



City of Nedlands

# ***Minutes***

## ***Council Meeting***

***17 December 2019***

### **Attention**

**These Minutes are subject to confirmation.**

Prior to acting on any resolution of the Council contained in these minutes, a check should be made of the Ordinary Meeting of Council following this meeting to ensure that there has not been a correction made to any resolution.

## Table of Contents

Declaration of Opening .....	4
Present and Apologies and Leave of Absence (Previously Approved) .....	4
1. Public Question Time .....	5
1.1 Mrs Robyn Hancock, 66 Kingsway, Nedlands .....	5
1.2 Ms Bronwyn Stuckey, 26 Kingsway, Nedlands .....	5
2. Addresses by Members of the Public.....	6
3. Requests for Leave of Absence .....	7
4. Petitions .....	7
5. Disclosures of Financial Interest .....	7
6. Disclosures of Interests Affecting Impartiality.....	7
6.1 Councillor McManus – CM07.19 - Defibrillator Mt Claremont Community Centre.....	8
7. Declarations by Members That They Have Not Given Due Consideration to Papers.....	8
8. Confirmation of Minutes .....	8
8.1 Special Council Meeting 5 November 2019 .....	8
8.2 Ordinary Council Meeting 26 November 2019 .....	8
9. Announcements of the Presiding Member without discussion .....	8
10. Members announcements without discussion.....	9
10.1 Councillor Smyth – Meetings and Events Attended December 2019 .....	9
11. Matters for Which the Meeting May Be Closed .....	10
12. Divisional reports and minutes of Council committees and administrative liaison working groups.....	11
12.1 Minutes of Council Committees .....	11
12.2 Planning & Development Report No's PD48.19 to PD56.19 (copy attached) .....	12
PD48.19 No. 3 Circe Circle, Dalkeith – Additions to a Single House (Carport and Primary Street Fencing) .....	12
PD49.19 No. 2 Burwood Street, Nedlands – Additions to a Single House (Ancillary Dwelling and Carport) .....	15
PD50.19 No. 85 Clifton St, Nedlands – Change of Use (Residential to Short Term Accommodation, Holiday House) .....	18
PD51.19 No. 7 Nidjalla Loop, Swanbourne – Additions to a Single House (Privacy Screen) .....	21
PD52.19 Local Planning Scheme 3 - Local Planning Policy - Residential Development: Single and Grouped Dwellings .....	23
PD53.19 Local Planning Scheme 3 – Local Planning Policy Waste Management and Guidelines .....	25
PD54.19 Local Planning Scheme 3 – Residential Aged Care Facilities .....	26
PD55.19 Mt Claremont North-East Structure Plan Investigation.....	27
PD56.19 Local Planning Scheme 3 – Local Planning Policy Waratah Village Laneway Requirements.....	28
12.3 Technical Services Report No's TS24.19 (copy attached) .....	29
TS24.19 Montgomery Avenue – Leaning Wall .....	29

12.4	Community & Organisational Development Report No's CM07.19 to CM09.19 (copy attached) .....	31
CM07.19	Defibrillator Mt Claremont Community Centre.....	31
CM08.19	Shared Satellite Depot at Nedlands Golf Club .....	32
CM09.19	Jo Wheatley All Abilities Play Space Food Trucks .....	33
12.5	Corporate & Strategy Report No's CPS20.19 (copy attached) .....	34
CPS20.19	List of Accounts Paid – October 2019.....	34
13.	Reports by the Chief Executive Officer .....	35
13.1	Common Seal Register Report – November 2019.....	35
13.2	List of Delegated Authorities – November 2019.....	37
13.3	Options for Advancing Smart Cities .....	45
13.4	Monthly Financial Report – November 2019 .....	54
13.5	Monthly Investment Report – November 2019.....	59
13.6	Annual Review of the City of Nedlands Register of Delegations .....	62
13.7	Council Policies.....	66
13.8	101 Monash Street, Nedlands – Additions to Hospital Comprising Wards, Emergency Department and Associated Hospital Facilities.....	72
13.9	RFT 201920.03 – Nedlands Foreshore Riverwall Restoration Stage 3A.....	78
14.	Elected Members Notices of Motions of Which Previous Notice Has Been Given.....	87
14.1	Councillor Hay – Street Tree.....	87
14.2	Mayor de Lacy – Public Art .....	89
15.	Elected members notices of motion given at the meeting for consideration at the following ordinary meeting on 25 February 2020.....	93
15.1	Councillor Hodsdon – Weed Control.....	93
16.	Urgent Business Approved By the Presiding Member or By Decision .....	96
16.1	Councillor Smyth – Design Review Panel.....	96
16.2	Councillor Bennett – Nedlands Foreshore Riverwall.....	99
16.3	Councillor Mangano – Safe Active Tree Trial.....	101
17.	Confidential Items .....	104
	Declaration of Closure .....	104

## City of Nedlands

### Minutes of an Ordinary Meeting of Council held in the Council Chambers, Nedlands on Tuesday 17 December 2019 at 7 pm.

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#### Declaration of Opening

The Presiding Member declared the meeting open at 7.02 pm and drew attention to the disclaimer below.

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

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

<b>Councillors</b>	Her Worship the Mayor, C M de Lacy	(Presiding Member)
	Councillor F J O Bennett	Dalkeith Ward
	Councillor W R B Hassell	Dalkeith Ward
	Councillor A W Mangano	Dalkeith Ward
	Councillor J D Wetherall	Hollywood Ward
	Councillor R A Coghlan	Melvista Ward
	Councillor G A R Hay	Melvista Ward
	Councillor R Senathirajah	Melvista Ward
	Councillor N B J Horley	Coastal Districts Ward
	Councillor L J McManus	Coastal Districts Ward
	Councillor K A Smyth	Coastal Districts Ward

<b>Staff</b>	Mr M A Goodlet	Chief Executive Officer
	Mrs L M Driscoll	Director Corporate & Strategy
	Mr P L Mickleson	Director Planning & Development
	Mr J Duff	Director Technical Services
	Mrs N M Ceric	Executive Assistant to CEO & Mayor

**Public** There were 18 members of the public present.

**Press** The Post Newspaper and Western Suburbs Weekly representatives.

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

**Apologies** Nil.

## **Disclaimer**

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

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

## **1. Public Question Time**

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

### **1.1 Mrs Robyn Hancock, 66 Kingsway, Nedlands**

Question 1

Can you confirm that there will be a Council meeting in January as stated by the Mayor?

Answer 1

Special Council Meeting confirmed for 30 January 2020.

Question 2

Why is it that although the JDAP members on the 11th November said Nedlands needed a Design Review Panel it would help with JDAP decisions, the Council have decided to ignore this? Last time the Council ignored their advice we have ended up in a terrible mess.

Question 2

Council determined at its April 2019 meeting that it did not want to form a Design Review Panel at this time.

### **1.2 Ms Bronwyn Stuckey, 26 Kingsway, Nedlands**

The 'Perth and Peel @ 3.5M' frameworks estimate that in 2050 Nedlands will require 12,390 dwellings. If taken up fully, LPS3 would equate to an extra 21,000 dwellings.

At the Nedlands Electors' meeting the Director of Planning stated that only 7-10% of Nedlands is affected by the rezoning

Question 1

What is the denominator of this equation?

- a. Is it 10% of the area of Nedlands and if so, does it include parks and cemeteries?

OR

- b. Is it 10% of the dwellings in Nedlands which in 2011 numbered 8,070, i.e. around 800 properties.

Answer 1

A - Includes all land area of the City.

Question 2

Does the estimate of those affected include those whose blocks are not rezoned but are disadvantaged in amenity and in equity by being next to, behind, or opposite those rezoned?

Answer 2

No.

Question 3

Does the estimate of extra dwellings required or planned for take into account the Montario Quarter which will deliver 1100 to 1600 new dwellings? If not, why not?

Answer 3

The estimate of extra dwelling required by the State Government does not include Montario Quarter. For the reasons you would need to ask the State Government.

Question 4

Has an analysis of the effect on road traffic on Stirling Highway and Broadway been undertaken either before or after putting this Scheme forward?

Answer 4

No. However Council has agreed to undertake such a study commencing late January.

## **2. Addresses by Members of the Public**

Addresses by members of the public who have completed Public Address Session Forms to be made at this point.

Ms Karen Morriss, 34 Langham Street, Nedlands  
(spoke in support of the recommendation)

PD50.19

Mr Paul Bitdorf, 7 Nidjalla Loop, Swanbourne  
(spoke in opposition of the recommendation)

PD51.19

Mr Jerome Barley, 9 Nidjalla Loop, Swanbourne PD51.19  
(spoke in opposition to the application)

Mr Jeremy Hofland, Level 3/369 Newcastle Street, Northbridge PD56.19  
(spoke in opposition to the recommendation)

Ms Maree Arnason, 48 Webster Street, Nedlands  
(Spoke in relation to Safe Active Street Trial)

### 3. Requests for Leave of Absence

Any requests from Councillors for leave of absence to be made at this point.

Moved – Councillor McManus  
Seconded – Councillor Wetherall

**Councillor Hassell be granted leave of absence for January 2020.**

**CARRIED UNANIMOUSLY 11/-**

### 4. Petitions

Nil.

### 5. Disclosures of Financial Interest

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

There were no disclosures of financial interest.

### 6. Disclosures of Interests Affecting Impartiality

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

**6.1 Councillor McManus – CM07.19 - Defibrillator Mt Claremont Community Centre**

Councillor McManus disclosed an impartiality interest in Item CM07.19 - Defibrillator Mt Claremont Community Centre. Councillor McManus disclosed that he is a member of the Perth Western Suburbs National Seniors, and as a consequence, there may be a perception that his impartiality on the matter may be affected. Councillor McManus declared that he would consider this matter on its merits and vote accordingly.

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

Nil.

**8. Confirmation of Minutes**

**8.1 Special Council Meeting 5 November 2019**

Moved – Councillor McManus  
Seconded – Councillor Smyth

**The Minutes of the Special Council Meeting held 5 November 2019 be confirmed.**

**CARRIED UNANIMOUSLY 11/-**

**8.2 Ordinary Council Meeting 26 November 2019**

Moved – Councillor Coghlan  
Seconded – Councillor Smyth

**The Minutes of the Ordinary Council Meeting held 26 November 2019 be confirmed.**

**CARRIED UNANIMOUSLY 11/-**

**9. Announcements of the Presiding Member without discussion**

Mayor de Lacy advised that the WAPC Chairman Mr Eric Lumsden passed away yesterday afternoon and expressed her condolences to his family.

Mayor de Lacy advised that it feels like the last Council meeting for 2019 has come around very quickly this year. Perhaps the speed with which the Planning Minister gazetted our new scheme earlier this year and the plethora of Development Applications that has followed has had something to do with that. It has also contributed to 2019 being a year of significant change for Nedlands Council and our community. Change is never easy and its likely we will



continue to feel the pressure in the New Year. How we all respond is what matters, and I hope it is with mutual respect, empathy and a willingness to work together.

As I continue to focus on building relationships and community capacity, I have been out and about in December at many end of year Christmas functions. Highlights for me were the Dalkeith Primary School morning tea and the Fellowship of Australian Writers WA events. At the former I met many parents and teachers dedicated to working together to deliver a good education to children. I also spent time at their STEM exhibition where the students had created amazing projects showcasing their talent. One such project even involved the production of a book by students of empowered women, of which I was asked to be a contributor. Which brings me to the Writers event, where I enjoyed poetry and prose from talented local writers including Nicholas Hasluck who has written many novels including his latest 'Beyond the Equator. An Australian Memoir.'

This month I've also met with the Mayor of Mosman Park and Shire President of Peppermint Grove where we discussed similar issues we are facing with management of laneways, redevelopment impacts and management of the urban tree canopy. The CEO and I have also had an update on the Tawarri Hot Springs project and this week we attended a round table meeting with the WAPC Chair and DG of DPLH to discuss the impact of Perth-Peel 3.5m and planning reforms on our City. Just today we also met with the Board Chair and CEO of the Metropolitan Cemeteries Board to discuss issues of common interest. I'm also pleased to say the CEO and I have just secured a meeting in the New Year with the Minister for Planning to discuss LPS3.

As 2019 ends I'd like to thank my Deputy Mayor and fellow Councillors for all the work they have done this year to serve our community. I also thank the Administration for making our jobs so much easier. I wish everyone in our community a very Merry Christmas and a safe, prosperous and Happy New Year.

## **10. Members announcements without discussion**

### **10.1 Councillor Smyth – Meetings and Events Attended December 2019**

Councillor Smyth advised she had attended the following events and meetings during December 2019.

- Wandering Warrior's Charity Event - 8 December 2019

In support of "Happy Wanderer" mission to compete in the [Rolex Sydney to Hobart Yacht Race](#), raising awareness and funds for [Wandering Warriors](#) veterans charity and Veteran Suicide.

The event sponsored by Deli Chi Chi at the Mt Claremont Shopping Centre raised \$13,800 from the community. Celia Hammond, MP Curtin and

Councillor Smyth sold over 400 raffle tickets for the cause while mingling with the community.

**The Mission:** Raise funds and awareness for the Wandering Warriors to support their programs of employment, education respite and events to support Special Forces veterans and their families, and, where practicable, extend that care to the wider veteran community.

**The Challenge:** In less than three months, take a group with varied sailing experience, living on opposite sides of the country, and prepare a crew to compete in one of the harshest open-ocean races in the world!

**The Happy Wanderer:** Our team has secured charter of a 50ft TransPacific kevlar composite offshore performance yacht (JV50), named Happy Wanderer. Sail Number: ESP6100 [Donation Link](#)

- City of Nedlands Citizenship Ceremony – 11 December 2019 at 6:00pm  
John Leckie Pavilion, Nedlands
- Councillor Smyth and Councillor Horley - Nedlands Bridge Club, End of Year Celebration and Prize Giving – 14 December 2019 at 5:00pm  
Melvista Park, Nedlands
- Metro West JDAP meetings:
  - 11 December 2019 at 9:00am at the City of Nedlands to determine the following application for Lot 395 (18) Cooper Street, Nedlands, Ten (10) Residential Multiple Dwellings.
  - 18 December 2019 at 9:30am at the City of Nedlands to determine the following application for Lot 684 (135) Broadway, Nedlands, Mixed Use Development (26 serviced apartments and Café).

## 11. Matters for Which the Meeting May Be Closed

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

Nil.

**12. Divisional reports and minutes of Council committees and administrative liaison working groups**

**12.1 Minutes of Council Committees**

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).

Moved – Councillor Hassell  
Seconded – Councillor Mangano

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

**Audit & Risk Committee** **14 November 2019**

Unconfirmed, Circulated to Councillors on 20 November 2019

**Arts Committee** **18 November 2019**

Unconfirmed, Circulated to Councillors on 26 November 2019

**Council Committee** **3 December 2019**

Unconfirmed, Circulated to Councillors on 10 December 2019

**CARRIED UNANIMOUSLY 11/-**

**Note: As far as possible all the following reports under items 12.2, 12.3, 12.4, 12.5 and 13.3 will be moved en-bloc and only the exceptions (items which Councillors wish to amend) will be discussed.**

En Bloc

Moved - Councillor Hassell  
Seconded – Councillor Hay

**That all Committee Recommendations relating to Reports under items 12.2, 12.3, 12.4, 12.5 and 13.3 with the exception of Report Nos. PD50.19 and PD51.19 are adopted en bloc.**

**CARRIED UNANIMOUSLY 11/-**

**12.2 Planning & Development Report No's PD48.19 to PD56.19 (copy attached)**

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

<b>PD48.19</b>	<b>No. 3 Circe Circle, Dalkeith – Additions to a Single House (Carport and Primary Street Fencing)</b>
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<b>Committee</b>	3 December 2019
<b>Council</b>	17 December 2019
<b>Applicant</b>	Alex and Ruth Temelcos
<b>Landowner</b>	Alex and Ruth Temelcos
<b>Director</b>	Peter Mickleson – Director Planning & Development
<b>Employee Disclosure under section 5.70 Local Government Act 1995</b>	Nil
<b>Report Type</b>  Quasi-Judicial	When Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications and other decisions that may be appealable to the State Administrative Tribunal.
<b>Reference</b>	DA19/36044
<b>Previous Item</b>	Nil
<b>Delegation</b>	In accordance with the City's Instrument of Delegation, Council is required to determine the application due to objections being received.
<b>Attachments</b>	1. Applicant Submission in Support of the Development Proposal 1. Plans (Confidential) 2. Assessment (Confidential) 3. Submission (Confidential)

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

Moved - Councillor Hassell  
Seconded – Councillor Hay

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

**CARRIED UNANIMOUSLY EN BLOC 11/-**

**Council Resolution / Committee Recommendation / Recommendation to Committee**

Council approves the development application dated 20 May 2019, to install a carport within the front setback area at No. 3 (Lot 749) Circe Circle, Dalkeith, subject to the following conditions and advice/for the following reasons:

1. The development shall at all times comply with the application and the approved plans, subject to any modifications required as a consequence of any condition(s) of this approval.
2. This development approval only pertains to the addition of a carport to a single dwelling, as indicated on the plans attached.
3. Revised drawings shall be submitted with the Building Permit application, to the satisfaction of the City, incorporating the following modifications as shown in red on the approved plans:
  - a) The proposed primary street fencing is to provide a minimum 1.5m visual truncation area in accordance with Clause 5.2.5 of the R-Codes (Sight Lines), where the driveway/crossover intersects with the proposed primary street fencing.
4. The carport shall remain open on all sides and shall not accommodate a door.
5. All footings and structures shall be constructed wholly inside the site boundaries of the property's Certificate of Title.
6. All stormwater from the development, which includes permeable and non-permeable areas shall be contained onsite.

**Advice Notes specific to this proposal:**

1. Any development in the nature-strip (verge), including footpaths, will require a Nature-Strip Improvement Application and/or a Crossover Permit to be lodged with, and approved by, the City's Technical Services department, prior to construction commencing.
2. All street tree assets in the nature-strip (verge) shall not be removed. Any approved street tree removals shall be undertaken by the City of Nedlands and paid for by the owner of the property where the development is proposed, unless otherwise approved under the Nature Strip Development approval.

- 3. All downpipes from guttering shall be connected so as to discharge into drains, which shall empty into a soak-well; and each soak-well shall be located at least 1.8m from any building, and at least 1.8m from the boundary of the block. Soak-wells of adequate capacity to contain runoff from a 20-year recurrent storm event. Soak-wells shall be a minimum capacity of 1.0m<sup>3</sup> for every 80m<sup>2</sup> of calculated surface area of the development.**
- 4. This decision constitutes planning approval only and is valid for a period of two years from the date of approval. If the subject development is not substantially commenced within the two-year period, the approval shall lapse and be of no further effect.**

<b>PD49.19</b>	<b>No. 2 Burwood Street, Nedlands – Additions to a Single House (Ancillary Dwelling and Carport)</b>
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<b>Committee</b>	3 December 2019
<b>Council</b>	17 December 2019
<b>Applicant</b>	Michael Cardinale
<b>Landowner</b>	John Edwards
<b>Director</b>	Peter Mickleson – Director Planning & Development
<b>Employee Disclosure under section 5.70 Local Government Act 1995</b>	Nil
<b>Report Type</b>  Quasi-Judicial	When Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications and other decisions that may be appealable to the State Administrative Tribunal.
<b>Reference</b>	DA19/37053
<b>Previous Item</b>	Nil
<b>Delegation</b>	In accordance with the City's Instrument of Delegation, Council is required to determine the application due to the City's Administration recommending refusal for elements of this application.
<b>Attachments</b>	<ol style="list-style-type: none"> <li>1. Landowner Justification Letter</li> <li>1. Alternate Recommendation (Confidential)</li> <li>2. Plans (Confidential)</li> <li>3. Assessment Sheet (Confidential)</li> </ol>

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

Moved - Councillor Hassell  
 Seconded – Councillor Hay

**That the Recommendation to Council be adopted.**

(Printed below for ease of reference)

**CARRIED UNANIMOUSLY EN BLOC 11/-**

### **Council Resolution / Committee Recommendation / Recommendation to Committee**

**Council:**

- 1. refuses the proposed installation a carport within the front setback area for the following reasons:**

- a. **The City of Nedlands Draft Residential Development Policy varies the primary street setback requirement for carports on properties zoned R15 or less from 9.0m to a minimum of 3.5m (Clause 4.2). The applicant can provide a compliant 3.5m primary street setback, however, has proposed a 1.5m primary street setback which is inconsistent with this policy.**
  - b. **The proposed carport does not meet the objectives of the Draft Residential Development Policy or the objectives of the Residential Zone as outlined in LPS3. The proposed carport development is not considered to be appropriate in scale, bulk or setbacks as viewed from the street.**
- 2. approves the proposed garage conversion to an ancillary dwelling subject to the following conditions and advice notes be observed for the partial approval:**

**Conditions**

- 1. The development shall at all times comply with the application and the approved plans, subject to any modifications required as a consequence of any condition(s) of this approval.**
- 2. This development approval only pertains to a garage conversion to an ancillary dwelling and the installation of a carport as indicated on the plans attached.**
- 3. All footings and shall be constructed wholly inside the site boundaries of the property's Certificate of Title.**
- 4. All stormwater from the development, which includes permeable and non-permeable areas shall be contained onsite.**

**Advice Notes specific to this proposal:**

- 1. All downpipes from guttering shall be connected so as to discharge into drains, which shall empty into a soak-well; and each soak-well shall be located at least 1.8m from any building, and at least 1.8m from the boundary of the block. Soak-wells of adequate capacity to contain runoff from a 20-year recurrent storm event. Soak-wells shall be a minimum capacity of 1.0m<sup>3</sup> for every 80m<sup>2</sup> of calculated surface area of the development.**
- 2. All internal water closets and ensuites without fixed or permanent window access to outside air or which open onto a hall, passage, hobby or staircase, shall be serviced by a mechanical ventilation exhaust system which is ducted to outside air, with a minimum rate of air change equal to or greater than 25 litres / second.**



3. **Prior to the commencement of any demolition works, any Asbestos Containing Material (ACM) in the structure to be demolished, shall be identified, safely removed and conveyed to an appropriate landfill which accepts ACM.**

**Removal and disposal of ACM shall be in accordance with Health (Asbestos) Regulations 1992, Regulations 5.43 - 5.53 of the Occupational Safety and Health Regulations 1996, Code of Practice for the Safe Removal of Asbestos 2<sup>nd</sup> Edition, Code of Practice for the Management and Control of Asbestos in a Workplace, and any Department of Commerce Worksafe requirements.**

**Where there is over 10m<sup>2</sup> of ACM or any amount of friable ACM to be removed, it shall be removed by a Worksafe licensed and trained individual or business.**

4. **The applicant is advised to consult the City's Visual and Acoustic Privacy Advisory Information in relation to locating any mechanical equipment (e.g. air-conditioner, swimming pool or spa) such that noise, vibration and visual impacts on neighbours are mitigated. The City does not recommend installing any equipment near a property boundary where it is likely that noise will intrude upon neighbours.**

**Prior to selecting a location for an air-conditioner, the applicant is advised to consult the online fairair noise calculator at [www.fairair.com.au](http://www.fairair.com.au) and use this as a guide to prevent noise affecting neighbouring properties.**

**Prior to installing mechanical equipment, the applicant is advised to consult neighbours, and if necessary, take measures to suppress noise.**

5. **A sewage treatment and effluent disposal system or greywater reuse or treatment system shall not be installed unless an Approval to Construct or Install an Apparatus for the Treatment of Sewage has been issued by the City beforehand.**
6. **This decision constitutes planning approval only and is valid for a period of two years from the date of approval. If the subject development is not substantially commenced within the two-year period, the approval shall lapse and be of no further effect.**

<b>PD50.19</b>	<b>No. 85 Clifton St, Nedlands – Change of Use (Residential to Short Term Accommodation, Holiday House)</b>
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<b>Committee</b>	3 December 2019
<b>Council</b>	17 December 2019
<b>Applicant</b>	Karen Morris
<b>Landowner</b>	Karen Morris
<b>Director</b>	Peter Mickleson – Director Planning & Development
<b>Employee Disclosure under section 5.70 Local Government Act 1995</b>	Nil
<b>Report Type</b>  Quasi-Judicial	When Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications and other decisions that may be appealable to the State Administrative Tribunal.
<b>Reference</b>	DA19/38823
<b>Previous Item</b>	Nil
<b>Delegation</b>	In accordance with the City's Instrument of Delegation, Council is required to determine the application due to objections being received.
<b>Attachments</b>	1. Management Plan 2. Applicant Justification 1. Assessment Sheet (Confidential) 2. Submissions (Confidential)

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

Moved – Councillor Wetherall

Seconded – Councillor Hassell

### **Council Resolution**

**Council approves the retrospective development application dated 16 August 2019 for short term accommodation at 85 Clifton St, Nedlands, subject to the following conditions and advice notes:**

- 1. The development shall at all times comply with the application and the approved plans, subject to any modifications required as a consequence of any condition(s) of this approval.**
- 2. This development approval only pertains to the use of 85 Clifton St, Nedlands as short-term accommodation.**

3. A maximum of 6 guests are permitted on the premises at any one time.
4. The Management Plan forms part of this approval and is to be complied with at all times to the City's satisfaction.
5. All car parking associated with the short-term accommodation being contained on site.
6. The proposed use complying with the Holiday House definition stipulated under the City's Local Planning Scheme No. 3 (refer to advice note 1).
7. No materials and/or equipment being stored externally on the property, which is visible from off site, and/or obstructs vehicle manoeuvring areas, vehicle access ways, pedestrian access ways, parking bays and/or (un)loading bays.
8. Service and/or delivery vehicles are not to service the premises before 7.00 am or after 7.00 pm Monday to Saturday, and/or before 9.00 am or after 7.00 pm on Sundays and Public Holidays unless otherwise approved by the City beforehand.

**Advice Notes specific to this proposal:**

1. With regard to condition 6, the applicant and landowner are advised that the use Holiday House is defined as the following in accordance with Local Planning Scheme No. 3:  
  
'Holiday House means a single dwelling on one lot used to provide short-term accommodation for persons other than the owner of the lot'.
2. This decision does not obviate rights and responsibilities of strata owners under the Strata Titles Act 1985, which may require additional consultation and/or permissions from the stratum, prior to the commencement of works.
3. Noise levels are to comply with the Environmental Protection (Noise) Regulations 1997.

**CARRIED 9/2  
(Against: Cr. Bennett & Mangano)**

Please note: There was no Committee Recommendation made.

## Recommendation to Committee

Council approves the retrospective development application dated 16 August 2019 for short term accommodation at 85 Clifton St, Nedlands, subject to the following conditions and advice notes:

9. The development shall at all times comply with the application and the approved plans, subject to any modifications required as a consequence of any condition(s) of this approval.
10. This development approval only pertains to the use of 85 Clifton St, Nedlands as short-term accommodation.
11. A maximum of 6 guests are permitted on the premises at any one time.
12. The Management Plan forms part of this approval and is to be complied with at all times to the City's satisfaction.
13. All car parking associated with the short-term accommodation being contained on site.
14. The proposed use complying with the Holiday House definition stipulated under the City's Local Planning Scheme No. 3 (refer to advice note 1).
15. No materials and/or equipment being stored externally on the property, which is visible from off site, and/or obstructs vehicle manoeuvring areas, vehicle access ways, pedestrian access ways, parking bays and/or (un)loading bays.
16. Service and/or delivery vehicles are not to service the premises before 7.00 am or after 7.00 pm Monday to Saturday, and/or before 9.00 am or after 7.00 pm on Sundays and Public Holidays unless otherwise approved by the City beforehand.

Advice Notes specific to this proposal:

4. With regard to condition 6, the applicant and landowner are advised that the use Holiday House is defined as the following in accordance with Local Planning Scheme No. 3:  
  
'Holiday House means a single dwelling on one lot used to provide short-term accommodation for persons other than the owner of the lot'.
5. This decision does not obviate rights and responsibilities of strata owners under the Strata Titles Act 1985, which may require additional consultation and/or permissions from the stratum, prior to the commencement of works.
6. Noise levels are to comply with the Environmental Protection (Noise) Regulations 1997.

<b>PD51.19</b>	<b>No. 7 Nidjalla Loop, Swanbourne – Additions to a Single House (Privacy Screen)</b>
<b>Committee</b>	3 December 2019
<b>Council</b>	17 December 2019
<b>Applicant</b>	Niche Living
<b>Landowner</b>	Halina and Paul Bitdorf
<b>Director</b>	Peter Mickleson – Director Planning & Development
<b>Employee Disclosure under section 5.70 Local Government Act 1995</b>	Nil
<b>Report Type</b>  Quasi-Judicial	When Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications and other decisions that may be appealable to the State Administrative Tribunal.
<b>Reference</b>	DA19/38434
<b>Previous Item</b>	DA16/307
<b>Delegation</b>	In accordance with the City's Instrument of Delegation, Council is required to determine the application due to objections being received.
<b>Attachments</b>	<ol style="list-style-type: none"> <li>1. Applicants Justification</li> <li>1. Assessment (Confidential)</li> <li>2. Plans (Confidential)</li> <li>3. Submission (Confidential)</li> </ol>

Moved – Councillor Smyth (pro forma)

Seconded – Councillor Mangano

**That the Recommendation to Council be adopted.**

(Printed below for ease of reference)

**Regulation 11(da) – Not Applicable – Procedural Motion**

Procedural Motion

Moved – Councillor McManus

Seconded – Councillor Hassell

**That Council move to the next item of business.**

**CARRIED 9/2**  
**(Against: Crs. Horley & Mangano)**

## Committee Recommendation / Recommendation to Committee

1. Council refuses the development application dated 9 August 2019 to install a privacy screen at No. 7 (Lot 12) Nidjalla Loop, Swanbourne for the following reasons:
  - a) The proposed screen is classified as 'building on boundary' and is not compliant with State Planning Policy 7.3 Residential Design Codes in terms of scale and setback requirements.
  - b) The proposed privacy screen does not meet the objectives of the City's Fill and Fencing Policy, clauses 2.0 and 9.0.

### Advice Notes

1. The applicant is advised that the City deems the screen to be unnecessary due to the screen obscuring non-habitable rooms, and therefore those rooms are not subject to visual privacy provisions as described by State Planning Policy 7.3, Residential Design Codes Volume 1.

<b>PD52.19</b>	<b>Local Planning Scheme 3 - Local Planning Policy - Residential Development: Single and Grouped Dwellings</b>
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<b>Committee</b>	3 December 2019
<b>Council</b>	17 December 2019
<b>Applicant</b>	City of Nedlands
<b>Director</b>	Peter Mickleson – Director Planning & Development
<b>Employee Disclosure under section 5.70 Local Government Act 1995</b>	Nil
<b>Previous Item</b>	Item 6 – 2 May 2019 - Special Council Meeting PD27.19 – 23 July 2019 – Ordinary Council Meeting PD40.19 – 24 September 2019 – Ordinary Council Meeting
<b>Attachments</b>	1. Draft Residential Development: Single and Grouped Dwellings LPP - tracked changes 2. Draft Residential Development: Single and Grouped Dwellings LPP 3. Submission 4. Fill and Fencing LPP – Comparison Table

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

Moved - Councillor Hassell  
Seconded – Councillor Hay

**That the Recommendation to Council be adopted.**

(Printed below for ease of reference)

**CARRIED UNANIMOUSLY EN BLOC 11/-**

**Council Resolution / Committee Recommendation**

**Council:**

- proceeds to adopt the Residential Development: Single and Grouped Dwellings Local Planning Policy, with modifications as set out in Attachment 2, in accordance with the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2, Part 2, Clause 4(3)(b)(ii);**

- 2. refers the Residential Development: Single and Grouped Dwellings Local Planning Policy to the Western Australian Planning Commission for final approval in accordance with State Planning Policy SPP7.3, Residential Design Codes Volume 2 – Apartments 2019 Clause 1.2.3 and the City’s Local Planning Scheme No 3 Clause 32.4(5);**
- 3. revokes the current Fill and Fencing Local Planning Policy in accordance with the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2, Part 2, Clause 6; and**
- 4. reviews the Residential Development: Single and Grouped Dwellings Local Planning Policy in 12 months.**

## Recommendation to Committee

### Council:

1. proceeds to adopt the Residential Development: Single and Grouped Dwellings Local Planning Policy, with modifications as set out in Attachment 2, in accordance with the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2, Part 2, Clause 4(3)(b)(ii);
2. refers the Residential Development: Single and Grouped Dwellings Local Planning Policy to the Western Australian Planning Commission for final approval in accordance with State Planning Policy SPP7.3, Residential Design Codes Volume 2 – Apartments 2019 Clause 1.2.3 and the City’s Local Planning Scheme No 3 Clause 32.4(5); and
3. revokes the current Fill and Fencing Local Planning Policy in accordance with the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2, Part 2, Clause 6.



<b>PD53.19</b>	<b>Local Planning Scheme 3 – Local Planning Policy Waste Management and Guidelines</b>
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<b>Committee</b>	3 December 2019
<b>Council</b>	17 December 2019
<b>Applicant</b>	City of Nedlands
<b>Director</b>	Peter Mickleson – Director Planning & Development
<b>Employee Disclosure under section 5.70 Local Government Act 1995</b>	Nil
<b>Previous Item</b>	PD38.19 – OCM 24 September 2019
<b>Attachments</b>	1. Draft Waste Management LPP 2. Draft Waste Management Guidelines

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

Moved - Councillor Hassell  
Seconded – Councillor Hay

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

**CARRIED UNANIMOUSLY EN BLOC 11/-**

**Council Resolution / Committee Recommendation**

**Council prepares, and advertises for a period of 21 days, in accordance with the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2, Part 2, Clause 4, the Waste Management and Guidelines Local Planning Policy (refer to Attachments 1 & 2) with the deletion of clause 17.1.**

**Recommendation to Committee**

Council prepares, and advertises for a period of 21 days, in accordance with the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2, Part 2, Clause 4, the Waste Management and Guidelines Local Planning Policy (refer to Attachments 1 & 2).

<b>PD54.19</b>	<b>Local Planning Scheme 3 – Residential Aged Care Facilities</b>
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<b>Committee</b>	3 December 2019
<b>Council</b>	17 December 2019
<b>Applicant</b>	City of Nedlands
<b>Director</b>	Peter Mickleson – Director Planning & Development
<b>Employee Disclosure under section 5.70 Local Government Act 1995</b>	Nil
<b>Previous Item</b>	Nil
<b>Attachments</b>	<ol style="list-style-type: none"> <li>1. Draft Residential Aged Care Facilities LPP</li> <li>2. WAPC Draft Position Statement Residential Aged Care</li> </ol>

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

Moved - Councillor Hassell  
 Seconded – Councillor Hay

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

**CARRIED UNANIMOUSLY EN BLOC 11/-**

**Council Resolution / Committee Recommendation / Recommendation to Committee**

**Council prepares, and advertises for a period of 21 days, in accordance with the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2, Part 2, Clause 4, the Residential Aged Care Facilities Local Planning Policy (Attachment 1).**

<b>PD55.19</b>	<b>Mt Claremont North-East Structure Plan Investigation</b>
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<b>Committee</b>	3 December 2019
<b>Council</b>	17 December 2019
<b>Director</b>	Peter Mickleson – Director Planning & Development
<b>Employee Disclosure under section 5.70 Local Government Act 1995</b>	Nil
<b>Previous Item</b>	OCM 26 June 2018 – 14.4 PD53.18 – 23 October 2018
<b>Attachments</b>	<ol style="list-style-type: none"> <li>1. Mt Claremont subject site map</li> <li>2. Mt Claremont subject site map with zoning</li> <li>3. Letter from the City to the DPLH</li> <li>4. Response letter from the DPLH</li> </ol>

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

Moved - Councillor Hassell  
Seconded – Councillor Hay

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

**CARRIED UNANIMOUSLY EN BLOC 11/-**

**Council Resolution / Committee Recommendation**

**Council resolves to instruct the CEO to cease current work on the Mt Claremont Structure Plan Investigation and commence work on a Master Plan for the area as per the WAPC advice.**

**Recommendation to Committee**

Council resolves to instruct the CEO to cease current work on the Mt Claremont Structure Plan Investigation until such time as critical priorities of developing Local Precinct Plans can be resolved and when a Statutory Planning Mechanism can be established over the land of concern.

<b>PD56.19</b>	<b>Local Planning Scheme 3 – Local Planning Policy Waratah Village Laneway Requirements</b>
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<b>Committee</b>	3 December 2019
<b>Council</b>	17 December 2019
<b>Director</b>	Peter Mickleson – Director Planning & Development
<b>Employee Disclosure under section 5.70 Local Government Act 1995</b>	Nil
<b>Previous Item</b>	Nil
<b>Attachments</b>	1. Draft Waratah Village Laneway Requirements Local Planning Policy (LPP)

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

Moved - Councillor Hassell  
 Seconded – Councillor Hay

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

**CARRIED UNANIMOUSLY EN BLOC 11/-**

**Council Resolution / Committee Recommendation / Recommendation to Committee**

**Council prepares, and advertises for a period of 21 days, in accordance with the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2, Part 2, Clause 4, the Waratah Village Laneway Requirements Local Planning Policy (Attachment 1).**

**12.3 Technical Services Report No's TS24.19 (copy attached)**

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

<b>TS24.19 Montgomery Avenue – Leaning Wall</b>
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<b>Committee</b>	3 December 2019
<b>Council</b>	17 December 2019
<b>Applicant</b>	City of Nedlands
<b>Employee Disclosure under section 5.70 Local Government Act 1995</b>	Nil
<b>Director</b>	Jim Duff
<b>Attachments</b>	<ol style="list-style-type: none"> <li>1. Mount Claremont Subdivision Drawings – Stage 7</li> <li>2. Temporary Footpath Drawing</li> <li>3. Legal Advice from McLeods (CONFIDENTIAL)</li> </ol>

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

Moved - Councillor Hassell  
 Seconded – Councillor Hay

**That the Recommendation to Council be adopted.**

(Printed below for ease of reference)

**CARRIED UNANIMOUSLY EN BLOC 11/-**

**Council Resolution / Committee Recommendation**

**Council:**

- 1. approves construction of a temporary alternative footpath to address safety issues for pedestrians and school children on bikes;**
- 2. approves funding of the \$10,000 cost for the temporary footpath construction from Technical Services Operational budget;**

- 3. requests the CEO to seek appropriate recovery of costs excluding by the landowners for the temporary footpath required due to the ongoing unsafe boundary wall at Montgomery Avenue, Mt Claremont; and**
- 4. approves Administration waiving the city component of the Development Application and Building Application fees associated with the demolition and reconstruction of the section of boundary wall.**

## Recommendation to Committee

### Council:

1. approves construction of a temporary alternative footpath to address safety issues for pedestrians and school children on bikes;
2. approves funding of the \$10,000 cost for the temporary footpath construction from Technical Services Operational budget;
3. requests the CEO to seek appropriate recovery of costs for the temporary footpath required due to the ongoing unsafe boundary wall at Montgomery Avenue, Mt Claremont; and
4. approves Administration waiving the city component of the Development Application and Building Application fees associated with the demolition and reconstruction of the section of boundary wall.

## 12.4 Community & Organisational Development Report No's CM07.19 to CM09.19 (copy attached)

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

<b>CM07.19</b>	<b>Defibrillator Mt Claremont Community Centre</b>
<b>Committee</b>	3 December 2019
<b>Council</b>	17 December 2019
<b>Applicant</b>	City of Nedlands
<b>Employee Disclosure under section 5.70 Local Government Act 1995</b>	Nil.
<b>Director</b>	Lorraine Driscoll – Director Corporate & Strategy
<b>Attachments</b>	Nil.

### Councillor McManus – Impartiality Interest

Councillor McManus disclosed that he is a member of the Perth Western Suburbs National Seniors, and as a consequence, there may be a perception that his impartiality on the matter may be affected. Councillor McManus declared that he would consider this matter on its merits and vote accordingly.

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

Moved - Councillor Hassell  
Seconded – Councillor Hay

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

**CARRIED UNANIMOUSLY EN BLOC 11/-**

### Council Resolution / Committee Recommendation / Recommendation to Committee

#### Council:

1. receives the information on the Western Suburbs Branch of the National Seniors Organisation's request for a defibrillator at the Mt Claremont Community Centre; and
2. requests the CEO to include \$3,500 for the item listed above, for Council consideration in the 2019/20 midyear budget review.

<b>CM08.19</b>	<b>Shared Satellite Depot at Nedlands Golf Club</b>
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<b>Committee</b>	3 December 2019
<b>Council</b>	17 December 2019
<b>Applicant</b>	City of Nedlands
<b>Employee Disclosure under section 5.70 Local Government Act 1995</b>	Nil
<b>Director</b>	Lorraine Driscoll – Director Corporate and Strategy
<b>Attachments</b>	Nil.

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

Moved - Councillor Hassell  
 Seconded – Councillor Hay

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

**CARRIED UNANIMOUSLY EN BLOC 11/-**

**Council Resolution / Committee Recommendation**

**Council:**

- 1. notes that the City has considered the possibility of a shared depot facility on Melvista Reserve that would meet the needs of both the Nedlands Golf Club and the City of Nedlands;**
- 2. established that the City has no need for such a facility; and**
- 3. requests the CEO to enter into discussion with the Nedlands Golf Club to consider funding requirements for a new shed.**

**Recommendation to Committee**

**Council:**

1. notes that the City has considered the possibility of a shared depot facility on Melvista Reserve that would meet the needs of both the Nedlands Golf Club and the City of Nedlands; and
2. established that the City has no need for such a facility.



<b>CM09.19</b>	<b>Jo Wheatley All Abilities Play Space Food Trucks</b>
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<b>Committee</b>	3 December 2019
<b>Council</b>	17 December 2019
<b>Applicant</b>	City of Nedlands
<b>Employee Disclosure under section 5.70 Local Government Act 1995</b>	Nil
<b>Director</b>	Lorraine Driscoll
<b>Attachments</b>	Nil

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

Moved - Councillor Hassell  
 Seconded – Councillor Hay

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

**CARRIED UNANIMOUSLY EN BLOC 11/-**

**Council Resolution / Committee Recommendation / Recommendation to Committee**

**Council approves:**

- 1. splitting the annual Street Trading fee of \$1,580 equally between the selected food vendors at the Jo Wheatley All Abilities Play Space; and**
- 2. the annual fee to be applied on a pro rata basis.**

**12.5 Corporate & Strategy Report No's CPS20.19 (copy attached)**

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

<b>CPS20.19 List of Accounts Paid – October 2019</b>	
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<b>Committee</b>	3 December 2019
<b>Council</b>	17 December 2019
<b>Applicant</b>	City of Nedlands
<b>Employee Disclosure under section 5.70 Local Government Act 1995</b>	Nil.
<b>Director</b>	Lorraine Driscoll – Director Corporate & Strategy
<b>Attachments</b>	4. Creditor Payment Listing October 2019 5. Purchasing Card Payments October 2019 (30 September 2019 – 27 October 2019)

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

Moved - Councillor Hassell  
Seconded – Councillor Hay

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

**CARRIED UNANIMOUSLY EN BLOC 11/-**

**Council Resolution / Committee Recommendation / Recommendation to Committee**

**Council receives the List of Accounts Paid for the month of October 2019 (refer to attachments).**

Councillor Mangano left the room at 8.08 pm.

### 13. Reports by the Chief Executive Officer

#### 13.1 Common Seal Register Report – November 2019

Moved – Councillor Hay  
Seconded – Councillor Wetherall

The attached Common Seal Register Report for the month of November 2019 be received.

**CARRIED UNANIMOUSLY 10/-**

#### November 2019

SEAL NUMBER	DATE SEALED	DEPARTMENT	MEETING DATE / ITEM NO.	REASON FOR USE
932	18 November 2019	Planning & Development	Council Meeting 18 December 2018 PD75.18	Seal Certification - Seal No. 932 - Deed of Surrender of Lease: Portion of Reserve 7804 (in triplicate) between City of Nedlands & West Australian Bridge Club Incorporated.
933	18 November 2019	Planning & Development	Council Meeting 18 December 2018 PD75.18	Seal Certification - Seal No. 933 - Deed of Lease: Portion of Reserve 7804 (in triplicate) between City of Nedlands & West Australian Bridge Club Incorporated.
934	26 November 2019	Planning & Development	Council Meeting 22 October 2019 CPS17.19	Seal Certification - Seal No. 934 - Execution of caveat removal to allow for re-lodgement for transfer of property ownership at Lot 15 (No. 30) the Avenue, Nedlands.

SEAL NUMBER	DATE SEALED	DEPARTMENT	MEETING DATE / ITEM NO.	REASON FOR USE
935	26 November 2019	Planning & Development	Council Meeting 22 October 2019 CPS17.19	Seal Certification - Seal No. 934 - Execution re-lodgement of caveat to allow transfer of property ownership at Lot 15 (No. 30) the Avenue, Nedlands.
936	29 November 2019	Technical Services	Council Meeting 22 October 2019 TS21.19	Seal Certification - Seal No. 936 - Contract of Sale between the Water Corporation & the City of Nedlands for Lot 50 Dalkeith Road, Nedlands (in triplicate)
937	29 November 2019	Technical Services	Council Meeting 22 October 2019 TS21.19	Seal Certification - Seal No. 936 - Grant of Easement to the Water Corporation and the City of Nedlands over Lot 1 on Diagram 24967, Swanbourne (in triplicate)
938	29 November 2019	Technical Services	Council Meeting 22 October 2019 TS21.19	Seal Certification - Seal No. 936 - Grant of Easement to the Water Corporation and the City of Nedlands over Lot 116 on Diagram 231114, Dalkeith (in triplicate)

**13.2 List of Delegated Authorities – November 2019**

Moved – Councillor Hay  
 Seconded – Councillor McManus

The attached List of Delegated Authorities for the month of November 2019 be received.

