matters that are routine, may have a time constraint or can change rapidly to be dealt with efficiently. The extent of delegation, conditions that may be applied, records that must be kept and the review and amendment processes depend on the various heads of power in the Acts themselves. Western Australian legislation may be accessed online at the State Law Publisher's website at <https://www.legislation.wa.gov.au/>

This register includes:

- Delegations from Council to the CEO.
- Sub delegations from CEO to other employees.
- Appointments of authorised persons.
- Appointments of other employees.

### Delegations and authorisations under other Legislation

A delegation simply put, is the process prescribed in legislation for assigning authority to exercise an express power or duty from the delegate to another person (named by position title or office) or an entity (the delegate). Some legislation confers a power directly on a person. A person appointed to a statutory office does not need any further delegation or authorisation in order to fulfil those assigned powers and duties.

For example:

- The Local Government Act 1995 lists statutory offices including Mayor, CEO and Returning Officer.
- The Public Health Act 2016 assigns duties to Environmental Health Officers.
- The Building Act 2011 assigns duties to Building Surveyors.
- The Local Government Act 1995, Cat Act 2011 and Graffiti Vandalism Act 2016 also allow a local government CEO to delegate any powers or duties assigned to their office.

### Acting through another person

Employees do not always need delegations or sub delegations to carry out their tasks and functions on behalf of the local government. Basically, a function may be undertaken through the "acting through" concept where a person has no discretion in carrying out that function – the outcome will not be substantially different regardless of the circumstances or who exercised the power. Section 5.16(4) of the Local Government Act 1995 provides that:

(4) Nothing in this section is to be read as preventing a local government from performing any of its functions by acting through another person.

Similarly, s5.45(2) Act provides that:

Nothing in this Division (Division 4 - Local Government Employees) is to be read as preventing –

1. Local government from performing any of its functions by acting through a person other than the Chief Executive Officer; or
2. Chief Executive Officer from performing any of his or her functions by acting through another person.

The key difference between a delegation and acting through is that a delegate exercises a decision-making function in his or her own right. For example, an employee may pay an account or issue an approval if directed to do so by another employee who has the authority to make such a decision and chooses to “act through” another employee.

### Authorised Persons

Authorised persons (and who under some Acts do not necessarily have to be employees of the local government but often are) are given powers to do certain things under an Act, Regulation, or local law; usually to issue an infringement, make inquiries, enter on to property, issue a notice or to enforce a provision.

Note that a council can delegate authority to its CEO to appoint authorised persons under the Local Government Act 1995 and other legislation; in some Acts an employee or other person holding an office is directly authorised under that Act itself. Provisions vary by Act. An authorised person, once appointed, is responsible for fulfilling the powers and duties assigned under law to an authorised person, which may be specified or limited in an Act or Regulation, or the certificate of authorisation. An authorised person cannot delegate their powers and duties to another person.

Who may appoint authorised persons depends on the enabling legislation. Section 9.10 of the Local Government Act 1995 provides that:

1. The local government may, in writing, appoint persons or classes of persons to be authorised for the purposes of performing particular functions.
2. The local government is to issue to each person so authorised a certificate stating that the person is so authorised, and the person is to produce the certificate whenever required to do so by a person who has been or is about to be affected by any exercise of authority by the authorised person.

Authorised persons may or may not have delegated authority to undertake certain actions – the delegation of authority is a separate matter, although they are included in this register for ease of reference and review.



### The Interpretation Act 1984- principles of delegation

Section 59 of the Interpretation Act 1984 prescribes the framework for how delegated authority must be structured in Western Australian law.

#### In summary:

1. The written law (head of power) must include an express power to delegate, which specifically enables a person (the delegator) to make a delegation.
2. In that same written law, there must be an express power or duty conferred or imposed on the delegator and it must be capable of being delegated. This means that:
  - a. The power or duty proposed for delegation must be written in the same law as the express power to delegate.
  - b. That written law must not prohibit the power or duty from being delegated or contain limitations or conditions, which the proposed delegation exceeds.
3. The power to delegate cannot be delegated.
4. Delegations must be in writing (the instrument of delegation).
5. Delegations must be advised to the delegate in writing.

Note that nothing prevents the delegating body or person from taking back a delegation or sub delegation, or actually making the relevant decision on a particular issue. Similarly, a delegator does not have to exercise the delegation and may refer the decision back to the delegator.

Similarly, section 59(2) provides that:

The delegation of a power shall be deemed to include the delegation of any duty incidental thereto or connected therewith and the delegation of a duty shall be deemed to include the delegation of any power incidental thereto or connected therewith. Delegation by office or by name Section 53 of the Interpretation Act 1984 provides that a delegation can be to the holder of an office (whether acting or permanent) or by naming an individual: Where a written law confers a power or imposes a duty upon a person to appoint or designate a person to —

- a. perform any function.
- b. be a member of any board, tribunal, commission, committee, council, or other similar body, whether corporate or unincorporated.
- c. be or do any other thing, that person may make the appointment or designation either by appointing or designating a person by name or by appointing or designating the holder of an office by the term designating his office; and any such appointment or designation of the holder of an office shall be construed as the appointment or designation of the person from time to time holding, acting in, or lawfully performing the functions of the office. Delegations made by the City are to the holder of an office.

#### How this document is structured

Matters that apply generally to delegations and authorisations are set out in this introduction. As there can be differences in legislation, delegations that may be made under various Acts are set out by Act, rather than by employee or organisational structure. While generally

prohibited, some legislation does allow sub-delegation (mainly the Local Government Act) from Council to the CEO, and from the CEO to other employees. Delegations from the CEO to other employees and appointments of authorised persons are listed in other documents. Each section of this document is structured as follows:

- Guidance notes, including any particular requirements of the enabling legislation of unusual features.
- Delegations from Council to a committee (if allowed by the enabling legislation and if the City has any committees established to deal with the power to be exercised).
- Delegations from the CEO to an employee (or other person if allowed by the enabling legislation).
- A list of persons authorised to perform certain functions under the enabling legislation.

The individual delegations are set out as follows. Heading A snapshot of what it is that is delegated Delegation from Council to CEO Most legislation refers to a 'local government'. This heading makes it clear that in this case, this is a delegation from Council to the CEO. Under most Acts, Council can only delegate to the CEO.

#### **Delegator**

*Power / Duty assigned in legislation to:*

#### **Express Power to Delegate**

*Power that enables a delegation to be made*

#### **Express Power or Duty Delegated**

#### **Function**

*This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*

#### **Council Conditions on this Delegation**

#### **Express Power to Sub-Delegate**

#### **Sub-Delegates**

*As appointed by the CEO*

#### **CEO Conditions on this Sub-Delegation**

*Conditions on the original delegation also apply to the sub-delegations*

#### **Record Keeping**

#### **Version Control**

#### **Overall requirements**

Before using a delegated authority, a delegate must familiarise themselves with the legislative framework, conditions and limitations relevant to the statutory power or duty that informs the decisions they will make. The delegate must also consider and apply local laws, Council decisions, policy, procedures, or standards that are relevant to the decisions they are empowered to make.

#### **Conflicts of Interest**



The City requires persons to whom authority has been delegated to deal appropriately with conflicts of interest. Section 5.71 of the Local Government Act 1995 provides that employees must disclose interests relating to delegated functions:

5.71. Employees to disclose interests relating to delegated functions if, under Division 4, an employee has been delegated a power or duty relating to a matter and the employee has an interest in the matter, the employee must not exercise the power or discharge the duty and

*1. in the case of the CEO, must disclose to the Mayor or President the nature of the interest as soon as practicable after becoming aware that he or she has the interest in the matter; and*

*2. in the case of any other employee, must disclose to the CEO the nature of the interest as soon as practicable after becoming aware that he or she has the interest in the matter.*

*Penalty: \$10,000 or imprisonment for 2 years.*

A conflict of interest arises where a personal interest is in conflict with the public interest. Delegates must disclose any conflict of interest which may require them to be removed from the decision-making process. A delegate may also refer the decision making back to the delegator, where they consider there is a risk or sensitivity, which makes it more appropriate for the delegator to make that decision. The City's Code of Conduct also applies. Requirement for annual return and disclosures by delegate an employee to whom a duty or power is delegated under the Local Government Act 1995 is considered a 'designated employee' under section 5.74(1) of the Act and is required to complete a primary and annual return each year.

### **Keeping a record of decision made under delegated authority**

In accordance with Section 5.46(3) of the Local Government Act 1995, a person to whom a power or duty is delegated is to keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty.

Regulation 19 of the Local Government (Administration) Regulations 1996 requires a delegate to keep a written record of:

- a. how the person exercised the power or discharged the duty.
- b. when the person exercised the power or discharged the duty.
- c. the person or classes of persons, other than council or committee members or employees of the local government, directly affected by the exercise of the power or the discharge of the duty.

The City has decided that this applies regardless of the enabling legislation. A central record of decisions made under a delegation is unnecessary, but a record must be kept by the person exercising the power. A record made that complies with the Shire's record keeping policy (e.g., a letter or email sent in accordance with that policy) is sufficient in most instances, but it is encouraged that officers record the record of exercise in the online system and Attain, where the keeping of a register is appropriate.

## Delegations made under the Local Government Act 1995

The *Local Government Act 1995* (the Act) is the legislation most widely used for delegations by local governments. The Act confers some powers directly on a CEO, and s.5.44 sets out the duties of a CEO. This part of the register deals with delegations from Council under the Act. Under this Act, Council may delegate authority to a committee or to the CEO. Council may place restrictions or conditions on the exercise of that power or duty such as a financial amount, to take into account a policy or direction from Council, or something particular only to the matter delegated.

### Delegation from Council to a committee

Section 5.16 of the Local Government Act 1995 allows Council to delegate by an absolute majority vote, some powers, and duties to certain committees. This is to be in writing and may be general or as otherwise provided in the instrument of delegation. Subject to sections 58 and 59 of the Interpretation Act 1984. There are currently no delegations to Committees.

### Restrictions on delegations from the council to the CEO

Section 5.43 of the Act restricts what can be delegated by Council to the CEO:

A power under sections 214(2), (3) or (5) of the Planning and Development Act 2005 (which relate to a local governments power to deal with illegal development).

- Any power or duty that requires a decision of an absolute majority or a 75% majority of the local government.
- Accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph.
- Appointing an auditor.
- Acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph.
- Any of the local government's powers under section 5.98, 5.98A, 5.99, 5.99A or 5.100 (which relate to fees for elected members, an allowance for the Deputy Mayor, meeting fees and reimbursement of expenses, and payments for certain committee members).
- Borrowing money on behalf of the local government.
- Hearing or determining an objection of a kind referred to in section 9.5 (which relates to an objection or appeal in response to a decision to grant a person an authorisation under Part 3 or under any local law or regulation that is to operate as if it were a local law; or to renew, vary, or cancel an authorisation that a person has under any of those provisions).
- The power under section 9.49A(4) to authorise a person to sign documents on behalf of the local government.
- Any power or duty that requires the approval of the Minister or the Governor.
- Such other powers or duties as may be prescribed under the Local Government (Administration) Regulations 1996, and which are under:
  - section 7.12A(2), (3)(a) or (4) of the Act (which relate to duties of local government with respect to audits, determine if any matters raised by the audit report, require action to be taken by the local government, prepare a report addressing any matters identified as significant by the auditor in the audit report and advise the Minister).
  - Regulations 18C and 18D which relate to the selection and appointment process for CEOs and the local government's duties in relation to a performance review of CEO.
- Regulation 6 of the Local Government (Financial Management) Regulations 1996 prohibits the delegation of the duty to conduct an internal audit to an employee (including a CEO) who has been delegated the duty of maintaining the local government's day to day accounts or financial management operations.

### Delegation from the CEO to another employee

Under s5.44 the CEO may sub-delegate any of these powers and duties functions to another employee, other than the power of delegation itself. Those delegations are also subject to any restrictions or conditions that the Council may have placed on the delegation to the CEO. The CEO may add further conditions or restrictions, and which also must be reviewed annually. Parameters are summarised below, as are the delegations themselves. More detail about the particular sections of the Act that apply is also made under each heading.

**Commented [SC1]:** Have added this section in as it provides the reader an extensive explanatory summary of the document and the relevant legislations etc. This is the same summary that I put in the Shire of Harvey's register. I think it will prove benefit as it provides good governance and transparency and aligns with the recommendations of the Public Access Regulations. It is not a legislative requirement, however a handy to have section. If you are happy with this, I will adjust the formatting to suit. Note: the risk of this inclusion is that if legislation changes in any of these sections, we will have to rewrite this section of the register (which I am happy to facilitate if you think this would prove value). Risk mitigated by the fact that we are required to review the delegations annually.



**Delegation Register**  
CITY OF NEDLANDS

1. Local Government Act 1995 Delegations

**1 Local Government Act 1995 Delegations**

**1.1 Council to CEO**

**1.1.1 Performing Functions Outside the District**

<b>Head of Power</b>	<a href="#">01. Local Government Act 1995</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	<a href="#">Council</a>
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	Local Government Act 1995: s.3.20(1) Performing functions outside <a href="#">district</a>
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Determine the circumstances where it is appropriate for the Local Government's functions to be performed outside the District and prior to implementing such a decision, obtain the consent of the landowner/s and occupier/s and any other person that has control or management of the land impacted by the performance of the function [s.3.20(1)].
<b>Council Conditions on this Delegation:</b>	A decision to undertake a function outside the District, can only be made under this delegation where there is a relevant Budget allocation, and the performance of the functions does not negatively impact service levels within the District. Where these conditions are not met, the matter must be referred for Council decision.
<b>Express Power to Sub-Delegate:</b>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees.

**Commented [SC2]:** In the Shire of Harvey's RoD, I always inputting the 'Head of Power' above the Delegator, so readers are aware of the main act that applies to the delegation. Generally it is the LG Act that is the same for most. Happy to input this into all of the delegations should you wish to proceed with.

**Commented [st3]:** in current RoD

**Commented [NC4]:** WALGA suggested condition

**Deleted: s**

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Director Planning & Development Director Technical Services Director Corporate <a href="#">Services</a>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	A decision to undertake a function outside the District, can only be made under this delegation where there is a relevant Budget allocation, and the performance of the functions does not negatively impact service levels within the District. Where these conditions are not met, the matter must be referred for Council decision.
<b>Policy</b>	<a href="#">Nil</a>

**Commented [st5]:** no sub delegation in current RoD - suggested

**Deleted: & Strategy**

**Commented [st6]:** WALGA suggested condition - reasonable

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns
Record Keeping:	In accordance with CI 19 Local Government (Administration) Regulations 1996

**Delegation Register**  
**CITY OF NEDLANDS**

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**1. Local Government Act 1995 Delegations**

**Version Control:**

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CITY OF NEDLANDS

**1. Local Government Act 1995 Delegations**

**1.1.2 Compensation - Damage Incurred when Performing Executive Functions**

<b>Head of Power</b>	<a href="#">01. Local Government Act 1995</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	<a href="#">Council</a>
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	Local Government Act 1995: s.3.22(1) Compensation s.3.23 Arbitration
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>In accordance with the s.3.22 procedures, assess and determine the extent of damage to private property arising directly from performance of executive functions and make payment of compensation [s.3.22(1)].</li> <li>Where compensation is unable to be determined and agreed between parties, give effect to arbitration in accordance with s.3.23.</li> </ol>
<b>Council Conditions on this Delegation:</b>	Delegation is limited to settlements which do not exceed a material value <a href="#">as determined annually by Council.</a>
<b>Express Power to Sub-Delegate:</b>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees

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<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Director Planning & Development Director Technical Services
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<a href="#">Exercise of discretion is subject to assessment of compensation by the Executive Leadership Team</a>
<b>Policy</b>	<a href="#">Nil</a>
<b>Compliance Links:</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
<b>Record Keeping:</b>	In accordance with CI 19 Local Government (Administration) Regulations 1996

**Version Control:**

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**Commented [SC8R7]:** Agree with ST suggestion- no limit in current and SoH RoD does not stipulate limit. Just what I have inputted.  
**Deleted:** of \$5,000

**Commented [SC9]:** Suggest this wording as it allows Executive Team to assess and determine on a case by case merit, as I believe it may not be practicable to include a set limit/amount to apply to all cases.

**Deleted:** Delegation is limited to settlements which do not exceed a material value of \$1,000.

**Commented [SC11]:** Inclusion of relevant/applicable policies.



**Delegation Register**  
CITY OF NEDLANDS

**1. Local Government Act 1995 Delegations**

**1.1.3 Powers of Entry**

<b>Head of Power</b>	<a href="#">01. Local Government Act 1995</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	<a href="#">Council</a>
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.3.28 When this Subdivision applies s.3.32 Notice of entry s.3.33 Entry under warrant s.3.34 Entry in an emergency s.3.36 Opening fences
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to exercise powers of enter to enter onto land to perform any of the local Government functions under this Act, other than entry under a Local Law [s.3.28].</li> <li>2. Authority to give notice of entry [s.3.32].</li> <li>3. Authority to seek and execute an entry under warrant [s.3.33].</li> <li>4. Authority to execute entry in an emergency, using such force as is reasonable [s.3.34(1) and (3)].</li> <li>5. Authority to give notice and effect entry by opening a fence [s.3.36].</li> </ol>
<b>Council Conditions on this Delegation:</b>	Delegated authority under s.3.34(1) and (3) may only be used, where there is imminent or substantial risk to public safety or property.
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

**Commented [st12]:** former RoD only had 3.34, 3.36

**Commented [SC13R12]:** Suggest keeping all listed as all applicable

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Director Planning & Development Director Technical Services
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Delegated authority under s.3.34(1) and (3) may only be used, where there is imminent or substantial risk to public safety or property.

<b>Compliance Links:</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.  <a href="#">Local Government Act 1995:</a> s.9.10 Appointment of authorised persons – refer also s.3.32(2)] Part 3, Division 3, Subdivision 3 – prescribes statutory processes for Powers of Entry s.3.34(2) Entry in an emergency
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**Delegation Register**  
**CITY OF NEDLANDS**

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**1. Local Government Act 1995 Delegations**

Record Keeping:	In accordance with Cl 19 Local Government (Administration) Regulations 1996
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**1. Local Government Act 1995 Delegations**

**1.1.4 Declare Vehicle is Abandoned Vehicle Wreck**

<b>Head of Power</b>	<a href="#">01. Local Government Act 1995</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	<a href="#">Council</a>
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	Local Government Act 1995: s.3.40A(4) Abandoned vehicle wreck may be taken
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Declare that an impounded vehicle is an abandoned vehicle wreck [s.3.40A(4)].
<b>Council Conditions on this Delegation:</b>	Disposal of a declared abandoned vehicle wreck to be undertaken in accordance with Delegated Authority 1.2.6 Disposing of Confiscated or Uncollected Goods or alternatively, referred for Council decision.
<b>Express Power to Sub-Delegate:</b>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Director Technical Services <a href="#">Director Planning and Development</a>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Disposal of a declared abandoned vehicle wreck to be undertaken in accordance with Delegated Authority 1.2.6 Disposing of Confiscated or Uncollected Goods or alternatively, referred for Council decision.

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
Record Keeping:	In accordance with CI 19 Local Government (Administration) Regulations 1996

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**1. Local Government Act 1995 Delegations**

**1.1.5 Confiscated or Uncollected Goods**

<b>Head of Power</b>	<a href="#">01. Local Government Act 1995</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	<a href="#">Council</a>
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.3.46 Goods May be withheld until costs paid s.3.47 Confiscated or uncollected goods, disposal of s.3.48 Impounding expenses, recovery of
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to refuse to allow goods impounded under s.3.39 or 3.40A to be collected until the costs of removing, impounding and keeping them have been paid to the local government. [s.3.46]</li> <li>2. Authority to sell or otherwise dispose of confiscated or uncollected goods or vehicles that have been ordered to be confiscated under s.3.43 [s.3.47].</li> <li>3. Authority to recover expenses incurred for removing, impounding, and disposing of confiscated or uncollected goods [s.3.48].</li> </ol>
<b>Council Conditions on this Delegation:</b>	Disposal of confiscated or uncollected goods, including abandoned vehicles, with a market value less than \$20,000 may, in accordance with Functions and General Regulation 30, be disposed of by any means considered to provide best value, provided the process is transparent and accountable.
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

**Commented [st14]:** prior RoD had 3.47, 3.48  
**Commented [SC15R14]:** .46 also applicable

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Director Planning & Development Director Technical Services Director Corporate <a href="#">Services</a>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Disposal of confiscated or uncollected goods, including abandoned vehicles, with a market value less than \$20,000 may, in accordance with Functions and General Regulation 30, be disposed of by any means considered to provide best value, provided the process is transparent and accountable.

**Deleted:** & Strategy

<b>Compliance Links:</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.  <a href="#">Local Government Act 1995:</a> Part 3, Division 3, Subdivision 3 s.3.58 Disposing of Property – applies to the sale of goods under s.3.47 as if they were property referred to in that section.
<b>Record Keeping:</b>	In accordance with Cl 19 Local Government (Administration) Regulations 1996

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**1. Local Government Act 1995 Delegations**

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**1. Local Government Act 1995 Delegations**

**1.1.6 Disposal of Sick or Injured Animals**

<b>Head of Power</b>	<a href="#">01. Local Government Act 1995</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	<a href="#">Council</a>
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.3.47A Sick or injured animals, disposal of s.3.48 Impounding expenses, recovery of
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to determine when an impounded animal is ill or injured, that treating it is not practicable, and to humanely destroy the animal and dispose of the carcass [s.3.47A(1)].</li> <li>2. Authority to recover expenses incurred for removing, impounding, and disposing of confiscated or uncollected goods [s.3.48].</li> </ol>
<b>Council Conditions on this Delegation:</b>	Delegation only to be used where the Delegate's reasonable efforts to identify and contact an owner have failed.
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Director Planning & Development Director Technical Services Director Corporate <a href="#">Services</a>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Delegation only to be used where the Delegate's reasonable efforts to identify and contact an owner have failed.

<b>Compliance Links:</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
<b>Record Keeping</b>	In accordance with CI 19 Local Government (Administration) Regulations 1996

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**CITY OF NEDLANDS**

**1. Local Government Act 1995 Delegations**

**1.1.7 Temporary Closure of Thoroughfares to Vehicles**

Deleted: Close

<b>Head of Power</b>	<a href="#">01. Local Government Act 1995</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	<a href="#">Council</a>
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.3.50 Closing certain thoroughfares to vehicles s.3.50A Partial closure of thoroughfare for repairs or maintenance s.3.51 Affected owners to be notified of certain proposals
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to close a thoroughfare (wholly or partially) to vehicles or particular classes of vehicles for a period not exceeding 4-weeks [s.3.50(1)].</li> <li>2. Authority to determine to close a thoroughfare for a period exceeding 4-weeks and before doing so, to: <ul style="list-style-type: none"> <li>• give; public notice, written notice to the Commissioner of Main Roads and written notice to prescribed persons and persons that own prescribed land; and</li> <li>• consider submissions relevant to the road closure/s proposed [s.3.50(1a), (2) and (4)].</li> </ul> </li> <li>3. Authority to revoke an order to close a thoroughfare [s.3.50(6)].</li> <li>4. Authority to partially and temporarily close a thoroughfare without public notice for repairs or maintenance, where it is unlikely to have significant adverse effect on users of the thoroughfare [s.3.50A]</li> <li>5. Before doing anything to which section 3.51 applies, take action to notify affected owners and give public notice that allows reasonable time for submissions to be made and consider any submissions made before determining to fix or alter the level or alignment of a thoroughfare or draining water from a thoroughfare to private land [s.3.51].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. If, under s.3.50(1), a thoroughfare is closed without giving local public notice, local public notice is to be given as soon as practicable after the thoroughfare is closed [s.3.50(8)].</li> <li>b. Maintain access to adjoining land [s.3.52(3)]</li> </ol>
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Director Technical Services
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**Delegation Register**  
CITY OF NEDLANDS

**1. Local Government Act 1995 Delegations**

<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<ul style="list-style-type: none"> <li>a. If, under s.3.50(1), a thoroughfare is closed without giving local public notice, local public notice is to be given as soon as practicable after the thoroughfare is closed [s.3.50(8)].</li> <li>b. Maintain access to adjoining land [s.3.52(3)]</li> </ul>
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Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
Record Keeping:	In accordance with CI 19 Local Government (Administration) Regulations 1996

**Version Control:**

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**1. Local Government Act 1995 Delegations**

**1.1.8 Control Reserves and Certain Unvested Facilities**

<b>Head of Power</b>	<a href="#">01. Local Government Act 1995</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	<a href="#">Council</a>
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.3.53(3) Control of certain unvested facilities s.3.54(1) Reserves under control of local government
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to agree the method for control and management of an unvested facility which is partially within 2 or more local government districts. [s.3.53(3)].</li> <li>2. Authority to do anything for the purpose of controlling and managing land under the control and management of the City that the City could do under s.5 of the <a href="#">Parks and Reserves Act 1895</a>. [s.3.54(1)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	Limited to matters where the financial implications do not exceed a relevant and current budget allocation, and which do not create a financial liability in future budgets.
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

**Commented [st16]:** noted as suitable for delegation in prior RoD but not done

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Director Technical Services
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Limited to matters where the financial implications do not exceed a relevant and current budget allocation, and which do not create a financial liability in future budgets.

<b>Compliance Links:</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
<b>Record Keeping:</b>	In accordance with CI 19 Local Government (Administration) Regulations 1996

<b>Version Control:</b>	
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**1. Local Government Act 1995 Delegations**

**1.1.9 Obstruction of Footpaths and Thoroughfares**

<b>Head of Power</b>	<a href="#">01. Local Government Act 1995</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	<a href="#">Council</a>
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> r.5(2) Interfering with, or taking from, local government land r.6 Obstruction of public thoroughfare by things placed and left - Sch. 9.1 cl. 3(1)(a) r.7A Obstruction of public thoroughfare by fallen things – Sch.9.1 cl.3(1)(b) r.7 Encroaching on public thoroughfare – Sch.9.1. cl.3(2)
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to determine, by written notice served on a person who is carrying out plastering, painting or decorating operations (the work) over or near a footpath on land that is local government property, to require the person to cover the footpath during the period specified in the notice so as to: <ol style="list-style-type: none"> <li>a. prevent damage to the footpath; or</li> <li>b. prevent inconvenience to the public or danger from falling materials [ULP r.5(2)].</li> </ol> </li> <li>2. Authority to provide permission including imposing appropriate conditions or to refuse to provide permission, for a person to place on a specified part of a public thoroughfare one or more specified things that may obstruct the public thoroughfare. [ULP r.6(2) and (4)].</li> <li>3. Authority to renew permission to obstruct a thoroughfare and to vary any condition imposed on the permission effective at the time written notice is given to the person to whom permission is granted [ULP r.6(6)].</li> <li>4. Authority to require an owner or occupier of land to remove any thing that has fallen from the land or from anything on the land, which is obstructing a public thoroughfare [ULP r.7A].</li> <li>5. Authority to require an owner occupier of land to remove any part of a structure, tree or plant that is encroaching, without lawful authority on a public thoroughfare [ULP r.7].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. Actions under this Delegation must comply with procedural requirements detailed in <i>the <a href="#">Local Government (Uniform Local Provisions) Regulations 1996</a></i>.</li> <li>b. Permission may only be granted where, the proponent has:</li> </ol>

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	<ul style="list-style-type: none"> <li>i. Where appropriate, obtained written permission from each owner of adjoining or adjacent property which may be impacted by the proposed obstruction.</li> <li>ii. Provided a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good public assets damaged by the obstruction at the completion of works.</li> <li>iii. Provided evidence of sufficient Public Liability Insurance.</li> <li>iv. Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.</li> </ul>
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Director Planning & Development Director Technical Services
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<ul style="list-style-type: none"> <li>a. Actions under this Delegation must comply with procedural requirements detailed in the <a href="#">Local Government (Uniform Local Provisions) Regulations 1996</a>.</li> <li>b. Permission may only be granted where, the proponent has: <ul style="list-style-type: none"> <li>i. Where appropriate, obtained written permission from each owner of adjoining or adjacent property which may be impacted by the proposed obstruction.</li> <li>ii. Provided a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good public assets damaged by the obstruction at the completion of works.</li> <li>iii. Provided evidence of sufficient Public Liability Insurance.</li> <li>iv. Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.</li> </ul> </li> </ul>

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<b>Compliance Links:</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.  Determination of Bond Value and Conditions - refer to CEO Delegation 1.3.2 – Public Thoroughfare Obstruction – Determine Conditions  <a href="#">Local Government (Uniform Local Provisions) Regulations 1996</a>  Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the <a href="#">Local Government Act 1995</a>
<b>Record Keeping</b>	In accordance with CI 19 Local Government (Administration) Regulations 1996

**Version Control:**

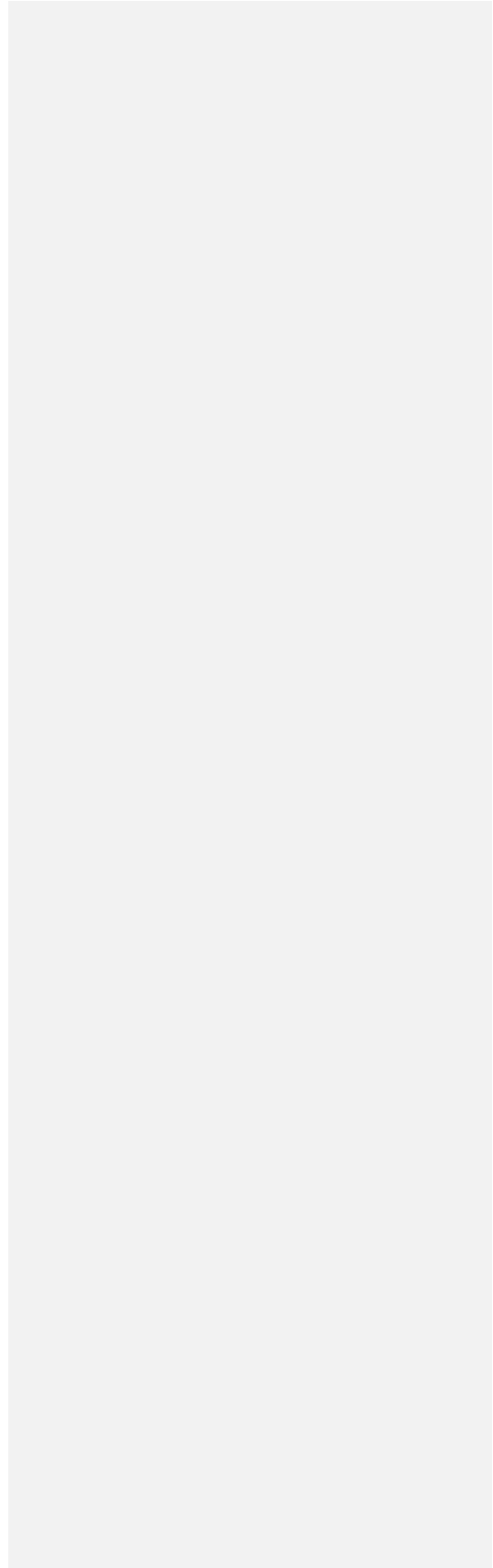
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**1. Local Government Act 1995 Delegations**

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**1. Local Government Act 1995 Delegations**

**1.1.10 Gates Across Public Thoroughfares**

<b>Head of Power</b>	<a href="#">01. Local Government Act 1995</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	<a href="#">Council</a>
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> r.9 Permission to have gate across public thoroughfare – Sch.9.1 cl.5(1)
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to provide, or refuse to provide, permission to have a gate or other device across a local government thoroughfare that permits the passage of vehicle traffic and prevents livestock straying [ULP r.9(1)].</li> <li>2. Authority to require an applicant to publish a notice of the application in a manner thought fit for the purpose of informing persons who may be affected by the proposed gate or device [r.9(2)].</li> <li>3. Authority to impose conditions on granting permission [ULP r.9(4)].</li> <li>4. Authority to renew permission, or at any other time vary any condition, effective upon written notice to the person to whom permission was granted [ULP r.9(5)].</li> <li>5. Authority to cancel permission by written notice and request the person to whom permission was granted to remove the gate or device within a specified time [ULP r.9(6)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. Actions under this Delegation must comply with procedural requirements detailed in the <a href="#">Local Government (Uniform Local Provisions) Regulations 1996</a>.</li> <li>b. Each approval provided must be recorded in the City's statutory Register of Gates in accordance with Uniform Local Provisions Regulation 8.</li> </ol>
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

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<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Director Planning & Development Director Technical Services
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<ol style="list-style-type: none"> <li>a. Actions under this Delegation must comply with procedural requirements detailed in the <a href="#">Local Government (Uniform Local Provisions) Regulations 1996</a>.</li> <li>b. Each approval provided must be recorded in the City's statutory Register of Gates in accordance with Uniform Local Provisions Regulation 8.</li> </ol>

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**Delegation Register**  
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**1. Local Government Act 1995 Delegations**

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<b>Compliance Links:</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. <a href="#">Local Government (Uniform Local Provisions) Regulations 1996</a> – prescribe applicable statutory procedures Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the <a href="#">Local Government Act 1995</a>
<b>Record Keeping:</b>	In accordance with CI 19 Local Government (Administration) Regulations 1996

**Version Control:**

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**1. Local Government Act 1995 Delegations**

**1.1.11 Public Thoroughfare – Dangerous Excavations**

<b>Head of Power</b>	<a href="#">01. Local Government Act 1995</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	<a href="#">Council</a>
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> r.11(1), (4), (6) & (8) Dangerous excavation in or near public thoroughfare – Sch.9.1 cl.6
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to determine if an excavation in or on land adjoining a public thoroughfare is dangerous and take action to fill it in or fence it or request the owner / occupier in writing to fill in or securely fence the excavation [ULP r.11(1)].</li> <li>2. Authority to determine to give permission or refuse to give permission to make or make and leave an excavation in a public thoroughfare or land adjoining a public thoroughfare [ULP r.11(4)].</li> <li>3. Authority to impose conditions on granting permission [ULP r.11(6)].</li> <li>4. Authority to renew a permission granted or vary at any time, any condition imposed on a permission granted [ULP r.11(8)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. Actions under this Delegation must comply with procedural requirements detailed in the <a href="#">Local Government (Uniform Local Provisions) Regulations 1996</a>.</li> <li>b. Permission may only be granted where, the proponent has: <ol style="list-style-type: none"> <li>i. Where appropriate, obtained written permission from or entered into a legal agreement with, each owner of adjoining or adjacent property which may be impacted by the proposed works.</li> <li>ii. Provided a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good the public assets at the completion of works.</li> <li>iii. Provided evidence of sufficient Public Liability Insurance.</li> <li>iv. Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.</li> </ol> </li> </ol>
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

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**1. Local Government Act 1995 Delegations**

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Director Planning & Development Director Technical Services
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<p>a. Actions under this Delegation must comply with procedural requirements detailed in the Local Government (Uniform Local Provisions) Regulations 1996.</p> <p>b. Permission may only be granted where, the proponent has:</p> <p>i. Where appropriate, obtained written permission from or entered into a legal agreement with, each owner of adjoining or adjacent property which may be impacted by the proposed works.</p> <p>ii. Provided a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good the public assets at the completion of works.</p> <p>iii. Provided evidence of sufficient Public Liability Insurance.</p> <p>iv. Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.</p>

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Compliance Links:	<p>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p>Determination of Bond Value and Conditions - refer to CEO Delegation 1.3.3 – Determine and Manage Conditions on Permission for Dangerous Excavations on or on land adjoining Public Thoroughfares</p> <p><a href="#">Local Government (Uniform Local Provisions) Regulations 1996</a> – prescribe applicable statutory procedures</p> <p>Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the <a href="#">Local Government Act 1995</a></p>
Record Keeping:	In accordance with CI 19 Local Government (Administration) Regulations 1996

<b>Version Control:</b>	
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**1. Local Government Act 1995 Delegations**

**1.1.12 Crossing – Construction, Repair and Removal**

<b>Head of Power</b>	<a href="#">01. Local Government Act 1995</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> r.12(1) Crossing from public thoroughfare to private land or private thoroughfare – Sch.9.1 cl.7(2) r.13(1) Requirement to construct or repair crossing – Sch.9.1 cl.7(3)
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to approve or refuse to approve, applications for the construction of a crossing giving access from a public thoroughfare to land or private thoroughfare serving land [ULP r,12(1)].</li> <li>2. Authority to determine the specifications for construction of crossings to the satisfaction of the Local Government [ULP r.12(1)(a)].</li> <li>3. Authority to give notice to an owner or occupier of land requiring the person to construct or repair a crossing [ULP r.13(1)].</li> <li>4. Authority to initiate works to construct a crossing where the person fails to comply with a notice requiring them to construct or repair the crossing and recover 50% of the cost of doing so as a debt due from the person [ULP r.13(2)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	Actions under this Delegation must comply with procedural requirements detailed in the <a href="#">Local Government (Uniform Local Provisions) Regulations 1996</a> .
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

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<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Director Planning & Development Director Technical Services
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Actions under this Delegation must comply with procedural requirements detailed in the <a href="#">Local Government (Uniform Local Provisions) Regulations 1996</a> .

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<b>Compliance Links:</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.  <a href="#">Local Government (Uniform Local Provisions) Regulations 1996</a> – prescribe applicable statutory procedures
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**1. Local Government Act 1995 Delegations**

	Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the <a href="#">Local Government Act 1995</a> Refer also Delegation 1.4.1 under the <i>Template Activities in Thoroughfares and Public Places and Trading Local Law</i>
Record Keeping:	In accordance with Cl 19 Local Government (Administration) Regulations 1996

**Version Control:**

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**1. Local Government Act 1995 Delegations**

**1.1.13 Private Works on, over or under Public Places**

<b>Head of Power</b>	<a href="#">01. Local Government Act 1995</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	<a href="#">Council</a>
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> r.17 Private works on, over, or under public places – Sch.9.1 cl.
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to grant permission or refuse permission to construct a specified thing on, over, or under a specified public thoroughfare or public place that is local government property [ULP r.17(3)].</li> <li>2. Authority to impose conditions on permission including those prescribed in r.17(5) and (6) [ULP r.17(5)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. Actions under this Delegation must comply with procedural requirements detailed in the <a href="#">Local Government (Uniform Local Provisions) Regulations 1996</a>.</li> <li>b. Permission may only be granted where, the proponent has: <ol style="list-style-type: none"> <li>i. Where appropriate, obtained written permission from or entered into a legal agreement with, each owner of adjoining or adjacent property which may be impacted by the proposed private works.</li> <li>ii. Provided a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good the public place at the completion of works.</li> <li>iii. Provided evidence of sufficient Public Liability Insurance.</li> <li>iv. Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.</li> </ol> </li> </ol>
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

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<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Director Planning & Development Director Technical Services
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<ol style="list-style-type: none"> <li>a. Actions under this Delegation must comply with procedural requirements detailed in the <a href="#">Local Government (Uniform Local Provisions) Regulations 1996</a>.</li> <li>b. Permission may only be granted where, the proponent has:</li> </ol>

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**Delegation Register**  
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**1. Local Government Act 1995 Delegations**

	<ul style="list-style-type: none"> <li>i. Where appropriate, obtained written permission from or entered into a legal agreement with, each owner of adjoining or adjacent property which may be impacted by the proposed private works.</li> <li>ii. Provided a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good the public place at the completion of works.</li> <li>iii. Provided evidence of sufficient Public Liability Insurance.</li> <li>iv. Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.</li> </ul>
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Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual <u>Returns</u> . <a href="#">Local Government (Uniform Local Provisions) Regulations 1996</a> – prescribe applicable statutory procedures  Determination of Bond Value and Conditions - refer to CEO Delegation 1.3.4 Determine and Manage Conditions on Permission for Private Works on, over, or under Public Places  Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the <a href="#">Local Government Act 1995</a>
Record Keeping:	In accordance with CI 19 Local Government (Administration) Regulations 1996

**Commented [SC25]:** Not required to list fees and charges schedule as per comments on hard copy delegations. Compared against Shire of Harvey and City of Stirling RoD for confirmation.

**Version Control:**

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**1. Local Government Act 1995 Delegations**

**1.1.14 Give Notice to Prevent Damage to Local Government Property from Wind Erosion and Sand Drift**

<b>Head of Power</b>	<a href="#">01. Local Government Act 1995</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	<a href="#">Council</a>
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	Local Government (Uniform Local Provisions) 1996: r.21(1) Wind erosion and sand drifts – Sch.9.1 cl.12
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to give notice to a land owner / occupier if it is considered that clearing the owner / occupier's land may cause local government land with a common boundary, to be adversely affected by wind erosion or sand drift [ULP r.21(1)].
<b>Council Conditions on this Delegation:</b>	<a href="#">Nil</a>
<b>Express Power to Sub-Delegate:</b>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees

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**Commented [SC27]:** Building comments not required as per WALGA template and other council RoD.

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Director Planning & Development Director Technical <a href="#">Services</a>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<a href="#">Nil</a>

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<b>Compliance Links:</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.  <a href="#">Local Government (Uniform Local Provisions) Regulations 1996</a> – prescribe applicable statutory procedures  Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the <a href="#">Local Government Act 1995</a>
<b>Record Keeping:</b>	In accordance with Cl 19 Local Government (Administration) Regulations 1996

<b>Version Control:</b>	
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**1. Local Government Act 1995 Delegations**

**1.1.15 Expressions of Interest for Goods and Services**

<b>Head of Power</b>	<a href="#">01. Local Government Act 1995</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	<a href="#">Council</a>
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	Local Government Act 1995: s.3.57 Tenders for providing goods or services Local Government (Functions and General) Regulations 1996: r.21 Limiting who can tender, procedure for r.23 Rejecting and accepting expressions of interest to be acceptable tenderer
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to determine when to seek Expressions of Interest and to invite Expressions of Interest for the supply of goods or services [F&G r.21]. 2. Authority to consider Expressions of Interest which have not been rejected and determine those which are capable of satisfactorily providing the goods or services, for listing as acceptable tenderers [F&G r.23].
<b>Council Conditions on this Delegation:</b>	<del>a. Expressions of Interest may only be called where there is an adopted budget for the proposed goods or services.</del> <del>b. Consideration of expressions of interest only. Excludes decision on which expression of interest to accept.</del> b. ↓
<b>Express Power to Sub-Delegate:</b>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees
<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Director Planning & Development Director Technical Services Director Corporate <a href="#">Services</a>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<del>a. Expressions of Interest may only be called where there is an adopted budget for the proposed goods or services.</del> <del>b. Consideration of expressions of interest only. Excludes decision on which expression of interest to accept.</del> <del>c.</del> b. ↓
<b>Compliance Links:</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. <a href="#">Local Government (Functions and General) Regulations 1996</a> – prescribe applicable statutory procedures <a href="#">WALGA Subscription Service</a> – Procurement Toolkit

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**1. Local Government Act 1995 Delegations**

	Council Policy Procurement of Goods and Services Policy
Record Keeping:	In accordance with CI 19 Local Government (Administration) Regulations 1996

**Version Control:**

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**1. Local Government Act 1995 Delegations**

**1.1.16 Tenders for Goods and Services – Call Tenders**

**WALGA Template Purchasing Policy**

*This Delegation is drafted to align with the WALGA Template Purchasing Policy.*

<b>Head of Power</b>	01. Local Government Act 1995
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Council
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	Local Government Act 1995: s.3.57 Tenders for providing goods or services Local Government (Functions and General) Regulations 1996: r.11(1), (2) When tenders have to be publicly invited r.13 Requirements when local government invites tenders though not required to do so r.14 Publicly inviting tenders, requirements for
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to call tenders [F&amp;G r.11(1)].</li> <li>2. Authority to invite tenders although not required to do so [F&amp;G r.13].</li> <li>3. Authority to determine in writing, before tenders are called, the criteria for acceptance of tenders [F&amp;G r.14(2a)].</li> <li>4. Authority to determine the information that is to be disclosed to those interested in submitting a tender [F&amp;G r.14(4)(a)].</li> <li>5. Authority to vary tender information after public notice of invitation to tender and before the close of tenders, taking reasonable steps to ensure each person who has sought copies of the tender information is provided notice of the variation [F&amp;G r.14(5)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	Tenders may only be called where there is an adopted budget for the proposed goods or services, with the exception being in the period immediately prior to the adoption of a new Annual Budget where: <ol style="list-style-type: none"> <li>i. the proposed goods or services are required to fulfil a routine contract for capital projects or related to the day to day operations of the Local Government; or</li> <li>ii. a current supply contract expiry is imminent; and</li> <li>iii. the value of the proposed new contract has been included in the draft Annual Budget proposed for adoption, and</li> <li>iv. the tender specification includes a provision that the tender will only be awarded subject to the budget adoption by the Council.</li> </ol>
<b>Express Power to Sub-Delegate:</b>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees

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CITY OF NEDLANDS

**1. Local Government Act 1995 Delegations**

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Director Planning & Development Director Technical Services Director Corporate <a href="#">Services</a>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Each sub-delegate may only use the sub-delegation in regard to contracts that are within the scope of the incumbent's position role and responsibilities.  Tenders may only be called where there is an adopted budget for the proposed goods or services, with the exception being in the period immediately prior to the adoption of a new Annual Budget where: <ul style="list-style-type: none"> <li>i. the proposed goods or services are required to fulfil a routine contract related to the day to day operations of the Local Government; or</li> <li>ii. a current supply contract expiry is imminent; and</li> <li>iii. the value of the proposed new contract has been included in the draft Annual Budget proposed for adoption, and</li> <li>iv. the tender specification includes a provision that the tender will only be awarded subject to the budget adoption by the Council.</li> </ul>

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Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.  <a href="#">Local Government (Functions and General) Regulations 1996</a> – prescribe applicable statutory procedures  <a href="#">WALGA Subscription Service</a> – Procurement Toolkit  Council Policy [insert ref #] Purchasing Policy
Record Keeping:	In accordance with CI 19 Local Government (Administration) Regulations 1996

<b>Version Control:</b>	
1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
2	
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**Delegation Register**  
CITY OF NEDLANDS

**1. Local Government Act 1995 Delegations**

**1.1.17 Tenders for Goods and Services – Accepting and Rejecting Tenders;  
Varying Contracts; Exercising Contract Extension Options**

**WALGA Template Purchasing Policy**

*This Delegation is drafted to align with the WALGA Template Purchasing Policy.*

<b>Head of Power</b>	01. Local Government Act 1995
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Council
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	Local Government Act 1995: s.3.57 Tenders for providing goods or services Local Government (Functions and General) Regulations 1996: r.11(2)(j) Exercising contract extension options r.18(2), (4), (4a), (5), (6) and (7) Rejecting and accepting tenders r.20(1), (2), (3) Variation of requirements before entry into contract r.21A Varying a contract for the supply of goods or services
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>Authority to determine whether or not to reject tenders that do not comply with requirements as specified in the invitation to tender [F&amp;G.r.18(2)].</li> <li>Authority to seek clarification from tenderers in relation to information contained in their tender submission [F&amp;G r.18(4a)].</li> <li>Authority to assess, by written evaluation, tenders that have not been rejected, to determine:             <ol style="list-style-type: none"> <li>The extent to which each tender satisfies the criteria for deciding which tender to accept; and</li> <li>To accept the tender that is most advantageous within the <u>\$500,000 (GST exclusive)</u> detailed as a condition on this Delegation [F&amp;G r.18(4)].</li> </ol> </li> <li>Authority to decline to accept any tender [F&amp;G r.18(5)].</li> <li>Authority to accept the next most advantageous tender if, within 6-months of accepting a tender, a contract has not been entered into <u>OR</u> the local government and the successful tenderer agree to terminate the contract [F&amp;G r.18(6) &amp; (7)].</li> <li>Authority to determine whether variations in goods and services required are minor variations, and to negotiate with the successful tenderer to make minor variations <u>before</u> entering into a contract [F&amp;G r.20(1) and (3)].</li> <li>Authority to choose the next most advantageous tender to accept, if the chosen tenderer is unable or unwilling to form a contract to supply the varied requirement <u>OR</u> the minor variation cannot be agreed with the successful tenderer, so</li> </ol>

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**Commented [SB34]:** Contract management Internal Audit report Recommendation #5 Delegation matrix City develop a clear delegation matrix, which details who is responsible for the contract management at the City, together with who can approve contract variations, extensions, and renewals. The matrix should document both value and risk of contracts.