**CARRIED UNANIMOUSLY 10/-**

Date of use of delegation of authority	Title	Position exercising delegated authority	Act	Section of Act	Applicant / CoN / Property Owner / Other
Month Year					
1/11/2019	BA53249 - Certified Building Permit - Amendment to BA44529	A/Manager Building Services	Building Act 2011	S20.1	Lucy & Ervin Herczeg
1/11/2019	BA52421 - Certified Building Permit - 4 Grouped Dwellings	A/Manager Building Services	Building Act 2011	S20.1	Ian Collins Homes Pty Ltd
4/11/2019	(APP) - DA19-40243 - 6 Weld Street, Nedlands - Additions (Storage) to Single House	Manager Planning	Planning and Development (Local Planning Schemes) Regulations 105	Regulation 82	Axis Building Approvals
4/11/2019	BA52595 - Uncertified Building Permit - Carport	A/Manager Building Services	Building Act 2011	S20.1	Samantha Lynch - Foslyn Consulting
4/11/2019	BA52774 - Certified Building Permit - Child Care Centre Additions	A/Manager Building Services	Building Act 2011	S20.1	Macri Builders Pty Ltd

4/11/2019	BA44936 - Certified Building Permit - Dwelling, Ancillary Dwelling & Retaining Walls	A/Manager Building Services	Building Act 2011	S20.1	Professional Built Group
5/11/2019	BA53206 - Certified Building Permit - Shed	A/Manager Building Services	Building Act 2011	S20.1	Struan Richards
5/11/2019	BA52957 - Uncertified Building Permit - Patio	A/Manager Building Services	Building Act 2011	S20.1	Great Aussie Patios
5/11/2019	BA52923 - Certified Building Permit - Alfresco & Decking	A/Manager Building Services	Buildign Act 2011	S20.1	Seabreeze Outdoor
6/11/2019	BA53491 - Demolition Permit - Dwelling Demo	A/Manager Building Services	Building Act 2011	S21.1	Coogee Contracting Pty Ltd
7/11/2019	BA53481 - Certified Building Permit - Alterations & Additions	A/Manager Building Services	Building Act 2011	S20.1	Rod Tyres
8/11/2019	BA53090 - Demolition Permit - Partial demolition of dwelling	A/Manager Building Services	Building Act 2011	S20.1	Maxbay Pty Ltd
11/11/2019	BA53507 - Certificate of Building Compliance - slab & footings	A/Manager Building Services	Building Act 2011	S58.1	Macri Builders Pty Ltd
12/11/2019	(APP) - DA19-41707 - 6 Campsie St, Nedlands - Pool Fence	Manager Urban Planning	Planning and Development (Local Planning Schemes) Regulations 2015	Regulation 82	Freedom Pools & Spas
12/11/2019	(APP) - DA19-38488 - 15 Kirwan St, Floreat - Single House	Manager Urban Planning	Planning and Development (Local Planning Schemes) Regulations 2015	Regulation 82	Highbury Homes
12/11/2019	BA53366 - Certified Building Permit - Fences	A/Manager Building Services	Building Act 2011	S20.1	Peter James Esselmont

12/11/2019	BA53336 - Certified Building Permit - Dwelling, Screen Walls & Retaining Walls	A/Manager Building Services	Building Act 2011	S20.1	Capella Constructions Pty Ltd
12/11/2019	BA53735 - Demolition Permit - Demolition & Clearance of Site	A/Manager Building Services	Building Act 2011	S21.1	Civil Con Holdings Pty Ltd
13/11/2019	(APP) - DA19-41621 - 8 Viewway, Nedlands - Pool Fence	Manager Urban Planning		Regulation 82	Aquatic Leisure Technologies - Sapphire Pools
13/11/2019	BA53825 - Verge Materials Permit - 40 Doonan	A/Manager Building Services	Local Government (Uniform Local Provisions) Regulations 1996	6.1	Kershaw COstruction WA Pty Ltd
13/11/2019	BA53462 - Certified Building Permit - Amendment to BA47115	A/Manager Building Services	Building Act 2011	S20.1	MScope Pty Ltd
4/11/2019	(APP) - DA19-40243 - 6 Weld Street, Nedlands - Additions (Storage) to Single House	Manager Planning	Planning and Development (Local Planning Schemes) Regulations 105	Regulation 82	Axis Building Approvals
14/11/2019	3043282 - Withdrawn Parking Infringement Notice - Other Compassionate Grounds	Manager Health and Compliance	Local Government Act 1995	9.20/6.12(1)	Beverly Williamson
14/11/2019	3040552 - Withdrawn Parking Infringement Notice - Other Compassionate Grounds	Manager Health and Compliance	Local Government Act 1995	9.20/6.12(1)	Amit Khetani

14/11/2019	3041495 - Withdrawn Parking Infringement Notice - Other Compassionate Grounds	Manager Health and Compliance	Local Government Act 1995	9.20/6.12(1)	Stephanie Boyle
14/11/2019	3041449 - Withdrawn Parking Infringement Notice - Other Compassionate Grounds	Manager Health and Compliance	Local Government Act 1995	9.20/6.12(1)	Jesse Doherty
14/11/2019	BA53832 - Demolition Permit - Full site clearance	A/Manager Building Services	Building Act 2011	S21.1	BJF Holdings
14/11/2019	BA53061 - Uncertified Building Permit - Pool Barrier	A/Manager Building Services	Building Act 2011	S20.1	Mitchell Stone
15/11/2019	(APP) - DA19-40514 - 12 Colin St, Dalkeith - Addition (Cabana) to Single Dwelling	Manager Urban Planning	Planning and Development (Local Planning Schemes) Regulations 2015	Regulation 82	Australian Outdoor Living
15/11/2019	(APP) - DA19-41978 - 77 Thomas St, Nedlands - Pool Fence	Manager Urban Planning	Planning and Development (Local Planning Schemes) Regulations 2015	Regulation 82	Scott & Katherine Bailey
15/11/2019	BA53690 - Demolition Permit - Clearance of site	A/Manager Building Services	Building Act 2011	S21.1	Di Trento Demolition
15/11/2019	BA53791 - Certified Building Permit - Dwelling, fences & retaining walls	A/Manager Building Services	Building Act 2011	S20.1	Summit Homes Pty Ltd
19/11/2019	(APP) - DA19-38945 - 6 Leura St, Nedlands - Change of Use (to Shop)	Manager Urban Planning	Planning and Development (Local Planning Schemes) Regulations 2015	Regulation 82	Sarah Pemberton



19/11/2019	(APP) - DA19-38055 - 59 Thomas St, Nedlands - Addition (Carport) to Single Dwelling	Manager Planning	Planning and Development (Local Planning Schemes) Regulations 2015	Regulation 82	Complete Approvals
20/11/2019	(APP) - DA19-40528 - 7 Pimelea Cr, Mt Claremont - Addition (Screen wall) to Single Dwelling	Manager Urban Planning	Planning and Development (Local Planning Schemes) Regulations 2015	Regulation 82	Dale Alcock Home Improvement
21/11/2019	(APP) - DA19-38853 - 53 Browne Ave, Dalkeith - Addition (Cabana) to Single Dwelling	Manager Urban Planning	Planning and Development (Local Planning Schemes) Regulations 2015	Regulation 82	Mr G J & Mrs M A Brennan
22/11/2019	(APP) - DA19-41046 - 55 Waratah Ave, Dalkeith - Single House	Manager Urban Planning	Planning and Development (Local Planning Schemes) Regulations 2015	Regulation 82	Webb & Browne Neaves
22/11/2019	BA54031 - Certified building permit - Amendments	Manager Building Services	Building Act 2011	s20.1	Plunkett Homes
22/11/2019	BA53983 - Certified building permit - Patio	Manager Building Services	Building Act 2011	s20.1	Screenstyle WA Pty Ltd
22/11/2019	BA53040 - Uncertified building permit - Patio	Manager Building Services	Building Act 2011	s20.1	T Williams
25/11/2019	BA53670 Certified building permit - Addition	Manager Building Services	Building Act 2011	s20.1	Jan Kolbusz
19/11/2019	(APP) - DA19-38945 - 6 Leura St, Nedlands - Change of Use (to Shop)	Manager Urban Planning	Planning and Development (Local Planning Schemes) Regulations 2015	Regulation 82	Sarah Pemberton

19/11/2019	(APP) - DA19-38945 - 6 Leura St, Nedlands - Change of Use (to Shop)	Manager Urban Planning	Planning and Development (Local Planning Schemes) Regulations 2015	Regulation 82	Sarah Pemberton
19/11/2019	(APP) - DA19-38055 - 59 Thomas St, Nedlands - Addition (Carport) to Single Dwelling	Manager Planning	Planning and Development (Local Planning Schemes) Regulations 2015	Regulation 82	Complete Approvals
21/11/2019	(APP) - DA19-38853 - 53 Browne Ave, Dalkeith - Addition (Cabana) to Single Dwelling	Manager Urban Planning	Planning and Development (Local Planning Schemes) Regulations 2015	Regulation 82	Mr G J & Mrs M A Brennan
22/11/2019	(APP) - DA19-41046 - 55 Waratah Ave, Dalkeith - Single House	Manager Urban Planning	Planning and Development (Local Planning Schemes) Regulations 2015	Regulation 82	Webb & Browne Neaves
22/11/2019	BA54031 - Certified building permit - Amendments	Manager Building Services	Building Act 2011	s20.1	Plunkett Homes
22/11/2019	BA53983 - Certified building permit - Patio	Manager Building Services	Building Act 2011	s20.1	Screenstyle WA Pty Ltd
22/11/2019	BA53040 - Uncertified building permit - Patio	Manager Building Services	Building Act 2011	s20.1	T Williams
25/11/2019	BA53670 Certified building permit - Addition	Manager Building Services	Building Act 2011	s20.1	Jan Kolbusz
21/11/2019	(APP) - DA19-38853 - 53 Browne Ave, Dalkeith - Addition (Cabana) to Single Dwelling	Manager Urban Planning	Planning and Development (Local Planning Schemes) Regulations 2015	Regulation 82	Mr G J & Mrs M A Brennan

22/11/2019	BA54031 - Certified building permit - Amendments	Manager Building Services	Building Act 2011	s20.1	Plunkett Homes
22/11/2019	BA53983 - Certified building permit - Patio	Manager Building Services	Building Act 2011	s20.1	Screenstyle WA Pty Ltd
22/11/2019	BA53040 - Uncertified building permit - Patio	Manager Building Services	Building Act 2011	s20.1	T Williams
25/11/2019	BA53670 Certified building permit - Addition	Manager Building Services	Building Act 2011	s20.1	Jan Kolbusz
26/11/2019	(APP) - DA19-41096 - 99 Grovedale Rd, Floreat - Single House	Manager Urban Planning	Planning and Development (Local Planning Schemes) Regulations 2015	Regulation 82	Ben Caine
26/11/2019	(APP) - DA19-41764 - 28 Bruce St, Nedlands - Pool Fence	Manager Urban Planning	Planning and Development (Local Planning Schemes) Regulations 2015	Regulation 82	Aquatic Leisure Technologies - Sapphire Pools
26/11/2019	(APP) - DA19-40790 - 4 Lambeth Mews, Mt Claremont - Additions (Alfresco & Cabana) to Single Dwelling	Manager Planning	Planning and Development (Local Planning Schemes) Regulations 2015	Regulation 82	Dale Alcock Home Improvement
26/11/2019	BA53700 Demolition Permit - Dwelling	Manager Building Services	Building Act 2011	s21.1	Brajkovich Demolition & Salvage Pty Ltd
26/11/2019	BA50434 Certified building permit - Patio	Manager Building Services	Building Act 2011	s20.1	Australian Outdoor Living (WA) Pty Ltd

27/11/2019	(APP) - DA19-37869 - 8 Bishop Rd, Dalkeith - Single House	Manager Urban Planning	Planning and Development (Local Planning Schemes) Regulations 2015	Regulation 82	Ecotect Architects
28/11/2019	BA53593 Certified building permit - Boundary Wall	Manager Building Services	Building Act 2011	s20.1	Kostadin Kapinkoff
29/11/2019	3041077 - Withdrawn Parking Infringement Notice - Other Compassionate	Manager Health and Compliance	Local Government Act 1995	9.20/6.12(1)	Mia Palmer
29/11/2019	3041064 - Withdrawn Parking Infringement Notice - Other Compassionate Grounds	Manager Health and Compliance		9.20/6.12(1)	Sam Hondros

**13.3 Options for Advancing Smart Cities**

<b>Committee</b>	3 December 2019
<b>Council</b>	17 December 2019
<b>Applicant</b>	City of Nedlands
<b>Employee Disclosure under section 5.70 Local Government Act 1995</b>	Nil.
<b>Director</b>	N/A
<b>CEO</b>	Mark Goodlet
<b>Attachments</b>	Nil

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

Moved - Councillor Hassell  
 Seconded – Councillor Hay

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

**CARRIED UNANIMOUSLY EN BLOC 11/-**

**Council Resolution / Committee Recommendation / Recommendation to Committee**

**Council, while acknowledging the successful outcomes and practice with respect to local innovation within the City, requests the CEO, Mayor and Councillor Smyth investigate regional opportunities for Smart Cities by;**

- 1. presenting the concept of a Smart Cities focus or group to the WESROC local governments, the Town of Cambridge, the City of Perth, the City of Fremantle, the City of Stirling and the City of Vincent, for discussion; and**
- 2. report their findings back to Council.**

**Executive Summary**

This report considers appropriate Council and community representation for Smart City matters including options of a formal committee, advisory group or other mechanisms, and proposed Terms of Reference.

The City has a strong history and ongoing practice of successful innovation at a local level. With the likelihood that a Smart Cities group has the potential to be most successful in attracting funding through a regional focus, it is recommended that this concept be presented to the neighbouring local governments to ascertain their interest.

## **Discussion/Overview**

### **Key Relevant Previous Council Decisions:**

Special Meeting of Council – 5 November 2019

“Council instructs the Chief Executive Officer to provide a report to Council in December 2019 which considers appropriate Council and community representation for Smart City matters including options of a formal committee, advisory group or other mechanisms, and proposed Terms of Reference.”

### **History of Smart Cities**

“Smart Cities” is a term that has been used since the 1990s. It is based on the concept that technological solutions can improve and will continue to improve lives and Cities.

### **Federal Government Smart Cities Plan**

Smart Cities has been picked up by the Federal Government in it's the Smart Cities Plan. This plan has three (3) pillars – Smart Investment, Smart Policy and Smart Technology. It appears that Smart Cities has broadened as a concept to emphasize that well-considered strategic thinking is needed and should be applied to investment and policy as well as to technology. This then integrates finance, strategy and solutions.

#### **“We will become smarter investors in our cities’ infrastructure”**

“We will prioritise projects that meet broader economic and city objectives such as accessibility, jobs, affordable housing and healthy environments. We will treat infrastructure funding as a long-term investment not a grant and get involved early to ensure projects create opportunities for urban renewal and raise private capital. By drawing on innovative financing approaches—including value capture—we will leverage our balance sheet and deliver more essential infrastructure sooner.”

#### **“We will coordinate and drive smarter city policy”**

“We will work across all levels of government to develop City Deals that unlock public and private investment in key economic centres. By incentivising reforms, we will generate additional benefits for the economy making cities better places to live in and do business.”

“We will collect and analyse data about the performance of our cities, so we can measure our policies’ success and respond to new needs.”

#### **“We will drive the take up of smart technology, to improve the sustainability of our cities and drive innovation”**

“We will embrace new technology with the potential to revolutionise how cities are planned, function, and how our economy grows. Disruptive new technology in transport, communications and energy efficiency are becoming a reality—we will position our cities to take full advantage. We will leverage real time open data driven solutions and support investment in sectors commercialising new innovations to grow Australian’s economy.”

The Federal Government has a City Deals funding program that align with Smart Cities. “City Deals are the key mechanism for delivering on the Smart Cities Plan. They are a genuine partnership between the three levels of government and the community to work towards a shared vision for productive and liveable cities.”

City Deals targets large multi-agency projects which are of significance to a whole metropolitan area or a large part of one.

### **Strategic Alignment**

The Strategic Community Plan (SCP) does not use the phrase “Smart City” or the word “innovation” and this is not a formal priority of this Plan.

The Strategic Community Plan does refer to innovative leadership, under the Values heading of Great Governance and Civic Leadership.

A value of the City is that it is “Great for Business. Our City has a strong economic base with renowned Centres of Excellence and is attractive to entrepreneurs and start-ups.” A focus on innovation and Smart Cities may be an ally to this value, although it is noted that no specific actions or priorities are assigned to this value in the Strategic Community Plan.

A priority of the Strategic Community Plan is “working with neighbouring Councils to achieve the best outcomes for the western suburbs as a whole”.

### **Options to Deliver Smart City Innovation**

#### **Option 1 - Current Approach**

The current approach works within the existing organisation structure. It relies on information received by the organisation through formal and informal industry affiliations and various government sources of information. Elected members are part of this information gathering through their attendance at conferences and industry contacts.

Individual proposals are considered by the organisation and by Council then implemented as per approved budgets.

The organisation, including the elected members, has formal email network updates for when grant funding is available. As opportunities come through, they are assessed against the pipeline of future work at the City, or as a new community benefit solution.

This approach has delivered a number of innovative projects and continues to do so. Examples include, smart irrigations, asset management with predictive capabilities, smart street lighting, advanced cyber security, Currently the City is assessing smart engagement tools through mobile phone data acquisition and 3D planning assessment software.

If the aim is to provide the organisation with ideas for implementation then a group or committee is not warranted, as the City already follows up on as many ideas as it has the need for and the capacity to deliver.

The current approach will still have a place alongside any other group / committee, but would ideally sit as the local approach, alongside option 4 – the regional approach.

<b>Pros</b>	<b>Cons</b>
No extra cost.	Does not actively attract and use City of Nedlands talent.
The going it alone approach is more agile and less commitment to outside partners.	Makes it very difficult to attract funding at a City Deals scale.
At a City of Nedlands level this approach has been successful historically.	
Provides very good transparency and accountability by using the Council reporting and decision-making process.	

**Option 2 – Internal Committee**

This option instigates a formal committee with or without delegations to advance the Smart Cities concept.

The purpose of a committee under the Local Government Act 1995 is to “assist the Council and to exercise the powers and discharge the duties of the local government that can be delegated to committees”.

The operative idea is here is to assign some of Council’s work to the committee. Committees are primarily to take some of the workload of Council, making for efficient decision-making in the discharge of its duties. Delegation of duties to a committee is a key mechanism for achieving this.

The committee structure provides for the same level of transparency and accountability as exists for Council itself.



<b>Pros</b>	<b>Cons</b>
If Council wishes Smart Cities to be a priority, then a committee structure provides this prominence.	Cost is in the order of \$7,000 per meeting including report preparation and meeting time. This doesn't include the value of the Committee members' time.
Targets local Smart Cities initiatives.	With delegation this committee will need additional administrative support to implement any actions that it has budget for. It is assumed that Council would not intend to provide additional resourcing to carry out any projects of the committee and that they would be programmed within existing resources.
Can add significant value by including community expertise from within the City.	Cannot easily target regional Smart Cities initiatives or access federal funding.
Community may feel they are more involved/engaged in the process.	Significantly slows down progress of action through a minimum seven (7) week committee to Council reporting and approval cycle. Delegation would assist this only for projects less than \$150,000 and not subject to tender approval provisions, so delegation may have limited value in creating efficiency.
Provides very good transparency and accountability	

### **Option 3 – Internal Advisory Group**

The internal Advisory Group is like a committee; however, it cannot have any delegation and must report any proposals through to Council for approval.

This is a way of elevating the Smart Cities into prominence for the City of Nedlands.

<b>Pros</b>	<b>Cons</b>
If Council wishes Smart Cities to be a priority, then an Advisory Group structure provides this prominence.	Cost is in the order of \$7,000 per meeting including report preparation and meeting time. This doesn't include the value of the Advisory Group members' time.
Targets local Smart Cities initiatives.	No delegation can be made to an Advisory Group and all ideas must come back to Council for approval.
Community may feel they are more involved/engaged in the process.	Less agile and slower than the current approach.
Provides good transparency and accountability.	

**Option 4 – Regional Smart Cities Group**

Under this option the City would team up with neighbouring local governments, potentially under the WESROC banner to explore and develop Smart Cities options. A similar group, the WESROC environmental committee, meets to deliver regional wide environmental initiative.

A regional group could include community expertise from within the participating local governments.

Pros	Cons
If Council wishes Smart Cities to be a priority, then a Regional Advisory Group structure provides this prominence.	Cost is in the order of \$7,000 per meeting including report preparation and meeting time. This doesn't include the value of the Advisory Group members' time.
Targets large regional Smart Cities initiatives with access to significant funding.	No delegation can be made to an Advisory Group and all ideas must come back to Council for approval.
Community may feel they are more involved/engaged in the process.	Less agile and slower than the current approach, and slower than a local group or committee.
Provides good transparency and accountability.	A City Deal will be expensive to develop and implement and must be carefully assessed for return on investment.
Aligns with the SCP's priority to "with neighbouring Councils to achieve the best outcomes for the western suburbs as a whole".	A City Deal, if done poorly, has the potential to fail financially and must be accompanied by thorough risk assessment and must bring appropriate expertise to the chosen project.
Shared funding would enable cost efficiencies of administrative assistance and actions.	
This structure is familiar to western suburbs local governments.	
Currently individual Council reporting and approval process would still apply meaning control and individual autonomy of the Councils is not sacrificed.	
A City Deal has the potential to provide a large return on investment.	

## **Terms of Reference**

In addition to standard operating parameters the Terms of Reference for a Smart Cities Advisory Group or Committee should address the following matters:

1. Whether it will be primarily addressing local or regional initiatives, as this will shape the stakeholder participation, and direct the efforts of the group;
2. What the key deliverables will be and how the performance will be measured. Without these there is a risk that the group or committee will have little value to the City;
3. Development of assessment, selection and implementation criteria for smart technologies that ensure a positive return to the City;
4. Included of appropriate risk appetite provisions;
5. Development of measures that assess new technologies' risk appropriately.
6. Selection criteria for suitably qualified and experienced members.
7. Whether the Advisory Group's role is to generate ideas, assess ideas, or both.

## **Relevant Legislation**

Local Government Act 1995, section 5.8 – Establishment of Committees

“A local government may establish committees of 3 or more persons to assist the council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.”

## **Risk**

The most significant Smart Cities strategic risk is investment in technologies that fail.

An example within the City of Nedlands is its early adoption of parking enforcement technology using character recognition to read car number plates. The technology was not sophisticated enough to decipher between car number plates and other writing, leading to significant human intervention to manually review all the data it provided.

At a regional level the DiCom technology at the Western Metropolitan Regional Council failed to meet expectations despite years of endeavour. The City of Nedlands assessed its participation in this Council and elected not to participate.

On the other hand, the City's deployment of smart streetlights with sensor capabilities has been a success having met functional requirements, running more efficiently with lower maintenance costs going forward, and with the ability to add functionality in the future. It is worth noting that the City explored this option for the Adam Armstrong pavilion car park just three years earlier, however, at that time it was evident that the costs were too high, and the concept was shelved. This is an example therefore of successful deployment at the right time.

In order to mitigate risk related to new technology it is appropriate that:

- Council's risk appetite be enunciated and included in the terms of reference should this progress to a formal group/committee stage; and
- That assessment, selection and implementation criteria be developed as part of the terms of reference for any group or committee dealing with this.

## Budget/Financial Implications

Option 1 – no additional cost for the business as usual option.

Option 2 – The following are some indicative costs for the preparation of a Committee agenda assuming 3 reports per agenda. This is the additional governance cost per meeting. It excludes the value of the committee members time.

				<b>Hrs</b>	<b>\$</b>
<b>Activity</b>	<b>No. off</b>	<b>Hrly/rate</b>	<b>Rate</b>	<b>Amount</b>	<b>Amount</b>
Report Preparation	3	15.2	\$100	45.6	\$4,560
Report Proof, edit, finalize	3	2	\$ 80	6	\$480
Report Approval	3	1	\$150	3	\$450
Agenda Preparation	1	2	\$80	2	\$160
Public Notice	1	1	\$180		\$180
Meeting Setup and dismantle	1	1	\$ 80	1	\$80
Meeting Attendance Minute taker	1	2	\$80	2	\$160
Meeting Attendance Senior Officer	1	2	\$100	2	\$200
Meeting Attendance Report Officer	1	2	\$150	2	\$300
Drafting Minutes	1	1	\$80	1	\$80
Minutes Approval	1	0.5	\$150	0.5	\$75
Minutes Distribution	1	0.5	\$ 80	0.5	\$40
Minutes through Council	1	1.5	\$100	1.5	\$150
			<b>Total</b>	<b>67.1</b>	<b>\$6,915</b>

Option 3 – Costs would be similar to option 2 in that reports would have to be prepared for the Advisory Group to consider; however, additional costs would be facilitator and meeting venue costs. There is possibly a saving in meeting advertising costs if members of the public were excluded from the meetings.

Option 4 – Costs would be similar to option 2, except that these costs would be divided over the stakeholder local governments. In the case of WESROC committee this equates to the City of Nedlands contributing about 15% of costs.

## **Consultation**

No consultation has occurred in relation to this report.

It is recommended that the neighbouring local governments be consulted in relation to a Smart Cities focus or group.

## **Conclusion**

Innovation has been a strong outcome for the City in delivery of a number of projects over the years. Importantly, knowing when not to move into new technologies has been part of the learning journey for the City. On the whole the organisation captures Smart City ideas as it has the capacity to deliver projects and it is not short of ideas.

The City has many talented and capable experts living within its borders and harnessing this capacity is an attractive proposition for the sake of collaboration with the community and the direct benefit their expertise will bring.

With the focus of grant funding being in the regional sphere it is considered that the City should seek the views of its neighbouring local governments to advancing Smart Cities as a collective, using its local talent.

**13.4 Monthly Financial Report – November 2019**

<b>Council</b>	17 December 2019
<b>Applicant</b>	City of Nedlands
<b>Employee Disclosure under section 5.70 Local Government Act</b>	Nil
<b>Director</b>	Lorraine Driscoll – Director Corporate & Strategy
<b>CEO</b>	Mark Goodlet
<b>Attachments</b>	<ol style="list-style-type: none"> <li>1. Financial Summary (Operating) by Business Units – 30 November 2019</li> <li>2. Capital Works &amp; Acquisitions – 30 November 2019</li> <li>3. Statement of Net Current Assets – 30 November 2019</li> <li>4. Statement of Financial Activity – 30 November 2019</li> <li>5. Borrowings – 30 November 2019</li> <li>6. Statement of Financial Position – 30 November 2019</li> <li>7. Operating Income &amp; Expenditure by Reporting Activity – 30 November 2019</li> <li>8. Operating Income by Reporting Nature &amp; Type – 30 November 2019</li> </ol>

Councillor Mangano returned at 8.10 pm.

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

Moved – Councillor Senathirajah  
 Seconded – Councillor Hay

**That the Recommendation to Council be adopted.**

(Printed below for ease of reference)

**CARRIED UNANIMOUSLY 11/-**

**Council Resolution / Recommendation to Council**

**Council receives the Monthly Financial Report for 30 November 2019.**

**Executive Summary**

Administration is required to provide Council with a monthly financial report in accordance with *Regulation 34(1) of the Local Government (Financial Management) Regulations 1996*. The monthly financial variance from the budget of each business unit is reviewed with the respective manager and the

Executive to identify the need for any remedial action. Significant variances are highlighted to Council in the attached Monthly Financial Report.

## **Discussion/Overview**

The monthly financial management report meets the requirements of *Regulation 34(1) and 34(5) of the Local Government (Financial Management) Regulations 1996*.

The monthly financial variance from the budget of each business unit is reviewed with the respective Manager and the Executive to identify the need for any remedial action. Significant variances are highlighted to Council in the Monthly Financial Report.

This report gives an overview of the revenue and expenses of the City for the year to date 30 November 2019 together with a Statement of Net Current Assets as at 30 November 2019.

The operating revenue at the end of November 2019 was \$30.7 M which represents \$129k favourable variance compared to the year-to-date budget.

The operating expense at the end of November 2019 was \$12.3 M, which represents \$287k unfavourable variance compared to the year-to-date budget.

The attached Operating Statement compares “Actual” with “Budget” by Business Units. Variations from the budget of revenue and expenses by Directorates are highlighted in the following paragraphs.

## **Governance**

Expenditure:	Favourable variance of	\$ 314,097
Revenue:	Unfavourable variance of	\$ (89,002)

The favourable expenditure variance is mainly due to special projects and professional fees of \$239k and WESROC cost of \$82,331 not incurred yet. Other employee costs and staff recruitment cost in HR are lower by \$61k which are offset by higher insurance cost of \$46k, both of which are due to timing differences and will even out during the year.

The unfavourable revenue variance is due to timing difference of WESROC Invoice to other Western Suburbs.

## **Corporate and Strategy**

Expenditure:	Favourable variance of	\$ 411,621
Revenue:	Favourable variance of	\$ 208,465

Favourable expenditure variance is mainly due to timing difference in professional fees of \$72k and ICT Expenses of \$211k. Customer service and ICT salaries are lower by \$118k due vacancies not back filled and timing differences and will even out during the year.

Favourable revenue variance is due to timing difference of rates income of \$197k mainly arising from higher instalment interest and administration charges of \$138k. The annual budget for Rates is \$24.477m compared to Rates levied YTD is \$24.434m.

### **Community Development and Services**

Expenditure:	Favourable variance of	\$ 95,117
Revenue:	Favourable variance of	\$130,456

The favourable expenditure variance is mainly due to expenses not expended yet for special projects of \$34k and Tresillian course tutor fees of \$37k.

Favourable expenditure variance is mainly due to increase in fees & charges income Tresillian, NCC, Positive Ageing and PRCC of \$115k.

### **Planning and Development**

Expenditure:	Favourable variance of	\$ 164,518
Revenue:	Favourable variance of	\$ 158,906

The favourable expenditure variance is mainly due to expenses not expended yet for OPRL activities of \$30k. Salaries of Strategic planning and Building services are lower by \$111k mainly due to vacant positions not back filled.

Favourable revenue variance is due to higher income on fees and charges for Town Planning and Environmental Health of \$170K that partly offset by lower Environmental Health fines & penalties of \$20k.

### **Technical Services**

Expenditure:	Unfavourable variance of	\$(1,272,561)
Revenue:	Unfavourable variance of	\$ (280,178)

The unfavourable expenditure variance mainly due to UGP refund from Western Power of \$842k budgeted in 2019/20. However, the refund has since been accrued in 2018/19 as the refund was confirmed in June 2019 and relates to expenses incurred in 2017/18 and 2018/19 and will be adjusted during the midyear budget review. Due to a lower level of capital works completed than budgeted year to-date, on cost of \$610k have also not been costed to projects. This will even out as the level of completed capital works increases.

Unfavourable revenue variance is due to lower Underground Power Service Charges of \$92k and timing difference of fees & charges of \$50k and grant operating, contribution & reimbursement income of \$106k.



## Borrowings

At 30 November 2019, we have a balance of borrowings of \$6.5 M. There were no additional borrowings for the year in 2019/20 budget and the estimated loan balance as at 30 June 2020 is \$5.9 M.

## Net Current Assets Statement

At 30 November 2019, net current assets were similar at \$20M compared to \$20M as at 30 November 2018. Current assets are higher by \$3.4M offset by higher liabilities \$3.2M.

## Capital Works Programme

At the end of November, the expenditure on capital works were \$2M with further commitments of \$3.3 M which is 41% of a total budget of \$12.8 M.

## Budget Review

Council has approved some changes to capital works budget amounting to a reduction of \$29,320, thereby reducing the annual budgeted capital works to \$12,773,055 and increasing the surplus to \$53,854.

## Employee Data

Description	Number
Number of employees (total of full-time, part-time and casual employees) as of the last day of the previous month	177
Number of contract staff (temporary/agency staff) as of the last day of the previous month	5
FTE (Full Time Equivalent) count as of the last day of the previous month	150.59
Number of unfilled staff positions at the end of November	25

## Conclusion

The statement of financial activity for the period ended 30 November 2019 indicates that operating expenses are above the year-to-date budget by 2.4% or \$287k, while revenue is above the Budget by 0.4% or \$129k.

## Key Relevant Previous Council Decisions:

Nil.

## Consultation

N/A

## **Budget/Financial Implications**

As outlined in the Monthly Financial Report.



**CITY OF NEDLANDS**  
**FINANCIAL SUMMARY - OPERATING - BY BUSINESS UNIT**  
**AS AT 30 NOVEMBER 2019**

Row Labels	Master Account (desc)	Nov Actual YTD	Nov Budget YTD	Variance	Committed Balance	Annual Budget
<b>Governance</b>						
<b>CEO's Office</b>						
<b>Governance</b>						
<b>Expense</b>						
20420	Salaries - Governance	357,679	344,971	(12,708)	0	827,930
20421	Other Employee Costs - Governance	5,580	5,655	75	6,620	11,310
20423	Office - Governance	5,717	5,847	130	177	11,700
20425	Depreciation - Governance	40,857	53,415	12,558	0	128,200
20427	Finance - Governance	110,985	110,985	0	0	266,360
20428	Insurance - Governance	21,317	0	(21,317)	0	0
20430	Other Expense - Governance	9,585	5,001	(4,584)	8,069	10,000
20434	Professional Fees - Governance	52,883	210,150	157,267	16,600	420,300
20450	Special Projects - Governance / PC93	39,839	122,170	82,331	30,451	293,200
<b>Expense Total</b>		<b>644,441</b>	<b>858,194</b>	<b>213,753</b>	<b>61,917</b>	<b>1,969,000</b>
<b>Income</b>						
50410	Sundry Income - Governance	(21,425)	(100,425)	(79,000)	0	(241,020)
<b>Income Total</b>		<b>(21,425)</b>	<b>(100,425)</b>	<b>(79,000)</b>	<b>0</b>	<b>(241,020)</b>
<b>Governance Total</b>		<b>623,015</b>	<b>757,769</b>	<b>134,754</b>	<b>61,917</b>	<b>1,727,980</b>
<b>Communications</b>						
<b>Expense</b>						
28320	Salaries - Communications	130,442	135,946	5,504	0	326,268
28321	Other Employee Costs - Communications	566	1,804	1,238	2,539	3,360
28322	Staff Recruitment - Communications	0	500	500	0	500
28323	Office - Communications	29,016	40,700	11,684	16,307	78,800
28327	Finance - Communications	34,670	34,670	0	0	83,210
28330	Other Expense - Communications	0	750	750	0	1,500
28335	ICT Expenses - Communications	23,940	25,420	1,480	4,380	31,020
28350	Special Projects - Communications / PC 90	3,590	4,165	575	0	10,000
<b>Expense Total</b>		<b>222,224</b>	<b>243,955</b>	<b>21,731</b>	<b>23,226</b>	<b>534,658</b>
<b>Communications Total</b>		<b>222,224</b>	<b>243,955</b>	<b>21,731</b>	<b>23,226</b>	<b>534,658</b>
<b>Human Resources</b>						
<b>Expense</b>						
20520	Salaries - HR	172,375	178,496	6,121	0	428,397
20521	Other Employee Costs - HR	74,418	124,753	50,335	29,455	279,470
20522	Staff Recruitment - HR	4,390	15,835	11,445	3,624	37,000
20523	Office - HR	155	2,720	2,565	0	5,500
20525	Depreciation - HR	0	210	210	0	500
20527	Finance - HR	(356,290)	(356,291)	(1)	0	(855,097)
20528	Insurance - HR	61,156	36,816	(24,340)	51,792	73,630
20530	Other Expense - HR	0	1,000	1,000	0	1,000
20534	Professional Fees - HR	0	15,000	15,000	0	15,000
20535	ICT Expenses - HR	13,068	17,500	4,432	0	35,000
<b>Expense Total</b>		<b>(30,729)</b>	<b>36,039</b>	<b>66,768</b>	<b>84,870</b>	<b>20,400</b>
<b>Income</b>						
50510	Contributions & Reimbursements - HR	0	(10,002)	(10,002)	0	(20,000)
<b>Income Total</b>		<b>0</b>	<b>(10,002)</b>	<b>(10,002)</b>	<b>0</b>	<b>(20,000)</b>
<b>Human Resources Total</b>		<b>(30,729)</b>	<b>26,037</b>	<b>56,766</b>	<b>84,870</b>	<b>400</b>
<b>Members Of Council</b>						
<b>Expense</b>						
20323	Office - MOC	13,070	17,499	4,429	3,262	35,000
20325	Depreciation - MOC	342	375	33	0	900
20329	Members of Council - MOC	215,204	222,586	7,382	0	517,601
<b>Expense Total</b>		<b>228,616</b>	<b>240,460</b>	<b>11,844</b>	<b>3,262</b>	<b>553,501</b>
<b>Members Of Council Total</b>		<b>228,616</b>	<b>240,460</b>	<b>11,844</b>	<b>3,262</b>	<b>553,501</b>
<b>CEO's Office Total</b>		<b>1,043,126</b>	<b>1,268,221</b>	<b>225,095</b>	<b>173,275</b>	<b>2,816,539</b>



**CITY OF NEDLANDS**  
**FINANCIAL SUMMARY - OPERATING - BY BUSINESS UNIT**  
**AS AT 30 NOVEMBER 2019**

Row Labels	Master Account (desc)	Nov Actual YTD	Nov Budget YTD	Variance	Committed Balance	Annual Budget
<b>Governance Total</b>		<b>1,043,126</b>	<b>1,268,221</b>	<b>225,095</b>	<b>173,275</b>	<b>2,816,539</b>
Corporate & Strategy						
Corporate Strategy & Systems						
Customer Services						
Expense						
21320	Salaries - Customer Service	173,821	216,491	42,670	0	519,578
21321	Other Employee Costs - Customer Service	1,699	3,285	1,586	4,384	6,570
21323	Office - Customer Service	1,599	2,710	1,111	3,696	6,500
21327	Finance - Customer Service	(229,435)	(229,436)	(1)	0	(550,648)
21330	Other Expense - Customer Service	4,769	5,000	231	86	12,000
21350	Special Projects - Customer Service	0	0	0	11,455	0
<b>Expense Total</b>		<b>(47,547)</b>	<b>(1,950)</b>	<b>45,597</b>	<b>19,620</b>	<b>(6,000)</b>
Income						
51301	Fees & Charges - Customer Services	(422)	(300)	122	0	(600)
<b>Income Total</b>		<b>(422)</b>	<b>(300)</b>	<b>122</b>	<b>0</b>	<b>(600)</b>
Customer Services Total		(47,969)	(2,250)	45,719	19,620	(6,600)
ICT						
Expense						
21720	Salaries - ICT	126,853	202,305	75,452	0	485,233
21721	Other Employee Costs - ICT	2,576	5,606	3,030	4,531	16,875
21723	Office - ICT	37,631	15,415	(22,216)	5,563	37,000
21724	Motor Vehicles - ICT	2,897	8,649	5,752	0	17,300
21725	Depreciation - ICT	33,469	22,750	(10,719)	0	54,600
21727	Finance - ICT	(648,380)	(648,377)	3	0	(1,556,108)
21730	Other Expense - ICT	11	2,915	2,904	0	7,000
21734	Professional Fees - ICT	11,095	41,665	30,570	7,975	100,000
21735	ICT Expenses - ICT	219,791	431,665	211,874	177,301	844,000
<b>Expense Total</b>		<b>(214,057)</b>	<b>82,593</b>	<b>296,650</b>	<b>195,369</b>	<b>5,900</b>
ICT Total		(214,057)	82,593	296,650	195,369	5,900
<b>Corporate Strategy &amp; Systems Total</b>		<b>(262,026)</b>	<b>80,343</b>	<b>342,369</b>	<b>214,989</b>	<b>(700)</b>
Finance						
Rates						
Expense						
21920	Salaries - Rates	41,173	38,161	(3,012)	8,038	91,584
21921	Other Employee Costs - Rates	189	486	297	792	970
21923	Office - Rates	8,467	6,300	(2,167)	2,051	15,100
21927	Finance - Rates	74,372	65,600	(8,772)	8,000	177,044
21930	Other Expense - Rates	7,399	3,750	(3,649)	2,336	15,000
21934	Professional Fees - Rates	3,484	25,000	21,516	18,000	60,000
<b>Expense Total</b>		<b>135,085</b>	<b>139,297</b>	<b>4,212</b>	<b>39,217</b>	<b>359,698</b>
Income						
51908	Rates - Rates	(24,433,632)	(24,236,488)	197,144	0	(24,477,574)
<b>Income Total</b>		<b>(24,433,632)</b>	<b>(24,236,488)</b>	<b>197,144</b>	<b>0</b>	<b>(24,477,574)</b>
Rates Total		(24,298,547)	(24,097,191)	201,356	39,217	(24,117,876)
General Finance						
Expense						
21420	Salaries - Finance	397,061	358,465	(38,596)	17,679	860,308
21421	Other Employee Costs - Finance	4,071	8,148	4,077	6,849	20,904
21423	Office - Finance	22,173	25,576	3,403	4,416	51,150
21424	Motor Vehicles - Finance	3,625	5,400	1,775	0	10,800
21425	Depreciation - Finance	538	210	(328)	0	500
21427	Finance - Finance	(395,542)	(396,191)	(649)	2,565	(954,962)
21430	Other Expense - Finance	0	500	500	0	1,000
21434	Professional Fees - Finance	5,714	26,000	20,286	22,750	52,000
21450	Special Projects - Finance	4,957	1,250	(3,707)	0	2,500



**CITY OF NEDLANDS**  
**FINANCIAL SUMMARY - OPERATING - BY BUSINESS UNIT**  
**AS AT 30 NOVEMBER 2019**

Row Labels	Master Account (desc)	Nov Actual YTD	Nov Budget YTD	Variance	Committed Balance	Annual Budget
<b>Expense Total</b>		<b>42,598</b>	<b>29,358</b>	<b>(13,240)</b>	<b>54,259</b>	<b>44,200</b>
Income						
51401	Fees & Charges - Finance	(34,437)	(23,000)	11,437	0	(55,200)
51410	Sundry Income - Finance	(27,474)	(9,165)	18,309	0	(22,000)
<b>Income Total</b>		<b>(61,911)</b>	<b>(32,165)</b>	<b>29,746</b>	<b>0</b>	<b>(77,200)</b>
General Finance Total		(19,313)	(2,807)	16,506	54,259	(33,000)
General Purpose						
Expense						
21627	Finance - General Purpose	0	18,290	18,290	0	43,892
21631	Interest - General Purpose	105,654	99,425	(6,229)	0	238,615
<b>Expense Total</b>		<b>105,654</b>	<b>117,715</b>	<b>12,061</b>	<b>0</b>	<b>282,507</b>
Income						
51604	Grants Operating - General Purpose	(185,641)	(151,250)	34,391	0	(363,000)
51607	Interest - General Purpose	(132,481)	(185,420)	(52,939)	0	(445,000)
<b>Income Total</b>		<b>(318,122)</b>	<b>(336,670)</b>	<b>(18,548)</b>	<b>0</b>	<b>(808,000)</b>
General Purpose Total		(212,468)	(218,955)	(6,487)	0	(525,493)
Shared Services						
Expense						
21523	Office - Shared Services	23,038	53,626	30,588	17,212	118,000
21527	Finance - Shared Services	(81,250)	(81,250)	0	0	(195,000)
21534	Professional Fees - Shared Services	2,750	38,502	35,752	10,960	77,000
<b>Expense Total</b>		<b>(55,462)</b>	<b>10,878</b>	<b>66,340</b>	<b>28,172</b>	<b>0</b>
Shared Services Total		(55,462)	10,878	66,340	28,172	0
<b>Finance Total</b>		<b>(24,585,791)</b>	<b>(24,308,075)</b>	<b>277,716</b>	<b>121,647</b>	<b>(24,676,369)</b>
<b>Corporate &amp; Strategy Total</b>		<b>(24,847,817)</b>	<b>(24,227,732)</b>	<b>620,085</b>	<b>336,636</b>	<b>(24,677,069)</b>
Community Development						
Community Development						
Community Development						
Expense						
28120	Salaries - Community Development	198,038	198,041	3	0	475,297
28121	Other Employee Costs - Community Development	1,943	3,335	1,392	3,992	8,390
28123	Office - Community Development	224	455	231	0	1,100
28124	Motor Vehicles - Community Development	2,768	5,790	3,023	0	13,900
28125	Depreciation - Community Development	660	750	90	0	1,800
28127	Finance - Community Development	77,830	77,830	0	0	186,793
28128	Insurance - Community Development	1,494	3,138	1,644	4,688	6,275
28130	Other Expense - Community Development	582	3,130	2,548	0	7,500
28134	Professional Fees - Community Development	0	625	625	0	1,500
28137	Donations - Community Development	92,686	61,290	(31,396)	0	162,900
28150	Special Projects - Community Development	5,821	40,000	34,179	44,400	80,000
28151	OPRL Activities - Community Development / PC82-87	40,634	42,115	1,481	31,802	148,200
<b>Expense Total</b>		<b>422,680</b>	<b>436,499</b>	<b>13,819</b>	<b>84,881</b>	<b>1,093,655</b>
Income						
58101	Fees & Charges - Community Development	(6,200)	(5,830)	370	0	(14,000)
58104	Grants Operating - Community Development	(1,000)	(1,665)	(665)	0	(24,000)
58106	Contributions & Reimburse - Community Development	(3,313)	(2,085)	1,228	0	(5,000)
<b>Income Total</b>		<b>(10,513)</b>	<b>(9,580)</b>	<b>933</b>	<b>0</b>	<b>(43,000)</b>
Community Development Total		412,167	426,919	14,752	84,881	1,050,655
Community Facilities						
Income						
58201	Fees & Charges - Community Facilities	(545)	(415)	130	0	(1,000)
58209	Council Property - Community Facilities	(83,384)	(74,730)	8,654	0	(179,350)
<b>Income Total</b>		<b>(83,929)</b>	<b>(75,145)</b>	<b>8,784</b>	<b>0</b>	<b>(180,350)</b>
Community Facilities Total		(83,929)	(75,145)	8,784	0	(180,350)
Volunteer Services VRC						



**CITY OF NEDLANDS**  
**FINANCIAL SUMMARY - OPERATING - BY BUSINESS UNIT**  
**AS AT 30 NOVEMBER 2019**

Row Labels	Master Account (desc)	Nov Actual YTD	Nov Budget YTD	Variance	Committed Balance	Annual Budget
<b>Expense</b>						
29320	Salaries - Volunteer Services VRC	38,993	38,465	(528)	0	92,309
29321	Other Employee Cost - Volunteer Services VRC	189	489	300	800	980
29323	Office - Volunteer Services VRC	219	1,076	857	0	2,150
29327	Finance - Volunteer Services VRC	7,925	7,925	0	0	19,025
29328	Insurance - Volunteer Services VRC	642	0	(642)	0	0
29330	Other Expense - Volunteer Services VRC	306	2,326	2,020	17	4,650
<b>Expense Total</b>		<b>48,275</b>	<b>50,281</b>	<b>2,006</b>	<b>817</b>	<b>119,114</b>
<b>Income</b>						
59304	Grants Operating - Volunteer Services VRC	(15,378)	(15,154)	224	0	(30,310)
<b>Income Total</b>		<b>(15,378)</b>	<b>(15,154)</b>	<b>224</b>	<b>0</b>	<b>(30,310)</b>
Volunteer Services VRC Total		32,897	35,127	2,230	817	88,804
<b>Volunteer Services NVS</b>						
<b>Expense</b>						
29220	Salaries - Volunteer Services NVS	12,868	12,415	(453)	0	29,794
29221	Other Employee Costs - Volunteer Services NVS	189	159	(30)	261	320
29223	Office - Volunteer Services NVS	0	0	0	0	100
29227	Finance - Volunteer Services NVS	6,805	6,805	0	0	16,334
29230	Other Expense - Volunteer Services NVS	148	1,300	1,152	1,078	2,600
29250	Special Projects - Volunteer Services NVS	2,610	3,000	390	80	3,000
<b>Expense Total</b>		<b>22,620</b>	<b>23,679</b>	<b>1,059</b>	<b>1,419</b>	<b>52,148</b>
Volunteer Services NVS Total		22,620	23,679	1,059	1,419	52,148
<b>Tresillian Community Centre</b>						
<b>Expense</b>						
29120	Salaries - Tresillian CC	109,846	99,215	(10,631)	0	238,118
29121	Other Employee Costs - Tresillian CC	755	1,706	951	2,580	3,460
29123	Office - Tresillian CC	4,723	12,500	7,777	3,752	25,000
29125	Depreciation - Tresillian CC	580	290	(290)	0	700
29127	Finance - Tresillian CC	33,815	33,815	0	0	81,152
29130	Other Expense - Tresillian CC	1,430	3,751	2,321	851	7,500
29136	Courses - Tresillian CC	82,605	120,400	37,795	43,996	240,800
29150	Exhibition - Tresillian CC	13,248	5,600	(7,648)	0	6,200
<b>Expense Total</b>		<b>247,002</b>	<b>277,277</b>	<b>30,275</b>	<b>51,178</b>	<b>602,930</b>
<b>Income</b>						
59101	Fees & Charges - Tresillian CC	(196,377)	(186,150)	10,227	0	(376,300)
59109	Council Property - Tresillian CC	(18,549)	(15,000)	3,549	0	(36,000)
51906	Contributions & Reimbursement - Tresillian CC	(3)	(500)	(497)	0	(500)
<b>Income Total</b>		<b>(214,929)</b>	<b>(201,650)</b>	<b>13,279</b>	<b>0</b>	<b>(412,800)</b>
Tresillian Community Centre Total		32,072	75,627	43,555	51,178	190,130
<b>Community Development Total</b>		<b>415,827</b>	<b>486,207</b>	<b>70,380</b>	<b>138,296</b>	<b>1,201,387</b>
<b>Community Services Centres</b>						
<b>Nedlands Community Care</b>						
<b>Expense</b>						
28620	Salaries - NCC	372,022	358,311	(13,711)	0	859,939
28621	Other Employee Costs - NCC	3,965	7,009	3,044	7,363	15,020
28623	Office - NCC	4,114	5,500	1,386	880	13,000
28624	Motor Vehicles - NCC	0	44,585	44,585	0	107,000
28625	Depreciation - NCC	10,466	11,125	659	0	26,700
28626	Utility - NCC	5,700	3,960	(1,740)	0	9,500
28627	Finance - NCC	104,080	104,080	0	0	249,793
28628	Insurance - NCC	2,718	0	(2,718)	0	0
28630	Other Expense - NCC	12,842	17,545	4,703	12,080	42,100
28635	ICT Expenses - NCC	0	0	0	0	10,000
28664	Hacc Unit Cost - NCC / PC66	36,337	0	(36,337)	0	0
<b>Expense Total</b>		<b>552,244</b>	<b>552,115</b>	<b>(129)</b>	<b>20,323</b>	<b>1,333,052</b>