**Commented [NC35]:** Proposing amount to be increased from \$250,000 to \$500,00 in line with other LGs

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**Delegation Register**  
CITY OF NEDLANDS

**1. Local Government Act 1995 Delegations**

	<p>that the tenderer ceases to be the chosen tenderer [F&amp;G r.20(2)].</p> <p>8. Authority to vary a tendered contract, <u>after</u> it has been entered into, provided the variation/s are necessary for the goods and services to be supplied, and do not change the scope of the original contract <u>and the revised contract value remains within the approved budget.</u> [F&amp;G r.21A(a)].</p> <p>9. Authority to exercise a contract extension option that was included in the original tender specification and contract in accordance with r.11(2)(j).</p>
<p><b>Council Conditions on this Delegation:</b></p>	<p>a. Exercise of authority under F&amp;G.r.18(2) requires consideration of whether or not the requirements as specified in the invitation to tender have been expressed as mandatory and if so, discretion may not be capable of being exercised – consider process contract implications.</p> <p>b. In accordance with s.5.43(b), tenders may only be accepted under this delegation, where:</p> <ul style="list-style-type: none"> <li>i. The total consideration under the resulting contract is <u>\$500,000 (GST exc)</u> or less;</li> <li>ii. The expense is included in the adopted Annual Budget; and</li> <li>iii. The tenderer has complied with requirements under F&amp;G r.18(2) and (4).</li> </ul> <p>c. A decision to vary a tendered contract <u>before</u> entry into the contract [F&amp;G r.20(1) and (3)] must include evidence that the variation is minor in comparison to the total goods or services that tenderers where invited to supply.</p> <p>d. A decision to vary a tendered contract <u>after</u> entry into the contract [F&amp;G r.21A(a)] must include evidence that the variation is necessary and does not change the scope of the contract.</p> <p>e. A decision to renew or extend the contract must only occur where the original contract contained the option to renew or extend its term as per r.11(2)(j) <u>and</u> that the contractor's performance has been reviewed and the review evidences the rationale for entering into the extended term.</p> <p>f. shall report to Council at least six monthly on the exercise of this delegation.</p>
<p><b>Express Power to Sub-Delegate:</b></p>	<p>Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees</p>

**Deleted:** or increase the contract value beyond 20% or to a maximum of \$50,000 whichever is the lesser value ...

**Commented [st38]:** CoN conditions in prior RoD

a.is authorised to approve a variation including extension to a contract, subject to satisfactory performance of the contractor, the contract specifying the provisions of an option to extend the term, the variation is necessary in order for the goods or services to be supplied and where the contract scope is not changed.

b.is authorised to approve a variation to a contract subject to a maximum variation of 20% of the contract price or \$50,000 whichever is the lesser amount. shall report to Council at least six monthly on the exercise of this delegation.

<p><b>Sub-Delegate/s:</b> <i>Appointed by CEO</i></p>	<p>Director Planning &amp; Development Director Technical Services Director Corporate <u>Services</u></p>
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CITY OF NEDLANDS

**1. Local Government Act 1995 Delegations**

<p><b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i></p>	<p>a. Each sub-delegate may only use the sub-delegation in regard to contracts that are within the scope of the incumbent's position role and responsibilities.</p> <p>b. <u>a.</u> Exercise of authority under F&amp;G.r.18(2) requires consideration of whether or not the requirements as specified in the invitation to tender have been expressed as mandatory and if so, discretion may not be capable of being exercised – consider process contract implications.</p> <p>c. In accordance with s.5.43(b), tenders may only be accepted under this delegation, where:</p> <p>i. The total consideration under the resulting contract is <u>\$249,999 (GST exl)</u> or less;</p> <p>ii. The expense is included in the adopted Annual Budget; and</p> <p>iii. The tenderer has complied with requirements under F&amp;G r.18(2) and (4).</p> <p>d. A decision to vary a tendered contract <u>before</u> entry into the contract [<i>F&amp;G r.20(1) and (3)</i>] must include evidence that the variation is minor in comparison to the total goods or services that tenderers where invited to supply.</p> <p>e. A decision to vary a tendered contract <u>after</u> entry into the contract [<i>F&amp;G r.21A(a)</i>] must include evidence that the variation is necessary and does not change the scope of the contract.</p> <p>f. A decision to renew or extend the contract must only occur where the original contract contained the option to renew or extend its term as per r.11(2)(j) <u>and</u> that the contractor's performance has been reviewed and the review evidences the rationale for entering into the extended term.</p>
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**Commented [st39]:** CoN conditions in prior RoD

c.is authorised to approve a variation including extension to a contract, subject to satisfactory performance of the contractor, the contract specifying the provisions of an option to extend the term, the variation is necessary in order for the goods or services to be supplied and where the contract scope is not changed.

d.is authorised to approve a variation to a contract subject to a maximum variation of 5% of the contract price or \$50,000 whichever is the lesser amount. shall report to Council at least six monthly on the exercise of this delegation.

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Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. <a href="#">Local Government (Functions and General) Regulations 1996</a> – prescribe applicable statutory procedures <a href="#">WALGA Subscription Service</a> – Procurement Toolkit Council Policy [insert ref #] Purchasing Policy
Record Keeping:	In accordance with CI 19 Local Government (Administration) Regulations1996

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**Version Control:**

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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**Delegation Register**  
CITY OF NEDLANDS

**1. Local Government Act 1995 Delegations**

**1.1.18 Tenders for Goods and Services - Exempt Procurement**

**WALGA Template Purchasing Policy**

*This Delegation is drafted to align with the WALGA Template Purchasing Policy.*

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<b>Head of Power</b>	01. Local Government Act 1995								
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Council								
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO								
<b>Express Power or Duty Delegated:</b>	Local Government Act 1995: s.3.57 Tenders for providing goods or services Local Government (Functions and General) Regulations 1996: r.11(2) When tenders have to be publicly invited (exemptions)								
<b>Delegate:</b>	<b>Chief Executive Officer</b>								
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>Authority to undertake tender exempt procurement, in accordance with the Purchasing Policy requirements, where the total consideration under the resulting contract is expected to be included in the adopted Annual Budget [F&amp;G.r.11(2)].</li> <li>Authority to, because of the unique nature of the goods or services or for any other reason it is unlikely that there is more than one supplier, determine to contract directly with a suitable supplier [F&amp;G r.11(2)(f)].</li> </ol>								
<b>Council Conditions on this Delegation:</b>	<p>a. Tender exempt procurement under F&amp;G.r.11(2) may only be approved where the total consideration under the resulting contract is expected to be less than the maximum \$value specified for the following categories:</p> <table border="1"> <thead> <tr> <th>Category</th> <th>Maximum Value for individual contracts</th> </tr> </thead> <tbody> <tr> <td>WALGA Preferred Supplier Program [F&amp;G.r.11(2)(b)]</td> <td>&lt;\$250,000* <i>*as specified in F&amp;G.r.11(2)(h)(i)</i></td> </tr> <tr> <td>Goods or services obtained through the Government of the State or Commonwealth or any of its agencies, or by a local government or regional local government [F&amp;G.r.11(2)(e)]</td> <td>&lt;\$250,000* <i>*as specified in F&amp;G.r.11(2)(h)(ii)</i></td> </tr> <tr> <td>Goods or services that are determined to be unique so that it is unlikely that there is more than one supplier</td> <td>&lt;\$250,000* <i>*as specified in F&amp;G.r.11(2)(h)(iii)</i></td> </tr> </tbody> </table>	Category	Maximum Value for individual contracts	WALGA Preferred Supplier Program [F&G.r.11(2)(b)]	<\$250,000* <i>*as specified in F&amp;G.r.11(2)(h)(i)</i>	Goods or services obtained through the Government of the State or Commonwealth or any of its agencies, or by a local government or regional local government [F&G.r.11(2)(e)]	<\$250,000* <i>*as specified in F&amp;G.r.11(2)(h)(ii)</i>	Goods or services that are determined to be unique so that it is unlikely that there is more than one supplier	<\$250,000* <i>*as specified in F&amp;G.r.11(2)(h)(iii)</i>
Category	Maximum Value for individual contracts								
WALGA Preferred Supplier Program [F&G.r.11(2)(b)]	<\$250,000* <i>*as specified in F&amp;G.r.11(2)(h)(i)</i>								
Goods or services obtained through the Government of the State or Commonwealth or any of its agencies, or by a local government or regional local government [F&G.r.11(2)(e)]	<\$250,000* <i>*as specified in F&amp;G.r.11(2)(h)(ii)</i>								
Goods or services that are determined to be unique so that it is unlikely that there is more than one supplier	<\$250,000* <i>*as specified in F&amp;G.r.11(2)(h)(iii)</i>								

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**Delegation Register**  
CITY OF NEDLANDS

**1. Local Government Act 1995 Delegations**

	in accordance with delegation condition (b.) specified below [F&G.r.(2)(f)]	
	Supply of petrol, oil or any other liquid or gas used for internal combustion engines [F&G.r.11(2)(g)]	<\$250,000* *as specified in F&G.r.11(2)(h)(ii)
	Goods or services supplied by a person registered on the Aboriginal Business Directory WA OR Indigenous Minority Supplier Office Limited (T/as Supply Nation) AND where satisfied that the contract represents value for money. [F&G.r.11(2)(h)]	<\$250,000* *as specified in F&G.r.11(2)(h)(ii)
	Goods or services supplied by an Australian Disability Enterprise [F&G.r.11(2)(i)]	<\$250,000* *as specified in F&G.r.11(2)(h)(ii)
	<p>b. Tender exempt procurement under F&amp;G r.11(2)(f) may only be approved where a record is retained that evidences:</p> <ul style="list-style-type: none"> <li>i. A detailed specification;</li> <li>ii. The outcomes of market testing of the specification;</li> <li>iii. The reasons why market testing has not met the requirements of the specification;</li> <li>iv. Rationale for why the supply is unique and cannot be sourced through other suppliers; and</li> <li>v. The expense is included in the adopted Annual Budget.</li> </ul> <p>c. Where the total consideration of a Tender Exempt procurement contract exceeds the \$250,000 delegated above, the decision is to be referred to Council.</p>	
<b>Express Power to Sub-Delegate:</b>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees	

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<b>Sub-Delegate/s:</b> Appointed by CEO	Director Planning & Development Director Technical Services Director Corporate <u>Services</u>
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**Delegation Register**  
CITY OF NEDLANDS

**1. Local Government Act 1995 Delegations**

<p><b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i></p>	<p>a. Each sub-delegate may only use the sub-delegation in regard to contracts that are within the scope of the incumbent's position role and responsibilities.</p> <p>b. Tender exempt procurement under F&amp;G.r.11(2) may only be approved where the total consideration under the resulting contract is expected to be less than the maximum \$value specified for the following categories:</p>												
	<table border="1"> <thead> <tr> <th>Category</th> <th>Maximum Value for individual contracts</th> </tr> </thead> <tbody> <tr> <td>WALGA Preferred Supplier Program <i>[F&amp;G.r.11(2)(b)]</i></td> <td>&lt;\$250,000* <i>*as specified in F&amp;G.r.11(2)(h)(ii)</i></td> </tr> <tr> <td>Goods or services obtained through the Government of the State or Commonwealth or any of its agencies, or by a local government or regional local government <i>[F&amp;G.r.11(2)(e)]</i></td> <td>&lt;\$250,000* <i>*as specified in F&amp;G.r.11(2)(h)(ii)</i></td> </tr> <tr> <td>Goods or services that are determined to be unique so that it is unlikely that there is more than one supplier in accordance with delegation condition (b.) specified below <i>[F&amp;G.r.2(f)]</i></td> <td>&lt;\$250,000* <i>*as specified in F&amp;G.r.11(2)(h)(ii)</i></td> </tr> <tr> <td>Supply of petrol, oil or any other liquid or gas used for internal combustion engines <i>[F&amp;G.r.11(2)(g)]</i></td> <td>&lt;\$250,000* <i>*as specified in F&amp;G.r.11(2)(h)(ii)</i></td> </tr> <tr> <td>Goods or services supplied by a person registered on the Aboriginal Business Directory WA <u>OR</u> Indigenous Minority Supplier Office Limited (T/as Supply Nation) <u>AND</u> where satisfied that the contract represents value for money. <i>[F&amp;G.r.11(2)(h)]</i></td> <td>&lt;\$250,000* <i>*as specified in F&amp;G.r.11(2)(h)(ii)</i></td> </tr> </tbody> </table>	Category	Maximum Value for individual contracts	WALGA Preferred Supplier Program <i>[F&amp;G.r.11(2)(b)]</i>	<\$250,000* <i>*as specified in F&amp;G.r.11(2)(h)(ii)</i>	Goods or services obtained through the Government of the State or Commonwealth or any of its agencies, or by a local government or regional local government <i>[F&amp;G.r.11(2)(e)]</i>	<\$250,000* <i>*as specified in F&amp;G.r.11(2)(h)(ii)</i>	Goods or services that are determined to be unique so that it is unlikely that there is more than one supplier in accordance with delegation condition (b.) specified below <i>[F&amp;G.r.2(f)]</i>	<\$250,000* <i>*as specified in F&amp;G.r.11(2)(h)(ii)</i>	Supply of petrol, oil or any other liquid or gas used for internal combustion engines <i>[F&amp;G.r.11(2)(g)]</i>	<\$250,000* <i>*as specified in F&amp;G.r.11(2)(h)(ii)</i>	Goods or services supplied by a person registered on the Aboriginal Business Directory WA <u>OR</u> Indigenous Minority Supplier Office Limited (T/as Supply Nation) <u>AND</u> where satisfied that the contract represents value for money. <i>[F&amp;G.r.11(2)(h)]</i>	<\$250,000* <i>*as specified in F&amp;G.r.11(2)(h)(ii)</i>
	Category	Maximum Value for individual contracts											
	WALGA Preferred Supplier Program <i>[F&amp;G.r.11(2)(b)]</i>	<\$250,000* <i>*as specified in F&amp;G.r.11(2)(h)(ii)</i>											
	Goods or services obtained through the Government of the State or Commonwealth or any of its agencies, or by a local government or regional local government <i>[F&amp;G.r.11(2)(e)]</i>	<\$250,000* <i>*as specified in F&amp;G.r.11(2)(h)(ii)</i>											
	Goods or services that are determined to be unique so that it is unlikely that there is more than one supplier in accordance with delegation condition (b.) specified below <i>[F&amp;G.r.2(f)]</i>	<\$250,000* <i>*as specified in F&amp;G.r.11(2)(h)(ii)</i>											
	Supply of petrol, oil or any other liquid or gas used for internal combustion engines <i>[F&amp;G.r.11(2)(g)]</i>	<\$250,000* <i>*as specified in F&amp;G.r.11(2)(h)(ii)</i>											
Goods or services supplied by a person registered on the Aboriginal Business Directory WA <u>OR</u> Indigenous Minority Supplier Office Limited (T/as Supply Nation) <u>AND</u> where satisfied that the contract represents value for money. <i>[F&amp;G.r.11(2)(h)]</i>	<\$250,000* <i>*as specified in F&amp;G.r.11(2)(h)(ii)</i>												

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**Delegation Register**  
CITY OF NEDLANDS

**1. Local Government Act 1995 Delegations**

	<p>Goods or services supplied by an Australian Disability Enterprise [F&amp;G.r.11(2)(i)]</p>	<p>&lt;\$250,000* *as specified in F&amp;G.r.11(2)(h)(iii)</p>
<p>b. Tender exempt procurement under F&amp;G r.11(2)(f) may only be approved where a record is retained that evidences:</p> <ul style="list-style-type: none"> <li>i. A detailed specification;</li> <li>ii. The outcomes of market testing of the specification;</li> <li>iii. The reasons why market testing has not met the requirements of the specification;</li> <li>iv. Rationale for why the supply is unique and cannot be sourced through other suppliers; and</li> <li>v. The expense is included in the adopted Annual Budget.</li> </ul> <p>c. Where the total consideration of a Tender Exempt procurement contract exceeds the \$250,000 delegated above, the decision is to be referred to Council.</p>		

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Compliance Links:	<p>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p><a href="#">Local Government (Functions and General) Regulations 1996</a> – prescribe applicable statutory procedures</p> <p><a href="#">WALGA Subscription Service</a> – Procurement Toolkit</p> <p>Council Policy Procurement of Goods and Services Policy</p>
Record Keeping:	In accordance with CI 19 Local Government (Administration) Regulations 1996

**Version Control:**

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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**Delegation Register**  
CITY OF NEDLANDS

**1. Local Government Act 1995 Delegations**

**1.1.19 Panels of Pre-Qualified Suppliers for Goods and Services**

<b>Head of Power</b>	01. Local Government Act 1995
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Council
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	Local Government (Functions and General) Regulation 1996: r.24AB Local government may establish panels of pre-qualified suppliers r.24AC(1)(b) Requirements before establishing panels of pre-qualified suppliers r.24AD(3) & (6) Requirements when inviting persons to apply to join panel of pre-qualified suppliers r.24AH(2), (3), (4) and (5) Rejecting and accepting applications to join panel of pre-qualified suppliers
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to determine that there is a continuing need for the goods or services proposed to be provided by a panel of pre-qualified suppliers [F&amp;G r.24AC(1)(b)].</li> <li>2. Authority to, before inviting submissions, determine the written criteria for deciding which application should be for inclusion in a panel of pre-qualified suppliers should be accepted [F&amp;G r.24AD(3)].</li> <li>3.. Authority to vary panel of pre-qualified supplier information after public notice inviting submissions has been given, taking reasonable steps to each person who has enquired or submitted an application is provided notice of the variation [F&amp;G r.24AD(6)].</li> <li>4. Authority to reject an application without considering its merits, where it was submitted at a place and within the time specified, but fails to comply with any other requirement specified in the invitation [F&amp;G r.24AH(2)].</li> <li>5. Authority to assess applications, by written evaluation of the extent to which the submission satisfies the criteria for deciding which applicants to accept, and decide which applications to accept as most advantageous [F&amp;G r.24AH(3)].</li> <li>6. Authority to request clarification of information provided in a submission by an applicant [F&amp;G r.24AH(4)].</li> <li>7. Authority to decline to accept any application [F&amp;G r.24AH(5)].</li> <li>8. Authority to enter into contract, or contracts, for the supply of goods or services with a pre-qualified supplier, as part of a panel of pre-qualified suppliers for those particular goods or services [F&amp;G r.24AJ(1)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	In accordance with s.5.43, panels of pre-qualified suppliers may only be established, where the total consideration under the

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**Delegation Register**  
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**1. Local Government Act 1995 Delegations**

	resulting contract is \$250,000 or less and the expense is included in the adopted Annual Budget.
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Director Planning & Development Director Technical Services Director Corporate <u>Services</u>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Each sub-delegate may only use the sub-delegation in regard to contracts that are within the scope of the incumbent's position role and responsibilities.

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<b>Compliance Links:</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.  <a href="#">Local Government (Functions and General) Regulations 1996</a> – prescribe applicable statutory procedures  <a href="#">WALGA Subscription Service</a> – Procurement Toolkit  Council Policy Procurement of Goods and Services Purchasing Policy Council Policy WALGA Pre-Qualified Supplier Panels
<b>Record Keeping:</b>	In accordance with CI 19 Local Government (Administration) Regulations 1996

**Version Control:**

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**Delegation Register**  
CITY OF NEDLANDS

**1. Local Government Act 1995 Delegations**

**1.1.20 Disposing of Property**

<b>Head of Power</b>	<u>01. Local Government Act 1995</u>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	<u>Council</u>
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	Local Government Act 1995: s.3.58(2) & (3) Disposing of Property
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to dispose of property to:             <ol style="list-style-type: none"> <li>(a) the highest bidder at public auction [s.3.58(2)(a)].</li> <li>(b) the person who at public tender called by the local government makes what is considered by the delegate to be, the most acceptable tender, whether or not it is the highest tender [s.3.58(2)(b)].</li> </ol> </li> <li>2. Authority to dispose of property by private treaty only in accordance with section 3.58(3) and prior to the disposal, to consider any submissions received following the giving of public notice [s.3.58(3)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. Disposal of land or building assets is limited to matters specified in the Annual Budget and in any other case, a Council resolution is required.</li> <li>b. In accordance with s.5.43, disposal of property, for any single project or where not part of a project but part of a single transaction, is limited to a maximum value of <u>\$100,000</u> or less.</li> <li>c. When determining the method of disposal:             <ul style="list-style-type: none"> <li>• Where a public auction is determined as the method of disposal:                 <ul style="list-style-type: none"> <li>○ Reserve price has been set by independent valuation.</li> <li>○ Where the reserve price is not achieved at auction, negotiation may be undertaken to achieve the sale at up to a -10% variation on the set reserve price.</li> </ul> </li> <li>• Where a public tender is determined as the method of disposal and the tender does not achieve a reasonable price for the disposal of the property, then the CEO is to determine if better value could be achieved through another disposal method and if so, must determine not to accept any tender and use an alternative disposal method.</li> <li>• Where a private treaty is determined [s.3.58(3)] as the method of disposal, authority to:</li> </ul> </li> </ol>

**Commented [SC49]:** There is currently no disposal of property policy. Example below: [f12-disposal-of-property \(toodyay.wa.gov.au\)](http://toodyay.wa.gov.au/f12-disposal-of-property) Shire of Toodyay have a current and relevant policy that is well written.

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**Delegation Register**  
CITY OF NEDLANDS

**1. Local Government Act 1995 Delegations**

	<ul style="list-style-type: none"> <li>o Negotiate the sale of the property up to a -10% variance on the valuation; and</li> <li>o Consider any public submissions received and determine if to proceed with the disposal, ensuring reasons for the decision are recorded.</li> </ul> <p>d. Where the market value of the property is determined as being less than \$20,000 (F&amp;G r.30(3) excluded disposal) may be undertaken:</p> <ul style="list-style-type: none"> <li>• Without reference to Council for resolution; and</li> <li>• In any case, be undertaken to ensure that the best value return is achieved however, where the property is determined as having a nil market value then, as a minimum, the disposal must ensure environmentally responsible disposal.</li> </ul>
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Director Planning & Development Director Technical Services Director Corporate <u>Services</u>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<p>a. Disposal of land or building assets is limited to matters specified in the Annual Budget and in any other case, a Council resolution is required.</p> <p>b. In accordance with s.5.43, disposal of property, for any single project or where not part of a project but part of a single transaction, is limited to a maximum value of <u>\$50,000</u> or less.</p> <p>c. When determining the method of disposal:</p> <ul style="list-style-type: none"> <li>• Where a public auction is determined as the method of disposal:             <ul style="list-style-type: none"> <li>o Reserve price has been set by independent valuation.</li> <li>o Where the reserve price is not achieved at auction, negotiation may be undertaken to achieve the sale at up to a -10% variation on the set reserve price.</li> </ul> </li> <li>• Where a public tender is determined as the method of disposal and the tender does not achieve a reasonable price for the disposal of the property, then the CEO is to determine if better value could be achieved through another disposal method and if so, must determine not to accept any tender and use an alternative disposal method.</li> <li>• Where a private treaty is determined [s.3.58(3)] as the method of disposal, authority to:             <ul style="list-style-type: none"> <li>o Negotiate the sale of the property up to a -10% variance on the valuation; and</li> </ul> </li> </ul>

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**Delegation Register**  
CITY OF NEDLANDS

**1. Local Government Act 1995 Delegations**

	<ul style="list-style-type: none"> <li>o Consider any public submissions received and determine if to proceed with the disposal, ensuring reasons for the decision are recorded.</li> <li>d. Where the market value of the property is determined as being less than \$20,000 (F&amp;G r.30(3) excluded disposal) may be undertaken:             <ul style="list-style-type: none"> <li>• Without reference to Council for resolution; and</li> </ul> </li> </ul> <p>In any case, be undertaken to ensure that the best value return is achieved however, where the property is determined as having a nil market value then, as a minimum, the disposal must ensure environmentally responsible disposal.</p>
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Compliance Links:	<p>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p><a href="#">Local Government Act 1995</a> – s.3.58 Disposal of Property</p> <p><a href="#">Local Government (Functions and General) Regulations 1995</a> – r.30 Dispositions of property excluded from Act s. 3.58</p> <p>Council Policy &lt;&lt;insert ref #&gt;&gt; Disposal of Property   _____</p>
Record Keeping:	In accordance with CI 19 Local Government (Administration) Regulations 1996

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**Delegation Register**  
CITY OF NEDLANDS

**1. Local Government Act 1995 Delegations**

**1.1.21 Payments from the Municipal or Trust Funds**

<b>Head of Power</b>	<a href="#">01. Local Government Act 1995</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	<a href="#">Council</a>
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	Local Government (Financial Management) Regulations 1996: r.12(1)(a) Payments from municipal fund or trust fund, restrictions on making
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to make payments from the municipal or trust funds [r.12(1)(a)].
<b>Council Conditions on this Delegation:</b>	a. Authority to make payments is subject to annual budget limitations.
<b>Express Power to Sub-Delegate:</b>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees

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<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Director Planning & Development Director Technical Services Director Corporate <a href="#">Services</a>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Authority to make payments is subject to annual budget limitations. 1. Delegates must comply with the Procedures approved by the CEO in accordance with Financial Management Regulation 5. 2. Payments by Cheque and EFT transactions must be approved jointly by two Delegates, one of whom must be the Director Corporate <a href="#">Services, other Director or Manager only</a> 3. Delegates that approve the payment must not verify the liability. The verification of incurring the liability via the purchase order, invoice and evidence of goods / service received, must be undertaken independent of the payment approval.

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<b>Compliance Links:</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. <a href="#">Local Government Act 1995</a>
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**Delegation Register**  
CITY OF NEDLANDS

**1. Local Government Act 1995 Delegations**

	<p><a href="#">Local Government (Financial Management) Regulations 1996</a> - refer specifically r.13 Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.</p> <p><a href="#">Local Government (Audit) Regulations 1996</a></p> <p>Department of Local Government, Sport and Cultural Industries <a href="#">Operational Guideline No.11 – Use of Corporate Credit Cards</a></p> <p>Department of Local Government, Sport and Cultural Industries: <a href="#">Accounting Manual</a></p>
Record Keeping:	In accordance with CI 19 Local Government (Administration) Regulations 1996

**Version Control:**

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**Delegation Register**  
CITY OF NEDLANDS

**1. Local Government Act 1995 Delegations**

**1.1.22 Defer, Grant Discounts, Waive or Write Off Debts**

<b>Head of Power</b>	<a href="#">01. Local Government Act 1995</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	<a href="#">Council</a>
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	Local Government Act 1995: s.6.12 Power to defer, grant discounts, waive or write off debts
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Waive a debt which is owed to the City [s.6.12(1)(b)].</li> <li>2. Grant a concession in relation to money which is owed to the City [s.6.12(1)(b)].</li> <li>3. Write off an amount of money which is owed to the City [s.6.12(1)(c)]</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. Write-off a rates or service charge debt up to <del>\$\$\$1,000</del> in accordance with the Financial Hardship Policy [s.6.12(1)(c) &amp;(2)].</li> <li>b. A debt may only be waived where:                         <ol style="list-style-type: none"> <li>i. <del>It is only to charitable or not for profit community groups</del></li> </ol> </li> <li>c. A concession may only be granted where:                         <ol style="list-style-type: none"> <li>i. <del>It is only to charitable or not for profit community groups</del></li> </ol> </li> <li>d. A debt may only be written off where all necessary measures have been taken to locate / contact the debtor and where costs associated with continued action to recover the debt will outweigh the net value of the debt if recovered by the City.                         <ol style="list-style-type: none"> <li>i. Limited to individual debts valued below <del>\$\$\$1,000</del> cumulative debts of a debtor valued below <del>\$\$\$1,000</del> or write off of debts greater than these values must be referred for Council decision.  <u>e. For the CEO to report to Council on the exercise of this delegation.</u></li> </ol> </li> </ol>
<b>Express Power to Sub-Delegate:</b>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees

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<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Director Technical Services Director Corporate <a href="#">Services</a> Director Planning & Development <a href="#">Director Technical Services</a> <a href="#">Manager Health &amp; Compliance</a>
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**Delegation Register**  
CITY OF NEDLANDS

**1. Local Government Act 1995 Delegations**

	<p><u>Manager Assets</u> <u>Manager Building Services</u></p>
<p><b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i></p>	<p>May only do so for, or on:</p> <ol style="list-style-type: none"> <li>1. Extend time for payment of a modified penalty or to withdraw an infringement notice;</li> <li>2. In relation to parking infringements, withdraw an infringement in the event of:             <ol style="list-style-type: none"> <li>a. Medical emergency;</li> <li>b. Vehicle broken down;</li> <li>c. Eastern States registration;</li> <li>d. No records held by Police Department if unregistered vehicle;</li> <li>e. Stolen vehicle;</li> <li>f. Error made by issuing officer;</li> <li>g. Vehicle towed away; or</li> <li>h. Other compassionate grounds.</li> </ol> </li> <li>3. <u>Manager Health &amp; Compliance</u> may only waive fees and charges related to their operational responsibilities and where such waiver is to rectify a service failure on the part of the <u>City of Nedlands</u> limited to a value less than <u>\$1,000?</u> per customer within a financial year.</li> <li>4. <u>Directors</u> may waive fees and charges related to their operational responsibilities where such waiver is either to:             <ol style="list-style-type: none"> <li>i. rectify a service failure on the part of the City limited to a value less than <u>1,000?</u> per customer within a financial year; or</li> <li>ii. assist a not for profit community group or charitable entity in fulfilling a service, social or cultural outcome within the City.</li> </ol> </li> <li>5. Concessions may only be granted where the debtor is <u>it is only to charitable or not for profit community grants</u></li> <li>6. <u>Directors</u> may only write off debts limited to a value of less than <u>\$1,000?</u>er debtor within a financial year.</li> </ol>
<p>Compliance Links:</p>	<p>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p>Collection of Rates Debts – refer Delegations:</p> <p><u>&lt;&lt;insert Ref #&gt;&gt;</u> Agreement as to Payment of Rates and Service Charges</p> <p><u>&lt;&lt;insert Ref #&gt;&gt;</u> Recovery of Rates or Service Charges</p> <p><u>&lt;&lt;insert Ref #&gt;&gt;</u> Recovery of Rates Debts – Require Lessee to Pay Rent</p> <p><u>&lt;&lt;insert Ref #&gt;&gt;</u> Recovery of Rates Debts – Actions to Take Possession of the Land</p>
<p>Record Keeping:</p>	<p>In accordance with CI 19 Local Government (Administration) Regulations 1996</p>
<p><b>Version Control:</b></p>	<p>1 <u>&lt;&lt;insert reference / detail identifying decision to adopt, amend the delegation&gt;&gt;</u></p>

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**Delegation Register**  
CITY OF NEDLANDS

**1. Local Government Act 1995 Delegations**

2

**1.1.23 Power to Invest and Manage Investments**

<b>Head of Power</b>	01. Local Government Act 1995
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Council
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	Local Government Act 1995: s.6.14 Power to invest Local Government (Financial Management) Regulations 1996: r.19 Investments, control procedures for
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>Authority to invest money held in the municipal fund or trust fund that is not, for the time being, required for any other purpose [s.6.14(1)].</li> <li>Authority to establish and document internal control procedures to be followed in the investment and management of investments [FM r.19].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>All investment activity must comply with the Financial Management Regulation 19C and <a href="#">Investments of Council Funds Council Policy</a>.</li> <li>A report detailing the investment portfolio's performance, exposures and changes since last reporting, is to be provided as part of the Monthly Financial Reports.</li> <li>Procedures are to be systematically documented and retained in accordance with the Record Keeping Plan and must include references that enable recognition of statutory requirements and assign responsibility for actions to position titles.</li> <li>Procedures are to be administratively reviewed for continuing compliance and confirmed as 'fit for purpose' and subsequently considered by the Audit and Risk Committee at least once within every 3 financial years. [Audit r.17]</li> </ol>
<b>Express Power to Sub-Delegate:</b>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees

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<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Director Corporate <a href="#">Services</a>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<ol style="list-style-type: none"> <li>All investment activity must comply with the Financial Management Regulation 19C and <a href="#">Investment of Council Funds Council Policy</a>.</li> </ol>

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**Delegation Register**  
CITY OF NEDLANDS

**1. Local Government Act 1995 Delegations**

	<p>b. A report detailing the investment portfolio's performance, exposures and changes since last reporting, is to be provided as part of the Monthly Financial Reports.</p> <p>c. Procedures are to be systematically documented and retained in accordance with the Record Keeping Plan and must include references that enable recognition of statutory requirements and assign responsibility for actions to position titles.</p> <p>d. Procedures are to be administratively reviewed for continuing compliance and confirmed as 'fit for purpose' and subsequently considered by the Audit and Risk Committee at least once within every 3 financial years. [Audit r.17]</p> <p>e. A decision to invest must be jointly confirmed by two Delegates.</p> <p>f. Investment decisions are limited to a maximum of \$&lt;&lt;value&gt;&gt; per transaction on the short-term money market and up to a value of \$&lt;&lt;value&gt;&gt; per transactions for other markets.</p> <p>g. Where exposure to a single market or investment type will exceed \$&lt;&lt;value&gt;&gt;, the decision must be referred to the CEO.</p>
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Compliance Links:	<p>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p><a href="#">Local Government (Financial Management) Regulations 1996</a> – refer r.19C Investment of money, restrictions on (Act s.6.14(2)(a))</p> <p><a href="#">Investment of Council Funds Policy</a></p>
Record Keeping:	In accordance with CI 19 Local Government (Administration) Regulations 1996

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**Version Control:**

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**Delegation Register**  
CITY OF NEDLANDS

**1. Local Government Act 1995 Delegations**

**1.1.24 Rate Record Amendment**

<b>Head of Power</b>	<a href="#">01. Local Government Act 1995</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	<a href="#">Council</a>
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.6.39(2)(b) Rate record
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to determine any requirement to amend the rate record for the 5-years preceding the current financial year [s.6.39(2)(b)].
<b>Council Conditions on this Delegation:</b>	Delegates must comply with the requirements of s.6.40 of the Act.
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

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<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Director Corporate <a href="#">Services</a>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Delegates must comply with the requirements of s.6.40 of the Act.

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<b>Compliance Links:</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.  <a href="#">Local Government Act 1995</a> – s.6.40 prescribes consequential actions that may be required following a decision to amend the rate record.  Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
<b>Record Keeping:</b>	In accordance with CI 19 Local Government (Administration) Regulations 1996

<b>Version Control:</b>	
1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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**Delegation Register**  
CITY OF NEDLANDS

**1. Local Government Act 1995 Delegations**

**1.1.25 Agreement as to Payment of Rates and Service Charges**

<b>Head of Power</b>	<a href="#">01. Local Government Act 1995</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	<a href="#">Council</a>
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	Local Government Act 1995: s.6.49 Agreement as to payment of rates and service charges
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to make an agreement with a person for the payment of rates or service charges [s.6.49].
<b>Council Conditions on this Delegation:</b>	a. Decisions under this delegation must comply with Council Policy <a href="#">Hardship Provisions Policy</a> . b. Agreements must be in writing and, subject to the Council Policy <a href="#">Hardship Provisions Policy</a> , must ensure acquittal of the rates or service charge debt before the next annual rates or service charges are levied.
<b>Express Power to Sub-Delegate:</b>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees

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<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Director Corporate <a href="#">Services</a>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	a. Decisions under this delegation must comply with Council Policy <a href="#">Hardship Provisions Policy</a> . b. Agreements must be in writing and, subject to the Council Policy <a href="#">Hardship Provisions Policy</a> , must ensure acquittal of the rates or service charge debt before the next annual rates or service charges are levied.

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<b>Compliance Links:</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. Council Policy <a href="#">&lt;&lt;# Rates Collection / Financial Hardship&gt; Policy&gt;</a>
<b>Record Keeping:</b>	In accordance with CI 19 Local Government (Administration) Regulations 1996

<b>Version Control:</b>	
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**Delegation Register**  
CITY OF NEDLANDS

**1. Local Government Act 1995 Delegations**

**1.1.26 Determine Due Date for Rates or Service Charges**

<b>Head of Power</b>	<a href="#">01. Local Government Act</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	<a href="#">Council</a>
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	Local Government Act 1995: s.6.50 Rates or service charges due and payable
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to determine the date on which rates or service charges become due and payable to the City [s.6.50].
<b>Council Conditions on this Delegation:</b>	<a href="#">Nil</a>
<b>Express Power to Sub-Delegate:</b>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees

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<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Director Corporate <a href="#">Services</a>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<a href="#">Nil</a>

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<b>Compliance Links:</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
<b>Record Keeping:</b>	In accordance with CI 19 Local Government (Administration) Regulations 1996

<b>Version Control:</b>	
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**Delegation Register**  
CITY OF NEDLANDS

**1. Local Government Act 1995 Delegations**

**1.1.27 Recovery of Rates or Service Charges**

<b>Head of Power</b>	<a href="#">01. Local Government Act 1995</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	<a href="#">Council</a>
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.6.56 Rates or service charges recoverable in court s.6.64(3) Actions to be taken
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to recover rates or service charges, as well as costs of proceedings for the recovery, in a court of competent jurisdiction [s.6.56(1)].</li> <li>2. Authority to lodge (and withdraw) a caveat to preclude dealings in respect of land where payment of rates or service charges imposed on that land is in arrears [s.6.64(3)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	Decisions under this delegation must comply with Council Policy <a href="#">Hardship Provisions Policy</a>
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

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<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Director Corporate <a href="#">Services</a>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Decisions under this delegation must comply with Council Policy <a href="#">Hardship Provisions Policy</a>

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<b>Compliance Links:</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
<b>Record Keeping:</b>	Director Corporate <a href="#">Services</a>

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**Delegation Register**  
CITY OF NEDLANDS

**1. Local Government Act 1995 Delegations**

**1.1.28 Recovery of Rates Debts – Require Lessee to Pay Rent**

<b>Head of Power</b>	<a href="#">01. Local Government Act 1995</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	<a href="#">Council</a>
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.6.60 Local Government may require lessee to pay rent
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>Authority to give notice to a lessee of land in respect of which there is an unpaid rate or service charge, requiring the lessee to pay its rent to the <a href="#">City</a> [s.6.60(2)].</li> <li>Authority to recover the amount of the rate or service charge as a debt from the lessee if rent is not paid in accordance with a notice [s.6.60(4)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	Decisions under this delegation must comply with Council Policy <a href="#">Hardship Provisions Policy</a>
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

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<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Director Corporate <a href="#">Services</a>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Decisions under this delegation must comply with Council Policy <a href="#">Hardship Provisions Policy</a>

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<b>Compliance Links:</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.  <a href="#">Local Government Act 1995</a> – refer sections 6.61 and 6.62 and Schedule 6.2 prescribe procedures relevant to exercise of authority under s.6.60.  Council Policy <<# Rates Collection / Financial Hardship Policy>
<b>Record Keeping:</b>	In accordance with CI 19 Local Government (Administration) Regulations 1996

<b>Version Control:</b>	
1	<<insert reference / detail identifying decision to adopt, amend the delegation>>



**Delegation Register**  
CITY OF NEDLANDS

**1. Local Government Act 1995 Delegations**

**1.1.29 Recovery of Rates Debts - Actions to Take Possession of the Land**

<b>Head of Power</b>	<a href="#">01. Local Government Act 1995</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	<a href="#">Council</a>
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.6.64(1) Actions to be taken s.6.69(2) Right to pay rates, service charges and costs, and stay proceedings s.6.71 Power to transfer land to Crown or local government s.6.74 Power to have land revested in Crown if rates in arrears 3 years
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to take possession of land and hold the land against a person having an estate or interest in the land where rates or service charges have remained unpaid for at least three years [s.6.64(1)], including: <ol style="list-style-type: none"> <li>i. lease the land, or</li> <li>ii. sell the land; or where land is offered for sale and a contract of sale has not been entered into after 12 months: <ol style="list-style-type: none"> <li>I. cause the land to be transferred to the Crown [s.6.71 and s.6.74]; or</li> <li>II. cause the land to be transferred to the City [s.6.71].</li> </ol> </li> </ol> </li> <li>2. Authority to agree terms and conditions with a person having estate or interest in land and to accept payment of outstanding rates, service charges and costs within 7 days of and prior to the proposed sale [s.6.69(2)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. Decisions under this delegation must comply with Council Policy <a href="#">Hardship Provisions Policy</a></li> <li>b. In accordance with s.6.68(3A), this delegation cannot be used where a decision relates to exercising a power of sale <u>without having</u>, within the previous 3-years attempted to recover the outstanding rates / changes through a court under s.6.56, as s.6.68(3A) requires that the reasons why court action has not been pursued must be recorded in Council Minutes.</li> <li>c. Exercise of this delegation must comply with the procedures set out in Schedule 6.3 of the <i>Local Government Act 1995</i>.</li> </ol>
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

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**Delegation Register**  
CITY OF NEDLANDS

**1. Local Government Act 1995 Delegations**

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Director Corporate <a href="#">Services</a>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<p>a. Decisions under this delegation must comply with Council Policy &lt;&lt;# Rates Collection / Financial Hardship&gt; Policy&gt;.</p> <p>b. In accordance with s.6.68(3A), this delegation cannot be used where a decision relates to exercising a power of sale <u>without having</u>, within the previous 3-years attempted to recover the outstanding rates / changes through a court under s.6.56, as s.6.68(3A) requires that the reasons why court action has not been pursued must be recorded in Council Minutes.</p> <p>c. Exercise of this delegation must comply with the procedures set out in Schedule 6.3 of the <i>Local Government Act 1995</i>.</p>

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Compliance Links:	<p>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p><a href="#">Local Government Act 1995</a> – Part 6, Division 6 Subdivision 6 and Schedule.6.3 prescribe procedures relevant to exercise of authority under this delegation.</p> <p><a href="#">Local Government (Financial Management) Regulations 1996</a> – regulations 72 – 78 prescribe forms and procedures relevant to exercise of authority under this delegation.</p> <p>Council Policy &lt;&lt;# Rates Collection / Financial Hardship&gt; Policy&gt;</p>
Record Keeping:	In accordance with CI 19 Local Government (Administration) Regulations 1996

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<b>Version Control:</b>	
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**Delegation Register**  
CITY OF NEDLANDS

**1. Local Government Act 1995 Delegations**

**1.1.30 Rate Record – Objections**

<b>Head of Power</b>	01. Local Government Act 1995
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Council
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	Local Government Act 1995: s.6.76 Grounds of objection
<b>Delegate:</b>	Chief Executive Officer
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>Authority to extend the time for a person to make an objection to a rate record [s.6.76(4)].</li> <li>Authority to consider an objection to a rate record and either allow it or disallow it, wholly or in part, providing the decision and reasons for the decision in a notice promptly served upon the person who made the objection [s.6.76(5)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	A delegate who has participated in any matter contributing to a decision related to the rate record, which is the subject of a Rates Record Objection, must NOT be party to any determination under this Delegation.
<b>Express Power to Sub-Delegate:</b>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees

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<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Director Corporate Services
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	A delegate who has participated in any matter contributing to a decision related to the rate record, which is the subject of a Rates Record Objection, must NOT be party to any determination under this Delegation.

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<b>Compliance Links:</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.  Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
<b>Record Keeping:</b>	In accordance with CI 19 Local Government (Administration) Regulations 1996

**Version Control:**

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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**Delegation Register**  
CITY OF NEDLANDS

**1. Local Government Act 1995 Delegations**

**1.1.31 Renewal or Extension of Contracts during a State of Emergency**

<b>Head of Power</b>	<a href="#">01. Local Government Act 1995</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	<a href="#">Council</a>
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	Local Government Act 1995: s.3.57 Tenders for providing goods or services Local Government (Functions and General) Regulations 1996: Regulation 11 'When tenders have to be publicly invited' Tender exemption under subregulation 11(2)(ja)
<b>Delegate:</b>	<a href="#">Chief Executive Officer</a>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authority, only to be exercised when a State of Emergency declaration is in force and applies to all or part of the District, to execute a renewal or extension to the term of a contract that will expire within 3 months, for a term of not more than 12 months from the original expiry date, without calling for tenders [F&G r.11(2)(ja)].  This authority relates to: <ul style="list-style-type: none"> <li>contracts not formed through a public tender, where the total value of the original term and the proposed extension or renewal exceeds \$250 000, and</li> <li>contracts formed through a public tender.</li> </ul>
<b>Council Conditions on this Delegation:</b>	<p>a. The authority to apply the renewal or extension option may be exercised where one or more of the following principles applies:</p> <ol style="list-style-type: none"> <li>It is exercised at the sole discretion of the Local Government;</li> <li>It is in the best interests of the Local Government;</li> <li>It is deemed necessary to facilitate the role of Local Government in relation to the State of Emergency declaration;</li> <li>It has potential to promote local and/or regional economic benefits.</li> </ol> <p>b. This authority may only be exercised where the total consideration for the renewal or extension is <u>250,000</u> or less.</p> <p>c. Contracts may only be renewed or extended where there is an adopted and available budget for the proposed goods and services, OR where the expenditure from an alternative available budget allocation has been authorised in advance by the Mayor (i.e. before the expense is incurred) in accordance with LGA s.6.8(1)(c).</p> <p>d. The decision to extend or renew a contract must be made in accordance with the objectives of the Purchasing Policy.</p>

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**Delegation Register**  
CITY OF NEDLANDS

**1. Local Government Act 1995 Delegations**

	<p>e. This authority may only be exercised where the total consideration under the resulting contract is \$&lt;&lt;value which is over \$250,000&gt;&gt; or less.</p> <p>f. The CEO cannot sub-delegate this authority.</p>
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Compliance Links:	<p><a href="#">Local Government (Functions and General) Regulations 1996</a>  <a href="#">WALGA Subscription Service</a> – Procurement Toolkit                  Council Policy [insert ref #] Purchasing Policy                  &lt;&lt;insert / list other legislation, Local Laws, policies and procedures which must be considered when making decisions under this delegation&gt;&gt;</p>
Record Keeping:	<<Detail how records of decisions are to be kept by delegates>>

**Version Control:**

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**Delegation Register**  
CITY OF NEDLANDS

**1. Local Government Act 1995 Delegations**

**1.1.32 Procurement of Goods or Services required to address a State of Emergency**

<b>Head of Power</b>	<a href="#">01. Local Government Act 1995</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	<a href="#">Council</a>
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	Local Government Act 1995: s.3.57 Tenders for providing goods or services Local Government (Functions and General) Regulations 1996: Regulation 11 'When tenders have to be publicly invited' Tender exemption under <a href="#">sub regulation 11(2)(aa)</a> Associated definition under <a href="#">sub regulation 11(3)</a>
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authority, only to be exercised when a State of Emergency declaration is in force and applies to all or part of the District, to:  1. Determine that particular goods or services with a purchasing value >\$250,000 are required for the purposes of addressing the impact, consequences or need arising from the hazard to which the State of Emergency declaration relates [F&G r11(3)(b)]; and  2. Undertake tender exempt purchasing activity to obtain the supply of those goods or services identified in accordance with point 1 above [F&G r.11(2)(aa)].
<b>Council Conditions on this Delegation:</b>	a. This authority may only be exercised where the goods or services are urgently required, and it is not possible for Council to meet within an appropriate timeframe.  b. Compliance with the Purchasing Policy is required, but only to the extent that such compliance will not incur an unreasonable delay in providing the required urgent response to the State of Emergency hazard. The rationale for non-compliance with Purchasing Policy must be evidenced in accordance with the Record Keeping Plan.  c. Where a relevant budget allocation is not available and a purchase is necessary in response to a State of Emergency, the expenditure from an alternative available budget allocation must be authorised in advance by the Mayor or President (i.e. before the expense is incurred) in accordance with LGA s.6.8.  d. The CEO is to inform Council Members after the exercise of this delegation, including details of the contract specification, scope and purchasing value and the rationale for determining that the goods or services were urgently required in response to the State of Emergency declaration.  e. The CEO cannot sub-delegate this authority.