**CITY OF NEDLANDS**  
**FINANCIAL SUMMARY - OPERATING - BY BUSINESS UNIT**  
**AS AT 30 NOVEMBER 2019**

Row Labels	Master Account (desc)	Nov Actual YTD	Nov Budget YTD	Variance	Committed Balance	Annual Budget
<b>Income</b>						
58601	Fees & Charges - NCC	(50,609)	(35,830)	14,779	0	(86,000)
58604	Grants Operating - NCC	(530,216)	(516,450)	13,766	0	(1,032,900)
58610	Sundry Income - NCC	0	0	0	0	(2,000)
<b>Income Total</b>		<b>(580,825)</b>	<b>(552,280)</b>	<b>28,545</b>	<b>0</b>	<b>(1,120,900)</b>
Nedlands Community Care Total		(28,581)	(165)	28,416	20,323	212,152
<b>Positive Ageing</b>						
<b>Expense</b>						
27420	Salaries - Positive Ageing	33,019	31,800	(1,219)	0	76,312
27421	Other Employee Costs - Positive Ageing	189	399	210	653	800
27427	Finance - Positive Ageing	12,275	12,275	0	0	29,460
28437	Donations - Positive Ageing	983	2,085	1,102	1,767	5,000
28450	Other Expense - Positive Ageing	16,364	13,330	(3,034)	5,600	32,000
<b>Expense Total</b>		<b>62,829</b>	<b>59,889</b>	<b>(2,940)</b>	<b>8,020</b>	<b>143,572</b>
<b>Income</b>						
58420	Fees & Charges - Positive Ageing	(33,872)	(19,585)	14,287	0	(47,000)
<b>Income Total</b>		<b>(33,872)</b>	<b>(19,585)</b>	<b>14,287</b>	<b>0</b>	<b>(47,000)</b>
Positive Ageing Total		28,957	40,304	11,347	8,020	96,572
<b>Point Resolution Child Care</b>						
<b>Expense</b>						
28820	Salaries - PRCC	208,359	222,791	14,432	0	534,690
28821	Other Employee Costs - PRCC	2,513	3,405	892	4,873	7,450
28823	Office - PRCC	1,099	2,998	1,899	0	9,200
28824	Motor Vehicles - PRCC	2,768	2,915	148	0	7,000
28825	Depreciation - PRCC	363	375	12	0	900
28826	Utility - PRCC	2,077	4,650	2,573	0	9,300
28827	Finance - PRCC	42,352	42,265	(87)	0	101,433
28828	Insurance - PRCC	415	0	(415)	0	0
28830	Other Expense - PRCC	14,092	6,584	(7,508)	271	14,000
28835	ICT Expenses - PRCC	0	1,040	1,040	0	4,100
<b>Expense Total</b>		<b>274,039</b>	<b>287,023</b>	<b>12,984</b>	<b>5,144</b>	<b>688,073</b>
<b>Income</b>						
58801	Fees & Charges - PRCC	(317,294)	(254,166)	63,128	0	(610,000)
<b>Income Total</b>		<b>(317,294)</b>	<b>(254,166)</b>	<b>63,128</b>	<b>0</b>	<b>(610,000)</b>
Point Resolution Child Care Total		(43,255)	32,857	76,112	5,144	78,073
<b>Mt Claremont Library</b>						
<b>Expense</b>						
28523	Office - Mt Claremont Library	3,072	5,075	2,003	725	10,500
28527	Finance - Mt Claremont Library	42,095	42,095	0	0	101,029
28530	Other Expense - Mt Claremont Library	10,095	15,975	5,880	5,630	37,200
28535	ICT Expenses - Mt Claremont Library	0	1,165	1,165	8,370	13,000
<b>Expense Total</b>		<b>55,262</b>	<b>64,310</b>	<b>9,048</b>	<b>14,726</b>	<b>161,729</b>
<b>Income</b>						
58501	Fees & Charges - Mt Claremont Library	(509)	(250)	259	0	(600)
58510	Sundry Income - Mt Claremont Library	(142)	(165)	(23)	0	(400)
58511	Fines & Penalties - Mt Claremont Library	(290)	(210)	80	0	(500)
<b>Income Total</b>		<b>(942)</b>	<b>(625)</b>	<b>317</b>	<b>0</b>	<b>(1,500)</b>
Mt Claremont Library Total		54,321	63,685	9,364	14,726	160,229
<b>Nedlands Library</b>						
<b>Expense</b>						
28720	Salaries - Library Services	419,584	428,076	8,492	0	1,027,372
28721	Other Employee Costs - Library Services	8,063	8,458	395	7,690	23,870
28723	Office - Nedlands Library	12,755	21,050	8,295	2,906	45,500
28724	Motor Vehicles - Nedlands Library	6,089	7,625	1,537	0	18,300
28725	Depreciation - Nedlands Library	5,584	5,500	(84)	0	13,200



**CITY OF NEDLANDS**  
**FINANCIAL SUMMARY - OPERATING - BY BUSINESS UNIT**  
**AS AT 30 NOVEMBER 2019**

Row Labels	Master Account (desc)	Nov Actual YTD	Nov Budget YTD	Variance	Committed Balance	Annual Budget
28727	Finance - Nedlands Library	225,585	225,581	(4)	0	541,399
28730	Other Expense - Nedlands Library	35,810	45,380	9,570	12,941	103,700
28731	Grants Expenditure - Nedlands Library	1,000	1,300	300	0	1,300
28734	Professional Fees - Nedlands Library	0	0	0	0	1,000
28735	ICT Expenses - Nedlands Library	3,097	2,040	(1,057)	19,532	35,100
28750	Special Projects - Nedlands Library	0	1,550	1,550	0	3,100
<b>Expense Total</b>		<b>717,566</b>	<b>746,560</b>	<b>28,994</b>	<b>43,068</b>	<b>1,813,841</b>
Income						
58701	Fees & Charges - Nedland Library	(3,404)	(2,290)	1,114	0	(5,500)
58704	Grants Operating - Nedlands Library	(1,000)	(1,300)	(300)	0	(1,300)
58710	Sundry Income - Nedlands Library	(2,215)	(2,290)	(75)	0	(5,500)
58711	Fines & Penalties - Nedlands Library	(1,261)	(1,040)	221	0	(2,500)
<b>Income Total</b>		<b>(7,879)</b>	<b>(6,920)</b>	<b>959</b>	<b>0</b>	<b>(14,800)</b>
Nedlands Library Total		709,687	739,640	29,953	43,068	1,799,041
<b>Community Services Centres Total</b>		<b>721,128</b>	<b>876,321</b>	<b>155,193</b>	<b>91,281</b>	<b>2,346,067</b>
<b>Community Development Total</b>		<b>1,136,955</b>	<b>1,362,528</b>	<b>225,573</b>	<b>229,577</b>	<b>3,547,454</b>
Planning & Development Services						
Planning Services						
Town Planning - Administration						
Expense						
24820	Salaries - Town Planning Admin	48,108	47,665	(443)	0	114,398
24821	Other Employee Costs - Town Planning Admin	7,002	12,924	5,922	8,833	38,880
24823	Office - Town Planning Admin	6,945	2,501	(4,444)	1,359	7,250
24824	Motor Vehicles - Town Planning Admin	12,661	17,085	4,424	0	41,000
24825	Depreciation - Town Planning Admin	82	85	3	0	200
24827	Finance - Town Planning Admin	144,665	144,666	1	0	347,200
24830	Other Expense - Town Planning Admin	0	1,000	1,000	0	5,000
<b>Expense Total</b>		<b>219,463</b>	<b>225,926</b>	<b>6,463</b>	<b>10,192</b>	<b>553,928</b>
Income						
54801	Fees & Charges - Town Planning Admin	(340,880)	(219,585)	121,295	0	(527,000)
54811	Fines & Penalties - Town Planning	0	0	0	0	(1,500)
<b>Income Total</b>		<b>(340,880)</b>	<b>(219,585)</b>	<b>121,295</b>	<b>0</b>	<b>(528,500)</b>
Town Planning - Administration Total		(121,417)	6,341	127,758	10,192	25,428
Statutory Planning						
Expense						
24320	Salaries - Statutory Planning	226,266	215,661	(10,605)	0	517,588
24321	Other Employee Costs - Statutory Planning	755	0	(755)	0	0
24334	Professional Fees - Statutory Planning	14,840	0	(14,840)	1,973	0
<b>Expense Total</b>		<b>241,861</b>	<b>215,661</b>	<b>(26,200)</b>	<b>1,973</b>	<b>517,588</b>
Statutory Planning Total		241,861	215,661	(26,200)	1,973	517,588
Strategic Planning						
Expense						
24857	Strategic Projects - Strategic Planning	42,163	31,279	(10,884)	13,295	150,000
24920	Salaries - Strategic Planning	179,668	215,226	35,558	0	516,544
24921	Other Employee Costs - Strategic Planning	755	0	(755)	0	0
24934	Professional Fees - Strategic Planning	0	8,335	8,335	0	20,000
<b>Expense Total</b>		<b>222,587</b>	<b>254,840</b>	<b>32,253</b>	<b>13,295</b>	<b>686,544</b>
Strategic Planning Total		222,587	254,840	32,253	13,295	686,544
<b>Planning Services Total</b>		<b>343,031</b>	<b>476,842</b>	<b>133,811</b>	<b>25,459</b>	<b>1,229,560</b>
Health & Compliance						
Sustainability						
Expense						
24620	Salaries - Sustainability	13,091	13,375	284	0	32,101
24621	Other Employee Costs - Sustainability	0	171	171	278	340
24624	Motor Vehicles - Sustainability	6,713	9,500	2,787	0	19,000





**CITY OF NEDLANDS**  
**FINANCIAL SUMMARY - OPERATING - BY BUSINESS UNIT**  
**AS AT 30 NOVEMBER 2019**

Row Labels	Master Account (desc)	Nov Actual YTD	Nov Budget YTD	Variance	Committed Balance	Annual Budget
24625	Depreciation - Sustainability	626	665	39	0	1,600
24627	Finance - Sustainability	10,010	10,010	0	0	24,025
24638	Operational Activities - Sustainability / PC79	10,775	20,410	9,635	2,052	49,000
<b>Expense Total</b>		<b>41,215</b>	<b>54,131</b>	<b>12,916</b>	<b>2,330</b>	<b>126,066</b>
Sustainability Total		41,215	54,131	12,916	2,330	126,066
Environmental Health						
Expense						
24720	Salaries - Environmental Health	196,450	185,355	(11,095)	0	444,857
24721	Other Employee Costs - Environmental Health	3,497	6,754	3,257	3,763	20,410
24723	Office - Environmental Health	656	2,085	1,430	46	5,000
24725	Depreciation - Environmental Health	2,696	2,710	14	0	6,500
24727	Finance - Environmental Health	48,710	48,710	0	0	116,899
24730	Other Expense - Environmental Health	812	13,835	13,023	182	33,200
24751	OPRL Activities - Environmental Health PC76,77,78	7,132	28,125	20,993	14,784	67,500
<b>Expense Total</b>		<b>259,952</b>	<b>287,574</b>	<b>27,622</b>	<b>18,775</b>	<b>694,366</b>
Income						
54701	Fees & Charges - Environmental Health	(67,539)	(19,165)	48,374	0	(46,000)
54710	Sundry Income - Environmental Health	(2,221)	(415)	1,806	0	(1,000)
54711	Fines & Penalties - Environmental Health	(17,892)	(37,915)	(20,023)	0	(91,000)
<b>Income Total</b>		<b>(87,651)</b>	<b>(57,495)</b>	<b>30,156</b>	<b>0</b>	<b>(138,000)</b>
Environmental Health Total		172,301	230,079	57,778	18,775	556,366
Environmental Conservation						
Expense						
24220	Salaries - Environmental Conservation	7,665	0	(7,665)	0	0
24221	Other Employee Costs - Environmental Conservation	566	0	(566)	1,388	2,800
24223	Office - Environmental Conservation	680	500	(180)	0	1,000
24227	Finance - Environmental Conservation	26,440	26,436	(4)	0	63,450
24230	Other Expense - Environmental Conservation	0	375	375	17	1,500
24237	Donations - Environmental Conservation	0	0	0	0	2,250
24251	OPRL Activities - Environ Conservation / PC80	286,579	280,918	(5,661)	288,602	799,400
<b>Expense Total</b>		<b>321,930</b>	<b>308,229</b>	<b>(13,701)</b>	<b>290,007</b>	<b>870,400</b>
Income						
54204	Grants Operating - Environmental Conservation	(12,200)	(7,500)	4,700	0	(30,000)
54210	Sundry Income - Environmental Conservation	(6,356)	0	6,356	0	(8,800)
<b>Income Total</b>		<b>(18,556)</b>	<b>(7,500)</b>	<b>11,056</b>	<b>0</b>	<b>(38,800)</b>
Environmental Conservation Total		303,374	300,729	(2,645)	290,007	831,600
Ranger Services						
Expense						
21120	Salaries - Ranger Services	260,245	261,231	986	0	626,952
21121	Other Employee Costs - Ranger Services	4,953	5,148	195	5,279	12,750
21123	Office - Ranger Services	8,841	6,000	(2,841)	2,820	9,300
21124	Motor Vehicles - Ranger Services	25,539	26,250	711	0	63,000
21125	Depreciation - Ranger Services	2,492	2,585	93	0	6,200
21127	Finance - Ranger Services	67,073	82,959	15,886	0	192,102
21130	Other Expense - Ranger Services	5,012	32,334	27,322	6,132	81,450
21135	ICT Expenses - Ranger Services	0	0	0	0	10,000
21137	Donations - Ranger Services	0	1,000	1,000	0	1,000
<b>Expense Total</b>		<b>374,155</b>	<b>417,507</b>	<b>43,352</b>	<b>14,232</b>	<b>1,002,754</b>
Income						
51101	Fees & Charges - Ranger Services	(34,108)	(29,585)	4,523	0	(72,000)
51106	Contributions & Reimbursements- Rangers Services	0	(15,000)	(15,000)	0	(30,000)
51111	Fines & Penalties - Rangers Services	(149,478)	(150,751)	(1,273)	0	(402,500)
<b>Income Total</b>		<b>(183,586)</b>	<b>(195,336)</b>	<b>(11,750)</b>	<b>0</b>	<b>(504,500)</b>
Ranger Services Total		190,569	222,171	31,602	14,232	498,254
<b>Health &amp; Compliance Total</b>		<b>707,460</b>	<b>807,110</b>	<b>99,650</b>	<b>325,344</b>	<b>2,012,286</b>



**CITY OF NEDLANDS**  
**FINANCIAL SUMMARY - OPERATING - BY BUSINESS UNIT**  
**AS AT 30 NOVEMBER 2019**

Row Labels	Master Account (desc)	Nov Actual YTD	Nov Budget YTD	Variance	Committed Balance	Annual Budget
<b>Building Services</b>						
Building Services						
Expense						
24420	Salaries - Building Services	278,949	354,801	75,852	13,572	851,516
24421	Other Employee Costs - Building Services	7,496	10,836	3,340	7,200	27,170
24423	Office - Building Services	955	2,910	1,955	2,140	3,400
24424	Motor Vehicles - Building Services	11,018	11,165	147	0	26,800
24425	Depreciation - Building Services	101	125	24	0	300
24427	Finance - Building Services	106,880	106,881	1	0	256,516
24430	Other Expense - Building Services	1,242	3,100	1,858	1,162	3,700
24434	Professional Fees - Building Services	3,450	2,085	(1,365)	0	5,000
<b>Expense Total</b>		<b>410,090</b>	<b>491,903</b>	<b>81,813</b>	<b>24,074</b>	<b>1,174,402</b>
Income						
54401	Fees & Charges - Building Services	(302,625)	(303,660)	(1,035)	0	(504,800)
54410	Sundry Income - Building Services	(12,734)	(8,335)	4,399	0	(20,000)
54411	Fines & Penalties - Building Services	(10,200)	(5,415)	4,785	0	(13,000)
<b>Income Total</b>		<b>(325,559)</b>	<b>(317,410)</b>	<b>8,149</b>	<b>0</b>	<b>(537,800)</b>
Building Services Total		84,531	174,493	89,962	24,074	636,602
<b>Building Services Total</b>		<b>84,531</b>	<b>174,493</b>	<b>89,962</b>	<b>24,074</b>	<b>636,602</b>
<b>Planning &amp; Development Services Total</b>		<b>1,135,022</b>	<b>1,458,445</b>	<b>323,423</b>	<b>374,877</b>	<b>3,878,448</b>
<b>Technical Services</b>						
Engineering						
Infrastructure Services						
Expense						
26220	Salaries - Infrastructure Svs	954,241	1,014,623	60,382	0	2,435,099
26221	Other Employee Costs - Infrastructure Svs	28,578	48,196	19,618	46,046	117,440
26223	Office - Infrastructure Svs	6,498	14,375	7,877	4,858	31,500
26224	Motor Vehicles - Infrastructure Svs	15,196	22,085	6,889	0	53,000
26225	Depreciation - Infrastructure Svs	5,330	6,540	1,210	0	15,700
26227	Finance - Infrastructure Svs	(919,640)	(1,539,129)	(619,489)	0	(2,893,913)
26228	Insurance - Infrastructure Svs	40,512	73,536	33,024	92,168	147,070
26230	Other Expense - Infrastructure Svs	27,441	31,501	4,060	6,630	63,000
26234	Professional Fees - Infrastructure Svs	23,241	5,460	(17,781)	6,385	11,100
26235	ICT Expenses - Infrastructure Svs	1,530	9,775	8,245	1,430	15,900
36101	Project Contribution - Infrastructure	10,500	(750,335)	(760,835)	0	(622,000)
<b>Expense Total</b>		<b>193,427</b>	<b>(1,063,373)</b>	<b>(1,256,800)</b>	<b>157,517</b>	<b>(626,104)</b>
Income						
56206	Contributions & Reimbursement - Infrastructure Svs	0	(54,999)	(54,999)	0	(110,000)
50202	Service Charges - Infrastructure Svs	(117,948)	(210,381)	(92,433)	0	(280,747)
56201	Fees & Charges - Infrastructure Svs	0	(5,001)	(5,001)	0	(10,000)
<b>Income Total</b>		<b>(117,948)</b>	<b>(270,381)</b>	<b>(152,433)</b>	<b>0</b>	<b>(400,747)</b>
Infrastructure Services Total		75,478	(1,333,754)	(1,409,233)	157,517	(1,026,851)
Plant Operating						
Expense						
26521	Other Employee Costs - Plant Operating	566	651	85	1,061	1,300
26525	Depreciation - Plant Operating	136,164	247,625	111,461	0	594,300
26527	Finance - Plant Operating	(281,713)	(597,999)	(316,286)	0	(1,196,000)
26532	Plant - Plant Operating	271,624	328,749	57,125	22,574	704,500
26533	Minor Parts & Workshop Tools - Plant Operating	15,036	42,505	27,469	712	102,000
26549	Loss Sale of Assets - Plant Operating	0	45,210	45,210	0	108,507
<b>Expense Total</b>		<b>141,678</b>	<b>66,741</b>	<b>(74,937)</b>	<b>24,348</b>	<b>314,607</b>
Income						
56501	Fees & Charges - Plant Operating	(21,401)	(30,000)	(8,599)	0	(60,000)
56510	Sundry Income - Plant operating	(3,191)	(1,500)	1,691	0	(3,000)
56515	Profit Sale of Assets - Plant Operating	0	(18,010)	(18,010)	0	(43,228)



**CITY OF NEDLANDS**  
**FINANCIAL SUMMARY - OPERATING - BY BUSINESS UNIT**  
**AS AT 30 NOVEMBER 2019**

Row Labels	Master Account (desc)	Nov Actual YTD	Nov Budget YTD	Variance	Committed Balance	Annual Budget
<b>Income Total</b>		<b>(24,592)</b>	<b>(49,510)</b>	<b>(24,918)</b>	<b>0</b>	<b>(106,228)</b>
Plant Operating Total		117,086	17,231	(99,855)	24,348	208,379
Streets Roads and Depots						
Expense						
26625	Depreciation - Streets Roads & Depots	885,523	854,687	(30,836)	0	2,051,240
26626	Utility - Streets Roads & Depots	203,861	291,500	87,639	231	583,000
26630	Other Expense - Streets Roads & Depots	33,951	32,502	(1,449)	0	65,000
26640	Reinstatement - Streets Roads & Depot	1,120	3,498	2,378	0	7,000
26667	Maintenance - Road Maintenance / PC51	343,905	340,250	(3,655)	108,610	680,500
26668	Maintenance - Drainage Maintenance / PC52	272,196	257,651	(14,545)	83,249	515,300
26669	Maintenance - Footpath Maintenance / PC53	98,745	82,599	(16,146)	28,960	165,200
26670	Maintenance - Parking Signs / PC54	46,897	43,749	(3,148)	3,019	87,500
26671	Maintenance - Right of Way Maintenance / PC55	42,569	43,749	1,180	17,113	87,500
26672	Maintenance - Bus Shelter Maintenance / PC56	2,106	5,799	3,693	1,359	11,600
26673	Maintenance - Graffiti Control / PC57	1,143	9,750	8,607	1,675	19,500
26674	Maintenance - Streets Roads & Depot / PC89	35,243	63,125	27,882	4,986	151,500
<b>Expense Total</b>		<b>1,967,259</b>	<b>2,028,859</b>	<b>61,600</b>	<b>249,203</b>	<b>4,424,840</b>
Income						
56601	Fees & Charges - Streets Roads & Depots	(26,559)	(40,002)	(13,443)	0	(80,000)
56604	Grants Operating - Streets Roads & Depots	0	(35,100)	(35,100)	0	(70,200)
56606	Contributions & Reimburse - Streets Roads & Depots	9,032	(7,500)	(16,532)	0	(15,000)
<b>Income Total</b>		<b>(17,528)</b>	<b>(82,602)</b>	<b>(65,074)</b>	<b>0</b>	<b>(165,200)</b>
Streets Roads and Depots Total		1,949,731	1,946,257	(3,474)	249,203	4,259,640
Waste Minimisation						
Expense						
24520	Salaries - Waste Minimisation	99,133	103,160	4,027	0	247,589
24521	Other Employee Costs - Waste Minimisation	1,275	2,324	1,049	2,139	6,670
24524	Motor Vehicles - Waste Minimisation	5,242	4,600	(642)	0	9,200
24527	Finance - Waste Minimisation	74,637	74,626	(11)	0	179,106
24538	Purchase of Product - Waste Minimisation	898	1,500	602	133	3,000
24552	Residential Kerbside - Waste Minimisation / PC71	790,569	784,251	(6,318)	214,476	1,882,200
24553	Residential Bulk - Waste Minimisation / PC72	2,021	0	(2,021)	241,608	472,000
24554	Commercial - Waste Minimisation / PC73	45,810	42,835	(2,975)	39,063	102,800
24555	Public Waste - Waste Minimisation / PC74	48,197	43,455	(4,742)	(2,533)	104,300
24556	Waste Strategy - Waste Minimisation / PC75	5,454	42,150	36,696	640	84,300
<b>Expense Total</b>		<b>1,073,235</b>	<b>1,098,901</b>	<b>25,666</b>	<b>495,526</b>	<b>3,091,165</b>
Income						
54501	Fees & Charges - Waste Minimisation	(3,285,825)	(3,322,807)	(36,982)	0	(3,354,547)
<b>Income Total</b>		<b>(3,285,825)</b>	<b>(3,322,807)</b>	<b>(36,982)</b>	<b>0</b>	<b>(3,354,547)</b>
Waste Minimisation Total		(2,212,589)	(2,223,906)	(11,317)	495,526	(263,382)
Building Maintenance						
Expense						
24120	Salaries - Building Maintenance	160,777	166,810	6,033	0	400,345
24121	Other Employee Costs - Building Maintenance	1,123	3,706	2,583	3,437	7,410
24123	Office - Building Maintenance	341	0	(341)	0	0
24124	Motor Vehicles - Building Maintenance	11,937	15,210	3,273	0	36,500
24125	Depreciation - Building Maintenance	305,718	318,581	12,863	0	764,600
24126	Utility - Building Maintenance PC41,42,43	90,816	144,425	53,609	0	288,850
24127	Finance - Building Maintenance	63,415	(86,585)	(150,000)	0	(147,804)
24128	Insurance - Building Maintenance PC40	73,532	39,501	(34,031)	474	79,000
24130	Other Expense - Building Maintenance	5,730	12,500	6,770	8,410	30,000
24133	Building - Building Maintenance PC58	511,991	538,086	26,095	172,117	1,410,500
24135	ICT Expenses - Building Maintenance	0	1,250	1,250	0	2,500
<b>Expense Total</b>		<b>1,225,381</b>	<b>1,153,484</b>	<b>(71,897)</b>	<b>184,437</b>	<b>2,871,901</b>
Income						



**CITY OF NEDLANDS**  
**FINANCIAL SUMMARY - OPERATING - BY BUSINESS UNIT**  
**AS AT 30 NOVEMBER 2019**

Row Labels	Master Account (desc)	Nov Actual YTD	Nov Budget YTD	Variance	Committed Balance	Annual Budget
54106	Contributions & Reimbursement - Building Maintenanc	(51,906)	(39,585)	12,321	0	(95,000)
54109	Council Property - Building Maintenance	(95,010)	(113,351)	(18,341)	0	(272,050)
54110	Sundry Income - Building Maintenance	(480)	0	480	0	0
<b>Income Total</b>		<b>(147,396)</b>	<b>(152,936)</b>	<b>(5,540)</b>	<b>0</b>	<b>(367,050)</b>
Building Maintenance Total		1,077,984	1,000,548	(77,436)	184,437	2,504,851
<b>Engineering Total</b>		<b>1,007,691</b>	<b>(593,624)</b>	<b>(1,601,315)</b>	<b>1,111,031</b>	<b>5,682,637</b>
<b>Parks Services</b>						
Parks Services						
Expense						
26360	Depreciation - Parks Services	289,554	295,541	5,987	0	709,300
26365	Maintenance - Parks Services / PC59	1,847,725	1,885,545	37,820	271,717	4,416,350
<b>Expense Total</b>		<b>2,137,279</b>	<b>2,181,086</b>	<b>43,807</b>	<b>271,717</b>	<b>5,125,650</b>
Income						
56301	Fees & Charges - Parks & Ovals	(440)	(1,500)	(1,060)	0	(1,500)
56306	Contributions & Reimbursements - Parks Services	(46,852)	(18,500)	28,352	0	(18,500)
56309	Council Property - Parks Services	(18,620)	(34,000)	(15,380)	0	(68,000)
56310	Sundry Income - Parks Services	(9,803)	(16,000)	(6,197)	0	(16,000)
56312	Fines & Penalties - Parks & Ovals	(55)	(1,000)	(945)	0	(1,000)
<b>Income Total</b>		<b>(75,769)</b>	<b>(71,000)</b>	<b>4,769</b>	<b>0</b>	<b>(105,000)</b>
Parks Services Total		2,061,510	2,110,086	48,576	271,717	5,020,650
<b>Parks Services Total</b>		<b>2,061,510</b>	<b>2,110,086</b>	<b>48,576</b>	<b>271,717</b>	<b>5,020,650</b>
<b>Technical Services Total</b>		<b>3,069,201</b>	<b>1,516,462</b>	<b>(1,552,739)</b>	<b>1,382,747</b>	<b>10,703,287</b>
<b>City of Nedlands Total</b>		<b>(18,463,514)</b>	<b>(18,622,076)</b>	<b>(158,562)</b>	<b>2,497,113</b>	<b>(3,731,341)</b>



**CITY OF NEDLANDS**  
**CAPITAL WORKS & ACQUISITIONS**  
**AS AT 30 NOVEMBER 2019**

L1	L1 Desc / Ni L2 - Desc	November Actual YTD	Committed Balance	Annual Budget	Budget Available
2	<b>Footpath Rehabilitation</b>				
	2452 School Sports Facility	0	0	30,000	30,000
	200 Monash Avn-Paving of Verge(infrn of Sch)	0	0	14,200	14,200
	609 Stirling Highway-Kinninmont to smyth	0	14,645	72,846	58,201
	610 Stirling Highway-Portland to Williams	0	68,641	64,220	-4,421
	611 Stirling Highway-Robinson to Weld	0	0	90,099	90,099
	<b>Footpath Rehabilitation Total</b>	<b>0</b>	<b>83,287</b>	<b>271,365</b>	<b>188,079</b>
3	<b>Road Rehabilitation</b>				
	2004 Rochdale Road	11,718	0	42,600	30,882
	2143 Brockway Road	3,923	855	0	-4,778
	2070 Waroonga Road	0	106,717	147,396	40,679
	2071 Rockton Road	0	91,038	147,396	56,358
	2318 Gerygone Lane	0	0	206,058	206,058
	612 Campsie St-Verdun Street to cul-de-sac	0	0	348,184	348,184
	613 Leopold St-Melvista Ave to Princess Rd	173,030	5,790	316,325	137,505
	614 Riley Road-Stone Road to Hackett Road	193,399	1,406	343,910	149,105
	615 Micrantha Lane-Williams Rd to Clifton St	0	0	74,060	74,060
	616 Ringneck Ln drainage-Brick Paving and in	0	79,963	113,600	33,637
	<b>Road Rehabilitation Total</b>	<b>382,069</b>	<b>285,768</b>	<b>1,739,529</b>	<b>1,071,691</b>
4	<b>Drainage Rehabilitation</b>				
	2001 Railway Road	32,189	3,353	56,800	21,258
	2024 Carrington Street	0	0	0	0
	<b>Drainage Rehabilitation Total</b>	<b>32,189</b>	<b>3,353</b>	<b>56,800</b>	<b>21,258</b>
5	<b>Street Furniture / Bus Shelter</b>				
	501 City Wide Street Lights - INSTL LED	16,135	21,834	45,000	7,031
	502 West Hollywood - LED smart control	2,982	0	0	-2,982
	<b>Street Furniture / Bus Shelter Total</b>	<b>19,117</b>	<b>21,834</b>	<b>45,000</b>	<b>4,049</b>
6	<b>Grant Funded Projects</b>				
	2001 Railway Road	0	0	64,000	64,000
	2003 Alfred Road	0	0	194,700	194,700
	2010 Broadway	0	0	90,000	90,000
	2012 Waratah Avenue	738	220,909	330,000	108,352
	2015 Birdwood Parade	996	0	172,000	171,004
	2017 Loch Street	0	0	286,000	286,000
	2018 Underwood Avenue	0	659	0	-659
	2037 Elizabeth Street	453	1,912,370	1,900,000	-12,823
	2038 Jenkins Ave	0	0	700,000	700,000
	2198 Hampden Road	0	0	253,400	253,400
	2225 Stephenson Avenue	0	0	30,000	30,000
	2014 Aberdare Rd	0	0	46,000	46,000
	2143 Brockway Road	0	6,449	280,000	273,551
	2262 Iris Avenue (South)	0	0	37,500	37,500
	2410 INTXN - Smyth RD/Monash Av	0	3,593	0	-3,593
	617 Narla Rd-Swanway Cres to Servetus St	0	123,275	120,300	-2,975
	618 Rosedale St-Gunn St to Alderbury St	2,703	106,580	230,400	121,117
	635 Alfred Road-Brockway to Mimosa	0	0	57,150	57,150
	2041 Elizabeth St-Broadwy to Bay Rd(Drainage)	2,925	0	700,000	697,075
	<b>Grant Funded Projects Total</b>	<b>7,816</b>	<b>2,373,836</b>	<b>5,491,450</b>	<b>3,109,799</b>
11	<b>Building Construction</b>				
	4003 Broome St - Council Depot	10,534	30,303	106,500	65,664
	4004 Webster St - Drabble House	17,410	12,719	269,800	239,671
	4007 140 Melvista Ave - JC Smith Pavilion	318	2,864	28,400	25,218
	4008 60 Stirling Hwy - Nedlands Library	0	1,620	0	-1,620
	4009 53 Jutland Pde - PRCC	890	4,510	0	-5,400
	4011 105 Montgomery Ave - MTC Library	0	13,655	0	-13,655
	4012 19 Haldane St - MTC Community Centre	0	193	0	-193
	4015 118 Wood St - Friends of Allen Park	1,650	0	0	-1,650
	4016 67 Stirling Highway - Maisonettes	74,690	2,898	51,162	-26,426
	4021 110 Smyth Road - Cottage Bldg	0	343	0	-343



**CITY OF NEDLANDS**  
**CAPITAL WORKS & ACQUISITIONS**  
**AS AT 30 NOVEMBER 2019**

L1	L1 Desc / Ni L2 - Desc	November Actual YTD	Committed Balance	Annual Budget	Budget Available
	4052 Allen Park (Master Plan)	0	0	397,600	397,600
	4096 Lawler Park	0	0	80,000	80,000
	4159 8 Draper St - Hackett Hall	5,680	0	56,800	51,120
	4164 100A Princess Rd - College Park Family Centre	587	1,901	0	-2,488
	4201 John XXIII Ave - Council Depot	1,095	0	0	-1,095
	619 Charles Court Reserve Toilets-Renovation	31,888	7,273	35,500	-3,660
	620 Mt Claremont Library-Re roof	0	0	383,400	383,400
	<b>Building Construction Total</b>	<b>144,741</b>	<b>78,278</b>	<b>1,409,162</b>	<b>1,186,143</b>
12	Off Street Parking				
	406 Maisonettes Carpark - Resurface	50,776	350	45,440	-5,686
	<b>Off Street Parking Total</b>	<b>50,776</b>	<b>350</b>	<b>45,440</b>	<b>-5,686</b>
14	Parks & Reserves Construction				
	4052 Allen Park	0	0	44,872	44,872
	4059 Beatrice Road Reserve	0	0	6,390	6,390
	4061 Bishop Road Reserve	267	0	0	-267
	4062 Blain Park	0	0	23,572	23,572
	4069 Carrington Park	0	0	26,128	26,128
	4072 College Park	44,943	0	140,580	95,637
	4085 Genesta Park	3,536	0	0	-3,536
	4089 Hamilton Park	1,268	0	30,814	29,546
	4092 Hollywood Tennis Court Reserve	2,371	1,000	5,680	2,309
	4094 Jones Park	0	16,890	31,240	14,350
	4098 Leura Park	5,357	0	6,674	1,317
	4115 New Court Gardens	0	0	71,000	71,000
	4118 Peace Memorial Rose Garden	445	0	9,088	8,643
	4122 Point Resolution Reserve	99,153	0	106,500	7,347
	4139 Tresillian Community Centre Surrounds	89	0	0	-89
	4173 Cottesloe Golf Club	0	0	20,000	20,000
	724 Pt Res Rsv - DVPT Greenway buffer S1	30,635	0	52,206	21,571
	728 St John Wood Bv POS - DVLP park	0	7,362	0	-7,362
	732 Allen Park (LO) - INST floodlight	639	0	217,176	216,537
	734 Asquith Reserve - Redevelopment	48,202	29,817	90,500	12,481
	735 Birdwood Pde Rsv-R carpark lightpole x2	13,864	109	0	-13,973
	737 Bishop Rd Rsv - Enviro-scape manster pln	0	3,581	0	-3,581
	739 Brockman Rsv - UG playground	73,114	0	0	-73,114
	745 Charles Crt Rsv - R fitness equipment	43,310	0	0	-43,310
	752 Hamilton Park - UG irrigation system	0	0	24,224	24,224
	754 Hollywood Rsv - UG pathway	956	25,476	33,600	7,169
	767 Pt Res Rsv - UG irrigation system	124,206	11,147	140,000	4,647
	768 Railway Rd - Complete greenway	54,299	0	0	-54,299
	769 St Johns Wood Blv POS - INST playground	5,128	0	137,245	132,117
	770 Jones Park - Install Drinking Fountain	6,192	0	0	-6,192
	771 Jones Park - Bushfence Bollards Gate&Eco	15,903	17,910	43,736	9,923
	621 Blain Park-Replace Drinking Fountain	5,805	0	6,674	869
	622 College Park-Replace Gates toTennis Cour	1,477	0	5,680	4,203
	624 Hollywood Tennis Crs Rsv-Replace floodli	7,745	5,643	23,004	9,616
	625 Iris Ave Gardens-Install 90m recycled pl	0	0	9,230	9,230
	626 Melvista Oval-Replace Park Benches(2)	0	3,472	6,816	3,344
	627 Melvista Oval-Replace Fitness Equipment	12,070	0	12,354	284
	628 Melvista Oval-Replace Basketball Backwar	3,514	0	9,372	5,858
	629 Mt Claremont-R existing Floodlights wth	14,725	0	23,004	8,279
	630 Mt Claremont R-Replace Security Light	13,617	0	42,032	28,415
	631 Peace Memo Gardens-Renew Bore(38m)	0	0	41,606	41,606
	632 Point Resolution Reserve-Upgrade of fina	0	0	28,400	28,400
	633 Swanbourne Greenway Project	0	0	48,280	48,280
	634 Tresillian Gardens-Upgrade old Playgroun	38,401	38	28,400	-10,039
	5108 Mt Claremont Oval	0	0	29,820	29,820
	<b>Parks &amp; Reserves Construction Total</b>	<b>671,232</b>	<b>122,445</b>	<b>1,575,897</b>	<b>782,221</b>
15	Plant & Equipment				



CITY OF NEDLANDS  
CAPITAL WORKS & ACQUISITIONS  
AS AT 30 NOVEMBER 2019

L1	L1 Desc / Ni L2 - Desc	November Actual YTD	Committed Balance	Annual Budget	Budget Available
	7500 Technical Svs - Engineering	213,680	141,702	283,000	-72,382
	7501 Development Svs - Town Planning	42,322	0	0	-42,322
	7502 Development Svs - Building Svs	19,303	0	23,000	3,697
	7505 Planning & Development Svs - Ranger Svs	129,419	0	132,000	2,581
	7507 Development Svs - Environmental Health	67,554	0	66,000	-1,554
	7508 Corporate & Strategy - Finance	0	0	45,000	45,000
	7509 Technical Svs - Parks Svs	76,977	0	389,000	312,023
	7515 Corporate & Strategy - ICT	0	60,440	33,000	-27,440
	<b>Plant &amp; Equipment Total</b>	<b>549,255</b>	<b>202,142</b>	<b>971,000</b>	<b>219,603</b>
16	ICT Capital Projects				
	6054 Software	15,794	360	0	-16,154
	6060 Software - IP Phone	-577	0	0	577
	6061 Software - Business Improvement System	0	12,930	150,000	137,070
	6062 Firewall at Administration	24,048	0	40,000	15,952
	6063 Replace SSD on VDI nodes	0	0	20,000	20,000
	6064 Ipads for councillors	6,297	1,090	15,000	7,613
	6065 Administration Booking Softwate	0	0	40,000	40,000
	6066 Administration Comms Rack Cleanup Aups R	0	0	30,000	30,000
	6067 Printers & Copiers	0	0	109,514	109,514
	6068 Noise Monitoring Equipment-Environmntl H	0	0	10,000	10,000
	<b>ICT Capital Projects Total</b>	<b>45,562</b>	<b>14,380</b>	<b>414,514</b>	<b>354,572</b>
18	Furniture & Fixture				
	4008 60 Stirling Hwy - Nedlands Library	119	0	10,000	9,881
	<b>Furniture &amp; Fixture Total</b>	<b>119</b>	<b>0</b>	<b>10,000</b>	<b>9,881</b>
19	Public Art				
	9000 City Wide	39,000	20,121	0	-59,121
	9001 Public Arts Work	0	0	50,000	50,000
	<b>Public Art Total</b>	<b>39,000</b>	<b>20,121</b>	<b>50,000</b>	<b>-9,121</b>
20	Major Projects - Parks				
	4071 Charles Ct Reserve	13,524	0	400,000	386,476
	901 Beaton Park - AAPS Stage 2	159	0	0	-159
	903 Charles Crt Rsv - CNST riverwall S4-1	22,650	43,334	22,898	-43,087
	904 Swanbourne Beach Oval - rehabilitation	58,049	56,112	270,000	155,839
	<b>Major Projects - Parks Total</b>	<b>94,382</b>	<b>99,446</b>	<b>692,898</b>	<b>499,070</b>
<b>City of Nedlands Total</b>		<b>2,036,257</b>	<b>3,305,240</b>	<b>12,773,055</b>	<b>7,431,559</b>



**CITY OF NEDLANDS**  
**STATEMENT OF NET CURRENT ASSETS**  
**CLOSING FUNDS**  
**AS AT 30 NOVEMBER 2019**

	<b>2019/20</b> <b>YTD 30</b> <b>November</b>	<b>2018/19</b> <b>YTD 30</b> <b>November 2018</b>	<b>2018/19</b> <b>YEAR END</b> <b>30 June 2019</b>
<b>Current Assets</b>			
Cash & Cash Equivalents	27,083,792	23,981,367	13,030,919
Receivable - Rates Outstanding (inc Rebates)	7,356,736	6,680,930	440,333
Receivable - Sundry Debtors	765,044	621,484	1,319,548
Receivable - Self Supporting Loan	6,867	6,660	13,630
Receivable - UGP	173,714	762,251	138,453
GST Receivable	217,917	95,504	539,456
Prepayments	103,850	113,997	170,828
Less: Provision for Doubtful Debts	(9,282)	(5,186)	(9,282)
Inventories	26,257	4,679	15,724
	<b>35,724,895</b>	<b>32,261,686</b>	<b>15,659,609</b>
<b>Current Liabilities</b>			
Payable - Sundry Creditors	(3,822,060)	(697,295)	(4,405,159)
Payable - ESL	(2,994,997)	(2,896,192)	(35,256)
Accrued Salaries and Wages	(88,144)	(216,774)	(341,845)
Employee Provisions	(2,227,319)	(2,146,471)	(2,274,759)
Borrowings	(1,037,758)	(998,015)	(1,693,964)
	<b>(10,170,277)</b>	<b>(6,954,747)</b>	<b>(8,750,984)</b>
<b>Unadjusted Net Current Assets</b>	<b>25,554,617</b>	<b>25,306,939</b>	<b>6,908,625</b>
Less: Restricted Reserves	(6,140,720)	(6,063,537)	(6,095,372)
Less: Current Self Supporting Loan Liability	(6,867)	(6,660)	(13,630)
Add Back: Borrowings	1,037,758	998,015	1,693,964
<b>Net Current Assets</b>	<b>20,444,788</b>	<b>20,234,757</b>	<b>2,493,587</b>





City of Nedlands

**CITY OF NEDLANDS**  
**STATEMENT OF FINANCIAL ACTIVITY**  
**BY DIRECTORATES**  
**FOR THE PERIOD ENDED 30 NOVEMBER 2019**

	2019-20 Annual Budget \$	November 19 YTD Budget \$	November 19 YTD Actual \$	November 19 YTD Variance \$	Variance %
<b>Operating Income</b>					
Governance	261,020	110,427	21,425	(89,002)	-80.6%
Corporate & Strategy	25,363,374	24,605,623	24,814,088	208,465	0.8%
Community Development & Services	2,460,660	1,135,105	1,265,561	130,456	11.5%
Planning & Development Services	1,747,600	797,326	956,232	158,906	19.9%
Technical Services	4,498,772	3,949,236	3,669,058	(280,178)	-7.1%
	<b>34,331,426</b>	<b>30,597,717</b>	<b>30,726,365</b>	<b>128,648</b>	<b>0.4%</b>
<b>Operating Expense</b>					
Governance	(3,077,559)	(1,378,648)	(1,064,551)	314,097	22.8%
Corporate & Strategy	(686,305)	(377,891)	33,730	411,621	108.9%
Community Development & Services	(6,008,114)	(2,497,633)	(2,402,517)	95,117	3.8%
Planning & Development Services	(5,626,048)	(2,255,771)	(2,091,253)	164,518	7.3%
Technical Services	(15,202,059)	(5,465,698)	(6,738,259)	(1,272,561)	-23.3%
	<b>(30,600,085)</b>	<b>(11,975,641)</b>	<b>(12,262,851)</b>	<b>(287,210)</b>	<b>-2.4%</b>
<b>Capital Income</b>					
Grants Capital	4,640,042		851,201		
Capital Contribution	0		225,882		
Proceeds from Disposal of Assets	491,636		353,941		
New Borrowings	0		0		
Self Supporting Loan Principal Repayments	13,630		6,763		
Transfer from Reserve	1,856,862		0		
	<b>7,002,170</b>		<b>1,437,787</b>		
<b>Capital Expenditure</b>					
Land & Buildings	(1,409,162)		(144,741)		
Infrastructure - Road	(7,604,584)		(491,967)		
Infrastructure - Parks	(2,313,795)		(765,036)		
Plant & Equipment	(971,000)		(549,255)		
Furniture & Equipment	(474,514)		(85,258)		
Repayment of Debentures	(1,691,065)		(656,206)		
Transfer to Reserves	(1,768,566)		(45,347)		
	<b>(16,232,686)</b>		<b>(2,737,809)</b>		
<b>Total Operating and Non-Operating</b>	<b>(5,499,175)</b>		<b>17,163,491</b>		
<b>Adjustment - Non Cash Items</b>					
Depreciation	4,378,000		1,721,146		
Receivables/Provisions/Other Accruals	853		25,366		
Change in accounting policy	(594,247)		(958,802)		
(Profit) on Sale of Assets	(43,228)		0		
Loss on Sale of Assets	108,448		0		
ADD - Surplus/(Deficit) 1 July b/f	1,703,203		2,493,587		
LESS - Surplus/(Deficit) 30 June c/f	53,854		20,444,788		
	<b>5,499,175</b>		<b>(17,163,491)</b>		



**SUMMARY STATEMENT OF BORROWING ACTIVITY  
FOR THE PERIOD ENDING 30 NOVEMBER 2019**

**Purpose**

- Loan 179 - Road Infrastructures
- Loan 181 - Building and Road Infrastructures
- Loan 182 - Building
- Loan 183 - Building
- Loan 184 - Building
- Loan 185 - Building
- Loan 187 - Underground Power (CON)
- Loan 188 - Underground Power (W.Hollywood Res)
- Loan 189 - Underground Power (Alfred & MTC Res)
- Loan 190 - Underground Power (Alderbury Res)

**Self Supporting Loans**

- Loan 186 - Dalkeith Bowling Club

**Total**

Interest Rate Per Annum	Actual YTD 30 November 2019				
	Principal 01-Jul-19	New loans	Principal Repayment	Principal 30-Nov-19	Interest(YTD)
	\$	\$	\$	\$	\$
6.04%	654,992	0	(57,023)	597,969	16,057
5.91%	498,901	0	(119,292)	379,609	11,411
4.67%	649,125	0	(61,575)	587,550	12,152
2.78%	1,031,607	0	(79,570)	952,037	11,674
3.12%	921,181	0	(64,443)	856,738	11,557
3.12%	435,974	0	(30,499)	405,475	5,470
2.64%	2,464,759	0	(156,859)	2,307,900	31,500
3.07%	645,499	0	(66,873)	578,626	7,801
3.07%	94,279	0	(9,767)	84,512	1,131
3.07%	66,956	0	(6,937)	60,019	814
	<b>7,463,273</b>	<b>0</b>	<b>(652,838)</b>	<b>6,810,435</b>	<b>109,566</b>
3.07%	92,445	0	(3,369)	89,077	1,165
				<b>0</b>	
	<b>7,555,718</b>	<b>0</b>	<b>(656,207)</b>	<b>6,899,511</b>	<b>110,731</b>

Adopted Budget 2019/20		
New loans	Principal 30-Jun-20	Interest
\$	\$	\$
0	539,211	36,972
0	256,766	24,184
0	398,479	25,967
0	871,357	27,018
0	791,286	27,231
0	374,498	12,888
0	1,831,084	58,831
0	578,626	18,277
0	84,512	2,669
0	60,019	1,896
0	<b>5,785,838</b>	<b>235,933</b>
0	78,815	2,682
<b>0</b>	<b>5,864,653</b>	<b>238,615</b>



**CITY OF NEDLANDS**  
**STATEMENT OF FINANCIAL POSITION**  
**AS AT 30 NOVEMBER 2019**

	2019/2020 YTD 30 November 2019 \$	2018/2019 YTD 30 November \$	2018/2019 YEAR END 30 June 2019 \$
<b>Current Assets</b>			
Cash & Cash Equivalents	27,083,792	23,981,367	13,030,919
Trade & Other Receivables	8,510,996	8,161,644	2,442,138
Inventories	26,257	4,679	15,724
Other - Prepayments & Accruals	103,850	113,997	170,828
<b>Total Current Assets</b>	<b>35,724,895</b>	<b>32,261,686</b>	<b>15,659,609</b>
<b>Non Current Assets</b>			
Other Receivables	1,280,683	530,137	1,306,050
Other Financial Assets	140,137	123,734	140,137
Property, Plant & Equipment Infrastructure	346,195,576	343,210,119	345,984,718
	87,742,303	84,708,059	87,638,047
<b>Total Non Current Assets</b>	<b>435,358,700</b>	<b>428,572,049</b>	<b>435,068,953</b>
<b>Total Assets</b>	<b>471,083,594</b>	<b>460,833,735</b>	<b>450,728,563</b>
<b>Current Liabilities</b>			
Trade & Other Payables	5,946,401	3,810,261	4,782,260
Current Borrowings	1,037,758	998,015	1,693,964
Employee Provisions	2,227,319	2,146,471	2,274,759
<b>Total Current Liabilities</b>	<b>9,211,477</b>	<b>6,954,747</b>	<b>8,750,984</b>
<b>Non Current Liabilities</b>			
Long Term Borrowings	5,861,752	7,555,717	5,915,754
Deferred Liability	54,001	0	0
Employee Provisions	474,196	337,618	474,196
<b>Total Non Current Liabilities</b>	<b>6,389,949</b>	<b>7,893,335</b>	<b>6,389,949</b>
<b>Total Liabilities</b>	<b>15,601,427</b>	<b>14,848,082</b>	<b>15,140,933</b>
<b>Net Assets</b>	<b>455,482,168</b>	<b>445,985,652</b>	<b>435,587,629</b>
<b>Equity</b>			
Retained Surplus	95,794,798	86,375,466	75,945,603
Reserves - Cash Backed	6,140,720	6,063,537	6,095,373
Revaluation Surplus	353,546,650	353,546,650	353,546,650
<b>Total Equity</b>	<b>455,482,168</b>	<b>445,985,652</b>	<b>435,587,629</b>



**SUMMARY STATEMENT OF FINANCIAL ACTIVITY - OPERATING  
BY REPORTING ACTIVITY  
FOR THE PERIOD ENDING 30 NOVEMBER 2019**

Reporting Activity	November 19 YTD Budget	November 19 YTD Actual	Variance Indicators				2019-20 Annual Budget	Var. Scale	Comment Ref
			\$	%	Flag	F/U			
<b>Income:</b>									
Community Leadership	100,425	21,425	(79,000)	(79%)	▶	U	241,020	●	Timing difference of WESROC invoice to Western suburbs
Corporate Administration	379,137	380,455	1,318	0%	▶	F	905,800	●	
Community Capacity Building	301,529	324,750	23,221	8%	▶	F	666,460	●	
Community Care	826,031	931,991	105,960	13%	▶	F	1,777,900	●	
Libraries	7,545	8,821	1,276	17%	▶	F	16,300	●	
Building & Development Control	536,995	666,439	129,444	24%	▶	F	1,066,300	●	
Environmental Health Services	57,495	87,651	30,156	52%	▶	F	138,000	●	
Rangers & Public Safety	195,336	183,586	(11,750)	(6%)	▶	U	504,500	●	
Engineering & Asset Management	270,381	117,948	(152,433)	(56%)	▶	U	400,747	●	Lower underground power service charges and fees and charges in Infrastructure
Parks & Natural Areas	78,500	94,325	15,825	20%	▶	F	143,800	●	
Roads, Paths & Drains	132,112	42,120	(89,992)	(68%)	▶	U	271,428	●	Timing difference of grants income
Community Building Management	152,936	147,396	(5,540)	(4%)	▶	U	367,050	●	
Waste Management	3,322,807	3,285,825	(36,982)	(1%)	▶	U	3,354,547	●	
Rates & Property Services	24,236,488	24,433,632	197,144	1%	▶	F	24,477,574	●	
<b>Total Income</b>	<b>30,597,717</b>	<b>30,726,365</b>		0%	▶	F	<b>34,331,426</b>		

\* **Note:** Total Income includes Operating Income & Capital Grants but not Asset Sale Proceeds

Legend			Legend		
Favourable Variance to Budget	F	▶	Favourable Variance > 10%		●
Unfavourable Variance to Budget	U	▶	Variance between -10% (U) and +10% (F)		●
			Unfavourable Variance > 10%		●



**SUMMARY STATEMENT OF FINANCIAL ACTIVITY - OPERATING  
BY REPORTING ACTIVITY  
FOR THE PERIOD ENDING 30 NOVEMBER 2019**

Reporting Activity	November 19 YTD Budget	November 19 YTD Actual	Variance Indicators				2019-20 Annual Budget	Var. Scale	Comment Ref
			\$	%	Flag	F/U			
<b>Expenditure:</b>									
Community Leadership	1,098,654	873,056	225,598	21%	▶	F	2,522,501	●	
Corporate Administration	518,588	22,681	495,907	96%	▶	F	881,665	●	
Community Capacity Building	787,736	740,577	47,159	6%	▶	F	1,867,847	●	
Community Care	899,027	889,111	9,916	1%	▶	F	2,164,697	●	
Libraries	810,870	772,829	38,041	5%	▶	F	1,975,570	●	
Building & Development Control	933,490	871,414	62,076	7%	▶	F	2,245,918	●	
Strategic Urban Planning	308,971	263,802	45,169	15%	▶	F	812,610	●	
Environmental Health Services	287,574	259,952	27,622	10%	▶	F	694,366	●	
Rangers & Public Safety	417,507	374,155	43,352	10%	▶	F	1,002,754	●	
Engineering & Asset Management	(1,063,373)	193,427	(1,256,800)	118%	▶	U	(626,104)	●	
Parks & Natural Areas	2,489,315	2,463,285	26,030	1%	▶	F	5,996,050	●	
Roads, Paths & Drains	2,095,600	2,104,862	(9,262)	0%	▶	U	4,739,447	●	
Community Building Management	1,153,484	1,225,381	(71,897)	6%	▶	U	2,871,901	●	
Waste Management	1,098,901	1,073,235	25,666	2%	▶	F	3,091,165	●	
Rates & Property Services	139,297	135,085	4,212	3%	▶	F	359,698	●	
<b>Total Operating Expenditure</b>	<b>11,975,641</b>	<b>12,262,851</b>		2%	▶	F	<b>30,600,085</b>		
<b>Net Operating Result</b>	<b>18,622,076</b>	<b>18,463,514</b>					<b>3,731,341</b>		

UGP refund from Western Power of \$842k budgeted in 2019/20 but actual is accounted for in 2018/19. Further due to lower maintenance and capital cost, on-cost charge out is lower.

**Legend**

Favourable Variance to Budget F ▶  
Unfavourable Variance to Budget U ▶

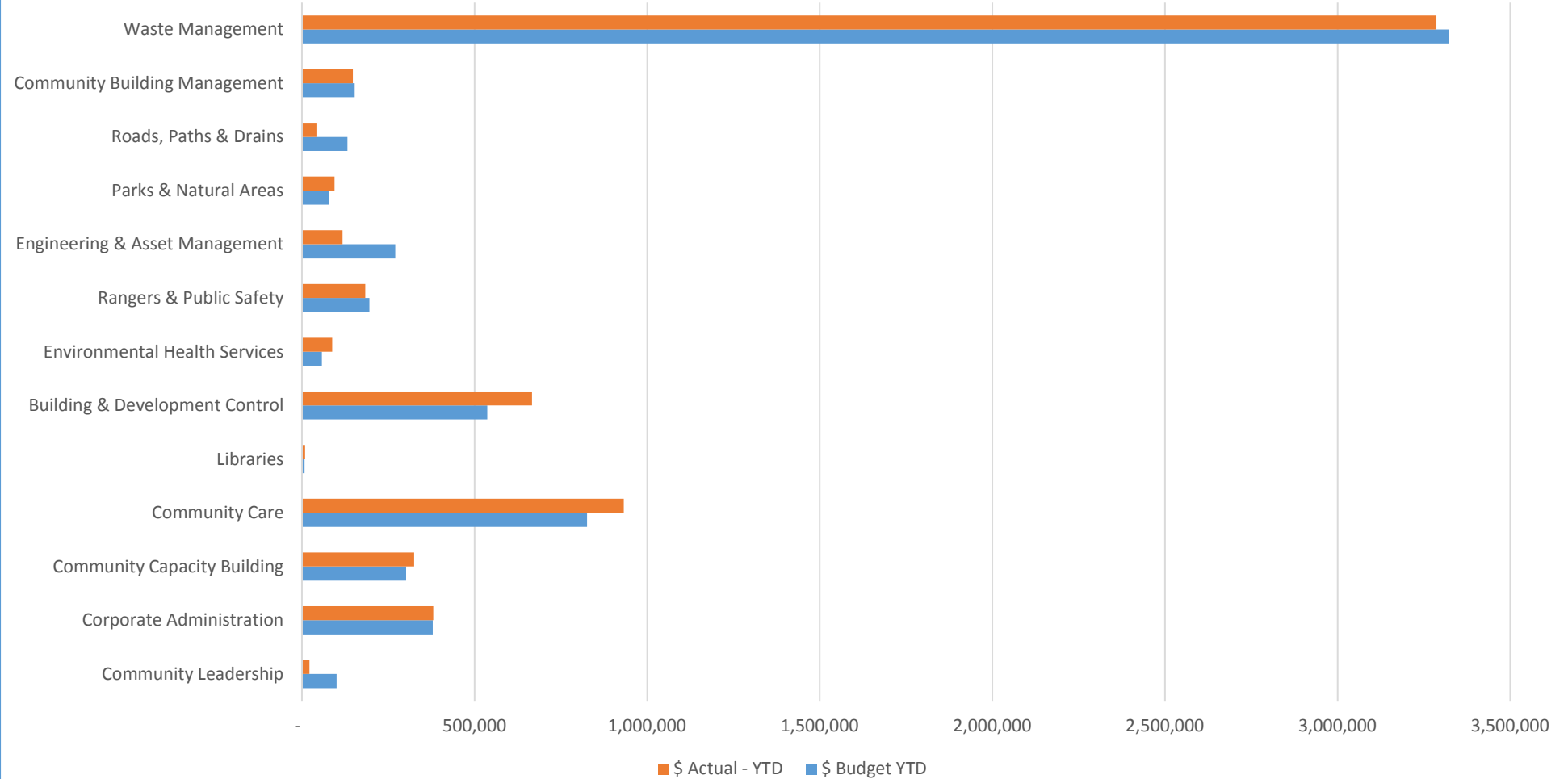
**Legend**

Favourable Variance > 10% ●  
Variance between -10% (U) and +10% (F) ●  
Unfavourable Variance > 10% ●



**GRAPHICAL SUMMARY OF FINANCIAL ACTIVITY - OPERATING  
BY REPORTING ACTIVITY  
FOR THE PERIOD ENDING 30 NOVEMBER 2019**

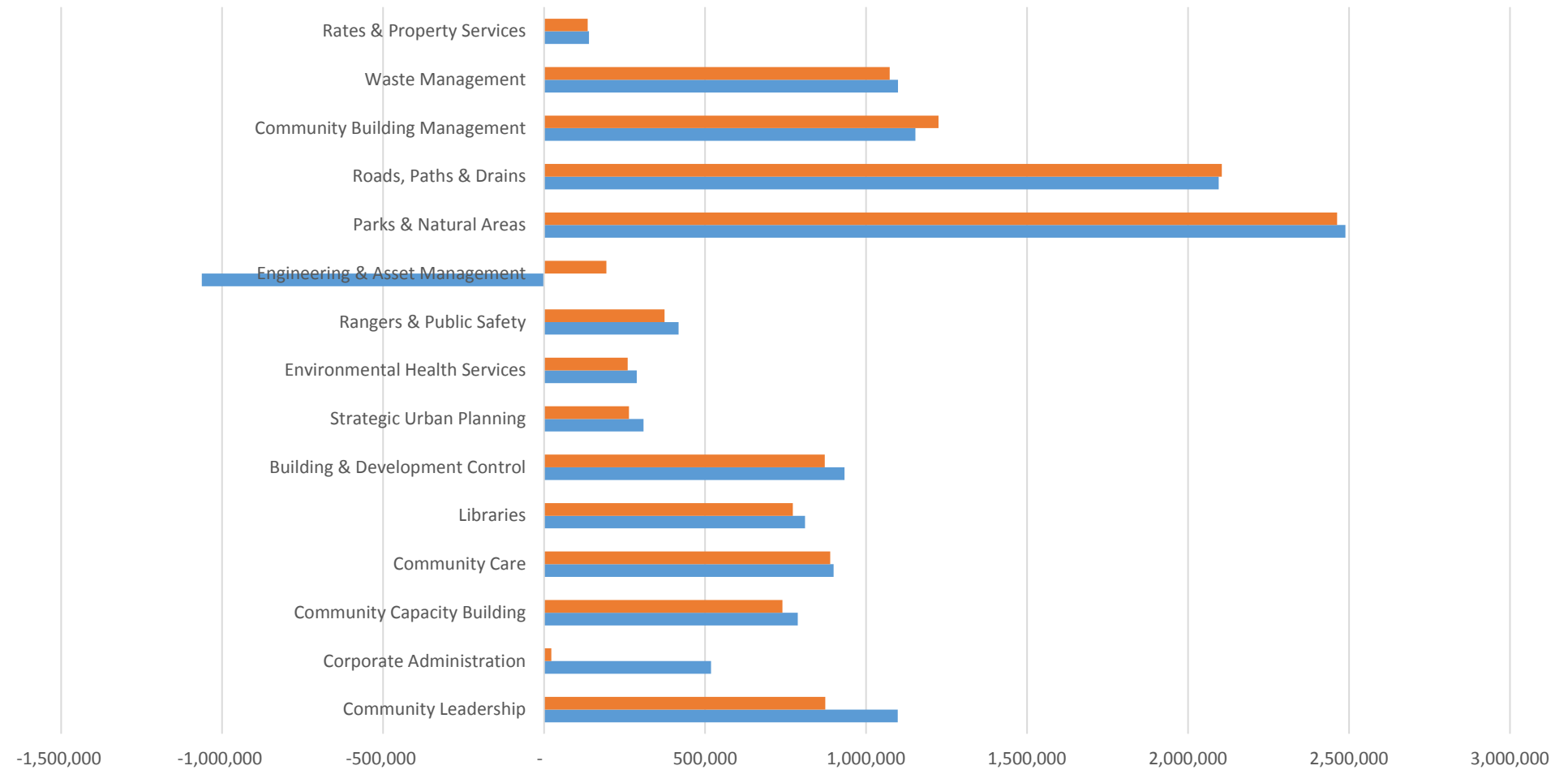
Income - YTD by Reporting Activity (Excluding Rates)





**GRAPHICAL SUMMARY OF FINANCIAL ACTIVITY - OPERATING  
BY REPORTING ACTIVITY  
FOR THE PERIOD ENDING 30 NOVEMBER 2019**

Operating Expenditure - YTD by Reporting Activity





**CITY OF NEDLANDS**  
**SUMMARY STATEMENT OF FINANCIAL ACTIVITY - INCOME**  
**BY REPORTING NATURE & TYPE**  
**FOR THE PERIOD ENDING 30 NOVEMBER 2019**

Reporting Activity	November 19 YTD Budget	November 19 YTD Actual	Variance Indicators				2019-20 Annual Budget	Var. Scale
			\$	%	Flag	F/U		
<b>Income:</b>								
<b>Operating Income</b>								
Rates	24,236,488	24,433,632	197,144	1%	▶	F	24,477,574	●
Service Charges (UGP)	210,381	117,948	(92,433)	(44%)	▶	U	280,747	●
Fees & Charges	4,499,121	4,723,046	223,925	5%	▶	F	5,852,047	●
Fines & Penalties	196,331	179,175	(17,156)	(9%)	▶	U	512,000	●
Interest Revenue	185,420	132,481	(52,939)	(29%)	▶	U	445,000	● Timing difference and lower interest rates
Operating Grants	728,419	745,435	17,016	2%	▶	F	1,551,710	●
Contributions	385,252	308,605	(76,647)	(20%)	▶	U	849,400	● Timing difference
Other Revenue	156,305	86,042	(70,263)	(45%)	▶	U	362,948	● Timing difference
<b>Operating Income</b>	<b>30,597,717</b>	<b>30,726,365</b>					<b>34,331,426</b>	
<b>Capital Income</b>								
Capital Grants and Contribution	386,670	1,077,083	690,413	179%	▶	F	4,640,042	●
Asset Sale Proceeds	40,970	353,941	312,971	764%	▶	F	491,636	●
<b>Sub Total - Capital Income</b>	<b>427,640</b>	<b>1,431,024</b>					<b>5,131,678</b>	
<b>Total Income</b>	<b>31,025,357</b>	<b>32,157,389</b>		4%	▶	F	<b>39,463,104</b>	

**Legend**

Favourable Variance to Budget F ▶  
 Unfavourable Variance to Budget U ▶

**Legend**

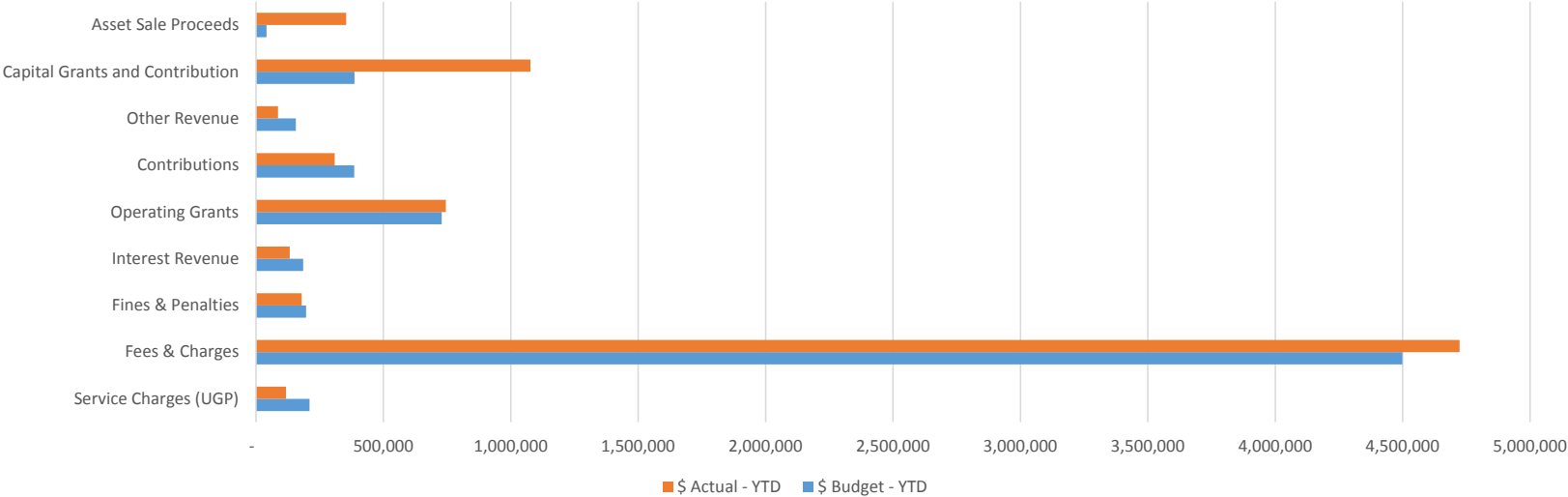
Favourable Variance > 10% ●  
 Variance between -10% (U) and +10% (F) ●  
 Unfavourable Variance > 10% ●



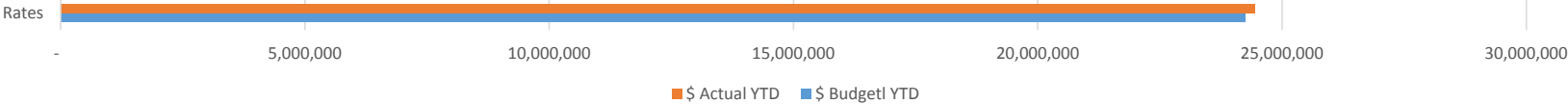


CITY OF NEDLANDS  
SUMMARY STATEMENT OF FINANCIAL ACTIVITY - INCOME  
BY REPORTING NATURE & TYPE  
FOR THE PERIOD ENDING 30 NOVEMBER 2019

Income - YTD by Nature & Type (Excluding Rates)



Rates Income - YTD



**13.5 Monthly Investment Report – November 2019**

<b>Council</b>	17 December 2019
<b>Applicant</b>	City of Nedlands
<b>Employee Disclosure under section 5.70 Local Government Act</b>	Nil.
<b>Director</b>	Lorraine Driscoll – Director Corporate & Strategy
<b>CEO</b>	Mark Goodlet
<b>Attachments</b>	1. Investment Report for the period ended 30 November 2019

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

Moved – Councillor McManus  
 Seconded – Councillor Hassell

**That the Recommendation to Council be adopted.**

(Printed below for ease of reference)

**CARRIED UNANIMOUSLY 11/-**

**Council Resolution / Recommendation to Council**

**Council receives the Investment Report for the period ended 30 November 2019.**

**Executive Summary**

In accordance with the Council's Investment Policy, Administration is required to present a summary of investments to Council on a monthly basis.

**Discussion/Overview**

Council's Investment of Funds report meets the requirements of Section 6.14 of the Local Government Act 1995.

The Investment Policy of the City, which is reviewed each year by the Audit and Risk Committee of Council, is structured so as to minimise any risks associated with the City's cash investments. The officers adhere to this Policy, and continuously monitor market conditions to ensure that the City obtains attractive and optimum yields without compromising on risk management.

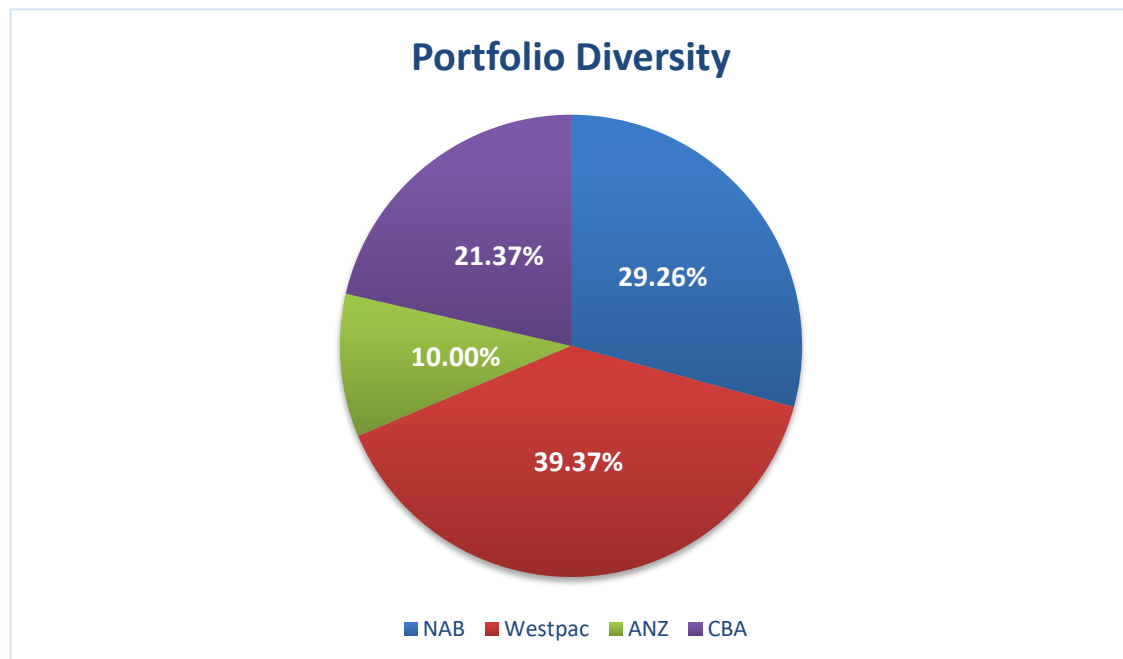
The Investment Summary shows that as at 30 November 2019 the City held the following funds in investments:

Municipal Funds	\$ 15,094,727.45
Reserve Funds	<u>\$ 6,794,125.30</u>
Total	<u>\$ 21,888,852.75</u>

The total interest earned from investments as at 30 November 2019 was \$108,081.84.

The Investment Portfolio comprises holdings in the following institutions:

Financial Institution	Funds Invested	Interest Rate	Proportion of Portfolio
NAB	\$6,405,000.91	1.40% - 2.73%	29.26%
Westpac	\$8,617,175.03	1.75% - 2.50%	39.37%
ANZ	\$2,188,025.23	1.64%-2.20%	10.00%
CBA	\$4,678,651.58	1.30% - 2.38%	21.37%
<b>Total</b>	<b>\$21,888,852.75</b>		<b>100.00%</b>



## Conclusion

The Investment Report is presented to Council.

### Key Relevant Previous Council Decisions:

Nil.

**Consultation**

Required by legislation:

Yes

No

Required by City of Redlands policy:

Yes

No

**Budget/Financial Implications**

Investment income is steady as per budget.



**INVESTMENTS REPORT  
FOR THE PERIOD ENDED 30 NOVEMBER 2019**

Particulars	Interest	Invest.	Maturity	Period	NAB	Westpac	ANZ	CBA	Total	Interest
	Rate	Date	Date	Days	*AA-/Stable/A-1+	*AA-/Stable/A-1+	*AA-/Stable/A-1+	*AA-/Stable/A-1+		YTD Accumulated
<b>RESERVE INVESTMENTS</b>										
Plant Replacement	2.10%	9-Oct-19	9-Mar-20	152				34,301.07	34,301.07	\$263.90
City Development - Western Zone	2.37%	10-Oct-19	9-Mar-20	151				173,352.81	173,352.81	\$1,183.72
City Development - Western Zone	2.03%	23-Sep-19	23-Mar-20	182				65,386.53	65,386.53	\$488.37
Business system reserve	2.10%	9-Oct-19	9-Mar-20	152				141,239.71	141,239.71	\$1,094.72
All abilities play space	2.10%	9-Oct-19	9-Mar-20	152				96,850.08	96,850.08	\$750.66
North Street	1.75%	20-Sep-19	20-Mar-20	182		767,037.40			767,037.40	\$6,057.09
Welfare - General	2.17%	17-Sep-19	16-Mar-20	181				316,294.34	316,294.34	\$2,421.74
Welfare - NCC	2.38%	10-Oct-19	9-Mar-20	151				158,536.47	158,536.47	\$1,082.53
Welfare - PRCC	1.30%	25-Nov-19	24-Feb-20	91				15,574.14	15,574.14	\$352.45
Services - Tawarri 1	1.75%	20-Sep-19	20-Mar-20	182		67,890.09			67,890.09	\$532.36
Services General	2.73%	29-Oct-19	28-Feb-20	122	25,551.94				25,551.94	\$206.85
Services - Tawarri 2	2.20%	11-Sep-19	11-Dec-19	91			116,182.19		116,182.19	\$876.87
Insurance	2.20%	11-Sep-19	11-Dec-19	91			64,654.01		64,654.01	\$487.97
Udrground power	1.60%	26-Sep-19	26-Feb-20	153	820,265.40				820,265.40	\$4,161.31
Waste Management	2.38%	10-Oct-19	9-Mar-20	151				507,942.97	507,942.97	\$3,468.39
City Development - Swanbourne	2.17%	17-Sep-19	16-Mar-20	181				133,480.43	133,480.43	\$1,151.29
City Building - General	1.75%	20-Sep-19	20-Mar-20	182		410,362.35			410,362.35	\$3,217.88
City Building - PRCC	1.30%	25-Nov-19	24-Feb-20	91				25,884.28	25,884.28	\$214.58
Business system Reserve	1.40%	25-Oct-19	25-Feb-20	123	206,980.03				206,980.03	\$1,229.89
Public Art Reserves	1.40%	25-Oct-19	25-Feb-20	123	252,933.63				252,933.63	\$1,624.96
Waste Management Reserve	1.40%	25-Oct-19	25-Feb-20	123	566,295.92				566,295.92	\$3,577.76
City Development Reserve	1.40%	25-Oct-19	25-Feb-20	123	132,596.40				132,596.40	\$973.11
Building Replacement Reserve	1.40%	25-Oct-19	25-Feb-20	123	288,155.97				288,155.97	\$2,114.74
All ability play space	1.65%	26-Sep-19	26-Feb-20	153	98,032.60				98,032.60	\$753.14
Major projects	2.24%	30-Sep-19	2-Mar-20	154		1,308,344.57			1,308,344.57	\$11,146.70
<b>TOTAL RESERVE INVESTMENTS</b>					<b>2,390,811.88</b>	<b>2,553,634.42</b>	<b>180,836.19</b>	<b>1,668,842.81</b>	<b>6,794,125.30</b>	<b>\$49,432.98</b>
<b>MUNICIPAL INVESTMENTS</b>										
Muni Investment NS60	2.50%	30-Sep-19	31-Oct-19	31		1,045,016.64			1,045,016.64	\$8,938.03
Muni Investment #4 - WBC	1.85%	4-Sep-19	4-Dec-19	91		1,506,614.38			1,506,614.38	\$6,614.38
Muni Investment #4 - WBC	1.80%	20-Sep-19	20-Jan-20	122		1,505,252.05			1,505,252.05	\$5,252.05
Muni Investment #6 - WBC	1.80%	23-Sep-19	6-Jan-20	105		1,003,353.42			1,003,353.42	\$3,353.42
Muni Investment #1 - CBA	1.68%	16-Sep-19	17-Dec-19	92				1,003,452.05	1,003,452.05	\$3,452.05
Muni Investment #2 - CBA	1.70%	16-Sep-19	17-Dec-19	92				1,003,493.15	1,003,493.15	\$3,493.15
Muni Investment #7 - NAB	1.67%	24-Sep-19	18-Dec-19	85	2,006,130.96				2,006,130.96	\$6,130.96
Muni Investment #8 - ANZ	1.64%	11-Sep-19	9-Dec-19	89			2,007,189.04		2,007,189.04	\$7,189.04
Muni Investment #3 - CBA	1.56%	24-Sep-19	22-Jan-20	120				1,002,863.56	1,002,863.56	\$2,863.56
Muni Investment #10 - NAB	1.71%	5-Sep-19	5-Dec-19	91	2,008,058.08				2,008,058.08	\$8,058.08
Muni Investment #153 - WBC	1.80%	24-Sep-19	19-Dec-19	86		1,003,304.11			1,003,304.11	\$3,304.11
<b>TOTAL MUNICIPAL INVESTMENTS</b>					<b>4,014,189.03</b>	<b>6,063,540.61</b>	<b>2,007,189.04</b>	<b>3,009,808.77</b>	<b>15,094,727.45</b>	<b>\$58,648.85</b>
<b>TOTAL</b>					<b>6,405,000.91</b>	<b>8,617,175.03</b>	<b>2,188,025.23</b>	<b>4,678,651.58</b>	<b>21,888,852.75</b>	<b>\$108,081.84</b>

**13.6 Annual Review of the City of Nedlands Register of Delegations**

<b>Committee</b>	3 December 2019
<b>Council</b>	17 December 2019
<b>Applicant</b>	City of Nedlands
<b>Employee Disclosure under section 5.70 Local Government Act 1995</b>	Nil.
<b>CEO</b>	Mark Goodlet
<b>Attachments</b>	<ol style="list-style-type: none"> <li>1. Register of Delegations – with track changes</li> <li>2. Register of Delegated Authority – updated with proposed additional delegations with explanatory comments</li> <li>3. Register of Delegated Authority – final version for adoption</li> </ol>

**Regulation 11(da) - Council wanted the Planning Delegation exceptions to remain as the same level.**

Moved – Councillor Mangano  
 Seconded – Councillor Bennett

**That the Recommendation to Council be adopted subject to the removal of Local Planning Scheme 3 - Determination of applications under Clause 68 of Schedule 2 of the Planning and Development (Local Planning Schemes Regulations 2015) reverting back to the original exceptions (no changes).**

Councillor Coghlan left the room at 8.19 pm and returned 8.22 pm.

Put Motion

Moved - Councillor Wetherall  
 Seconded - Councillor Hay

That the Motion be put.

Lost 5/6  
 (Against: Crs. Horley Smyth Bennett Hassell Mangano & Coghlan)

**CARRIED 8/4  
 (Against: Mayor de Lacy Crs. McManus Smyth & Wetherall)**

## **Council Resolution**

### **Council:**

- 1. approves the delegations made to the Chief Executive Officer and Committees, as contained in the Register of Delegations, Attachment 3\* subject to the removal of Local Planning Scheme 3 - Determination of applications under Clause 68 of Schedule 2 of the Planning and Development (Local Planning Schemes Regulations 2015) reverting back to the original exceptions (no changes); and**
- 2. notes the sub-delegations from the Chief Executive Officer in the Register of Delegations, Attachment 3.**

## Recommendation to Committee

### Council:

3. approves the delegations made to the Chief Executive Officer and Committees, as contained in the Register of Delegations, Attachment 3\*; and
4. notes the sub-delegations from the Chief Executive Officer in the Register of Delegations, Attachment 3.

**\*ABSOLUTE MAJORITY REQUIRED**

## **Executive Summary**

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.

## **Discussion/Overview**

### **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 23 April 2019 following gazettal of the City's Local Planning Scheme No. 3 where minor revisions were made and adopted by Council. The Annual review has now been completed by the Chief Executive Officer and the attached document was presented to Councillors at a briefing session on 17 September 2019 where the recommended changes were explained, discussed and feedback from Councillors was received.

**Attachment 1** is the current Register of Delegations with track changes showing all items proposed to be removed and reasons are summarised below:

- All items noted '**Suitable for acting through**' are proposed to be removed as these are management type functions and exercisable by the Chief Executive Officer and therefore, there is no discretion in carrying out these functions. They are not required to be in register.
- All items noted '**Delegation Prohibited under the Local Government Act 1995 and Council is to perform the power of duty**' are proposed to be removed as these governing functions cannot be delegated and are brought to Council for a decision, and therefore not required to be in the register.
- All other minor changes i.e. correction or wording, conditions, duration etc are marked with track changes with comments included to explain reasons for proposed change.

**Attachment 2** is the updated (new layout) Register of Delegations showing all existing delegations and proposed additional delegations with comments explaining reasons for additions.

**Attachment 3** is the final updated Register of Delegations with all changes incorporated.

### **Key Relevant Previous Council Decisions:**

Ordinary Council Meeting – 23 April 2019

Item 13.8 - Register of Delegated Authority and Authorisations – Amendments – Local Planning Scheme 3

That Council:

1. notes the review of delegations contained in the attached Register of Delegations in accordance with section 5.46(2) of the Local Government Act 1995; and
2. approves the amendments to the Register of Delegations as contained in the attached document.



## **Consultation**

Councillor Briefing – 17 September 2019

## **Budget/Financial Implications**

Nil.

## **Conclusion**

The Chief Executive Officer has reviewed the Register of Delegations and is recommending the amendments as shown with track changes in the attached Register of Delegations be approved by Council.



# *Register of Delegations of Authority*

As at ~~23 April 2019~~

## Table of Contents

1. Preamble	3
2. Delegations under the Local Government Act 1995	7
3. Register of Delegations under the <i>Local Government (Uniform Local Provisions) Regulations 1996</i>	60
4. Register of Delegations under the <i>Food Act 2008</i>	64
5. Register of Delegations under the <i>Dog Act 1976</i>	65
6. Register of Delegations under the <i>Cat Act 2011</i>	66
7. Register of Delegations under the <i>City of Nedlands Local Planning Scheme 3</i>	67
8. Register of Delegations - Planning and Development	71
9. Delegation to respond to external organisations	77
10. Register of Delegations under the <i>Building Act 2011</i>	79
11. Register of Delegations under the <i>Building Regulations 2012</i>	88
12. Register of Delegations under the City of Nedlands Local Law Relating to Reserves, Foreshores and Beaches	91
13. Register of Delegations from the Chief Executive Officer to other staff members	92
<i>Local Government Act 1995 and Regulations</i> .....	92
<i>Food Act 2008</i> .....	95
<i>Freedom of Information Act 1992</i> .....	96
<i>Planning and Building Acts and Delegations</i> .....	97

## 1. Preamble

### Introduction

- a) A Council may delegate to its Chief Executive Officer, some of its powers and duties provided for in the *Local Government Act 1995*. Any decision to delegate must be passed by an absolute majority and the delegation must be in writing.
- b) The only staff member to whom the Council may delegate any of its powers and duties under the *Local Government Act 1995* is the Chief Executive Officer but the Chief Executive Officer may give delegated authority to any staff member. The Chief Executive Officer is the only staff member with the power to delegate.
- c) A Council may also delegate some of its powers and duties to committees of council by a decision passed by an absolute majority and recorded in writing.

### Limits on Delegation to the Chief Executive Officer

- a) There are some powers and duties that a Council cannot delegate. They are specified where applicable.

### Delegations to Committees

- a) Council may delegate its powers and duties to committees comprising only of Council members except:
  - i. any power or duty that requires a decision of an absolute majority of the local government; and any other power or duty that is prescribed; or
  - ii. the power of delegation.
- b) Council may delegate to a committee comprising of council members and employees, any of the local government's powers or duties that can be delegated to the Chief Executive Officer.
- c) Council may delegate to a committee comprising staff members or members of the public any of the local government's powers and duties necessary or convenient for the proper management of:
  - i. the local government's property; or
  - ii. an event in which the local government is involved.

- d) No delegations may be made to committees on which there are no elected members or members of staff.

#### **Period of Any Delegation**

- a) A delegation of authority has effect for the period of time specified in the instrument of delegation or where no period of time is specified, indefinitely.
- b) Any delegation under the City of Nedlands Local Planning Scheme No. 3 can only be for a maximum period of 12 months
- b) Any decision by Council to revoke or amend a delegated authority must be passed by an absolute majority.

#### **Recording Delegations**

- a) Any delegation under the Local Government Act 1995, either by Council or the Chief Executive Officer must be recorded in writing;
- b) The Chief Executive Officer is to keep a register of the delegations made by Council to the ~~CEO~~ Chief Executive Officer and made by the Chief Executive Officer to other employees (this register);
- c) Any delegation by Council to a committee must also be in writing.

#### **Exercising Delegated Authority**

- a) After either the Chief Executive Officer (or any other employee) has exercised a delegated authority the following information must be recorded in writing:
  - i. how the person exercised the power or discharged the duty;
  - ii. when the person exercised the power or discharged the duty; and;
  - iii. the persons or classes of persons, other than council or committee members or employees of the local government, directly affected by the exercise of the power or the discharge of the duty.

#### **Review**

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.

### **Council's Ability to Make Decisions is not Limited**

Council may still exercise any of its powers or duties that have been delegated to the Chief Executive Officer or to a committee.

"A delegation does not strip the person making the delegation of the right to exercise the delegated power or discharge the delegated duty".

(Government of Western Australia, Department of Local Government, Local Government Operational Guidelines Number 17 January 2007)

### **Acting Through**

In addition to delegations, the *Local Government Act 1995* introduces the concept of "acting through". Where a person is "acting through", they have no discretion in carrying out the function. This could be the City performing administrative functions on behalf of the council, or implementing policies adopted by the council. This differs to a delegate who exercises the decision making function in his or her own right.

As per the *Local Government Act 1995* section 5.51, the Chief Executive Officer's functions are to:

- a) advise the council in relation to the functions of a local government under this Act and other written laws; and
- b) ensure that advice and information is available to the council so that informed decisions can be made; and
- c) cause council decisions to be implemented; and
- d) manage the day to day operations of the local government; and
- e) liaise with the mayor or president on the local government's affairs and the performance of the local government's functions; and
- f) speak on behalf of the local government if the mayor or president agrees; and
- g) be responsible for the employment, management supervision, direction and dismissal of other employees (subject to section 5.37(2) in relation to senior employees); and
- h) ensure that records and documents of the local government are properly kept for the purposes of this Act and any other written law; and
- i) perform any other function specified or delegated by the local government or imposed under this Act or any other written law as a function to be performed by the Chief Executive Officer.

Any function in the *Local Government Act 1995* which the Chief Executive Officer would carry out administratively (based on the above) can be done so via "acting through", unless the Council has an overriding policy which

would require the Council to delegate that function back to the Chief Executive Officer formally.

### **Legislative Authority**

- a) The following sections of the *Local Government Act 1995* provide for delegation of authority:
  - i. s.5.16 to s.5.18 (delegations to Committees)
  - ii. s.5.42 to s.5.46 (delegations to Chief Executive Officer and other employees).
- b) The *Local Government (Administration) Regulations* s.19 expands upon s.5.45(3) of the Act.
- c) Legislative powers to delegate relate only to the Act in which they are contained. It is not possible to, for example, rely on section 5.42(1) of the *Local Government Act 1995* to delegate any of a local government's powers under another Act. Any delegation by a local government of its powers under another Act can only be delegated by the delegation provisions of that Act.

2. Delegations under the Local Government Act 1995

Authority to delegate: Sections 5.42 and 5.44 of the *Local Government Act 1995*

FUNCTION	DELEGATION, CONDITIONS AND DURATION (INDEFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST REVIEWED
<b>Part 1 – Introductory Matters</b>		
Nil items in Part 1		
<b>Part 2 – Constitution of Local Government</b>		
<b>Division 1 – Districts and wards</b>		
Nil items in Division 1		
<b>Division 2 – Local governments and councils of local governments</b>		
Nil items in Division 2		
<b>Division 3 – How offices on the Council are filled</b>		
<del>Section 2.11(2) May change the method of filling the office of mayor from the election by the Council to the election by the electors method (special majority required)</del>	<del>Delegation prohibited under the Local Government Act 1995 and Council is to perform the power or duty</del>	
<del>Section 2.12A(1)(b) May by motion passed by it, proposes to change the method of filling the office of mayor</del>	<del>Delegation prohibited under the Local Government Act 1995 and Council is to perform the power or duty</del>	
<del>2.12A(1)(c) Local government to give public notice of proposal to change method of filling office of mayor or president</del>	<del>Suitable for Acting Through</del>	

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Commented [NC2]: TO BE REMOVED – Delegation Prohibited therefore, not required to be in register.

Commented [NC3]: TO BE REMOVED – Delegation Prohibited therefore, will be removed as these governing functions cannot be delegated and are brought to Council for a decision. They are not required to be in the register.

Commented [NC4]: TO BE REMOVED – All items listed as Suitable for Acting through will be removed as these are management type functions and exercisable by the Chief Executive Officer. There is no discretion in carrying out these functions and they are not required to be in register.



FUNCTION	DELEGATION, CONDITIONS AND DURATION (INDEFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST REVIEWED
<b>Division 4 – Membership and size of Council</b>		
<del>Section 2.17(3) A council with 15 councillors may retain these 15 even if a decision is made to elect the mayor by the electors</del>	<del>Delegation prohibited under the Local Government Act 1995 and Council is to perform the power or duty</del>	
<b>Division 5 – Qualifications for holding office on the council</b>		
<del>Section 2.25(1) May by resolution grant leave of absence to a member</del>	<del>Delegation prohibited under the Local Government Act 1995 and Council is to perform the power or duty</del>	
<b>Division 6 – Terms of office on the council and vacation of office</b>		
Nil items in Division 6		
<b>Division 7 – Commissioners</b>		
Nil items in Division 7		
<b>Division 8 – Local Government Advisory Board</b>		
Nil items in Division 8		
<b>Part 3 – Functions of Local Governments</b>		
<b>Division 1 – General</b>		
Nil items in Division 1		
<b>Division 2 – Legislative functions of local governments</b>		
<b>Subdivision 1 – Local laws made under <i>this Act</i></b>		
Section 3.1 (2) Determination of parking stalls and parking stations Where the local government makes a determination of resolution under this clause, it shall erect signs to give effect to the determination or resolution.	Chief Executive Officer delegated to constitute, determine and vary and also indicate by signs minor instances of parking stalls and parking stations as described in clause 3.1 (1) of the Parking and Parking Facilities Local Law	

Commented [NC5]: TO BE REMOVED – Delegation Prohibited therefore, not required to be in register.

Commented [NC6]: TO BE REMOVED – Delegation Prohibited therefore, not required to be in register.

<del>Section 3.5(1) May make local laws to perform any of its functions under the Act</del>	<del>Delegation prohibited under the Local Government Act 1995 and Council is to perform the power or duty</del>	
<del>Section 3.6(1) With the Governor's approval, can apply a local law to an area that is not in its district</del>	<del>Delegation prohibited under the Local Government Act 1995 and Council is to perform the power or duty</del>	
<b>Subdivision 2 – Local laws made under any Act</b>		
<del>Section 3.12(3) Local government must give Statewide public notice (in relation to proposed local laws)</del>	<del>Suitable for Acting Through</del>	
<del>Section 3.12(4) May adopt a local law as proposed or that is not significantly different from what was proposed (absolute majority required)</del>	<del>Delegation prohibited under the Local Government Act 1995 and Council is to perform the power or duty</del>	
<del>Section 3.12(5) Local government must publish the adopted local law in the Government Gazette</del>	<del>Suitable for Acting Through</del>	
<del>Section 3.12(6) Local government must give local public notice that a local law has been adopted</del>	<del>Suitable for Acting Through</del>	
<del>Section 3.15 A local government must ensure that people of its district are informed of the purpose and effect of all its local laws</del>	<del>Suitable for Acting Through</del>	
<del>Section 3.16(1) Within 8 years from the day a local law commences, a local government must review the operation of each local law following the process set out in section 3.16</del>	<del>Suitable for Acting Through</del>	
<del>Section 3.16(2) Local government must give Statewide public notice in relation to the review of its local laws</del>	<del>Suitable for Acting Through</del>	

**Commented [NC7]:** TO BE REMOVED – Delegation Prohibited therefore, not required to be in register.

**Commented [NC8]:** TO BE REMOVED – Delegation Prohibited therefore, not required to be in register.

**Commented [NC9]:** TO BE REMOVED - no discretion in carrying out the function therefore, not required to be in register.

**Commented [NC10]:** TO BE REMOVED – Delegation Prohibited therefore, not required to be in register.

<del>Section 3.16(3) After the last day for submissions in relation to the review of its local laws, a local government must consider submissions and cause a report to be submitted to council</del>	<del>Suitable for Acting Through</del>	
<del>Section 3.16(4) May determine whether or not it considers that any of its local laws should be repealed or amended</del>	<del>Delegation prohibited under the Local Government Act 1995 and Council is to perform the power or duty</del>	
<b>Division 3 – Executive functions of local governments</b>		
<b>Subdivision 1 – Performing executive functions</b>		
<del>Section 3.21 In performing its executive function, the local government must ensure that the obligations set out in section 3.21 are complied with</del>	<del>Suitable for Acting Through</del>	
Section 3.22(4) A dispute about the amount of compensation is to be determined by arbitration in accordance with section 3.23.	Chief Executive Officer	<del>28 June 2016</del> <del>Report CPS18.16</del>
<b>Subdivision 2 – Certain provisions about land</b>		
Section 3.25(1) A local government may give an occupier a notice requiring them to do something to the land if it is specified in Schedule 3.1. The local government must also inform the owner if the occupier is not the owner	Chief Executive Officer	<del>28 June 2016</del> <del>Report CPS18.16</del>
Section 3.26(2) In order to make a person comply with a notice, a local government may do anything it considers necessary to achieve the purpose for which the notice was given	<del>Suitable for Acting Through</del> Chief Executive Officer	
Section 3.26(3) A local government may continue to undertake works that are not carried out by the owner or occupier and recover the costs as a debt	Chief Executive Officer	<del>28 June 2016</del> <del>Report CPS18.16</del>

**Commented [NC11]:** TO BE REMOVED – Delegation Prohibited therefore, not required to be in register.

**Commented [NC12]:** Incorrect not suitable acting through therefore needs delegation to the Chief Executive Officer.

FUNCTION	DELEGATION, CONDITIONS AND DURATION (INDEFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST REVIEWED
Section 3.27(1) A local government may go onto private land in the circumstances prescribed in Schedule 3.2 and carry out works, even if it does not have the consent of the owner	Chief Executive Officer	<del>28 June 2016</del> <del>Report CPS18.16</del>
<b>Subdivision 3 – Powers of entry</b>		
Section 3.31(2) After a local government has given notice, it may authorise a person to enter land, premises or thing without consent, unless the owner or occupier has objected to the entry	Chief Executive Officer	<del>28 June 2016</del> <del>Report CPS18.16</del>
Section 3.34(1) A local government may enter land in an emergency without notice or consent	Chief Executive Officer	<del>28 June 2016</del> <del>Report CPS18.16</del>
<del>Section 3.34(5) A local government must give notice to the owner or occupier of an intended entry in an emergency whenever it is practical</del>	<del>Suitable for Acting Through</del>	
Section 3.36(3) A local government may make an opening in a fence to do works on a property subject to providing the owner or occupier with 3 days written notice	Chief Executive Officer	<del>28 June 2016</del> <del>Report CPS18.16</del>

FUNCTION	DELEGATION, CONDITIONS AND DURATION (INDEFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST REVIEWED
<b>Subdivision 4 – Impounding abandoned vehicle wrecks and goods involved in certain contraventions</b>		
Section 3.39 Local government may authorise an employee to remove and impound any goods	Chief Executive Officer	28 June 2016 Report CPS18.16
<del>Section 3.40(2) If a local government impounds a vehicle to remove and impound goods, it must allow the offender to resume control of the vehicle as soon as practicable after the goods have been removed</del>	<del>Suitable for Acting Through</del>	
<del>Section 3.40(3) If the person entitled to resume control of the vehicle is not present, the local government must give notice (to the holder of a license in respect of the vehicle, stating from where and when the vehicle may be collected)</del>	<del>Suitable for Acting Through</del>	
Section 3.40A(1) Local government may authorise a person to remove and impound an abandoned vehicle wreck	Chief Executive Officer	28 June 2016 Report CPS18.16
<del>Section 3.40A(2) Local government to provide notice to the owner of a removed abandoned vehicle wreck, advising that the vehicle may be collected</del>	<del>Suitable for Acting Through</del>	
Section 3.40A(4) Local government may declare that a vehicle is an abandoned wreck	Chief Executive Officer	28 June 2016 Report CPS18.16

FUNCTION	DELEGATION, CONDITIONS AND DURATION (INDEFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST REVIEWED
<del>Section 3.42(1) If a local government impounds non-perishable goods, it must either begin a prosecution against the offender or give them a notice stating from where and when the goods may be collected</del>	Suitable for Acting Through	
<del>Section 3.44 Where non-perishable goods have been removed and impounded and a prosecution instituted, if the offender is not convicted or is convicted but it is not ordered that the goods be confiscated, the local government must give the alleged offender notice stating from where and when the goods may be collected</del>	Suitable for Acting Through	
<del>Section 3.46(1) A local government may refuse to allow goods impounded under sections 3.39 or 3.40A to be collected until the costs of removing, impounding and keeping them have been paid</del>	Suitable for Acting Through	
<del>Section 3.46(2) A local government may refuse to allow goods removed under sections 3.40 or 3.40A to be collected until the costs of removing and keeping them have been paid</del>	Suitable for Acting Through	
Section 3.47(1) The local government may sell or otherwise dispose of any goods that have been ordered to be confiscated under section 3.43	Chief Executive Officer	28 June 2016 Report CPS18.16

FUNCTION	DELEGATION, CONDITIONS AND DURATION (INDEFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST REVIEWED
Section 3.47(2) The local government may sell or otherwise dispose of any vehicle that has not been collected within 2 months of a notice having been given under section 3.40(3) or 7 days of a declaration being made that a vehicle is an abandoned vehicle wreck	Chief Executive Officer	28 June 2016 Report CPS18.16
Section 3.47(2a) The local government may sell or otherwise dispose of impounded goods that have not been collected within the period specified in section 3.47(2b) of the date a notice is given under sections 3.42(1)(b) or 3.44	Chief Executive Officer	28 June 2016 Report CPS18.16
Section 3.47A(1) If an impounded animal is ill or injured to such an extent that treating it is not practicable, the local government may humanely destroy the animal and dispose of the carcass	Chief Executive Officer	28 June 2016 Report CPS18.16
Section 3.48 If goods are removed or impounded under section 3.39 and the offender is convicted, the local government may recover any expenses incurred in removing and impounding the goods	Chief Executive Officer	28 June 2016 Report CPS18.16
<b>Subdivision 5 – Certain provisions about thoroughfares</b>		
Section 3.50(1) A local government may close a thoroughfare to vehicles, wholly or partially, for a period not exceeding 4 weeks	Chief Executive Officer	28 June 2016 Report CPS18.16

FUNCTION	DELEGATION, CONDITIONS AND DURATION (INDEFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST REVIEWED
Section 3.50(1a) and 3.50(4) A local government may, after providing public notice of its intention and reasons, inviting submissions and then considering submissions, order a thoroughfare to be wholly or partially closed to vehicles for a period exceeding 4 weeks	Chief Executive Officer	<del>28 June 2016</del> <del>Report CPS18.16</del>
Section 3.50(6) An order to close a thoroughfare may be revoked by the local government	Chief Executive Officer	<del>28 June 2016</del> <del>Report CPS18.16</del>
<del>Section 3.50(8) If a thoroughfare is closed without local public notice, the local government must give such notice as soon as practicable after its closure</del>	<del>Suitable for Acting Through</del>	
Section 3.50A A local government may partially and temporarily close a thoroughfare, without giving local public notice, if the closure is for the purpose of carrying out repairs or maintenance and is unlikely to have a significant adverse effect on users of the thoroughfare	Chief Executive Officer	<del>28 June 2016</del> <del>Report CPS18.16</del>
Local Government (Functions and General) Regulations, reg.6(3) – a local government may, by local public notice, revoke an order under regulation 6(1) that closed a thoroughfare or alter it to make it less restrictive	Chief Executive Officer	<del>28 June 2016</del> <del>Report CPS18.16</del>



FUNCTION	DELEGATION, CONDITIONS AND DURATION (INDEFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST REVIEWED
Section 3.51(3) Before fixing, altering or realigning a public thoroughfare or draining water onto adjoining land, the local government must give notice of its proposal, invite submissions and consider those submissions	Chief Executive Officer	<del>28 June 2016</del> <del>Report CPS18.16</del>
<del>Section 3.52(2) Except it they are closed or have restricted use, local governments are to ensure that public thoroughfares are kept open for public use</del>	Suitable for Acting Through	
<del>Section 3.52(3) When fixing, altering or realigning a public thoroughfare, the local government must ensure vehicle access to adjoining land is provided</del>	Suitable for Acting Through	
<b>Subdivision 6 – Various executive functions</b>		
Section 3.53(3) If an unvested facility lies within 2 or more districts, the local governments concerned can agree on its control and management	Suitable for delegation, not currently delegated	
Section 3.54(1) A local government may do anything it could do under the <i>Parks and Reserves Act 1895</i> if it were a board appointed under that Act, to control and manage any land reserved under the <i>Land Act 1933</i> and vested in or placed under the control and management of the local government	Chief Executive Officer	<del>28 June 2016</del> <del>Report CPS18.16</del>

FUNCTION	DELEGATION, CONDITIONS AND DURATION (INDEFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST REVIEWED
<del>Note: Under <b>Subdivision 6— Various Executive Functions 3.57</b> applies to tenders for providing goods or services, i.e. is required to invite tenders before it enters in to a contract of a prescribed kind under which another person is to supply goods or services</del>	<del>Delegation prohibited under the <i>Local Government Act 1995</i> and Council is to perform the power or duty</del>	
<del>Section 3.57(1) A local government must invite tenders before it enters into a contract for goods or services with a value of \$150,000 or more (Functions and General Regulation 14)</del>	Chief Executive Officer	28 June 2016 Report CPS18.16
Local Government (Functions and General) Regulations, reg.14(2a) – where a local government is inviting tenders, the local government must determine in writing the criteria for accepting tenders	Chief Executive Officer	28 June 2016 Report CPS18.16
<del>Local Government (Functions and General) Regulations, reg.11(2)(d) – tenders do not have to be publicly invited if the contract is to be entered into by auction after being expressly authorised by a resolution of the council</del>	<del>Delegation prohibited under the <i>Local Government Act 1995</i> and Council is to perform the power or duty</del>	

**Commented [NC13]:** TO BE REMOVED – Delegation Prohibited therefore, not required to be in register.

**Commented [NC14]:** Incorrect this is suitable for acting through as a management function therefore, no discretion and not required in register.