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See condition e



**Delegation Register**  
**CITY OF NEDLANDS**

**1. Local Government Act 1995 Delegations**

Compliance Links:	<a href="#">Local Government (Functions and General) Regulations 1996</a> <a href="#">WALGA Subscription Service</a> – Procurement Toolkit <a href="#">City of Nedlands Purchasing Policy</a>
Record Keeping:	In accordance with CI 19 Local Government (Administration) Regulations 1996

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**Version Control:**

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**Delegation Register**  
CITY OF NEDLANDS

**1. Local Government Act 1995 Delegations**

**1.2 CEO to Employees**

**1.2.1 Determine if an Emergency for Emergency Powers of Entry**

<b>Head of Power</b>	<a href="#">01. Local Government Act 1995</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees
<b>Express Power or Duty Delegated:</b>	Local Government Act 1995: s.3.34(2) Entry in emergency
<b>Delegate/s:</b>	Director Planning & Development Director Technical Services Director Corporate <a href="#">Services</a>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authority to determine on behalf of the CEO that an emergency exists for the purposes of performing local government functions [s.3.34(2)].
<b>CEO Conditions on this Delegation:</b>	<a href="#">Nil</a>
<b>Express Power to Sub-Delegate:</b>	Nil.

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Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
Record Keeping:	In accordance with CI 19 Local Government (Administration) Regulations 1996

<b>Version Control:</b>	
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**Delegation Register**  
CITY OF NEDLANDS

**1. Local Government Act 1995 Delegations**

**1.2.2 Determine and Manage Conditions on Approvals to Obstruct a Public Thoroughfare**

<b>Head of Power</b>	<a href="#">01. Local Government Act 1995</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Express Power or Duty Delegated:</b>	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> r.6(4)(d) Obstruction of public thoroughfare by things placed and left - Sch. 9.1 cl. 3(1)(a)
<b>Delegate/s:</b>	Director Planning & Development Director Technical Services
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	When determining to grant permission to obstruct a public footpath or thoroughfare under Delegated Authority 1.2.9:  1. Authority to determine the sum sufficient to cover the cost of repairing damage to the public thoroughfare resulting from the placement of a thing or a protective structure, on the basis that the local government may retain from that sum the amount required for the cost of repairs by the local government if the damage is not made good by the applicant [ULP r.6(4)(d)].  2. Authority to determine the requirements for protective structures, during such time as it is considered necessary for public safety and convenience [ULP r.6(5)(b)].  3. Authority to determine and require in writing, that the person granted permission to obstruct a public thoroughfare repair damage caused by things placed on the thoroughfare and authority to determine if such repairs are to the satisfaction of the local government [ULP r.6(5)(d)].
<b>CEO Conditions on this Delegation:</b>	a. Decisions under this Delegation must be exercised in alignment with Council's Delegated Authority 1.2.9 Obstruction of Footpaths and Thoroughfares.  b. Actions under this Delegation must comply with the procedural requirements detailed in <i>the Local Government (Uniform Local Provisions) Regulations 1996</i> .
<b>Express Power to Sub-Delegate:</b>	Nil.

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my suggested delegations

<b>Compliance Links:</b>	This delegated authority is effective only in alignment with Delegated Authority 1.2.9 Obstructions of Footpaths and Thoroughfares.  Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.  <a href="#">Local Government (Uniform Local Provisions) Regulations 1996</a>
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**Delegation Register**  
**CITY OF NEDLANDS**

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**1. Local Government Act 1995 Delegations**

	Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the <i>Local Government Act 1995</i>
Record Keeping:	In accordance with CI 19 Local Government (Administration) Regulations 1996

**Version Control:**

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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**Delegation Register**  
CITY OF NEDLANDS

**1. Local Government Act 1995 Delegations**

**1.2.3 Determine and Manage Conditions on Permission for Dangerous Excavations on or on land adjoining Public Thoroughfares**

<b>Head of Power</b>	<a href="#">01. Local Government Act 1995</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Express Power or Duty Delegated:</b>	Local Government (Uniform Local Provisions) Regulations 1996: r.11(6)(c) and (7)(c) Dangerous excavation in or near public thoroughfare – Sch. 9.1 cl.6
<b>Delegate/s:</b>	Director Planning & Development Director Technical Services
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	When determining to grant permission to for a dangerous excavation under Delegated Authority 1.2.12:  <ol style="list-style-type: none"> <li>1. Authority to determine, as a condition of granting permission, the sum sufficient to deposit to cover the cost of repairing damage to the public thoroughfare or adjoining land resulting from the excavation or a protective structure, on the basis that the local government may retain from that sum the amount required for the cost of repairs by the local government if the damage is not made good by the applicant [r.11(6)(c)].</li> <li>2. Authority to determine, as a condition of granting permission, requirements for protective structures and for the protective structures to be maintained and kept in satisfactory condition necessary for public safety and convenience [r.11(7)(c)].</li> <li>3. Authority to determine if repairs to damage resulting from excavation or protective structures have been repaired satisfactorily.</li> </ol>
<b>CEO Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. Decisions under this Delegation must be exercised in alignment with Council’s Delegated Authority 1.2.12 Public Thoroughfares – Dangerous Excavations.</li> <li>b. Actions under this Delegation must comply with the procedural requirements detailed in <i>the Local Government (Uniform Local Provisions) Regulations 1996</i>.</li> </ol>
<b>Express Power to Sub-Delegate:</b>	Nil.

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<b>Compliance Links:</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.  This delegated authority is effective only in alignment with Delegated Authority 1.2.12 Public Thoroughfares – Dangerous Excavations.  <a href="#">Local Government (Uniform Local Provisions) Regulations 1996</a>
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**Delegation Register**  
**CITY OF NEDLANDS**

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**1. Local Government Act 1995 Delegations**

	Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the <i>Local Government Act 1995</i>
Record Keeping:	In accordance with CI 19 Local Government (Administration) Regulations 1996

**Version Control:**

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**Delegation Register**  
CITY OF NEDLANDS

**1. Local Government Act 1995 Delegations**

**1.2.4 Determine and Manage Conditions on Permission for Private Works on, over, or under Public Places**

<b>Head of Power</b>	<a href="#">01. Local Government Act 1995</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Express Power or Duty Delegated:</b>	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> r.17(5)(b) and r.17(6)(c) Private works on, over, or under public places — Sch. 9.1 cl. 8
<b>Delegate/s:</b>	<a href="#">Director Planning &amp; Development</a> <a href="#">Director Technical Services</a>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>Authority to determine, as a condition of granting permission for Private Works in Public Places, the sum sufficient to deposit with the Local Government to cover the cost of repairing damage to the public thoroughfare or public place resulting from the crossing construction, on the basis that the Local Government may retain from that sum the amount required for the cost of repairs by the local government if the damage is not made good by the applicant [r.17(5)(b)].</li> <li>Authority to determine if repairs to damage resulting from excavation or protective structures have been repaired satisfactorily. [r.17(6)(c)].</li> </ol>
<b>CEO Conditions on this Delegation:</b>	<a href="#">Nil</a>
<b>Express Power to Sub-Delegate:</b>	Nil.

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<b>Compliance Links:</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.  This delegated authority is effective only in alignment with Delegated Authority 1.2.14 Private Works on, over or under Public Places
<b>Record Keeping:</b>	In accordance with Cl 19 Local Government (Administration) Regulations 1996

**Version Control:**

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**Delegation Register**  
CITY OF NEDLANDS

**1. Local Government Act 1995 Delegations**

**1.2.5 Appoint Persons (other than employees) to Open Tenders**

<b>Head of Power</b>	<a href="#">01. Local Government Act 1995</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Express Power or Duty Delegated:</b>	<i>Local Government (Functions and Genera) Regulations 1996:</i> r.16(3) Receiving and opening tenders, procedure for
<b>Delegate/s:</b>	Director Planning & Development Director Technical Services Director Corporate <a href="#">Services</a> <a href="#">Coordinator Procurement and Contracts</a> <a href="#">Procurement Officer</a>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to appoint one person (other than employees) to be present with an employee of the Local Government to open tenders, when two employees are unable to attend then tender opening [F&G r.16(3)].
<b>CEO Conditions on this Delegation:</b>	<a href="#">Nil</a>
<b>Express Power to Sub-Delegate:</b>	Nil.

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Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
Record Keeping:	In accordance with CI 19 Local Government (Administration) Regulations 1996

**Version Control:**

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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**Delegation Register**  
CITY OF NEDLANDS

**1. Local Government Act 1995 Delegations**

**1.2.6 Electoral Enrolment Eligibility Claims and Electoral Roll**

<b>Head of Power</b>	<a href="#">01. Local Government Act 1995</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.4.32(4), (5A) & (5) Eligibility to enrol under s.4.30, how to claim s.4.34 Accuracy of enrolment details to be maintained s.4.35 Decision that eligibility to enrol under s.4.30 has ended s.4.37 New roll for each election <i>Local Government (Elections) Regulations 1995:</i> r.11(1a) Nomination of co-owners or co-occupiers — s.4.31 r.13(2) & (4) Register - s.4.32(6)
<b>Delegate/s:</b>	Director Corporate <a href="#">Services</a> Executive Officer
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to require the written notice for co-owners or co-occupiers to be incorporated into Form 2 [r.11(1a)].</li> <li>2. Authority to decide whether or not the claimant is eligible under s.4.30(1)(a) and (b) and accept or reject the claim accordingly [s.4.32(4)].</li> <li>3. Authority to decide to accept or reject a claim made before the close of enrolments, but less than 14-days before the close of nominations [s.3.42(5A)].</li> <li>4. Authority to make any enquiries necessary in order to make a decision on an eligibility claim [s.4.32(5)].</li> <li>5. Authority to approve the omission of an elector's address from the Owners and Occupiers Register on the basis of a declaration from the elector that the publication of this information would place the elector's or their families safety at risk [Elections r.13(2)].</li> <li>6. Authority to amend the Owners and Occupiers Register from time to time to make sure that the information recorded in it is accurate [Elections r.13(4)].</li> <li>7. Authority to ensure that the information about electors that is recorded from enrolment eligibility claims is maintained in an up to date and accurate form [s.4.34].</li> <li>8. Authority to decide that a person is no longer eligible under s.4.30 to be enrolled on the Owners and Occupiers Electoral Roll [s.4.35(1)] and to give notice [s.4.35(2)] and consider submissions [s.4.35(6)], before making such determination.</li> <li>9. Authority to determine to take any action necessary to give effect to advice received from the Electoral Commissioner [s.4.35(5)].</li> </ol>

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**Delegation Register**  
CITY OF NEDLANDS

**1. Local Government Act 1995 Delegations**

	10. Decide, with the approval of the Electoral Commissioner, that a new electoral roll is not required for an election day which is less than 100 days since the last election day [s.4.37(3)].
<b>CEO Conditions on this Delegation:</b>	Decisions on enrolment eligibility are to be recorded in the Enrolment Eligibility Register in accordance with s.4.32(6) and s.4.35(7).
<b>Express Power to Sub-Delegate:</b>	Nil.

<b>Compliance Links:</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. Department of Local Government, Sport and Cultural Industries: <a href="#">Returning Officer Manual</a>
<b>Record Keeping:</b>	In accordance with CI 19 Local Government (Administration) Regulations 1996

**Version Control:**

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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**Delegation Register**  
CITY OF NEDLANDS

**1. Local Government Act 1995 Delegations**

**1.2.7 Destruction of Electoral Papers**

<b>Head of Power</b>	<a href="#">01. Local Government Act 1995</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees
<b>Express Power or Duty Delegated:</b>	Local Government (Elections) Regulations 1996: r.82(4) Keeping election papers – s4.84(a)
<b>Delegate/s:</b>	Director Corporate <a href="#">Services</a> Executive Officer
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to, after a period of 4-years, destroy the parcels of election papers in the presence of at least 2 other employees [Elect. r.82(4)].
<b>CEO Conditions on this Delegation:</b>	<a href="#">Nil</a>
<b>Express Power to Sub-Delegate:</b>	Nil.

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Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. Department of Local Government, Sport and Cultural Industries: <a href="#">Returning Officer Manual</a>
Record Keeping:	In accordance with CI 19 Local Government (Administration) Regulations 1996

**Version Control:**

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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**Delegation Register**  
CITY OF NEDLANDS

**1. Local Government Act 1995 Delegations**

**1.2.8 Appoint Authorised Persons**

<b>Head of Power</b>	<a href="#">01. Local Government Act 1995</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.3.24 Authorising persons under this subdivision [Part 3, Division 3, Subdivision 2 – Certain provisions about land] s.9.10 Appointment of authorised persons
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to appoint persons or classes of persons as authorised persons [s.3.24 and s.9.10] for the purpose of fulfilling functions of an authorised person prescribed in the following legislation inclusive of subsidiary legislation made under each Act i.e. Regulations: <ol style="list-style-type: none"> <li>(a) <a href="#">Local Government Act 1995</a> and its subsidiary legislation, including Local Government Act Regulations, the <i>Local Government (Miscellaneous Provisions) Act 1960</i> and Local Laws made under the Local Government Act.</li> <li>(b) <i>Caravan Parks and Camping Grounds Act 1995</i>;</li> <li>(c) <i>Cat Act 2011</i>;</li> <li>(d) <i>Cemeteries Act 1986</i>;</li> <li>(e) <i>Control of Vehicles (Off-road Areas) Act 1978</i>;</li> <li>(f) <i>Dog Act 1976</i>;</li> <li>(g) <a href="#">Graffiti Vandalism Act 2016</a> – refer s.15; and</li> <li>(e) any other legislation prescribed for the purposes of s.9.10 of the <i>Local Government Act 1995</i>.</li> </ol> </li> <li>2. Authority to appoint authorised persons for the purposes of section 9.16 of the <i>Local Government Act 1995</i>, as a <u>precondition</u> for appointment as authorised officers in accordance with Regulation 70(2) of the <a href="#">Building Regulations 2012</a> and section 6(b) of the <i>Criminal Procedure Act 2004</i>.</li> </ol>
<b>CEO Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. A register of Authorised Persons is to be maintained as a Local Government Record.</li> <li>b. Only persons who are appropriately qualified and trained may be appointed as Authorised persons.</li> </ol>
<b>Express Power to Sub-Delegate:</b>	NIL.



**Delegation Register**  
**CITY OF NEDLANDS**

**1. Local Government Act 1995 Delegations**

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
Record Keeping:	Instruments or Certificates of Authorisation – Copies are to be retained on the Authorised Person's personnel file. A record of each Authorisation is to be retained in the Authorised Persons Register, retained as a Local Government Record.

**Version Control:**

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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**Delegation Register**  
CITY OF NEDLANDS

**1. Local Government Act 1995 Delegations**

**1.2.9 Information to be Available to the Public**

<b>Head of Power</b>	<a href="#">01. Local Government Act 1995</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Express Power or Duty Delegated:</b>	<i>Local Government (Administration) Regulations 1996:</i> r.29(2) &(3) Information to be available for public inspection (Acts s.5.94) r.29B Copies of certain information not to be provided (Act s.5.96) <i>Local Government Act 1995:</i> s.9.95(1)(b) & (3)(b) Limits on right to inspect local government information
<b>Delegate/s:</b>	<a href="#">Director Corporate Services Executive Officer</a>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to determine the public right to inspect information, by determining if the information requested relates to a part of a meeting that could have been closed to members of the public but was not [Admin. r.29(2)].</li> <li>2. Authority to determine the public right to inspect information in an agenda or minutes, by determining if the information requested would be part of the meeting which is likely to be closed to members of the public [Admin. r.29(3)].</li> <li>3. Authority to determine the manner and form by which a person may request copies of rates record information [s.5.94(m)] or owners and occupiers register and electoral rolls [s.5.94(s)] and to make the information available, if satisfied, by statutory declaration or otherwise, that the information will not be used for commercial purposes [Admin r.29B].</li> <li>4. Authority to determine not to provide a right to inspect information, where it is considered that in doing so would divert a substantial and unreasonable portion of the local government's resources away from its other functions [s.9.95(1)(b)].</li> <li>5. Authority to determine not to provide a right to inspect information contained in notice papers, agenda, minutes, or information tabled at a meeting, where it is considered that that part of the meeting could have been closed to members of the public but was not closed [s.5.94(3)(b)].</li> </ol>
<b>CEO Conditions on this Delegation:</b>	<a href="#">Nil</a>
<b>Express Power to Sub-Delegate:</b>	Nil.

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<b>Compliance Links:</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
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**Delegation Register**  
**CITY OF NEDLANDS**

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**1. Local Government Act 1995 Delegations**

Record Keeping:	In accordance with Cl 19 Local Government (Administration) Regulations 1996
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**Version Control:**

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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**Delegation Register**  
CITY OF NEDLANDS

**1. Local Government Act 1995 Delegations**

**1.2.10 Financial Management Systems and Procedures.**

<b>Head of Power</b>	<a href="#">01. Local Government Act 1995</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Express Power or Duty Delegated:</b>	<i>Local Government (Financial Management) Regulations 1996:</i> r.5 CEO's Duties as to financial management
<b>Delegate/s:</b>	<a href="#">Director Corporate Services</a>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to establish systems and procedures [FM r.5] that give effect to internal controls and risk mitigation for the:             <ol style="list-style-type: none"> <li>i. Collection of money owed to the <a href="#">City</a>;</li> <li>ii. Safe custody and security of money collected or held by the <a href="#">City</a>;</li> <li>iii. Maintenance and security of all financial records, including payroll, stock control and costing records;</li> <li>iv. Proper accounting of the Municipal and Trust Funds, including revenue, expenses and assets and liabilities;</li> <li>v. Proper authorisation of employees for incurring liabilities, including authority for initiating Requisition Orders, Purchase Orders and use of Credit and Transaction Cards;</li> <li>vi. Making of payments in accordance with Delegated Authority <a href="#">1.2.25</a>;</li> <li>vii. Preparation of budgets, budget reviews, accounts and reports as required by legislation or operational requirements.</li> </ol> </li> </ol>
<b>CEO Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. Procedures are to be systematically documented and retained in accordance with the Record Keeping Plan, and must include references that enable recognition of statutory requirements and assign responsibility for actions to position titles.</li> <li>b. Procedures are to be administratively reviewed for continuing compliance and confirmed as 'fit for purpose' and subsequently considered by the Audit and Risk Committee at least once within each 3 financial years. [Audit r.17]</li> </ol>
<b>Express Power to Sub-Delegate:</b>	Nil.

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if so, delete

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Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
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**Delegation Register**  
**CITY OF NEDLANDS**

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**1. Local Government Act 1995 Delegations**

	<a href="#">Local Government Act 1995</a> <a href="#">Local Government (Financial Management) Regulations 1996</a> <a href="#">Local Government (Audit) Regulations 1996</a> Department of Local Government, Sport and Cultural Industries <a href="#">Operational Guideline No.11 – Use of Corporate Credit Cards</a>
Record Keeping:	In accordance with Cl 19 Local Government (Administration) Regulations 1996

**Version Control:**

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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**Delegation Register**  
CITY OF NEDLANDS

**1. Local Government Act 1995 Delegations**

**1.2.11 Audit – CEO Review of Systems and Procedures**

<b>Head of Power</b>	<a href="#">01. Local Government Act 1995</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Express Power or Duty Delegated:</b>	<i>Local Government (Audit) Regulations 1996:</i> r.17 CEO to review certain systems and procedures
<b>Delegate/s:</b>	<a href="#">Director Corporate Services</a>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to conduct the review of the appropriateness and effectiveness of the <u>City's</u> systems and procedures in relation to             <ol style="list-style-type: none"> <li>i. risk management; and</li> <li>ii. internal controls; and</li> <li>iii. legislative compliance [r.17(1)].</li> </ol> </li> </ol>
<b>CEO Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. Each matter is to be reviewed at least once within every 3 financial years, with a report on each matter to be provided to the Audit and Risk Committee that details the findings, including any identified deficiencies, and actions required.</li> </ol>
<b>Express Power to Sub-Delegate:</b>	Nil.

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<b>Compliance Links:</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. <a href="#">Local Government (Audit) Regulations 1996</a>
<b>Record Keeping:</b>	In accordance with CI 19 Local Government (Administration) Regulations 1996

**Version Control:**

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**Delegation Register**  
CITY OF NEDLANDS

**1. Local Government Act 1995 Delegations**

**1.2.12 Infringement Notices**

**GUIDANCE NOTE:** *{Delete prior to finalising the Register for Council adoption}*  
A Delegate who has been delegated authority to withdraw an infringement must NOT be appointed as an authorised person for the purposes of issuing an infringement notice.

<b>Head of Power</b>	<a href="#">01. Local Government Act 1995</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.9.13(6)(b) Onus of proof in vehicle offences may be shifted s.9.19 Extension of Time s.9.20 Withdrawal of Notice <i>Building Regulations 2012:</i> Regulation 70(1A), (1), (2) Approved officers and authorised officers
<b>Delegate/s:</b>	For matters in relation to the Local Government Act 1995: <ul style="list-style-type: none"> <li><a href="#">Chief Executive Officer</a></li> <li><a href="#">Manager Building Services</a></li> <li><a href="#">Senior Building Surveyor</a></li> </ul>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>Authority to consider an owner of a vehicle's submission that the vehicle that is subject of an infringement notice, had been stolen or unlawfully taken at the time of the alleged offence [s.9.13(6)(b)].</li> <li>Authority to extend the 28-day period within which payment of a modified penalty may be paid, whether or not the period of 28-days has elapsed [s.9.19].</li> <li>Authority to withdraw an infringement notice within one year after the notice was given, whether or not the modified penalty has been paid by sending a withdrawal notice (in the prescribed form) to the alleged offender and if the modified penalty has been paid, providing a refund [s.9.20].</li> </ol>
<b>CEO Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>A delegate who participated in a decision to issue an infringement notice, must NOT determine any matter related to that infringement notice under this Delegation.</li> <li>Delegation for Dog Act, Cat Act, Parking Local Law, Infringement Notices is limited to the following listed positions ONLY: <ol style="list-style-type: none"> <li><a href="#">Director Technical Services</a></li> <li><a href="#">Director Planning &amp; Development</a></li> </ol> </li> <li>The following listed positions are delegated the functions under s.9.19 and s.9.20 only as a <u>precondition for appointment</u> as an "Approved Officer" in accordance with <i>Building Regulation 70(1)</i> for the purposes of the <i>Criminal</i></li> </ol>

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Regulation 70(1A), (1), (2) Approved officers and authorised officers:¶

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**Delegation Register**  
CITY OF NEDLANDS

**1. Local Government Act 1995 Delegations**

	<p><i>Procedure Act 2004</i> section 6(a) and <i>Building Act 2011</i> Infringement Notices::</p> <ul style="list-style-type: none"> <li>• Manager Building Services</li> <li>• Senior Building Surveyor</li> </ul> <p><b>NOTE: Delegates must also be appointed as an "Approved Officer" – appointment to be determined by Council resolution or by a person with delegated authority under delegation 2.1.10.</b></p>
<b>Express Power to Sub-Delegate:</b>	Nil.

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<b>Compliance Links:</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
<b>Record Keeping:</b>	In accordance with CI 19 Local Government (Administration) Regulations 1996

**Version Control:**

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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**Delegation Register**  
City of Nedlands

**1.3 Local Law Delegations to the CEO**

**1.3.1 All Local Laws of the City of Nedlands**

<b>Head of Power</b>	<a href="#">01. Local Government Act 1995</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	<a href="#">Council</a>
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>All the powers, duties, and responsibilities of the local government under all City of Nedlands Local Laws, viz:</i> <ul style="list-style-type: none"> <li>• Thoroughfares</li> <li>• Trading in Public Places</li> <li>• Standing Orders</li> <li>• Site Erosion and Sand Drift</li> <li>• Reserves, Foreshores and Beaches</li> <li>• Parking and Parking Facilities</li> <li>• Health</li> <li>• Dogs</li> <li>• Council Halls</li> <li>• Repeals Local Law 2016</li> <li>• Waste</li> </ul>
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<i>All the powers, duties, and responsibilities of the local government under all City of Nedlands Local Laws.</i>
<b>Council Conditions on this Delegation:</b>	In respect to the Parking and Parking Facilities Local Law, determination of parking stalls and parking stations. (Section 3.1): <ol style="list-style-type: none"> <li>1. Where the local government makes a determination of resolution under this clause, it shall erect signs to give effect to the determination or resolution; and</li> <li>2. Delegation is to constitute, determine and vary and also indicate by signs, <b>minor</b> instances only of parking stalls and parking stations as described in clause 3.1 (1) of the Parking and Parking Facilities Local Law.</li> </ol>
<b>Express Power to Sub-Delegate:</b>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees
<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Director Planning & Development Director Technical Services Director Corporate <a href="#">Services</a> <a href="#">Manager Health &amp; Compliance</a> <a href="#">Manager Assets</a> <a href="#">Manager Projects and Programs</a> <a href="#">Manager Building Services</a>

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**Delegation Register**  
City of Nedlands

<p><b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i></p>	<p>In respect to the Parking and Parking Facilities Local Law, determination of parking stalls and parking stations. (Section 3.1):</p> <ol style="list-style-type: none"> <li>1. Where the local government makes a determination of resolution under this clause, it shall erect signs to give effect to the determination or resolution; and</li> <li>2. Delegation is to constitute, determine and vary and also indicate by signs, minor instances only of parking stalls and parking stations as described in clause 3.1 (1) of the Parking and Parking Facilities Local Law.</li> </ol>
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<p>Compliance Links:</p>	<p>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p>A register of all special environmental areas must be maintained under cl.5.8 of the <i>Activities in Thoroughfares and Public Places and Trading Local Law</i>.</p> <p>Security deposits for Dangerous Excavations and Private Works in Public Places, are a permit condition determined in accordance with Regs 11 and 17 of the <i>Local Government (Uniform Local Provisions) Regulations 1996</i> – refer CEO Delegations 1.3.3 and 1.3.4.</p> <p>Crossing permits are approved under Regulations 12 and 13 of the <i>Local Government (Uniform Local Provisions) Regulations 1996</i> – refer Delegation 1.2.13 Crossings – Construction, Repair and Removal.</p>
<p>Record Keeping:</p>	<p>In accordance with Cl 19 Local Government (Administration) Regulations 1996</p>

**Version Control:**

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**Delegation Register**  
City of Nedlands

**2. Building Act 2011 Delegations**

**2 Building Act 2011 Delegations**

**2.1 Council to CEO**

**2.1.1 Grant a Building Permit**

<b>Head of Power</b>	<a href="#">02. Building Act 2011</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Permit Authority (Local Government)
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express Power or Duty Delegated:</b>	<i>Building Act 2011:</i> s.18 Further Information s.20 Grant of building permit s.22 Further grounds for not granting an application s.27(1) and (3) Impose Conditions on Permit  <i>Building Regulations 2012:</i> r.23 Application to extend time during which permit has effect (s.32) r.24 Extension of time during which permit has effect (s.32(3)) r.26 Approval of new responsible person (s.35(c))
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to require an applicant to provide any documentation or information required to determine a building permit application [s.18(1)].</li> <li>2. Authority to grant or refuse to grant a building permit [s.20(1) &amp; (2) and s.22].</li> <li>3. Authority to impose, vary or revoke conditions on a building permit [s.27(1) and(3)].</li> <li>4. Authority to determine an application to extend time during which a building permit has effect [r.23].             <ol style="list-style-type: none"> <li>i. Subject to being satisfied that work for which the building permit was granted has not been completed OR the extension is necessary to allow rectification of defects of works for which the permit was granted [r.24(1)]</li> <li>ii. Authority to impose any condition on the building permit extension that could have been imposed under s.27 [r.24(2)].</li> </ol> </li> <li>5. Authority to approve, or refuse to approve, an application for a new responsible person for a building permit [r.26].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<a href="#">Nil</a>
<b>Express Power to Sub-Delegate:</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

**Delegation Register**  
City of Nedlands

**2. Building Act 2011 Delegations**

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Manager Building Services Senior Building Surveyor
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<u>Nil</u>

Commented [st123]: as per current roD

<b>Compliance Links:</b>	<p><a href="#">Building Act 2011</a></p> <p>s.119 Building and demolition permits – application for review by SAT s.23 Time for deciding application for building or demolition permit s.17 Uncertified application to be considered by building surveyor</p> <p><a href="#">Building Regulations 2012</a> – r.25 Review of decision to refuse to extend time during which permit has effect (s.32(3)) – reviewable by SAT</p> <p><i>Building Services (Registration Act) 2011 – Section 7</i></p> <p><i>Home Building Contracts Act 1991 – Part 3A, Division 2 – Part 7, Division 2</i></p> <p><i>Building and Construction Industry Training Levy Act 1990</i></p> <p><i>Heritage Act 2018</i></p>
<b>Record Keeping:</b>	In accordance with s130 Building Act 2011, cl 12 Building Regulations 2012

**Version Control:**

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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City of Nedlands

**2. Building Act 2011 Delegations**

**2.1.2 Demolition Permits**

<b>Head of Power</b>	<a href="#">03. Building Act 2011</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Permit Authority (Local Government)
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express Power or Duty Delegated:</b>	<i>Building Act 2011:</i> s.18 Further Information s.21 Grant of demolition permit s.22 Further grounds for not granting an application s.27(1) and (3) Impose Conditions on Permit  <i>Building Regulations 2012</i> r.23 Application to extend time during which permit has effect (s.32) r.24 Extension of time during which permit has effect (s.32(3)) r.26 Approval of new responsible person (s.35(c))
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to require an applicant to provide any documentation or information required to determine a demolition permit application [s.18(1)].</li> <li>2. Authority to grant or refuse to grant a demolition permit on the basis that all s.21(1) requirements have been satisfied [s.20(1) &amp; (2) and s.22].</li> <li>3. Authority to impose, vary or revoke conditions on a demolition permit [s.27(1) and(3)].</li> <li>4. Authority to determine an application to extend time during which a demolition permit has effect [r.23].             <ol style="list-style-type: none"> <li>i. Subject to being satisfied that work for which the demolition permit was granted has not been completed OR the extension is necessary to allow rectification of defects of works for which the permit was granted [r.24(1)]</li> <li>ii. Authority to impose any condition on the demolition permit extension that could have been imposed under s.27 [r.24(2)].</li> </ol> </li> <li>5. Authority to approve, or refuse to approve, an application for a new responsible person for a demolition permit [r.26].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<a href="#">Nil</a>
<b>Express Power to Sub-Delegate:</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<a href="#">Manager Building Services</a> <a href="#">Senior Building Surveyor</a>
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**Delegation Register**  
City of Nedlands

**2. Building Act 2011 Delegations**

<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<a href="#">Nil</a>
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<b>Compliance Links:</b>	<a href="#">Building Act 2011</a> s.119 Building and demolition permits – application for review by SAT s.23 Time for deciding application for building or demolition permit <i>Building Services (Complaint Resolution and Administration) Act 2011 – Part 7, Division 2</i> <i>Building and Construction Industry Training Levy Act 1990</i> <i>Heritage Act 2018</i>
<b>Record Keeping:</b>	In accordance with s130 Building Act 2011, cl 12 Building Regulations 2012

**Version Control:**

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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**Delegation Register**  
City of Nedlands

**2. Building Act 2011 Delegations**

**2.1.3 Occupancy Permits or Building Approval Certificates**

<b>Head of Power</b>	<a href="#">02. Building Act 2011</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Permit Authority (Local Government)
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express Power or Duty Delegated:</b>	<i>Building Act 2011:</i> s.55 Further information s.58 Grant of occupancy permit, building approval certificate s.62(1) and (3) Conditions imposed by permit authority s.65(4) Extension of period of duration  <i>Building Regulations 2012</i> r.40 Extension of period of duration of time limited occupancy permit or building approval certificate (s.65)
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to require an applicant to provide any documentation or information required in order to determine an application [s.55].</li> <li>2. Authority to grant, refuse to grant or to modify an occupancy permit or building approval certificate [s.58].</li> <li>3. Authority to impose, add, vary or revoke conditions on an occupancy permit [s.62(1) and (3)].</li> <li>4. Authority to extend, or refuse to extend, the period in which an occupancy permit or modification or building approval certificate has effect [s.65(4) and r.40].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<a href="#">Nil</a>
<b>Express Power to Sub-Delegate:</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Manager Building Services Senior Building Surveyor
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<a href="#">Nil</a>

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<b>Compliance Links:</b>	<a href="#">Building Act 2011</a> s.59 time for granting occupancy permit or building approval certificate s.60 Notice of decision not to grant occupancy permit or grant building approval certificate s.121 Occupancy permits and building approval certificates – application for review by SAT
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**Delegation Register**  
City of Nedlands

**2. Building Act 2011 Delegations**

	<i>Building Services (Complaint Resolution and Administration) Act 2011 – Part 7, Division 2</i> <i>Building and Construction Industry Training Levy Act 1990</i> <i>Heritage Act 2018</i>
Record Keeping:	In accordance with s130 Building Act 2011, cl 12 Building Regulations 2012

**Version Control:**

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**Delegation Register**  
City of Nedlands

**2. Building Act 2011 Delegations**

**2.1.4 Designate Employees as Authorised Persons**

<b>Head of Power</b>	<a href="#">03. Building Act 2011</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Permit Authority (Local Government)
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express Power or Duty Delegated:</b>	<i>Building Act 2011:</i> s.96(3) authorised persons s.99(3) Limitation on powers of authorised person
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to designate an employee as an authorised person [s.96(3)].</li> <li>2. Authority to revoke or vary a condition of designation as an authorised person or give written notice to an authorised person limiting powers that may be exercised by that person [s.99(3)].</li> </ol> <p>NOTE: An <i>authorised person</i> for the purposes of sections 96(3) and 99(3) is <u>not</u> an <i>approved officer</i> or <i>authorised officer</i> for the purposes of Building Reg. 70.</p>
<b>Council Conditions on this Delegation:</b>	a. Decisions under this delegated authority should be in accordance with r.5 of the Building Regulations 2012.
<b>Express Power to Sub-Delegate:</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<a href="#">Manager Building Services</a> <a href="#">Senior Building Surveyor</a>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<a href="#">Nil</a>

<b>Compliance Links:</b>	<a href="#">Building Act 2011:</a> s.97 each designated authorised person must have an identity card. r.5A Authorised persons (s.3) – definition
<b>Record Keeping:</b>	In accordance with s130 Building Act 2011.

**Version Control:**

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City of Nedlands

**2. Building Act 2011 Delegations**

**2.1.5 Building Orders**

<b>Head of Power</b>	<a href="#">02. Building Act 2011</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Permit Authority (Local Government)
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express Power or Duty Delegated:</b>	<i>Building Act 2011:</i> s.110(1) A permit authority may make a building order s.111(1) Notice of proposed building order other than building order (emergency) s.117(1) and (2) A permit authority may revoke a building order or notify that it remains in effect s.118(2) and (3) Permit authority may give effect to building order if non-compliance s.133(1) A permit authority may commence a prosecution for an offence against this Act
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to make Building Orders in relation to: <ol style="list-style-type: none"> <li>a. Building work</li> <li>b. Demolition work</li> <li>c. An existing building or incidental structure [s.110(1)].</li> </ol> </li> <li>2. Authority to give notice of a proposed building order and consider submissions received in response and determine actions [s.111(1)(c)].</li> <li>3. Authority to revoke a building order [s.117].</li> <li>4. If there is non-compliance with a building order, authority to cause an authorised person to: <ol style="list-style-type: none"> <li>a. take any action specified in the order ; or</li> <li>b. commence or complete any work specified in the order; or</li> <li>c. if any specified action was required by the order to cease, to take such steps as are reasonable to cause the action to cease [s.118(2)].</li> </ol> </li> <li>5. Authority to take court action to recover as a debt, reasonable costs and expense incurred in doing anything in regard to non-compliance with a building order [s.118(3)].</li> <li>6. Authority to initiate a prosecution pursuant to section 133(1) for non-compliance with a building order made pursuant to section 110 of the <i>Building Act 2011</i>.</li> </ol>
<b>Council Conditions on this Delegation:</b>	<a href="#">Nil</a>
<b>Express Power to Sub-Delegate:</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)



**Delegation Register**  
City of Nedlands

**2. Building Act 2011 Delegations**

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Manager Building Services Senior Building Surveyor
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<a href="#">Nil</a>

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Compliance Links:	<a href="#">Building Act 2011:</a> Section 111 Notice of proposed building order other than building order (emergency) Section 112 Content of building order Section 113 Limitation on effect of building order Section 114 Service of building order Part 9 Review - s.122 Building orders – application for review by SAT
Record Keeping:	In accordance with s130 Building Act 2011, cl 12 Building Regulations 2012

**Version Control:**

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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**Delegation Register**  
City of Nedlands

**2. Building Act 2011 Delegations**

**2.1.6 Inspection and Copies of Building Records**

<b>Head of Power</b>	<a href="#">02. Building Act 2011</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Permit Authority (Local Government)
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express Power or Duty Delegated:</b>	<i>Building Act 2011:</i> s.131(2) Inspection, copies of building records
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to determine an application from an interested person to inspect and copy a building record [s.131(2)].
<b>Council Conditions on this Delegation:</b>	<a href="#">Nil</a>
<b>Express Power to Sub-Delegate:</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Manager Building Services Senior Building Surveyor
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<a href="#">Nil</a>

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Compliance Links:	<a href="#">Building Act 2011</a> - s.146 Confidentiality
Record Keeping:	In accordance with s130 Building Act 2011, cl 12 Building Regulations 2012

<b>Version Control:</b>	
1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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**Delegation Register**  
City of Nedlands

**2. Building Act 2011 Delegations**

**2.1.7 Referrals and Issuing Certificates**

<b>Head of Power</b>	<a href="#">01. Building Act 2011</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Permit Authority (Local Government)
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express Power or Duty Delegated:</b>	<i>Building Act 2011:</i> s.145A Local Government functions
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to refer uncertified applications under s.17(1) to a building surveyor who is not employed by the local government [s.145A(1)].</li> <li>2. Authority to issue a certificate for Design Compliance, Construction Compliance or Building Compliance whether or not the land subject of the application is located in the City's District [s.145A(2)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<a href="#">Nil</a>
<b>Express Power to Sub-Delegate:</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Manager Building Services Senior Building Surveyor
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<a href="#">In undertaking Function 2 of the Delegation, the sub-delegate must be appropriately qualified pursuant to r.5 of the <i>Building Regulations 2012</i> and must hold the appropriate registration in accordance with the <i>Building Services (Registration) Regulations 2011</i>.</a>

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<b>Compliance Links:</b>	
<b>Record Keeping:</b>	In accordance with s130 Building Act 2011, cl 12 Building Regulations 2012

<b>Version Control:</b>	
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**Delegation Register**  
City of Nedlands

**2. Building Act 2011 Delegations**

**2.1.8 Private Pool Barrier – Alternative and Performance Solutions**

<b>Head of Power</b>	<a href="#">02. Building Act 2011</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Permit Authority (Local Government)
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express Power or Duty Delegated:</b>	<i>Building Regulations 2012:</i> r.51 Approvals by permit authority
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to approve requirements alternative to a fence, wall, gate or other component included in the barrier, if satisfied that the alternative requirements will restrict access by young children as effectively as if there were compliant with AS 1926.1 [r.51(2)]</li> <li>2. Authority to approve a door for the purposes of compliance with AS 1926.1, where a fence or barrier would cause significant structural or other problem which is beyond the control of the owner / occupier or the pool is totally enclosed by a building or a fence or barrier between the building and pool would create a significant access problem for a person with a disability [r.51(3)]</li> <li>3. Authority to approve a performance solution to a Building Code pool barrier requirement if satisfied that the performance solution complies with the relevant performance requirement [r.51(5)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<a href="#">Nil</a>
<b>Express Power to Sub-Delegate:</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Manager Building Services Senior Building Surveyor
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<a href="#">In undertaking Function 2 of the Delegation, the sub-delegate must be appropriately qualified pursuant to r.5 of the Building Regulations 2012 and must hold the appropriate registration in accordance with the Building Services (Registration) Regulations 2011.</a>

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Compliance Links:	
Record Keeping:	In accordance with s130 Building Act 2011, cl 12 Building Regulations 2012

<b>Version Control:</b>	
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**2. Building Act 2011 Delegations**

**2.1.9 Smoke Alarms – Alternative Solutions**

<b>Head of Power</b>	<a href="#">02. Building Act 2011</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	<a href="#">Permit Authority (Local Government)</a>
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express Power or Duty Delegated:</b>	<i>Building Regulations 2012:</i> r.55 Terms Used (alternative building solution approval) r.61 Local Government approval of battery powered smoke alarms
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to approve alternative building solutions which meet the performance requirement of the Building Code relating to fire detection and early warning [r.55].</li> <li>2. Authority to approve or refuse to approve a battery powered smoke alarm and to determine the form of an application for such approval [r.61].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<a href="#">Nil</a>
<b>Express Power to Sub-Delegate:</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

Deleted: Local Government

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Manager Building Services Senior Building Surveyor
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<a href="#">In undertaking Function 2 of the Delegation, the sub-delegate must be appropriately qualified pursuant to r.5 of the <i>Building Regulations 2012</i> and must hold the appropriate registration in accordance with the <i>Building Services (Registration) Regulations 2011</i>.</a>

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Compliance Links:	
Record Keeping:	In accordance with s130 Building Act 2011, cl 12 Building Regulations 2012

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City of Nedlands

**2. Building Act 2011 Delegations**

**2.1.10 Appointment of approved officers and authorised officers**

<b>Head of Power</b>	<a href="#">02. Building Act 2011</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	<a href="#">Permit Authority (Local Government)</a>
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express Power or Duty Delegated:</b>	<i>Building Regulations 2012:</i> r.70 Approved officers and authorised officers
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>Authority to appoint an approved officer for the purposes of s.6(a) of the <i>Criminal Procedure Act 2004</i>, in accordance with Building Regulation 70(1) and (1A).  <i>NOTE: Only employees delegated under s 5.44(1) of the Local Government Act 1995 with power under s 9.19 or 9.20 may be appointed as "approved officers".</i></li> <li>Authority to appoint an authorised officer for the purposes of s.6(b) of the <i>Criminal Procedure Act 2004</i>, in accordance with Building Regulation 70(2).  <i>NOTE: Only employees appointed under s 9.10 of the Local Government Act 1995 <u>and</u> authorised for the purpose of performing functions under s 9.16 of that Act may be appointed as "authorised officers" for the purposes of Building Regulation 70(2).</i></li> </ol>
<b>Council Conditions on this Delegation:</b>	<a href="#">Nil</a>
<b>Express Power to Sub-Delegate:</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

Deleted: Local Government

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<a href="#">Nil</a>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<a href="#">Nil</a>

<b>Compliance Links:</b>	<i>Building Regulations 2012:</i> r 70(3) each authorised officer must be issued a certificate of appointment.
<b>Record Keeping:</b>	In accordance with s130 Building Act 2011, cl 12 Building Regulations 2012

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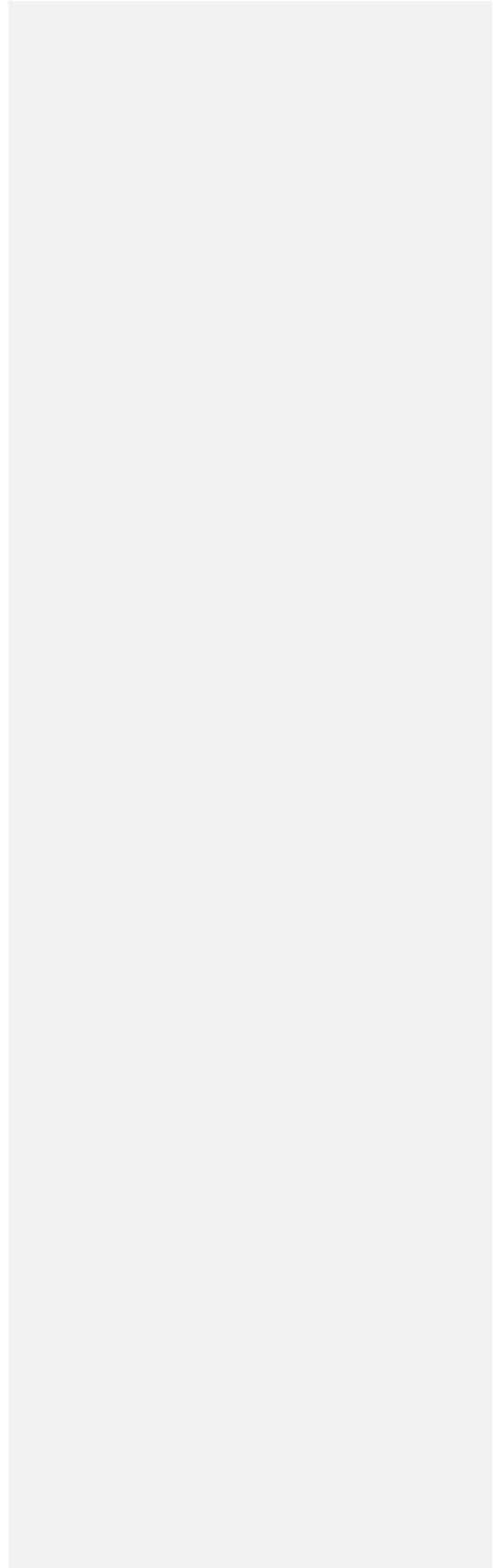
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**Delegation Register**  
City of Nedlands

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**2. Building Act 2011 Delegations**



**Delegation Register**  
City of Nedlands

**3 Bush Fires Act 1954 Delegations**

**3.1 Council to CEO**

Deleted: , Mayor and Bush Fire Control Officer

**3.1.1 Make Request to FES Commissioner – Control of Fire**

<b>Head of Power</b>	<a href="#">03_Bush Fires Act 1954</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	<a href="#">Council</a>
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<i>Bush Fires Act 1954:</i> s.13(4) Duties and powers of bush fire liaison officers
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to request on behalf of the City that the FES Commissioner authorise the Bush Fire Liaison Officer or another person to take control of fire operations [s.13(4)].
<b>Council Conditions on this Delegation:</b>	<a href="#">Nil</a>
<b>Express Power to Sub-Delegate:</b>	<i>NIL – Sub-delegation is prohibited by s.48(3)</i>

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**3.1.2 Prohibited Burning Times - Vary**