**Commented [NC15]:** TO BE REMOVED – Delegation Prohibited therefore, not required to be in register.

FUNCTION	DELEGATION, CONDITIONS AND DURATION (INDEFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST REVIEWED
<p>Local Government (Functions and General) Regulations, reg.14(4)(a) – In subregulation (3)(b) a reference to detailed information includes a reference to –</p> <p>(a) such information as the local government decides should be disclosed to those interested in submitting a tender;</p>	<p><del>Delegation prohibited under the Local Government Act 1995 and Council is to perform the power or duty</del>  <u>Chief Executive Officer</u></p>	
<p>Local Government (Functions and General) Regulations, reg.18(4) and (5) – a local government must consider any tender that has not been rejected and decide which one to accept. It may decline to accept any tender.</p>	<p>Chief Executive Officer</p>	<p>28 June 2016                  Report CPS18.16</p>
<p><del>Local Government (Functions and General) Regulations, reg.19 – a local government must give each tenderer written notice stating the successful tender or advising that no tender was accepted.</del></p>	<p><del>Suitable for Acting Through</del></p>	
<p><del>Local Government (Functions and General) Regulations, reg.20 (1) – a local government may, with the approval of the tenderer, make a minor variation in a contract for goods or services before it enters the contract with the successful tenderer.</del></p>	<p><del>Chief Executive Officer</del></p>	<p>28 June 2016                  Report CPS18.16</p>

Commented [NC16]: Incorrectly recorded should be delegated to CEO.

Commented [NC17]: To be removed – should go back to Council.

FUNCTION	DELEGATION, CONDITIONS AND DURATION (INDEFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST REVIEWED
Limited Government (Functions and General) Regulations, reg.20(2) – if the successful tenderer does not want to accept the contract with the variation or the local government and the tenderer cannot reach agreement, the local government can select the next most appropriate tenderer	Chief Executive Officer	<del>28 June 2016</del> <del>Report CPS18.16</del>
Local Government (Functions and General) Regulations, reg.21(1) – a local government may seek expressions of interest before entering the tender process	Chief Executive Officer	<del>28 June 2016</del> <del>Report CPS18.16</del>
<del>Local Government (Functions and General) Regulations, reg.21(3) – a local government must give Statewide public notice that it seeks expressions of interest before entering the tender process</del>	<del>Suitable for Acting Through</del>	
Local Government (Functions and General) Regulations, reg.23(3) – a local government must consider any submissions of interest that have not been rejected and decide which ones could satisfactorily supply the goods or services	Chief Executive Officer	<del>28 June 2016</del> <del>Report CPS18.16</del>
<del>Local Government (Functions and General) Regulations, reg.24 – a local government must give each person who submitted an expression of interest written notice of the outcome of its decision</del>	<del>Suitable for Acting Through</del>	

FUNCTION	DELEGATION, CONDITIONS AND DURATION (INDEFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST REVIEWED
Local Government (Functions and General) Regulations, reg.24E(1) – where a local government intends to give a regional price preference the local government is to prepare a regional price preference policy	Suitable for delegation to Chief Executive Officer	
Local Government (Functions and General) Regulations, reg.24E(4) – a local government cannot adopt a regional price policy until the local government has considered submissions received	Suitable for delegation to Chief Executive Officer	
Section 3.58(2) A local government can only dispose of property to the highest bidder at public auction or the most suitable public tender	Chief Executive Officer	28 June 2016 Report CPS18.16
Section 3.58(3) A local government can dispose of property by private treaty but must follow the process set out in section 3.58(3)	Suitable for delegation to Chief Executive Officer	
Local Government (Functions and General) Regulations, reg.30(2)(a)(ii) – a disposition of land is exempt of disposition if the local government does not consider that ownership of the land would be of significant benefit to anyone other than the transferee	Suitable for delegation to Chief Executive Officer	

FUNCTION	DELEGATION, CONDITIONS AND DURATION (INDEFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST REVIEWED
<p>Note: Under <del>Subdivision 6 – Various Executive Functions 3.59</del> applies to commercial enterprises by local governments</p> <p><del>Section 3.59(2) A local government must prepare a business plan before it enters into a major trading undertaking, a major land transaction or a land transaction that is preparatory to a major land transaction</del></p>	<p>Suitable for Acting Through</p>	
<p><del>Section 3.59(4) A local government must give Statewide public notice stating its proposal to enter into a major trading undertaking, a major land transaction or a land transaction that is preparatory to a major land transaction, where the plan may be inspected or obtained, and call for submissions on the plan within 6 weeks</del></p>	<p>Suitable for Acting Through</p>	
<p><del>Section 3.59(5) Must consider submissions and then decide whether to proceed with the major trading undertaking, major land transaction or land transaction that is preparatory to a major land transaction (absolute majority required)</del></p>	<p><del>Delegation prohibited under the Local Government Act 1995 and Council is to perform the power or duty</del></p>	

Commented [NC18]: TO BE REMOVED – Delegation Prohibited therefore, not required to be in register.

FUNCTION	DELEGATION, CONDITIONS AND DURATION (INDEFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST REVIEWED
<b>Division 4 – Regional local governments</b>		
Nil items in Division 4		
<b>Part 4 – Elections and other polls</b>		
<b>Division 1 - Preliminary</b>		
Nil items in Division 1		
<b>Division 2 – Inaugural elections</b>		
Nil items in Division 2		
<b>Division 3 – Ordinary elections</b>		
Nil items in Division 3		
<b>Division 4 – Extraordinary elections</b>		
<del>Section 4.9(1) If the mayor has not already done so, council at a meeting held within one month after the vacancy occurs, must fix the day on which a poll is held for an extraordinary election</del>	<del>Delegation prohibited under the Local Government Act 1995 and Council is to perform the power or duty</del>	
<b>Division 5 – Other elections</b>		
Nil items in Division 5		
<b>Division 6 – Postponement and consolidation of elections</b>		
<del>Section 4.16(4) Council may decide, with the Electoral Commissioner's approval, that the election day for a vacancy that has occurred under section 2.32 after the third Saturday in January in an election year but before the third Saturday in July in that election year to be on the ordinary election day for that year</del>	<del>Delegation prohibited under the Local Government Act 1995 and Council is to perform the power or duty</del>	

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Commented [NC20]: TO BE REMOVED – Delegation Prohibited therefore, not required to be in register.

FUNCTION	DELEGATION, CONDITIONS AND DURATION (INDEFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST REVIEWED
<p><del>Section 4.17(2) Council may decide, with the Electoral Commissioner's approval, that a vacancy may remain unfilled if it occurred under section 2.32 after the third Saturday in January in the election year but before the third Saturday in July in that election year in which the term would have ended under the Table to section 2.28 (terms of office). In that case the term of the member who held the office is to be regarded in section 4.6 as ending on the day on which it would have ended if the vacancy had not occurred.</del></p>	<p><del>Delegation prohibited under the Local Government Act 1995 and Council is to perform the power or duty</del></p>	
<p><b>Division 7 – Provisions about electoral officers and the conduct of elections</b></p>		
<p><del>Section 4.20(2) May with the approval of the person concerned and the Electoral Commissioner, appoint a person as the returning officer instead of the Chief Executive Officer(Absolute majority required)</del></p>	<p><del>Delegation prohibited under the Local Government Act 1995 and Council is to perform the power or duty</del></p>	
<p><del>Section 4.20(4) May with the Electoral Commissioner's agreement, declare the Electoral Commissioner to be responsible for the conduct of an election and appoint a person to be the returning officer.</del></p>	<p><del>Delegation prohibited under the Local Government Act 1995 and Council is to perform the power or duty</del></p>	
<p><b>Division 8 – Eligibility for enrolment</b></p>		
<p>Nil items in Division 8</p>		

Commented [NC21]: TO BE REMOVED – Delegation Prohibited therefore, not required to be in register.

Commented [NC22]: TO BE REMOVED – Delegation Prohibited therefore, not required to be in register.

Commented [NC23]: TO BE REMOVED – Delegation Prohibited therefore, not required to be in register.



FUNCTION	DELEGATION, CONDITIONS AND DURATION (INDEFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST REVIEWED
<b>Division 9 – Electoral process</b>		
<del>Section 4.57(3) May appoint an eligible person (who is willing to accept the appointment) to any unfilled office if, at the close of nominations for an extraordinary elections, under section 4.57(1) or (2), the number of candidates is less than the number of offices. (Absolute majority required).</del>	<del>Delegation prohibited under the Local Government Act 1995 and Council is to perform the power or duty</del>	
<del>Section 4.61 May decide to use postal voting for an election. (Absolute majority required)</del>	<del>Delegation prohibited under the Local Government Act 1995 and Council is to perform the power or duty</del>	
Elections reg.9(1) – the fees to be paid to an electoral officer for conducting an election are those agreed between the local government and the electoral officer	<del>Suitable for Acting Through</del> Chief Executive Officer	
<del>Elections reg.28(1b)(b) – if a candidate's deposit has not been refunded within 28 days after notice is given of the result of the election, the local government is to credit that amount to a fund of the local government</del>	Suitable for Acting Through	
<b>Division 10 – Validity of elections</b>		
Nil items in Division 10		
<b>Division 11 – Electoral offences</b>		
Nil items in Division 11		
<b>Division 12 – Polls and referendums</b>		
Nil items in Division 12		

Commented [NC24]: TO BE REMOVED – Delegation Prohibited therefore, not required to be in register.

Commented [NC25]: TO BE REMOVED – Delegation Prohibited therefore, not required to be in register.

Commented [NC26]: Incorrect – Fees set by WA Electoral Commission.

FUNCTION	DELEGATION, CONDITIONS AND DURATION (INDEFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST REVIEWED
<b>Part 5 - Administration</b>		
<b>Division 1 - Introduction</b>		
<del>Section 5.2 Must ensure there is an appropriate structure for administering the local government</del>	<del>Delegation prohibited under the Local Government Act 1995 and Council is to perform the power or duty</del>	
<b>Division 2 – Council meetings, committees and their meetings and electors’ meetings</b>		
<b>Subdivision 1 – Council meetings</b>		
<del>Section 5.3(1) Must hold ordinary meetings and may hold special meetings</del>	<del>Delegation prohibited under the Local Government Act 1995 and Council is to perform the power or duty</del>	
<del>Section 5.4 The Mayor or at least 1/3 of councillors or decided by council may decide to hold an ordinary or special meeting</del>	<del>Delegation prohibited under the Local Government Act 1995 and Council is to perform the power or duty</del>	
<b>Subdivision 2 – Committees and their meetings</b>		
<del>Section 5.8 May establish committees of 3 or more people to assist council in exercising its powers and duties. (Absolute majority required).</del>	<del>Delegation prohibited under the Local Government Act 1995 and Council is to perform the power or duty</del>	
<del>Section 5.15 May reduce the quorum for a committee meeting. (Absolute majority required)</del>	<del>Delegation prohibited under the Local Government Act 1995 and Council is to perform the power or duty</del>	
<del>Section 5.16(1) May delegate to a committee, under and subject to section 5.17, any of its powers and duties other than this power of delegation. (Absolute majority required)</del>	<del>Delegation prohibited under the Local Government Act 1995 and Council is to perform the power or duty</del>	

**Commented [NC27]:** TO BE REMOVED – Delegation Prohibited therefore, not required to be in register.

**Commented [NC28]:** TO BE REMOVED – Delegation Prohibited therefore, not required to be in register.

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**Commented [NC31]:** TO BE REMOVED – Delegation Prohibited therefore, not required to be in register.

**Commented [NC32]:** TO BE REMOVED – Delegation Prohibited therefore, not required to be in register.

FUNCTION	DELEGATION, CONDITIONS AND DURATION (INDEFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST REVIEWED
<del>Section 5.18 A local government must keep a register of all delegations made to a committee at least once each financial year</del>	<del>Suitable for Acting Through</del>	
Section 5.18 A local government must review all delegations made to a committee	Suitable for delegation to Chief Executive Officer	
<del>Admin Reg.12(1) — At least once every financial year a local government must give local public notice of the date, time and place of all its ordinary council meetings and any committee meetings that must or are proposed to be open to the public, that are to be held in the next 12 months</del>	<del>Suitable for Acting Through</del>	
<del>Admin Reg.12(2) — A local government must give local public notice if any of the dates, times or places in the notice under regulation 12(1) change</del>	<del>Suitable for Acting Through</del>	
<del>Admin Reg.12(3) — A local government must give local public notice of the date, time and place of a special meeting of council that must be open to the public</del>	<del>Suitable for Acting Through</del>	

FUNCTION	DELEGATION, CONDITIONS AND DURATION (INDEFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST REVIEWED
<del>Admin Reg.14(1) — A local government is to ensure that notice papers and agenda relating to any council or committee meeting and reports and other documents tabled at the meeting or which have been produced for presentation at the meeting are made available to the public at the same time as they are available to council and committee members</del>	<del>Chief Executive Officer Suitable for Acting Through</del>	<del>28 June 2016 Report CPS18.16</del>
<b>Subdivision 3 – Matters affecting council and committee meetings</b>		
Note: Under <b>Subdivision 3 – Regulations about council and committee meetings and committees 5.25 applies</b>		
<del>Local Government (Administration) Regulations, reg. 14A(1)(c) — a person who is not physically present at a meeting of a council or committee is to be taken to be present at the meeting if council has approved of the arrangement by absolute majority</del>	<del>Delegation prohibited under the Local Government Act 1995 and Council is to perform the power or duty</del>	
<b>Division 3 – Acting for the mayor or president</b>		
Nil items in Division 3		
<b>Division 4 – Local government employees</b>		
Section 5.27(2) General meeting of electors to be held on a day selected by the local government but not more than 56 days after the local government accepts the annual report for the previous financial year	Chief Executive Officer	28 June 2016 Report CPS18.16

Commented [NC33]: TO BE REMOVED – Management Function no discretion therefore, not required in register.

Commented [NC34]: TO BE REMOVED – Delegation Prohibited therefore, not required to be in register.

FUNCTION	DELEGATION, CONDITIONS AND DURATION (INDEFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST REVIEWED
<del>Section 5.36(1) Must employ a CEO</del>	<del>Delegation prohibited under the Local Government Act 1995 and Council is to perform the power or duty</del>	
Section 5.36(4) If the position of Chief Executive Officer becomes vacant, a local government must advertise the position in the manner and containing such information as prescribed	Suitable for Acting Through	
Section 5.37(1) A local government may designate any employee to be a senior employee	Chief Executive Officer	28 June 2016 Report CPS18.16
<del>Section 5.37(2) The Chief Executive Officer is to inform council of each proposal to employ or dismiss a senior employee, council may reject or accept a recommendation by the Chief Executive Officer to employ or dismiss a senior employee. If it rejects a recommendation it must provide the Chief Executive Officer with its reasons</del>	<del>Delegation prohibited under the Local Government Act 1995 and Council is to perform the power or duty</del>	
<del>Section 5.37(3) If the position of a senior employee becomes vacant, a local government must advertise the position in the manner and containing such information as prescribed</del>	Suitable for Acting Through	
<del>Section 5.38 The performance of each employee employed more than 1 year, needs to be reviewed</del>	Suitable for Acting Through	
Admin Reg.18(c) – A local government is to approve a process for selection and appointment of the Chief Executive Officer	Suitable for delegation to a 5.9(2)(a) committee or a 5.9(2)(b) committee <del>(not currently delegated)</del> - CEO Recruitment & Selection Committee.	

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Admin Reg.18(D) – A local government is to consider, accept the review, with or without modification, or reject the review of the Chief Executive Officer	Suitable for delegation to a 5.9(2)(a) committee or a 5.9(2)(b) committee (not currently delegated).	
<del>Section 5.42(1) &amp; 5.43 May delegate to the Chief Executive Officer any of its powers and duties under this Act except those in section 5.43</del>	<del>Delegation prohibited under the Local Government Act 1995 and Council is to perform the power or duty</del>	
Section 5.50(1) A local government must prepare a policy for employees whose employment is finishing, setting out the circumstances in which the local government would pay a gratuity and how that gratuity would be assessed, and give local public notice of the policy	Suitable for delegation to Chief Executive Officer	
Section 5.50(2) A local government may make a payment to an employee whose employment is finishing, that is in addition to the amount set out in its policy, provided that local public notice of the payment is given	Suitable for delegation to Chief Executive Officer	
<b>Division 5 – Annual reports and planning</b>		
<del>Section 5.53(1) A local government must prepare an annual report</del>	<del>Suitable for Acting Through</del>	
<del>Section 5.54(1) Must accept the annual report by 31<sup>st</sup> December after that financial year. (Absolute majority required)</del>	<del>Delegation prohibited under the Local Government Act 1995 and Council is to perform the power or duty</del>	
Section 5.56 A local government is to prepare a Plan for the Future	Suitable for delegation to Chief Executive Officer	
Admin reg.19C(4) A local government is to review its current plan for the future every 2 years	Suitable for delegation to a 5.9(2)(a) committee or a 5.9(2)(b) committee (not currently delegated).	

Commented [NC37]: TO BE REMOVED – Delegation Prohibited therefore, not required to be in register.

Commented [NC38]: TO BE REMOVED – Delegation Prohibited therefore, not required to be in register.

FUNCTION	DELEGATION, CONDITIONS AND DURATION (INDEFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST REVIEWED
<del>Admin reg.19G(7) A local government is to ensure that the electors and ratepayers of its district are consulted during the development of a plan for the future and when preparing any modifications of a plan</del>	<del>Suitable for Acting Through</del>	
<del>Admin re.19D(1) After a plan for the future, or modifications to a plan, are adopted a local government is to give local public notice</del>	<del>Suitable for Acting Through</del>	
<del>Admin reg.19D(5) A Council is to adopt a plan for the future</del>	<del>Delegation prohibited under the Local Government Act 1995 and Council is to perform the power or duty</del>	
<b>Division 6 – Disclosure of financial interests</b>		
Nil items in Division 6		
<b>Division 7 – Access to information</b>		
Admin reg29A(2) Information prescribed as confidential but that, under 5.95(7), may be available for inspection if a local government so resolves	Chief Executive Officer	28 June 2016 Report CPS18.16
<b>Division 8 – Fees, expenses and allowances</b>		
<del>Section 5.98(1)(b) May set a fee, within the prescribed range, to be paid to a council member who attends a council or committee meeting</del>	<del>Delegation prohibited under the Local Government Act 1995 and Council is to perform the power or duty</del>	

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FUNCTION	DELEGATION, CONDITIONS AND DURATION (INDEFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST REVIEWED
Section 5.98(2)(b) A local government may approve expenses which are to be reimbursed to its councillors, provided that the expenses are of the kind prescribed as those which the local government can approve for reimbursement (subject to section 5.98(3))	<del>Delegation prohibited under the Local Government Act 1995 and Council is to perform the power or duty</del>	28 June 2016 Report CPS18.16
Section 5.98(4) A local government may approve the reimbursement to a council member of an approved expense, either generally or in a particular case	<del>Delegation prohibited under the Local Government Act 1995 and Council is to perform the power or duty</del>	28 June 2016 Report CPS18.16
Section 5.98A May decide to pay its deputy mayor an allowance of up to the prescribed percentage of the annual local government allowance to which the mayor is entitled under section 5.98(5). (Absolute majority required).	<del>Delegation prohibited under the Local Government Act 1995 and Council is to perform the power or duty</del>	
Section 5.99 May decide to pay council members attending council and committee meetings a prescribed minimum annual fee or where it has set a fee, that fee. (Absolute majority required).	<del>Delegation prohibited under the Local Government Act 1995 and Council is to perform the power or duty</del>	

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FUNCTION	DELEGATION, CONDITIONS AND DURATION (INDEFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST REVIEWED
<del>Section 5.99A May decide that instead of reimbursing council members, under section 5.98(2), for all of particular type of expense, it will instead pay the prescribed minimum allowance for that type of expense or where it has set an allowance for that type of expense, that allowance. Only reimburse in excess of that allowance. (Absolute majority required).</del>	<del>Delegation prohibited under the Local Government Act 1995 and Council is to perform the power or duty</del>	
<del>Section 5.100(2) A local government may decide to reimburse expenses to committee members who are not council members or employees</del>	<del>Delegation prohibited under the Local Government Act 1995 and Council is to perform the power or duty</del>	28 June 2016 <del>Report CPS18.16</del>
Section 5.101(2) A local government may reimburse an employee for an expense that was incurred in relation to a matter affecting the local government	Chief Executive Officer	28 June 2016 Report CPS18.16
<b>Division 9 – Conduct of certain officials</b>		
Section 5.102 A local government may make a cash advance to a person for an expense which can be reimbursed	Chief Executive Officer	28 June 2016 <del>Report CPS18.16</del>
Section 5.103(1) A local government must prepare or adopt a code of conduct to be observed by council members, committee members and employees	Suitable for delegation to a 5.9(2)(a) committee or a 5.9(2)(b) committee (not currently delegated).	
Section 5.103(2) A local government must review its code of conduct within 12 months of every ordinary election day	Suitable for delegation to a 5.9(2)(a) committee or a 5.9(2)(b) committee (not currently delegated).	

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FUNCTION	DELEGATION, CONDITIONS AND DURATION (INDEFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST REVIEWED
<b>Part 6 – Financial Management</b>		
<b>Division 1 - Introduction</b>		
Financial Management reg.8(1) — A local government must maintain separate accounts for monies required to be held in the municipal fund, the trust fund, the reserve accounts, or monies relating to major land or major trading undertakings that will or are expected to span more than 2 financial years	Suitable for Acting Through	
Financial Management reg.11(1) — A local government must develop procedures for cheques, credit cards, computer encryption devices and passwords, purchasing cards and petty cash systems	Suitable for Acting Through	
Financial Management Reg.11(2) — A local government must develop procedures for the approval of accounts	Suitable for Acting Through	
Financial Management reg.13(2) — A list of accounts for approval to be paid must be prepared for each month, including the date of the meeting of council to which the list is presented	Suitable for Acting Through	
Financial Management re.19(1) — A local government must establish and document internal control procedures to ensure control over investments	Chief Executive Officer	28 June 2016 Report CPS18.16

Commented [NC47]: TO BE REMOVED – No discretion – management function therefore, not required in register.

FUNCTION	DELEGATION, CONDITIONS AND DURATION (INDEFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST REVIEWED
<b>Division 2 – Annual budget</b>		
Section 6.2(1) A local government must prepare by 31 August in each financial year, an annual budget for its municipal fund for the next financial year	Suitable for Acting Through	
Section 6.2(1) Must adopt the budget prepared. (Absolute majority required).	<del>Delegation prohibited under the Local Government Act 1995 and Council is to perform the power or duty</del>	
Section 6.3 A local government must prepare a budget if a general valuation or a rate or service charge is quashed by a court or the State Administrative Tribunal, or if it intends to impose supplementary general rate or specified area rate for the remainder of the financial year	Suitable for Acting Through	
Section 6.3 Must adopt the budget (for other circumstances) prepared. (Absolute majority required).	<del>Delegation prohibited under the Local Government Act 1995 and Council is to perform the power or duty</del>	
<b>Division 3 – Reporting on activities and finance</b>		
Note: Under <b>Division 3 – Reporting on activities and finance, section 6.4</b> financial report applies		
Section 6.4(1) A local government must prepare an annual financial report for the preceding financial year and such other reports as are required	Suitable for Acting Through	
Section 6.4(3) By 30 September following each financial year or such extended time as the Minister allows, a local government is to submit to its auditor the accounts of the local government and the annual financial report	Suitable for Acting Through	

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FUNCTION	DELEGATION, CONDITIONS AND DURATION (INDEFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST REVIEWED
<del>Local Government (Financial Management) Regulations, reg.33A(3) — council is to consider a budget review submitted to it and is to determine by absolute majority whether or not to adopt the review, any parts of the review or any recommendations made in the review</del>	<del>Delegation prohibited under the <i>Local Government Act 1995</i> and Council is to perform the power or duty</del>	
<del>Local Government (Financial Management) Regulations, reg.34(2)(c) — each statement of financial activity is to be accompanied by documents containing such other supporting information as is considered relevant by the local government</del>	Suitable for Acting Through	
<del>Local Government (Financial Management) Regulations, reg.34(1) — a local government must prepare monthly financial reports</del>	Suitable for Acting Through	
<b>Division 4 – General financial provisions</b>		
<del>Section 6.9(3) A local government must pay or deliver to the person entitled to it any money and its interest and any property</del>	Suitable for Acting Through	
<del>Section 6.9(4) A local government may transfer money held in trust for 10 years to its municipal fund, but must repay to a person who establishes a right to the repayment, together with any interest earned on the investment</del>	Suitable for Acting Through <u>Chief Executive Officer</u>	

Commented [NC50]: TO BE REMOVED – Delegation Prohibited therefore, not required to be in register.

FUNCTION	DELEGATION, CONDITIONS AND DURATION (INDEFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST REVIEWED
<del>Section 6.11(1) A local government must establish and maintain a reserve account for each purpose for which it wishes to set aside money</del>	Suitable for Acting Through	
<del>Section 6.11(2) May determine by absolute majority to change the purpose of a reserve account or use money held in a reserve account for another purpose</del>	<del>Delegation prohibited under the Local Government Act 1995 and Council is to perform the power or duty</del>	
Section 6.11(2) A local government must give one month local public notice of a proposal to change the purpose of a reserve account or use money held in a reserve account for another purpose	Suitable for Acting Through	
<del>Section 6.12(1)(a) May determine by absolute majority, when adopting the annual budget, grant a discount or an incentive for early payment of any money (subject to section 6.12(2))</del>	<del>Delegation prohibited under the Local Government Act 1995 and Council is to perform the power or duty</del>	
Section 6.12(1)(b) A local government may waive or grant concessions in relation to any amount of money that is owed to the local government (subject to section 6.12(2))	Chief Executive Officer	28 June 2016 Report CPS18.16
Section 6.12(1)(c) A local government may write off any amount of money that is owed to the local government (subject to section 6.12(2))	Chief Executive Officer	28 June 2016 Report CPS18.16
Section 6.12(3) A local government may determine what conditions apply to the granting of a concession	Suitable for delegation to Chief Executive Officer	

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FUNCTION	DELEGATION, CONDITIONS AND DURATION (INDEFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST REVIEWED
<del>Section 6.13(1) May determine by absolute majority, resolve to apply interest to any money that it has been owed (subject to section 6.13(6), other than for rates and service charges.</del>	<del>Delegation prohibited under the Local Government Act 1995 and Council is to perform the power or duty</del>	
Section 6.14(1) A local government may invest money in its municipal or trust funds that is not being used, in accordance with Part III of the Trustees Act 1962	Chief Executive Officer <u>subject to Council Policy</u>	28 June 2016 Report CPS18.16
<b>Division 5 – Financing local government activities</b>		
<b>Subdivision 1 – Introduction</b>		
Nil items in subdivision 1		
<b>Subdivision 2 – Fees and charges</b>		
<del>Section 6.16(1) May impose, by absolute majority, a fee or charge for any goods or services it provides, except for a service for which a service charge has been imposed</del>	<del>Delegation prohibited under the Local Government Act 1995 and Council is to perform the power or duty</del>	
<del>Section 6.16(3) As well as imposing fees and charges when adopting the annual budget, may by absolute majority impose fees and charges during the year or amend, from time to time, fees and charges throughout the year</del>	<del>Delegation prohibited under the Local Government Act 1995 and Council is to perform the power or duty</del>	

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FUNCTION	DELEGATION, CONDITIONS AND DURATION (INDEFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST REVIEWED
Section 6.19 If a local government wishes to impose a fee or charge under Part 6 Division 5 Subdivision 2 after the annual budget has been adopted, it must provide local public notice of its intention to do so and the date from which the amended fees or charges will be imposed	Suitable for Acting Through	
<b>Subdivision 3 – Borrowings</b>		
Section 6.20(1) May borrow or re-borrow money, obtain credit or extend its financial accommodation in other ways to perform its functions	<del>Delegation prohibited under the Local Government Act 1995 and Council is to perform the power or duty</del>	
Section 6.20(2) If a local government proposes to exercise its power to borrow but it is not budgeted for, unless the proposal is of a prescribed kind, it must give one month public notice of the proposal	Suitable for Acting Through	
Section 6.20(2) If it proposes to exercise its power to borrow but it is not budgeted for, it must make the resolution to do so by absolute majority	<del>Delegation prohibited under the Local Government Act 1995 and Council is to perform the power or duty</del>	
Section 6.20(3)(a) and (b) If it exercises its power to borrow and then decides not to proceed with the proposal or it does not use all of the money, credit or financial accommodation, after giving one month local public notice it may by absolute majority resolve to use it for another purpose	<del>Delegation prohibited under the Local Government Act 1995 and Council is to perform the power or duty</del>	
Section 6.20(3) One month's public "notice" must be given	Suitable for Acting Through	

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FUNCTION	DELEGATION, CONDITIONS AND DURATION (INDEFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST REVIEWED
<b>Division 6 – Rates and service charges</b>		
<b>Subdivision 1 – Introduction and the basis of rating</b>		
Section 6.26(3) If Co-operative Bulk Handling Ltd and a local government cannot reach an agreement, under section 6.26(2)(i), the local government may refer the matter to the Minister for determination	Suitable for delegation to Chief Executive Officer	
<del>Section 6.29(2) Must impose a rate on the basis of unimproved value to any tenement, license or permit that is located in a district for which only rates on the basis of gross rental value apply</del>	<del>Delegation prohibited under the Local Government Act 1995 and Council is to perform the power or duty</del>	
<b>Subdivision 2 – Categories of rates and service charges</b>		
<del>Section 6.32(1) When adopting the annual budget, may in order to make up a budget deficiency, by absolute majority impose a general rate on rateable land within its district, and may be imposed uniformly or differentially a specified area rate or minimum payment on rateable land within its district, and may impose a service charge on land within its district.</del>	<del>Delegation prohibited under the Local Government Act 1995 and Council is to perform the power or duty</del>	

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FUNCTION	DELEGATION, CONDITIONS AND DURATION (INDEFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST REVIEWED
<del>Section 6.32(3) May in an emergency after rates in a financial year have been imposed, by absolute majority impose a supplementary general rate or a specified area rate for the unexpired portion of the current financial year, and to impose a new general rate, specified area rate or services charge if a court or the State Administrative Tribunal quashes a general valuation, rate or service charge</del>	<del>Delegation prohibited under the Local Government Act 1995 and Council is to perform the power or duty</del>	
<del>Section 6.33(1) May impose differential general rates</del>	<del>Delegation prohibited under the Local Government Act 1995 and Council is to perform the power or duty</del>	
<del>Section 6.35(1) May impose on any rateable land in its district a minimum payment</del>	<del>Delegation prohibited under the Local Government Act 1995 and Council is to perform the power or duty</del>	
<del>Section 6.36(1) A local government must give local public notice of its intention to impose any differential general rates or minimum payment applying to a differential rate category under section 6.35(6)(c)</del>	Suitable for Acting Through	
<del>Section 6.37(1) May impose a specified area rate on rateable land for specific work, service or facility</del>	<del>Delegation prohibited under the Local Government Act 1995 and Council is to perform the power or duty</del>	

**Commented [NC61]:** TO BE REMOVED – Delegation Prohibited therefore, not required to be in register.

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FUNCTION	DELEGATION, CONDITIONS AND DURATION (INDEFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST REVIEWED
<p><del>Note: Under <b>Division 6 – Rates and service charges, subdivision 2 categories of rates and service charges, section 6.38(1)</b> the Local Government (Financial Management) Regulations, reg.54 applies and council may impose a service charge on owners or occupiers to meet the cost of providing television and radio rebroadcasting, underground electricity, property surveillance and security and water</del></p>	<p><del>Delegation prohibited under the <i>Local Government Act 1995</i> and Council is to perform the power or duty</del></p>	
<p><b>Subdivision 3 – Imposition or rates and service charges</b></p>		
<p><del>Section 6.39(1) As soon as practicable after a local government resolves to impose rates, it must compile a record of all rateable land in the district and all land which has a service charge imposed</del></p>	<p>Suitable for Acting Through</p>	
<p><del>Section 6.39(2) A local government must, from time to time, amend the current rate record to ensure it is accurate and correct and may amend the rate record for the 5 years preceding the current financial year</del></p>	<p>Suitable for Acting Through</p>	
<p><del>Section 6.40(1) If the rateable value, rateability or the rate imposed on any land is amended in the rate record, under section 6.39(2), the local government must reassess the rates payable and give notice to the owner of the land of any change in the amount of rates payable</del></p>	<p>Suitable for Acting Through</p>	

Commented [NC65]: TO BE REMOVED – Delegation Prohibited therefore, not required to be in register.

FUNCTION	DELEGATION, CONDITIONS AND DURATION (INDEFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST REVIEWED
<del>Section 6.40(2) If a service charge on any land is amended in the rate record, under section 3.39(2), the local government must reassess the service charge and give notice to the owner of the land of any change of the amount of service charge payable</del>	<del>Suitable for Acting Through</del>	
Section 6.40(3) If rates are reduced, under section 6.40(1), a local government must refund the owner of the land on request or credit the amount for rates or service charges	<del>Suitable for Acting Through</del> <u>Chief Executive Officer</u>	
Section 6.40(4) If a service charge is reduced, under section 6.40(2), and the service charge had already been paid by the owner, the owner may request and then the local government must pay the overpaid amount to the owner or, alternatively, the overpaid portion is credited against any future amounts payable. If the service charge was paid by the occupier, the local government must pay the overcharged portion to the person who paid it	<del>Suitable for Acting Through</del> <u>Chief Executive Officer</u>	
<del>Section 6.41(1) A local government must give a rate notice to the owner of rateable land and the owner or occupier (as the case requires) of land on which a service charge is imposed, containing the particulars required</del>	<del>Suitable for Acting Through</del>	

FUNCTION	DELEGATION, CONDITIONS AND DURATION (INDEFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST REVIEWED
<b>Subdivision 4 – Payment of rates and service charges</b>		
<p><del>Note: Under <b>Division 6 – Rates and service charges, subdivision 4 payment of rates and service charges, section 6.45(1)</b> the Local Government (Financial Management) Regulations, reg.64(2) applies, when adopting the annual budget, must determine the due date for payment of instalments after the first instalment</del></p>	<p><del>Delegation prohibited under the <i>Local Government Act 1995</i> and Council is to perform the power or duty</del></p>	
<p><del>Note: Under <b>Division 6 – Rates and service charges, subdivision 4 payment of rates and service charges, section 6.45(3)</b> the Local Government (Financial Management) Regulations, reg.67 applies council may impose an additional charge (including by way of interest) where payment of a rate or service is by instalments and have regard to the additional costs of administration and consider the additional charge as a full or partial reimbursement of those costs and not for the purpose of making a profit.</del></p>	<p><del>Delegation prohibited under the <i>Local Government Act 1995</i> and Council is to perform the power or duty</del></p>	
<p><del>Section 6.46 May, When imposing a rate or service charge, by absolute majority resolve to grant a discount or incentive for its early payment</del></p>	<p><del>Delegation prohibited under the <i>Local Government Act 1995</i> and Council is to perform the power or duty</del></p>	
<p><del>Section 6.47 May, when imposing rates and service charges, by absolute majority resolve to waive a rate or service charge or grant a concession</del></p>	<p><del>Delegation prohibited under the <i>Local Government Act 1995</i> and Council is to perform the power or duty</del></p>	

**Commented [NC66]:** TO BE REMOVED – Delegation Prohibited therefore, not required to be in register.

**Commented [NC67]:** TO BE REMOVED – Delegation Prohibited therefore, not required to be in register.

**Commented [NC68]:** TO BE REMOVED – Delegation Prohibited therefore, not required to be in register.

**Commented [NC69]:** TO BE REMOVED – Delegation Prohibited therefore, not required to be in register.

FUNCTION	DELEGATION, CONDITIONS AND DURATION (INDEFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST REVIEWED
<del>Section 6.49 A local government may make an agreement with a person to pay their rates and service charges</del>	<del>Suitable for Acting Through Chief Executive Officer</del>	
<del>Local Government (Financial Management) Regulations, reg.66(2) — if an instalment remains unpaid after the day on which the next instalment becomes due the local government may revoke the ratepayer's right to pay by instalments</del>	<del>Suitable for Acting Through Chief Executive Officer</del>	
<del>Local Government (Financial Management) Regulations, reg.66(3)(b) — the local government must in writing immediately notify the ratepayer of the revocation</del>	<del>Suitable for Acting Through</del>	
<del>Section 6.50(1) and (2) A local government may determine the due date that rates and charges become due, but which date cannot be sooner than 35 days after the date noted on the rate notice</del>	<del>Suitable for Acting Through</del>	
<del>Note: Under <b>Division 6 – Rates and service charges, subdivision 4 payment of rates and service charges, section 6.51(1)</b> the Local Government (Financial Management) Regulations, reg.70 applies, council may by absolute majority resolve to impose interest (not to exceed 11%) on a rate and service charge</del>	<del>Delegation prohibited under the Local Government Act 1995 and Council is to perform the power or duty</del>	
Section 6.56(1) A local government may recover an unpaid rate or service charge and the cost of proceedings in court of competent jurisdiction	Chief Executive Officer	28 June 2016 Report CPS18.16

Commented [NC70]: TO BE REMOVED – Delegation Prohibited therefore, not required to be in register.

FUNCTION	DELEGATION, CONDITIONS AND DURATION (INDEFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST REVIEWED
Section 6.60(2) A local government may 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 local government in satisfaction of the rate or service charge	Chief Executive Officer	<del>28 June 2016</del> <del>Report CPS18.16</del>
<del>Section 6.60(3) If a local government gives notice to a lessee, under section 6.60(2), the local government must give a copy of the notice to the lesser</del>	<del>Chief Executive Officer</del>	<del>28 June 2016</del> <del>Report CPS18.16</del>
Section 6.60(4) If a local government gives notice to a lessee, under section 6.60(2), and the lessee fails to pay rent to the local government, the local government may recover the rate or service charge as a debt from the lessee	Chief Executive Officer	<del>28 June 2016</del> <del>Report CPS18.16</del>
Section 6.61(1) A local government may request an occupier, an agent or the person who receives the rent of a property, to give the name and address of the owner to the local government	<del>Suitable for Acting Through</del> <del>Chief Executive Officer</del>	
Section 6.64(1) If any rates or service charges have remained unpaid for at least 3 years, a local government may take possession of the land and hold the land against a person having an estate or interest in the land, and may lease or sell the land or transfer it to the Crown or itself	Chief Executive Officer	<del>28 June 2016</del> <del>Report CPS18.16</del>

Commented [NC71]: TO BE REMOVED – Suitable for acting through – no discretion management function therefore, not required in register.

FUNCTION	DELEGATION, CONDITIONS AND DURATION (INDEFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST REVIEWED
<del>Section 6.64(2) A local government that takes possession of land, under section 6.64(1), must give the owner such notice as prescribed and then affix the notice to a conspicuous part of the land in the form prescribed</del>	<del>Suitable for Acting Through</del>	
<del>Section 6.64(3) A local government may lodge a caveat in respect of any land for which rates and service charges are outstanding</del>	<del>Suitable for Acting Through</del>	
Section 6.69(2) A local government may accept payment of any outstanding rates or service charges on such terms and conditions as are agreed between the parties, up to the time of actual sale of the relevant land but not more than 7 days prior to same	<del>Suitable for Acting Through</del> <u>Chief Executive Officer</u>	
Section 6.69(3) If a local government accepts payment of outstanding rates or service charges, under sections 6.69(1) or 6.69(2), the local government is required to make such notifications and take such measures as are prescribed to cancel the proposed sale	<del>Suitable for Acting Through</del> <u>Chief Executive Officer</u>	
Section 6.71(1) If a local government is unable to sell land under Part 6 Division 6 within 12 months, it may transfer the land to the Crown or itself	Suitable for delegation to Chief Executive Officer	

FUNCTION	DELEGATION, CONDITIONS AND DURATION (INDEFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST REVIEWED
<del>Section 6.71(3) If a local government transfers land to itself, under section 6.71(1)(b), it must pay any sum owed under a mortgage, lease, tenancy, encumbrance or charge in favour of the Crown in right of the State or a department, agency or instrumentally of the Crown</del>	<del>Suitable for Acting Through</del>	
Section 6.74(1) A local government may apply in the prescribed form to the Minister to have land vested in the Crown if it is rateable vacant land and rates or service charges in respect of it have remained unpaid for at least 3 years	Suitable for delegation to Chief Executive Officer	
<del>Local Government (Financial Management) Regulations, reg.77(1) — before applying to have land vested under section 6.74, a local government must give notice to the owner of the land and any other interested persons and publish the notice in the Gazette</del>	<del>Suitable for Acting Through</del>	
Local Government (Financial Management) Regulations, reg.77(3) – a local government must consider any objections it receives in relation to a revestment under regulation 77	Suitable for delegation to Chief Executive Officer	



FUNCTION	DELEGATION, CONDITIONS AND DURATION (INDEFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST REVIEWED
Section 6.76(4) A local government may extend the time for a person to make an objection in relation to the rate record	<del>Suitable for Acting Through Chief Executive Officer</del>	
Section 6.76(5) The local government must consider any objections to the rates record and may disallow or allow the objection either wholly or in part	Chief Executive Officer	28 June 2016 Report CPS18.16
<del>Section 6.76(6) The local government is to provide the person with notice of its decision</del>	<del>Suitable for Acting Through</del>	
<b>Part 7 - Audit</b>		
<b>Division 1 - Introduction</b>		
Nil items in Division 1		
<b>Division 1A – Audit Committee</b>		
<del>Section 7.1A(1)(2) By absolute majority establish an audit committee, appoint members to the committee with a minimum of 3 members and a majority of which are council members</del>	<del>Delegation prohibited under the Local Government Act 1995 and Council is to perform the power or duty</del>	
<del>Section 7.1B Despite s5.16 by absolute majority council can delegate to an audit committee only those powers and duties contained in Part 7 other than this power of delegation</del>	<del>Delegation prohibited under the Local Government Act 1995 and Council is to perform the power or duty</del>	

Commented [NC72]: Management Function

Commented [NC73]: TO BE REMOVED – Delegation Prohibited therefore, not required to be in register.

Commented [NC74]: TO BE REMOVED – Delegation Prohibited therefore, not required to be in register.

FUNCTION	DELEGATION, CONDITIONS AND DURATION (INDEFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST REVIEWED
<b>Division 2 – Appointment of auditors</b>		
<del>Section 7.1(1)(2) By absolute majority must appoint a person or persons on the recommendation of the audit committee, to be its auditor</del>	<del>Delegation prohibited under the Local Government Act 1995 and Council is to perform the power or duty</del>	
Section 7.6(2)(f) A local government may terminate the appointment of an auditor by written notice	Suitable for delegation to the Audit Committee (not currently delegated)	
<del>Audit reg.8(1) – where a local government has terminated an agreement with its auditor, it must give notice and reasons for the termination to the Executive Director within 30 days</del>	<del>Suitable for Acting Through</del>	
<del>Section 7.6(3) If the auditor's registration as a company auditor is suspended or the auditor is unable or unwilling to carry out their duties, must appoint a person to conduct or complete its audit</del>	<del>Delegation prohibited under the Local Government Act 1995 and Council is to perform the power or duty</del>	
<b>Division 3 – Conduct of audit</b>		
<del>Note: Under Division 3 – Conduct of audit, section 7.9 Local Government (Audit) Regulations, reg.14(3), a compliance audit return must be presented to the council at a meeting of the council, adopted by council and recorded in the minutes of the meeting at which it is adopted</del>	<del>Delegation prohibited under the Local Government Act 1995 and Council is to perform the power or duty</del>	
<b>Division 4 – General</b>		
Section 7.12A(2) A local government must meet with its auditor at least once a year	Delegated to the Audit and Risk Committee	28 June 2016 Report CPS18.16

Commented [NC75]: TO BE REMOVED – Delegation Prohibited therefore, not required to be in register.

Commented [NC76]: TO BE REMOVED – Delegation Prohibited therefore, not required to be in register.

Commented [NC77]: TO BE REMOVED – Delegation Prohibited therefore, not required to be in register.

FUNCTION	DELEGATION, CONDITIONS AND DURATION (INDEFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST REVIEWED
Section 7.12A(3) A local government is to examine the auditor's report, under section 7.9(1) and any report under section 7.9(3), and must determine if any matters raised by the report require action and ensure that appropriate action is taken	Suitable for delegation to the Audit Committee (not currently delegated)	
Section 7.12A(4) A local government must prepare a report on any action taken in response to an auditor's or section 7.9(3) report, and provide it to the Minister	Suitable for delegation to the Audit Committee (not currently delegated)	
<del>Audit reg.14(1) A local government must carry out a compliance audit for the period 1 January to 31 December in each year</del>	<del>Suitable for Acting Through</del>	
<del>Audit reg.14(3) A compliance audit return must be presented to the council at a meeting of the council, adopted by the council and recorded in the minutes of the meeting at which it is adopted</del>	<del>Delegation prohibited under the Local Government Act 1995 and Council is to perform the power or duty</del>	
<b>Part 8 – Scrutiny of the Affairs of Local Governments</b>		
<b>Division 1 – Inquiries by the Minister or an authorised person</b>		
<del>Section 8.2(2) Upon receiving a request from the Minister for information, a local government must provide the information to the Minister within the specified time of the notice</del>	<del>Suitable for Acting Through</del>	

Commented [NC78]: TO BE REMOVED – Delegation Prohibited therefore, not required to be in register.

FUNCTION	DELEGATION, CONDITIONS AND DURATION (INDEFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST REVIEWED
Section 8.14(3) A local government must give the Minister advise of what it has done or will do to comply with an enquiry report from the Minister or a person authorised by the Minister, within 35 days of receiving the report	Chief Executive Officer	<del>28 June 2016</del> <del>Report CPS18.16</del>
<b>Division 2A – Council may be peremptorily suspended or required to undertake remedial action</b>		
Nil items in Division 2A		
<b>Division 2 – Inquiries by Inquiry Panels</b>		
Section 8.23(4) A local government must give the Minister advice of what things it has done, or will do, to comply with an Inquiry Panel’s report within 35 days of receiving the report, or give its comment on a recommendation to dismiss the council	Chief Executive Officer	<del>28 June 2016</del> <del>Report CPS18.16</del>
<b>Division 3 – General provisions about suspension and dismissal of councils</b>		
Nil items in Division 3		
<b>Division 4 – Misapplication of funds and property</b>		
Nil items in Division 4		
<b>Part 9 – Miscellaneous Provisions</b>		
<b>Division 1 – Objections and review</b>		
<del>Section 9.6(1) An objection under Part 9 is to be dealt with by council or a committee authorised by council to deal with it</del>	<del>Delegation prohibited under the Local Government Act 1995 and Council is to perform the power or duty</del>	
<del>Section 9.6(5) The local government must give the person who made the objection notice of how it was disposed of and reasons why</del>	Suitable for Acting Through	

Commented [INC79]: TO BE REMOVED – Delegation Prohibited therefore, not required to be in register.

FUNCTION	DELEGATION, CONDITIONS AND DURATION (INDEFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST REVIEWED
<del>Section 9.9(3) As soon as a decision under section 9.9(1)(b) is made, the local government must give the affected person written notice stating the reasons for the decision</del>	<del>Suitable for Acting Through</del>	
<b>Division 2 – Enforcement and legal proceedings</b>		
Section 9.10(1) and (2) The local government may appoint persons or classes of persons to be authorised to perform certain functions and must issue them with a certificate stating they are authorised	Chief Executive Officer	28 June 2016 Report CPS18.16
<b>Division 3 – Documents</b>		
Nil items in Division 3		
<b>Division 4 – Protection from liability</b>		
Nil items in Division 4		
<b>Division 5 – Associations of local government</b>		
Nil items in Division 5		
<b>Division 6 – Regulations, directions and orders</b>		
<del>Section 9.60(4) A local government is to administer any regulation made under section 9.60 as if it were a local law</del>	<del>Suitable for Acting Through</del>	
Section 9.63(1) If a dispute has arisen between 2 or more local governments, a local government may refer the matter to the Minister to resolve	Suitable for delegation to Chief Executive Officer	

FUNCTION	DELEGATION, CONDITIONS AND DURATION (INDEFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST REVIEWED
<b>Division 7 – Other miscellaneous provisions</b>		
Section 9.68(5) A local government may recover accruing rates from a principal or agent who has failed to give a notice to the local government in accordance with section 9.68	<del>Suitable for Acting Through Chief Executive Officer</del>	
<b>Division 8 – Amendments to 1960 Act and transitional provisions</b>		
Nil items in Division 8		
<b>Nil Schedule 1</b>		
<b>Schedule 2.1 – Provisions about creating, changing the boundaries of, and abolishing districts</b>		
Clause 11(2) Any local governments affected by an order made under clause 2.1 are to negotiate any adjustment or transfer between them of property, rights and liabilities	Suitable for delegation to Chief Executive Officer	
<b>Schedule 2.2 – Provisions about names, wards and representation</b>		
Clause 4(1) A local government must consider any submissions made under clause 3	Suitable for delegation to Chief Executive Officer	
<del>Clause 4(2) If council believes that a submission is of a minor nature or one which would not require public submissions, may either propose (absolute majority required) to the Advisory Board that a submission be rejected or itself deal with it under clause 5(b)</del>	<del>Delegation prohibited under the Local Government Act 1995 and Council is to perform the power or duty</del>	

Commented [NC80]: Management Function

Commented [NC81]: TO BE REMOVED – Delegation Prohibited therefore, not required to be in register.

FUNCTION	DELEGATION, CONDITIONS AND DURATION (INDEFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST REVIEWED
<p><del>Clause 4(3) It is council's opinion that a submission is substantially similar to a submission in respect of which a decision was made in the last two years, or the majority of affected electors who made the submission no longer support it, council may reject the submission</del></p>	<p><del>Delegation prohibited under the Local Government Act 1995 and Council is to perform the power or duty</del></p>	
<p><del>Clause 4(4) Unless council decides to deal with a submission under clause 5(b) or rejects it or proposes to reject it under clauses 4(1) or 4(2), must carry out a review as to whether or not the order sought should be made</del></p>	<p><del>Delegation prohibited under the Local Government Act 1995 and Council is to perform the power or duty</del></p>	
<p><del>Clause 5 Whether or not it has received a submission, council may carry out a review as to whether or not an order under clauses 2.2, 2.3(3) or 2.18 should in council's opinion be made or propose (absolute majority required) to the Advisory Board the making of an order under clauses 2.29(1), 2.39(3) or 2.18(3) if in the opinion of council the proposal is of a minor nature or one which would not require public submissions or propose (absolute majority required) to the Minister the making of an order changing the name of a district or ward</del></p>	<p><del>Delegation prohibited under the Local Government Act 1995 and Council is to perform the power or duty</del></p>	
<p>Clause 6 A local government must carry out a review of its ward boundaries and the number of councillors per ward every 8 years or as directed by the Advisory Board</p>	<p>Suitable for delegation to Chief Executive Officer</p>	

**Commented [NC82]:** TO BE REMOVED – Delegation Prohibited therefore, not required to be in register.

**Commented [NC83]:** TO BE REMOVED – Delegation Prohibited therefore, not required to be in register.

**Commented [NC84]:** TO BE REMOVED – Delegation Prohibited therefore, not required to be in register.

FUNCTION	DELEGATION, CONDITIONS AND DURATION (INDEFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST REVIEWED
<del>Clause 7 A local government is to provide local public notice advising that it is about to review its wards and inviting submissions</del>	<del>Suitable for Acting Through</del>	
Clause 8 The council must have regard to community of interests, physical and topographical features, demographic trends, economic factors and the ratio of councillors to electors in respect of considerations about wards	Suitable for delegation to a 5.9(2)(a) committee (not currently delegated).	
Clause 9 When a ward review is complete, the local government must prepare a report for the Advisory Board and may propose the making of an order under clauses 2.2(1), 2.3(3) or 2.18(3)	Suitable for delegation to a 5.9(2)(a) committee (not currently delegated).	
<b>Schedule 2.3 – When and how mayors, presidents, deputy mayors and deputy presidents are elected by council</b>		
Nil items in Schedule 2.3		
<b>Schedule 2.4 – Provisions about Commissioners</b>		
Nil items in Schedule 2.4		
<b>Schedule 2.5 – Provisions about the Local Government Advisory Board</b>		
Nil items in Schedule 2.5		



FUNCTION	DELEGATION, CONDITIONS AND DURATION (INDEFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST REVIEWED
<b>Schedule 3.1 – Powers under notices to owners or occupiers of land</b>		
Regulation 7A <i>Local Government (Uniform Local Provisions) Regulations 1996</i> A person who is the owner or occupier of land must, when requested by the Local Government to do so, remove any thing that – <ul style="list-style-type: none"> <li>a. Has fallen from the land, or from anything on the land; and</li> <li>b. Is obstructing a public thoroughfare</li> </ul>	Chief Executive Officer	28 June 2016 Report CPS18.16
<b>Schedule 3.2 – Particular things local governments can do on land even though it is not local government property</b>		
Nil items in Schedule 3.2		
<b>Schedule 4.1 – How to conduct votes and ascertain the result of an election</b>		
Nil items in Schedule 4.1		
<b>Schedule 5.1 – Provisions about standards panels</b>		
Nil items in Schedule 5.1		
<b>Schedule 6.1 – Provisions relating to the phasing in of valuations</b>		
<del>Clause 1(1) When imposing general rates, with respect to gross rental value, may resolve that a general valuation, which results in an increase, can be phased in over 3 years</del>	<del>Delegation prohibited under the Local Government Act 1995 and Council is to perform the power or duty</del>	

Commented [NC85]: TO BE REMOVED – Delegation Prohibited therefore, not required to be in register.

FUNCTION	DELEGATION, CONDITIONS AND DURATION (INDEFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST REVIEWED
<p><del>Clause 1(5) If a local government makes a resolution, under clause 1(1), it must request the Valuer General, at the same time as the Valuer General determines an interim valuation that will come into force in the district during the first 2 years of the phasing in period, to determine a valuation under subclause (6). The local government must give the Valuer General immediate written notice when the valuation is no longer required.</del></p>	<p><del>Suitable for Acting Through</del></p>	
<p><del>Clause 2(1) When imposing general rates and changing from valuations on unimproved value to valuations on gross rental value, may resolve that gross rental valuations can be phased in over 3 years</del></p>	<p><del><b>Delegation prohibited</b> under the <i>Local Government Act 1995</i> and Council is to perform the power or duty</del></p>	
<p><del>Clause 2(5) If a local government makes a resolution under clause 2(1), it must request the Valuer General, at the same time as the Valuer General determines an interim valuation that will come into force in the district during the first 2 years of the phasing in period, to determine a valuation under subclause (6). The local government must give the Valuer General immediate written notice when the valuation is no longer required.</del></p>	<p><del>Suitable for Acting Through</del></p>	

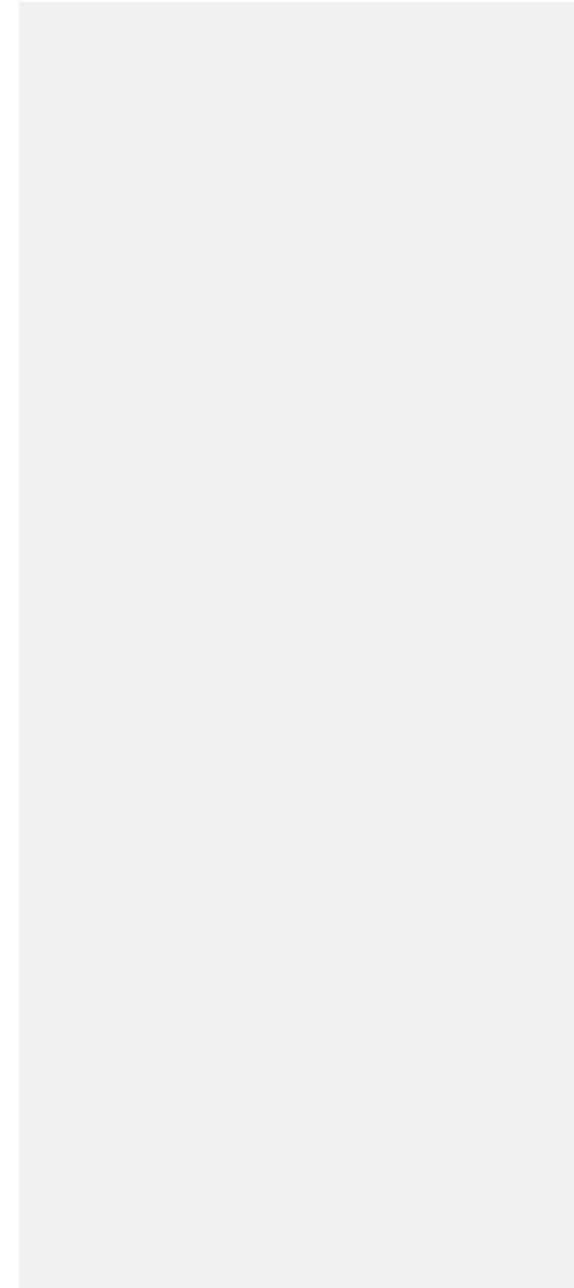
Commented [NC86]: TO BE REMOVED – Delegation Prohibited therefore, not required to be in register.

FUNCTION	DELEGATION, CONDITIONS AND DURATION (INDEFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST REVIEWED
<b>Schedule 6.2 – Provisions relating to lease of land where rates or service charges unpaid</b>		
Clause 1(1) A local government may lease the land with any conditions for a term that does not exceed 7 years	Suitable for delegation to Chief Executive Officer	
<b>Schedule 6.3 – Provisions relating to sale or transfer of land where rates or service charges unpaid</b>		
<del>Clause 1(1) Before exercising its power of sale, a local government must give the owner, or any other person who has a recorded interest in the land, opportunity to pay the rates or service charges. It must send them notice by certified mail and place a notice with the contents prescribed in clause 1(2) on its notice board for a minimum of 35 days</del>	<del>Suitable for Acting Through</del>	
<del>Clause 1(3) A local government must give local public notice if the owner or other interested parties do not have a recorded address</del>	<del>Suitable for Acting Through</del>	
Clause 1(4) The local government must appoint a time at which the land may be offered for sale by public auction, not less than 3 months and not more than 12 months from the service of the notice under clauses 1(1) or 1(2)	Suitable for delegation to Chief Executive Officer	
<del>Clause 2(1) The local government must give Statewide public notice of the sale</del>	<del>Suitable for Acting Through</del>	
<del>Clause 2(3) The local government must give the Registrar of Titles or the Registrar of Deeds a memorial of the Statewide notice</del>	<del>Suitable for Acting Through</del>	

FUNCTION	DELEGATION, CONDITIONS AND DURATION (INDEFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST REVIEWED
Clause 4(1) A local government may transfer or convey to the purchaser of the land an indefeasible estate in fee simple	Chief Executive Officer subject to 5.43(d)	<del>28 June 2016</del> Report CPS18.16
Clause 7(2) If the land has not been sold within 12 months, the local government may begin the process again in accordance with this Schedule	<del>Suitable for Acting Through Chief Executive Officer</del>	
<b>Nil Schedule 7</b>		
<b>Schedule 8.1 – Provisions about Inquiry Panels</b>		
Nil items in Schedule 8.1		
<b>Schedule 9.1 – Certain matter for which Governor may make regulations</b>		
Nil items in Schedule 9.1		
<b>Nil Schedule 9.2</b>		
<b>Schedule 9.3 – Transitional provisions</b>		
Nil items in Schedule 9.3		

**3. Register of Delegations under the *Local Government (Uniform Local Provisions) Regulations 1996***

Authority to delegate: Section 5.17 of the *Local Government Act 1995*



FUNCTION	DELEGATION, CONDITIONS AND DURATION (INDEFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST REVIEWED
<p>Reg. 5(2) Serve written notice 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:</p> <p>(a) prevent damage to the footpath; or</p> <p>(b) prevent inconvenience to the public or danger from falling materials.</p>	<p><del>Suitable for Acting Through Chief Executive Officer</del></p>	
<p>Reg. 6(3) Grant permission under this regulation to place on a specified part of public thoroughfare one or more specified things that may obstruct the public thoroughfare:</p> <p>(a) in writing; and</p> <p>(b) must specify the period for which it is granted; and</p> <p>(c) must specify each condition imposed under subregulation (4); and</p> <p>(d) may be renewed from time to time; and</p> <p>(e) may be cancelled by giving written notice to the person to whom the permission was granted.</p>	<p><del>Suitable for Acting Through Chief Executive Officer</del></p>	

<p>Reg. 6(4) Impose such conditions as it thinks fit on granting permission under this regulation including, but not limited to, any of the following:</p> <ul style="list-style-type: none"> <li>(a) conditions relating to the erection of hoardings, fences,</li> <li>(b) walkways or other structures for the protection of the public thoroughfare or public safety (protective structures);</li> <li>(c) conditions about the placement of things in the public thoroughfare including conditions about the depositing of building materials or waste, or storage or other facilities in the public thoroughfare;</li> <li>(d) a condition imposing a charge for any damage to the public thoroughfare resulting from the placement of a thing on the public thoroughfare;</li> <li>(e) a condition requiring the applicant to deposit with the local government a sum sufficient in the opinion of the Chief Executive Officer of the local government to cover the cost of repairing damage to the public thoroughfare resulting from the placement of a thing or a protective structure, on the basis that the local government may retain from that sum the amount required for the cost of repairs by the local government if the damage is not made good by the applicant.</li> </ul>	<p><del>Suitable for Acting Through Chief Executive Officer</del></p>	
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FUNCTION	DELEGATION, CONDITIONS AND DURATION (INDEFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST REVIEWED
Reg. 6(6) When renewing permission granted under this regulation or at any other time, vary any condition imposed by it under subregulation (4) and the variation takes effect when written notice of it is given to the person to whom the permission was granted.	<del>Suitable for Acting Through Chief Executive Officer</del>	
Reg. 6(8) Charge a person granted permission under this regulation a fee of not more than \$1.00 for each month or part of a month for each m2 of public thoroughfare that is enclosed by a hoarding or fence in accordance with the permission.	<del>Suitable for Acting Through Chief Executive Officer</del>	



4. Register of Delegations under the *Food Act 2008*

Authority to delegate: Section 118 of the *Food Act 2008*

FUNCTION	DELEGATION, CONDITIONS AND DURATION (INDEFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST REVIEWED
Section 122 (1) An enforcement agency may appoint a person to be an authorised officer for the purposes of this Act	Chief Executive Officer	28 June 2016 Report CPS18.16
<del>Section 123 An enforcement agency must provide each authorised officer appointed by the agency with a certificate of authority as an authorised officer</del>	<del>Chief Executive Officer</del>	28 June 2016 Report CPS18.16

Commented [NC87]: TO BE REMOVED – Suitabe for Acting Through – no discretion therefore, not required in register.

**5. Register of Delegations under the Dog Act 1976**

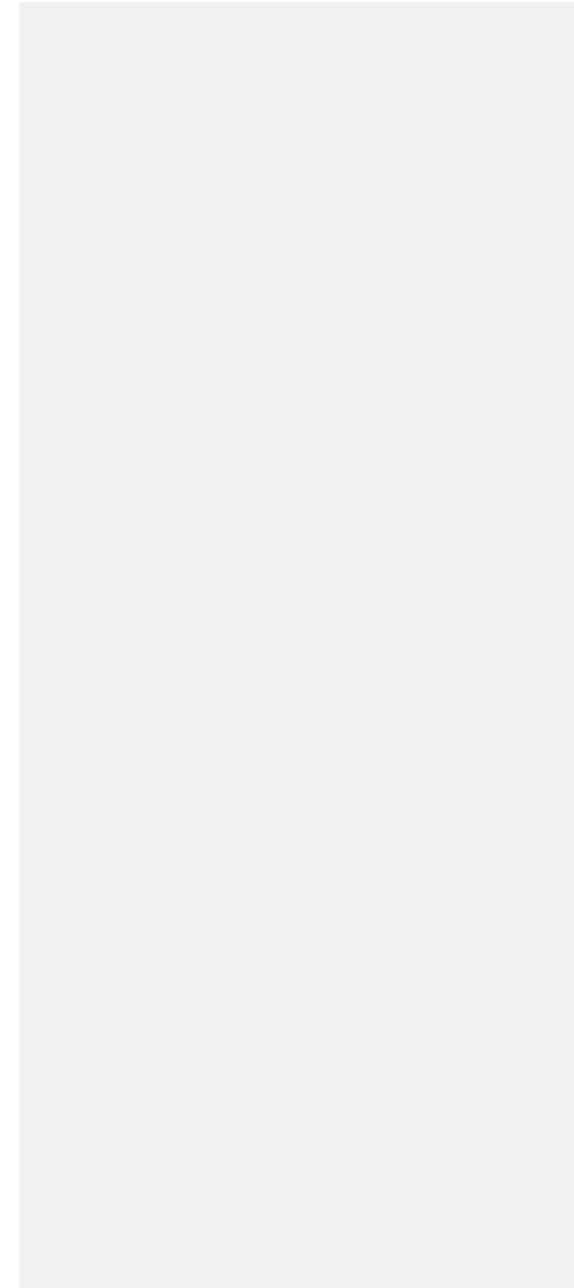
Authority to delegate: *Section 10AA of the Dog Act 1976*

FUNCTION	DELEGATION, CONDITIONS AND DURATION (INDEFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST REVIEWED
All powers under the <i>Dog Act 1976</i>	Chief Executive Officer	<del>28 June 2016</del> <del>Report CPS18.16</del>

**6. Register of Delegations under the *Cat Act 2011***Authority to delegate: Section 44 of the *Cat Act 2011*

FUNCTION	DELEGATION, CONDITIONS AND DURATION (INDEFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST REVIEWED
All powers under the <i>Cat Act 2011</i>	Chief Executive Officer	<del>28 June 2016</del> <del>Report CPS18.16</del>

**7. Register of Delegations under the *City of Nedlands Local Planning Scheme 3***



FUNCTION	DELEGATION, CONDITIONS AND DURATION (INDEFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST REVIEWED
Local Planning Scheme No. 3		

<p><del>Planning and Development (Local Planning Schemes) Regulations 2015, regulation 82.</del>  <del>The local government may, by resolution, delegate to a committee or to the local government CEO the exercise of any of the local government's powers or the discharge of any of the local government's duties under this Scheme other than this power of delegation.</del></p> <p><del>Determine applications for development approval under the City of Nedlands Local Planning Scheme No 3 and the Planning and Development Act 2005.</del></p> <p><b><u>Determination of applications</u></b> under Clause 68 of Schedule 2 of the <u>Planning and Development (Local Planning Schemes Regulations 2015)</u></p> <p><u>The Council may either generally, or in a particular case by resolution delegated to a Committee of the Council or an officer of the Council, the authority to deal with an application for planning approval made under this Scheme.</u></p>	<p><b><u>Except for where the following applies:</u></b></p> <ul style="list-style-type: none"> <li>a) <u>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;</u></li> <li>b) <u>Grouped and/or Multiple Dwelling developments involving five (5) or more dwellings; and</u></li> <li>c) <u>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.</u></li> <li>d) <u>Where objections are received (more than 2) relating to car parking requirements for non-residential applications.</u></li> <li>e) <u>Where more than one (1) objection is received for Home Business or Short-term accommodation application;</u></li> </ul>	<p><del>28 June 2016</del>  <del>Report CPS18.16</del></p>
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	<p><u>f) Where objections are received (more than 2) and the objection relates to a Design Principals or Element Objectives assessment relating to the R Codes.</u></p> <p>CEO, except for the following:</p> <ul style="list-style-type: none"><li><del>a) Proposed and Retrospective developments and Change of Use applications which are classified I, P or A 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;</del></li><li><del>b) A change from one non-conforming use to another non-conforming use;</del></li><li><del>c) Grouped and/or Multiple Dwelling developments involving five (5) or more dwellings; and</del></li><li><del>d) 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.</del></li></ul>	
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## 8. Register of Delegations - Planning and Development

FUNCTION	DELEGATION, CONDITIONS AND DURATION (INDEFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST REVIEWED
<b>Planning and Development Act 2005</b> Authority to delegate: Part 10		
Part 10:  Referrals to WAPC in respect of applications for subdivision (including amalgamations and boundary re-alignments) and/or strata subdivision approval is required to be determined by the Commission.	Chief Executive Officer	<del>28 June 2016</del> <del>Report CPS18.16</del>
Clearance of conditions of subdivision (including amalgamations and boundary re-alignments), strata subdivision or amalgamation approval where the local government is identified as the responsible agency in the WAPC preliminary approval advice.	Chief Executive Officer	<del>28 June 2016</del> <del>Report CPS18.16</del>



FUNCTION	DELEGATION, CONDITIONS AND DURATION (INDEFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST REVIEWED
<b>Heritage of Western Australia Act 1990</b> Authority to delegate: S 23(4)		
S23(4): Participation where appropriate with the Heritage Council, where it is to consider giving advice to the Minister for Heritage with respect to 'interim' and 'permanent' entry of a place on the State Register of Heritage Places'.	Chief Executive Officer with the exception of the following:  Does not apply where a formal request is made for a response from council regarding proposals for the entry of a place or places onto the State register of Heritage Places on an interim or permanent basis.	28 June 2016 Report CPS18.16

FUNCTION	DELEGATION, CONDITIONS AND DURATION (INDEFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST REVIEWED
<b>Metropolitan Region Scheme</b>  <u>WAPC Ref: RES 2015/01</u> <u>DEL 2017/02</u>  Authority to delegate: DEL 2011/02, Government Gazette no. 248, 23 December 2011		
CI 29(3) Forwarding an application to the Commission.	Chief Executive Officer	<del>28 June 2016</del> <del>Report CPS18.16</del>
CI 30 Exercising powers under the Planning & Development Act 2005 delegated by the WAPC to: <ul style="list-style-type: none"> <li>- Determine applications;</li> <li>- Revoke applications; and</li> <li>- Limit time of approval.</li> </ul>	Chief Executive Officer with the exception of:  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.  <u>And</u>  <u>When the property is within an area subject to clause 32 of the MRS.</u>	<del>28 June 2016</del> <del>Report CPS18.16</del>

CI 31 Issue of decision in the form set out in Form 2 to this scheme: An application is deemed to be refused if a decision is not conveyed within 60 days of receipt of application.	Chief Executive Officer	<del>28 June 2016</del> <del>Report CPS18.16</del>
Respond to the Western Australian Planning Commission, or authorities given delegation by the Minister for Planning, on applications made under the Metropolitan Region Scheme or the <i>Planning and Development Act, 2005</i>	Chief Executive Officer	<del>28 June 2016</del> <del>Report CPS18.16</del>

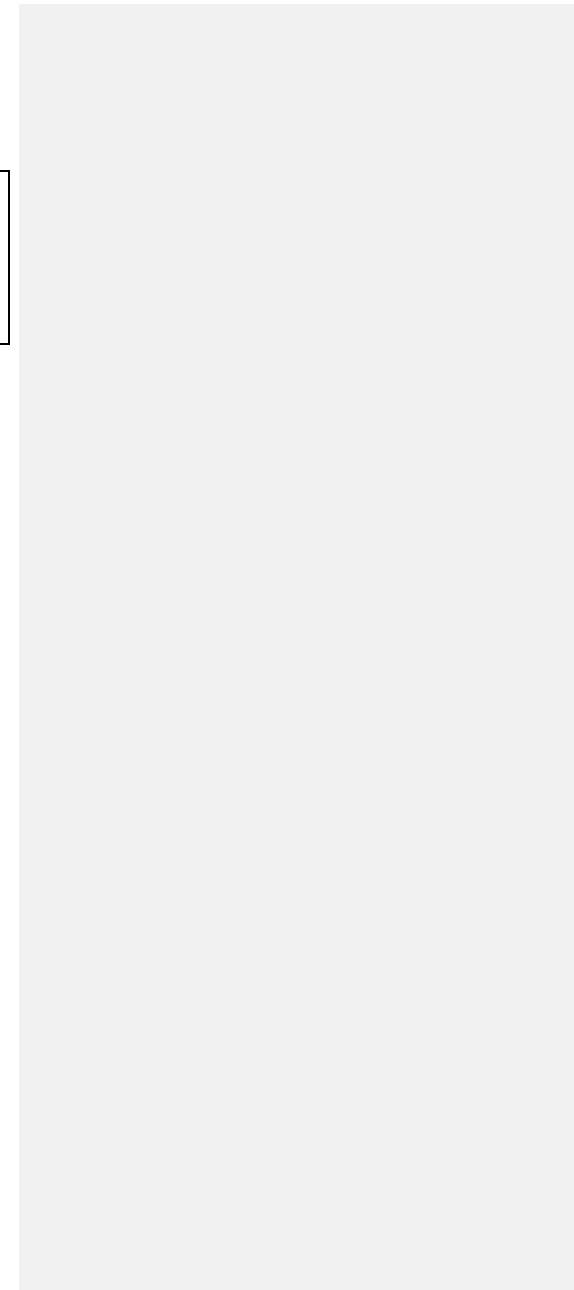
<b>FUNCTION</b>	<b>DELEGATION, CONDITIONS AND DURATION (INDEFINITE UNLESS OTHERWISE SPECIFIED)</b>	<b>DATE ADOPTED/LAST REVIEWED</b>
<b>Strata Titles Act 1985</b> Authority to delegate: DEL 2009/03, Government Gazette no. 98, 9 June 2009		
S24 The local government may make a preliminary determination that the plans and specifications are of sufficient standard to be brought under this Act as a building in a strata scheme.	Chief Executive Officer	<del>28 June 2016</del> <del>Report CPS18.16</del>

FUNCTION	DELEGATION, CONDITIONS AND DURATION (INDEFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST REVIEWED
<b>Strata Titles Act 1985</b> Authority to delegate: DEL 2009/03, Government Gazette no. 98, 9 June 2009		
S25 Clause 1 Schedule 1 Power to determine applications for the issuing of a certificate of approval for a plan of subdivision, re-subdivision or consolidation, except those applications that: <ul style="list-style-type: none"> <li>a) propose the creation of a vacant lot;</li> <li>b) propose vacant air stratas in multi-tiered strata scheme developments;</li> <li>c) in the opinion of the WAPC as notified to the relevant local government in writing, or in the opinion of the relevant local government as notified to the WAPC in writing, relate to:               <ul style="list-style-type: none"> <li>i. a type of development; and/or</li> <li>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.</li> </ul> </li> </ul>	Chief Executive Officer on the condition that:  A local government that exercises the power referred to in clause 1 is to provide the WAPC with data on all applications determined under this Instrument of Delegation at the conclusion of each financial year in the format prescribed by the WAPC.	28 June 2016 Report CPS18.16

FUNCTION	DELEGATION, CONDITIONS AND DURATION (INDEFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST REVIEWED
<b>Liquor Control Act 1988</b> Authority to delegate: Part 3 – S40		
S40 Issue certificates as to whether the use of premises complies with local planning laws.	Chief Executive Officer	28 June 2016 Report CPS18.16

FUNCTION	DELEGATION, CONDITIONS AND DURATION (INDEFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST REVIEWED
<b>Delegation to respond to external organisations</b>  WAPC Ref: <a href="#">DEL2009/02</a> <a href="#">DEL2011/04</a> <a href="#">DEL2017/02</a> <a href="#">DEL2017/03</a>  Authority to respond to external organisations		
Respond to the State Administrative Tribunal on applications for review of planning decisions including consideration of referrals under s31 the <i>State Administrative Tribunal Act 2004</i> ;	Chief Executive Officer with the exception of:  Consideration of referrals under s31 of the <i>State Administrative Tribunal Act 2004</i> where Council has determined the application.	<del>28 June 2016</del> <del>Report CPS18.16</del>
Respond to the Swan River Trust on planning applications made under the <i>Swan and Canning Rivers Management Act 2006</i>	Chief Executive Officer	<del>28 June 2016</del> <del>Report CPS18.16</del>

Respond to requests from public agencies on issues requiring or inviting comment by the City with regard to local, metropolitan, regional and/or strategic planning matters.	Chief Executive Officer	28 June 2016 Report CPS18.16
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## 8. Register of Delegations under the *Building Act 2011*

Authority to delegate: Section 127 of the *Building Act 2011*

FUNCTION	DELEGATION	CONDITIONS ON DELEGATION AND DURATION (INFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST AMENDED
<b>Part 2 – Building and demolition permits</b>			
<b>Division 2 – Application for building or demolition permits</b>			
Section 17.1 Refer an uncertified application to a building surveyor	Chief Executive Officer		28 June 2016 Report CPS18.16
Section 18(1) Require the applicant to provide any document or information that it requires to determine the application and to verify the information by statutory declaration	Chief Executive Officer		28 June 2016 Report CPS18.16
Section 20 & 23 Grant a building permit	Chief Executive Officer		28 June 2016 Report CPS18.16
Section 20, 22(1) & (2), 23(3) Refuse to grant a building permit	Chief Executive Officer		28 June 2016 Report CPS18.16
Section 21 & 23(2) Grant a demolition permit	Chief Executive Officer		28 June 2016 Report CPS18.16
Section 21(2), 22(1) & (2), 23(3) Refuse to grant a demolition permit	Chief Executive Officer		28 June 2016 Report CPS18.16



FUNCTION	DELEGATION	CONDITIONS ON DELEGATION AND DURATION (INFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST AMENDED
Section 24 Record the grounds on which a decision to refuse to grant a building permit or demolition permit is based on and the reasons for the decision and give to the person whom the decision relates written notice of the decision together with those grounds and reason and the person's right of review	Chief Executive Officer		<del>28 June 2016</del> <del>Report CPS18.16</del>
<b>Division 3 – Building or demolition permits</b>			
Section 27(1) Impose conditions on the grant of a permit in addition to any provided for in the Regulations	Chief Executive Officer		<del>28 June 2016</del> <del>Report CPS18.16</del>
Section 27(3) Add, vary or revoke conditions imposed under this section before the building work or demolition work is completed	Chief Executive Officer		<del>28 June 2016</del> <del>Report CPS18.16</del>
<b>Division 4 – Duration of building or demolition permits</b>			
<del>Section 32 (3) Extend the time during which a permit has effect.</del>	<del>Chief Executive Officer</del>	<del>-</del>	<del>28 June 2016</del> <del>Report CPS18.16</del>
<b>Part 4 – Occupancy permits and building approval</b>			
<b>Division 3 – Making and dealing with applications for occupancy permits and building approval certificates</b>			
Section 55(1) Require the applicant of an occupancy permit or building approval certificate to provide any document or information that it requires to determine the application and to verify the information by statutory declaration.	Chief Executive Officer		<del>28 June 2016</del> <del>Report CPS18.16</del>

Commented [NC88]: TO BE REMOVED - This section only sets durations of permit. It does not make for extending them this is done under the regulations.

FUNCTION	DELEGATION	CONDITIONS ON DELEGATION AND DURATION (INFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST AMENDED
Section 55(2) Refuse to consider an application.	Chief Executive Officer		<del>28 June 2016</del> <del>Report CPS18.16</del>
Section 58(1) Grant or modify the occupancy permit or grant the building approval certificate.	Chief Executive Officer		<del>28 June 2016</del> <del>Report CPS18.16</del>
Section 58(2) & (3) Refuse to grant or modify the occupancy permit or grant the building approval certificate.	Chief Executive Officer		<del>28 June 2016</del> <del>Report CPS18.16</del>
Section 59 Grant or modify the occupancy permit or grant the building approval certificate within specified time frame.	Chief Executive Officer		<del>28 June 2016</del> <del>Report CPS18.16</del>
Section 59(3) Refund the fee that accompanied an application to the applicant if no decision made within the time.	Chief Executive Officer		28 June 2016 <del>Report CPS18.16</del>
Section 60 Record the grounds on which a decision to refuse to grant or modify an occupancy permit or grant a building approval certificate is based, and the reasons for the decision and give to the person to whom the decision relates written notice of the decision together with those grounds and reasons and the person's right of review.	Chief Executive Officer		<del>28 June 2016</del> <del>Report CPS18.16</del>
Section 62(1) Impose conditions on the occupancy permit or modification or building approval certificate in addition to any provided for in the Regulations	Chief Executive Officer		<del>28 June 2016</del> <del>Report CPS18.16</del>

FUNCTION	DELEGATION	CONDITIONS ON DELEGATION AND DURATION (INFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST AMENDED
Section 62(3) Add, vary or revoke conditions while the occupancy permit or building approval certificate has effect.	Chief Executive Officer		28 June 2016 Report CPS18.16
Section 62(4) & (5) Give written notice of the addition, variation or revocation of a condition and ensure that the notice informs the person of the person's right or review.	Chief Executive Officer		28 June 2016 Report CPS18.16
Section 65(4) Extend the period in which the occupancy permit or modification to the building approval certificate has effect.	Chief Executive Officer		28 June 2016 Report CPS18.16
Section 65 Refuse to extend the time during which an occupancy permit or a building approval certificate has effect or extend the permit or certificate for a shorter period than requested by the applicant and, if so, record the grounds on which a decision is based and the reasons for the decision together, and give written notice of the decision together with those grounds and reasons and the person's right of review	Chief Executive Officer		28 June 2016 Report CPS18.16
<b>Part 6 – Work affecting other land</b>			
<b>Division 4 – Other boundary matters</b>			
Section 88(3) Specify the way in which an outward facing side of a particular close wall must be finished	Chief Executive Officer		28 June 2016 Report CPS18.16
<b>Part 8 - Enforcement</b>			

FUNCTION	DELEGATION	CONDITIONS ON DELEGATION AND DURATION (INFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST AMENDED
<b>Division 2 – Authorised persons</b>			
Section 96(3) Designate a person employed by the local government under section 5.36 under the <i>Local Government Act 1995</i> as an authorised person for the purposes of this Act in relation to building and incidental structures located or proposed to be located in the district of the local government.	Chief Executive Officer		<del>28 June 2016</del> <del>Report CPS18.16</del>
Section 96(6) Revoke a designation at any time	Chief Executive Officer		<del>28 June 2016</del> <del>Report CPS18.16</del>
Section 97(1) Give an identity card to each person designated by it as an authorised person.	Chief Executive Officer		<del>28 June 2016</del> <del>Report CPS18.16</del>
Section 99(2) Limit the powers of an authorised person by imposing conditions on a person's instrument of designation or by written notice.	Chief Executive Officer		<del>28 June 2016</del> <del>Report CPS18.16</del>
Section 99(3) Revoke or vary a condition of an authorised person.	Chief Executive Officer		

FUNCTION	DELEGATION	CONDITIONS ON DELEGATION AND DURATION (INFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST AMENDED
<b>Division 5 – Building orders</b>			
Section 110(1) Make an order in respect of one or more of the following:  (a) Particular building work; (b) Particular demolition work; and (c) A particular building or incidental structure whether completed before or after commencement.	Chief Executive Officer		28 June 2016 Report CPS18.16
Section 111(1) Before making a building order, give each person to whom the order is proposed to be directed written notice of the terms of the proposed order and the reasons for it and advise each person of time in which they may make submissions and consider each submission received	Chief Executive Officer		28 June 2016 Report CPS18.16
Section 114(1) Serve a copy of the order on each person to whom the order is directed in accordance with s.76 of the <i>Interpretation Act 1994</i>	Chief Executive Officer		28 June 2016 Report CPS18.16
Section 117(2) Decide whether the building order has been fully complied with and either revoke the building order or inform each person to whom the order is directed that the building order remains in effect, within 28 days of receiving notification	Chief Executive Officer		28 June 2016 Report CPS18.16
Section 117(1) Revoke a building order at any time	Chief Executive Officer		28 June 2016 Report CPS18.16

FUNCTION	DELEGATION	CONDITIONS ON DELEGATION AND DURATION (INFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST AMENDED
Section 118(2) If there is non-compliance with a building order, cause an authorised person to – a) Take any action specified in the order; or  b) To commence or complete any work specified in the order; or  c) If any specified action was required by the order to cease, to take such steps as are reasonable in the circumstances to cause the action to cease	Chief Executive Officer		28 June 2016 Report GPS18.16
Section 118(3) Recover as a debt from a person who has been served with a copy of a building order the reasonable costs and expenses incurred	Chief Executive Officer		28 June 2016 Report GPS18.16
<b>Part 11 – Building information</b>			
Section 128(1) & (2) Keep a register of all building permits, demolition permits, occupancy permits and building approval certificates granted by it and all building orders made by it, in an approved manner and form	Chief Executive Officer		28 June 2016 Report GPS18.16

FUNCTION	DELEGATION	CONDITIONS ON DELEGATION AND DURATION (INFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST AMENDED
Section 128(3) Amend the register to reflect the variation or revocation of a condition of, or any other change reflecting to that effect of, a building permit, a demolition permit, an occupancy permit, a building approval certificate or a building order resulting from a decision of the permit authority or information given to the permit authority.	Chief Executive Officer		<del>28 June 2016</del> <del>Report CPS18.16</del>
Section 129(1) Make the register available for inspection by members of the public during normal office hours.	Chief Executive Officer		<del>28 June 2016</del> <del>Report CPS18.16</del>
Section 129(2) On application by any person and on payment of the prescribed fee, if any, provide to the person a copy of a building permit, a demolition permit, an occupancy permit, a building approval certificate or a building order that is kept in the register.	Chief Executive Officer		<del>28 June 2016</del> <del>Report CPS18.16</del>

FUNCTION	DELEGATION	CONDITIONS ON DELEGATION AND DURATION (INFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST AMENDED
<p><del>Section 130 Keep in the manner and for the prescribed period such of the prescribed documents that comprise, accompany, are provided for in, are issued as a result of, or otherwise relate to the building or incidental structure that is the subject of—</del></p> <p>(a) <del>An application for a building permit or demolition permit; or</del></p> <p>(b) <del>An application of a kind mentioned in Part 4 Division 2; or</del></p> <p>(c) <del>An inspection of a prescribed kind</del></p>	<p><del>Chief Executive Officer</del></p>		<p><del>28 June 2016 Report CPS18.16</del></p>
<p>Section 131(2) Allow an interested person to inspect a building record and provide to the interested person a copy of the building record</p>	<p>Chief Executive Officer</p>		<p>28 June 2016 Report CPS18.16</p>
<p>Section 132(1) Give the Building Commissioner prescribed information for inclusion in the annual report submitted under the <i>Financial Management Act 2006</i> Part 5</p>	<p>Chief Executive Officer</p>		<p>28 June 2016 Report CPS18.16</p>
<p>Section 132(3) Give the Building Commissioner prescribed information or building record</p>	<p>Chief Executive Officer</p>		<p>28 June 2016 Report CPS18.16</p>

Commented [NC89]: TO BE REMOVED - Management Function – Record keeping therefore not required to be in register.



## 9. Register of Delegations under the *Building Regulations 2012*

Authority to delegate: Section 127 of the *Building Act 2011*

FUNCTION	DELEGATION	CONDITIONS ON DELEGATION AND DURATION (INFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST AMENDED
<b>Part 2 – General matters</b>			
Reg.14 Give the Building Commissioner prescribed information for inclusion in the annual report submitted under the <i>Financial Management Act 2006</i> Part 5 by the accountable authority [s.132(1)] and provide a record or information by the Building Commissioner	Chief Executive Officer		28 June 2016 Report CPS18.16
<b>Part 3 – Building and demolition permits</b>			
Reg. 15A (2) Provide the FES Commissioner a copy of any occupancy permit for a building in which plans where referred to FES Commissioner under regulation 18B(1)	Chief Executive Officer		28 June 2016 Report CPS18.16
Reg. 15A (3) Provide the FES Commissioner a copy of any modified occupancy permit for a building in which plans where referred to FES Commissioner under regulation 18B(1)	Chief Executive Officer		28 June 2016 Report CPS18.16
Reg. 23(3) Refuse to accept an application extend a permit	Chief Executive Officer		28 June 2016 Report CPS18.16
Reg.24(1) & (2) – Extend or refuse to extend the time during which a permit has effect and impose conditions on the extended permits	Chief Executive Officer		28 June 2016 Report CPS18.16

FUNCTION	DELEGATION	CONDITIONS ON DELEGATION AND DURATION (INFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST AMENDED
Reg.26(3) & (4) Approve a new person to be named as the builder on the building permit and amend the details set out in the permit accordingly	Chief Executive Officer		<del>28 June 2016</del> Report CPS18.16
<b>Part 5 – Occupancy permits and building approval certificates</b>			
Reg.40(2) Refuse to accept and application to extend the time during which an occupancy permit or a building approval certificate has effect	Chief Executive Officer		<del>28 June 2016</del> Report CPS18.16
Reg.40(5) Refuse to extend the time during which an occupancy permit or a building approval certificate has effect or extend the permit or certificate for a shorter period than requested by the applicant and, if so, record the grounds on which a decision is based and the reasons for the decision together, and give written notice of the decision together with those grounds and reasons and the person's right of review	Chief Executive Officer		<del>28 June 2016</del> Report CPS18.16
<b>Division 2 – Private swimming pools</b>			
Reg.51(2) Approval alternative requirements to reg.50(4)(b) if satisfied that the alternative requirements will restrict access by young children to the swimming pool as effectively as if there were compliance with Australian Standard AS1926.1	Chief Executive Officer		<del>28 June 2016</del> Report CPS18.16
Reg.51(3) Approval of a door for the purposes of reg.50(4)(c)(ii)	Chief Executive Officer		<del>28 June 2016</del> Report CPS18.16

FUNCTION	DELEGATION	CONDITIONS ON DELEGATION AND DURATION (INFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST AMENDED
Reg.53(1) Arrange for an authorised person to inspect the enclosures of private swimming pools in the district at intervals of no more than 4 years for the purpose of monitoring whether the provisions in reg.50 and 52 of the Regulations are complied with	Chief Executive Officer		<del>28 June 2016</del> Report CPS18.16
Reg.53(3) Fix the charge to be imposed on each pool owner to meet the cost in that financial year of carrying out inspections	Chief Executive Officer		<del>28 June 2016</del> Report CPS18.16
<b>Division 3 – Smoke alarms</b>			
Reg.61(1) Approve the use, in a dwelling or part of a dwelling, of a battery powered smoke alarm and give approval in relation to an alarm that was installed before the approval is to be given	Chief Executive Officer		<del>28 June 2016</del> Report CPS18.16
Reg.61(2) Approve the use, in a dwelling or part of a dwelling, and give approval in relation to an alarm that was installed before the approval is to be given	Chief Executive Officer		<del>28 June 2016</del> Report CPS18.16

**10. Register of Delegations under the City of Nedlands Local Law Relating to Reserves, Foreshores and Beaches**

Authority to delegate: Section 24 The City of Nedlands may delegate any of the powers, functions and duties in this Local Law to the Chief Executive Officer

FUNCTION	DELEGATION, CONDITIONS AND DURATION (INDEFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST REVIEWED
Section 17 (1) The Council may: <ul style="list-style-type: none"> <li>c. Approve an application for a permit unconditionally or subject to any conditions; or</li> <li>d. Refuse to approve an application for a permit</li> </ul> (6) Notwithstanding a decision to approve an application for a permit made under this clause, the Council may at any time cancel or vary the permit	Chief Executive Officer	28 June 2016 Report CPS18.16
Section 18 The Council may approve an application for a permit subject to conditions	Chief Executive Officer	28 June 2016 Report CPS18.16
Section 19 The Council may set fees as it determines from time to time for – <ul style="list-style-type: none"> <li>a. The hire of a reserve or foreshore;</li> <li>b. A bond for the restoration of the reserve or foreshore to its condition prior to hire and may use all or any of the bond to carry out such work as it deems necessary.</li> </ul>	Chief Executive Officer	28 June 2016 Report CPS18.16

## 11. Register of Delegations from the Chief Executive Officer to other staff members

### *Local Government Act 1995 and Regulations*

FUNCTION	DELEGATION, CONDITIONS AND DURATION (INDEFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST REVIEWED
Section 3.25(1) A local government may give an occupier a notice requiring them to do something to the land if it is specified in Schedule 3.1. The local government must also inform the owner if the occupier is not the owner	Director Planning & Development Director Technical Services	<del>28 June 2016</del> <del>Report CPS18.16</del>
Section 3.50(1) A local government may close a thoroughfare to vehicles, wholly or partially, for a period not exceeding 4 weeks	Director Technical Services	<del>28 June 2016</del> <del>Report CPS18.16</del>
Section 3.57(1) A local government must invite tenders before it enters into a contract for goods or services with a value of \$100,000 or more (Functions and General Regulation 11)	Director Corporate & Strategy Director Planning & Development Director Technical Services	<del>28 June 2016</del> <del>Report CPS18.16</del>
Local Government (Functions and General) Regulations, reg.14(2a) – where a local government is inviting tenders, the local government must determine in writing the criteria for accepting tenders	Director Corporate & Strategy Director Planning & Development Director Technical Services	<del>28 June 2016</del> <del>Report CPS18.16</del>

FUNCTION	DELEGATION, CONDITIONS AND DURATION (INDEFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST REVIEWED
Local Government (Functions and General) Regulations, reg.21(1) – a local government may seek expressions of interest before entering the tender process	Director Corporate & Strategy Director Planning & Development Director Technical Services	<del>28 June 2016</del> <del>Report CPS18.16</del>
Section 6.12(1)(c) A local government may write off any amount of money that is owed to the local government (subject to section 6.12(2))	Director Planning & Development Only delegated to: <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> </ol>	<del>28 June 2016</del> <del>Report CPS18.16</del>
Section 6.14(1) A local government may invest money in its municipal or trust funds that is not being used, in accordance with Part III of the <i>Trustees Act 1962</i>	Director Corporate & Strategy	<del>28 June 2016</del> <del>Report CPS18.16</del>

FUNCTION	DELEGATION	DATE ADOPTED/LAST REVIEWED
Section 6.56(1) A local government may recover an unpaid rate or service charge and the cost of proceedings in court of competent jurisdiction	Director Corporate & Strategy	28 June 2016 Report CPS18.16
Section 6.60(2) A local government may 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 local government in satisfaction of the rate or service charge	Director Corporate & Strategy	28 June 2016 Report CPS18.16
Section 6.60(3) If a local government gives notice to a lessee, under section 6.60(2), the local government must give a copy of the notice to the lessor	Director Corporate & Strategy	28 June 2016 Report CPS18.16
Section 6.60(4) If a local government gives notice to a lessee, under section 6.60(2), and the lessee fails to pay rent to the local government, the local government may recover the rate or service charge as a debt from the lessee	Director Corporate & Strategy	28 June 2016 Report CPS18.16

**Food Act 2008**

Authority to delegate: Section 117 of the *Food Act 2008* only for sections 119, 122(2), 123, Part 4, Part 7 Division 3, Part 7 Division 4, Part 8)

FUNCTION	DELEGATION, CONDITIONS AND DURATION (INDEFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST REVIEWED
Section 119 The Chief Executive Officer, after consultation with an enforcement agency (other than the Chief Executive Officer), may, in writing, impose conditions or limitations on the performance of functions under this Act by the enforcement agency	Director Planning & Development	<del>28 June 2016</del> Report CPS18.16



**Freedom of Information Act 1992**

Authority to Delegate: Section 100(1)(b) of the *Freedom of Information Act 1992*

FUNCTION	DELEGATION, CONDITIONS AND DURATION (INDEFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST REVIEWED
To make decisions and coordinate applications under Sections 13, 15, 17, 18, 20, 23, 24, 25, 26, 27, 28, 30, 31, 41, 47, 48, 50 and 54	<del>Manager Information Systems</del> Manager Health & Compliance	<del>28 June 2016</del> Report CPS18.16
To make decisions under Sections 20, 23, 24, 25, 30, 31, 41, 43, 48, 50 and 54	Director Corporate & Strategy Director Technical Services	<del>28 June 2016</del> Report CPS18.16
	Director Planning & Development <del>Manager Information Systems</del> Manager Health & Compliance	

- Commented [NC91]: TO BE REMOVED – Position no longer exists.
- Commented [NC90]: Please note these items will be listed in full in the updated version.
- Commented [NC92]: Please note these items will be listed in full in updated version.
- Commented [NC93]: TO BE REMOVED – Position no longer exists.