<b>Head of Power</b>	<a href="#">03. Bush Fires Act 1954</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	<a href="#">Council</a>
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government s.17(10) Prohibited burning times may be declared by Minister (power of delegation to mayor or president and Chief Bush Fire Control Officer for ONLY powers under s.17(7) and (8))
<b>Express Power or Duty Delegated:</b>	<i>Bush Fires Act 1954:</i> s.17(7) Prohibited burning times may be declared by Minister <i>Bush Fire Regulations 1954:</i> r.15 Permit to burn (Act s.18), form of and apply for after refusal etc. r.38C Harvesters, power to prohibit use of on certain days in restricted or prohibited burning times r.39B Crop dusters etc., use of in restricted or prohibited burning times
<b>Delegate:</b>	<a href="#">Chief Executive Officer</a>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority, where seasonal conditions warrant it, to determine a variation of the prohibited burning times, after consultation with an authorised CALM Act officer [s.17(7)].
<b>Council Conditions on this Delegation:</b>	Decisions under s,17(7) must be undertaken <del>by the Chief Executive Officer</del> and must comply with the procedural requirements of s.17(7B) and (8).
<b>Express Power to Sub-Delegate:</b>	NIL – Sub-delegation is prohibited by s.48(3)

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**3.1.3 Prohibited Burning Times – Control Activities**

<b>Head of Power</b>	<a href="#">03 Bush Fires Act 1954</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	<a href="#">Council</a>
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<i>Bush Fires Act 1954:</i> s.27(2) and (3) Prohibition on use of tractors or engines except under certain conditions s.28(4) and (5) Occupier of land to extinguish bush fire occurring on own land <i>Bush Fire Regulations 1954:</i> r.15 Permit to burn (Act s.18), form of and apply for after refusal etc. r.38C Harvesters, power to prohibit use of on certain days in restricted or prohibited burning times r.39B Crop dusters etc., use of in restricted or prohibited burning times
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to determine permits to burn during prohibited burning times that have previously been refused by a Bush Fire Control Officer [r.15].</li> <li>2. Authority to declare that the use of any harvesting machinery on any land under crop during the whole or any part of any Sunday or public holiday in the whole or a specified part of the District during Restricted Burning Times is prohibited, unless written consent of a Bush Fire Control Officer is obtained [r.38C].</li> <li>3. Authority to determine, during a Prohibited Burning Time, if a firebreak around a landing ground for an aeroplane has been satisfactorily prepared [r.39B(2)].</li> <li>4. Authority to issue directions, during a Prohibited Burning Time, to a Bush Fire Control Officer, regarding matters necessary for the prevention of fire on land used as a landing ground for an aeroplane [r.39B(3)].</li> <li>5. Authority to prohibit the use of tractors, engines or self-propelled harvester, during a Prohibited Burning Times, and to give permission for use of same during the Restricted Burning Time subject to compliance with requirements specified in a notice [s.27(2) and (3)].</li> <li>6. Authority to recover the cost of measures taken by the City or Bush Fire Control Officer, to extinguish a fire burning during Prohibited Burning Times, where the occupier of the land has failed to comply with requirements under s.28(1) to take all possible measures to extinguish a fire the land they occupy [s.28(4)], including authority to recover expenses in any court of competent jurisdiction [s.28(5)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<a href="#">Nil</a>
<b>Express Power to Sub-Delegate:</b>	<i>NIL – Sub-delegation is prohibited by s.48(3)</i>

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Compliance Links:	<a href="#">Bush Fires Act 1954</a> <a href="#">Bush Fire Regulations 1954</a>
Record Keeping:	

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**3.1.4 Restricted Burning Times – Vary and Control Activities**

<b>Head of Power</b>	03 Bush Fires Act 1954
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Council
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<i>Bush Fires Act 1954:</i> s.18(5), (11) Restricted burning times may be declared by FES Commissioner s.22(6) and (7) Burning on exempt land and land adjoining exempt land s.27(2) and (3) Prohibition on use of tractors or engines except under certain conditions s.28(4) and (5) Occupier of land to extinguish bush fire occurring on own land <i>Bush Fire Regulations 1954:</i> r.15 Permit to burn (Act s.18), form of and apply for after refusal etc. r.15C Local Government may prohibit burning on certain days r.38C Harvesters, power to prohibit use of on certain days in restricted or prohibited burning times r.39B Crop dusters etc., use of in restricted or prohibited burning times
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority, where seasonal conditions warrant it and after consultation with an authorised CALM Act officer, to determine to vary the restricted burning times in respect of that year [s.18(5)].             <ol style="list-style-type: none"> <li>a. Authority to determine to prohibit burning on Sundays or specified days that are public holidays in the District [r.15C].</li> </ol> </li> <li>2. Authority, where a permitted burn fire escapes or is out of control in the opinion of the Bush Fire Control Officer or an officer of the Bush Fire Brigade, to determine to recoup bush fire brigade expenses arising from preventing extension of or extinguishing an out of control permitted burn [s.18(11)].</li> <li>3. Authority to determine permits to burn during restricted times that have previously been refused by a Bush Fire Control Officer [r.15].</li> <li>4. Authority to arrange with the occupier of exempt land, the occupier of land adjoining it and the Bush Fire Brigade to cooperate in burning fire-breaks and require the occupier of adjoining land to provide by the date of the burning, ploughed or cleared fire-breaks parallel to the common boundary [s.22(6) and (7)].</li> <li>5. Authority to declare that the use of any harvesting machinery on any land under crop during the whole or any part of any Sunday or public holiday in the whole or a specified part of the District during Restricted Burning Times is prohibited, unless written consent of a Bush Fire Control Officer is obtained [r.38C].</li> </ol>

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	<p>6. Authority to determine, during a Restricted Burning Time, if a firebreak around a landing ground for an aeroplane has been satisfactorily prepared [r.39B].</p> <p>7. Authority to issue directions, during a Restricted Burning Time, to a Bush Fire Control Officer, regarding matters necessary for the prevention of fire on land used as a landing ground for an aeroplane [r.39B(3)].</p> <p>8. Authority to prohibit the use of tractors, engines or self-propelled harvester, during a Restricted Burning Times, and to give permission for use of same during the Restricted Burning Time subject to compliance with requirements specified in a notice [s.27(2) and (3)].</p> <p>9. Authority to recover the cost of measures taken by the City or Bush Fire Control Officer, to extinguish a fire burning during Restricted Burning Times, where the occupier of the land has failed to comply with requirements under s.28(1) to take all possible measures to extinguish a fire the land they occupy [s.28(4)], including authority to recover expenses in any court of competent jurisdiction [s.28(5)].</p>
<b>Council Conditions on this Delegation:</b>	<a href="#">Nil</a>
<b>Express Power to Sub-Delegate:</b>	<i>NIL – Sub-delegation is prohibited by s.48(3)</i>

Compliance Links:	<p><a href="#">Bush Fires Act 1954</a></p> <p><a href="#">Bush Fire Regulations 1954</a></p>
Record Keeping:	

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**3.1.5 Control of Operations Likely to Create Bush Fire Danger**

<b>Head of Power</b>	<a href="#">03 Bush Fires Act 1954</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	<a href="#">Council</a>
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<i>Bush Fires Act 1954:</i> s.27D Requirements for carriage and deposit of incendiary material <i>Bush Fires Regulations 1954:</i> r.39C Welding and cutting apparatus, use of in open air r.39CA Bee smoker devices, use of in restricted or prohibited burning times etc. r.39D Explosives, use of r.39E Fireworks, use of
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to give directions to a Bush Fire Control Officer regarding matters necessary for the prevention of fire arising from: <ol style="list-style-type: none"> <li>a. a person operating a bee smoker device during a prescribed period [r.39CA(5)].</li> <li>b. a person operating welding apparatus, a power operated abrasive cutting disc [r.39C(3)].</li> <li>c. a person using explosives [r.39D(2)].</li> <li>d. a person using fireworks [r.39E(3)]</li> </ol> </li> <li>2. Authority to determine directions or requirements for the carriage and deposit of incendiary materials (hot or burning ash, cinders, hot furnace refuse, or any combustible matter that is burning) [s.27D]. <i>Note: this authority is also prescribed to a Bush Fire Control Officer, a Bush Fire Liaison Officer or an authorised CALM Act officer.</i></li> </ol>
<b>Council Conditions on this Delegation:</b>	<a href="#">Nil</a>
<b>Express Power to Sub-Delegate:</b>	NIL – Sub-delegation is prohibited by s.48(3)

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<b>Compliance Links:</b>	<a href="#">Bush Fires Act 1954</a> <a href="#">Bush Fire Regulations 1954</a>
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**3.1.6 Burning Garden Refuse / Open Air Fires**

<b>Head of Power</b>	03 Bush Fires Act 1954
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Council
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<i>Bush Fires Act 1954:</i> s.24F Burning garden refuse during limited burning times s.24G Minister or local government may further restrict burning of garden refuse s.25 No fire to be lit in open air unless certain precautions taken s.25A Power of Minister to exempt from provisions of section 25  <i>Bush Fires Regulations 1954:</i> r.27(3) Permit, issue of
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to give written permission, during prohibited times and restricted times, for an incinerator located within 2m of a building or fence, only where satisfied it is not likely to create a fire hazard [s.24F(2)(b)(ii) and (4)].</li> <li>2. Authority to prohibit or impose restrictions on the burning of garden refuse that is otherwise permitted under s.24F [s.24G(2)].             <ol style="list-style-type: none"> <li>a. Authority to issue directions to an authorised officer as to the manner in which or the conditions under which permits to burn plants or plant refuse shall be issued in the District [r.27(3) and r.33(5)].</li> <li>b. Authority to prohibit (object to) the issuing of a permit for the burning of a proclaimed plan growing upon any land within the District [r.34].</li> </ol> </li> <li>3. Authority to provide written approval, during prohibited times and restricted times, for fires to be lit for the purposes of:             <ol style="list-style-type: none"> <li>a. camping or cooking [s.25(1)(a)].</li> <li>b. conversion of bush into charcoal or for the production of lime, in consultation with an authorised CALM Act officer [s.25(1)(b)].</li> </ol> </li> <li>4. Authority to prohibit the lighting of fires in the open are for the purposes of camping or cooking for such period during the prohibited burning times as specified in a note published in the Gazette and newspaper circulating in the District and authority to vary such notice [s.25(1a) and (1b)].</li> <li>5. Authority to serve written notice on a person to whom an exemption has been given under s.25 for lighting a fire in open air, prohibiting that person from lighting a fire and to determine conditions on the notice [s.25A(5)].</li> </ol>

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<b>Council Conditions on this Delegation:</b>	
<b>Express Power to Sub-Delegate:</b>	<i>NIL – Sub-delegation is prohibited by s.48(3)</i>

<b>Compliance Links:</b>	<a href="#">Bush Fires Act 1954</a> <a href="#">Bush Fire Regulations 1954</a>
<b>Record Keeping:</b>	

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**3.1.7 Firebreaks**

<b>Head of Power</b>	<a href="#">03 Bush Fires Act 1954</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	<a href="#">Council</a>
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<i>Bush Fires Act 1954:</i> s.33 Local government may require occupier of land to plough or clear fire-breaks
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to give written notice to an owner or occupier of land or all owners or occupiers of land within the District, requiring, to the satisfaction of the City:             <ol style="list-style-type: none"> <li>a. clearing of firebreaks as determined necessary and specified in the notice; and</li> <li>b. act in respect to anything which is on the land and is or is likely to be conducive to the outbreak of a bush fire or the spread or extension of a bush fire; and</li> <li>c. as a separate or coordinated action with any other person carry out similar actions [s.33(1)].</li> </ol> </li> <li>2. Authority to direct a Bush Fire Control Officer or any other employee to enter onto the land of an owner or occupier to carry out the requisitions of the notice which have not been complied with [s.33(4)].             <ol style="list-style-type: none"> <li>a. Authority to recover any costs and expenses incurred in doing the acts, matters or things required to carry out the requisitions of the notice [s.33(5)].</li> </ol> </li> </ol>
<b>Council Conditions on this Delegation:</b>	<a href="#">That decisions are made following consultation with qualified officers.</a>
<b>Express Power to Sub-Delegate:</b>	<i>NIL – Sub-delegation is prohibited by s.48(3)</i>

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<b>Compliance Links:</b>	<a href="#">Bush Fires Act 1954</a> <a href="#">Bush Fire Regulations 1954</a>
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**3.1.8 Appoint Bush Fire Control Officer/s and Fire Weather Officer**

<b>Head of Power</b>	<a href="#">03 Bush Fires Act 1954</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	<a href="#">Council</a>
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<i>Bush Fires Act 1954:</i> s.38 Local Government may appoint bush fire control officer
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to appoint persons to be Bush Fire Control Officers for the purposes of the Bush Fires Act 1954; and             <ol style="list-style-type: none"> <li>a. Of those Officers, appoint one as the Chief Bush Fire Control Officer and one as the Deputy Chief Bush Fire Control Officer; and</li> <li>b. Determine the respective seniority of the other Bush Fire Officers so appointed [s.38(1)].</li> </ol> </li> <li>2. Authority to issue directions to a Bush Fire Control Officer to burn on or at the margins of a road reserve under the care, control and management of the City [s.38(5A)]</li> <li>3. Authority to appoint a Fire Weather Officer, selected from senior Bush Fire Control Officers previously appointed and where more than one Fire Weather Officer is appointed, define a part of the District in which each Fire Weather Officer shall have exclusive right to exercise the powers of s.38(17). [s.38(8) and (9)].             <ol style="list-style-type: none"> <li>a. Authority to appoint deputy Fire Weather Officer/s as considered necessary and where two or more deputies are appointed, determine seniority [s.38(10)].</li> </ol> </li> </ol>
<b>Council Conditions on this Delegation:</b>	<a href="#">That decisions are made following consultation with qualified officers.</a>
<b>Express Power to Sub-Delegate:</b>	<i>NIL – Sub-delegation is prohibited by s.48(3)</i>

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<b>Compliance Links:</b>	<a href="#">Bush Fires Act 1954</a> <a href="#">Bush Fire Regulations 1954</a>
<b>Record Keeping:</b>	

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**3.1.9 Control and Extinguishment of Bush Fires**

<b>Head of Power</b>	<a href="#">03 Bush Fires Act 1954</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	<a href="#">Council</a>
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<i>Bush Fires Act 1954:</i> s.46 Bush fire control officer or forest officer may postpone lighting fire
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to prohibit or postpone the lighting of a fire, despite a permit having been issued, where in the opinion of the Delegate the lighting of a fire would be or become a source of danger by escaping from the land on which it is proposed to be lit [s.46(1A)].             <ol style="list-style-type: none"> <li>a. Where it is proposed that the fire will be lit on land within 3kms of the boundary of forest land, and an authorised CALM Act office is not available or has not exercised the power to prohibit or proposed a fire considered to become a source of danger, then the Delegate may make the decision [s.46(1B)].</li> </ol> </li> </ol>
<b>Council Conditions on this Delegation:</b>	<a href="#">That decisions are made following consultation with qualified officers.</a>
<b>Express Power to Sub-Delegate:</b>	<i>NIL – Sub-delegation is prohibited by s.48(3)</i>

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<b>Compliance Links:</b>	<a href="#">Bush Fires Act 1954</a>
<b>Record Keeping:</b>	

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**3.1.10 Recovery of Expenses Incurred through Contraventions of this Act**

<b>Head of Power</b>	<a href="#">03 Bush Fires Act 1954</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	<a href="#">Council</a>
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<i>Bush Fires Act 1954:</i> s.58 General penalty and recovery of expenses incurred
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to recover expenses incurred as a result of an offence against the Bush Fires Act, being expenses incurred through the fulfilment of a duty or doing anything for which the Act empowered or required the City or those on behalf of the City to do [s.58].
<b>Council Conditions on this Delegation:</b>	<a href="#">That decisions are made following consultation with qualified officers.</a>
<b>Express Power to Sub-Delegate:</b>	<i>NIL – Sub-delegation is prohibited by s.48(3)</i>

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<b>Compliance Links:</b>	<a href="#">Bush Fires Act 1954</a>
<b>Record Keeping:</b>	

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**3.1.11 Prosecution of Offences**

<b>Head of Power</b>	<a href="#">03 Bush Fires Act 1954</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	<a href="#">Council</a>
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<i>Bush Fires Act 1954:</i> s.59 Prosecution of offences s.59A(2) Alternative procedure – infringement notices
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to institute and carry-on proceedings against a person for an offence alleged to be committed against this Act [s.59].</li> <li>2. Authority to serve an infringement notice for an offence against this Act [s.59A(2)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<a href="#">Nil</a>
<b>Express Power to Sub-Delegate:</b>	<i>NIL – Sub-delegation is prohibited by s.48(3)</i>

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<b>Compliance Links:</b>	<i>Bush Fires Act 1954:</i> s.65 Proof of certain matters s.66 Proof of ownership or occupancy
<b>Record Keeping:</b>	

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**4 Cat Act 2011 Delegations**

**4.1 Council to CEO**

**4.1.1 Cat Registrations**

<b>Head of Power</b>	<a href="#">04 Cat Act 2011</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	<a href="#">Council</a>
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Cat Act 2011:</i> s.44 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<i>Cat Act 2011:</i> s.9 Registration s.10 Cancellation of registration s.11 Registration numbers, certificates and tags <i>Cat Regulations 2012</i> Schedule 3, cl.1(4) Fees Payable
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to grant, or refuse to grant, a cat registration or renewal of a cat registration [s.9(1)].</li> <li>2. Authority to refuse to consider an application for registration or renewal where an applicant does not comply with a requirement to give any document or information required to determine the application [s.9(6)].</li> <li>3. Authority to cancel a cat registration [s.10].</li> <li>4. Authority to give the cat owner a new registration certificate or tag, if satisfied that the original has been stolen, lost, damaged or destroyed [s.11(2)].</li> <li>5. Authority to reduce or waive a registration or approval to breed fee, in respect of any individual cat or any class of cats within the City's District [Regs. Sch. 3 cl.1(4)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<u>a.</u> Notices of decisions must include advice as to Objection and Review rights in accordance with Part 4, Division 5 of the <i>Cat Act 2011</i> .
<b>Express Power to Sub-Delegate:</b>	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government

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<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Director Planning & Development <del>Manager Health &amp; Compliance</del> <del>Coordinator Rangers</del>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<a href="#">Nil</a>

Deleted: Director Technical Services  
Rangers

<b>Compliance Links:</b>	Cat Regulations 2012
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**Delegation Register**  
City of Nedlands

	<p>r.11 Application for registration (s.8(2)), prescribes the Form of applications for registration. r.12 Period of registration (s.9(7)) r.11 Changes in registration r.14 Registration certificate (s.11(1)(b)) r.15 Registration tags (s.76(2))</p> <p>Decisions are subject to Objection and Review by the State Administration Tribunal rights – refer Part 4, Division 5 of the <i>Cat Act 2011</i>.</p>
Record Keeping:	In accordance with s47 Cat Act 2011

**Version Control:**

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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**Delegation Register**  
City of Nedlands

**4.1.2 Cat Control Notices**

<b>Head of Power</b>	04 Cat Act 2011
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	<u>Council</u>
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Cat Act 2011: s.44 Delegation by local government
<b>Express Power or Duty Delegated:</b>	Cat Act 2011: s.26 Cat control notice may be given to cat owner
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to give a cat control notice to a person who is the owner of a cat ordinarily kept within the City's District [s.26].
<b>Council Conditions on this Delegation:</b>	<u>The Chief Executive Officer may further delegate (subdelegate) to employees which the CEO has determined as being suitably capable of fulfilling the powers and duties contained in this Delegation.</u>
<b>Express Power to Sub-Delegate:</b>	Cat Act 2011: s.45 Delegation by CEO of local government

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<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Director Planning & Development <u>Manager Health &amp; Compliance</u> <u>Coordinator Rangers</u>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<u>Nil</u>

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Rangers

<b>Compliance Links:</b>	Cat Regulations 2012 – r.20 Cat control notice [s.23(3)], prescribes the Form of the notice.
<b>Record Keeping:</b>	In accordance with s47 Cat Act 2011

<b>Version Control:</b>	
1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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**Delegation Register**  
City of Nedlands

**4.1.3 Approval to Breed Cats**

<b>Head of Power</b>	04 Cat Act 2011
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	<u>Council</u>
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Cat Act 2011: s.44 Delegation by local government
<b>Express Power or Duty Delegated:</b>	Cat Act 2011: s.37 Approval to Breed Cats s.38 Cancellation of approval to breed cats s.39 Certificate to be given to approved cat breeder
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to grant or refuse to grant approval or renew an approval to breed cats [s.37(1) and (2)].</li> <li>2. Authority to refuse to consider an application for registration or renewal where an applicant does not comply with a requirement to give any document or information required to determine the application [s.37(4)].</li> <li>3. Authority to cancel an approval to breed cats [s.38].</li> <li>4. Authority to give an approved breeder a new certificate or tag, if satisfied that the original has been stolen, lost, damaged or destroyed [s.39(2)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<p><u>a.</u> Notices of decisions must include advice as to Objection and Review rights in accordance with Part 4, Division 5 of the <i>Cat Act 2011</i>.</p> <p><u>b.</u> <u>Decisions will comply with City of Nedlands Local Laws (XXXX)</u></p>
<b>Express Power to Sub-Delegate:</b>	Cat Act 2011: s.45 Delegation by CEO of local government

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<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Director Planning & Development <u>Manager Health &amp; Compliance</u>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<u>An exemption will not be granted unless it is demonstrated that the number of cats to be exempt will not be a nuisance or injurious or dangerous to health.</u>

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<b>Compliance Links:</b>	Cat Regulations 2012:  r.21 Application for approval to breed cats (s.36(2)) r.22 Other circumstances leading to refusal of approval to breed cats (s.37(2)(f)) r.23 Person who not be refused approval to breed cats (s.37(5)) r.24 Duration of approval to breed cats (s.37(6)) r.25 Certificate given to approved cat breeder (s.39(1))
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**Delegation Register**  
City of Nedlands

Record Keeping: In accordance with s47 Cat Act 2011

**Version Control:**

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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**4.1.4 Recovery of Costs – Destruction of Cats**

<b>Head of Power</b>	04 Cat Act 2011
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Council
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Cat Act 2011: s.44 Delegation by local government
<b>Express Power or Duty Delegated:</b>	Cat Act 2011: s.49(3) Authorised person may cause cat to be destroyed
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to recover the amount of the costs associated with the destruction and the disposal of a cat [s.49(3)].
<b>Council Conditions on this Delegation:</b>	Nil
<b>Express Power to Sub-Delegate:</b>	Cat Act 2011: s.45 Delegation by CEO of local government

Deleted: Local Government

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	↓ Director Planning & Development Manager Health & Compliance
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Nil

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Rangers

Compliance Links: Cat Act 2011

Record Keeping: In accordance with s47 Cat Act 2011

**Version Control:**

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**Delegation Register**  
City of Nedlands

**4.1.5 Applications to Keep Additional Cats**

<b>Head of Power</b>	<a href="#">04 Cat Act 2011</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	<a href="#">Council</a>
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Cat Act 2011:</i> s.44 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<i>Cat (Uniform Local Provisions) Regulations 2013:</i> r.8 Application to keep additional number of cats r.9 Grant of approval to keep additional number of cats
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to require any document or additional information required to determine an application [r.8(3)]</li> <li>2. Authority to refuse to consider an application if the applicant does not comply with a requirement to provide any document or information required to determine an application [r.8(4)].</li> <li>2. Authority to grant or refuse approval for additional number of cats specified in an application to be kept at the prescribed premises and to determine any condition reasonably necessary to ensure premises are suitable for the additional number of cats [r.9].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<u>a.</u> Notices of decisions must include advice as to Review rights in accordance with r.11 of the <i>Cat (Uniform Local Provisions) Regulations 2013</i> .
<b>Express Power to Sub-Delegate:</b>	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government

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<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Director Planning & Development ↓ <del>Manager Health &amp; Compliance</del>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<u>Notices of decisions must include advice as to Review rights in accordance with r.11 of the <i>Cat (Uniform Local Provisions) Regulations 2013</i></u>

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<b>Compliance Links:</b>	<a href="#">Cat Act 2011</a> <a href="#">Cat (Uniform and Local Provisions) Regulations 2013</a>
<b>Record Keeping:</b>	In accordance with s47 Cat Act 2011

<b>Version Control:</b>	
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**Delegation Register**  
City of Nedlands

**4.1.6 Reduce or Waiver Registration Fee**

<b>Head of Power</b>	<a href="#">04 Cat Act 2011</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	<a href="#">Council</a>
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Cat Act 2011:</i> s.44 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<i>Cat Regulations 2012:</i> Schedule 3 Fees clause 1(4)
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to reduce or waiver a fee payable under Schedule 3 clauses (2) or (3) in respect to any individual cat.
<b>Council Conditions on this Delegation:</b>	a. This delegation does NOT provide authority to determine to reduce or waiver the fees payable in regard to any <u>class of cat</u> within the District. This matter requires a Council decision in accordance with s.6.16, 6.17 and 6.18 of the <i>Local Government Act 1995</i> .
<b>Express Power to Sub-Delegate:</b>	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government

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<b>Sub-Delegate/s:</b> Appointed by CEO	Director Planning & Development ↓ <a href="#">Manager Health &amp; Compliance</a> <a href="#">Coordinator Rangers</a>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<a href="#">Nil</a>

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Rangers

<b>Compliance Links:</b>	<a href="#">Cat Act 2011</a>
<b>Record Keeping:</b>	In accordance with s47 Cat Act 2011

**Version Control:**

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**Delegation Register**  
City of Nedlands

**4.2 Cat Act Delegations - CEO to Employees**

**4.2.1 Infringement Notices – Extensions and Withdrawals**

<b>Head of Power</b>	<a href="#">04 Cat Act 2011</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Cat Act 2011: s.45 Delegation by CEO of local government
<b>Express Power or Duty Delegated:</b>	Cat Act 2011: s.64 Extension of time s.65 Withdrawal of notice
<b>Delegate/s:</b>	Director Planning & Development  <a href="#">Manager Health &amp; Compliance</a>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to extend the period of 28 days within which the modified penalty may be paid and the extension may be allowed whether or not the period of 28 days has elapsed [s.64].</li> <li>2. Authority, within one year of the infringement notice being given and whether or not the modified penalty has been paid, to withdraw an infringement notice [s.65].</li> </ol>
<b>CEO Conditions on this Delegation:</b>	<a href="#">Nil</a>
<b>Express Power to Sub-Delegate:</b>	Nil.

**Deleted:** Director Technical Services  
Rangers

<b>Compliance Links:</b>	Cat Regulations 2012: r.28 Withdrawal of infringement notice (s.65(1))
<b>Record Keeping:</b>	In accordance with s47 Cat Act 2011

**Version Control:**

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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**Delegation Register**  
City of Nedlands

5. Dog Act 1976 Delegations

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5 Dog Act 1976 Delegations

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5.1 Dog Act Delegations Council to CEO

5.1.1 Part Payment of Sterilisation Costs / Directions to Veterinary Surgeons

<b>Head of Power</b>	05 Dog Act 1976
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Council
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Dog Act 1976: s.10AA Delegation of local government powers and duties
<b>Express Power or Duty Delegated:</b>	Dog Act 1976: s.10A Payments to veterinary surgeons towards costs of sterilisation
<b>Delegate:</b>	Chief Executive Officer
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>Authority to determine where a resident who is the owner of a registered dog, would suffer hardship in paying the whole of the cost of sterilisation and determine to pay part of such costs to a maximum value of \$50.00s.10A(1)(a) and (3)].</li> <li>Authority to give written directions to a veterinary surgeon to be complied with as a condition of part payment of the cost of sterilisation [s.10A(1)(b) and (2)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	a. The Chief Executive Officer permitted to sub-delegate to employees [s.10AA(3)].
<b>Express Power to Sub-Delegate:</b>	Dog Act 1976: s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)

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Section 26  
Section 27  
Section 44

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<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Director Planning & Development Manager Health & Compliance Coordinator Rangers
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Nil

Commented [st143]: prior RoD had sub delegations under 26, 26, 44

Deleted: Rangers

Compliance Links:	Dog Act 1976
Record Keeping:	

<b>Version Control:</b>	
1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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**Delegation Register**  
City of Nedlands

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5. Dog Act 1976 Delegations

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City of Nedlands

**5. Dog Act 1976 Delegations**

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**5.1.2 Refuse or Cancel Registration**

<b>Head of Power</b>	05 Dog Act 1976
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Council
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Dog Act 1976: s.10AA Delegation of local government powers and duties
<b>Express Power or Duty Delegated:</b>	Dog Act 1976: s.15(2) and (4A) Registration periods and fees s.16(3) Registration procedure s.17A(2) If no application for registration made s.17(4) and (6) Refusal or cancellation of registration
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to determine to refuse a dog registration and refund the fee, if any [s.16(2)].</li> <li>2. Authority to direct the registration officer to refuse to effect or renew or to cancel the registration of a dog, and to give notice of such decisions, where:             <ol style="list-style-type: none"> <li>i. the applicant, owner or registered owner has been convicted of an offence or paid a modified penalty within the past 3-years in respect of 2 or more offences against this Act, the <i>Cat Act 2011</i> or the <i>Animal Welfare Act 2002</i>; or</li> <li>ii. the dog is determined to be destructive, unduly mischievous or to be suffering from a contagious or infectious disease or</li> <li>iii. the delegate is not satisfied that the dog is or will be effectively confined in or at premises where the dog is ordinarily kept</li> <li>iv. the dog is required to be microchipped but is not microchipped; or</li> <li>v. the dog is a dangerous dog [s.16(3) and s.17A(2)].</li> </ol> </li> <li>3. Authority to discount or waive a registration fee, including a concessional fee, for any individual dog or any class of dogs within the City's District [s15(4A)].</li> <li>4. Authority to apply to a Justice of the Peace for an order to seize a dog where, following a decision to refuse or cancel a registration and the applicant / owner has not applied to the State Administration Tribunal for the decision to be reviewed. [s.17(4)].             <ol style="list-style-type: none"> <li>i. Authority, following seizure, to determine to cause the dog to be detained or destroyed or otherwise disposed of as though it had be found in contravention of section 31, 32 or 33A and had not been claimed [s.17(6)]</li> </ol> </li> </ol>

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**Delegation Register**  
City of Nedlands

**5. Dog Act 1976 Delegations**

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<b>Council Conditions on this Delegation:</b>	a. <a href="#">The Chief Executive Officer may further delegate (subdelegate) to employees which the CEO has determined as being suitably capable of fulfilling the powers and duties contained in this Delegation.</a>
<b>Express Power to Sub-Delegate:</b>	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)

**Deleted:** a. The Chief Executive Officer permitted to sub-delegate to employees [s.10AA(3)].

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Director Planning & Development ↓ <del>Manager Health &amp; Compliance</del>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<a href="#">Nil</a>

**Commented [st145]:** prior RoD had sub delegations under 26, 26, 44

**Deleted:** Rangers

<b>Compliance Links:</b>	<i>Dog Act 1976</i> s.17A If no application for registration made – procedure for giving notice of decision under s.16(3)  Note – Decisions under this delegation may be referred for review by the State Administration Tribunal – s.16A, s.17(4) and (6)
<b>Record Keeping:</b>	

<b>Version Control:</b>	
1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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**Delegation Register**  
City of Nedlands

**5. Dog Act 1976 Delegations**

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**5.1.3 Kennel Establishments**

<b>Head of Power</b>	05 Dog Act 1976 <a href="#">Council</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	<a href="#">Council</a>
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Dog Act 1976: s.10AA Delegation of local government powers and duties
<b>Express Power or Duty Delegated:</b>	Dog Act 1976: s.27 Licensing of approved kennel establishments
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to grant, refuse to grant or cancel a kennel licence [s.27(4) and (6)].
<b>Council Conditions on this Delegation:</b>	a. The Chief Executive Officer permitted to sub-delegate to employees [s.10AA(3)]. b. Application processing and decisions under this delegation are to comply with the <<insert LG name>> Dogs Local Law.
<b>Express Power to Sub-Delegate:</b>	Dog Act 1976: s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)

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<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<a href="#">Director Planning &amp; Development</a> <a href="#">Manager Health &amp; Compliance</a>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<a href="#">Nil</a>

Commented [st147]: prior RoD had sub delegations under 26, 26, 44

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Compliance Links: Note – Decisions under this delegation may be referred for review by the State Administration Tribunal

Record Keeping:

**Version Control:**

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**Delegation Register**  
City of Nedlands

**5. Dog Act 1976 Delegations**

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**5.1.4 Recovery of Moneys Due Under this Act**

<b>Head of Power</b>	05 Dog Act 1976 Council
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Dog Act 1976: s.10AA Delegation of local government powers and duties
<b>Express Power or Duty Delegated:</b>	Dog Act 1976: s.29(5) Power to seize dogs
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to recover moneys, in a court of competent jurisdiction, due in relation to a dog for which the owner is liable [s.29(5)].
<b>Council Conditions on this Delegation:</b>	a. <u>The Chief Executive Officer may further delegate (subdelegate) to employees which the CEO has determined as being suitably capable of fulfilling the powers and duties contained in this Delegation.</u>
<b>Express Power to Sub-Delegate:</b>	Dog Act 1976: s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)

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Deleted: The Chief Executive Officer permitted to sub-delegate to employees [s.10AA(3)].

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Director Planning & Development ↓ Manager Health & Compliance
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Nil

Commented [st149]: prior RoD had sub delegations under 26, 26, 44

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<b>Compliance Links:</b>	Includes recovery of expenses relevant to: s.30A(3) Operator of dog management facility may have dog microchipped at owner's expense s.33M Local government expenses to be recoverable. s.47 Veterinary service expenses recoverable from local government r.31 Local government expenses as to dangerous dogs (declared)
<b>Record Keeping:</b>	

<b>Version Control:</b>	
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**Delegation Register**  
City of Nedlands

**5. Dog Act 1976 Delegations**

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**5.1.5 Dispose of or Sell Dogs Liable to be Destroyed**

<b>Head of Power</b>	<a href="#">05 Dog Act 1976</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	<a href="#">Council</a>
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
<b>Express Power or Duty Delegated:</b>	<i>Dog Act 1976:</i> s.29(11) Power to seize dogs
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to dispose of or sell a dog which is liable to be destroyed [s.29(11)].
<b>Council Conditions on this Delegation:</b>	a. <a href="#">The Chief Executive Officer may further delegate (subdelegate) to employees which the CEO has determined as being suitably capable of fulfilling the powers and duties contained in this Delegation.</a> b. Proceeds from the sale of dogs are to be directed into the Municipal Fund.
<b>Express Power to Sub-Delegate:</b>	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)

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Deleted: The Chief Executive Officer permitted to sub-delegate to employees [s.10AA(3)].

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<a href="#">Director Planning &amp; Development</a> <a href="#">Manager Health &amp; Compliance</a>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<a href="#">Nil</a>

Commented [st151]: prior RoD had sub delegations under 26, 26, 44

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<b>Compliance Links:</b>	<a href="#">Dog Act 1976</a>
<b>Record Keeping:</b>	

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**5.1.6 Declare Dangerous Dog**



**Delegation Register**  
City of Nedlands

**5. Dog Act 1976 Delegations**

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<b>Head of Power</b>	<a href="#">05 Dog Act 1976</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	<a href="#">Council</a>
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
<b>Express Power or Duty Delegated:</b>	<i>Dog Act 1976:</i> s.33E(1) Individual dog may be declared to be dangerous dog (declared)
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to declare an individual dog to be a dangerous dog [s.33E(1)].
<b>Council Conditions on this Delegation:</b>	a. The Chief Executive Officer is permitted to sub-delegate to employees [s.10AA(3)].
<b>Express Power to Sub-Delegate:</b>	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)

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<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<a href="#">Director Planning and Development</a> <a href="#">Manager Health &amp; Compliance</a>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<a href="#">Nil</a>

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**Commented [st155]:** needs to be sub delegated so that the CEO or Director is able to deal with objections - see next delegations

<b>Compliance Links:</b>	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
<b>Record Keeping:</b>	

**Version Control:**

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**Delegation Register**  
City of Nedlands

**5. Dog Act 1976 Delegations**

Deleted: 4

**5.1.7 Dangerous Dog Declared or Seized – Deal with Objections and Determine when to Revoke**

<b>Head of Power</b>	05 Dog Act 1976
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Council
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Dog Act 1976: s.10AA Delegation of local government powers and duties
<b>Express Power or Duty Delegated:</b>	Dog Act 1976: s.33F(6) Owners to be notified of making of declaration s.33G(4) Seizure and destruction s.33H(1) and (2) Local government may revoke declaration or proposal to destroy
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>Authority to consider and determine to either dismiss or uphold an objection to the declaration of a dangerous dog [s.33F(6)].</li> <li>Authority to consider and determine to either dismiss or uphold an objection to seizure of a dangerous dog [s.33G(4)].</li> <li>Authority to revoke a declaration of a dangerous dog or revoke notice proposing to cause a dog to be destroyed, only where satisfied that the dog can be kept without likelihood of any contravention of this Act [s.33H(1)] <ol style="list-style-type: none"> <li>Authority to, before dealing with an application to revoke a declaration or notice, require the owner of the dog to attend with the dog a course in behaviour and training or otherwise demonstrate a change in the behaviour of the dog [s.33H(2)].</li> </ol> </li> </ol>
<b>Council Conditions on this Delegation:</b>	<p>a. <u>The Chief Executive Officer may further delegate (subdelegate) to employees which the CEO has determined as being suitably capable of fulfilling the powers and duties contained in this Delegation.</u></p> <p>b. <u>This sub-delegation is not the same position as authorised under Delegation Declaration of a dangerous dog</u></p>
<b>Express Power to Sub-Delegate:</b>	Dog Act 1976: s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)

Deleted: Local Government

Deleted: a.

Deleted: The Chief Executive Officer permitted to sub-delegate to employees [s.10AA(3)].

Commented [st157]: prior RoD had sub delegations under 26, 26, 44

Commented [st156]: Delegation of the s.33F power to deal with an objection to a dangerous dog declaration **should not be** delegated to the same person / position who is delegated / authorised to exercise s.33E powers enabling the declaration of a dangerous dog.

Deleted: and

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Director Planning & Development Manager Health & Compliance
<b>CEO Conditions on this Sub-Delegation:</b>	Nil

**Delegation Register**  
City of Nedlands

**5. Dog Act 1976 Delegations**

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Conditions on the original delegation also apply to the sub-delegations.	
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Compliance Links:	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
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**Delegation Register**  
City of Nedlands

**5. Dog Act 1976 Delegations**

Deleted: 4

**5.1.8 Deal with Objection to Notice to Revoke Dangerous Dog Declaration or Destruction Notice**

<b>Head of Power</b>	05 Dog Act 1976
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Council
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Dog Act 1976: s.10AA Delegation of local government powers and duties
<b>Express Power or Duty Delegated:</b>	Dog Act 1976: s.33H(5) Local government may revoke declaration or proposal to destroy
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to consider and determine to either dismiss or uphold an objection to a decision to revoke [s.33H(5)]: (a) a notice declaring a dog to be dangerous; or (b) a notice proposing to cause a dog to be destroyed.
<b>Council Conditions on this Delegation:</b>	Director Planning & Development
<b>Express Power to Sub-Delegate:</b>	Dog Act 1976: s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)

Deleted: Local Government

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<a href="#">Director Planning and Development</a> <a href="#">Director Technical Services?</a>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Nil

**Commented [st158]:** Delegation of the s.33H(5) power to deal with an objection **should not** be delegated to the same person / position who is delegated / authorised to exercise s.33H(1) and (2).  
  
Thus no sub delegation so CEO does it

<b>Compliance Links:</b>	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
<b>Record Keeping:</b>	<<Detail how records of decisions are to be kept by delegates>>

<b>Version Control:</b>	
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**Delegation Register**  
City of Nedlands

**5. Dog Act 1976 Delegations**

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**5.1.9 Determine Recoverable Expenses for Dangerous Dog Declaration**

<b>Head of Power</b>	05 Dog Act 1976 Council
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Dog Act 1976: s.10AA Delegation of local government powers and duties
<b>Express Power or Duty Delegated:</b>	Dog Act 1976: s.33M(1)(a) Local Government expenses to be recoverable
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to determine the reasonable charge to be paid by an owner at the time of payment of the registration fee under s.15, up to the maximum amount prescribed, having regard to expenses incurred by the Local Government in making inquiries, investigations and inspections concerning the behaviour of a dog declared to be dangerous [s.33H(5)].
<b>Council Conditions on this Delegation:</b>	a. <a href="#">The Chief Executive Officer may further delegate (subdelegate) to employees which the CEO has determined as being suitably capable of fulfilling the powers and duties contained in this Delegation.</a> b. Delegation does not include s.33M(1)(b) as the setting of a fixed fee is recommended to occur by Council resolution in accordance with s.6.16 of the Local Government Act 1995.
<b>Express Power to Sub-Delegate:</b>	Dog Act 1976: s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)

Deleted: Local Government

Deleted: The Chief Executive Officer permitted to sub-delegate to employees [s.10AA(3)].

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Director Planning & Development <b>Manager Health &amp; Compliance</b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	a. <a href="#">The Chief Executive Officer may further delegate (subdelegate) to employees which the CEO has determined as being suitably capable of fulfilling the powers and duties contained in this Delegation.</a> b. Delegation does not include s.33M(1)(b) as the setting of a fixed fee is recommended to occur by Council resolution in accordance with s.6.16 of the Local Government Act 1995.

Commented [st159]: prior RoD had sub delegations under 26, 26, 44

Deleted: The Chief Executive Officer permitted to sub-delegate to employees [s.10AA(3)].

<b>Compliance Links:</b>	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
<b>Record Keeping:</b>	

**Version Control:**

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**Delegation Register**  
City of Nedlands

**6. Food Act 2008 Delegations**

**6 Food Act 2008 Delegations**

**6.1 Council to CEO**

**6.1.1 Determine Compensation**

<b>Head of Power</b>	<a href="#">06 Food Act 2008</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Food Act 2008:</i> s.118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
<b>Express Power or Duty Delegated:</b>	<i>Food Act 2008:</i> s.56(2) Compensation to be paid in certain circumstances s.70(2) and (3) Compensation
<b>Delegate:</b>	<b>Chief Executive Officer</b> <b>Director Planning &amp; Development</b> <a href="#">Manager Health &amp; Compliance</a> <a href="#">Coordinator Environmental Health</a>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to determine applications for compensation in relation to any item <u>seized if</u> no contravention has been committed and the item cannot be returned [s.56(2)]. 2. Authority to determine an application for compensation from a person on whom a prohibition notice has been served and who has suffered loss as the result of the making of the order and who considers that there were insufficient grounds for making the order [s.70(2) and (3)].
<b>Council Conditions on this Delegation:</b>	a. In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time. b. Compensation under this delegation may only be determined upon documented losses up to a maximum of <del>\$\$\$500</del> compensation requests above this value are to be reported to Council.
<b>Express Power to Sub-Delegate:</b>	NIL – Food Regulations 2009 do not provide for sub-delegation.

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<b>Compliance Links:</b>	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
<b>Record Keeping:</b>	



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City of Nedlands

**6. Food Act 2008 Delegations**

**Version Control:**

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**6.1.2 Prohibition Orders**

<b>Head of Power</b>	<a href="#">06 Food Act 2008</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Food Act 2008:</i> s.118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
<b>Express Power or Duty Delegated:</b>	<i>Food Act 2008:</i> s.65(1) Prohibition orders s.66 Certificate of clearance to be given in certain circumstances s.67(4) Request for re-inspection
<b>Delegate:</b>	<b>Chief Executive Officer</b> <b>Director Planning &amp; Development</b> <a href="#">Manager Health &amp; Compliance</a> <a href="#">Coordinator Environmental Health</a>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to serve a prohibition order on the proprietor of a food business in accordance with s.65 of the Food Act 2008 [s.65(1)].</li> <li>2. Authority to give a certificate of clearance, where inspection demonstrates compliance with a prohibition order and any relevant improvement notices [s.66].</li> <li>3. Authority to give written notice to proprietor of a food business on whom a prohibition order has been served of the decision not to give a certificate of clearance after an inspection [s.67(4)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	a. In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time.
<b>Express Power to Sub-Delegate:</b>	NIL – Food Regulations 2009 do not provide for sub-delegation.

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<b>Compliance Links:</b>	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
<b>Record Keeping:</b>	<<Detail how records of decisions are to be kept by delegates>>

**Version Control:**

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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**Delegation Register**  
City of Nedlands

**6. Food Act 2008 Delegations**

**6.1.3 Food Business Registrations**

<b>Head of Power</b>	<a href="#">06 Food Act 2008</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Food Act 2008:</i> s.118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
<b>Express Power or Duty Delegated:</b>	<i>Food Act 2008:</i> s.110(1) and (5) Registration of food business s.112 Variation of conditions or cancellation of registration of food businesses
<b>Delegate:</b>	<b>Chief Executive Officer</b> <b>Director Planning &amp; Development</b> <b><u>Manager Health &amp; Compliance</u></b> <b><u>Coordinator Environmental Health</u></b> <b><u>Senior Environmental Health Officer</u></b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to consider applications and determine registration of a food business and grant the application with or without conditions or refuse the registration [s.110(1) and (5)]. 2. Authority to vary the conditions or cancel the registration of a food business [s.112].
<b>Council Conditions on this Delegation:</b>	a. In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time, including but not limited to: <ul style="list-style-type: none"> <li>• Food Act 2008 Regulatory Guideline No.1 Introduction of Regulatory Food Safety Auditing in WA</li> <li>• Food Unit Fact Sheet 8 – Guide to Regulatory Guideline No.1</li> <li>• WA Priority Classification System</li> <li>• Verification of Food Safety Program Guideline</li> </ul>
<b>Express Power to Sub-Delegate:</b>	NIL – Food Regulations 2009 do not provide for sub-delegation.

Deleted: Manager Health and Compliance

<b>Compliance Links:</b>	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
<b>Record Keeping:</b>	

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City of Nedlands

**6. Food Act 2008 Delegations**

Version Control:

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**6.1.4 Appoint Authorised Officers and Designated Officers**

<b>Head of Power</b>	<a href="#">06 Food Act 2008</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Food Act 2008:</i> s.118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
<b>Express Power or Duty Delegated:</b>	<i>Food Act 2008:</i> s.122(1) Appointment of authorised officers s.126(6), (7) and (13) Infringement Officers
<b>Delegate:</b>	<b>Chief Executive Officer</b> <a href="#">Director Planning &amp; Development</a> <a href="#">Manager Health &amp; Compliance</a> <a href="#">Coordinator Environmental Health</a>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to appoint a person to be an authorised officer for the purposes of the Food Act 2008 [s.122(2)].</li> <li>2. Authority to appoint an Authorised Officer appointed under s.122(2) of this Act or the s.24(1) of the <i>Public Health Act 2016</i>, to be a Designated Officer for the purposes of issuing Infringement Notices under the <i>Food Act 2008</i> [s.126(13)].</li> <li>3. Authority to appoint an Authorised Officer to be a Designated Officer (who is prohibited by s.126(13) from also being a Designated Officer for the purpose of issuing infringements), for the purpose of extending the time for payment of modified penalties [s.126(6)] and determining withdrawal of an infringement notice [s.126(7)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time, including but not limited to: <ul style="list-style-type: none"> <li>• Appointment of Authorised Officers as Meat Inspectors</li> <li>• Appointment of Authorised Officers</li> </ul> </li> </ol>

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City of Nedlands

**6. Food Act 2008 Delegations**

	<ul style="list-style-type: none"> <li>• Appointment of Authorised Officers – Designated Officers only</li> <li>• Appointment of Authorised Officers – Appointment of persons to assist with the discharge of duties of an Authorised Officer</li> </ul>
<b>Express Power to Sub-Delegate:</b>	NIL – Food Regulations 2009 do not provide for sub-delegation.