*Planning and Building Acts and Delegations*

FUNCTION	DELEGATION, CONDITIONS AND DURATION (INDEFINITE UNLESS OTHERWISE SPECIFIED)	DATE ADOPTED/LAST REVIEWED
Where delegation to the Chief Executive Officer exists under the: <ul style="list-style-type: none"> <li>- Local Planning Scheme No. 3;</li> <li>- <i>Planning and Development Act 2005</i>;</li> <li>- <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>;</li> <li>- <i>Heritage of Western Australia Act 1990</i>;</li> <li>- Metropolitan Region Scheme;</li> <li>- <i>Strata Titles Act 1985</i>;</li> <li>- <i>Liquor Control Act 1988</i>; and</li> <li>- Responding to external organisations.</li> </ul>	Director Planning and Development Manager Planning Coordinator Statutory Planning Senior Statutory Planning Officer	<del>28 June 2016</del> <del>Report CPS18.16</del>
Where delegation to the Chief Executive Officer exists under the: <ul style="list-style-type: none"> <li>- Building Act 2011; and</li> <li>- Building Regulations 2012.</li> </ul>	Manager Building Services Senior Building Surveyor With the exception of: Section 59 and Section 99(3) of the Act; and Reg 132(3) of the Regulations.	<del>28 June 2016</del> <del>Report CPS18.16</del>

*Register of  
Delegated  
Authority*

As at December 2019

## Table of Contents

Preamble	3
1. Delegations under the Local Government Act 1995 to the Chief Executive Officer	7
2. Delegations under the <i>Local Government (Uniform Local Provisions) Regulations 1996</i>	28
3. Delegations under the Food Act 2008	30
4. Delegations under the Dog Act 1976	30
5. Delegations under the <i>Cat Act 2011</i>	30
6. Delegations under the Graffiti Vandalism Act 2016	31
7. Delegations under the Public Health Act 2016	31
8. Delegations under the Bush Fire Act 1954	31
9. Delegations under the City of Nedlands Local Planning Scheme 3	32
10. Delegations under the Planning and Development Act 2005	36
11. Delegations under the Heritage of Western Australia Act 1990	37
12. Delegations under the Metropolitan Region Scheme	38
13. Delegations under the <i>Strata Titles Act 1985</i>	40
14. Delegations under the <i>Liquor Control Act 1988</i>	41
15. Delegations to respond to external organisations	42
Delegation to respond to external organisations	42
16. Delegations under the Building Act 2011	44
17. Delegations under the Building Regulations 2012	44
18. Delegations from the Chief Executive Officer to other staff members	45
18.1 Local Government Act 1995 and Regulations	45
18.2 Food Act 2008	47
18.3 Freedom of Information Act 1992	48
18.4 Planning and Building Acts and Regulations	49
18.5 Dog Act 1976	50
18.6 Delegations from the Chief Executive Officer to other staff members in acting positions	50

## Register of Delegations of Authority

**Preamble****Introduction**

The purpose of delegations is to assist with improving the time taken to make decisions, within the constraints allowed by the relevant legislation, which is consistent with the City's commitment to customer service.

- a) A Council may delegate to its Chief Executive Officer, some of its powers and duties provided for in the *Local Government Act 1995*. Any decision to delegate must be passed by an absolute majority and the delegation must be in writing.
- b) The only staff member to whom the Council may delegate any of its powers and duties under the *Local Government Act 1995* is the Chief Executive Officer but the Chief Executive Officer may give delegated authority to any staff member. The Chief Executive Officer is the only staff member with the power to delegate.
- c) A Council may also delegate some of its powers and duties to committees of Council by a decision passed by an absolute majority and recorded in writing.

**Limits on Delegation to the Chief Executive Officer**

There are some powers and duties that a Council cannot delegate. They are specified where applicable.

**Delegations to Committees**

- a) Council may delegate its powers and duties to committees comprising only of Council members except:
  - i. any power or duty that requires a decision of an absolute majority or a 75% majority of the local government and any other power or duty that is prescribed; or
  - ii. any other power or duty that is prescribed.
- b) Council may delegate to a committee comprising of elected members and employees, any of the local government's powers or duties that can be delegated to the Chief Executive Officer under division 4 of the *Local Government Act 1995*.

## Register of Delegations of Authority

- c) Council may delegate to a committee comprising of staff members or members of the public any of the local government's powers and duties necessary or convenient for the proper management of:
  - i. the local government's property; or
  - ii. an event in which the local government is involved.
- d) No delegations may be made to committees on which there are no elected members or members of staff.

### Period of Any Delegation

- a) A delegation of authority has effect for the period of time specified in the instrument of delegation or where no period of time is specified, indefinitely.
- b) Any delegation under the City of Nedlands Local Planning Scheme No. 3.
- b) Any decision by Council to revoke or amend a delegated authority must be passed by an absolute majority.

### Recording Delegations

The CEO is to keep a register of the delegations made by Council to the CEO, Committees, and made by the CEO to other employees (this register).

### Exercising Delegated Authority

- a) After any delegation has been exercised the following information must be recorded in writing:
  - i. how the person exercised the power or discharged the duty;
  - ii. when the person exercised the power or discharged the duty; and;
  - iii. the persons or classes of persons, other than Council or committee members or employees of the local government, directly affected by the exercise of the power or the discharge of the duty.

## Register of Delegations of Authority

**Review**

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.

**Council's Ability to Make Decisions is not Limited**

Council may still exercise any of its powers or duties that have been delegated to the Chief Executive officer or to a committee. The CEO may still exercise any powers or duties that have been delegated to employees.

**Acting Through**

In addition to delegations, the *Local Government Act 1995* contains the concept of "acting through". Where a person is "acting through", they have no discretion in carrying out the function. This could be the City performing administrative functions on behalf of the Council, or implementing policies adopted by the Council. This differs to an authorised person who exercises the decision making function in his or her own right.

As per the *Local Government Act 1995* section 5.51, the CEO's functions are to:

- a) "advise the council in relation to the functions of a local government under this Act and other written laws; and
- b) ensure that advice and information is available to the council so that informed decisions can be made; and
- c) cause council decisions to be implemented; and
- d) manage the day to day operations of the local government; and
- e) liaise with the mayor or president on the local government's affairs and the performance of the local government's functions; and
- f) speak on behalf of the local government if the mayor or president agrees; and
- g) be responsible for the employment, management supervision, direction and dismissal of other employees (subject to section 5.37(2) in relation to senior employees); and
- h) ensure that records and documents of the local government are properly kept for the purposes of this Act and any other written law; and
- i) perform any other function specified or delegated by the local government or imposed under this Act or any other written law as a function to be performed by the CEO."

## Register of Delegations of Authority

Any function in the *Local Government Act 1995* which the CEO would carry out administratively (based on the above) can be done so via “acting through”, the implementation of which may be directed by a Council Resolution or Policy.

**Legislative Authority**

- a) The following sections of the *Local Government Act 1995* provide for delegation of authority:
  - i. s.5.16 to s.5.18 (delegations to Committees)
  - ii. s.5.42 to s.5.46 (delegations to CEO and other employees).
- b) The *Local Government (Administration) Regulations* s. 18G and 19 expand upon s.5.43 and s.5.46(3) of the Act.
- c) Legislative powers to delegate relate only to the Act in which they are contained, or to which they stipulate are permissible. It is not possible to, for example, rely on section 5.42(1) of the *Local Government Act 1995* to delegate any of a local government’s powers under another Act. Any delegation by a local government of its powers under another Act can only be delegated by the delegation provisions of that Act.

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## Register of Delegations of Authority

## 1. Delegations under the Local Government Act 1995 to the Chief Executive Officer

Authority to delegate: Sections 5.16, 5.17, 5.42 and 5.44 of the *Local Government Act 1995*.

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
<b>Part 1 – Introductory Matters</b>		
Nil items in Part 1		
<b>Part 2 – Constitution of Local Government</b>		
Nil items in Part 2		
<b>Part 3 – Functions of Local Governments</b>		
<b>Division 1 - General</b>		
Nil items in Division 1		
<b>Subdivision 1 – Local Laws made under this Act</b>		
All City of Nedlands Local Laws including but not limited to:	To administer the City's local laws and to do all other things that are necessary or convenient to be done for, or in connection with, performing the functions of the City under the Local Government Act 1995.	Chief Executive Officer
Parking and Parking Facilities Local Law	The Chief Executive Officer is delegated the power to make decisions on behalf of the local government in relation to the City's local laws.	Excludes decision-making where the local law specifies the matter be determined by Council Resolution.
Standing Orders Local Law		In respect to the Parking and Parking Facilities Local Law, determination of parking stalls and parking stations.(Section 3.1):
Trading in Public Places Local Law		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

## Register of Delegated Authority

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
Site Erosion and Sand Drift Local Law Reserves, Foreshores and Beaches Local Law  Health Local Law  Council Halls Local Law  Repeals Local Law 2016  Waste Local Law  Dogs Local Law  Council Property and Places Local Laws  Signs Local Law  Fencing Local Law		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.

Register of Delegated Authority

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
By – law Relating to New Street Alignment		
<b>Division 3 – Executive functions of Local Governments</b>		
<b>Subdivision 1 – Performing executive functions</b>		
<u>Section 3.18 (1)</u>	<u>Do all other things that are necessary or convenient to be done for, or in connection with, performing its functions under this Act. Expend budgetted amounts.</u>	<p><u>Arts Committee subject to the Terms of Reference &amp; Council's Resolution of 23 April 2019 as follows:</u></p> <p><u>That in the Arts Committee Terms of Reference the clause under the heading Delegated Authority be amended to read:</u></p> <p><u>The Committee has delegated authority to implement public artworks of not more than \$10,000 each to the value of up to, in all, the budget allocation approved by Council within the current financial year's budget. Artworks over \$10,000 shall be recommended to Council for approval.</u></p>
<u>Section 3.20 (1)</u>	<u>Things done by a local government in performing its executive functions may be done outside its own district but before it can do anything on land outside its own district that is not local government property of that local government it is required to have obtained the consent of –</u> <u>(a) the owner of the land; and</u>	<u>Chief Executive Officer</u>

Commented [NC1]: Addition to be discussed at Councillor Briefing

## Register of Delegated Authority

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
	(b) if the land is occupied, the occupier of the land; and (c) if the land is under the control or	
Section 3.22(4)	A dispute about the amount of compensation is to be determined by arbitration in accordance with section 3.23.	Chief Executive Officer
<b>Subdivision 2 – Certain provisions about land</b>		
Section 3.25(1)	A local government may give a person who is the owner or, unless Schedule 3.1 indicates otherwise, the occupier of land a notice in writing relating to the land requiring the person to do anything specified in the notice that - (a) is prescribed in Schedule 3.1, Division 1; or (b) is for the purpose of remedying or mitigating the effects of any offence against a provision prescribed in Schedule 3.1, Division 2.	Chief Executive Officer
Section 3.26(2)	If the person who is given the notice ( <b>notice recipient</b> ) fails to comply with it, the local government may do anything that it considers necessary to achieve, so far as is practicable, the purpose for which the notice was given.	Chief Executive Officer
Section 3.26(3)	The local government may recover the cost of anything it does under subsection (2) as a debt due from the person who failed to comply with the notice.	Chief Executive Officer
Section 3.27(1)	A local government may, in performing its general function, do any of the things prescribed in Schedule 3.2 even though the land on which it is done is not local government property and the local government does not have consent to do it.	Chief Executive Officer
<b>Subdivision 3 – Power of entry</b>		

## Register of Delegated Authority

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
Section 3.31(2)	After a local government has given notice, it may authorise a person to enter land, premises or thing without consent, unless the owner or occupier has objected to the entry.	Chief Executive Officer
Section 3.34(1)	A local government may enter land in an emergency without notice or consent.	Chief Executive Officer
<u>Section 3.34(3)</u>	<u>A local government may use reasonable force to exercise the power of entry given by subsection (1).</u>	<u>Chief Executive Officer</u>
<u>Section 3.34(4)</u>	<u>A local government may exercise the power of entry given by subsection (1) at any time while the emergency exists and for so long subsequently as is reasonably required.</u>	<u>Chief Executive Officer</u>
Section 3.36(3)	A local government may make an opening in a fence to do works on a property subject to providing the owner or occupier with 3 days written notice.	Chief Executive Officer
Section 3.39	Local government may authorise an employee to remove and impound any goods.	Chief Executive Officer
Section 3.40(1)	Local government may authorise a person to remove and impound an abandoned vehicle wreck.	Chief Executive Officer
Section 3.40A(4)	Local government may declare that a vehicle is an abandoned wreck.	Chief Executive Officer
Section 3.47(1)	The local government may sell or otherwise dispose of any goods that have been ordered to be confiscated under section 3.43.	Chief Executive Officer
Section 3.47(2)	The local government may sell or otherwise dispose of any vehicle that has not been collected within 2 months of a notice having been given under section 3.40(3) or 7 days of a declaration being made that a vehicle is an abandoned vehicle wreck.	Chief Executive Officer

**Commented [NC2]:** Additional delegation for discussion at Councillor Briefing

**Commented [NC3]:** Additional delegation for discussion at Councillor Briefing

## Register of Delegated Authority

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
Section 3.47(2a)	The local government may sell or otherwise dispose of impounded goods that have not been collected within the period specified in section 3.47(2b) of the date a notice is given under sections 3.42(1)(b) or 3.44.	Chief Executive Officer
Section 3.47A(1)	If an impounded animal is ill or injured to such an extent that treating it is not practicable, the local government may humanely destroy the animal and dispose of the carcass.	Chief Executive Officer
Section 3.48	If goods are removed or impounded under section 3.39 and the offender is convicted, the local government may recover any expenses incurred in removing and impounding the goods.	Chief Executive Officer
<b>Subdivision 5 – Certain provisions about thoroughfares</b>		
Section 3.50(1)	A local government may close a thoroughfare to vehicles, wholly or partially, for a period not exceeding 4 weeks.	Chief Executive Officer
Section 3.50(1a) and 3.50(4)	A local government may, after providing public notice of its intention and reasons, inviting submissions and then considering submissions, order a thoroughfare to be wholly or partially closed to vehicles for a period exceeding 4 weeks.	Chief Executive Officer
Section 3.50(6)	An order to close a thoroughfare may be revoked by the local government.	Chief Executive Officer
Section 3.50A	A local government may partially and temporarily close a thoroughfare, without giving local public notice, if the closure is for the purpose of carrying out repairs or maintenance and is unlikely to have a significant adverse effect on users of the thoroughfare.	Chief Executive Officer
Local Government (Functions and General) Regulations, Regulation 6(3)	A local government may, by local public notice, revoke an order under regulation 6(1) that closed a thoroughfare or alter it to make it less restrictive.	Chief Executive Officer

Register of Delegated Authority

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
Section 3.51(3)	Before fixing, altering or realigning a public thoroughfare or draining water onto adjoining land, the local government must give notice of its proposal, invite submissions and consider those submissions	Chief Executive Officer
<b>Subdivision 6 – Various executive functions</b>		
Section 3.53(3)	If an unvested facility lies within 2 or more districts, the local governments concerned can agree on its control and management	Suitable for delegation, not currently delegated
<a href="#">Section 3.53(4)</a>	<a href="#">An agreement or direction under subsection (3) has effect according to its terms.</a>	<a href="#">Suitable for delegation, not currently delegat</a>
Section 3.54(1)	A local government may do anything it could do under the <i>Parks and Reserves Act 1895</i> if it were a board appointed under that Act, to control and manage any land reserved under the <i>Land Act 1933</i> and vested in or placed under the control and management of the local government	Chief Executive Officer
Local Government (Functions and General) Regulations - Regulation 14(2a)	Where a local government is inviting tenders, the local government must determine in writing the criteria for accepting tenders.	Chief Executive Officer
Local Government (Functions and General) Regulations - Regulations 18(4) and (5)	A local government must consider any tender that has not been rejected and decide which one to accept. It may decline to accept any tender.	Chief Executive Officer  Consideration of tender only. Excludes decision on which tender to accept.  <a href="#">The CEO in consultation with the Mayor accept a tender to a maximum value of \$500,000 and may decline to accept any tender from the 27<sup>th</sup> December to 31 January during the yearly Council recess period.</a>

**Commented [NC4]:** Additional delegation for discussion at Councillor Briefing

**Commented [NC5]:** New condition to allow CEO & Mayor to accept or reject tenders during the Council recess period every year. Generally a report needs to be submitted each December to delegate to the CEO this would not be needed with this delegation in place.

## Register of Delegated Authority

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
Limited Government (Functions and General) Regulations - Regulation 20(2)	If the successful tenderer does not want to accept the contract with the variation or the local government and the tenderer cannot reach agreement, the local government can select the next most appropriate tenderer.	Chief Executive Officer  Applies only where the next most appropriate tenderer has been considered by the local government.
Local Government (Functions and General) Regulations - Regulation 21(1)	A local government may seek expressions of interest before entering the tender process.	Chief Executive Officer
Local Government (Functions and General) Regulations - Regulation 21A	If a local government has entered into a contract for the supply of goods or services with a successful tenderer, the contract must not be varied unless — (a) the variation is necessary in order for the goods or services to be supplied and does not change the scope of the contract; or (b) the variation is a renewal or extension of the term of the contract as described in regulation 11(2)(j).	Chief Executive Officer 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. c. shall report to Council at least six monthly on the exercise of this delegation.

**Commented [NC6]:** Additional delegation to be discussed at Councillor Briefing.



## Register of Delegated Authority

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
Local Government (Functions and General) Regulations - Regulation 23(3)	A local government must consider any submissions of interest that have not been rejected and decide which ones could satisfactorily supply the goods or services.	Chief Executive Officer  Consideration of expressions of interest only. Excludes decision on which expression of interest to accept.
Local Government (Functions and General) Regulations, Regulation 24E(1)	Where a local government intends to give a regional price preference the local government is to prepare a regional price preference policy.	Suitable for delegation to Chief Executive Officer
Local Government (Functions and General) Regulations - reg.24E(4)	A local government cannot adopt a regional price policy until the local government has considered submissions received.	Suitable for delegation to Chief Executive Officer
Section 3.58(2)	A local government can only dispose of property to the highest bidder at public auction or the most suitable public tender.	Chief Executive Officer
Section 3.58(3)	A local government can dispose of property by private treaty but must follow the process set out in section 3.58(3).	Suitable for delegation to Chief Executive Officer
Local Government (Functions and General) Regulations - Regulation 30(2)(a)(ii)	A disposition of land is exempt of disposition if the local government does not consider that ownership of the land would be of significant benefit to anyone other than the transferee.	Suitable for delegation to Chief Executive Officer
<b>Division 4 – Regional Local Government</b>		

## Register of Delegated Authority

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
Nil items in Division 4		
<b>Part 4 – Elections and other polls</b>		
<b>Division 1 – Preliminary</b>		
Nil items in Division 1		
<b>Division 2 – Inaugural elections</b>		
Nil items in Division 2		
<b>Division 3 – Ordinary elections</b>		
Nil items in Division 3		
<b>Division 4 – Extraordinary elections</b>		
Nil items in Division 4		
<b>Division 5 – Other elections</b>		
Nil items in Division 5		
<b>Division 6 – Postponement and consolidation of elections</b>		
Nil items in Division 6		
<b>Division 7 – Provisions about electoral officers and the conduct of elections</b>		
Nil items in Division 7		
<b>Division 8 – Eligibility for enrolment</b>		
Nil items in Division 8		
<b>Division 9 – Electoral process</b>		
Elections Regulations – Regulation 9(1)	The fees to be paid to an electoral officer for conducting an election are those agreed between the local government and the electoral officer.	Chief Executive Officer
<b>Division 10 – Validity of elections</b>		

## Register of Delegated Authority

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
Nil items in Division 10		
<b>Division 11 – Electoral offences</b>		
Nil items in Division 11		
<b>Division 12 – Polls and referendums</b>		
Nil items in Division 12		
<b>Part 5 – Administration</b>		
<b>Division 1 – Introduction</b>		
Nil items in Division 1		
<b>Division 2 – Council meetings, committees and their meetings and electors' meetings</b>		
<b>Subdivision 1 – Council meetings</b>		
Nil items in Subdivision 1		
<b>Subdivision 2 – Committees and their meetings</b>		
Section 5.18	A local government must review all delegations made to a committee.	Suitable for delegation to Chief Executive Officer
<b>Subdivision 3 – Matters affecting Council and committee meetings</b>		
<b>Note: – Matters affecting council and committee meetings</b>		
<b>Division 3 – Acting for the mayor or president</b>		
Nil items in Division 3		
<b>Division 4 – Local government employees</b>		
Section 5.27(2)	General meeting of electors to be held on a day selected by the local government but not more than 56 days after the local government accepts the annual report for the previous financial year.	Chief Executive Officer
Section 5.37(1)	A local government may designate any employee to be a senior employee.	Chief Executive Officer
Local Government (Administration) Regulations –	A local government is to approve a process for selection and appointment of the Chief Executive Officer.	Suitable for delegation to a 5.9(2)(a) committee or a 5.9(2)(b) - CEO Recruitment & Selection Committee.

## Register of Delegated Authority

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
Regulation 18(c)		
Local Government (Administration) Regulations - Regulation 18(D)	A local government is to consider, accept the review, with or without modification, or reject the review of the Chief Executive Officer.	Suitable for delegation to a 5.9(2)(a) committee or a 5.9(2)(b) committee (not currently delegated).
Section 5.50(1)	A local government must prepare a policy for employees whose employment is finishing, setting out the circumstances in which the local government would pay a gratuity and how that gratuity would be assessed, and give local public notice of the policy.	Suitable for delegation to Chief Executive Officer
Section 5.50(2)	A local government may make a payment to an employee whose employment is finishing, that is in addition to the amount set out in its policy, provided that local public notice of the payment is given.	Suitable for delegation to Chief Executive Officer
<b>Division 5 – Annual reports and planning</b>		
Section 5.56	A local government is to prepare a Plan for the Future.	Suitable for delegation to Chief Executive Officer
Local Government (Administration) Regulations - Regulation 19C(4)	A local government is to review its current plan for the future every 2 years.	Suitable for delegation to a 5.9(2)(a) committee or a 5.9(2)(b) committee (not currently delegated).
<b>Division 6 – Disclosure of financial interests</b>		
Nil items in Division 6		
<b>Division 7 – Access to information</b>		
Nil items in Division 7		
<b>Division 8 – Fees, expenses and allowances</b>		
Section 5.101(2)	A local government may reimburse an employee for an expense that was incurred in relation to a matter affecting the local government.	Chief Executive Officer

## Register of Delegated Authority

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
<b>Division 9 – Conduct of certain officials</b>		
Section 5.102	A local government may make a cash advance to a person for an expense which can be reimbursed.	Chief Executive Officer
Section 5.103(1)	A local government must prepare or adopt a code of conduct to be observed by council members, committee members and employees.	Suitable for delegation to a 5.9(2)(a) committee or a 5.9(2)(b) committee (not currently delegated).
Section 5.103(2)	A local government must review its code of conduct within 12 months of every ordinary election day.	Suitable for delegation to a 5.9(2)(a) committee or a 5.9(2)(b) committee (not currently delegated).
<b>Part 6 – Financial Management</b>		
<b>Division 1 - Introduction</b>		
Nil items in Division 1		
<b>Division 2 – Annual budget</b>		
Nil items in Division 2		
<b>Division 3 – Reporting on activities and finance</b>		
Note: Under <b>Division 3 – Reporting on activities and finance, section 6.4 financial report applies</b>		
Nil items in Division 3		
<b>Division 4 – General financial provisions</b>		
Nil items in Division 4		
Section 6.12(1)(b)	A local government may waive or grant concessions in relation to any amount of money that is owed to the local government, subject to section 6.12(2).	Chief Executive Officer
Section 6.12(1)(c)	A local government may write off any amount of money that is owed to the local government, subject to section 6.12(2).	Chief Executive Officer
Section 6.12(3)	A local government may determine what conditions apply to the granting of a concession.	Suitable for delegation to Chief Executive Officer

## Register of Delegated Authority

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
Section 6.14(1)	A local government may invest money in its municipal or trust funds that is not being used, in accordance with Part III of the <i>Trustees Act 1962</i> .	Chief Executive Officer, subject to Council Policy.
Local Government (Financial Management) Regulations 1996 Regulation 12	Payments from municipal fund or trust fund, restrictions on making (1) A payment may only be made from the municipal fund or the trust fund - (a) if the local government has delegated to the CEO the exercise of its power to make payments from those funds	Chief Executive Officer
<b>Division 5 – Financing local government activities</b>		
<b>Subdivision 1 – Introduction</b>		
Nil items in subdivision 1		
<b>Subdivision 2 – Fees and charges</b>		
Nil items in subdivision 2		
<b>Subdivision 3 – Borrowings</b>		
Nil items in subdivision 3		
<b>Division 6 – Rates and service charges</b>		
<b>Subdivision 1 – Introduction and the basis of rating</b>		
Nil items in subdivision 1		
<b>Subdivision 2 – Categories of rates and service charges</b>		
Nil items in subdivision 2		
<b>Subdivision 3 – Imposition or rates and service charges</b>		
Section 6.40(3)	If rates are reduced, under section 6.40(1), a local government must refund the owner of the land on request or credit the amount for rates or service charges.	Chief Executive Officer
Section 6.40(4)	If a service charge is reduced, under section 6.40(2), and the service charge had already been paid by the owner, the owner may request and then the local government must pay the overpaid amount to the owner or,	Chief Executive Officer

## Register of Delegated Authority

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
	alternatively, the overpaid portion is credited against any future amounts payable. If the service charge was paid by the occupier, the local government must pay the overcharged portion to the person who paid it.	
<b>Subdivision 4 – Payment of rates and service charges</b>		
Section 6.49	A local government may make an agreement with a person to pay their rates and service charges.	Chief Executive Officer
Local Government (Financial Management) Regulations - Regulation 66(2)	If an instalment remains unpaid after the day on which the next instalment becomes due the local government may revoke the ratepayer's right to pay by instalments.	Chief Executive Officer
Section 6.56(1)	A local government may recover an unpaid rate or service charge and the cost of proceedings in court of competent jurisdiction.	Chief Executive Officer
Section 6.60(2)	A local government may 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 local government in satisfaction of the rate or service charge.	Chief Executive Officer
Section 6.60(4)	If a local government gives notice to a lessee, under section 6.60(2), and the lessee fails to pay rent to the local government, the local government may recover the rate or service charge as a debt from the lessee.	Chief Executive Officer
Section 6.61(1)	A local government may request an occupier, an agent or the person who receives the rent of a property, to give the name and address of the owner to the local government.	Chief Executive Officer
Section 6.64(1)	If any rates or service charges have remained unpaid for at least 3 years, a local government may take possession of the land and hold the land against a person having an estate or interest in the land, and may lease or sell the land or transfer it to the Crown or itself.	Chief Executive Officer

## Register of Delegated Authority

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
Section 6.64(3)	A local government may lodge a caveat in respect of any land for which rates and service charges are outstanding.	
Section 6.69(2)	A local government may accept payment of any outstanding rates or service charges on such terms and conditions as are agreed between the parties, up to the time of actual sale of the relevant land but not more than 7 days prior to same.	Chief Executive Officer
Section 6.71(1)	If a local government is unable to sell land under Part 6 Division 6 within 12 months, it may transfer the land to the Crown or itself.	Suitable for delegation to Chief Executive Officer
Section 6.74(1)	A local government may apply in the prescribed form to the Minister to have land revested in the Crown if it is rateable vacant land and rates or service charges in respect of it have remained unpaid for at least 3 years.	Suitable for delegation to Chief Executive Officer
Local Government (Financial Management) Regulations – Regulation 7(3)	A local government must consider any objections it receives in relation to a revestment under regulation 77.	Suitable for delegation to Chief Executive Officer
Section 6.76(5)	The local government must consider any objections to the rates record and may disallow or allow the objection either wholly or in part.	Chief Executive Officer
<b>Part 7 - Audit</b>		
<b>Division 1 - Introduction</b>		
Nil items in Division 1		
<b>Division 1A – Audit Committee</b>		
Nil items in Division 1A		
<b>Division 2 – Appointment of auditors</b>		
Section 7.6(2)(f)	A local government may terminate the appointment of an auditor by written notice.	Suitable for delegation to the Audit Committee (not currently delegated)



## Register of Delegated Authority

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
<b>Division 3 – Conduct of audit</b>		
Nil items in Division 3		
<b>Division 4 – General</b>		
Section 7.12A(2)	A local government must meet with its auditor at least once a year.	Delegated to the Audit and Risk Committee
Section 7.12A(3)	A local government is to examine the auditor's report, under section 7.9(1) and any report under section 7.9(3), and must determine if any matters raised by the report require action and ensure that appropriate action is taken.	Suitable for delegation to the Audit Committee (not currently delegated)
Section 7.12A(4)	A local government must prepare a report on any action taken in response to an auditor's or section 7.9(3) report, and provide it to the Minister.	Suitable for delegation to the Audit Committee (not currently delegated)
<b>Part 8 – Scrutiny of the Affairs of Local Governments</b>		
<b>Division 1 – Inquiries by the Minister or an authorised person</b>		
Section 8.14(3)	A local government must give the Minister advise of what it has done or will do to comply with an enquiry report from the Minister or a person authorised by the Minister, within 35 days of receiving the report.	Chief Executive Officer
<b>Division 2A – Council may be peremptorily suspended or required to undertake remedial action</b>		
Nil items in Division 2A		
<b>Division 2 – Inquiries by Inquiry Panels</b>		
Section 8.23(4)	A local government must give the Minister advice of what things it has done, or will do, to comply with an Inquiry Panel's report within 35 days of receiving the report, or give its comment on a recommendation to dismiss the Council.	Chief Executive Officer
<b>Division 3 – General provisions about suspension and dismissal of councils</b>		

## Register of Delegated Authority

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
Nil items in Division 3		
<b>Division 4 – Misapplication of funds and property</b>		
Nil items in Division 4		
<b>Part 9 – Miscellaneous Provisions</b>		
<b>Division 1 – Objections and review</b>		
Nil items in Division 1		
<b>Division 2 – Enforcement and legal proceedings</b>		
Section 9.10(1) and (2)	The local government may appoint persons or classes of persons to be authorised to perform certain functions and must issue them with a certificate stating they are authorised.	Chief Executive Officer
<b>Division 3 – Documents</b>		
Nil items in Division 3		
<b>Division 4 – Protection from liability</b>		
Nil items in Division 4		
<b>Division 5 – Associations of local government</b>		
Nil items in Division 5		
<b>Division 6 – Regulations, directions and orders</b>		
Section 9.63(1)	If a dispute has arisen between 2 or more local governments, a local government may refer the matter to the Minister to resolve.	Suitable for delegation to Chief Executive Officer
<b>Division 7 – Other miscellaneous provisions</b>		
Section 9.68(5)	A local government may recover accruing rates from a principal or agent who has failed to give a notice to the local government in accordance with section 9.68.	Chief Executive Officer
<b>Division 8 – Amendments to 1960 Act and transitional provisions</b>		
Nil items in Division 8		

## Register of Delegated Authority

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
<b>Nil Schedule 1</b>		
<b>Schedule 2.1 – Provisions about creating, changing the boundaries of, and abolishing districts</b>		
Clause 11(2)	Any local governments affected by an order made under clause 2.1 are to negotiate any adjustment or transfer between them of property, rights and liabilities.	Suitable for delegation to Chief Executive Officer
<b>Schedule 2.2 – Provisions about names, wards and representation</b>		
Clause 4(1)	A local government must consider any submissions made under clause 3.	Suitable for delegation to Chief Executive Officer
Clause 6	A local government must carry out a review of its ward boundaries and the number of councillors per ward every 8 years or as directed by the Advisory Board.	Suitable for delegation to Chief Executive Officer
Clause 8	The council must have regard to community of interests, physical and topographical features, demographic trends, economic factors and the ratio of councillors to electors in respect of considerations about wards.	Suitable for delegation to a 5.9(2)(a) committee (not currently delegated).
Clause 9	When a ward review is complete, the local government must prepare a report for the Advisory Board and may propose the making of an order under clauses 2.2(1), 2.3(3) or 2.18(3).	Suitable for delegation to a 5.9(2)(a) committee (not currently delegated).
<b>Schedule 2.3 – When and how mayors, presidents, deputy mayors and deputy presidents are elected by council</b>		
Nil items in Schedule 2.3		
<b>Schedule 2.4 – Provisions about Commissioners</b>		
Nil items in Schedule 2.4		
<b>Schedule 2.5 – Provisions about the Local Government Advisory Board</b>		
Nil items in Schedule 2.5		
<b>Schedule 3.1 – Powers under notices to owners or occupiers of land</b>		
<i>Local Government (Uniform Local</i>	A person who is the owner or occupier of land must, when requested by the Local Government to do so, remove any thing that – a. Has fallen from the land, or from anything on the land; and	Chief Executive Officer

## Register of Delegated Authority

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
<i>Provisions)</i> <i>Regulations 1996 –</i> <i>Regulation 7A</i>	b. Is obstructing a public thoroughfare.	
<b>Schedule 3.2 – Particular things local governments can do on land even through it is not local government property</b>		
Nil items in Schedule 3.2		
<b>Schedule 4.1 – How to conduct votes and ascertain the result of an election</b>		
Nil items in Schedule 4.1		
<b>Schedule 5.1 – Provisions about standards panels</b>		
Nil items in Schedule 5.1		
<b>Schedule 6.1 – Provisions relating to the phasing in of valuations</b>		
Nil items in Schedule 6.1		
<b>Schedule 6.2 – Provisions relating to lease of land where rates or service charges unpaid</b>		
Clause 1(1)	A local government may lease the land with any conditions for a term that does not exceed 7 years.	Suitable for delegation to Chief Executive Officer
<b>Schedule 6.3 – Provisions relating to sale or transfer of land where rates or service charges unpaid</b>		
Clause 1(4)	The local government must appoint a time at which the land may be offered for sale by public auction, not less than 3 months and not more than 12 months from the service of the notice under clauses 1(1) or 1(2).	Suitable for delegation to Chief Executive Officer
Clause 4(1)	A local government may transfer or convey to the purchaser of the land an indefeasible estate in fee simple.	Chief Executive Officer subject to 5.43(d), up to an amount resolved by Council.
Clause 7(2)	If the land has not been sold within 12 months, the local government may begin the process again in accordance with this Schedule.	Chief Executive Officer
<b>Nil Schedule 7</b>		

## Register of Delegated Authority

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
<b>Schedule 8.1 – Provisions about Inquiry Panels</b>		
Nil items in Schedule 8.1		
<b>Schedule 9.1 – Certain matter for which Governor may make regulations</b>		
Nil items in Schedule 9.1		
<b>Nil Schedule 9.2</b>		
<b>Schedule 9.3 – Transitional provisions</b>		
Nil items in Schedule 9.3		

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## Register of Delegated Authority

**2. Delegations under the *Local Government (Uniform Local Provisions) Regulations 1996***

Authority to delegate: Sections 5.42 and 5.44 of the *Local Government Act 1995*.

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
Local Government (Uniform Local Provisions) Regulations 1996 - Regulation 5(2)	Serve written notice 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: (a) prevent damage to the footpath; or (b) prevent inconvenience to the public or danger from falling materials.	Chief Executive Officer
Local Government (Uniform Local Provisions) Regulations 1996 - Regulation 6(3)	Grant permission under this regulation to place on a specified part of public thoroughfare one or more specified things that may obstruct the public thoroughfare: (a) in writing; and (b) must specify the period for which it is granted; and (c) must specify each condition imposed under subregulation (4); and (d) may be renewed from time to time; and may be cancelled by giving written notice to the person to whom the permission was granted.	Chief Executive Officer
Local Government (Uniform Local Provisions) Regulations 1996 - Regulation 6(4)	Impose such conditions as it thinks fit on granting permission under this regulation including, but not limited to, any of the following: (a) conditions relating to the erection of hoardings, fences, (b) walkways or other structures for the protection of the public thoroughfare or public safety (protective structures);	Chief Executive Officer

## Register of Delegated Authority

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
	<p>(c) conditions about the placement of things in the public thoroughfare including conditions about the depositing of building materials or waste, or storage or other facilities in the public thoroughfare;</p> <p>(d) a condition imposing a charge for any damage to the public thoroughfare resulting from the placement of a thing on the public thoroughfare;</p> <p>a condition requiring the applicant to deposit with the local government a sum sufficient in the opinion of the Chief Executive Officer of the local government to cover the cost of repairing damage to the public thoroughfare resulting from the placement of a thing or a protective structure, on the basis that the local government may retain from that sum the amount required for the cost of repairs by the local government if the damage is not made good by the applicant.</p>	
Local Government (Uniform Local Provisions) Regulations 1996 - Regulation 6(6)	When renewing permission granted under this regulation or at any other time, vary any condition imposed by it under subregulation (4) and the variation takes effect when written notice of it is given to the person to whom the permission was granted.	Chief Executive Officer
Local Government (Uniform Local Provisions) Regulations 1996 - Regulation 6(8)	Charge a person granted permission under this regulation a fee of not more than \$1.00 for each month or part of a month for each m <sup>2</sup> of public thoroughfare that is enclosed by a hoarding or fence in accordance with the permission.	Chief Executive Officer

## Register of Delegated Authority

**3. Delegations under the Food Act 2008**

Authority to delegate: Section 118 of the *Food Act 2008*.

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
Food Act 2008 Section 122 (1)	An enforcement agency may appoint a person to be an authorised officer for the purposes of this Act.	Chief Executive Officer

**4. Delegations under the Dog Act 1976**

Authority to delegate: *Section 10AA of the Dog Act 1976*

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
Dog Act 1976	All powers under the <i>Dog Act 1976</i> .	Chief Executive Officer

**5. Delegations under the Cat Act 2011**

Authority to delegate: Section 44 of the *Cat Act 2011*

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
Cat Act 2011	All powers under the <i>Cat Act 2011</i> .	Chief Executive Officer



## Register of Delegated Authority

**6. Delegations under the Graffiti Vandalism Act 2016**

Authority to delegate: Section 16 of the Graffiti Vandalism Act 2016

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
Graffiti Vandalism Act 2016	All powers under the Graffiti Vandalism Act 2016.	Chief Executive Officer

**7. Delegations under the Public Health Act 2016**

Authority to delegate: Section 21 of the Public Health Act 2016

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
Public Health Act 2016	All powers under the Public Health Act 2016	Chief Executive Officer

**8. Delegations under the Bush Fire Act 1954**

Authority to delegate: Section 48 of the Bush Fire Act 1954

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
Bush Fires Act 1954	All powers under the Bush Fire Act 1954	Chief Executive Officer

## Register of Delegated Authority

## 9. Delegations under the City of Nedlands Local Planning Scheme 3

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
<p>Planning and Development (Local Planning Schemes) Regulations 2015, regulation 82.</p> <p>City of Nedlands Local Planning Scheme No 3 and the Planning and Development Act 2005</p> <p><u>Clause 68 of Schedule 2 of the Planning and Development (Local Planning Schemes Regulations 2015)</u></p>	<p>The local government may, by resolution, delegate to a committee or to the local government CEO the exercise of any of the local government's powers or the discharge of any of the local government's duties under this Scheme other than this power of delegation.</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><u>Determination of applications under Clause 68 of Schedule 2 of the Planning and Development (Local Planning Schemes Regulations 2015)</u></p> <p><u>The Council may either generally, or in a particular case by resolution delegated to a Committee of the Council or an officer of the Council, the authority to deal with an application for planning approval made under this Scheme.</u></p>	<p><u>Chief Executive Officer</u></p> <p><u>Except for where the following applies:</u></p> <p>a) <u>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;</u></p> <p>b) <u>Grouped and/or Multiple Dwelling developments involving five (5) or more dwellings; and</u></p> <p>c) <u>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.</u></p>

## Register of Delegated Authority

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
		<p>d) <u>Where objections are received (more than 2) relating to car parking requirements for non-residential applications.</u></p> <p>e) <u>Where more than one (1) objection is received for Home Business or Short-term accommodation application;</u></p> <p>f) <u>Where objections are received (more than 2) and the objection relates to a Design Principals or Element Objectives assessment relating to the R Codes.</u></p> <p>Chief Executive Officer, except for the following:</p> <p>a) <del>Proposed and Retrospective developments and Change of Use applications which are classified I, P or A 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;</del></p>

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Register of Delegated Authority

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
		<p><del>b) A change from one non-conforming use to another non-conforming use;</del>  <del>c) Grouped and/or Multiple Dwelling developments involving five (5) or more dwellings; and</del>  <del>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.</del></p>
<p>Planning and Development (Local Planning Schemes) Regulations 2015</p>	<p><b>Advertising of applications</b> 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.</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>Chief Executive Officer  <u>The requirement and extent of advertising to be in accordance with the City's adopted Local Planning Policy Consultation of Planning Proposals.</u></p>
<p>Planning and Development (Local Planning Schemes) Regulations 2015</p>	<p><b>Amending or Cancelling a development approval, including waiving or varying a requirement</b> 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>Chief Executive Officer  <u>The requirement and extent of advertising to be in accordance with the City's adopted Local Planning Policy Consultation of Planning Proposals.</u></p>

Commented [NC7]: Additional Delegation Added for discussion at Councillor Briefing

Commented [NC8]: Additional Delegation Added for discussion at Councillor Briefing

Register of Delegated Authority

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
<p>Planning and Development (Local Planning Schemes) Regulations 2015</p>	<p><b>Determining accompanying material requirements</b>                      For applications for development approval, including refusal to accept an application, under Clauses 11, 63 and 85 of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015.</p>	<p>Chief Executive Officer</p>
<p>City of Nedlands Local Planning Scheme No.3 and or Metropolitan Region Scheme</p>	<p><b>Discretion and determining conditions</b>                      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>Chief Executive Officer                      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>Planning and Development (Local Planning Schemes) Regulations 2015</p>	<p><b>Rights of Entry and Inspection</b>                      In accordance with Clause 82 and 83 of Planning and Development (Local Planning Schemes) Regulations 2015.                       Entry and inspection of land within the Scheme Area for the purpose of assessment and monitoring, pursuant to Clause 79(1) and 2(a) and (b) of the Planning and Development (Local Planning Schemes) Regulations 2015.</p>	<p>Chief Executive Officer                      Written or verbal notice being provided to the landowner wherever possible prior to entry.</p>

Commented [NC9]: Additional Delegation Added for discussion at Councillor Briefing

Commented [NC10]: Additional Delegation Added for discussion at Councillor Briefing

Commented [NC11]: Additional Delegation Added for discussion at Councillor Briefing

## Register of Delegated Authority

## 10. Delegations under the Planning and Development Act 2005

Authority to delegate: Planning and Development Act 2005 – Part 10

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
Planning and Development Act 2005 – Part 10	Referrals to WAPC in respect of applications for subdivision (including amalgamations and boundary re-alignments) and/or strata subdivision approval is required to be determined by the Commission.	Chief Executive Officer
Planning and Development Act 2005 – Part 10	Clearance of conditions of subdivision (including amalgamations and boundary re-alignments), strata subdivision or amalgamation approval where the local government is identified as the responsible agency in the WAPC preliminary approval advice.	Chief Executive Officer
Planning and Development Act 2005 – Section 214(3)(4) and (5)	<p><b>Unauthorised Development – Directions</b></p> <p>The responsible authority may give written directions regarding unauthorised development.</p> <p>Issuance of written direction to stop unauthorise development Planning and Development Act 2005 s214(2)</p> <p>Issuance of written direction to require the unauthorised development to be brought into compliance by removing, pulling down, taking up or altering the unauthorised development and by restoring the land to how it was prior to the development [P&amp;D s214(3)]</p> <p>Execute work to have unauthorised development brought into compliance [P&amp;D s214(5)]</p>	Chief Executive Officer

Commented [NC12]: Additional Delegation Added for discussion at Councillor Briefing

## Register of Delegated Authority

## 11. Delegations under the Heritage of Western Australia Act 1990

Authority to delegate: Heritage of Western Australia Act 1990 – Section 23(4)

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
Heritage of Western Australia Act 1990 – Section 23(4)	Participation where appropriate with the Heritage Council, where it is to consider giving advice to the Minister for Heritage with respect to 'interim' and 'permanent' entry of a place on the State Register of Heritage Places'.	Chief Executive Officer with the exception of the following:  Does not apply where a formal request is made for a response from council regarding proposals for the entry of a place or places onto the State register of Heritage Places on an interim or permanent basis.

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## Register of Delegated Authority

## 12. Delegations under the Metropolitan Region Scheme

Authority to delegate: Metropolitan Region Scheme – DEL 2011/02 – Government Gazette No. 248, 23 December 2011

WAPC Ref: RES 2015/01  
DEL 2017/02

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
Clause 29(3)	Forwarding an application to the Commission	Chief Executive Officer
Clause 30	Exercising powers under the Planning & Development Act 2005 delegated by the WAPC to: <ul style="list-style-type: none"> <li>- Determine applications;</li> <li>- Revoke applications; and</li> <li>- Limit time of approval.</li> </ul>	Chief Executive Officer with the exception of:  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. And When the property is within an area subject to clause 32 of the Metropolitan Region Scheme.
Clause 30A	Provide recommendation and forward to the Commission.	Chief Executive Officer
Clause 31	Issue of decision in the form set out in Form 2 to this scheme: An application is deemed to be refused if a decision is not conveyed within 60 days of receipt of application.	Chief Executive Officer

Commented [NC13]: Addition for discussion at Councillor Briefing.



## Register of Delegated Authority

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
Metropolitan Region Scheme or the Planning and Development Act, 2005	Respond to the Western Australian Planning Commission, or authorities given delegation by the Minister for Planning, on applications made under the Metropolitan Region Scheme or the <i>Planning and Development Act, 2005</i>	Chief Executive Officer
Clause 32	Forward an application to the Commission and provide recommendation.	Chief Executive Officer

Commented [NC14]: Addition for discussion at Councillor Briefing.