Compliance Links:	<p>s.122(3) requires an Enforcement Agency to maintain a list of appointed authorised officers</p> <p>s.123(1) requires an Enforcement Agency to provide each Authorised Officer with a Certificate of Authority as prescribed</p>
Record Keeping:	

**Version Control:**

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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City of Nedlands

**6. Food Act 2008 Delegations**

**6.1.5 Debt Recovery and Prosecutions**

<b>Head of Power</b>	<a href="#">06 Food Act 2008</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Food Act 2008:</i> s.118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
<b>Express Power or Duty Delegated:</b>	<i>Food Act 2008:</i> s.54 Cost of destruction or disposal of forfeited item s.125 Institution of proceedings
<b>Delegate:</b>	<b>Chief Executive Officer</b> <a href="#">Director Planning &amp; Development</a> <a href="#">Manager Health &amp; Compliance</a> <a href="#">Coordinator Environmental Health</a>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to recover costs incurred in connection with the lawful destruction or disposal of an item (seized) including any storage costs [s.54(1)] and the costs of any subsequent proceedings in a court of competent jurisdiction [s.54(3). 2. Authority to institute proceedings for an offence under the Food Act 2008 [s.125].
<b>Council Conditions on this Delegation:</b>	a. In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time.
<b>Express Power to Sub-Delegate:</b>	NIL – Food Regulations 2009 do not provide for sub-delegation.

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Manager Health and Compliance

Compliance Links:	
Record Keeping:	

**Version Control:**

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**Delegation Register**  
City of Nedlands

**6. Food Act 2008 Delegations**

**6.1.6 Food Businesses List – Public Access**

<b>Head of Power</b>	<a href="#">06 Food Act 2008</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Food Act 2008:</i> s.118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
<b>Express Power or Duty Delegated:</b>	<i>Food Act 2008:</i> r.51 Enforcement agency may make list of food
<b>Delegate:</b>	<b>Chief Executive Officer</b>  <b><u>Director Planning &amp; Development</u></b>  <b><u>Manager Health &amp; Compliance</u></b>  <b><u>Coordinator Environmental Health</u></b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to decide to make a list of food businesses maintained under s.115(a) or (b) publicly available [r.51].
<b>Council Conditions on this Delegation:</b>	a. In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time.
<b>Express Power to Sub-Delegate:</b>	NIL – Food Regulations 2009 do not provide for sub-delegation.

**Deleted: Director Planning & Development**  
Manager Health and Compliance

Compliance Links:	
Record Keeping:	

**Version Control:**

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**Delegation Register**  
City of Nedlands

**7. Graffiti Vandalism Act 2016 Delegations**

**7 Graffiti Vandalism Act 2016 Delegations**

**7.1 Council to CEO**

**7.1.1 Give Notice Requiring Obliteration of Graffiti**

<b>Head of Power</b>	<a href="#">07 Graffiti Vandalism Act 2016</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	<a href="#">Council</a>
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Graffiti Vandalism Act 2016:</i> s.16 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<i>Graffiti Vandalism Act 2016:</i> s.18(2) Notice requiring removal of graffiti s.19(3) & (4) Additional powers when notice is given
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to give written notice to a person who is an owner or occupier of property on which graffiti is applied, requiring the person to ensure that the graffiti is obliterated in an acceptable manner, within the time set out in the notice [s.18(2)].</li> <li>2. Authority, where a person fails to comply with a notice, to do anything considered necessary to obliterate the graffiti in an acceptable manner [s.19(3)] and to take action to recover costs incurred as a debt due from the person who failed to comply with the notice [s.19(4)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<a href="#">Nil</a>
<b>Express Power to Sub-Delegate:</b>	<i>Graffiti Vandalism Act 2016:</i> s.17 Delegation by CEO of local government

Deleted: Local Government

Commented [st165]: as per current RoD

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<a href="#">Director Technical Services</a> <a href="#">Manager Assets?</a>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<a href="#">Nil</a>

Deleted: Director Planning & Development

Deleted: Rangers

Deleted: Manager Health and Compliance?

<b>Compliance Links:</b>	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
<b>Record Keeping:</b>	

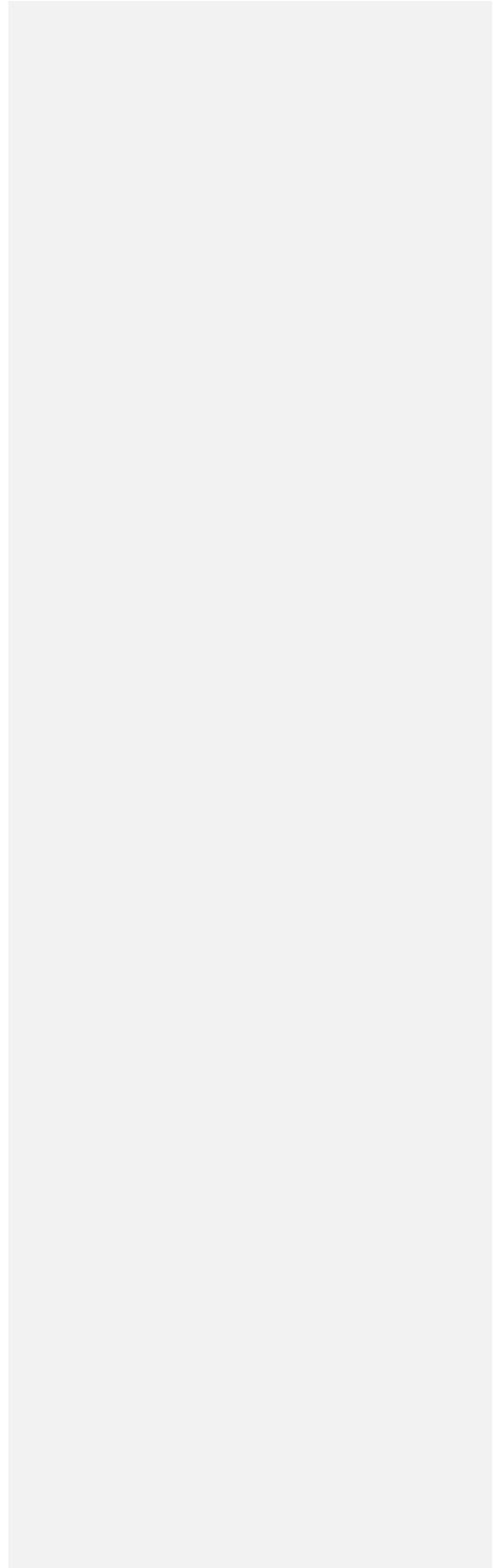
**Version Control:**

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**Delegation Register**  
City of Nedlands

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**7. Graffiti Vandalism Act 2016 Delegations**



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**7. Graffiti Vandalism Act 2016 Delegations**

**7.1.2 Notices – Deal with Objections and Give Effect to Notices**

<b>Head of Power</b>	<a href="#">07 Graffiti Vandalism Act 2016</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	<a href="#">Council</a>
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Graffiti Vandalism Act 2016:</i> s.16 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<i>Graffiti Vandalism Act 2016:</i> s.22(3) Objection may be lodged s.24(1)(b) & (3) Suspension of effect of notice
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to deal with an objection to a notice [s.22(3)].</li> <li>2. Authority, where an objection has been lodged, to: <ol style="list-style-type: none"> <li>i. determine and take action to give effect to the notice, where it is determined that there are urgent reasons or an endangerment to public safety or likely damage to property or serious nuisance, if action is not taken [s.24(1)(b)] and</li> <li>ii. to give notice to the affected person, before taking the necessary actions [s.24(3)].</li> </ol> </li> </ol>
<b>Council Conditions on this Delegation:</b>	<a href="#">1. The Chief Executive Officer is permitted to sub-delegate to employees {s.10AA(3)}.</a>
<b>Express Power to Sub-Delegate:</b>	<i>Graffiti Vandalism Act 2016:</i> s.17 Delegation by CEO of local government

Deleted: Local Government

Commented [st168]: as per current RoD

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<a href="#">Director Technical Services</a> <a href="#">Manager Assets?</a>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<a href="#">Nil</a>

Deleted: Director Planning & Development

Deleted: Rangers

<b>Compliance Links:</b>	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
<b>Record Keeping:</b>	

**Version Control:**

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**Delegation Register**  
City of Nedlands

**7. Graffiti Vandalism Act 2016 Delegations**

**7.1.3 Obliterate Graffiti on Private Property**

<b>Head of Power</b>	<a href="#">07 Graffiti Vandalism Act 2016 Council</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Graffiti Vandalism Act 2016:</i> s.16 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<i>Graffiti Vandalism Act 2016:</i> s.25(1) Local government graffiti powers on land not local government property
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to determine to obliterate graffiti applied without consent of the owner or occupier, even though the land on which it is done is not local government property and the local government does not have consent [s.25(1)].
<b>Council Conditions on this Delegation:</b>	a. Subject to exercising Powers of Entry.
<b>Express Power to Sub-Delegate:</b>	<i>Graffiti Vandalism Act 2016:</i> s.17 Delegation by CEO of local government

Deleted: Local Government

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<a href="#">Director Technical Services</a> <a href="#">Manager Assets</a>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<a href="#">Nil</a>

Deleted: Director Planning & Development

Deleted: Rangers

Deleted: Manager Health and Compliance

Compliance Links:	
Record Keeping:	

**Version Control:**

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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**Delegation Register**  
City of Nedlands

**7. Graffiti Vandalism Act 2016 Delegations**

**7.1.4 Powers of Entry**

<b>Head of Power</b>	<a href="#">07 Graffiti Vandalism Act 2016</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	<a href="#">Council</a>
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Graffiti Vandalism Act 2016:</i> s.16 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<i>Graffiti Vandalism Act 2016:</i> s.28 Notice of entry s.29 Entry under warrant
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>Authority to give notice of an intended entry to the owner or occupier of land, premises or thing, specifying the purpose for which entry is required [s.28].</li> <li>Authority to obtain a warrant to enable entry onto any land, premises or thing for the purposes of this Act [s.29].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<a href="#">Subject to exercising Powers of Entry.</a>
<b>Express Power to Sub-Delegate:</b>	<i>Graffiti Vandalism Act 2016:</i> s.17 Delegation by CEO of local government

Deleted: Local Government

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	↓ <a href="#">Director Technical Services</a> <a href="#">Manager Assets</a>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<a href="#">Nil</a>

Deleted: Director Planning & Development

Deleted: Rangers

Compliance Links:	
Record Keeping:	

<b>Version Control:</b>	
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**Delegation Register**  
City of Nedlands

8. Public Health Act 2016 Delegations

**8 Public Health Act 2016 Delegations**

**8.1 Council to CEO**

**8.1.1 Appoint Authorised Officer or Approved Officer (Asbestos Regs)**

<b>Head of Power</b>	08 Public Health Act 2016
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Council
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Health (Asbestos) Regulations 1992: r.15D(7) Infringement Notices
<b>Express Power or Duty Delegated:</b>	Health (Asbestos) Regulations 1992: r.15D(5) Infringement Notices
<b>Delegate:</b>	Chief Executive Officer
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to appoint a person or classes of persons as an authorised officer or approved officer for the purposes of the <i>Criminal Procedure Act 2004</i> Part 2 [r.15D(5)].
<b>Council Conditions on this Delegation:</b>	a. Subject to each person so appointed being issued with a certificate, badge or identity card identifying the officer as a person authorised to issue infringement notices [r.15D(6)].
<b>Express Power to Sub-Delegate:</b>	Nil – the <i>Health (Asbestos) Regulations 1992</i> do not provide a power to sub-delegate.

Deleted: Local Government

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Compliance Links:	<i>Criminal Procedure Act 2004 – Part 2</i>
Record Keeping:	

<b>Version Control:</b>	
1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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**Delegation Register**  
City of Nedlands

**8. Public Health Act 2016 Delegations**

**8.1.2 Enforcement Agency Reports to the Chief Health Officer**

<b>Head of Power</b>	<a href="#">08 Public Health Act 2016</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Enforcement Agency (means Local Government vide s.4 definition)
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Public Health Act 2016:</i> s.21 Enforcement agency may delegate
<b>Express Power or Duty Delegated:</b>	<i>Public Health Act 2016</i> s.22 Reports by and about enforcement agencies
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to prepare and provide to the Chief Health Officer, the Local Government's report on the performance of its functions under this Act and the performance of functions by persons employed or engaged by the City [s.22(1)]</li> <li>2. Authority to prepare and provide to the Chief Health Officer, a report detailing any proceedings for an offence under this Act [s.22(2)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<a href="#">Nil</a>
<b>Express Power to Sub-Delegate:</b>	Nil – Unless a Regulation enacted under the Public Health Act 2016, specifically authorises a delegated power or duty of an enforcement agency to be further delegated [s.21(4)].

**Commented [st173]:** as per current RoD  
*but powers may only be delegated to the CEO **OR** an Authorised Officer designated under s.24.*

<b>Compliance Links:</b>	<i>Public Health Act 2016</i> s.20 Conditions on performance of functions by enforcement agencies.
<b>Record Keeping:</b>	

**Version Control:**

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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**Delegation Register**  
City of Nedlands

**8. Public Health Act 2016 Delegations**

**8.1.3 Designate Authorised Officers**

<b>Head of Powers</b>	<a href="#">08 Public Health Act 2016</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Enforcement Agency (means Local Government vide s.4 definition)
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Public Health Act 2016:</i> s.21 Enforcement agency may delegate
<b>Express Power or Duty Delegated:</b>	<i>Public Health Act 2016</i> s.24(1) and (3) Designation of authorised officers
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<p>1. Authority to designate a person or class of persons as authorised officers for the purposes of:</p> <ul style="list-style-type: none"> <li>i. The Public Health Act 2016 or other specified Act</li> <li>ii. Specified provisions of the Public Health Act 2016 or other specified Act</li> <li>iii. Provisions of the Public Health Act 2016 or another specified Act, other than the specified provisions of that Act.</li> </ul> <p>Including:</p> <ul style="list-style-type: none"> <li>a. an environmental health officer or environmental health officers as a class; OR</li> <li>b. a person who is not an environmental health officer or a class of persons who are not environmental health officers, OR</li> <li>c. a mixture of the two. [s.24(1) and (3)].</li> </ul>
<b>Council Conditions on this Delegation:</b>	<ul style="list-style-type: none"> <li>a. Subject to each person so appointed being; <ul style="list-style-type: none"> <li>• Appropriately qualified and experienced [s.25(1)(a)]; and</li> <li>• Issued with a certificate, badge or identity card identifying the authorised officer [s.30 and 31].</li> </ul> </li> <li>b. A Register (list) of authorised officers is to be maintained in accordance with s.27.</li> </ul>
<b>Express Power to Sub-Delegate:</b>	Nil – Unless a Regulation enacted under the Public Health Act 2016, specifically authorises a delegated power or duty of an enforcement agency to be further delegated [s.21(4)].

**Commented [BL174]:** Can s17 – Appointment of environmental health officer be included? CEO will then be able to designate environmental health officers as authorised officers.

**Commented [st175]:** as per current RoD  
*but powers may only be delegated to the CEO OR an Authorised Officer designated under s.24*

<b>Compliance Links:</b>	<i>Public Health Act 2016</i> s.20 Conditions on performance of functions by enforcement agencies. s.25 Certain authorised officers required to have qualifications and experience. s.26 Further provisions relating to designations s.27 Lists of authorised officers to be maintained s.28 When designation as authorised officer ceases
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**Delegation Register**  
City of Nedlands

**8. Public Health Act 2016 Delegations**

	<p>s.29 Chief Health Officer may issue guidelines about qualifications and experience of authorised officers</p> <p>s.30 Certificates of authority</p> <p>s.31 Issuing and production of certificate of authority for purposes of other written laws</p> <p>s.32 Certificate of authority to be returned.</p> <p>s.136 Authorised officer to produce evidence of authority</p> <p><i>Criminal Investigation Act 2006, Parts 6 and 13 – refer s.245 of the Public Health Act 2016</i></p> <p><i>The Criminal Code, Chapter XXVI – refer s.252 of the Public Health Act 2016</i></p>
Record Keeping:	

**Version Control:**

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**Delegation Register**  
City of Nedlands

**8. Public Health Act 2016 Delegations**

**8.1.4 Determine Compensation for Seized Items**

<b>Head of Power</b>	<a href="#">08 Public Health Act 2016</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Enforcement Agency (means Local Government vide s.4 definition)
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Public Health Act 2016:</i> s.21 Enforcement agency may delegate
<b>Express Power or Duty Delegated:</b>	<i>Public Health Act 2016</i> s.264 Compensation
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority, in response to an application for compensation, to determine compensation that is just and reasonable in relation to any item seized under Part 16 if there has been no contravention of the Act and the item cannot be returned or has in consequence of the seizure depreciated in value [s.264].
<b>Council Conditions on this Delegation:</b>	a. Compensation is limited to a maximum value of <b>\$1,000</b> with any proposal for compensation above this value to be referred for Council's determination.
<b>Express Power to Sub-Delegate:</b>	Nil – Unless a Regulation enacted under the Public Health Act 2016, specifically authorises a delegated power or duty of an enforcement agency to be further delegated [s.21(4)].

**Commented [st176]:** as per current RoD  
*but powers may only be delegated to the CEO **OR** an Authorised Officer designated under s.24*

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<b>Compliance Links:</b>	<i>Public Health Act 2016</i> s.20 Conditions on performance of functions by enforcement agencies.  Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
<b>Record Keeping:</b>	<<Detail how records of decisions are to be kept by delegates>>

<b>Version Control:</b>	
1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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**Delegation Register**  
City of Nedlands

9. Planning and Development Act 2005 Delegations

**9 Planning and Development Act 2005 Delegations**

**9.1 Council to CEO**

**9.1.1 Illegal Development**

<b>Head of Power</b>	<a href="#">09 Planning and Development Act 2005</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Local Government Act 1995: s.5.42(b) Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	Planning and Development Act 2005: Section 214(2), (3) and (5)
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Give a written direction to the owner or any other person undertaking an unauthorised development to stop, and not recommence, the development or that part of the development that is undertaken in contravention of the planning scheme, interim development order or planning control area requirements;</li> <li>2. Give a written direction to the owner or any other person who undertook an unauthorised development:             <ol style="list-style-type: none"> <li>(a) to remove, pull down, take up, or alter the development; and</li> <li>(b) to restore the land as nearly as practicable to its condition immediately before the development started, to the satisfaction of the responsible authority.</li> </ol> </li> <li>3. Give a written direction to the person whose duty it is to execute work to execute that work where it appears that delay in the execution of the work to be executed under a planning scheme or interim development order would prejudice the effective operation of the planning scheme or interim development order.</li> </ol>
<b>Council Conditions on this Delegation:</b>	<a href="#">Nil</a>
<b>Express Power to Sub-Delegate:</b>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees

Commented [st177]: as per current RoD

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<a href="#">Director Planning &amp; Development</a> <a href="#">Manager Building Services</a> <a href="#">Manager Urban Planning</a>
<b>CEO Conditions on this Sub-Delegation:</b>	<a href="#">Nil</a>

Commented [st178]: no sub delegation in current RoD

Deleted: Rangers

**Delegation Register**  
City of Nedlands

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**9. Planning and Development Act 2005 Delegations**

Conditions on the original delegation also apply to the sub-delegations.	
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Compliance Links:	Part 13 of the <a href="#">Planning and Development Act 2005</a>
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Record Keeping:	
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**Version Control:**

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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**Delegation Register**  
City of Nedlands

**9.2 Local Planning Scheme – Council to CEO**

<b>Head of Power</b>	<a href="#">09 Planning and Development Act 2005</a>
<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Planning and Development Act 2005 – Part 10</i> City of Nedlands Local Planning Scheme 3
<b>Express Power or Duty Delegated:</b>	<i>Metropolitan Region Scheme</i> <i>Planning and Development Act 2005</i> <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> <i>City of Nedlands Local Planning Scheme No 3</i>
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<p>1. Determination of applications under Clause 68 of Schedule 2 of the Planning and Development (Local Planning Schemes Regulations 2015) <u>and</u></p> <p>Determine applications for development approval under the City of Nedlands Local Planning Scheme No 3 and the Planning and Development Act 2005.</p> <p>2. Advertising of applications and proposals in accordance with Clause 66(1) and 77(3) of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015; and subclause 30 (1) of the Metropolitan Region Scheme <u>and</u></p> <p>Determining the requirement and extent of advertising of applications and proposals made under City of Nedlands Local Planning Scheme No.3 and Metropolitan Region Scheme.</p> <p>3. Amending or Cancelling a development approval, including waiving, or varying a requirement in Part 8 or 9 of the Planning and Development (Local Planning Schemes) Regulations 2015 for minor amendments and temporary works or use, under Clause 77 and subclauses 61((1) (f) and 61 (2)(d) if Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015.</p> <p>4. Discretion and determining conditions Exercise discretion, determine and apply conditions to all applications for development approval made under the City of Nedlands Local Planning Scheme No.3 and or Metropolitan Region Scheme.</p> <p>5. Rights of Entry and Inspection</p> <p>In accordance with Clause 82 and 83 of Planning and Development (Local Planning Schemes) Regulations 2015.</p> <p>Entry and inspection of land within the Scheme Area for the purpose of assessment and monitoring, pursuant to Clause</p>

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Commented [st180]: as per current RoD

**Delegation Register**  
City of Nedlands

	<p>79(1) and 2(a) and (b) of the Planning and Development (Local Planning Schemes) Regulations 2015.</p> <p>6. Exercising powers under the Planning &amp; Development Act 2005 delegated by the WAPC to:</p> <ul style="list-style-type: none"> <li>- Determine applications,</li> <li>- Revoke applications; and</li> <li>- Limit time of approval.</li> </ul>
<p><b>Council Conditions on this Delegation:</b></p>	<p>In relation to 1. above:</p> <p>Except for where the following applies:</p> <ol style="list-style-type: none"> <li>a) Change of Use applications which are classified IP, P, D or A and uses not listed where after advertising, submissions have been received which raise objections in relation to the matter at hand which are not able to be rectified by way of negotiation and/or amendment(s) being made to the proposal,</li> <li>b) Grouped and/or Multiple Dwelling developments involving five (5) or more dwellings; and</li> <li>c) Refusal of applications where discretion exists for Council to approve the variations under the City's Local Planning Scheme no. 3, policies and/or the Residential Design Codes.</li> </ol> <p>In relation to 2. above:</p> <p>The requirement and extent of advertising to be in accordance with the City's adopted Local Planning Policy Consultation of Planning Proposals.</p> <p>In relation to 3. above:</p> <p>The requirement and extent of advertising to be in accordance with the City's adopted Local Planning Policy Consultation of Planning Proposals.</p> <p>In relation to 4. above:</p> <p>Where a Section 31 Reconsideration is sought through the State Administrative Appeals Tribunal and where the determination recommended is contrary to that of the original Council decision, the application must be referred back to Council for determination.</p> <p>In relation to 5. above:</p> <p>Written or verbal notice being provided to the landowner wherever possible prior to entry.</p> <p>In relation to 6. above:</p> <p>exception of:</p> <p>Does not apply where objections are received on planning grounds and those objections are not capable of being addressed by way of the recommendation of a planning condition imposed on the proposed development.</p>

**Delegation Register**  
City of Nedlands

	<p>And</p> <p>When the property is within an area subject to clause 32 of the Metropolitan Region Scheme.</p>
<b>Express Power to Sub-Delegate:</b>	

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<p><a href="#">Director Planning and Development</a></p> <p><a href="#">Manager Urban Planning</a></p> <p><a href="#">Coordinator Strategic Planning</a></p> <p><a href="#">Senior Urban Planner (Statutory)</a></p>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<p><a href="#">Nil</a></p>

Compliance Links:	Part 13 of the <a href="#">Planning and Development Act 2005</a>
Record Keeping:	

**Version Control:**

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**Delegation Register**  
City of Nedlands

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**10 Statutory Authorisations and Delegations to Local Government from State Government Entities**

**10.1 Environmental Protection Act 1986**

**10.1.1 Noise Control – Environmental Protection Notices [Reg.65(1)]**

Published by:  
Environment

**GOVERNMENT GAZETTE**  
Western Australia  
[Previous](#) [Close](#) [Next](#)

No. 47. 19-Mar-2004  
Page: 919 [Pdf](#) - 476kb

**EV401**

**ENVIRONMENTAL PROTECTION ACT 1986**  
**Section 20**  
Delegation No. 52

Pursuant to section 20 of the *Environmental Protection Act 1986*, the Chief Executive Officer hereby delegates as follows—

Powers and duties delegated—

All the powers and duties of the Chief Executive Officer, where any noise is being or is likely to be emitted from any premises not being premises licensed under the Act, to serve an environmental protection notice under section 65(1) in respect of those premises, and where an environmental protection notice is so served in such a case, all the powers and duties of the Chief Executive Officer under Part V of the Act in respect of that environmental protection notice.

Persons to whom delegation made—

This delegation is made to any person for the time being holding or acting in the office of Chief Executive Officer under the *Local Government Act 1995*.

Pursuant to section 59(1)(e) of the *Interpretations Act 1984*, Delegation No. 32, dated 4 February 2000 is hereby revoked.

Dated this 9<sup>th</sup> day of January 2004.

Approved—

FERDINAND TROMP, A/Chief Executive Officer.

Dr JUDY EDWARDS MLA, Minister for the Environment.

**Delegation Register**  
City of Nedlands

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

Published by:  
Environment

**GOVERNMENT GAZETTE**  
Western Australia  
[Previous](#) [Close](#) [Next](#)

No. 232. 20-Dec-2013  
Page: 6282 [Pdf](#) - 3Mb

EV402

**ENVIRONMENTAL PROTECTION ACT 1986**

Delegation No. 112

I, Jason Banks, in my capacity as Acting Chief Executive Officer of the Department of Environment Regulation responsible for the administration of the *Environmental Protection Act 1986* ("the Act"), and pursuant to section 20 of the Act, hereby delegate to any person for the time being holding or acting in the office of a Chief Executive Officer under the *Local Government Act 1995*, my powers and duties under the *Environmental Protection (Noise) Regulations 1997*, other than this power of delegation, in relation to--

- (a) waste collection and other works--noise management plans relating to specified works under regulation 14A or 14B;
- (b) bellringing or amplified calls to worship--the keeping of a log of bellringing or amplified calls to worship requested under regulation 15(3)(c)(vi);
- (c) community activities--noise control notices in respect of community noise under regulation 16;
- (d) motor sport venues--noise management plans in relation to motor sport venues under Part 2 Division 3;
- (e) shooting venues--noise management plans in relation to shooting venues under Part 2 Division 4;
- (f) calibration results--requesting, under regulation 23(b), details of calibration results undertaken and obtained under Schedule 4;
- (g) sporting, cultural and entertainment events--approval of events or venues for sporting, cultural and entertainment purposes under Part 2 Division 7, subject to the following limitation--

(i) Subregulation 18(13)(b) is not delegated.

Under section 59(1)(e) of the *Interpretation Act 1984*, Delegation No. 68, gazetted 22 June 2007 is hereby revoked.

Dated the 12th day of December 2013.

JASON BANKS, Acting Chief Executive Officer.

Approved by--

JOHN DAY, Acting Minister for Environment; Heritage.

**Delegation Register**  
City of Nedlands

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**10.1.3 Noise Management Plans – Construction Sites**

Published by:  
Environment

**GOVERNMENT GAZETTE**  
Western Australia  
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No. 71. 16-May-2014  
Page: 1548 [Pdf](#) - [2Mb](#)

**EV405**

**ENVIRONMENTAL PROTECTION ACT 1986**

Delegation No. 119

I, Jason Banks, in my capacity as the Acting Chief Executive Officer of the Department responsible for the administration of the *Environmental Protection Act 1986* ("the Act"), and pursuant to section 20 of the Act, hereby delegate to the holder for the time being of the offices of:-

- (a) Chief Executive Officer under the *Local Government Act 1995*; and
- (b) to any employee of the local government under the *Local Government Act 1995* who is appointed as an Authorised Person under section 87 of the Act,

all my powers and duties in relation to noise management plans under regulation 13 of the *Environmental Protection (Noise) Regulations 1997*, other than this power of delegation.

Under section 59(1)(e) of the *Interpretation Act 1984*, Delegation No. 111, gazetted 20 December 2013, is hereby revoked.

Dated the 1st day of May 2014.

JASON BANKS, Acting Chief Executive Officer.



**Delegation Register**  
City of Nedlands

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**10.2 Planning and Development Act 2005**

**10.2.1 Instrument of Authorisation – Local Government CEOs - Sign  
Development Applications for Crown Land as Owner**

DoL FILE 1738/2002v8; 858/2001v9

**PLANNING AND DEVELOPMENT ACT 2005**

**INSTRUMENT OF AUTHORISATION**

I, **Donald Terrence Redman MLA**, Minister for Lands, a body corporate continued by section 7(1) of the *Land Administration Act 1997*, under section 267A of the *Planning and Development Act 2005*, HEREBY authorise, in respect of each local government established under the *Local Government Act 1995* and listed in Column 2 of the Schedule, the person from time to time holding or acting in the position of Chief Executive Officer of the relevant local government, to perform the powers described in Column 1 of the Schedule subject to the conditions listed in Column 3 of the Schedule.

Dated the 2<sup>nd</sup> day of June 2016



HON DONALD TERRENCE REDMAN MLA  
MINISTER FOR LANDS

### Delegation Register City of Nedlands

SCHEDULE

This is the Schedule referred to in an Instrument of Authorisation relating to Development Applications under the Planning and Development Act 2005

Column 1	Column 2	Column 3
<p>The power to sign as owner in respect of Crown land that is:</p> <ul style="list-style-type: none"> <li>a reserve managed by the local government pursuant to section 46 of the Land Administration Act 1997 and the development is consistent with the reserve purpose and the development is not for a commercial purpose; or</li> <li>the land is a road of which the local government has the care, control and management under section 55(2) of the Land Administration Act 1997 and where there is no highway or other structure proposed to be constructed over that road unless that structure comes within the definition of a "minor encroachment" in the Building Regulations 2002 (Regulation 45A), or is a "minor, unroadworthy" (Regulation 45B), or is a ground anchor, and where the development is consistent with the use of the land as a road.</li> </ul>	<p>City of Albany City of Armadale City of Ashburton Shire of Augusta-Margaret River Town of Busselton City of Darywater Shire of Denmark Shire of Boddington Shire of Boyup Brook Shire of Bridgetown-Greenbushes Shire of Brockley Shire of Broome Shire of Broomeville-Tanbarkup Shire of Bruce Road City of Bunbury Shire of Busselton Town of Cambridge City of Castleguard Shire of Capest Shire of Carnarvon Shire of Carnarvon Valley Shire of Chittering Shire of Christmas Island Town of Claremont City of Cockburn Shire of Coorup (Geelong) Mallee Shire of Coles Shire of Collyer Shire of Coonine Shire of Dampier Town of Dardanup Shire of Denmark Shire of Denmark Shire of Doreen Shire of Dundas Town of East Fremantle Shire of East Hills Shire of Esperance Shire of Eremburch City of Fremantle City of Greater Geraldton</p>	<p>In accordance with and subject to approve Government Land policies.</p> <p>Any signature subject to the following endorsement: Signed only as acknowledgement that a development application is being made in respect of a proposal that includes Crown land, Crown reserves, land management for the purpose of a road and to permit this application to be assessed under the appropriate provision of the Planning and Development Act 2005 (including any planning scheme). The signature does not represent approval or consent for planning purposes. Further, in the event that development approval is granted for the proposal, the above signature should not be taken as an acknowledgement of or consent to the commencement or carrying out of any modification of the tenure or reservation classification of the Crown land component.</p>
<p>in respect of development applications (being made under or referred to in:</p>	<p>(i) section 99(2) of the Planning and Development Act 2005 in respect of development for which approval is required under a regional interim development order (as that term is defined in that Act);</p> <p>(ii) section 103(2) of the Planning and Development Act 2005 in respect of development for which approval is required under a local interim development order (as that term is defined in that Act);</p> <p>(iii) section 115 of the Planning and Development Act 2005 in respect of development within a planning control area (as that term is defined in that Act);</p> <p>(iv) section 122A of the Planning and Development Act 2005 in respect of which approval is required under an improvement scheme (as that term is defined in that Act);</p> <p>(v) section 162 of the Planning and Development Act 2005 in respect of developments for which approval is required under a planning scheme or interim development order (as those terms are defined in that Act).</p>	
<p>(vi) section 163 of the Planning and Development Act 2005 in respect of development on land which is comprised within a place entered in the Register maintained by the Heritage Council under the Heritage of Western Australia Act 1990, or of which such a place forms part;</p>	<p>Shire of Cing Shire of Cranleigh Shire of Coomalong City of Gnowalla Shire of Hills Creek Shire of Inver Shire of Irwin Shire of Jerramungup City of Joondalup Shire of Kalbar City of Kalbar-Boulder Shire of Katanning Shire of Kellerberrin Shire of Kent Shire of Koolup Shire of Kondinin Shire of Koondan Shire of Kulin City of Kulin Shire of Lake Grace Shire of Laverton Shire of Leonora City of Mandurah Shire of Manjimup Shire of Manmanning City of Manville Shire of Mandus Shire of Marnoo Shire of Mingenew Shire of Mook Shire of Morawa Town of Molesworth Park Shire of Mount Magnet Shire of Mt Marshall Shire of Mukinbin Shire of Mundaring Shire of Murchison Shire of Murray</p>	
<p>(vii) section 171A of the Planning and Development Act 2005 in respect of a prescribed development application (as that term is defined in that section of that Act).</p>		

**Delegation Register**  
**City of Nedlands**

- Shire of Nannup
- Shire of Narembean
- Shire of Naregin
- Town of Merriquin
- City of Nedlands
- Shire of Nganyayjerrin
- Shire of Northern
- Shire of Northam
- Shire of Northampton
- Shire of Nungah
- Shire of Poppermill Grove
- Shire of Portport
- City of Perth
- Shire of Pingelly
- Shire of Portlängen
- Town of Port Hedland
- Shire of Quairading
- Shire of Ravensthorpe
- City of Rockingham
- Shire of Roebourne
- Shire of Sandstone
- Shire of Serpentine Jarrahdale
- Shire of Shark Bay
- City of South Perth
- City of Stirling
- City of Stirling
- City of Stirling
- City of Swan
  
- Shire of Terremin
- Shire of Three Springs
- Shire of Toodyay
- Shire of Trayning
- Shire of Upper Gascoyne
- Town of Victoria Park
- Shire of Victoria Plains
- Town of Vincent
- Shire of Wagin
- Shire of Wandering
- City of Wanneroo
- Shire of Waroona
- Shire of West Arthur
- Shire of Waverley
- Shire of Wakefield
- Shire of Williams
- Shire of Wiluna
- Shire of Wongah-Ballidu
- Shire of Woodanning
- Shire of Wyalkatchem
- Shire of Wyndham-East Kimberley
- Shire of Yalgoo
- Shire of Yalgoo
- Shire of York

HON DONALD TERRENCE REDMAN MLA  
MINISTER FOR LANDS

*2<sup>nd</sup>* day of *June* 2016



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City of Nedlands

**10.2.2 Development Control Powers – Powers of Local Governments and DOT - Metropolitan Region Scheme (DEL.2017/02)**

**GOVERNMENT GAZETTE Tuesday, 30 May 2017 No.14**

**GUIDANCE NOTE:**

*This delegation must be read in conjunction with amendments Gazetted on Tuesday, 18 December 2018 No.193 – please see inserted below.*

PL403

**PLANNING AND DEVELOPMENT ACT 2005**

**INSTRUMENT OF DELEGATION**

Del 2017/02 Powers of Local Governments and Department of Transport

Metropolitan Region Scheme

Delegation of certain powers and functions of the Western Australian Planning Commission relating to the Metropolitan Region Scheme

**Preamble**

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

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

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

On 24 May 2017, pursuant to section 16 of the Act, the WAPC resolved—

- A. To delegate to local governments, and to members and officers of those local governments, its functions in respect of the determination, in accordance with Part IV of the Metropolitan Region Scheme, of applications for approval to commence and carry out development specified in clauses 1 and 2 of Section A, within their respective districts, subject to the conditions set out in clauses 1 to 4 of Section B;
- B. To delegate to the Managing Director, Policy, Planning and Investment—Transport, of the Department of Transport, and the person or persons from time to time holding or acting in that office, its functions in respect of the determination, in accordance with Part IV of the Metropolitan Region Scheme (MRS), of applications for approval to commence and carry out development specified in clause 3, Section A, subject to the conditions set out in clause 5 of Section B.
- C. To revoke its delegation of powers and functions to local governments as detailed in the notice entitled "DEL 2011/02 Powers of local governments (MRS)" published in the *Government Gazette* on 10 June 2014, to give effect to this delegation.

KERRINE BLENKINSOP, Secretary,  
Western Australian Planning Commission.

**PLANNING AND DEVELOPMENT ACT 2005**

**INSTRUMENT OF DELEGATION**

**SECTION A—Types of Development**

**1. Development on zoned land**

Applications for development on land zoned under the MRS except—

- (a) where the land is subject to a resolution under Clause 32 of the MRS; or
- (b) where the land is subject to the declaration of a planning control area under Section 112 of the *Planning and Development Act 2005*; or
- (c) where that land is partly within the development control area described in section 10 of the *Swan and Canning Rivers Management Act 2006* or is outside the development control area but abuts waters within the development control area; or
- (d) where the local government is of the opinion that the application should be determined by the WAPC on the grounds that the proposal is of State or regional importance or is in the public interest; or
- (e) in respect of public works undertaken by public authorities.

**2. Development on regional road reservations**

Applications for developments on or abutting land that is reserved in the MRS for the purpose of a regional road, but excluding any application relating to large format digital signage.

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**City of Nedlands**

**3. Large Format Digital Signage applications**

Applications from any public authority for development in relation to large format digital signage, on land reserved under the MRS for the purpose of a Primary Regional Road.

**SECTION B—Conditions**

**1. Referral requirements for development on land within or abutting a regional road reservation**

The following applications for development on land that abuts or is fully or partly reserved as regional road reservation (classified as Category 1, 2 and 3) shall be referred to Main Roads WA (MRWA) or the Department of Planning (DoP), as applicable, for transport planning related comments and recommendations before being determined by the local government subject to the process explained in clause 4, Section B.

Type of regional road reservation in the MRS	Classification on plans SP 693 (PRR) and SP 694 (ORR)	Referral Agency
Primary Regional Road (PRR)	Category 1, 2 and 3	Main Roads WA
Other Regional Road (ORR)	Category 1, 2 and 3	Department of Planning

The regional road network (PRR and ORR) changes periodically with amendments to the MRS. This clause relates to all regional road reservations in the MRS as amended from time to time. Regional roads subject to this notice and the relevant agency that is responsible for their planning are shown on accompanying editions of plans SP 693 (PRR, MRWA) and SP 694 (ORR, WAPC).

The road categories shown on plans SP 693 (PRR) and SP 694 (ORR) classify the regional roads based on—

- (a) the permissible vehicular access arrangements to the subject land via the regional road frontage
  - Category 1 road means that frontage access is not allowed (control of access);
  - Category 2 road means that frontage access may be allowed subject to approval; and
- (b) the legibility and statutory powers of current road land requirements defined for the purpose of regional road reservation in the MRS
  - Category 3 road means that the subject regional road reservation is not accurately defined or is subject to review by the agency that is responsible for planning of the regional road.

“Category 1 road” applies where regional roads—

- (a) are constructed or planned to a fully controlled and grade separated freeway standard; or
- (b) are constructed or planned to an access controlled arterial standard, (i.e. functioning as Primary Distributor or Integrator Arterial (District Distributor) road with widely spaced signalised intersections or roundabouts, and a few, if any, direct access points to individual sites or local streets.

“Category 2 road” applies where regional roads—

- (a) are constructed or planned to a partially access controlled arterial standard, (i.e. a primary or district distributor road with direct connections to local streets and driveways to larger sites, but with some restriction of direct frontage access to individual properties); or
- (b) have direct frontage access to abutting properties due to the historic development of the road and properties.

“Category 3 road” applies where regional road reservation is not accurately defined or is under review.

For enquiries and assistance regarding—

- (a) PRR Category 1, 2 and 3—call Main Roads WA on 138 138.
- (b) ORR Category 1, 2 and 3—call Department of Planning on (08) 6551 9000.

Tables 1, 2 and 3 below outline the category of the regional road reservation and the criteria for referring development applications to agencies for comment in accordance with this instrument of delegation.

**Table 1—Referral process of development applications with respect to Category 1 (PRR or ORR reservations in the MRS)**

Respective referral agency (as per Section B)	
Referral is required in these instances	Referral is not required in these instances
<p>1. Where a development application has one or more of the following characteristics—</p> <ul style="list-style-type: none"> <li>(a) Development, including earthworks and drainage, which encroaches or impacts upon the road reservation; or</li> <li>(b) Development with potential for a significant increase in traffic using any access, either directly or indirectly, onto the road reservation; or</li> <li>(c) Development, which involves direct vehicle access to and/or from the regional road reservation.</li> </ul>	<p>1. Where the local government first decides to refuse the application under the MRS; or</p> <p>2. Under circumstances where the application is for an ancillary and incidental addition or modification to an existing authorised development, which does not encroach upon the road reservation and has no intention to alter existing access arrangements.</p>



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**Table 2—Referral process of development applications with respect to Category 2 (PRR or ORR reservations in the MRS)**

Respective referral agency (as per Section B)	
Referral is required in these instances	Referral is not required in these instances
1. Where a development application has one or more of the following characteristics— <ul style="list-style-type: none"> <li>(a) Development, including earthworks and drainage, which encroaches or impacts upon the road reservation; or</li> <li>(b) Development with potential for a significant increase in traffic on the regional road using any access, either directly or indirectly, onto the road reservation; or</li> </ul>	1. Where the local government first decides to refuse the application under the MRS; or 2. Under circumstances where the application is for an ancillary and incidental addition or modification to an existing authorised development, which does not encroach upon the road reservation and has no intention to alter existing access arrangements
Respective referral agency (as per Section B)	
Referral is required in these instances	Referral is not required in these instances
<ul style="list-style-type: none"> <li>(c) Development, which involves the retention of more than one existing access; or additional, relocated or new access between the subject land and the road reservation; or</li> <li>(d) Development, which proposes retention of an existing access between the subject land and the road reservation, where alternative access is or could be made available from side or rear streets or from rights of way at rear; or</li> <li>(e) Development on a lot affected by the regional road reservation where—                             <ul style="list-style-type: none"> <li>• all or part of the proposed development is within the regional road reservation; and</li> <li>• has a construction value greater than \$20 000; or</li> </ul> </li> <li>(f) Development on a lot affected by the regional road reservation where—                             <ul style="list-style-type: none"> <li>• none of the proposed development is within the regional road reservation; and</li> <li>• has a construction value greater than \$150 000</li> </ul> </li> </ul>	

**Table 3—Referral process of development applications with respect to Category 3 (PRR or ORR reservations in the MRS)**

Respective referral agency (as per Section B)	
Referral is required in these instances	Referral is not required in these instances
1. All development applications, other than those where local government first decides to refuse it.	1. Where the local government first decides to refuse the application under the MRS

Notes—

- (1) Copies of plans SP 693 (PRR) and SP 694 (ORR) are available from the WAPC's website: "Resolutions and instruments of delegation—WAPC Powers of local governments (MRS)". (<http://www.planning.wa.gov.au/1212.asp>)
- (2) In determining applications under this delegation, local governments shall have due regard to relevant WAPC and MRWA policy and guidelines, including but not limited to the Commission's DC Policy—5.1 *Regional Roads (Vehicular Access)*, the Transport Impact Assessment Guidelines, and MRWA *Driveways Policy*, which set out the principles and requirements to be applied when considering proposals for vehicle access to or from developments abutting certain categories of regional roads. (<http://www.planning.wa.gov.au/publications/812.asp>; and <https://www.mainroads.wa.gov.au/BuildingRoads/StandardsTechnical/RoadandTrafficEngineering/GuidetoRoadDesign/Pages/Driveways.aspx>)
- (3) Local governments shall ensure that sufficient transport information accompanies the development application to assist the referral agency in assessing the transport implications of the proposal. This information should be provided in accordance with the WAPC's *Transport Impact Assessment Guidelines*. (<http://www.planning.wa.gov.au/publications/1197.asp>)
- (4) With regard to proposals for new noise-sensitive developments, the local government shall have due regard to the provisions of Commission's *State Planning Policy—5.4 Road and Rail Transport Noise and Freight Considerations in Land Use Planning*. (<http://www.planning.wa.gov.au/publications/1182.asp>)
- (5) With regard to development application for the display of advertisements on land reserved under the MRS local government should have regard to the Commission's DC Policy 5.4 *Advertising on Reserved Land*. (<http://www.planning.wa.gov.au/publications/825.asp>)



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**2. Referral requirements for development on land abutting the Swan River Trust Development Control Area**

Applications for development on land that is outside the development control area but abutting land that is in the development control area, or which in the opinion of the local government are likely to affect waters in the development control area, shall be referred to the Swan River Trust for comment and recommendation before being determined by the local government.

**3. Referral requirements for development on land abutting other reservations**

Applications for development on land abutting land reserved in the MRS for purposes other than regional roads or Parks and Recreation (where the reservation corresponds with the Swan River Trust development control area and is covered by Clause 2, Section B of this notice) shall be referred to the public authority responsible for that reserved land for comment and recommendation before being determined by the local government.

In the case of land reserved for the purpose of Parks and Recreation, which is not vested or owned by another public authority, the applications shall be referred to the Department of Planning before being determined by the local government.

**4. For the purpose of this Instrument of Delegation (excluding applications under clause 3, Section A)—**

- (a) Where an application is referred by the local government to a public authority for comment and recommendation, the public authority shall provide comment and a recommendation, if any, within 30 days of receipt of the application. If no comment or recommendation is received within that 30 day period the local government may determine the application on the available information.
- (b) Where the recommendation provided by the public authority specified in the delegation notice is not acceptable to the local government the application, together with the recommendations provided by all public authorities consulted and the reasons why the recommendation is not acceptable to the local government, shall be referred immediately to the WAPC for determination.
- (c) The powers delegated to a member or officer of a local government may only be exercised by a member or officer who has been delegated power from the local government to consider and determine applications for approval to commence and carry out development within the local government district under the local government's local planning scheme.

**5. Referral Requirements for applications from a public authority for large format digital signage development on land within a Primary Regional Road reservation**

Where applications for large format digital signage development relate to land that is reserved as Primary Regional Roads (PRR) reservation in the MRS, the following shall apply—

- (a) DoT shall refer the application to the relevant local government and Main Roads WA for comment and recommendation;
- (b) the local government and Main Roads WA shall provide their comments and recommendations, if any, to the delegate within 30 days of receipt of the application;
- (c) Once the 30 day period has elapsed, the delegate may determine the application, even in the absence of comments and recommendations; and
- (d) the delegate is not bound to follow any recommendation received.

**Interpretation**

In this Instrument of Delegation, unless the context otherwise requires—

- A reference to a 'position' or 'classification' contemplates and includes a reference to its successor in title
- "access" means both entry and exit from either a road or abutting development by a vehicle.
- "Commission" or "WAPC" means the "Western Australian Planning Commission".
- "development" has the same meaning given to it in and for the purposes of the *Planning and Development Act 2005* or "development means the development or use of any land, including—
  - (a) any demolition, erection, construction, alteration of or addition to any building or structure on the land;
  - (b) the carrying out on the land of any excavation or other works;
  - (c) in the case of a place to which a Conservation Order made under section 59 of the *Heritage of Western Australia Act 1990* applies, any act or thing that—
    - (i) is likely to change the character of that place or the external appearance of any building; or
    - (ii) would constitute an irreversible alteration of the fabric of any building".
- "DoT" means the Department of Transport
- "Large format digital signage" means an electronic billboard whether freestanding or attached to another structure with a display area of greater than 13m<sup>2</sup> "local government" means a local government within the area covered by the MRS.
- "local road" means a public road other than a private road or a road subject of reservation under Part II of the MRS.
- "not acceptable" means that the local government wishes to determine the application, as a delegate of the WAPC, in a manner that is inconsistent with the recommendation received from the public agency to which the local government was required to consult under this Notice of Delegation.
- Main Roads WA means Main Roads Western Australia
- "Public authority" means any of the following—
  - (a) a Minister of the Crown in right of the State;

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- (b) a department of the Public Service, State trading concern, State instrumentality or State public utility;
- (c) any other person or body, whether corporate or not, who or which, under the authority of a written law, administers or carries on for the benefit of the State, a social service or public utility;
- "regional road" means any road designated under the region Scheme as follows—
  - (a) land coloured red in the Scheme Map—Primary Regional Roads; and
  - (b) land coloured dark blue in the Scheme Map—Other Regional Roads.
- "reserved land" means land reserved under Part II of the MRS.
- "road reservation" means land reserved for the purposes of a regional road in the MRS.
- "significant increase in traffic" means generating more than 100 vehicle trips in the peak hour and would therefore require a transport assessment to accompany the development application. Refer to the Commission's *Transport Impact Assessment Guidelines*

**CORRECTION TO DELEGATION 2017/02**  
**GOVERNMENT GAZETTE 2 June 2017**

PL101

*CORRECTION*  
**PLANNING AND DEVELOPMENT ACT 2005**  
**INSTRUMENT OF DELEGATION**

Del 2017/02 Powers of Local Governments and Department of Transport  
Metropolitan Region Scheme

Certain typographical errors were recorded in the Instrument of Delegation, made under the *Planning and Development Act 2005*, and published on 30 May 2017 from page 2738 to 2743 of the *Government Gazette*.

The errors are corrected as follows—

1. On page 2739, the text of Resolution C is deleted and replaced with the following words—  
"TO REVOKE its delegation of powers and functions to local governments and the Department of Transport as detailed in the notice entitled "DEL 2015/02 Powers of local governments and Department of Transport (MRS)" published in the *Government Gazette* on 18 December 2015, to give effect to this delegation."

**AMENDMENT TO DELEGATION 2017/02**  
**GOVERNMENT GAZETTE, Tuesday, 18 December 2019, No.193**

**GUIDANCE NOTE:**

*The below gazettal amends the above delegation and the two must be read in conjunction.*

PL102

**PLANNING AND DEVELOPMENT ACT 2005**

**AMENDMENT TO INSTRUMENT OF DELEGATION—POWERS OF LOCAL GOVERNMENT AND DOT**  
Notice of amendment to the Instrument of Delegation, Instrument of Delegation 2017/02—Powers of Local Governments and Department of Transport, Metropolitan Region Scheme, as gazetted on 30 May 2017

**Preamble**

Under section 16 of the *Planning and Development Act 2005* (the Act), the Western Australian Planning Commission (WAPC) may, by resolution published in the *Government Gazette*, delegate any function to a member, committee or officer of the WAPC or to a public authority or to a member or officer of a public authority.

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

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

On 12 December 2018, pursuant to section 16 of the Act, the WAPC resolved—

- A. To amend the Instrument of Delegation 2017/02—Powers of Local Governments and Department of Transport, Metropolitan Region Scheme as gazetted on 30 May 2017, as set out in Schedule 1 below.

SAM FAGAN, Secretary,  
Western Australian Planning Commission.

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**Schedule 1**

**1. Instrument of delegation amended**

The amendments within this Schedule are to the Schedules set out in the Instrument of Delegation 2017/02—Powers of Local Governments and Department of Transport, Metropolitan Region Scheme, as gazetted on 30 May 2017 and as amended.

**2. Amendment to Section A**

1. The word "but excluding any application relating to large format digital signage" are deleted from clause 2.
2. Clause 3 is deleted.

**3. Amendments to Section B**

1. The words in brackets "(excluding applications under clause 3, Section A)" are deleted from the title to clause 4.
2. Clause 5 is deleted.
3. In the interpretation section the terms "Large format digital signage" and "Public Authority" and their respective definitions, are deleted.



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#### 10.2.3 Development Control Powers – Powers of Local Governments - Greater Bunbury Region Scheme (DEL.2014/01)

Commented [RW181]: Not relevant to us

#### **GUIDANCE NOTE:**

*This delegation must be read in conjunction with amendments Gazetted on 22 August 2017, No.165 – please see inserted text below.*

1420 GOVERNMENT GAZETTE, WA 9 May 2014

PL406\*

**PLANNING AND DEVELOPMENT ACT 2005**  
**INSTRUMENT OF DELEGATION**  
**DELEGATION POWERS OF LOCAL GOVERNMENTS (GBRS) DEL 2014/01**  
**Delegation to local governments of certain powers and functions of the**  
**Western Australian Planning Commission relating to the**  
**Greater Bunbury Region Scheme**

**Preamble**

Unless exempted by clause 25 and 26, under clause 24 of the Greater Bunbury Region Scheme (GBRS), on reserved land, a person must not commence or carry out development unless that person has planning approval. Development on zoned land requires planning approval if it is of a kind or class set out in a resolution of the Western Australian Planning Commission (WAPC) under clause 27 of the GBRS. Parts 7 and 8 of the GBRS sets out the requirements, procedures and functions of the WAPC in relation to the determination of applications for planning approval.

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

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

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

On 22 April 2014, pursuant to section 16 of the Act, the WAPC RESOLVED—

A TO DELEGATE to local governments, and to members and officers of those local governments, its functions in respect of the determination, in accordance with Parts 7 and 8 of the Greater Bunbury Region Scheme, of applications for approval to commence and carry out development as specified in schedules 1 and 2, within their respective districts, subject to the terms set out in schedule 3;

B TO REVOKE its delegation of powers and functions to local governments as detailed in a notice published in the *Government Gazette* of 20 April 2012 (pages 1717–1722).

TIM HILLYARD, Secretary,  
Western Australian Planning Commission.

**PLANNING AND DEVELOPMENT ACT 2005**

**INSTRUMENT OF DELEGATION**

**SCHEDULE 1—Development on reserved land delegated to local governments**

1. Development on land in a regional road reservation where the local government accepts the recommendation and any advice of the advice agency.
2. Development of private jetties and associated facilities located in an artificial waterway in the waterways reservation.
3. Development on reserved land, which requires planning approval under the GBRS and which is—
  - (a) Ancillary and incidental development that does not conflict with the purposes of the reservation; and
  - (b) Development where the local government accepts the recommendation and any advice of the public authority responsible for that reserved land.
4. Any extension and/or change to a non-conforming use which requires planning approval under the GBRS and which is one or more of the following kinds—
  - (a) Development where the local government accepts the recommendation and any advice of the Department of Planning.
  - (b) Development for which the local government decides to refuse.

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**SCHEDULE 2—Development on zoned land delegated to local governments**

Applications for development on zoned land, excluding public works undertaken by public authorities—

1. On land abutting regional open space reservations, development which requires planning approval under the GERS and which is one or more of the following kinds—
  - (a) Development where the local government accepts the recommendation and any advice of the Department of Planning.
  - (b) Development for which the local government decides to refuse approval under the GERS.
2. On land abutting a primary regional roads reservation, development which requires planning approval under the GERS and which is of one or more of the following kinds—
  - (a) Development where the local government accepts the recommendation and any advice of Main Roads Western Australia.
  - (b) Development for which the local government decides to refuse approval under the GERS.
3. On land abutting an other regional roads reservation, development which requires planning approval under the GERS and which is of one or more of the following kinds—
  - (a) Development where the local government accepts the recommendation and any advice of the Department of Planning.
  - (b) Development which—
    - i. complies with an approved access policy pertaining to other regional roads reservations submitted by the local government and endorsed by the WAPC, and
    - ii. is approved subject to conditions requiring compliance with that policy.
  - (c) Development for which the local government decides to refuse approval under the GERS.
4. On land abutting a port installations, public purposes, railways, state forests or waterways reservation, development of one or more of the following kinds—
  - (a) Development where the local government accepts the recommendation and any advice of the public authority responsible for that reserved land.
  - (b) Development for which the local government decides to refuse approval under the GERS.
5. On land in the water catchments special control area (SCA No. 1), development which requires planning approval under the GERS and which is of one or more of the following kinds—
  - (a) Development where the local government accepts the recommendation and any advice of the Department of Water and/or the Water Corporation, as the case may be.
  - (b) Development for which the local government decides to refuse approval under the GERS.
6. On land in the Kemerton industrial zone buffer special control area (SCA No. 2), development which requires planning approval under the GERS and which is one or more of the following kinds—
  - (a) Development where the local government accepts the recommendation and any advice of the Department of State Development and the Environmental Protection Authority.
  - (b) Development for which the local government decides to refuse under approval under the GERS.
7. On land in the Glen Iris service corridor buffer special control area (SCA No. 3) development which requires planning approval under the GERS and which is one or more of the following kinds—
  - (a) Development where the local government accepts the recommendation and any advice of the Bunbury Port Authority, Department of State Development and the Environmental Protection Authority.
  - (b) Development for which the local government decides to refuse approval under the GERS.

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8. On land in the Wastewater Treatment Plant Odour Buffer special control area (SCA No. 4) development which requires planning approval under the GBRs and which is one or more of the following kinds—
  - (a) Development where the local government accepts the recommendation and any advice of the Water Corporation.
  - (b) Development for which the local government decides to refuse approval under the GBRs.
9. Development of one or more of the following kinds which is on land in, adjacent to or in close proximity to the strategic agricultural resource policy area and which requires planning approval under the GBRs—
  - (a) Development where the local government accepts the recommendation and any advice of the Department of Agriculture and Food.
  - (b) Development for which the local government decides to refuse approval under the GBRs.
10. Development of one or more of the following kinds which is on land in, adjacent to or in close proximity to the strategic minerals and basic raw materials resource policy area and which requires planning approval under the GBRs—
  - (a) Development where the local government accepts the recommendation and any advice of the Department of Mines and Petroleum.
  - (b) Development for which the local government decides to refuse approval under the GBRs.
11. Development of one or more of the following kinds which is on land partly or wholly within the land subject to the floodplain management policy area and which requires planning approval under the GBRs—
  - (a) Development where the local government accepts the recommendation and any advice of the Department of Water;
  - (b) Development for which the local government decides to refuse approval under the GBRs.
12. Development in an activity centre which is for shop-retail purposes and which requires planning approval under the GBRs and which is for one or more of the following kinds—
  - (a) Development generally in accordance with a WAPC endorsed activity centres structure plan;
  - (b) Development for which the local government decides to refuse approval under the GBRs.
13. Development in the rural zone, other than for an animal husbandry-intensive, which requires planning approval under the GBRs and for which the local government decides to refuse approval under the GBRs.
14. Development for an animal husbandry-intensive premises, or for any extension or addition in excess of 100 m<sup>2</sup> to the improvements of an existing animal husbandry-intensive premises and which is one or more of the following kinds—
  - (a) Development where the local government accepts the recommendation and any advice of the Department of Planning, Department of Agriculture and Food, Department of Health, Department of Environmental Regulation, Department of Parks and Wildlife and/or Environmental Protection Authority.
  - (b) Development for which the local government decides to refuse approval under the GBRs.
15. Any extension and/or change to a non-conforming use which requires planning approval under the GBRs and which is one or more of the following kinds—
  - (a) Development where the local government accepts the recommendation and any advice of the Department of Planning.
  - (b) Development for which the local government decides to refuse.

**SCHEDULE 3—Terms of delegations to determine development on reserved and zoned land**

1. Under clause 36 of the GBRs, an application for planning approval is to be submitted to the local government, which, if the application is to be determined by the WAPC, shall forward it to the WAPC in seven days and make recommendations to the WAPC within 42 days, or such longer period as the WAPC allows.
2. An application for development on reserved land, excluding regional open space, shall be referred within seven days to the public authority responsible for that reserved land for advice and recommendation before being considered by the local government.
3. An application for development on or abutting regional open space reservations, shall be referred within seven days to the Department of Planning for advice and recommendation before being considered by the local government.
4. An application for development in or abutting a primary regional roads reservation shall be referred within seven days to Main Roads Western Australia for advice and recommendation before being considered by the local government.



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5. An application for development in or abutting an other regional roads reservation shall be referred within seven days to the Department of Planning for advice and recommendation before being considered by the local government.
6. An application for development abutting a port installations, public purposes, railways, state forests or waterways reservation shall be referred within seven days to the public authority responsible for that reserved land for advice and recommendation before being considered by the local government.
7. An application for development within the water catchments special control area (SCA No. 1) shall be referred within seven days to the Department of Water and/or the Water Corporation for advice and recommendation before being considered by the local government.
8. An application for development in the Kemerton industrial zone buffer special control area (SCA No. 2) shall be referred within seven days to the Department of State Development and the Environmental Protection Authority for advice and recommendation before being considered by the local government.
9. An application for development in the Glen Iris service corridor buffer special control area (SCA No. 3) shall be referred within seven days to the Bunbury Port Authority, Department of State Development and the Environmental Protection Authority for advice and recommendation before being considered by the local government.
10. An application for development in the Wastewater Treatment Plant Odour Buffer special control area (SCA No. 4) shall be referred within seven days to the Water Corporation for advice and recommendation before being considered by the local government.
11. An application for development within, adjacent to or in close proximity to the strategic agricultural resource policy area shall be referred within seven days to the Department of Agriculture and Food for advice and recommendation before being considered by the local government.
12. An application for development in, adjacent to or in close proximity to the strategic minerals and basic raw materials resource policy area shall be referred within seven days to the Department of Mines and Petroleum for advice and recommendation before being considered by the local government.
13. An application for development partly or wholly within the floodplain management policy area shall be referred within seven days to the Department of Water for advice and recommendation before being considered by the local government.
14. An application for an animal husbandry-intensive premises shall be referred to the Department of Planning, Department of Agriculture and Food, Department of Health, Department of Environmental Regulation, Department of Parks and Wildlife and/or the Environmental Protection Authority for advice and recommendation before being considered by the local government.
15. An application for any extension and/or change to a non-conforming use shall be referred within seven days to the Department of Planning for advice and recommendation before being considered by the local government.
16. Where an application is referred to an advice agency for advice and recommendation the agency is to be advised that if no advice or recommendation has been received within thirty days of receipt of the application by the advice agency the application may be determined on the available information; and the WAPC, or delegate of, or a local government acting under delegated power, may determine the application on that basis.
17. Following referral for advice and recommendation, an application which is to be determined by the WAPC shall be forwarded as soon as practicable to the WAPC with the advice and recommendations provided by all the advice agencies consulted together with the advice and recommendation of the local government.
18. Where the recommendation provided by an advice agency specified above is not acceptable to the local government, the application, together with the recommendations provided by all advice agencies consulted and the reasons why the recommendation is not acceptable to the local government, shall be forwarded immediately to the WAPC for determination.
19. Each local government shall report to the WAPC, in the form and manner required by the WAPC, all decisions made under this instrument of delegation.
20. The powers delegated to members and officers of a local government may only be exercised by a member or officer who has been delegated power from the local government to consider and determine applications for approval to commence and carry out development in the local government district under the local planning scheme.

**SCHEDULE 4—Definitions**

In this instrument of delegation, words have the meanings given to them in the Act and the GBRB. Unless the context otherwise requires—

- ‘Abutting’ reserved land means the zoned land shares a common boundary with reserved land.
- ‘Access’ means entry or exit (or both) from either a road or abutting development by a vehicle.
- ‘Activity centre’ means the category of activity centres set out in Table 2 of the *Activity Centres for Greater Bunbury Policy*, namely—
  - City Centre
  - District Centres
  - Neighbourhood centres
  - Special Centres
  - Town Centres

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'Advice agency' means a department, public authority or body which is requested to provide advice and recommendations on applications for planning approval under the GBRs as an agency responsible for reserved land or to which local governments refer applications under the terms of schedule 3.

'Animal husbandry-intensive' has the same meaning as in the *Town Planning Regulations 1967*.

'Forward to the WAPC' and similar expressions mean convey by mail, by hand or electronically to the Bunbury office of the Department of Planning.

'Net lettable area' means the area of all floors within the internal finished surfaces of permanent walls but excludes the following areas—

- (a) all stairs, toilets, cleaner's cupboards, lift shafts and motor rooms, tea rooms and plant rooms and other service areas;
- (b) lobbies between lifts facing other lifts servicing the same floor
- (c) areas set aside for the provision of facilities or services to the floor or building;
- (d) areas set aside for the provision of facilities or services to the floor or building where such facilities are not for the exclusive use of occupiers of the floor or building.

'Non-conforming use' has the same meaning as it has in the Planning and Development Act 2005 section 172.

'Not acceptable' means that the local government wishes the application to be determined in a manner that is inconsistent with the advice and/or recommendation received from the advice agency which the local government was required to consult.

'Planning approval' and 'planning approval under the GBRs' mean the planning approval of the WAPC as required under the GBRs and by resolution of the WAPC under clause 27 of the GBRs, whether granted by the WAPC or by delegates of the WAPC including committees, officers, local governments and members and officers of local governments.

'Proximity' and 'in close proximity' mean that the development is, in the opinion of the WAPC or local government, sufficiently close to a policy area for the effects of activities in the policy area (such as noise, odour, spray drift or dust) to be likely to have an adverse effect on the proposed use, and/or for the effects of the development to be likely to have an adverse effect on uses in the policy area.

'Shop-retail' means the land use activities included in "Planning land use category 5: Shop/Retail" as defined by the Commission's South West Land Use and Employment Survey (as amended from time-to-time).

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**AMENDMENT TO DELEGATION 2014/01**  
**GOVERNMENT GAZETTE, Tuesday, 22 August 2017, No.165**

**GUIDANCE NOTE:**

*The below gazettal amends the above delegation and the two must be read in conjunction.*

PL404

**PLANNING AND DEVELOPMENT ACT 2005**  
**AMENDMENT TO INSTRUMENT OF DELEGATION 2014/01**  
**Powers of Local Governments (GBRS)**

Amendment to the Instrument of Delegation to local governments of certain powers and functions of the Western Australian Planning Commission relating to the Greater Bunbury Region Scheme as gazetted on 9 May 2014.

**Preamble**

Unless exempted by clause 25 and 26, under clause 24 of the Greater Bunbury Region Scheme (GBRS), on reserved land, a person must not commence or carry out development unless that person has planning approval. Development on zoned land requires planning approval if it is of a kind or class set out in a resolution of the Western Australian Planning Commission (WAPC) under clause 27 of the GBRS. Parts 7 and 8 of the GBRS sets out the requirements, procedures and functions of the WAPC in relation to the determination of applications for planning approval.

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

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

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

On 24 May 2017, pursuant to section 16 of the Act, the WAPC Resolved—

- A. To amend its delegation of powers and functions to local governments in the Instrument of Delegation DEL 2014/01 Powers of local governments (GBRS) published in the *Government Gazette* on 9 May 2014 (pages 1420-1425) by replacing all references to "Strategic Agricultural Resource Policy" with "Priority Agricultural Land Policy".

KERRINE BLENKINSOP, Secretary,  
Western Australian Planning Commission.



**Delegation Register**  
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**10.2.4 Development Control – Powers of Local Governments - Peel Region Scheme (DEL.2008/12)**

**GUIDANCE NOTE:**

*This delegation must be read in conjunction with amendments Gazetted on 30 June 2009 and 3 November 2017 – please see amendment text inserted below.*

Commented [RW182]: Not relevant to us

19 December 2008	GOVERNMENT GAZETTE, WA	5449
<i>Legislation: Planning and Development Act 2005 (s16)</i>		
<i>Title: DEL 2008/12 Powers of local governments (PRS)</i>		
<i>Resolution Date: 16/12/2008</i>	<i>Gazetted Date: 19/12/2008</i>	<i>File: 970-1-1-3</i>
<i>Revoques: Delegation to local governments gazetted 28/03/2003</i>		

*Planning and Development Act 2005*  
**INSTRUMENT OF DELEGATION**  
**DEL 2008/12 POWERS OF LOCAL GOVERNMENTS (PRS)**  
**Notice of delegation to local governments of certain powers and functions of the Western Australian Planning Commission relating to the Peel Region Scheme**

**Preamble**

Under clause 18 of the Peel Region Scheme (PRS), and subject to the exemptions stated in clauses 19 and 20, development on reserved land requires planning approval. On zoned land, development requires planning approval if it is of a kind or class set out in a resolution of the Western Australian Planning Commission (the WAPC) under clause 21 of the PRS. Parts 7 and 8 of the PRS set out the requirements, procedures and functions of the WAPC in relation to the determination of applications for planning approval.

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

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

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

On 16 December 2008, pursuant to section 16 of the Act, the WAPC RESOLVED—

A TO DELEGATE to local governments, and to members and officers of those local governments, its powers and functions in respect of the determination, in accordance with Parts 7 and 8 of the Peel Region Scheme, of applications for approval to commence and carry out development specified in Schedules 1 and 2, within their respective districts, subject to the terms set out in schedule 3;

B TO REVOKE its delegation of powers and functions to local governments as detailed in a notice published in the *Government Gazette* of 28 March 2003 (pages 993-994).

WAYNE WINCHESTER, Secretary,  
Western Australian Planning Commission.

PLANNING AND DEVELOPMENT ACT 2005

**Instrument of Delegation**

**SCHEDULE 1—Development on reserved land delegated to local governments**

1. Development on land in a regional road reservation where the local government accepts the advice and/or recommendation of the advice agency.
2. Development of private jetties and associated facilities located in an artificial waterway in the waterways reservation.

**SCHEDULE 2—Development on zoned land delegated to local governments**

Applications for development on zoned land, except in respect of public works undertaken by public authorities—

1. On land abutting regional open space reservations, development which requires planning approval under the PRS and for which the local government decides to refuse approval under the PRS.
2. On land abutting a primary regional roads reservation, development which requires planning approval under the PRS and which is of one or more of the following kinds—
  - (a) Development where the local government accepts the advice and/or recommendation of Main Roads Western Australia.
  - (b) Development for which the local government decides to refuse approval under the PRS.

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GOVERNMENT GAZETTE, WA

19 December 2008

3. On land abutting an other regional roads reservation, development which requires planning approval under the PRS and which is of one or more of the following kinds—
  - (a) Development where the local government accepts the advice and/or recommendation of the Department for Planning and Infrastructure.
  - (b) Development which—
    - (i) complies with an approved access policy pertaining to other regional roads reservations, or a specified section of the other regional roads reservation, submitted by the local government and endorsed by the WAPC, and
    - (ii) is approved subject to conditions requiring compliance with that policy.
  - (c) Development for which the local government decides to refuse approval under the PRS.
4. On land in the water catchments special control area (SCA No. 1), development which requires planning approval under the PRS and which is of one or more of the following kinds—
  - (a) Development where the local government accepts the advice and/or recommendation of the Department of Water and/or the Water Corporation, as the case may be.
  - (b) Development for which the local government decides to refuse approval under the PRS.
5. Development of the following kinds which is for shopping purposes and which requires planning approval under the PRS—
  - (a) Development which—
    - (i) is consistent with an approved centre plan, local commercial strategy or local planning strategy endorsed by the WAPC not more than five years prior to the application for planning approval being lodged, and
    - (ii) is approved subject to conditions requiring compliance with that plan or strategy.
  - (b) Development for which the local government decides to refuse approval under the PRS.
6. Development in the rural zone, other than for a poultry farm, which requires planning approval under the PRS and for which the local government decides to refuse approval under the PRS.
7. Development for a new poultry farm or for any extension or addition in excess of 100 m<sup>2</sup> to the improvements of an existing poultry farm, for which the local government decides to refuse approval under the PRS.

#### SCHEDULE 3—Terms of delegations to determine development on reserved and zoned land

1. Under clause 30 of the PRS, an application for planning approval is to be submitted to the local government, which, if the application is to be determined by the WAPC, shall forward it to the WAPC within seven days and may (within 42 days, or such longer period as the WAPC allows) make recommendations to the WAPC.
2. An application for development in or abutting a primary regional roads reservation is to be referred within seven days to Main Roads Western Australia for advice and recommendation before being considered by the local government.
3. An application for development in or abutting another regional roads reservation is to be referred within seven days to the Department for Planning and Infrastructure for advice and recommendation before being considered by the local government.
4. An application for development within the water catchments special control area (SCA No. 1) is to be referred within seven days to the Department of Water and/or the Water Corporation for advice and recommendation before being considered by the local government.
5. Where an application is referred to an advice agency for advice and recommendation the agency is to be advised that if no advice or recommendation has been received within thirty days of receipt of the application by the advice agency the application may be determined on the available information; and the WAPC, or a local government acting under delegated power, may determine the application on that basis.
6. Following referral of any application referred to in Schedule 2 for advice and recommendation and where the local government does not accept the advice and/or recommendation of the advice agency, an application which is consequently to be determined by the WAPC is to be forwarded as soon as practicable to the WAPC with the advice and recommendations provided by all advice agencies consulted together with the advice and recommendation of the local government. These should be accompanied by the reasons why the recommendation of the advice agency is not acceptable to the local government.
7. Each local government shall report to the WAPC, in the form and manner required by the WAPC, all decisions made under this instrument of delegation.
8. The powers delegated to members and officers of a local government may only be exercised by a member or officer who has been delegated power from the local government to consider and determine applications for approval to commence and carry out development in the local government district under the local planning scheme.

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19 December 2008 GOVERNMENT GAZETTE, WA 5451

#### SCHEDULE 4—Definitions

In this instrument of delegation, words have the meanings given to them in the Act and the PRS. Unless the context otherwise requires—

- '**Abutting**' reserved land means the zoned land shares a common boundary with reserved land.
- '**Access**' means entry or exit (or both) from either a road or abutting development by a vehicle.
- '**Advice agency**' means a department, public authority or body which is requested to provide advice and recommendations on applications for planning approval under the PRS as an agency responsible for reserved land or to which local governments refer applications under the terms of schedule 3.
- '**Centre plan**', '**local commercial strategy**' and '**local planning strategy**', for the purposes of paragraph 5(a) of schedule 2, mean a strategic planning document, submitted to and endorsed by the WAPC, specifying the planned future character and scale of the commercial centre or shopping centre where development is proposed, with limits for such components as uses, floorspace, lettable area, etc.
- '**Forward to the WAPC**' and similar expressions mean convey by mail, by hand or electronically to the Peel region office of the Department for Planning and Infrastructure.
- '**Not acceptable**' means that the local government wishes the application to be determined in a manner that is inconsistent with the advice and/or recommendation received from the advice agency which the local government was required to consult.
- '**Planning approval**' and '**planning approval under the PRS**' mean the planning approval of the WAPC as required under the PRS and by resolution of the WAPC under clause 21 of the PRS, whether granted by the WAPC or by delegates of the WAPC including committees, officers, local governments and members and officers of local governments.
- '**Shopping purposes**' means use for any of the purposes defined in Appendix 4 of the proposed *Metropolitan Centres Policy Statement for the Perth Metropolitan Region* (WAPC) but excluding hotels, taverns, night clubs, and function and reception centres.

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**AMENDMENT TO DELEGATION 2008/12**

**GUIDANCE NOTE:**

*The below gazettal amends the above delegation and must be read in conjunction the any additional amendments to the delegation.*

30 June 2009                      GOVERNMENT GAZETTE, WA                      2643

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**PI410\***

**PLANNING AND DEVELOPMENT ACT 2005**  
**AMENDMENT TO INSTRUMENT OF DELEGATION 2008/12**  
**POWERS OF LOCAL GOVERNMENTS (PRS)**

Amendment to the Instrument of Delegation to local governments of certain powers and functions of the Western Australian Planning Commission relating to the Peel Region Scheme as gazetted on 19 December 2008.

**Preamble**

Under clause 18 of the Peel Region Scheme (PRS), and subject to the exemptions stated in clauses 19 and 20, development on reserved land requires planning approval. On zoned land, development requires planning approval if it is of a kind or class set out in a resolution of the Western Australian Planning Commission (the WAPC) under clause 21 of the PRS. Parts 7 and 8 of the PRS set out the requirements, procedures and functions of the WAPC in relation to the determination of applications for planning approval.

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

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

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

On 23 June 2009, pursuant to section 16 of the Act, the WAPC Resolved—

A To amend its delegation of powers and functions to local governments in the Instrument of Delegation DEL 2008/12 Powers of local governments (PRS) published in the *Government Gazette* on 19 December 2008 (pages 5449—5451) by replacing all references to "Department for Planning and Infrastructure" with "Department of Planning".

TONY EVANS, Secretary,  
 Western Australian Planning Commission.

**AMENDMENT TO DELEGATION 2008/12**

**GUIDANCE NOTE:**

*The below gazettal amends the above delegation and must be read in conjunction the any additional amendments to the delegation.*

3 November 2017                      GOVERNMENT GAZETTE, WA                      5503

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**PL409**

**PLANNING AND DEVELOPMENT ACT 2005**  
**AMENDMENT TO INSTRUMENT OF DELEGATION**  
**DEL2008/12 Power of Local Governments**

Amendment to the Instrument of Delegation to local governments of certain powers and functions of the Western Australian Planning Commission, under the Peel Region Scheme

**Preamble**

Under clause 18 of the Peel Region Scheme (PRS), and subject to the exemptions stated in clauses 19 and 20, development on reserved land requires planning approval. On zoned land, development requires planning approval if it is of a kind or class set out in a resolution of the Western Australian Planning Commission (the WAPC) under clause 21 of the PRS. Parts 7 and 8 of the PRS set out the requirements, procedures and functions of the WAPC in relation to the determination of applications for planning approval.

Under section 16 of the *Planning and Development Act 2005* (the Act), the WAPC may, by resolution published in the *Government Gazette*, delegate any function to a member, committee or officer of the WAPC or to a public authority or to a member or officer of a public authority.

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

**Delegation Register**  
**City of Nedlands**

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

On 24 May 2017, pursuant to section 16 of the Act, the WAPC resolved—

- A. To delegate to local governments, and to members and officers of those local governments, its powers and functions in respect of the determination, in accordance with Parts 7 and 8 of the Peel Region Scheme, of applications for approval to commence and carry out development specified in Schedule A, within their respective districts, subject to the terms set out in Schedule B;
- B. To amend the Instrument of Delegation DEL2008/12 Powers of Local Governments (PRS) made by the WAPC on 16 December 2008 and published in the *Government Gazette* on 19 December 2008 at pages 5449-5451 (and as amended) (DEL 2008/12), as set out in Schedule C below, to give effect to this resolution.

KERRINE BLENKINSOP, Secretary,  
 Western Australian Planning Commission.

**Schedule A**

**Applications for development on zoned land, excluding public works undertaken by public authorities**

- 8. Development of one or more of the following kinds, which is on land in, adjacent to or in close proximity to Priority Agricultural Land as identified in Appendix 1 of the PRS Priority Agricultural and Rural Land Use Policy, and which requires planning approval under the PRS—
  - (a) Development where the local government accepts the recommendation and any advice of the Department of Agriculture and Food.
  - (b) Development for which the local government decides to refuse approval under the PRS.

**Schedule B**

- 5. An application for development in, adjacent to or in close proximity to Priority Agricultural Land, as identified in Appendix 1 of the PRS Priority Agricultural and Rural Land Use Policy, shall be referred within seven days to the Department of Agriculture and Food for advice and recommendation before being considered by the local government."

5504 GOVERNMENT GAZETTE, WA 3 November 2017

**Schedule C**

- 1. **Instrument of Resolution amended**  
 The amendments within this Schedule are to the Schedules set out in DEL 2008/12.
- 2. **Schedule 2—amended (page 5450)**  
 Schedule 2 is amended by the addition of the following clause—  
 "8. Development of one or more of the following kinds, which is on land in, adjacent to or in close proximity to Priority Agricultural Land, as identified in Appendix 1 of the PRS Priority Agricultural and Rural Land Use Policy, and which requires planning approval under the PRS—  
 (a) Development where the local government accepts the recommendation and any advice of the Department of Agriculture and Food.  
 (b) Development for which the local government decides to refuse approval under the PRS."
- 3. **Schedule 3—amended (page 5450)**  
 Schedule 3 is amended by inserting a new clause 5 as follows—  
 "5. An application for development in, adjacent to or in close proximity to Priority Agricultural Land, as identified in Appendix 1 of the PRS Priority Agricultural and Rural Land Use Policy, shall be referred within seven days to the Department of Agriculture and Food for advice and recommendation before being considered by the local government."  
 Further, existing clauses 5, 6, 7 and 8 of Schedule 3 are renumbered to 6, 7, 8 and 9, respectively.
- 4. **Schedule 4—amended (page 5451)**  
 The heading for Schedule 4 is amended to read "Schedule 4—Definitions and Interpretation"  
 Schedule 4 is amended by inserting the following definition and interpretation provision—  
 "Proximity" and "in close proximity" mean that the development is, in the opinion of the WAPC or local government, sufficiently close to a policy area for the effects of activities in the policy area (such as noise, odour, spray drift or dust) to be likely to have an adverse effect on the proposed use, and/or for the effects of the development to be likely to have an adverse effect on uses in the policy area  
 A reference to a department or agency contemplates and includes a reference to its successor in title.
- 5. **Index—amended (page 5451)**  
 The "Delegations in relation to zoned land" section of the Index is amended to include a new line below "poultry farm" which reads—  
 "in/near the Priority Agricultural Land" . 8 5"

**Delegation Register**  
City of Nedlands

**10.2.5 Development Control – Powers of Local Government – Ningaloo Coast Regional Interim Development Order 2007 (DEL.208/14)**

5456 GOVERNMENT GAZETTE, WA 19 December 2008

*Legislation: Planning and Development Act 2005 (s16)*  
*Title: DEL 2008/14 Powers of local governments (Ningaloo Coast RIDO 2007)*  
*Resolution Date: 16/12/2008 Gazettal Date: 19/12/2008 File: 970-1-1-3*  
*Revoque: Delegation to local governments gazetted 12/10/2007*

*Planning and Development Act 2005*

**INSTRUMENT OF DELEGATION**

DEL 2008/14 POWERS OF LOCAL GOVERNMENTS (NINGALOO COAST RIDO 2007)

**Notice of delegation to local governments of development control powers of the Western Australian Planning Commission relating to the Ningaloo Coast Regional Interim Development Order 2007**

**Preamble**

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

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

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

On 16 December 2008, pursuant to section 16 of the Act, the WAPC RESOLVED—

- A TO DELEGATE its functions under the Ningaloo Coast Regional Interim Development Order 2007 (the Order) as specified in column 1 of the schedule to local governments and to members and officers of those local governments specified in column 2 of the schedule, in respect of land described in column 3 of the schedule;
- B TO REVOKE its delegation of powers and functions to local governments as detailed in a notice published in the *Government Gazette* of 12 October 2007 (pages 5532-5533).

WAYNE WINCHESTER, Secretary,  
Western Australian Planning Commission.

PLANNING AND DEVELOPMENT ACT 2005

Instrument of delegation

SCHEDULE 1

Column 1 (Powers and Functions)	Column 2 (Local Government)	Column 3 (Land)
<p>Power to determine an application made under Part 3 of the Order in accordance with the procedure set out in Part 4 of the Order except—</p> <p>(i) where the WAPC, by notice in writing in each case, advises the local government that it is of the opinion that an application should be determined by the WAPC on the grounds that the proposal is of State or regional importance or is in the public interest; and</p> <p>(ii) where the local government is of the opinion that an application should be determined by the WAPC on the grounds that the proposal is of State or regional importance or is in the public interest.</p> <p>The powers delegated to members and officers of a local government may only be exercised by a member or officer who has been delegated power from the local government to consider and determine applications for approval to commence and carry out development in the local district under the local planning scheme.</p>	<ul style="list-style-type: none"> <li>• Shire of Carnarvon</li> <li>• Shire of Exmouth</li> </ul>	<p>Applies to applications for development of land defined in—</p> <ul style="list-style-type: none"> <li>• Map 1 Area of Delegation (Carnarvon)</li> <li>• Map 2 Area of Delegation (Exmouth)</li> </ul>



**Delegation Register**  
City of Nedlands

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**10.2.6 Development Control – Powers of Local Governments – Hope Valley-Wattleup Redevelopment Act 2000 and Master Plan (DEL.2011/01)**

*Legislation: Planning and Development Act 2005 (s16)*  
*Title: DEL 2011/01 Powers of local governments (Hope Valley-Wattleup Redevelopment Act 2000)*  
*Resolution Date: 25 /1 /2011 Gazettal Date: 4/2/2011 File: 801-2-1-22 P10*

*Planning and Development Act 2005*

**INSTRUMENT OF DELEGATION**

**DEL 2011/01 POWERS OF LOCAL GOVERNMENTS (HOPE VALLEY-WATTLEUP REDEVELOPMENT ACT 2000 AND MASTER PLAN)**

**Notice of delegation to local governments of certain powers and functions of the Western Australian Planning Commission relating to the *Hope Valley-Wattleup Redevelopment Act 2000* and the Hope Valley-Wattleup Master Plan**

**Preamble**

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

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

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

On 25 January 2011, pursuant to section 16 of the Act, the WAPC RESOLVED:

- A TO DELEGATE to certain local governments, to officers of those local governments, to the Statutory Planning Committee and the Chairman of the WAPC, and to officers of the Department of Planning (DoP) from time to time holding or acting in those offices, as set out in column 2 of the attached Schedule, its powers and functions under the *Hope Valley-Wattleup Redevelopment Act 2000* and in respect of the Hope Valley-Wattleup Master Plan as specified in column 1 of the attached Schedule, within their respective districts as specified in column 3 of the attached Schedule.

Tony Evans, Secretary  
Western Australian Planning Commission

**Delegation Register**  
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**Instrument of Delegation**

**Schedule 1**

Column 1 (Powers and functions delegated)	Column 2 (Local Government and officers, WAPC committee and Chairman, and DoP officers)	Column 3 (Conditions)
<p>1.1. Power to determine applications for development approval as set out in Part 4 of the <i>Hope Valley-Wattleup Redevelopment Act 2000</i> and Part 10 and Part 11 of the <i>Hope Valley-Wattleup Master Plan</i> except where:</p> <p>(a) the land is reserved for a public purpose in the <i>Hope Valley-Wattleup Master Plan</i>, or</p> <p>(b) the decision to refuse or approve with or without conditions would be contrary to the recommendation of the Western Australian Land Authority in its submission on the application made pursuant to clause 11.1 of the <i>Hope Valley-Wattleup Master Plan</i>, or</p> <p>(c) the WAPC has advised the local government in writing that the application is to be determined by the WAPC, or</p> <p>(d) the local government decides to forward the application to the WAPC for the WAPC's determination.</p> <p>1.2. Power to amend or revoke a planning approval previously granted by the local government under delegated power, as set out in clause 9.2 of the <i>Hope Valley-Wattleup Master Plan</i>.</p> <p>1.3. Power to grant approval to unauthorised existing development or use as set out in clause 9.3 of the <i>Hope Valley-Wattleup Master Plan</i>.</p> <p>1.4. Power to authorise any of the local government's employees to enter a building or land for the observance of the Master Plan as set out in clause 12.1.2 of the <i>Hope Valley-Wattleup Master Plan</i>.</p> <p>1.5. Power to issue a written notice under clause 12.2 of the <i>Hope Valley-Wattleup Master Plan</i>.</p> <p>1.6. Power to defend and otherwise deal with reviews lodged with the State Administrative Tribunal under section 29 of the <i>Hope Valley-Wattleup Redevelopment Act 2000</i> and to appeal, defend, respond and otherwise deal with any legal proceedings as it relates to this notice of delegation affecting the Hope Valley-Wattleup Redevelopment Area.</p> <p>1.7. Power to issue a written notice under section 31(1) of the <i>Hope Valley-Wattleup Redevelopment Act 2000</i>.</p> <p>1.8. Power under section 31(6) of the <i>Hope Valley-Wattleup Redevelopment Act 2000</i> to take steps to remove, pull down, take up or alter any unlawful development, and recover the costs incurred in so doing.</p> <p>1.9. Power to commence and undertake a prosecution for an offence committed under section 25 or section 31 of the <i>Hope Valley-Wattleup Redevelopment Act 2000</i>.</p>	<ul style="list-style-type: none"> <li>• Council of the City of Cockburn</li> <li>• Chief Executive Officer, City of Cockburn</li> <li>• Director of Planning and Development, City of Cockburn</li> <li>• Manager of Statutory Planning, City of Cockburn</li>   <li>• Council of the Town of Kwinana</li> <li>• Chief Executive Officer, Town of Kwinana</li> <li>• Director of Operational and Technical Services, Town of Kwinana</li> <li>• Manager of Planning and Development, Town of Kwinana</li> </ul>	<p>Confined to land within the City of Cockburn</p> <p>Confined to land within the Town of Kwinana</p>
<p>1.10 Power to advise a local government in writing in the circumstance of 1.1(c) of this delegation that an application is to be determined by the WAPC.</p>	<ul style="list-style-type: none"> <li>• Statutory Planning Committee of the WAPC</li> <li>• Chairman of the WAPC</li> <li>• Director General, DoP 15135.1</li> <li>• Executive Director, Peel, Perth and South West Planning and Strategy, DoP 15196.1</li> </ul>	<p>City of Cockburn and Town of Kwinana</p>

## Delegation Register

### City of Nedlands

#### 10.2.7 WA Planning Commission – Powers of Local Governments - s.15 of the Strata Titles Act 1985 (DEL.2020/01)

29 January 2021

GOVERNMENT GAZETTE, WA

449

PL402

#### PLANNING AND DEVELOPMENT ACT 2005

##### INSTRUMENT OF DELEGATION

##### Del 2020/01 Powers of Local Governments

Delegation to local governments of certain powers and functions of the Western Australian Planning Commission relating to certain applications under the *Strata Titles Act 1985*

#### Preamble

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

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

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

On 20 January 2021, pursuant to section 16 of the Act, the WAPC RESOLVED—

- A. TO DELEGATE to local governments, and to members and officers of those local governments, its powers and functions under section 15 of the *Strata Titles Act 1985* as set out in clause 1 of Schedule 1, within their respective districts, subject to the conditions set out in clause 3 of Schedule 1;
- B. TO DELEGATE to local governments, and to members and officers of those local governments, its powers and functions under sections 21 and 22 of the *Strata Titles Act 1985* as set out in clause 2 of Schedule 1, within their respective districts, subject to the conditions set out in clause 3 of Schedule 1;
- C. TO AMEND “Del 2020/01—Powers of Local Governments” to give effect to its resolution and to publish an updated, consolidated instrument.

SAM FAGAN, Western Australian Planning Commission.

#### Schedule 1

##### 1. Applications made under section 15 of the *Strata Titles Act 1985*

Power to determine applications under section 15 of the *Strata Titles Act 1985*, except those applications that—

- (a) propose the creation of a vacant lot;
- (b) propose vacant air stratas in multi-tiered strata scheme developments;
- (c) propose the creation or postponement of a leasehold scheme;
- (d) propose a type 1 (a) subdivision or a type 2 subdivision (as defined in section 3 of the *Strata Titles Act 1985*);
- (e) in the opinion of the WAPC as notified to the relevant local government in writing, or in the opinion of the relevant local government as notified to the WAPC in writing, relate to—
  - i. a type of development; and/or
  - ii. land within an area,

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

##### 2. Applications under sections 21 and 22 of the *Strata Titles Act 1985*

Power to determine applications under—

- (a) section 21 of the *Strata Titles Act 1985*;
- (b) section 22 of the *Strata Titles Act 1985* where the amendment or repeal of scheme by-laws requires the approval of the WAPC.

##### 3. Reporting requirements

A local government that exercises the powers referred to in clause 1 and/or clause 2, is to provide the WAPC with data on all applications determined under this Instrument of Delegation. This must be provided at the conclusion of each financial year in the format prescribed by the WAPC.



## Delegation Register City of Nedlands

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### 10.3 Main Roads Act 1930

#### 10.3.1 Traffic Management - Events on Roads

A list of local governments authorised for Traffic Management for Events can be found on the Main Roads WA website [here](#)

**WESTERN AUSTRALIA**  
**ROAD TRAFFIC CODE 2000**  
**REGULATION 297(2)**  
INSTRUMENT OF AUTHORISATION  
  
RELATING TO  
TRAFFIC MANAGEMENT FOR EVENTS

Pursuant to Regulation 297(2) of the *Road Traffic Code 2000* the Commissioner of Main Roads ("the Commissioner") hereby authorises (insert name of Local Government) (Authorised Body) by itself, its employees, consultants, agents and contractors (together "Representatives") to, from the date indicated below, erect, establish, display, alter or take down such road signs of whatsoever type or class (except for permanent traffic control signals) as may be required for the purpose and duration of any:

- i) "event" subject to an order from the Commissioner of Police pursuant to Part VA of the *Road Traffic Act 1974*;
- ii) race meeting or speed test for which the Minister referred to in section 83 of the *Road Traffic Act 1974* has, under that provision, temporarily suspended the operation of any provisions of the *Road Traffic Act 1974* or regulations made under that Act; or
- iii) public meeting or procession the subject of a permit granted by the Commissioner of Police under the *Public Order in Streets Act 1984*;

or as may be required for the purpose of controlling traffic on a road adjacent to, or in the vicinity of, any event or organised activity approved by the Authorised Body under its local laws, on a road (other than a main road or highway) within its jurisdiction, SUBJECT ALWAYS to the following terms and conditions:

- (a) the Authorised Body shall at all times observe, perform and comply with the provisions of the "Traffic Management for Events Code of Practice" (as amended or replaced from time to time in consultation with the Traffic Management for Events Advisory Group) issued by Main Roads Western Australia ("the Code") referring to the version which is current at the time of the event, a copy of which can be obtained from Main Roads Western Australia from [www.mainroads.wa.gov.au](http://www.mainroads.wa.gov.au) or by contacting Main Roads by phone;
- (b) the Authorised Body shall develop and implement procedures that will satisfy the Commissioner that traffic management implemented by the Authorised Body, its employees, agents and contractors will in all respects conform to and comply with the requirements of the Code; and
- (c) the Authorised Body shall ensure that its Representatives comply with the terms and conditions identified above at paragraphs (a) and (b) as if they were named in those paragraphs in place of the Authorised Body.

By executing and returning the acknowledgment at the foot of this authorisation, the Authorised Body agrees to observe, perform and comply with the above terms and conditions.

The powers in this Instrument of Authorisation do not change or replace:

- 1) any prior Instrument of Authorisation from the Commissioner of Main Roads for the purposes of undertaking traffic management for works on roads; and
- 2) any powers and responsibilities of a local government provided in regulation 9 of the *Road Traffic (Events on Roads) Regulations 1991*.

**Delegation Register**  
**City of Nedlands**

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Dated:

**THE COMMON SEAL OF THE** )  
**COMMISSIONER OF MAIN ROADS** )  
 )  
**WAS AFFIXED BY** )  
 )  
 )  
**COMMISSIONER OF MAIN ROADS** )  
 )  
**FOR THE TIME BEING IN THE** )  
**PRESENCE OF:** )

\_\_\_\_\_  
*Signature of Witness*

\_\_\_\_\_  
*Name of Witness (please print)*

**ACKNOWLEDGMENT BY AUTHORISED BODY**

.....(*Insert name of Local Government*)..... agrees to unconditionally observe,  
perform and be bound by the above conditions.

**THE COMMON SEAL of** )  
 )  
 )  
 )  
\_\_\_\_\_  
*[Insert name of Local Government]* )  
 )  
**Was hereunto affixed pursuant to a** )  
**resolution of the Council in the** )  
**presence of:** )  
 )

\_\_\_\_\_  
*Signature of Chief Executive Officer*

\_\_\_\_\_  
*Signature of Witness*

\_\_\_\_\_  
*Name of Witness (please print)*

**Delegation Register**  
**City of Nedlands**

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**10.3.2 Traffic Management – Road Works**

A list of Local Governments authorised for the purposes of Road Traffic Code 2000 r.297(2) are available on Main Roads WA website [here](#)

**WESTERN AUSTRALIA**  
**ROAD TRAFFIC CODE 2000**  
**REGULATION 297(2)**  
**INSTRUMENT OF AUTHORISATION**

Pursuant to Regulation 297(2) of the Road Traffic Code 2000 the Commissioner of Main Roads ("the Commissioner") hereby authorises .....  
("Authorised Body") by itself, its employees, consultants, agents and contractors (together "Representatives") to, from the date indicated below, erect, establish, display, alter or take down such traffic signs and traffic control devices of whatsoever type or class (except for permanent traffic control signals) as may be required for the purpose and duration of any works, survey or inspection, associated with the construction, maintenance or repair on a road (other than a main road or highway), any adjoining land or any portion thereof within its jurisdiction, SUBJECT ALWAYS to the following terms and conditions:

- (a) the Authorised Body shall at all times observe, perform and comply with the provisions of the "Traffic Management for Works on Roads Code of Practice" (as amended or replaced from time to time in consultation with the Traffic Management for Roadworks Advisory Group) issued by Main Roads Western Australia ("the Code") referring to the version which is current at the time of the relevant works, a copy of which can be obtained from Main Roads Western Australia from [www.mainroads.wa.gov.au](http://www.mainroads.wa.gov.au) or by contacting Main Roads by phone;
- (b) the Authorised Body shall develop and implement procedures that will satisfy the Commissioner that traffic management implemented by the Authorised Body, its employees, agents and contractors will in all respects conform to and comply with the requirements of the Code; and
- (c) the Authorised Body shall ensure that its Representatives comply with the terms and conditions identified above at paragraphs (a) and (b) as if they were named in those paragraphs in place of the Authorised Body.

By executing and returning the acknowledgment at the foot of this authorisation, the Authorised Body agrees to observe, perform and comply with the above terms and conditions.

This Instrument of Authorisation replaces any prior Instrument of Authorisation under Regulation 297(2) of the Road Traffic Code 2000 between the Commissioner and the Authorised Body. The Commissioner's delegation dated 17 July 1975 to a number of Local Governments outside the Perth metropolitan area, is not affected by this Instrument of Authorisation except that this Instrument of Authorisation prevails wherever roadworks are concerned. That 1975 delegation was made under Regulation 301 of the Road Traffic Code 1975 and related to non-regulatory signage.



**Delegation Register**  
**City of Nedlands**

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Dated:

THE COMMON SEAL OF THE )  
COMMISSIONER OF MAIN ROADS )  
WAS AFFIXED BY )  
)  
)  
COMMISSIONER OF MAIN ROADS )  
FOR THE TIME BEING IN THE PRESENCE OF: )

\_\_\_\_\_  
Signature of Witness

\_\_\_\_\_  
Name of Witness

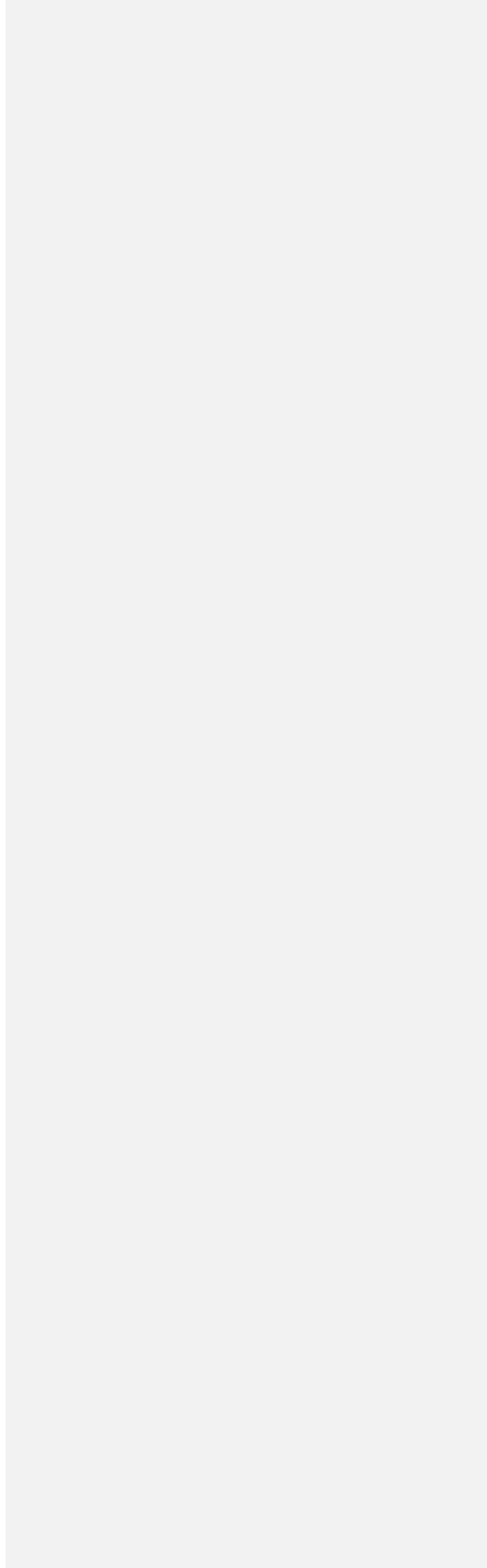
**ACKNOWLEDGMENT BY AUTHORISED BODY**

..... agrees to observe, perform and be  
bound by the above conditions.

THE COMMON SEAL OF THE )  
..... )  
WAS AFFIXED PURSUANT TO A RESOLUTION )  
OF THE COUNCIL IN THE PRESENCE OF )

\_\_\_\_\_  
Chief Executive Officer

\_\_\_\_\_  
Witness



**Delegation Register**  
City of Nedlands

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**10.4 Road Traffic (Vehicles) Act 2012**

**10.4.1 Approval for Certain Local Government Vehicles as Special Use Vehicles**



Government of Western Australia  
Department of Transport  
Driver and Vehicle Services

**ROAD TRAFFIC (VEHICLES) ACT 2012**

*Road Traffic (Vehicles) Regulations 2014*

**RTVR-2017-202046**

**APPROVAL UNDER REGULATION 327(4)(f) FOR CERTAIN LOCAL GOVERNMENT VEHICLES AS SPECIAL USE VEHICLES**

Pursuant to the *Road Traffic (Vehicles) Regulations 2014* (the *Regulations*), I, Christopher Davers, Assistant Director Strategy and Policy, Driver and Vehicle Services, Department of Transport, and delegate of the Chief Executive Officer of the Department of Transport by way of a delegation instrument dated 7 August 2017, hereby approve vehicles owned by a local government and ordinarily used by persons authorised or appointed by that local government to perform functions on its behalf under:

- (a) the *Local Government Act 1995*;
- (b) regulations made under the *Local Government Act 1995*;
- (c) a local law;
- (d) any other legislation empowering a local government to authorise or appoint persons to perform functions on the behalf of the local government (including but not limited to the *Dog Act 1976*), or
- (e) any combination of the above paragraphs (a) to (d);

as special use vehicles for the purposes of paragraph "f" of the definition of "special use vehicle" in regulation 327(4) of the *Regulations*, with the effect that those vehicles may be fitted with one or more yellow flashing lights under regulation 327(3)(b) of the *Regulations*, subject to the following conditions:

**CONDITIONS**

- 1. Those lights must emit rotating, flashing yellow coloured light(s) and must not be a strobe light.
- 2. At least one flashing light shall be mounted on top of the vehicle and when lit, shall be visible in normal daylight up to a distance of not less than 200 metres to vehicles approaching from any direction.
- 3. No part of the lens of the flashing lights is visible either directly or indirectly to the driver when seated in the normal driving position.
- 4. If more than one flashing light is fitted, they must be placed symmetrically about the centre line of the vehicle or combination of vehicles.
- 5. An on/off switch for the flashing lights must be installed so as to be easily operated from the driver's seat.
- 6. Any additional equipment fitted to the vehicle must not interfere with the overall safe operation of the vehicle.
- 7. Any vehicle fitted with flashing lights for the purposes of this approval must:

**Delegation Register**  
**City of Nedlands**

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Government of **Western Australia**  
Department of **Transport**  
**Driver and Vehicle Services**

- (a) have words clearly set out on the sides of the vehicle which state the name of the local government in question together with the words "Ranger", "Ranger Services", or words to similar unambiguous effect; and
- (b) where the vehicle is a station wagon or van, have the words "Ranger", "Ranger Services", or words to similar unambiguous effect clearly set out on the back of the vehicle.

This condition 7 is not intended to prevent the use of additional words on the vehicle.

Christopher Davers  
Assistant Director, Strategy and Policy  
Driver and Vehicle Services  
Department of Transport

Dated the 5<sup>th</sup> day of September 2017

[Approval for ranger vehicles to fit and use yellow flashing lights \(transport.wa.gov.au\)](http://transport.wa.gov.au)  
Extracted on line on 15 March 2021



## 20.2 CEO11.09.22 United Nations Sustainable Development Goals

<b>Meeting &amp; Date</b>	Council Meeting – 27 September 2022
<b>Applicant</b>	City of Nedlands
<b>Employee Disclosure under section 5.70 Local Government Act 1995</b>	Nil.
<b>Report Author</b>	Gemma Carlucci – Corporate Planning Officer
<b>CEO</b>	Bill Parker – Chief Executive Officer
<b>Attachments</b>	1. SDG Indicator Framework 2. Approaches by Other Local Governments

### Purpose

This report seeks Council’s approval for the City of Nedlands to become a signatory to the United Nations Sustainable Development Goals.

### Recommendation

That Council:

1. approve the City of Nedlands becoming a signatory of the United Nations Sustainable Development Goals (SDGs); and
2. commit the City to implementing the SDG’s aspirational (strategic) intent locally, by:
  - a. Strategic integration with the Integrated Planning and Reporting Framework (IPRF),
  - b. Proactive communications of the City of Nedlands’ commitment to sustainability and delivering of sustainable development outcomes, and
  - c. Continuous improvement and maturation of the City of Nedlands Corporate Reporting Framework to include and/or enhance localised sustainability targets, indicators and reporting.

### Voting Requirement

Simple majority.

## Background

Sustainability refers to preservation of environmental, social and economic resources. It ensures we (i.e., societies, governments, businesses, people and individuals) meet our needs currently without compromising the ability of future generations to meet their needs.

Sustainability, therefore, plays major role in local governments' strategic planning, and the translation of this strategic planning, into the services and projects delivered to communities now and into the future.

The United Nations (UN) Sustainable Development Goals (SDGs or the goals) provide a universal sustainability framework to guide sustainable development outcomes at all levels: global, national, local and regional.

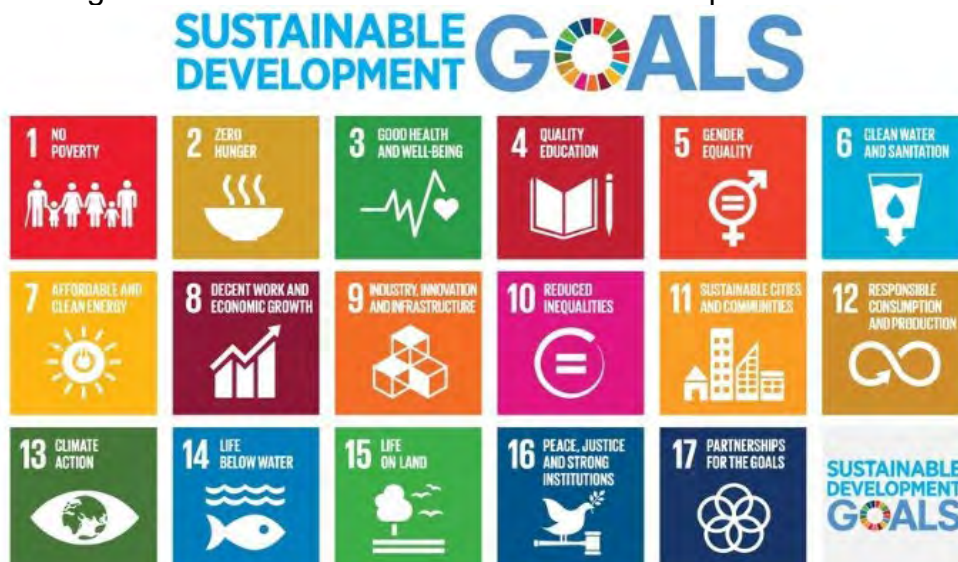
As all levels of government are accountable for ensuring sustainable development in their locality, local governments are generally encouraged by Federal and State Governments, and advocates of the UN such as the United Nations Association of Australia WA Division (UNAAWA), to sign up to the SDGs in a way that is strategically and operationally feasible.

This report therefore details how the City of Nedlands can, by signing up to the SDGs, commit to implementing their aspirational (strategic) intent locally, to help continue to provide for a sustainable future for the Nedlands community.

### United Nations Sustainable Development Goals

At a historical United Nations (UN) Summit held in 2015, world leaders adopted the 17 SDGs (see Figure 1) of the 2030 Agenda for Sustainable Development (2030 Agenda). These officially came into force globally on 1 January 2016.

Figure 1 – United Nations Sustainable Development Goals



The aspirational focus of the goals is to provide for a sustainable future holistically (i.e., our planet, communities, families and economies) by eradicating absolute poverty, whilst achieving economic growth, fulfilling social needs (i.e., education, health, social protection and job opportunities) and addressing climate change and environmental protection issues.

Each goal has associated targets and indicators to help guide implementation of strategies and practices which achieve sustainable development outcomes. In total, there are: 17 goals, 169 targets and 232 indicators (see Attachment 1 – SDG Indicator Framework).

To track the global implementation of the goals by 2030, countries are encouraged to establish national frameworks to monitor and review their progress towards implementing SDG targets and indicators. This is achieved through national monitoring and reporting, which is then fed into the [global framework and reporting](#), as well as through recognition of sustainable development outcomes.

### **Australia's Commitment & National Framework**

Australia was one of the 193 countries to sign up to the SDGs as a universal sustainability approach. Australia's commitment includes national monitoring and reporting implementation the relevant goals to feed into the [global framework and reporting](#), and a Voluntary National Review at least twice over the lifetime of the 2030 Agenda (Australia's first Voluntary National Review occurred in 2018). Currently, the Australia is ranked 38<sup>th</sup> out of 163 countries, with a score of 75.58 out of 100, representing its global performance score towards achieving the SDGs (see [global rankings](#) and [Australia's UN Country Profile](#)).

As Australia's monitoring and reporting consists of the consolidated efforts of governments, businesses, the education sector, civil society, communities and individuals, at regional, local, state and national levels, the Australian Government provides a [SDG Indicators Reporting Platform](#) (the reporting platform) for all Australian entities to utilise and help implement their commitment to the goals. The reporting platform can also be used to assist in the translation, or localisation (see definition below), of the SDG targets and indicators.

#### **What is Localisation?**

Localisation is the concept [and process] of adapting content or products to a specific market or locale. The aim of this process is to give something a localised look and feel of having been specifically created for a particular culture, language, or geographic location. Reference: [WiX Encyclopedia](#)

Example: SDG 2 Zero Hunger – Obesity is the flipside of hunger. Addressing obesity is just as relevant as addressing hunger in the local government context. Localisation may include targets addressing obesity. Reference: [City of Melbourne](#)

## **Discussion**

### **SDGs & local governments**

All levels of government are accountable for ensuring sustainable development outcomes. Therefore, sustainability considerations are likely to be already embedded within all governments' strategy and operations in some way.

However, local governments are generally encouraged by Federal and State Governments, and advocates of the UN such as the United Nations Association of Australia WA Division (UNAAWA), to sign up to the SDGs, at a minimum – through a commitment to their aspirational intent (a strategic commitment), as they provide a universal (shared) sustainability framework.



## **Strategic Commitment**

Signing up to an aspirational level of commitment (a strategic commitment) does not legally bind local governments to either the global or national frameworks. Therefore, there are no mandatory requirements to, for example:

- commit to all of the goals
- implement the goals
- meet the minimum agreed global and national targets, or
- comply with global and national monitoring and reporting process.

However, a strategic commitment, such as – for example – applying the goals as an overarching universal sustainability framework to inform all components for the Integrated Planning and Reporting Framework (IPRF), elevates the importance of sustainability considerations in local government strategic planning, and service and project delivery to the community. It can also highlight what local governments are potentially already doing locally, as providing sustainable development outcomes to the community now and into the future, is a key responsibility of local governments.

Furthermore, SDG targets and indicators can also help guide the development and/or enhance local governments' existing localised sustainability targets and indicators (i.e., waste management and reduction, financial sustainable service and project delivery etc.), in-line with national and global collaborative efforts in this area.

## **Higher Levels of Commitment**

If local governments were to, alternatively, sign up to the goals at higher level of commitment, such as – for example – committing to implementing all the goals and meeting agreed targets locally, and complying with global and national monitoring and reporting processes, this would require specific resourcing and more complex processes of localisation and measurement alignment to the national and global frameworks.

Higher levels of commitment therefore require resourcing (financial and workforce) and higher levels of service to manage the City's accountability for delivering this level of commitment.

See Attachment 2 for examples of other local government levels commitment to the SDGs. In Western Australia, local governments currently signed up to the goals have done so via a strategic commitment only at this point in time.

## **Sustainability & City of Nedlands**

The City of Nedlands has always applied a sustainability lens to its strategic planning and the delivery of services and projects to its community.

This is reflected in Council's previous sustainability efforts between 1999 and 2019 such as:

- the Local Agenda 21 Program – This involved the Council working with the community to create a more sustainable local environment, with specific focus on the areas of:

Natural Environment, Waste Management, Community Wellbeing, Built Environment, Transport and Energy Efficiency, and

- the Sustainable Nedlands Committee – A committee of Council.

Furthermore, the community's guiding vision, as articulated in the current Strategic Community Plan (SCP), states 'Our city will be an environmentally-sensitive, beautiful and inclusive place', therefore sets a sustainability premise for the strategic values (detailed below) which guide Council's decisions on behalf of the community.

### **Officer Comments**

Given the following (see below), it is recommended that the City of Nedlands become signatory to the SDGs and adopt the goals as a universal (shared) sustainability framework to help continue to provide a sustainable future for the Nedlands community:

1. that local governments are accountable for ensuring sustainable development outcomes generally,
2. the encouragement by State and Federal Governments, and UN advocates such as the UNAOWA, for local governments to commit to the SDGs,
3. the sustainability precedence set by the previous actions of Council/City of Nedlands,
4. the community's vision within the current SCP, and
5. other local governments (Attachment 2) approaches in adopting the SDGs as a universal (shared) sustainability framework.

To ensure this is done in way that is strategically and operationally feasible, it is proposed to phase integration of the goals as follows:

#### **Phase 1**

Commit to implementing the SDGs' aspirational (strategic) intent locally, through:

- integration with the IPRF,
- proactive communications of the City of Nedlands commitment to sustainability and delivering of sustainable development outcomes, and
- continuous improvement and maturation of the City of Nedlands Corporate Reporting Framework to include and/or enhance localised sustainability targets, indicators and reporting.

#### **Phase 2**

In-line with the SCP – Major Review, in four years (2026-27):

- review the integration progress to identify continuous improvement opportunities that strengthen delivery against the SDG's aspirational (strategic) intent, and

- investigate the feasibility and resourcing implications for active participation into the national reporting framework and/or facilitating a formal Voluntary Local Review process.

## Consultation

- Discussion Paper provided to Council and presented at the Concept Forum held on 16 August 2022,
- Dr Sandy Chong (President – UNAAWA),
- Representatives from Western Australian local governments including the City of Albany and Shires of Donnybrook Balingup & Bridgetown Greenbushes, and
- Desktop research (only) on the City of Melbourne’s approach.

## Strategic Implications

This item relates to the following elements from the City’s Strategic Community Plan.

**Vision** Our city will be an environmentally-sensitive, beautiful and inclusive place.

**Values** **Healthy and Safe**  
Our City has clean, safe neighbourhoods where public health is protected and promoted.

**Great Natural and Built Environment**

We protect our enhanced, engaging community spaces, heritage, the natural environment and our biodiversity through well-planned and managed development.

**High Standard of Services**

We have local services delivered to a high standard that take the needs of our diverse community into account.

**Great Governance and Civic Leadership**

We value our Council’s quality decision-making, effective and innovative leadership, transparency, accountability, equity, integrity and wise stewardship of the community’s assets and resources. We have an involved community and collaborate with others, valuing respectful debate and deliberation.

**Great Communities**

We enjoy places, events and facilities that bring people together. We are inclusive and connected, caring and support volunteers. We are strong for culture, arts, sport and recreation. We have protected amenity, respect our history and have strong community leadership.



### **Reflects Identities**

We value our precinct character and charm. Our neighbourhoods are family-friendly with a strong sense of place.

### **Great for Business**

Our City has a strong economic base with renowned Centres of Excellence and is attractive to entrepreneurs and start-ups.

### **Easy to Get Around**

We strive for our City to be easy to get around by preferred mode of travel, whether by car, public transport, cycle or foot.

## **Budget/Financial Implications**

There are no financial implications related to this report, as it is expected that implementation of the recommendations can be accommodated within existing resourcing (workforce and budget). Resourcing (workforce and budget) implications may result however, based on the outcomes of recommendation 3(b).

## **Legislative and Policy Implications**

- Section 5.56 of the [Local Government Act 1995](#) – Plan for the future of a district
- Regulation 19C of the [Local Government \(Administration\) Regulations 1996](#)

## **Decision Implications**

If Council were to sign up and commit to SDGs, the City of Nedlands will have an explicit universal (shared) sustainability framework to inform strategic planning, service and project delivery and decision-making, that is also aligned to national and global sustainability priorities.

If Council were not to sign up and commit to the SDGs, strategic planning, service and project delivery and decision-making will still be implicitly informed by sustainability principles however, in absence of a specific sustainability strategy, application of sustainability principles will be more ambiguous.

## **Conclusion**

Signing up and committing to the United Nations Sustainability Development Goals, as proposed in this report, builds on a sustainability foundation already set by the Council/City of Nedlands.

The goals can provide overarching strategic guidance as a universal (shared) sustainability framework for the City of Nedlands' Integrated Planning and Reporting Framework, which

can only enhance the City of Nedlands leadership in providing a sustainable future for the Nedlands' community.

This commitment also places the City of Nedlands in a position in which it is actively contributing to national and global agendas for ensuring a sustainable future holistically.

### **Further Information**

Nil.

## Global indicator framework for the Sustainable Development Goals and targets of the 2030 Agenda for Sustainable Development

Sustainable Development Goal indicators should be disaggregated, where relevant, by income, sex, age, race, ethnicity, migratory status, disability and geographic location, or other characteristics, in accordance with the Fundamental Principles of Official Statistics.<sup>1</sup>

*Goals and targets (from the 2030 Agenda for Sustainable Development)*

*Indicators*

### Goal 1. End poverty in all its forms everywhere

- |   |   |
|---|---|
| 1.1 By 2030, eradicate extreme poverty for all people everywhere, currently measured as people living on less than \$1.25 a day   | 1.1.1 Proportion of the population living below the international poverty line by sex, age, employment status and geographic location (urban/rural)   |
| 1.2 By 2030, reduce at least by half the proportion of men, women and children of all ages living in poverty in all its dimensions according to national definitions  | 1.2.1 Proportion of population living below the national poverty line, by sex and age<br><br>1.2.2 Proportion of men, women and children of all ages living in poverty in all its dimensions according to national definitions  |
| 1.3 Implement nationally appropriate social protection systems and measures for all, including floors, and by 2030 achieve substantial coverage of the poor and the vulnerable  | 1.3.1 Proportion of population covered by social protection floors/systems, by sex, distinguishing children, unemployed persons, older persons, persons with disabilities, pregnant women, newborns, work-injury victims and the poor and the vulnerable  |
| 1.4 By 2030, ensure that all men and women, in particular the poor and the vulnerable, have equal rights to economic resources, as well as access to basic services, ownership and control over land and other forms of property, inheritance, natural resources, appropriate new technology and financial services, including microfinance | 1.4.1 Proportion of population living in households with access to basic services<br><br>1.4.2 Proportion of total adult population with secure tenure rights to land, (a) with legally recognized documentation, and (b) who perceive their rights to land as secure, by sex and type of tenure  |
| 1.5 By 2030, build the resilience of the poor and those in vulnerable situations and reduce their exposure and vulnerability to climate-related extreme events and other economic, social and environmental shocks and disasters  | 1.5.1 Number of deaths, missing persons and directly affected persons attributed to disasters per 100,000 population<br><br>1.5.2 Direct economic loss attributed to disasters in relation to global gross domestic product (GDP)<br><br>1.5.3 Number of countries that adopt and implement national disaster risk reduction strategies in line with the Sendai Framework for Disaster Risk Reduction 2015–2030<br><br>1.5.4 Proportion of local governments that adopt and implement local disaster risk reduction strategies in line with national disaster risk reduction strategies |

<sup>1</sup> Resolution 68/261.

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*Goals and targets (from the 2030 Agenda for Sustainable Development)*

*Indicators*

1.a Ensure significant mobilization of resources from a variety of sources, including through enhanced development cooperation, in order to provide adequate and predictable means for developing countries, in particular least developed countries, to implement programmes and policies to end poverty in all its dimensions

1.a.1 Total official development assistance grants from all donors that focus on poverty reduction as a share of the recipient country's gross national income

1.a.2 Proportion of total government spending on essential services (education, health and social protection)

1.b Create sound policy frameworks at the national, regional and international levels, based on pro-poor and gender-sensitive development strategies, to support accelerated investment in poverty eradication actions

1.b.1 Pro-poor public social spending

## **Goal 2. End hunger, achieve food security and improved nutrition and promote sustainable agriculture**

2.1 By 2030, end hunger and ensure access by all people, in particular the poor and people in vulnerable situations, including infants, to safe, nutritious and sufficient food all year round

2.1.1 Prevalence of undernourishment

2.1.2 Prevalence of moderate or severe food insecurity in the population, based on the Food Insecurity Experience Scale (FIES)

2.2 By 2030, end all forms of malnutrition, including achieving, by 2025, the internationally agreed targets on stunting and wasting in children under 5 years of age, and address the nutritional needs of adolescent girls, pregnant and lactating women and older persons

2.2.1 Prevalence of stunting (height for age  $<-2$  standard deviation from the median of the World Health Organization (WHO) Child Growth Standards) among children under 5 years of age

2.2.2 Prevalence of malnutrition (weight for height  $>+2$  or  $<-2$  standard deviation from the median of the WHO Child Growth Standards) among children under 5 years of age, by type (wasting and overweight)

2.2.3 Prevalence of anaemia in women aged 15 to 49 years, by pregnancy status (percentage)

2.3 By 2030, double the agricultural productivity and incomes of small-scale food producers, in particular women, indigenous peoples, family farmers, pastoralists and fishers, including through secure and equal access to land, other productive resources and inputs, knowledge, financial services, markets and opportunities for value addition and non-farm employment

2.3.1 Volume of production per labour unit by classes of farming/pastoral/forestry enterprise size

2.3.2 Average income of small-scale food producers, by sex and indigenous status

2.4 By 2030, ensure sustainable food production systems and implement resilient agricultural practices that increase productivity and production, that help maintain ecosystems, that strengthen capacity for adaptation to climate change, extreme weather, drought, flooding and other disasters and that progressively improve land and soil quality

2.4.1 Proportion of agricultural area under productive and sustainable agriculture

2.5 By 2020, maintain the genetic diversity of seeds, cultivated plants and farmed and domesticated animals and their related wild species, including through soundly

2.5.1 Number of (a) plant and (b) animal genetic resources for food and agriculture secured in either medium- or long-term conservation facilities



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<i>Goals and targets (from the 2030 Agenda for Sustainable Development)</i>	<i>Indicators</i>
managed and diversified seed and plant banks at the national, regional and international levels, and promote access to and fair and equitable sharing of benefits arising from the utilization of genetic resources and associated traditional knowledge, as internationally agreed	2.5.2 Proportion of local breeds classified as being at risk of extinction
2.a Increase investment, including through enhanced international cooperation, in rural infrastructure, agricultural research and extension services, technology development and plant and livestock gene banks in order to enhance agricultural productive capacity in developing countries, in particular least developed countries	2.a.1 The agriculture orientation index for government expenditures 2.a.2 Total official flows (official development assistance plus other official flows) to the agriculture sector
2.b Correct and prevent trade restrictions and distortions in world agricultural markets, including through the parallel elimination of all forms of agricultural export subsidies and all export measures with equivalent effect, in accordance with the mandate of the Doha Development Round	2.b.1 Agricultural export subsidies
2.c Adopt measures to ensure the proper functioning of food commodity markets and their derivatives and facilitate timely access to market information, including on food reserves, in order to help limit extreme food price volatility	2.c.1 Indicator of food price anomalies
<b>Goal 3. Ensure healthy lives and promote well-being for all at all ages</b>	
3.1 By 2030, reduce the global maternal mortality ratio to less than 70 per 100,000 live births	3.1.1 Maternal mortality ratio 3.1.2 Proportion of births attended by skilled health personnel
3.2 By 2030, end preventable deaths of newborns and children under 5 years of age, with all countries aiming to reduce neonatal mortality to at least as low as 12 per 1,000 live births and under-5 mortality to at least as low as 25 per 1,000 live births	3.2.1 Under-5 mortality rate 3.2.2 Neonatal mortality rate
3.3 By 2030, end the epidemics of AIDS, tuberculosis, malaria and neglected tropical diseases and combat hepatitis, water-borne diseases and other communicable diseases	3.3.1 Number of new HIV infections per 1,000 uninfected population, by sex, age and key populations 3.3.2 Tuberculosis incidence per 100,000 population 3.3.3 Malaria incidence per 1,000 population 3.3.4 Hepatitis B incidence per 100,000 population 3.3.5 Number of people requiring interventions against neglected tropical diseases
3.4 By 2030, reduce by one third premature mortality from non-communicable diseases through prevention and treatment and promote mental health and well-being	3.4.1 Mortality rate attributed to cardiovascular disease, cancer, diabetes or chronic respiratory disease 3.4.2 Suicide mortality rate

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<i>Goals and targets (from the 2030 Agenda for Sustainable Development)</i>	<i>Indicators</i>
3.5 Strengthen the prevention and treatment of substance abuse, including narcotic drug abuse and harmful use of alcohol	3.5.1 Coverage of treatment interventions (pharmacological, psychosocial and rehabilitation and aftercare services) for substance use disorders  3.5.2 Alcohol per capita consumption (aged 15 years and older) within a calendar year in litres of pure alcohol
3.6 By 2020, halve the number of global deaths and injuries from road traffic accidents	3.6.1 Death rate due to road traffic injuries
3.7 By 2030, ensure universal access to sexual and reproductive health-care services, including for family planning, information and education, and the integration of reproductive health into national strategies and programmes	3.7.1 Proportion of women of reproductive age (aged 15–49 years) who have their need for family planning satisfied with modern methods  3.7.2 Adolescent birth rate (aged 10–14 years; aged 15–19 years) per 1,000 women in that age group
3.8 Achieve universal health coverage, including financial risk protection, access to quality essential health-care services and access to safe, effective, quality and affordable essential medicines and vaccines for all	3.8.1 Coverage of essential health services  3.8.2 Proportion of population with large household expenditures on health as a share of total household expenditure or income
3.9 By 2030, substantially reduce the number of deaths and illnesses from hazardous chemicals and air, water and soil pollution and contamination	3.9.1 Mortality rate attributed to household and ambient air pollution  3.9.2 Mortality rate attributed to unsafe water, unsafe sanitation and lack of hygiene (exposure to unsafe Water, Sanitation and Hygiene for All (WASH) services)  3.9.3 Mortality rate attributed to unintentional poisoning
3.a Strengthen the implementation of the World Health Organization Framework Convention on Tobacco Control in all countries, as appropriate	3.a.1 Age-standardized prevalence of current tobacco use among persons aged 15 years and older
3.b Support the research and development of vaccines and medicines for the communicable and non-communicable diseases that primarily affect developing countries, provide access to affordable essential medicines and vaccines, in accordance with the Doha Declaration on the TRIPS Agreement and Public Health, which affirms the right of developing countries to use to the full the provisions in the Agreement on Trade-Related Aspects of Intellectual Property Rights regarding flexibilities to protect public health, and, in particular, provide access to medicines for all	3.b.1 Proportion of the target population covered by all vaccines included in their national programme  3.b.2 Total net official development assistance to medical research and basic health sectors  3.b.3 Proportion of health facilities that have a core set of relevant essential medicines available and affordable on a sustainable basis

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<i>Goals and targets (from the 2030 Agenda for Sustainable Development)</i>	<i>Indicators</i>
3.c Substantially increase health financing and the recruitment, development, training and retention of the health workforce in developing countries, especially in least developed countries and small island developing States	3.c.1 Health worker density and distribution
3.d Strengthen the capacity of all countries, in particular developing countries, for early warning, risk reduction and management of national and global health risks	3.d.1 International Health Regulations (IHR) capacity and health emergency preparedness  3.d.2 Percentage of bloodstream infections due to selected antimicrobial-resistant organisms
<b>Goal 4. Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all</b>	
4.1 By 2030, ensure that all girls and boys complete free, equitable and quality primary and secondary education leading to relevant and effective learning outcomes	4.1.1 Proportion of children and young people (a) in grades 2/3; (b) at the end of primary; and (c) at the end of lower secondary achieving at least a minimum proficiency level in (i) reading and (ii) mathematics, by sex  4.1.2 Completion rate (primary education, lower secondary education, upper secondary education)
4.2 By 2030, ensure that all girls and boys have access to quality early childhood development, care and pre-primary education so that they are ready for primary education	4.2.1 Proportion of children aged 24–59 months who are developmentally on track in health, learning and psychosocial well-being, by sex  4.2.2 Participation rate in organized learning (one year before the official primary entry age), by sex
4.3 By 2030, ensure equal access for all women and men to affordable and quality technical, vocational and tertiary education, including university	4.3.1 Participation rate of youth and adults in formal and non-formal education and training in the previous 12 months, by sex
4.4 By 2030, substantially increase the number of youth and adults who have relevant skills, including technical and vocational skills, for employment, decent jobs and entrepreneurship	4.4.1 Proportion of youth and adults with information and communications technology (ICT) skills, by type of skill
4.5 By 2030, eliminate gender disparities in education and ensure equal access to all levels of education and vocational training for the vulnerable, including persons with disabilities, indigenous peoples and children in vulnerable situations	4.5.1 Parity indices (female/male, rural/urban, bottom/top wealth quintile and others such as disability status, indigenous peoples and conflict-affected, as data become available) for all education indicators on this list that can be disaggregated
4.6 By 2030, ensure that all youth and a substantial proportion of adults, both men and women, achieve literacy and numeracy	4.6.1 Proportion of population in a given age group achieving at least a fixed level of proficiency in functional (a) literacy and (b) numeracy skills, by sex

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*Goals and targets (from the 2030 Agenda for Sustainable Development)*

*Indicators*

4.7 By 2030, ensure that all learners acquire the knowledge and skills needed to promote sustainable development, including, among others, through education for sustainable development and sustainable lifestyles, human rights, gender equality, promotion of a culture of peace and non-violence, global citizenship and appreciation of cultural diversity and of culture's contribution to sustainable development

4.7.1 Extent to which (i) global citizenship education and (ii) education for sustainable development are mainstreamed in (a) national education policies; (b) curricula; (c) teacher education; and (d) student assessment

4.a Build and upgrade education facilities that are child, disability and gender sensitive and provide safe, non-violent, inclusive and effective learning environments for all

4.a.1 Proportion of schools offering basic services, by type of service

4.b By 2020, substantially expand globally the number of scholarships available to developing countries, in particular least developed countries, small island developing States and African countries, for enrolment in higher education, including vocational training and information and communications technology, technical, engineering and scientific programmes, in developed countries and other developing countries

4.b.1 Volume of official development assistance flows for scholarships by sector and type of study

4.c By 2030, substantially increase the supply of qualified teachers, including through international cooperation for teacher training in developing countries, especially least developed countries and small island developing States

4.c.1 Proportion of teachers with the minimum required qualifications, by education level

### **Goal 5. Achieve gender equality and empower all women and girls**

5.1 End all forms of discrimination against all women and girls everywhere

5.1.1 Whether or not legal frameworks are in place to promote, enforce and monitor equality and non-discrimination on the basis of sex

5.2 Eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation

5.2.1 Proportion of ever-partnered women and girls aged 15 years and older subjected to physical, sexual or psychological violence by a current or former intimate partner in the previous 12 months, by form of violence and by age

5.2.2 Proportion of women and girls aged 15 years and older subjected to sexual violence by persons other than an intimate partner in the previous 12 months, by age and place of occurrence

5.3 Eliminate all harmful practices, such as child, early and forced marriage and female genital mutilation

5.3.1 Proportion of women aged 20–24 years who were married or in a union before age 15 and before age 18

5.3.2 Proportion of girls and women aged 15–49 years who have undergone female genital mutilation/cutting, by age



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<i>Goals and targets (from the 2030 Agenda for Sustainable Development)</i>	<i>Indicators</i>
5.4 Recognize and value unpaid care and domestic work through the provision of public services, infrastructure and social protection policies and the promotion of shared responsibility within the household and the family as nationally appropriate	5.4.1 Proportion of time spent on unpaid domestic and care work, by sex, age and location
5.5 Ensure women's full and effective participation and equal opportunities for leadership at all levels of decision-making in political, economic and public life	5.5.1 Proportion of seats held by women in (a) national parliaments and (b) local governments 5.5.2 Proportion of women in managerial positions
5.6 Ensure universal access to sexual and reproductive health and reproductive rights as agreed in accordance with the Programme of Action of the International Conference on Population and Development and the Beijing Platform for Action and the outcome documents of their review conferences	5.6.1 Proportion of women aged 15–49 years who make their own informed decisions regarding sexual relations, contraceptive use and reproductive health care 5.6.2 Number of countries with laws and regulations that guarantee full and equal access to women and men aged 15 years and older to sexual and reproductive health care, information and education
5.a Undertake reforms to give women equal rights to economic resources, as well as access to ownership and control over land and other forms of property, financial services, inheritance and natural resources, in accordance with national laws	5.a.1 (a) Proportion of total agricultural population with ownership or secure rights over agricultural land, by sex; and (b) share of women among owners or rights-bearers of agricultural land, by type of tenure 5.a.2 Proportion of countries where the legal framework (including customary law) guarantees women's equal rights to land ownership and/or control
5.b Enhance the use of enabling technology, in particular information and communications technology, to promote the empowerment of women	5.b.1 Proportion of individuals who own a mobile telephone, by sex
5.c Adopt and strengthen sound policies and enforceable legislation for the promotion of gender equality and the empowerment of all women and girls at all levels	5.c.1 Proportion of countries with systems to track and make public allocations for gender equality and women's empowerment
<b>Goal 6. Ensure availability and sustainable management of water and sanitation for all</b>	
6.1 By 2030, achieve universal and equitable access to safe and affordable drinking water for all	6.1.1 Proportion of population using safely managed drinking water services
6.2 By 2030, achieve access to adequate and equitable sanitation and hygiene for all and end open defecation, paying special attention to the needs of women and girls and those in vulnerable situations	6.2.1 Proportion of population using (a) safely managed sanitation services and (b) a hand-washing facility with soap and water

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<i>Goals and targets (from the 2030 Agenda for Sustainable Development)</i>	<i>Indicators</i>
6.3 By 2030, improve water quality by reducing pollution, eliminating dumping and minimizing release of hazardous chemicals and materials, halving the proportion of untreated wastewater and substantially increasing recycling and safe reuse globally	6.3.1 Proportion of domestic and industrial wastewater flows safely treated 6.3.2 Proportion of bodies of water with good ambient water quality
6.4 By 2030, substantially increase water-use efficiency across all sectors and ensure sustainable withdrawals and supply of freshwater to address water scarcity and substantially reduce the number of people suffering from water scarcity	6.4.1 Change in water-use efficiency over time 6.4.2 Level of water stress: freshwater withdrawal as a proportion of available freshwater resources
6.5 By 2030, implement integrated water resources management at all levels, including through transboundary cooperation as appropriate	6.5.1 Degree of integrated water resources management 6.5.2 Proportion of transboundary basin area with an operational arrangement for water cooperation
6.6 By 2020, protect and restore water-related ecosystems, including mountains, forests, wetlands, rivers, aquifers and lakes	6.6.1 Change in the extent of water-related ecosystems over time
6.a By 2030, expand international cooperation and capacity-building support to developing countries in water- and sanitation-related activities and programmes, including water harvesting, desalination, water efficiency, wastewater treatment, recycling and reuse technologies	6.a.1 Amount of water- and sanitation-related official development assistance that is part of a government-coordinated spending plan
6.b Support and strengthen the participation of local communities in improving water and sanitation management	6.b.1 Proportion of local administrative units with established and operational policies and procedures for participation of local communities in water and sanitation management
<b>Goal 7. Ensure access to affordable, reliable, sustainable and modern energy for all</b>	
7.1 By 2030, ensure universal access to affordable, reliable and modern energy services	7.1.1 Proportion of population with access to electricity 7.1.2 Proportion of population with primary reliance on clean fuels and technology
7.2 By 2030, increase substantially the share of renewable energy in the global energy mix	7.2.1 Renewable energy share in the total final energy consumption
7.3 By 2030, double the global rate of improvement in energy efficiency	7.3.1 Energy intensity measured in terms of primary energy and GDP
7.a By 2030, enhance international cooperation to facilitate access to clean energy research and technology, including renewable energy, energy efficiency and advanced and cleaner fossil-fuel technology, and promote investment in energy infrastructure and clean energy technology	7.a.1 International financial flows to developing countries in support of clean energy research and development and renewable energy production, including in hybrid systems

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7.b By 2030, expand infrastructure and upgrade technology for supplying modern and sustainable energy services for all in developing countries, in particular least developed countries, small island developing States and landlocked developing countries, in accordance with their respective programmes of support

7.b.1 Installed renewable energy-generating capacity in developing countries (in watts per capita)

**Goal 8. Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all**

8.1 Sustain per capita economic growth in accordance with national circumstances and, in particular, at least 7 per cent gross domestic product growth per annum in the least developed countries

8.1.1 Annual growth rate of real GDP per capita

8.2 Achieve higher levels of economic productivity through diversification, technological upgrading and innovation, including through a focus on high-value added and labour-intensive sectors

8.2.1 Annual growth rate of real GDP per employed person

8.3 Promote development-oriented policies that support productive activities, decent job creation, entrepreneurship, creativity and innovation, and encourage the formalization and growth of micro-, small- and medium-sized enterprises, including through access to financial services

8.3.1 Proportion of informal employment in total employment, by sector and sex

8.4 Improve progressively, through 2030, global resource efficiency in consumption and production and endeavour to decouple economic growth from environmental degradation, in accordance with the 10-Year Framework of Programmes on Sustainable Consumption and Production, with developed countries taking the lead

8.4.1 Material footprint, material footprint per capita, and material footprint per GDP

8.4.2 Domestic material consumption, domestic material consumption per capita, and domestic material consumption per GDP

8.5 By 2030, achieve full and productive employment and decent work for all women and men, including for young people and persons with disabilities, and equal pay for work of equal value

8.5.1 Average hourly earnings of employees, by sex, age, occupation and persons with disabilities

8.5.2 Unemployment rate, by sex, age and persons with disabilities

8.6 By 2020, substantially reduce the proportion of youth not in employment, education or training

8.6.1 Proportion of youth (aged 15–24 years) not in education, employment or training

8.7 Take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms

8.7.1 Proportion and number of children aged 5–17 years engaged in child labour, by sex and age

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<i>Goals and targets (from the 2030 Agenda for Sustainable Development)</i>	<i>Indicators</i>
8.8 Protect labour rights and promote safe and secure working environments for all workers, including migrant workers, in particular women migrants, and those in precarious employment	8.8.1 Fatal and non-fatal occupational injuries per 100,000 workers, by sex and migrant status 8.8.2 Level of national compliance with labour rights (freedom of association and collective bargaining) based on International Labour Organization (ILO) textual sources and national legislation, by sex and migrant status
8.9 By 2030, devise and implement policies to promote sustainable tourism that creates jobs and promotes local culture and products	8.9.1 Tourism direct GDP as a proportion of total GDP and in growth rate
8.10 Strengthen the capacity of domestic financial institutions to encourage and expand access to banking, insurance and financial services for all	8.10.1 (a) Number of commercial bank branches per 100,000 adults and (b) number of automated teller machines (ATMs) per 100,000 adults 8.10.2 Proportion of adults (15 years and older) with an account at a bank or other financial institution or with a mobile-money-service provider
8.a Increase Aid for Trade support for developing countries, in particular least developed countries, including through the Enhanced Integrated Framework for Trade-related Technical Assistance to Least Developed Countries	8.a.1 Aid for Trade commitments and disbursements
8.b By 2020, develop and operationalize a global strategy for youth employment and implement the Global Jobs Pact of the International Labour Organization	8.b.1 Existence of a developed and operationalized national strategy for youth employment, as a distinct strategy or as part of a national employment strategy
<b>Goal 9. Build resilient infrastructure, promote inclusive and sustainable industrialization and foster innovation</b>	
9.1 Develop quality, reliable, sustainable and resilient infrastructure, including regional and transborder infrastructure, to support economic development and human well-being, with a focus on affordable and equitable access for all	9.1.1 Proportion of the rural population who live within 2 km of an all-season road 9.1.2 Passenger and freight volumes, by mode of transport
9.2 Promote inclusive and sustainable industrialization and, by 2030, significantly raise industry's share of employment and gross domestic product, in line with national circumstances, and double its share in least developed countries	9.2.1 Manufacturing value added as a proportion of GDP and per capita 9.2.2 Manufacturing employment as a proportion of total employment
9.3 Increase the access of small-scale industrial and other enterprises, in particular in developing countries, to financial services, including affordable credit, and their integration into value chains and markets	9.3.1 Proportion of small-scale industries in total industry value added 9.3.2 Proportion of small-scale industries with a loan or line of credit



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<i>Goals and targets (from the 2030 Agenda for Sustainable Development)</i>	<i>Indicators</i>
9.4 By 2030, upgrade infrastructure and retrofit industries to make them sustainable, with increased resource-use efficiency and greater adoption of clean and environmentally sound technologies and industrial processes, with all countries taking action in accordance with their respective capabilities	9.4.1 CO <sub>2</sub> emission per unit of value added
9.5 Enhance scientific research, upgrade the technological capabilities of industrial sectors in all countries, in particular developing countries, including, by 2030, encouraging innovation and substantially increasing the number of research and development workers per 1 million people and public and private research and development spending	9.5.1 Research and development expenditure as a proportion of GDP 9.5.2 Researchers (in full-time equivalent) per million inhabitants
9.a Facilitate sustainable and resilient infrastructure development in developing countries through enhanced financial, technological and technical support to African countries, least developed countries, landlocked developing countries and small island developing States	9.a.1 Total official international support (official development assistance plus other official flows) to infrastructure
9.b Support domestic technology development, research and innovation in developing countries, including by ensuring a conducive policy environment for, inter alia, industrial diversification and value addition to commodities	9.b.1 Proportion of medium and high-tech industry value added in total value added
9.c Significantly increase access to information and communications technology and strive to provide universal and affordable access to the Internet in least developed countries by 2020	9.c.1 Proportion of population covered by a mobile network, by technology
<b>Goal 10. Reduce inequality within and among countries</b>	
10.1 By 2030, progressively achieve and sustain income growth of the bottom 40 per cent of the population at a rate higher than the national average	10.1.1 Growth rates of household expenditure or income per capita among the bottom 40 per cent of the population and the total population
10.2 By 2030, empower and promote the social, economic and political inclusion of all, irrespective of age, sex, disability, race, ethnicity, origin, religion or economic or other status	10.2.1 Proportion of people living below 50 per cent of median income, by sex, age and persons with disabilities
10.3 Ensure equal opportunity and reduce inequalities of outcome, including by eliminating discriminatory laws, policies and practices and promoting appropriate legislation, policies and action in this regard	10.3.1 Proportion of population reporting having personally felt discriminated against or harassed in the previous 12 months on the basis of a ground of discrimination prohibited under international human rights law
10.4 Adopt policies, especially fiscal, wage and social protection policies, and progressively achieve greater equality	10.4.1 Labour share of GDP 10.4.2 Redistributive impact of fiscal policy <sup>2</sup>

<sup>2</sup> The Gini Coefficient will be reported as a second series in the database, as it is a component of this indicator.

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10.5 Improve the regulation and monitoring of global financial markets and institutions and strengthen the implementation of such regulations

10.5.1 Financial Soundness Indicators

10.6 Ensure enhanced representation and voice for developing countries in decision-making in global international economic and financial institutions in order to deliver more effective, credible, accountable and legitimate institutions

10.6.1 Proportion of members and voting rights of developing countries in international organizations

10.7 Facilitate orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies

10.7.1 Recruitment cost borne by employee as a proportion of monthly income earned in country of destination

10.7.2 Number of countries with migration policies that facilitate orderly, safe, regular and responsible migration and mobility of people

10.7.3 Number of people who died or disappeared in the process of migration towards an international destination

10.7.4 Proportion of the population who are refugees, by country of origin

10.a Implement the principle of special and differential treatment for developing countries, in particular least developed countries, in accordance with World Trade Organization agreements

10.a.1 Proportion of tariff lines applied to imports from least developed countries and developing countries with zero-tariff

10.b Encourage official development assistance and financial flows, including foreign direct investment, to States where the need is greatest, in particular least developed countries, African countries, small island developing States and landlocked developing countries, in accordance with their national plans and programmes

10.b.1 Total resource flows for development, by recipient and donor countries and type of flow (e.g. official development assistance, foreign direct investment and other flows)

10.c By 2030, reduce to less than 3 per cent the transaction costs of migrant remittances and eliminate remittance corridors with costs higher than 5 per cent

10.c.1 Remittance costs as a proportion of the amount remitted

### **Goal 11. Make cities and human settlements inclusive, safe, resilient and sustainable**

11.1 By 2030, ensure access for all to adequate, safe and affordable housing and basic services and upgrade slums

11.1.1 Proportion of urban population living in slums, informal settlements or inadequate housing

11.2 By 2030, provide access to safe, affordable, accessible and sustainable transport systems for all, improving road safety, notably by expanding public transport, with special attention to the needs of those in vulnerable situations, women, children, persons with disabilities and older persons

11.2.1 Proportion of population that has convenient access to public transport, by sex, age and persons with disabilities

11.3 By 2030, enhance inclusive and sustainable urbanization and capacity for participatory, integrated and

11.3.1 Ratio of land consumption rate to population growth rate

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<i>Goals and targets (from the 2030 Agenda for Sustainable Development)</i>	<i>Indicators</i>
sustainable human settlement planning and management in all countries	11.3.2 Proportion of cities with a direct participation structure of civil society in urban planning and management that operate regularly and democratically
11.4 Strengthen efforts to protect and safeguard the world's cultural and natural heritage	11.4.1 Total per capita expenditure on the preservation, protection and conservation of all cultural and natural heritage, by source of funding (public, private), type of heritage (cultural, natural) and level of government (national, regional, and local/municipal)
11.5 By 2030, significantly reduce the number of deaths and the number of people affected and substantially decrease the direct economic losses relative to global gross domestic product caused by disasters, including water-related disasters, with a focus on protecting the poor and people in vulnerable situations	11.5.1 Number of deaths, missing persons and directly affected persons attributed to disasters per 100,000 population  11.5.2 Direct economic loss attributed to disasters in relation to global gross domestic product (GDP)  11.5.3 (a) Damage to critical infrastructure and (b) number of disruptions to basic services, attributed to disasters
11.6 By 2030, reduce the adverse per capita environmental impact of cities, including by paying special attention to air quality and municipal and other waste management	11.6.1 Proportion of municipal solid waste collected and managed in controlled facilities out of total municipal waste generated, by cities  11.6.2 Annual mean levels of fine particulate matter (e.g. PM2.5 and PM10) in cities (population weighted)
11.7 By 2030, provide universal access to safe, inclusive and accessible, green and public spaces, in particular for women and children, older persons and persons with disabilities	11.7.1 Average share of the built-up area of cities that is open space for public use for all, by sex, age and persons with disabilities  11.7.2 Proportion of persons victim of physical or sexual harassment, by sex, age, disability status and place of occurrence, in the previous 12 months
11.a Support positive economic, social and environmental links between urban, peri-urban and rural areas by strengthening national and regional development planning	11.a.1 Number of countries that have national urban policies or regional development plans that (a) respond to population dynamics; (b) ensure balanced territorial development; and (c) increase local fiscal space
11.b By 2020, substantially increase the number of cities and human settlements adopting and implementing integrated policies and plans towards inclusion, resource efficiency, mitigation and adaptation to climate change, resilience to disasters, and develop and implement, in line with the Sendai Framework for Disaster Risk Reduction 2015–2030, holistic disaster risk management at all levels	11.b.1 Number of countries that adopt and implement national disaster risk reduction strategies in line with the Sendai Framework for Disaster Risk Reduction 2015–2030  11.b.2 Proportion of local governments that adopt and implement local disaster risk reduction strategies in line with national disaster risk reduction strategies
11.c Support least developed countries, including through financial and technical assistance, in building sustainable and resilient buildings utilizing local materials	<i>No suitable replacement indicator was proposed. The global statistical community is encouraged to work to develop an indicator that could be proposed for the 2025 comprehensive review. See E/CN.3/2020/2, paragraph 23</i>

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## Goal 12. Ensure sustainable consumption and production patterns

<p>12.1 Implement the 10-Year Framework of Programmes on Sustainable Consumption and Production Patterns, all countries taking action, with developed countries taking the lead, taking into account the development and capabilities of developing countries</p>	<p>12.1.1 Number of countries developing, adopting or implementing policy instruments aimed at supporting the shift to sustainable consumption and production</p>
<p>12.2 By 2030, achieve the sustainable management and efficient use of natural resources</p>	<p>12.2.1 Material footprint, material footprint per capita, and material footprint per GDP</p> <p>12.2.2 Domestic material consumption, domestic material consumption per capita, and domestic material consumption per GDP</p>
<p>12.3 By 2030, halve per capita global food waste at the retail and consumer levels and reduce food losses along production and supply chains, including post-harvest losses</p>	<p>12.3.1 (a) Food loss index and (b) food waste index</p>
<p>12.4 By 2020, achieve the environmentally sound management of chemicals and all wastes throughout their life cycle, in accordance with agreed international frameworks, and significantly reduce their release to air, water and soil in order to minimize their adverse impacts on human health and the environment</p>	<p>12.4.1 Number of parties to international multilateral environmental agreements on hazardous waste, and other chemicals that meet their commitments and obligations in transmitting information as required by each relevant agreement</p> <p>12.4.2 (a) Hazardous waste generated per capita; and (b) proportion of hazardous waste treated, by type of treatment</p>
<p>12.5 By 2030, substantially reduce waste generation through prevention, reduction, recycling and reuse</p>	<p>12.5.1 National recycling rate, tons of material recycled</p>
<p>12.6 Encourage companies, especially large and transnational companies, to adopt sustainable practices and to integrate sustainability information into their reporting cycle</p>	<p>12.6.1 Number of companies publishing sustainability reports</p>
<p>12.7 Promote public procurement practices that are sustainable, in accordance with national policies and priorities</p>	<p>12.7.1 Number of countries implementing sustainable public procurement policies and action plans<sup>3</sup></p>
<p>12.8 By 2030, ensure that people everywhere have the relevant information and awareness for sustainable development and lifestyles in harmony with nature</p>	<p>12.8.1 Extent to which (i) global citizenship education and (ii) education for sustainable development are mainstreamed in (a) national education policies; (b) curricula; (c) teacher education; and (d) student assessment</p>
<p>12.a Support developing countries to strengthen their scientific and technological capacity to move towards more sustainable patterns of consumption and production</p>	<p>12.a.1 Installed renewable energy-generating capacity in developing countries (in watts per capita)</p>

<sup>3</sup> Refinement of the indicator name approved in the interim by the Inter-agency and Expert Group on SDG Indicators and pending final approval by the 54th session of the Statistical Commission in March 2023.



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<i>Goals and targets (from the 2030 Agenda for Sustainable Development)</i>	<i>Indicators</i>
12.b Develop and implement tools to monitor sustainable development impacts for sustainable tourism that creates jobs and promotes local culture and products	12.b.1 Implementation of standard accounting tools to monitor the economic and environmental aspects of tourism sustainability
12.c Rationalize inefficient fossil-fuel subsidies that encourage wasteful consumption by removing market distortions, in accordance with national circumstances, including by restructuring taxation and phasing out those harmful subsidies, where they exist, to reflect their environmental impacts, taking fully into account the specific needs and conditions of developing countries and minimizing the possible adverse impacts on their development in a manner that protects the poor and the affected communities	12.c.1 Amount of fossil-fuel subsidies (production and consumption) per unit of GDP
<b>Goal 13. Take urgent action to combat climate change and its impacts<sup>4</sup></b>	
13.1 Strengthen resilience and adaptive capacity to climate-related hazards and natural disasters in all countries	13.1.1 Number of deaths, missing persons and directly affected persons attributed to disasters per 100,000 population  13.1.2 Number of countries that adopt and implement national disaster risk reduction strategies in line with the Sendai Framework for Disaster Risk Reduction 2015–2030  13.1.3 Proportion of local governments that adopt and implement local disaster risk reduction strategies in line with national disaster risk reduction strategies
13.2 Integrate climate change measures into national policies, strategies and planning	13.2.1 Number of countries with nationally determined contributions, long-term strategies, national adaptation plans and adaptation communications, as reported to the secretariat of the United Nations Framework Convention on Climate Change  13.2.2 Total greenhouse gas emissions per year
13.3 Improve education, awareness-raising and human and institutional capacity on climate change mitigation, adaptation, impact reduction and early warning	13.3.1 Extent to which (i) global citizenship education and (ii) education for sustainable development are mainstreamed in (a) national education policies; (b) curricula; (c) teacher education; and (d) student assessment

<sup>4</sup> Acknowledging that the United Nations Framework Convention on Climate Change is the primary international, intergovernmental forum for negotiating the global response to climate change.

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<i>Goals and targets (from the 2030 Agenda for Sustainable Development)</i>	<i>Indicators</i>
13.a Implement the commitment undertaken by developed-country parties to the United Nations Framework Convention on Climate Change to a goal of mobilizing jointly \$100 billion annually by 2020 from all sources to address the needs of developing countries in the context of meaningful mitigation actions and transparency on implementation and fully operationalize the Green Climate Fund through its capitalization as soon as possible	13.a.1 Amounts provided and mobilized in United States dollars per year in relation to the continued existing collective mobilization goal of the \$100 billion commitment through to 2025
13.b Promote mechanisms for raising capacity for effective climate change-related planning and management in least developed countries and small island developing States, including focusing on women, youth and local and marginalized communities	13.b.1 Number of least developed countries and small island developing States with nationally determined contributions, long-term strategies, national adaptation plans and adaptation communications, as reported to the secretariat of the United Nations Framework Convention on Climate Change
<b>Goal 14. Conserve and sustainably use the oceans, seas and marine resources for sustainable development</b>	
14.1 By 2025, prevent and significantly reduce marine pollution of all kinds, in particular from land-based activities, including marine debris and nutrient pollution	14.1.1 (a) Index of coastal eutrophication; and (b) plastic debris density
14.2 By 2020, sustainably manage and protect marine and coastal ecosystems to avoid significant adverse impacts, including by strengthening their resilience, and take action for their restoration in order to achieve healthy and productive oceans	14.2.1 Number of countries using ecosystem-based approaches to managing marine areas
14.3 Minimize and address the impacts of ocean acidification, including through enhanced scientific cooperation at all levels	14.3.1 Average marine acidity (pH) measured at agreed suite of representative sampling stations
14.4 By 2020, effectively regulate harvesting and end overfishing, illegal, unreported and unregulated fishing and destructive fishing practices and implement science-based management plans, in order to restore fish stocks in the shortest time feasible, at least to levels that can produce maximum sustainable yield as determined by their biological characteristics	14.4.1 Proportion of fish stocks within biologically sustainable levels
14.5 By 2020, conserve at least 10 per cent of coastal and marine areas, consistent with national and international law and based on the best available scientific information	14.5.1 Coverage of protected areas in relation to marine areas

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<i>Goals and targets (from the 2030 Agenda for Sustainable Development)</i>	<i>Indicators</i>
14.6 By 2020, prohibit certain forms of fisheries subsidies which contribute to overcapacity and overfishing, eliminate subsidies that contribute to illegal, unreported and unregulated fishing and refrain from introducing new such subsidies, recognizing that appropriate and effective special and differential treatment for developing and least developed countries should be an integral part of the World Trade Organization fisheries subsidies negotiation <sup>5</sup>	14.6.1 Degree of implementation of international instruments aiming to combat illegal, unreported and unregulated fishing
14.7 By 2030, increase the economic benefits to small island developing States and least developed countries from the sustainable use of marine resources, including through sustainable management of fisheries, aquaculture and tourism	14.7.1 Sustainable fisheries as a proportion of GDP in small island developing States, least developed countries and all countries
14.a Increase scientific knowledge, develop research capacity and transfer marine technology, taking into account the Intergovernmental Oceanographic Commission Criteria and Guidelines on the Transfer of Marine Technology, in order to improve ocean health and to enhance the contribution of marine biodiversity to the development of developing countries, in particular small island developing States and least developed countries	14.a.1 Proportion of total research budget allocated to research in the field of marine technology
14.b Provide access for small-scale artisanal fishers to marine resources and markets	14.b.1 Degree of application of a legal/regulatory/policy/institutional framework which recognizes and protects access rights for small-scale fisheries
14.c Enhance the conservation and sustainable use of oceans and their resources by implementing international law as reflected in the United Nations Convention on the Law of the Sea, which provides the legal framework for the conservation and sustainable use of oceans and their resources, as recalled in paragraph 158 of “The future we want”	14.c.1 Number of countries making progress in ratifying, accepting and implementing through legal, policy and institutional frameworks, ocean-related instruments that implement international law, as reflected in the United Nations Convention on the Law of the Sea, for the conservation and sustainable use of the oceans and their resources
<b>Goal 15. Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss</b>	
15.1 By 2020, ensure the conservation, restoration and sustainable use of terrestrial and inland freshwater ecosystems and their services, in particular forests, wetlands, mountains and drylands, in line with obligations under international agreements	15.1.1 Forest area as a proportion of total land area 15.1.2 Proportion of important sites for terrestrial and freshwater biodiversity that are covered by protected areas, by ecosystem type

<sup>5</sup> Taking into account ongoing World Trade Organization negotiations, the Doha Development Agenda and the Hong Kong ministerial mandate.

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<i>Goals and targets (from the 2030 Agenda for Sustainable Development)</i>	<i>Indicators</i>
15.2 By 2020, promote the implementation of sustainable management of all types of forests, halt deforestation, restore degraded forests and substantially increase afforestation and reforestation globally	15.2.1 Progress towards sustainable forest management
15.3 By 2030, combat desertification, restore degraded land and soil, including land affected by desertification, drought and floods, and strive to achieve a land degradation-neutral world	15.3.1 Proportion of land that is degraded over total land area
15.4 By 2030, ensure the conservation of mountain ecosystems, including their biodiversity, in order to enhance their capacity to provide benefits that are essential for sustainable development	15.4.1 Coverage by protected areas of important sites for mountain biodiversity 15.4.2 Mountain Green Cover Index
15.5 Take urgent and significant action to reduce the degradation of natural habitats, halt the loss of biodiversity and, by 2020, protect and prevent the extinction of threatened species	15.5.1 Red List Index
15.6 Promote fair and equitable sharing of the benefits arising from the utilization of genetic resources and promote appropriate access to such resources, as internationally agreed	15.6.1 Number of countries that have adopted legislative, administrative and policy frameworks to ensure fair and equitable sharing of benefits
15.7 Take urgent action to end poaching and trafficking of protected species of flora and fauna and address both demand and supply of illegal wildlife products	15.7.1 Proportion of traded wildlife that was poached or illicitly trafficked
15.8 By 2020, introduce measures to prevent the introduction and significantly reduce the impact of invasive alien species on land and water ecosystems and control or eradicate the priority species	15.8.1 Proportion of countries adopting relevant national legislation and adequately resourcing the prevention or control of invasive alien species
15.9 By 2020, integrate ecosystem and biodiversity values into national and local planning, development processes, poverty reduction strategies and accounts	15.9.1 (a) Number of countries that have established national targets in accordance with or similar to Aichi Biodiversity Target 2 of the Strategic Plan for Biodiversity 2011–2020 in their national biodiversity strategy and action plans and the progress reported towards these targets; and (b) integration of biodiversity into national accounting and reporting systems, defined as implementation of the System of Environmental-Economic Accounting
15.a Mobilize and significantly increase financial resources from all sources to conserve and sustainably use biodiversity and ecosystems	15.a.1 (a) Official development assistance on conservation and sustainable use of biodiversity; and (b) revenue generated and finance mobilized from biodiversity-relevant economic instruments



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<i>Goals and targets (from the 2030 Agenda for Sustainable Development)</i>	<i>Indicators</i>
15.b Mobilize significant resources from all sources and at all levels to finance sustainable forest management and provide adequate incentives to developing countries to advance such management, including for conservation and reforestation	15.b.1 (a) Official development assistance on conservation and sustainable use of biodiversity; and (b) revenue generated and finance mobilized from biodiversity-relevant economic instruments
15.c Enhance global support for efforts to combat poaching and trafficking of protected species, including by increasing the capacity of local communities to pursue sustainable livelihood opportunities	15.c.1 Proportion of traded wildlife that was poached or illicitly trafficked
<b>Goal 16. Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels</b>	
16.1 Significantly reduce all forms of violence and related death rates everywhere	16.1.1 Number of victims of intentional homicide per 100,000 population, by sex and age  16.1.2 Conflict-related deaths per 100,000 population, by sex, age and cause  16.1.3 Proportion of population subjected to (a) physical violence, (b) psychological violence and (c) sexual violence in the previous 12 months  16.1.4 Proportion of population that feel safe walking alone around the area they live after dark
16.2 End abuse, exploitation, trafficking and all forms of violence against and torture of children	16.2.1 Proportion of children aged 1–17 years who experienced any physical punishment and/or psychological aggression by caregivers in the past month  16.2.2 Number of victims of human trafficking per 100,000 population, by sex, age and form of exploitation  16.2.3 Proportion of young women and men aged 18–29 years who experienced sexual violence by age 18
16.3 Promote the rule of law at the national and international levels and ensure equal access to justice for all	16.3.1 Proportion of victims of violence in the previous 12 months who reported their victimization to competent authorities or other officially recognized conflict resolution mechanisms  16.3.2 Unsentenced detainees as a proportion of overall prison population  16.3.3 Proportion of the population who have experienced a dispute in the past two years and who accessed a formal or informal dispute resolution mechanism, by type of mechanism  16.4.1 Total value of inward and outward illicit financial flows (in current United States dollars)

A/RES/71/313  
 E/CN.3/2018/2  
 E/CN.3/2019/2  
 E/CN.3/2020/2  
 E/CN.3/2021/2  
 E/CN.3/2022/2

<i>Goals and targets (from the 2030 Agenda for Sustainable Development)</i>	<i>Indicators</i>
16.4 By 2030, significantly reduce illicit financial and arms flows, strengthen the recovery and return of stolen assets and combat all forms of organized crime	16.4.2 Proportion of seized, found or surrendered arms whose illicit origin or context has been traced or established by a competent authority in line with international instruments
16.5 Substantially reduce corruption and bribery in all their forms	16.5.1 Proportion of persons who had at least one contact with a public official and who paid a bribe to a public official, or were asked for a bribe by those public officials, during the previous 12 months  16.5.2 Proportion of businesses that had at least one contact with a public official and that paid a bribe to a public official, or were asked for a bribe by those public officials during the previous 12 months
16.6 Develop effective, accountable and transparent institutions at all levels	16.6.1 Primary government expenditures as a proportion of original approved budget, by sector (or by budget codes or similar)  16.6.2 Proportion of population satisfied with their last experience of public services
16.7 Ensure responsive, inclusive, participatory and representative decision-making at all levels	16.7.1 Proportions of positions in national and local institutions, including (a) the legislatures; (b) the public service; and (c) the judiciary, compared to national distributions, by sex, age, persons with disabilities and population groups  16.7.2 Proportion of population who believe decision-making is inclusive and responsive, by sex, age, disability and population group
16.8 Broaden and strengthen the participation of developing countries in the institutions of global governance	16.8.1 Proportion of members and voting rights of developing countries in international organizations
16.9 By 2030, provide legal identity for all, including birth registration	16.9.1 Proportion of children under 5 years of age whose births have been registered with a civil authority, by age
16.10 Ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements	16.10.1 Number of verified cases of killing, kidnapping, enforced disappearance, arbitrary detention and torture of journalists, associated media personnel, trade unionists and human rights advocates in the previous 12 months  16.10.2 Number of countries that adopt and implement constitutional, statutory and/or policy guarantees for public access to information
16.a Strengthen relevant national institutions, including through international cooperation, for building capacity at all levels, in particular in developing countries, to prevent violence and combat terrorism and crime	16.a.1 Existence of independent national human rights institutions in compliance with the Paris Principles

A/RES/71/313  
 E/CN.3/2018/2  
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 E/CN.3/2020/2  
 E/CN.3/2021/2  
 E/CN.3/2022/2

*Goals and targets (from the 2030 Agenda for Sustainable Development)*

*Indicators*

16.b Promote and enforce non-discriminatory laws and policies for sustainable development

16.b.1 Proportion of population reporting having personally felt discriminated against or harassed in the previous 12 months on the basis of a ground of discrimination prohibited under international human rights law

## **Goal 17. Strengthen the means of implementation and revitalize the Global Partnership for Sustainable Development**

### **Finance**

17.1 Strengthen domestic resource mobilization, including through international support to developing countries, to improve domestic capacity for tax and other revenue collection

17.1.1 Total government revenue as a proportion of GDP, by source

17.1.2 Proportion of domestic budget funded by domestic taxes

17.2 Developed countries to implement fully their official development assistance commitments, including the commitment by many developed countries to achieve the target of 0.7 per cent of gross national income for official development assistance (ODA/GNI) to developing countries and 0.15 to 0.20 per cent of ODA/GNI to least developed countries; ODA providers are encouraged to consider setting a target to provide at least 0.20 per cent of ODA/GNI to least developed countries

17.2.1 Net official development assistance, total and to least developed countries, as a proportion of the Organization for Economic Cooperation and Development (OECD) Development Assistance Committee donors' gross national income (GNI)

17.3 Mobilize additional financial resources for developing countries from multiple sources

17.3.1 Additional financial resources mobilized for developing countries from multiple sources

17.3.2 Volume of remittances (in United States dollars) as a proportion of total GDP

17.4 Assist developing countries in attaining long-term debt sustainability through coordinated policies aimed at fostering debt financing, debt relief and debt restructuring, as appropriate, and address the external debt of highly indebted poor countries to reduce debt distress

17.4.1 Debt service as a proportion of exports of goods and services

17.5 Adopt and implement investment promotion regimes for least developed countries

17.5.1 Number of countries that adopt and implement investment promotion regimes for developing countries, including the least developed countries

### **Technology**

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 E/CN.3/2018/2  
 E/CN.3/2019/2  
 E/CN.3/2020/2  
 E/CN.3/2021/2  
 E/CN.3/2022/2

<i>Goals and targets (from the 2030 Agenda for Sustainable Development)</i>	<i>Indicators</i>
17.6 Enhance North-South, South-South and triangular regional and international cooperation on and access to science, technology and innovation and enhance knowledge-sharing on mutually agreed terms, including through improved coordination among existing mechanisms, in particular at the United Nations level, and through a global technology facilitation mechanism	17.6.1 Fixed Internet broadband subscriptions per 100 inhabitants, by speed <sup>6</sup>
17.7 Promote the development, transfer, dissemination and diffusion of environmentally sound technologies to developing countries on favourable terms, including on concessional and preferential terms, as mutually agreed	17.7.1 Total amount of funding for developing countries to promote the development, transfer, dissemination and diffusion of environmentally sound technologies
17.8 Fully operationalize the technology bank and science, technology and innovation capacity-building mechanism for least developed countries by 2017 and enhance the use of enabling technology, in particular information and communications technology	17.8.1 Proportion of individuals using the Internet
<b>Capacity-building</b>	
17.9 Enhance international support for implementing effective and targeted capacity-building in developing countries to support national plans to implement all the Sustainable Development Goals, including through North-South, South-South and triangular cooperation	17.9.1 Dollar value of financial and technical assistance (including through North-South, South-South and triangular cooperation) committed to developing countries
<b>Trade</b>	
17.10 Promote a universal, rules-based, open, non-discriminatory and equitable multilateral trading system under the World Trade Organization, including through the conclusion of negotiations under its Doha Development Agenda	17.10.1 Worldwide weighted tariff-average
17.11 Significantly increase the exports of developing countries, in particular with a view to doubling the least developed countries' share of global exports by 2020	17.11.1 Developing countries' and least developed countries' share of global exports
17.12 Realize timely implementation of duty-free and quota-free market access on a lasting basis for all least developed countries, consistent with World Trade Organization decisions, including by ensuring that preferential rules of origin applicable to imports from least developed countries are transparent and simple, and contribute to facilitating market access	17.12.1 Weighted average tariffs faced by developing countries, least developed countries and small island developing States
<b>Systemic issues</b>	
<i>Policy and institutional coherence</i>	

<sup>6</sup> The current indicator 17.6.1 was previously listed as 17.6.2



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 E/CN.3/2020/2  
 E/CN.3/2021/2  
 E/CN.3/2022/2

<i>Goals and targets (from the 2030 Agenda for Sustainable Development)</i>	<i>Indicators</i>
17.13 Enhance global macroeconomic stability, including through policy coordination and policy coherence	17.13.1 Macroeconomic Dashboard
17.14 Enhance policy coherence for sustainable development	17.14.1 Number of countries with mechanisms in place to enhance policy coherence of sustainable development
17.15 Respect each country's policy space and leadership to establish and implement policies for poverty eradication and sustainable development	17.15.1 Extent of use of country-owned results frameworks and planning tools by providers of development cooperation
<i>Multi-stakeholder partnerships</i>	
17.16 Enhance the Global Partnership for Sustainable Development, complemented by multi-stakeholder partnerships that mobilize and share knowledge, expertise, technology and financial resources, to support the achievement of the Sustainable Development Goals in all countries, in particular developing countries	17.16.1 Number of countries reporting progress in multi-stakeholder development effectiveness monitoring frameworks that support the achievement of the Sustainable Development Goals
17.17 Encourage and promote effective public, public-private and civil society partnerships, building on the experience and resourcing strategies of partnerships	17.17.1 Amount in United States dollars committed to public-private partnerships for infrastructure
<i>Data, monitoring and accountability</i>	
17.18 By 2020, enhance capacity-building support to developing countries, including for least developed countries and small island developing States, to increase significantly the availability of high-quality, timely and reliable data disaggregated by income, gender, age, race, ethnicity, migratory status, disability, geographic location and other characteristics relevant in national contexts	17.18.1 Statistical capacity indicator for Sustainable Development Goal monitoring
	17.18.2 Number of countries that have national statistical legislation that complies with the Fundamental Principles of Official Statistics
	17.18.3 Number of countries with a national statistical plan that is fully funded and under implementation, by source of funding
17.19 By 2030, build on existing initiatives to develop measurements of progress on sustainable development that complement gross domestic product, and support statistical capacity-building in developing countries	17.19.1 Dollar value of all resources made available to strengthen statistical capacity in developing countries
	17.19.2 Proportion of countries that (a) have conducted at least one population and housing census in the last 10 years; and (b) have achieved 100 per cent birth registration and 80 per cent death registration

## Other Local Governments Approaches

### Strategic Commitments

#### City of Albany & Shires of Donnybrook Balingup & Bridgetown Greenbushes

These local governments acknowledge Australia’s commitment to the Sustainable Development Goals (SDGs or the goals) and strategically commit to the goals locally by applying them as an overarching sustainability framework to their Integrated Planning and Reporting Framework (IPRF) (see Figure A below).

Figure A – Extract from City of Albany’s Strategic Community Plan demonstrating its commitment to the SDGs by Strategic Pillars



For example, they demonstrate within their Strategic Community Plans (SCP) and Corporate Business Plans (CBP) the goals that are aligned to their local objectives and outcomes (see Figure B below), and furthermore, use them to inform the development and review of localised sustainability objectives, outcomes and measures.

Figure B – Extract from City of Albany’s SCP demonstrating Objectives & Outcomes alignment with the SDGs

Outcomes	Objectives	
1 A diverse and inclusive community.	1.1 Provide facilities and services to meet the needs of families and young children. 1.2 Provide and promote services and programs that positively engage with and develop young people (12-25 years). 1.3 Provide and promote services and programs that support independence, connection, and quality of life for older people. 1.4 Improve access and inclusion for people with disability. 1.5 Grow recognition and respect for local Indigenous cultures.	

### Monitoring & Reporting

Given that these local government are at an infancy maturity with their Corporate Reporting Framework (corporate reporting), they do not commit to reporting into the national reporting framework.

## City of Swan

The City of Swan (the City) acknowledges Australia's commitment to the SDGs and commits to the goals by applying them as an overarching sustainability framework to its IPRF. The goals inform, for example, the City's leading role in sustainability, and the development and review of localised sustainability objectives, outcomes and measures (see Figure C below).

Figure C – Extract from City of Swan's SCP demonstrating its commitment to the SDGs & Sustainability

### Sustainability and the Strategic Community Plan

Our SCP contributes towards global goals set out by the United Nations. The Sustainable Development Goals are a set of 17 global goals and are the blueprint to achieve a better and more sustainable future for all.

#### 1. NO POVERTY

End poverty in all its forms everywhere



**THE CITY'S ROLE**  
City of Swan residents experience a relatively low level of disadvantage and the City recognises its role in working in partnership with other levels of government and the not-for-profit sector to improve the health and social outcomes of our vulnerable communities.

**KEY RESULT AREA**  
Social

#### 2. ZERO HUNGER

End hunger, achieve food security and improved nutrition and promote sustainable agriculture



**THE CITY'S ROLE**  
The City works in partnership with other levels of government, the not-for-profit sector, community groups and individuals to support emergency relief programs. The City recognises its supporting role in promoting food security.

**KEY RESULT AREA**  
Social and Economic

#### 3. GOOD HEALTH AND WELL-BEING

Ensure healthy lives and promote health and well-being for all at all ages

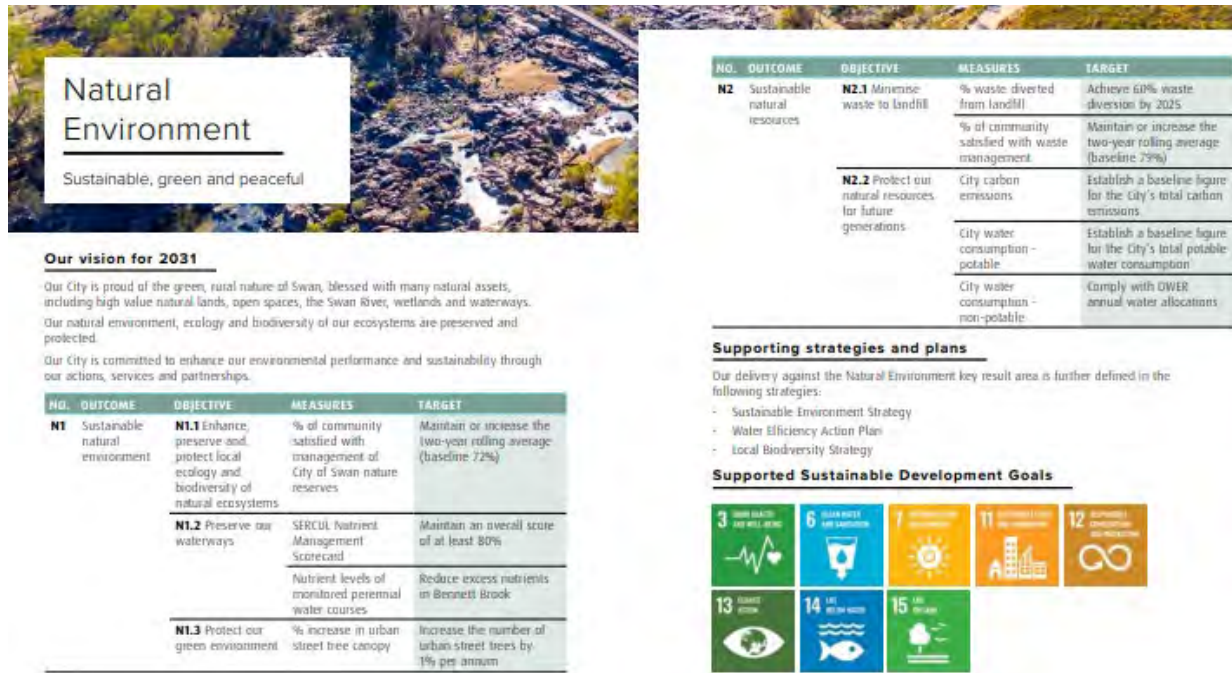


**THE CITY'S ROLE**  
The City is active in promoting community health and wellbeing through the direct delivery of leisure services, youth and community programs and activities, and community care services for our older residents. The City recognises its role in working with other levels of government and the not-for-profit sector to improve the health and wellbeing of our community.

**KEY RESULT AREA**  
Social, Built Environment, Natural Environment and Economic

They also demonstrate its strategic commitment by articulating within its SCP and CBs, the goals that are aligned to their local objectives and outcomes within Key Result Areas (see Figure D below).

Figure D – Extract from City of Swan’s SCP demonstrating Objectives & Outcomes aligned to specific SDGs for the Key Result Area – Natural Environment



**Monitoring & Reporting**

The City is at a higher maturity with its Corporate Reporting Framework (corporate reporting) and has established, and continuously improving, monitoring and reporting in place which includes localised indicators and targets set by its Sustainability Strategy. The City does not report into the national reporting framework as part of its commitment to the goals.



**Higher Level of Commitment**

**City of Melbourne**

The City of Melbourne (the City) acknowledges Australia’s commitment to the SDGs and demonstrates its commitment by also integrating the goals into its strategic planning framework. Its approach, however, has been more proactive, phased over time, resourced and collaborative – in partnership with leading local universities, for example.

Desktop Assessment

The City firstly conducted a desktop assessment in 2017 (see Figure E below) to determine how its strategies and plans currently deliver against the SDGs. This process determined that all the SDGs were aligned to the City’s strategies and plans, as well as opportunities to further strengthen delivery against key SDGs. Value was also acknowledged regarding the practical global reference point the SDGs provide in thinking holistically about sustainable development and providing a common language to engage and communicate with stakeholders and the community.

*Figure E – Extract from City of Melbourne Desktop Assessment*

A CITY THAT CARES FOR ITS ENVIRONMENT		
Strategy / Plan	SDGs the Council is delivering on	SDGs that could be used better / drive deeper action
<p><b><u>Zero Net Emissions Strategy by 2020</u></b></p> <p>Supporting strategies and plans:</p> <ul style="list-style-type: none"> <li>• <a href="#">Zero Net Emissions Implementation Plan 2014-2020</a></li> <li>• <a href="#">Council Carbon Neutral Strategy 2012-2020</a></li> <li>• <a href="#">Emissions Reduction Plan 2016 – 2021</a></li> <li>• <a href="#">Public Lighting Strategy 2013</a></li> </ul>		

Strategic Integration – Planning, Monitoring & Reporting

Since the desktop assessment, the City has taken the lead in the local government sector, by integrating the SDGs into its strategic planning framework (see Figure F below), and developing localised data and reporting for both annual corporate planning and the national reporting framework.

Furthermore in 2022, in collaboration with the Melbourne Centre for Cities at the University of Melbourne and the Monash Sustainable Development Institute at Monash University, the City produced its first [Voluntary Local Review](#) to demonstrate its progress against the SDGs (based on the example set by the City New York).

The City of Melbourne’s approach is considered highly mature, and its success assisted by considered implementation planning, resourcing (i.e., workforce and budget) and partnerships with leading local universities.

Figure F – City of Melbourne Strategic Planning Framework



## 21. Reports from the Workforce Plan Implementation Committee

### 21.1 WPIC01.09.22 Workforce Plan Implementation Committee Terms of Reference

<b>Meeting &amp; Date</b>	Workforce Plan Implementation Committee Meeting - 22 August 2022 Council Meeting – 27 September 2022
<b>Applicant</b>	City of Nedlands
<b>Employee Disclosure under section 5.70 Local Government Act 1995</b>	Nil.
<b>Report Author</b>	Bill Parker – Chief Executive Officer
<b>CEO</b>	Bill Parker – Chief Executive Officer
<b>Attachments</b>	1. Consultant Brief

#### Purpose

The purpose of this report is for Council to consider a recommendation from the Workforce Plan Implementation Committee regarding a Terms of Reference and a Brief to engage an appropriately skilled and qualified consultant to undertake phase two of the organisational review.

#### Committee Recommendation to Council

##### That Council:

1. approves the terms of reference for the Workforce Plan Implementation Committee as per below:

##### Terms of Reference

##### Purpose

This Committee is established by Council in accordance with section 5.8 of the *Local Government Act 1995* to oversee the implementation of the City of Nedlands Workforce Plan.

##### Scope

1. To consider and approve the Workforce Plan Implementation Strategy and Tasks;
2. To work with the Administration to determine the additional information required for effective implementation, and the extra resources required, if any.

3. To approve the brief for an external consultant, if required, to facilitate the Implementation Strategy.
4. To recommend to Council, based on the City's consultation process with the different stakeholders and benchmarking, what discretionary services should be provided by the City, and at what service levels, together with the cost-benefit analysis of such services.
5. To submit to Council recommendations for changes to the adopted Workforce Plan, if any, by 30 April 2023.
6. To collaborate with the CEO Performance Review Committee to ensure effective development of KRAs, goals, measures, and targets.

#### **Membership**

1. The membership of the committee shall comprise the Mayor, four Councillors (one Councillor from each ward). as voting members and the Chief Executive Officer as a non-voting member.
2. Councillors will be determined by nomination and if necessary, a ballot conducted at a Council Meeting.
3. Council may if it considers it appropriate, appoint deputies to the members of the committee.
4. Deputy members are only required to attend and vote if the primary member is absent, an apology or on leave or has resigned.
5. If a vacancy on the committee occurs for whatever reason, then Council shall appoint a replacement in accordance with the same arrangements as for the original appointment.

#### **Staff**

Other staff may attend committee meetings when requested by the Committee through the Chief Executive Officer.

#### **Meetings**

1. The Workforce Plan Implementation Committee operates under the City of Nedlands Standing Orders Local Law.
2. The Committee shall have flexibility in relation to when it needs to meet, but as a minimum shall meet bimonthly (every 2 months). It is the responsibility of the presiding member to call the meetings of the committee.



2. **notes the consultant brief as per attachment 1 to engage an appropriately skilled and qualified consultant to undertake phase two of the organisational review subject to under “3 Preparation of financial information which sets out the impact of adopting the draft Workforce Plan on the City’s future financial circumstances”:**
  - a. **add a clause c. Identify services that are newly required and transitional; and**
  - b. **add a clause d. Identify services that could be outsourced.**

## Recommendation to Committee

That the Workforce Plan Implementation Committee:

1. approves the terms of reference for the Workforce Plan Implementation Committee as per below:

### Terms of Reference

#### Purpose

This Committee is established by Council in accordance with section 5.8 of the *Local Government Act 1995* to oversee the implementation of the City of Nedlands Workforce Plan.

#### Scope

1. To consider and approve the brief for the organisational review (phase 2);
2. To evaluate the responses to the request for the provision of organisational review services (Stage 2) and to select a preferred consultant;
3. To consider the draft organisational review (Stage 2) and make a recommendation to Council on the adoption of the organisational review (Stage 2);
4. Collaborate with the CEO Performance Review Committee to ensure effective development of KRAs, goals, measures and targets.

#### Membership

1. The membership of the committee shall comprise the Mayor, four Councillors (one Councillor from each ward). as voting members and the Chief Executive Officer as a non-voting member.
2. Councillors will be determined by nomination and if necessary, a ballot conducted at a Council Meeting.

3. Council may if it considers it appropriate, appoint deputies to the members of the committee.
4. Deputy members are only required to attend and vote if the primary member is absent, on apology or on leave or has resigned.
5. If a vacancy on the committee occurs for whatever reason, then Council shall appoint a replacement in accordance with the same arrangements as for the original appointment.

#### Staff

Other staff may attend committee meetings when requested by the Committee through the Chief Executive Officer.

#### Meetings

1. The Workforce Plan Implementation Committee operates under the City of Nedlands Standing Orders Local Law.
  2. The Committee shall have flexibility in relation to when it needs to meet, but as a minimum shall meet bimonthly (every 2 months). It is the responsibility of the presiding member to call the meetings of the committee.
2. endorses the consultant brief as per attachment 1 to engage an appropriately skilled and qualified consultant to undertake phase two of the organisational review.

### **Voting Requirement**

Simple Majority.

### **Background**

On 26<sup>th</sup> July 2022, Council resolved to receive the Organisational Review and adopt the Workforce Plan. Additionally, Council resolved to establish a Workforce Plan Implementation Committee, appoint committee members and undertake further tasks. The further tasks include:

- An analysis of the actual workload in each section compared with staffing numbers in each section including benchmarking against at least 2 similar Local Governments
- An explanation and justification for the FTE levels within the draft Workforce Plan being preferred to the FTE levels consistent with the industry benchmarks identified in the Organisational Review
- The preparation of financial information which sets out the impact of adopting the draft Workforce Plan on the City's future financial circumstances

In response to this Council decision, a meeting of the Workforce Plan Implementation Committee was convened.

The Committee's recommendation regarding a terms of reference and a Brief to engage an appropriately skilled and qualified consultant to undertake phase two of the organisational review is presented to Council for consideration.

## Discussion

### Terms of Reference

The Terms of Reference endorsed by the Committee state that the Committee will:

1. To consider and approve the Workforce Plan Implementation Strategy and Tasks;
2. To work with the Administration to determine the additional information required for effective implementation, and the extra resources required, if any.
3. To approve the brief for an external consultant, if required, to facilitate the Implementation Strategy.
4. To recommend to Council, based on the City's consultation process with the different stakeholders and benchmarking, what discretionary services should be provided by the City, and at what service levels, together with the cost-benefit analysis of such services.
5. To submit to Council recommendations for changes to the adopted Workforce Plan, if any, by 30 April 2023.
6. To collaborate with the CEO Performance Review Committee to ensure effective development of KRAs, goals, measures, and targets.

### Consultant Brief

In preparing the brief, the City of Nedlands has attempted to take the various elements of the Council resolution and translate these into deliverables for the successful consultant. The translation has been outlined below:

**1. An analysis of the actual workload in each section compared with staffing numbers in each section**

Phase 1: In addition to a workload assessment, the City has also added the identification of service levels within each service area. The reason for doing so is that service levels are easily comparable across local governments.

**2. Explanation and justification for the FTE levels within the draft Workforce Plan being preferred to the FTE levels consistent with the industry benchmarks identified in the Organisational Review**

Phase 2: The City has requested that the consultant identify the total number of FTE the City can accommodate based on benchmarking within the Australasian Local Government Performance Excellence Program and other sources.

**3. Preparation of financial information which sets out the impact of adopting the draft Workforce Plan on the City's future financial circumstances**

Phase 3 and 4: The City has requested the consultant propose an organisational structure based on the benchmarking in Phase 2. The proposed structure must:

- a. Identify service level reductions
- b. Identify services that will no longer be provided
- c. Identify services that are newly required and transitional; and
- d. Identify services that could be outsourced.

The final task is for a cost benefit analysis in each instance whereby the discontinuation or reduced levels of service are proposed.

## Consultation

No consultation has occurred.

## Strategic Implications

This item relates to the following elements from the City's Strategic Community Plan.

**Vision** Our city will be an environmentally-sensitive, beautiful and inclusive place.

**Values** **High standard of services**  
We have local services delivered to a high standard that take the needs of our diverse community into account.

## Budget/Financial Implications

Until such time that the City has undertaken a procurement process, the cost of the consultancy is unknown.

## Legislative and Policy Implications

There are no legislative or policy implications that relate to this item.

## Decision Implications

If Council endorses the Terms of Reference and the brief, the City will commence a procurement process.

If Council does not endorse the Terms of Reference and the brief, the City will amend and resubmit both documents for consideration by the Committee.



## **Conclusion**

Council has resolved to undertake a further organisational review. This item seeks to endorse a Terms of Reference and brief to appoint a suitably experience and qualified consultant to undertake the task (if required).

## **Further Information**

Nil.

## Organisational Review – Stage 2

### Activities and deliverables

#### Phase 1: Service level identification

The Consultant will be required to identify current service levels within each service area and benchmark these levels against two (2) comparable local governments. This initial assessment would include an analysis of the workload in each service area.

#### Phase 2: Australasian Local Government Performance Excellence Program

Identify the total number of FTE the City can accommodate based on benchmarking within the Australasian Local Government Performance Excellence Program (e.g. salary and wages = 40% of operating costs)

#### Phase 3: Organisational Structure (Committee Decision Point)

Propose an organisational structure based on the benchmarking in Phase 2. The proposed structure must:

- a. Identify service level reductions
- b. Identify services that will no longer be provided

#### Phase 4: Cost Benefit Analysis (Committee Decision Point)

A cost benefit analysis will be required for the discontinuation of any service or where it is proposed that service levels will be significantly reduced.

#### Phase 5: Workforce Plan

To ensure that the review is implemented, the final deliverable will be for the consultant to update the Workforce Plan ahead of the 2023/24 budget.

**22. Council Members Notice of Motions of Which Previous Notice Has Been Given**

This item will be dealt with at the Ordinary Council Meeting.

**23. Urgent Business Approved By the Presiding Member or By Decision**

This item will be dealt with at the Ordinary Council Meeting.

**24. Confidential Items**

Confidential items to be discussed at this point.

**25. Declaration of Closure**

There being no further business, the Presiding Member will declare the meeting closed.