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## Register of Delegated Authority

13. Delegations under the *Strata Titles Act 1985*

Authority to delegate: DEL 2009/03, Government Gazette no. 98, 9 June 2009

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
Section 24	The local government may make a preliminary determination that the plans and specifications are of sufficient standard to be brought under this Act as a building in a strata scheme.	Chief Executive Officer
Section 25 Clause 1 Schedule 1	<p>Power to determine applications for the issuing of a certificate of approval for a plan of subdivision, re-subdivision or consolidation, except those applications that:</p> <ul style="list-style-type: none"> <li>a) propose the creation of a vacant lot;</li> <li>b) propose vacant air stratas in multi-tiered strata scheme developments;</li> <li>c) in the opinion of the WAPC as notified to the relevant local government in writing, or in the opinion of the relevant local government as notified to the WAPC in writing, relate to: <ul style="list-style-type: none"> <li>i. a type of development; and/or</li> </ul> </li> </ul> <p>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.</p>	<p>Chief Executive Officer on the condition that:</p> <p>A local government that exercises the power referred to in clause 1 is to provide the WAPC with data on all applications determined under this Instrument of Delegation at the conclusion of each financial year in the format prescribed by the WAPC.</p>

## Register of Delegated Authority

**14. Delegations under the *Liquor Control Act 1988***

Authority to delegate: Part 3 – Section 40

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
Section 40	Issue certificates as to whether the use of premises complies with local planning laws.	Chief Executive Officer

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## Register of Delegated Authority

## 15. Delegations to respond to external organisations

Authority to respond to external organisations

WAPC Ref: DEL2009/02

DEL2011/04

DEL2017/02

DEL2017/03

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
State Administrative Tribunal Act Section 31	<b>Delegation to respond to external organisations</b>	Chief Executive Officer
	Authority to respond to external organisations	Consideration of referrals under section 31 of the State Administrative Tribunal Act 2004 where Council has determined the application.
	Respond to the State Administrative Tribunal on applications for review of planning decisions including consideration of referrals under s31 the State Administrative Tribunal Act 2004;	
	Respond to the Swan River Trust on planning applications made under the Swan and Canning Rivers Management Act 2006	Chief Executive Officer
	Respond to requests from public agencies on issues requiring or inviting comment by the City with regard to local, metropolitan, regional and/or strategic planning matters.	Chief Executive Officer
Planning and Development (Development Assessment)	Respond to the Department of Planning Lands and Heritage on planning applications submitted in accordance with the Planning and Development (Development Assessment Panels) Regulations 2011	Chief Executive Officer JDAP applications are to be referred to Council for their comment prior to the submission of the Responsible Authority Report (RAR)

## Register of Delegated Authority

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
Panels Regulations 2011		
	Provide recommendation and to the Department of Planning Lands and Heritage on development applications submitted in accordance with the Shenton Park Improvement Scheme.	Chief Executive Officer
	Provide recommendation to the Department of Communities (Housing Authority) on development applications submitted to the City.	Chief Executive Officer
	Respond to the Department of Treasury and finance for development application referrals.	Chief Executive Officer

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## Register of Delegated Authority

**16. Delegations under the Building Act 2011**

Authority to delegate: Section 127 of the Building Act 2011

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
Section 127	All powers under the Building Act 2011	Chief Executive Officer

**17. Delegations under the Building Regulations 2012**

Authority to delegate: Section 127 of the Building Act 2011

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
Building Act 2011	All powers under the Building Regulations 2012	Chief Executive Officer

## Register of Delegated Authority

## 18. Delegations from the Chief Executive Officer to other staff members

## 18.1 Local Government Act 1995 and Regulations

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
Section 3.25(1)	A local government may give an occupier a notice requiring them to do something to the land if it is specified in Schedule 3.1. The local government must also inform the owner if the occupier is not the owner	Director Planning & Development Director Technical Services
Section 3.50(1)	A local government may close any thoroughfare that it manages to the passage of vehicles, wholly or partially, for a period not exceeding 4 weeks.	Director Technical Services
Section 3.57(1)	A local government must invite tenders before it enters into a contract for goods or services with a value of \$100,000 or more (Functions and General Regulation 11)	Director Planning & Development Director Technical Services Director Corporate & Strategy
Local Government (Functions and General) Regulations - Regulation 14(2a)	Where a local government is inviting tenders, the local government must determine in writing the criteria for accepting tenders	Director Planning & Development Director Technical Services Director Corporate & Strategy
Local Government (Functions and General) Regulations, reg.21(1)	A local government may seek expressions of interest before entering the tender process	Director Planning & Development Director Technical Services Director Corporate & Strategy

## Register of Delegated Authority

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
Section 6.12(1)(c)	A local government may write off any amount of money that is owed to the local government (subject to section 6.12(2))	Director Planning & Development Only delegated to: <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> </ol>
Section 6.14(1)	A local government may invest money in its municipal or trust funds that is not being used, in accordance with Part III of the <i>Trustees Act 1962</i>	Director Corporate & Strategy
Section 6.56(1)	A local government may recover an unpaid rate or service charge and the cost of proceedings in court of competent jurisdiction	Director Corporate & Strategy
Section 6.60(2)	A local government may 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 local government in satisfaction of the rate or service charge	Director Corporate & Strategy



## Register of Delegated Authority

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
Section 6.60(3)	If a local government gives notice to a lessee, under section 6.60(2), the local government must give a copy of the notice to the lessor	Director Corporate & Strategy
Section 6.60(4)	If a local government gives notice to a lessee, under section 6.60(2), and the lessee fails to pay rent to the local government, the local government may recover the rate or service charge as a debt from the lessee	Director Corporate & Strategy

## 18.2 Food Act 2008

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
Section 119	The CEO, after consultation with an enforcement agency (other than the CEO), may, in writing, impose conditions or limitations on the performance of functions under this Act by the enforcement agency	Director Planning & Development

## Register of Delegated Authority

## 18.3 Freedom of Information Act 1992

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
Sections 13, 15, 17, 18, 20, 23, 24, 25, 26, 27, 28, 30, 31, 41, 47, 48, 50 and 54	To make decisions and coordinate applications.	Manager Health & Compliance
Sections 20, 23, 24, 25, 30, 31, 41, 43, 48, 50 and 54	To make decisions.	Director Corporate & Strategy Director Technical Services Director Planning & Development Manager Health & Compliance

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## Register of Delegated Authority

## 18.4 Planning and Building Acts and Regulations

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
Planning and Building Acts and Regulations	Where delegation to the CEO exists under the: <ul style="list-style-type: none"> <li>- Local Planning Scheme No. 3;</li> <li>- Planning and Development Act 2005;</li> <li>- Planning and Development (Local Planning Schemes) Regulations 2015;</li> <li>- Heritage of Western Australia Act 1990;</li> <li>- Metropolitan Region Scheme;</li> <li>- Strata Titles Act 1985;</li> <li>- Liquor Control Act 1988; and</li> <li>- Responding to external organisations.</li> </ul>	Director Planning and Development Manager <u>Urban Planning</u> <u>Principal Planner (Urban Planning)</u> <del>Coordinator Statutory Planning</del> Senior <u>Urban Planner (Statutory)</u> <del>Planning Officer</del>
Planning and Building Acts and Regulations	Where delegation to the CEO exists under the: <ul style="list-style-type: none"> <li>- Building Act 2011; and</li> <li>- Building Regulations 2012.</li> </ul>	Manager Building Services Senior Building Surveyor With the exception of: Section 59 and Section 99(3) of the Act; and Reg 132(3) of the Regulations.

DRAFT

## Register of Delegated Authority

## 18.5 Dog Act 1976

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
Dog Act 1976	Where delegation to the CEO exists under the Dog Act 1976 Section 44 Enforcement proceedings 2(b).	Director Planning & Development

## 18.6 Delegations from the Chief Executive Officer to other staff members in acting positions

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
All subdelegations	All subdelegations apply to all acting positions for periods of appointment in the acting position.	Director Planning & Development Director Corporate & Strategy Director Technical Services Manager Urban Planning Principal Planner (Urban Planning) Senior Urban Planner (Statutory) Manager Building Services Senior Building Surveyor Manager Health & Compliance

## Register of Delegated Authority

<b>Document Version Control</b>	
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# *Register of Delegated Authority*

As at December 2019

## Table of Contents

Preamble	3
1. Delegations under the Local Government Act 1995 to the Chief Executive Officer	7
2. Delegations under the <i>Local Government (Uniform Local Provisions) Regulations 1996</i>	28
3. Delegations under the Food Act 2008	30
4. Delegations under the Dog Act 1976	30
5. Delegations under the <i>Cat Act 2011</i>	30
6. Delegations under the Graffiti Vandalism Act 2016	31
7. Delegations under the Public Health Act 2016	31
8. Delegations under the Bush Fire Act 1954	31
9. Delegations under the City of Nedlands Local Planning Scheme 3	32
10. Delegations under the Planning and Development Act 2005	36
11. Delegations under the Heritage of Western Australia Act 1990	37
12. Delegations under the Metropolitan Region Scheme	38
13. Delegations under the <i>Strata Titles Act 1985</i>	40
14. Delegations under the <i>Liquor Control Act 1988</i>	41
15. Delegations to respond to external organisations	42
Delegation to respond to external organisations	42
16. Delegations under the Building Act 2011	44
17. Delegations under the Building Regulations 2012	44
18. Delegations from the Chief Executive Officer to other staff members	45
18.1 Local Government Act 1995 and Regulations	45
18.2 Food Act 2008	47
18.3 Freedom of Information Act 1992	48
18.4 Planning and Building Acts and Regulations	49
18.5 Dog Act 1976	50
18.6 Delegations from the Chief Executive Officer to other staff members in acting positions	50

## Preamble

## Introduction

The purpose of delegations is to assist with improving the time taken to make decisions, within the constraints allowed by the relevant legislation, which is consistent with the City's commitment to customer service.

- a) A Council may delegate to its Chief Executive Officer, some of its powers and duties provided for in the *Local Government Act 1995*. Any decision to delegate must be passed by an absolute majority and the delegation must be in writing.
- b) The only staff member to whom the Council may delegate any of its powers and duties under the *Local Government Act 1995* is the Chief Executive Officer but the Chief Executive Officer may give delegated authority to any staff member. The Chief Executive Officer is the only staff member with the power to delegate.
- c) A Council may also delegate some of its powers and duties to committees of Council by a decision passed by an absolute majority and recorded in writing.

## Limits on Delegation to the Chief Executive Officer

There are some powers and duties that a Council cannot delegate. They are specified where applicable.

## Delegations to Committees

- a) Council may delegate its powers and duties to committees comprising only of Council members except:
  - i. any power or duty that requires a decision of an absolute majority or a 75% majority of the local government and any other power or duty that is prescribed; or
  - ii. any other power or duty that is prescribed.
- b) Council may delegate to a committee comprising of elected members and employees, any of the local government's powers or duties that can be delegated to the Chief Executive Officer under division 4 of the *Local Government Act 1995*.



- c) Council may delegate to a committee comprising of staff members or members of the public any of the local government's powers and duties necessary or convenient for the proper management of:
  - i. the local government's property; or
  - ii. an event in which the local government is involved.
- d) No delegations may be made to committees on which there are no elected members or members of staff.

### **Period of Any Delegation**

- a) A delegation of authority has effect for the period of time specified in the instrument of delegation or where no period of time is specified, indefinitely.
- b) Any delegation under the City of Nedlands Local Planning Scheme No. 3.
- b) Any decision by Council to revoke or amend a delegated authority must be passed by an absolute majority.

### **Recording Delegations**

The CEO is to keep a register of the delegations made by Council to the CEO, Committees, and made by the CEO to other employees (this register).

### **Exercising Delegated Authority**

- a) After any delegation has been exercised the following information must be recorded in writing:
  - i. how the person exercised the power or discharged the duty;
  - ii. when the person exercised the power or discharged the duty; and; and
  - iii. the persons or classes of persons, other than Council or committee members or employees of the local government, directly affected by the exercise of the power or the discharge of the duty.

## Review

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.

## Council's Ability to Make Decisions is not Limited

Council may still exercise any of its powers or duties that have been delegated to the Chief Executive officer or to a committee. The CEO may still exercise any powers or duties that have been delegated to employees.

## Acting Through

In addition to delegations, the *Local Government Act 1995* contains the concept of "acting through". Where a person is "acting through", they have no discretion in carrying out the function. This could be the City performing administrative functions on behalf of the Council, or implementing policies adopted by the Council. This differs to an authorised person who exercises the decision making function in his or her own right.

As per the *Local Government Act 1995* section 5.51, the CEO's functions are to:

- a) "advise the council in relation to the functions of a local government under this Act and other written laws; and
- b) ensure that advice and information is available to the council so that informed decisions can be made; and
- c) cause council decisions to be implemented; and
- d) manage the day to day operations of the local government; and
- e) liaise with the mayor or president on the local government's affairs and the performance of the local government's functions; and
- f) speak on behalf of the local government if the mayor or president agrees; and
- g) be responsible for the employment, management supervision, direction and dismissal of other employees (subject to section 5.37(2) in relation to senior employees); and
- h) ensure that records and documents of the local government are properly kept for the purposes of this Act and any other written law; and
- i) perform any other function specified or delegated by the local government or imposed under this Act or any other written law as a function to be performed by the CEO."

Any function in the *Local Government Act 1995* which the CEO would carry out administratively (based on the above) can be done so via “acting through”, the implementation of which may be directed by a Council Resolution or Policy.

### Legislative Authority

- a) The following sections of the *Local Government Act 1995* provide for delegation of authority:
  - i. s.5.16 to s.5.18 (delegations to Committees)
  - ii. s.5.42 to s.5.46 (delegations to CEO and other employees).
- b) The *Local Government (Administration) Regulations* s. 18G and 19 expand upon s.5.43 and s.5.46(3) of the Act.
- c) Legislative powers to delegate relate only to the Act in which they are contained, or to which they stipulate are permissible. It is not possible to, for example, rely on section 5.42(1) of the *Local Government Act 1995* to delegate any of a local government’s powers under another Act. Any delegation by a local government of its powers under another Act can only be delegated by the delegation provisions of that Act.

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## 1. Delegations under the Local Government Act 1995 to the Chief Executive Officer

Authority to delegate: Sections 5.16, 5.17, 5.42 and 5.44 of the *Local Government Act 1995*.

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
<b>Part 1 – Introductory Matters</b>		
Nil items in Part 1		
<b>Part 2 – Constitution of Local Government</b>		
Nil items in Part 2		
<b>Part 3 – Functions of Local Governments</b>		
<b>Division 1 - General</b>		
Nil items in Division 1		
<b>Subdivision 1 – Local Laws made under this Act</b>		
All City of Nedlands Local Laws including but not limited to:  Parking and Parking Facilities Local Law  Standing Orders Local Law  Trading in Public Places Local Law	To administer the City's local laws and to do all other things that are necessary or convenient to be done for, or in connection with, performing the functions of the City under the Local Government Act 1995.  The Chief Executive Officer is delegated the power to make decisions on behalf of the local government in relation to the City's local laws.	Chief Executive Officer  Excludes decision-making where the local law specifies the matter be determined by Council Resolution.  In respect to the Parking and Parking Facilities Local Law, determination of parking stalls and parking stations.(Section 3.1):  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

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
Site Erosion and Sand Drift Local Law Reserves, Foreshores and Beaches Local Law Health Local Law Council Halls Local Law Repeals Local Law 2016 Waste Local Law Dogs Local Law Council Property and Places Local Laws Signs Local Law Fencing Local Law		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.

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
By – law Relating to New Street Alignment		
<b>Division 3 – Executive functions of Local Governments</b>		
<b>Subdivision 1 – Performing executive functions</b>		
Section 3.18 (1)	Do all other things that are necessary or convenient to be done for, or in connection with, performing its functions under this Act. Expend budgetted amounts.	<p>Arts Committee subject to the Terms of Reference &amp; Council's Resolution of 23 April 2019 as follows:</p> <p><b>That in the Arts Committee Terms of Reference the clause under the heading Delegated Authority be amended to read:</b></p> <p><b>The Committee has delegated authority to implement public artworks of not more than \$10,000 each to the value of up to, in all, the budget allocation approved by Council within the current financial year's budget. Artworks over \$10,000 shall be recommended to Council for approval.</b></p>
Section 3.20 (1)	Things done by a local government in performing its executive functions may be done outside its own district but before it can do anything on land outside its own district that is not local government property of that local government it is required to have obtained the consent of — (a) the owner of the land; and	Chief Executive Officer

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
	(b) if the land is occupied, the occupier of the land; and (c) if the land is under the control or	
Section 3.22(4)	A dispute about the amount of compensation is to be determined by arbitration in accordance with section 3.23.	Chief Executive Officer
<b>Subdivision 2 – Certain provisions about land</b>		
Section 3.25(1)	A local government may give a person who is the owner or, unless Schedule 3.1 indicates otherwise, the occupier of land a notice in writing relating to the land requiring the person to do anything specified in the notice that - (a) is prescribed in Schedule 3.1, Division 1; or (b) is for the purpose of remedying or mitigating the effects of any offence against a provision prescribed in Schedule 3.1, Division 2.	Chief Executive Officer
Section 3.26(2)	If the person who is given the notice ( <b>notice recipient</b> ) fails to comply with it, the local government may do anything that it considers necessary to achieve, so far as is practicable, the purpose for which the notice was given.	Chief Executive Officer
Section 3.26(3)	The local government may recover the cost of anything it does under subsection (2) as a debt due from the person who failed to comply with the notice.	Chief Executive Officer
Section 3.27(1)	A local government may, in performing its general function, do any of the things prescribed in Schedule 3.2 even though the land on which it is done is not local government property and the local government does not have consent to do it.	Chief Executive Officer
<b>Subdivision 3 – Power of entry</b>		

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
Section 3.31(2)	After a local government has given notice, it may authorise a person to enter land, premises or thing without consent, unless the owner or occupier has objected to the entry.	Chief Executive Officer
Section 3.34(1)	A local government may enter land in an emergency without notice or consent.	Chief Executive Officer
Section 3.34(3)	A local government may use reasonable force to exercise the power of entry given by subsection (1).	Chief Executive Officer
Section 3.34(4)	A local government may exercise the power of entry given by subsection (1) at any time while the emergency exists and for so long subsequently as is reasonably required.	Chief Executive Officer
Section 3.36(3)	A local government may make an opening in a fence to do works on a property subject to providing the owner or occupier with 3 days written notice.	Chief Executive Officer
Section 3.39	Local government may authorise an employee to remove and impound any goods.	Chief Executive Officer
Section 3.40(1)	Local government may authorise a person to remove and impound an abandoned vehicle wreck.	Chief Executive Officer
Section 3.40A(4)	Local government may declare that a vehicle is an abandoned wreck.	Chief Executive Officer
Section 3.47(1)	The local government may sell or otherwise dispose of any goods that have been ordered to be confiscated under section 3.43.	Chief Executive Officer
Section 3.47(2)	The local government may sell or otherwise dispose of any vehicle that has not been collected within 2 months of a notice having been given under section 3.40(3) or 7 days of a declaration being made that a vehicle is an abandoned vehicle wreck.	Chief Executive Officer



Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
Section 3.47(2a)	The local government may sell or otherwise dispose of impounded goods that have not been collected within the period specified in section 3.47(2b) of the date a notice is given under sections 3.42(1)(b) or 3.44.	Chief Executive Officer
Section 3.47A(1)	If an impounded animal is ill or injured to such an extent that treating it is not practicable, the local government may humanely destroy the animal and dispose of the carcass.	Chief Executive Officer
Section 3.48	If goods are removed or impounded under section 3.39 and the offender is convicted, the local government may recover any expenses incurred in removing and impounding the goods.	Chief Executive Officer
<b>Subdivision 5 – Certain provisions about thoroughfares</b>		
Section 3.50(1)	A local government may close a thoroughfare to vehicles, wholly or partially, for a period not exceeding 4 weeks.	Chief Executive Officer
Section 3.50(1a) and 3.50(4)	A local government may, after providing public notice of its intention and reasons, inviting submissions and then considering submissions, order a thoroughfare to be wholly or partially closed to vehicles for a period exceeding 4 weeks.	Chief Executive Officer
Section 3.50(6)	An order to close a thoroughfare may be revoked by the local government.	Chief Executive Officer
Section 3.50A	A local government may partially and temporarily close a thoroughfare, without giving local public notice, if the closure is for the purpose of carrying out repairs or maintenance and is unlikely to have a significant adverse effect on users of the thoroughfare.	Chief Executive Officer
Local Government (Functions and General) Regulations, Regulation 6(3)	A local government may, by local public notice, revoke an order under regulation 6(1) that closed a thoroughfare or alter it to make it less restrictive.	Chief Executive Officer

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
Section 3.51(3)	Before fixing, altering or realigning a public thoroughfare or draining water onto adjoining land, the local government must give notice of its proposal, invite submissions and consider those submissions	Chief Executive Officer
<b>Subdivision 6 – Various executive functions</b>		
Section 3.53(3)	If an unvested facility lies within 2 or more districts, the local governments concerned can agree on its control and management	Suitable for delegation, not currently delegated
Section 3.53(4)	An agreement or direction under subsection (3) has effect according to its terms.	Suitable for delegation, not currently delegated
Section 3.54(1)	A local government may do anything it could do under the <i>Parks and Reserves Act 1895</i> if it were a board appointed under that Act, to control and manage any land reserved under the <i>Land Act 1933</i> and vested in or placed under the control and management of the local government	Chief Executive Officer
Local Government (Functions and General) Regulations - Regulation 14(2a)	Where a local government is inviting tenders, the local government must determine in writing the criteria for accepting tenders.	Chief Executive Officer
Local Government (Functions and General) Regulations - Regulations 18(4) and (5)	A local government must consider any tender that has not been rejected and decide which one to accept. It may decline to accept any tender.	<p>Chief Executive Officer</p> <p>Consideration of tender only. Excludes decision on which tender to accept.</p> <p>The CEO in consultation with the Mayor accept a tender to a maximum value of \$500,000 and may decline to accept any tender from the 27<sup>th</sup> December to 31 January during the yearly Council recess period.</p>

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
Limited Government (Functions and General) Regulations - Regulation 20(2)	If the successful tenderer does not want to accept the contract with the variation or the local government and the tenderer cannot reach agreement, the local government can select the next most appropriate tenderer.	Chief Executive Officer  Applies only where the next most appropriate tenderer has been considered by the local government.
Local Government (Functions and General) Regulations - Regulation 21(1)	A local government may seek expressions of interest before entering the tender process.	Chief Executive Officer
Local Government (Functions and General) Regulations - Regulation 21A	If a local government has entered into a contract for the supply of goods or services with a successful tenderer, the contract must not be varied unless — (a) the variation is necessary in order for the goods or services to be supplied and does not change the scope of the contract; or (b) the variation is a renewal or extension of the term of the contract as described in regulation 11(2)(j).	Chief Executive Officer 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. c. shall report to Council at least six monthly on the exercise of this delegation.

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
Local Government (Functions and General) Regulations - Regulation 23(3)	A local government must consider any submissions of interest that have not been rejected and decide which ones could satisfactorily supply the goods or services.	Chief Executive Officer  Consideration of expressions of interest only. Excludes decision on which expression of interest to accept.
Local Government (Functions and General) Regulations, Regulation 24E(1)	Where a local government intends to give a regional price preference the local government is to prepare a regional price preference policy.	Suitable for delegation to Chief Executive Officer
Local Government (Functions and General) Regulations - reg.24E(4)	A local government cannot adopt a regional price policy until the local government has considered submissions received.	Suitable for delegation to Chief Executive Officer
Section 3.58(2)	A local government can only dispose of property to the highest bidder at public auction or the most suitable public tender.	Chief Executive Officer
Section 3.58(3)	A local government can dispose of property by private treaty but must follow the process set out in section 3.58(3).	Suitable for delegation to Chief Executive Officer
Local Government (Functions and General) Regulations - Regulation 30(2)(a)(ii)	A disposition of land is exempt of disposition if the local government does not consider that ownership of the land would be of significant benefit to anyone other than the transferee.	Suitable for delegation to Chief Executive Officer
<b>Division 4 – Regional Local Government</b>		

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
Nil items in Division 4		
<b>Part 4 – Elections and other polls</b>		
<b>Division 1 – Preliminary</b>		
Nil items in Division 1		
<b>Division 2 – Inaugural elections</b>		
Nil items in Division 2		
<b>Division 3 – Ordinary elections</b>		
Nil items in Division 3		
<b>Division 4 – Extraordinary elections</b>		
Nil items in Division 4		
<b>Division 5 – Other elections</b>		
Nil items in Division 5		
<b>Division 6 – Postponement and consolidation of elections</b>		
Nil items in Division 6		
<b>Division 7 – Provisions about electoral officers and the conduct of elections</b>		
Nil items in Division 7		
<b>Division 8 – Eligibility for enrolment</b>		
Nil items in Division 8		
<b>Division 9 – Electoral process</b>		
Elections Regulations – Regulation 9(1)	The fees to be paid to an electoral officer for conducting an election are those agreed between the local government and the electoral officer.	Chief Executive Officer
<b>Division 10 – Validity of elections</b>		

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
Nil items in Division 10		
<b>Division 11 – Electoral offences</b>		
Nil items in Division 11		
<b>Division 12 – Polls and referendums</b>		
Nil items in Division 12		
<b>Part 5 – Administration</b>		
<b>Division 1 – Introduction</b>		
Nil items in Division 1		
<b>Division 2 – Council meetings, committees and their meetings and electors’ meetings</b>		
<b>Subdivision 1 – Council meetings</b>		
Nil items in Subdivision 1		
<b>Subdivision 2 – Committees and their meetings</b>		
Section 5.18	A local government must review all delegations made to a committee.	Suitable for delegation to Chief Executive Officer
<b>Subdivision 3 – Matters affecting Council and committee meetings</b>		
<b>Note: – Matters affecting council and committee meetings</b>		
<b>Division 3 – Acting for the mayor or president</b>		
Nil items in Division 3		
<b>Division 4 – Local government employees</b>		
Section 5.27(2)	General meeting of electors to be held on a day selected by the local government but not more than 56 days after the local government accepts the annual report for the previous financial year.	Chief Executive Officer
Section 5.37(1)	A local government may designate any employee to be a senior employee.	Chief Executive Officer
Local Government (Administration) Regulations –	A local government is to approve a process for selection and appointment of the Chief Executive Officer.	Suitable for delegation to a 5.9(2)(a) committee or a 5.9(2)(b) - CEO Recruitment & Selection Committee.

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
Regulation 18(c)		
Local Government (Administration) Regulations - Regulation 18(D)	A local government is to consider, accept the review, with or without modification, or reject the review of the Chief Executive Officer.	Suitable for delegation to a 5.9(2)(a) committee or a 5.9(2)(b) committee (not currently delegated).
Section 5.50(1)	A local government must prepare a policy for employees whose employment is finishing, setting out the circumstances in which the local government would pay a gratuity and how that gratuity would be assessed, and give local public notice of the policy.	Suitable for delegation to Chief Executive Officer
Section 5.50(2)	A local government may make a payment to an employee whose employment is finishing, that is in addition to the amount set out in its policy, provided that local public notice of the payment is given.	Suitable for delegation to Chief Executive Officer
<b>Division 5 – Annual reports and planning</b>		
Section 5.56	A local government is to prepare a Plan for the Future.	Suitable for delegation to Chief Executive Officer
Local Government (Administration) Regulations - Regulation 19C(4)	A local government is to review its current plan for the future every 2 years.	Suitable for delegation to a 5.9(2)(a) committee or a 5.9(2)(b) committee (not currently delegated).
<b>Division 6 – Disclosure of financial interests</b>		
Nil items in Division 6		
<b>Division 7 – Access to information</b>		
Nil items in Division 7		
<b>Division 8 – Fees, expenses and allowances</b>		
Section 5.101(2)	A local government may reimburse an employee for an expense that was incurred in relation to a matter affecting the local government.	Chief Executive Officer

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
<b>Division 9 – Conduct of certain officials</b>		
Section 5.102	A local government may make a cash advance to a person for an expense which can be reimbursed.	Chief Executive Officer
Section 5.103(1)	A local government must prepare or adopt a code of conduct to be observed by council members, committee members and employees.	Suitable for delegation to a 5.9(2)(a) committee or a 5.9(2)(b) committee (not currently delegated).
Section 5.103(2)	A local government must review its code of conduct within 12 months of every ordinary election day.	Suitable for delegation to a 5.9(2)(a) committee or a 5.9(2)(b) committee (not currently delegated).
<b>Part 6 – Financial Management</b>		
<b>Division 1 - Introduction</b>		
Nil items in Division 1		
<b>Division 2 – Annual budget</b>		
Nil items in Division 2		
<b>Division 3 – Reporting on activities and finance</b>		
Note: Under <b>Division 3 – Reporting on activities and finance, section 6.4 financial report applies</b>		
Nil items in Division 3		
<b>Division 4 – General financial provisions</b>		
Nil items in Division 4		
Section 6.12(1)(b)	A local government may waive or grant concessions in relation to any amount of money that is owed to the local government, subject to section 6.12(2).	Chief Executive Officer
Section 6.12(1)(c)	A local government may write off any amount of money that is owed to the local government, subject to section 6.12(2).	Chief Executive Officer
Section 6.12(3)	A local government may determine what conditions apply to the granting of a concession.	Suitable for delegation to Chief Executive Officer



Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
Section 6.14(1)	A local government may invest money in its municipal or trust funds that is not being used, in accordance with Part III of the <i>Trustees Act 1962</i> .	Chief Executive Officer, subject to Council Policy.
Local Government (Financial Management) Regulations 1996 Regulation 12	Payments from municipal fund or trust fund, restrictions on making (1) A payment may only be made from the municipal fund or the trust fund - (a) if the local government has delegated to the CEO the exercise of its power to make payments from those funds	Chief Executive Officer
<b>Division 5 – Financing local government activities</b>		
<b>Subdivision 1 – Introduction</b>		
Nil items in subdivision 1		
<b>Subdivision 2 – Fees and charges</b>		
Nil items in subdivision 2		
<b>Subdivision 3 – Borrowings</b>		
Nil items in subdivision 3		
<b>Division 6 – Rates and service charges</b>		
<b>Subdivision 1 – Introduction and the basis of rating</b>		
Nil items in subdivision 1		
<b>Subdivision 2 – Categories of rates and service charges</b>		
Nil items in subdivision 2		
<b>Subdivision 3 – Imposition or rates and service charges</b>		
Section 6.40(3)	If rates are reduced, under section 6.40(1), a local government must refund the owner of the land on request or credit the amount for rates or service charges.	Chief Executive Officer
Section 6.40(4)	If a service charge is reduced, under section 6.40(2), and the service charge had already been paid by the owner, the owner may request and then the local government must pay the overpaid amount to the owner or,	Chief Executive Officer

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
	alternatively, the overpaid portion is credited against any future amounts payable. If the service charge was paid by the occupier, the local government must pay the overcharged portion to the person who paid it.	
<b>Subdivision 4 – Payment of rates and service charges</b>		
Section 6.49	A local government may make an agreement with a person to pay their rates and service charges.	Chief Executive Officer
Local Government (Financial Management) Regulations - Regulation 66(2)	If an instalment remains unpaid after the day on which the next instalment becomes due the local government may revoke the ratepayer's right to pay by instalments.	Chief Executive Officer
Section 6.56(1)	A local government may recover an unpaid rate or service charge and the cost of proceedings in court of competent jurisdiction.	Chief Executive Officer
Section 6.60(2)	A local government may 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 local government in satisfaction of the rate or service charge.	Chief Executive Officer
Section 6.60(4)	If a local government gives notice to a lessee, under section 6.60(2), and the lessee fails to pay rent to the local government, the local government may recover the rate or service charge as a debt from the lessee.	Chief Executive Officer
Section 6.61(1)	A local government may request an occupier, an agent or the person who receives the rent of a property, to give the name and address of the owner to the local government.	Chief Executive Officer
Section 6.64(1)	If any rates or service charges have remained unpaid for at least 3 years, a local government may take possession of the land and hold the land against a person having an estate or interest in the land, and may lease or sell the land or transfer it to the Crown or itself.	Chief Executive Officer

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
Section 6.64(3)	A local government may lodge a caveat in respect of any land for which rates and service charges are outstanding.	
Section 6.69(2)	A local government may accept payment of any outstanding rates or service charges on such terms and conditions as are agreed between the parties, up to the time of actual sale of the relevant land but not more than 7 days prior to same.	Chief Executive Officer
Section 6.71(1)	If a local government is unable to sell land under Part 6 Division 6 within 12 months, it may transfer the land to the Crown or itself.	Suitable for delegation to Chief Executive Officer
Section 6.74(1)	A local government may apply in the prescribed form to the Minister to have land revested in the Crown if it is rateable vacant land and rates or service charges in respect of it have remained unpaid for at least 3 years.	Suitable for delegation to Chief Executive Officer
Local Government (Financial Management) Regulations – Regulation 7(3)	A local government must consider any objections it receives in relation to a revestment under regulation 77.	Suitable for delegation to Chief Executive Officer
Section 6.76(5)	The local government must consider any objections to the rates record and may disallow or allow the objection either wholly or in part.	Chief Executive Officer
<b>Part 7 - Audit</b>		
<b>Division 1 - Introduction</b>		
Nil items in Division 1		
<b>Division 1A – Audit Committee</b>		
Nil items in Division 1A		
<b>Division 2 – Appointment of auditors</b>		
Section 7.6(2)(f)	A local government may terminate the appointment of an auditor by written notice.	Suitable for delegation to the Audit Committee (not currently delegated)

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
<b>Division 3 – Conduct of audit</b>		
Nil items in Division 3		
<b>Division 4 – General</b>		
Section 7.12A(2)	A local government must meet with its auditor at least once a year.	Delegated to the Audit and Risk Committee
Section 7.12A(3)	A local government is to examine the auditor's report, under section 7.9(1) and any report under section 7.9(3), and must determine if any matters raised by the report require action and ensure that appropriate action is taken.	Suitable for delegation to the Audit Committee (not currently delegated)
Section 7.12A(4)	A local government must prepare a report on any action taken in response to an auditor's or section 7.9(3) report, and provide it to the Minister.	Suitable for delegation to the Audit Committee (not currently delegated)
<b>Part 8 – Scrutiny of the Affairs of Local Governments</b>		
<b>Division 1 – Inquiries by the Minister or an authorised person</b>		
Section 8.14(3)	A local government must give the Minister advise of what it has done or will do to comply with an enquiry report from the Minister or a person authorised by the Minister, within 35 days of receiving the report.	Chief Executive Officer
<b>Division 2A – Council may be peremptorily suspended or required to undertake remedial action</b>		
Nil items in Division 2A		
<b>Division 2 – Inquiries by Inquiry Panels</b>		
Section 8.23(4)	A local government must give the Minister advice of what things it has done, or will do, to comply with an Inquiry Panel's report within 35 days of receiving the report, or give its comment on a recommendation to dismiss the Council.	Chief Executive Officer
<b>Division 3 – General provisions about suspension and dismissal of councils</b>		

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
Nil items in Division 3		
<b>Division 4 – Misapplication of funds and property</b>		
Nil items in Division 4		
<b>Part 9 – Miscellaneous Provisions</b>		
<b>Division 1 – Objections and review</b>		
Nil items in Division 1		
<b>Division 2 – Enforcement and legal proceedings</b>		
Section 9.10(1) and (2)	The local government may appoint persons or classes of persons to be authorised to perform certain functions and must issue them with a certificate stating they are authorised.	Chief Executive Officer
<b>Division 3 – Documents</b>		
Nil items in Division 3		
<b>Division 4 – Protection from liability</b>		
Nil items in Division 4		
<b>Division 5 – Associations of local government</b>		
Nil items in Division 5		
<b>Division 6 – Regulations, directions and orders</b>		
Section 9.63(1)	If a dispute has arisen between 2 or more local governments, a local government may refer the matter to the Minister to resolve.	Suitable for delegation to Chief Executive Officer
<b>Division 7 – Other miscellaneous provisions</b>		
Section 9.68(5)	A local government may recover accruing rates from a principal or agent who has failed to give a notice to the local government in accordance with section 9.68.	Chief Executive Officer
<b>Division 8 – Amendments to 1960 Act and transitional provisions</b>		
Nil items in Division 8		

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
<b>Nil Schedule 1</b>		
<b>Schedule 2.1 – Provisions about creating, changing the boundaries of, and abolishing districts</b>		
Clause 11(2)	Any local governments affected by an order made under clause 2.1 are to negotiate any adjustment or transfer between them of property, rights and liabilities.	Suitable for delegation to Chief Executive Officer
<b>Schedule 2.2 – Provisions about names, wards and representation</b>		
Clause 4(1)	A local government must consider any submissions made under clause 3.	Suitable for delegation to Chief Executive Officer
Clause 6	A local government must carry out a review of its ward boundaries and the number of councillors per ward every 8 years or as directed by the Advisory Board.	Suitable for delegation to Chief Executive Officer
Clause 8	The council must have regard to community of interests, physical and topographical features, demographic trends, economic factors and the ratio of councillors to electors in respect of considerations about wards.	Suitable for delegation to a 5.9(2)(a) committee (not currently delegated).
Clause 9	When a ward review is complete, the local government must prepare a report for the Advisory Board and may propose the making of an order under clauses 2.2(1), 2.3(3) or 2.18(3).	Suitable for delegation to a 5.9(2)(a) committee (not currently delegated).
<b>Schedule 2.3 – When and how mayors, presidents, deputy mayors and deputy presidents are elected by council</b>		
Nil items in Schedule 2.3		
<b>Schedule 2.4 – Provisions about Commissioners</b>		
Nil items in Schedule 2.4		
<b>Schedule 2.5 – Provisions about the Local Government Advisory Board</b>		
Nil items in Schedule 2.5		
<b>Schedule 3.1 – Powers under notices to owners or occupiers of land</b>		
<i>Local Government (Uniform Local</i>	A person who is the owner or occupier of land must, when requested by the Local Government to do so, remove any thing that – a. Has fallen from the land, or from anything on the land; and	Chief Executive Officer

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
<i>Provisions)</i> <i>Regulations 1996 – Regulation 7A</i>	b. Is obstructing a public thoroughfare.	
<b>Schedule 3.2 – Particular things local governments can do on land even through it is not local government property</b>		
Nil items in Schedule 3.2		
<b>Schedule 4.1 – How to conduct votes and ascertain the result of an election</b>		
Nil items in Schedule 4.1		
<b>Schedule 5.1 – Provisions about standards panels</b>		
Nil items in Schedule 5.1		
<b>Schedule 6.1 – Provisions relating to the phasing in of valuations</b>		
Nil items in Schedule 6.1		
<b>Schedule 6.2 – Provisions relating to lease of land where rates or service charges unpaid</b>		
Clause 1(1)	A local government may lease the land with any conditions for a term that does not exceed 7 years.	Suitable for delegation to Chief Executive Officer
<b>Schedule 6.3 – Provisions relating to sale or transfer of land where rates or service charges unpaid</b>		
Clause 1(4)	The local government must appoint a time at which the land may be offered for sale by public auction, not less than 3 months and not more than 12 months from the service of the notice under clauses 1(1) or 1(2).	Suitable for delegation to Chief Executive Officer
Clause 4(1)	A local government may transfer or convey to the purchaser of the land an indefeasible estate in fee simple.	Chief Executive Officer subject to 5.43(d), up to an amount resolved by Council.
Clause 7(2)	If the land has not been sold within 12 months, the local government may begin the process again in accordance with this Schedule.	Chief Executive Officer
<b>Nil Schedule 7</b>		

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
<b>Schedule 8.1 – Provisions about Inquiry Panels</b>		
Nil items in Schedule 8.1		
<b>Schedule 9.1 – Certain matter for which Governor may make regulations</b>		
Nil items in Schedule 9.1		
<b>Nil Schedule 9.2</b>		
<b>Schedule 9.3 – Transitional provisions</b>		
Nil items in Schedule 9.3		

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## 2. Delegations under the *Local Government (Uniform Local Provisions) Regulations 1996*

Authority to delegate: Sections 5.42 and 5.44 of the *Local Government Act 1995*.

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
Local Government (Uniform Local Provisions) Regulations 1996 - Regulation 5(2)	Serve written notice 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: (a) prevent damage to the footpath; or (b) prevent inconvenience to the public or danger from falling materials.	Chief Executive Officer
Local Government (Uniform Local Provisions) Regulations 1996 - Regulation 6(3)	Grant permission under this regulation to place on a specified part of public thoroughfare one or more specified things that may obstruct the public thoroughfare: (a) in writing; and (b) must specify the period for which it is granted; and (c) must specify each condition imposed under subregulation (4); and (d) may be renewed from time to time; and may be cancelled by giving written notice to the person to whom the permission was granted.	Chief Executive Officer
Local Government (Uniform Local Provisions) Regulations 1996 - Regulation 6(4)	Impose such conditions as it thinks fit on granting permission under this regulation including, but not limited to, any of the following: (a) conditions relating to the erection of hoardings, fences, (b) walkways or other structures for the protection of the public thoroughfare or public safety (protective structures);	Chief Executive Officer

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
	<p>(c) conditions about the placement of things in the public thoroughfare including conditions about the depositing of building materials or waste, or storage or other facilities in the public thoroughfare;</p> <p>(d) a condition imposing a charge for any damage to the public thoroughfare resulting from the placement of a thing on the public thoroughfare;</p> <p>a condition requiring the applicant to deposit with the local government a sum sufficient in the opinion of the Chief Executive Officer of the local government to cover the cost of repairing damage to the public thoroughfare resulting from the placement of a thing or a protective structure, on the basis that the local government may retain from that sum the amount required for the cost of repairs by the local government if the damage is not made good by the applicant.</p>	
Local Government (Uniform Local Provisions) Regulations 1996 - Regulation 6(6)	When renewing permission granted under this regulation or at any other time, vary any condition imposed by it under subregulation (4) and the variation takes effect when written notice of it is given to the person to whom the permission was granted.	Chief Executive Officer
Local Government (Uniform Local Provisions) Regulations 1996 - Regulation 6(8)	Charge a person granted permission under this regulation a fee of not more than \$1.00 for each month or part of a month for each m <sup>2</sup> of public thoroughfare that is enclosed by a hoarding or fence in accordance with the permission.	Chief Executive Officer

**3. Delegations under the Food Act 2008**

Authority to delegate: Section 118 of the *Food Act 2008*.

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
Food Act 2008 Section 122 (1)	An enforcement agency may appoint a person to be an authorised officer for the purposes of this Act.	Chief Executive Officer

**4. Delegations under the Dog Act 1976**

Authority to delegate: *Section 10AA of the Dog Act 1976*

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
Dog Act 1976	All powers under the <i>Dog Act 1976</i> .	Chief Executive Officer

**5. Delegations under the *Cat Act 2011***

Authority to delegate: Section 44 of the *Cat Act 2011*

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
Cat Act 2011	All powers under the <i>Cat Act 2011</i> .	Chief Executive Officer

**6. Delegations under the Graffiti Vandalism Act 2016**

Authority to delegate: Section 16 of the Graffiti Vandalism Act 2016

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
Graffiti Vandalism Act 2016	All powers under the Graffiti Vandalism Act 2016.	Chief Executive Officer

**7. Delegations under the Public Health Act 2016**

Authority to delegate: Section 21 of the Public Health Act 2016

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
Public Health Act 2016	All powers under the Public Health Act 2016	Chief Executive Officer

**8. Delegations under the Bush Fire Act 1954**

Authority to delegate: Section 48 of the Bush Fire Act 1954

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
Bush Fires Act 1954	All powers under the Bush Fire Act 1954	Chief Executive Officer

## 9. Delegations under the City of Nedlands Local Planning Scheme 3

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
<p>Planning and Development (Local Planning Schemes) Regulations 2015, regulation 82.</p> <p>City of Nedlands Local Planning Scheme No 3 and the Planning and Development Act 2005</p> <p>Clause 68 of Schedule 2 of the Planning and Development (Local Planning Schemes Regulations 2015)</p>	<p>The local government may, by resolution, delegate to a committee or to the local government CEO the exercise of any of the local government's powers or the discharge of any of the local government's duties under this Scheme other than this power of delegation.</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><b>Determination of applications</b> under Clause 68 of Schedule 2 of the Planning and Development (Local Planning Schemes Regulations 2015)</p> <p>The Council may either generally, or in a particular case by resolution delegated to a Committee of the Council or an officer of the Council, the authority to deal with an application for planning approval made under this Scheme.</p>	<p><b>Chief Executive Officer</b></p> <p><b>Except for where the following applies:</b></p> <ul 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> </ul>

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
		<p>d) Where objections are received (more than 2) relating to car parking requirements for non-residential applications.</p> <p>e) Where more than one (1) objection is received for Home Business or Short-term accommodation application;</p> <p>f) Where objections are received (more than 2) and the objection relates to a Design Principals or Element Objectives assessment relating to the R Codes.</p> <p>Chief Executive Officer, except for the following:</p>
<p>Planning and Development (Local Planning Schemes) Regulations 2015</p>	<p><b>Advertising of applications</b> 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.</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>Chief Executive Officer</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>

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
Planning and Development (Local Planning Schemes) Regulations 2015	<b>Amending or Cancelling a development approval, including waiving or varying a requirement</b> 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.	Chief Executive Officer The requirement and extent of advertising to be in accordance with the City's adopted Local Planning Policy Consultation of Planning Proposals.
Planning and Development (Local Planning Schemes) Regulations 2015	<b>Determining accompanying material requirements</b>  For applications for development approval, including refusal to accept an application, under Clauses 11, 63 and 85 of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015.	Chief Executive Officer
City of Nedlands Local Planning Scheme No.3 and or Metropolitan Region Scheme	<b>Discretion and determining conditions</b>  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.	Chief Executive Officer 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.
Planning and Development (Local Planning Schemes) Regulations 2015	<b>Rights of Entry and Inspection</b>  In accordance with Clause 82 and 83 of Planning and Development (Local Planning Schemes) Regulations 2015.	Chief Executive Officer Written or verbal notice being provided to the landowner wherever possible prior to entry.

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
	Entry and inspection of land within the Scheme Area for the purpose of assessment and monitoring, pursuant to Clause 79(1) and 2(a) and (b) of the Planning and Development (Local Planning Schemes) Regulations 2015.	

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## 10. Delegations under the Planning and Development Act 2005

Authority to delegate: Planning and Development Act 2005 – Part 10

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
Planning and Development Act 2005 – Part 10	Referrals to WAPC in respect of applications for subdivision (including amalgamations and boundary re-alignments) and/or strata subdivision approval is required to be determined by the Commission.	Chief Executive Officer
Planning and Development Act 2005 – Part 10	Clearance of conditions of subdivision (including amalgamations and boundary re-alignments), strata subdivision or amalgamation approval where the local government is identified as the responsible agency in the WAPC preliminary approval advice.	Chief Executive Officer
Planning and Development Act 2005 – Section 214(3)(4) and (5)	<p><b>Unauthorised Development – Directions</b>            The responsible authority may give written directions regarding unauthorised development.</p> <p>Issuance of written direction to stop unauthorise development Planning and Development Act 2005 s214(2)</p> <p>Issuance of written direction to require the unauthorised development to be brought into compliance by removing, pulling down, taking up or altering the unauthorised development and by restoring the land to how it was prior to the development [P&amp;D s214(3)]</p> <p>Execute work to have unauthorised development brought into compliance [P&amp;D s214(5)]</p>	Chief Executive Officer

**11. Delegations under the Heritage of Western Australia Act 1990**

Authority to delegate: Heritage of Western Australia Act 1990 – Section 23(4)

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
Heritage of Western Australia Act 1990 – Section 23(4)	Participation where appropriate with the Heritage Council, where it is to consider giving advice to the Minister for Heritage with respect to 'interim' and 'permanent' entry of a place on the State Register of Heritage Places'.	Chief Executive Officer with the exception of the following:  Does not apply where a formal request is made for a response from council regarding proposals for the entry of a place or places onto the State register of Heritage Places on an interim or permanent basis.

**12. Delegations under the Metropolitan Region Scheme**

Authority to delegate: Metropolitan Region Scheme – DEL 2011/02 – Government Gazette No. 248, 23 December 2011

WAPC Ref: RES 2015/01  
DEL 2017/02

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
Clause 29(3)	Forwarding an application to the Commission	Chief Executive Officer
Clause 30	Exercising powers under the Planning & Development Act 2005 delegated by the WAPC to: <ul style="list-style-type: none"> <li>- Determine applications;</li> <li>- Revoke applications; and</li> <li>- Limit time of approval.</li> </ul>	Chief Executive Officer with the exception of:  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. And When the property is within an area subject to clause 32 of the Metropolitan Region Scheme.
Clause 30A	Provide recommendation and forward to the Commission.	Chief Executive Officer
Clause 31	Issue of decision in the form set out in Form 2 to this scheme: An application is deemed to be refused if a decision is not conveyed within 60 days of receipt of application.	Chief Executive Officer

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
Metropolitan Region Scheme or the Planning and Development Act, 2005	Respond to the Western Australian Planning Commission, or authorities given delegation by the Minister for Planning, on applications made under the Metropolitan Region Scheme or the <i>Planning and Development Act, 2005</i>	Chief Executive Officer
Clause 32	Forward an application to the Commission and provide recommendation.	Chief Executive Officer

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**13. Delegations under the *Strata Titles Act 1985***

Authority to delegate: DEL 2009/03, Government Gazette no. 98, 9 June 2009

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
Section 24	The local government may make a preliminary determination that the plans and specifications are of sufficient standard to be brought under this Act as a building in a strata scheme.	Chief Executive Officer
Section 25 Clause 1 Schedule 1	<p>Power to determine applications for the issuing of a certificate of approval for a plan of subdivision, re-subdivision or consolidation, except those applications that:</p> <ul style="list-style-type: none"> <li>a) propose the creation of a vacant lot;</li> <li>b) propose vacant air stratas in multi-tiered strata scheme developments;</li> <li>c) in the opinion of the WAPC as notified to the relevant local government in writing, or in the opinion of the relevant local government as notified to the WAPC in writing, relate to: <ul style="list-style-type: none"> <li>i. a type of development; and/or</li> </ul> </li> </ul> <p>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.</p>	<p>Chief Executive Officer on the condition that:</p> <p>A local government that exercises the power referred to in clause 1 is to provide the WAPC with data on all applications determined under this Instrument of Delegation at the conclusion of each financial year in the format prescribed by the WAPC.</p>

**14. Delegations under the *Liquor Control Act 1988***

Authority to delegate: Part 3 – Section 40

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
Section 40	Issue certificates as to whether the use of premises complies with local planning laws.	Chief Executive Officer

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## 15. Delegations to respond to external organisations

Authority to respond to external organisations

WAPC Ref: DEL2009/02

DEL2011/04

DEL2017/02

DEL2017/03

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
State Administrative Tribunal Act Section 31	<b>Delegation to respond to external organisations</b> Authority to respond to external organisations  Respond to the State Administrative Tribunal on applications for review of planning decisions including consideration of referrals under s31 the State Administrative Tribunal Act 2004;	Chief Executive Officer Consideration of referrals under section 31 of the State Administrative Tribunal Act 2004 where Council has determined the application.
	Respond to the Swan River Trust on planning applications made under the Swan and Canning Rivers Management Act 2006	Chief Executive Officer
	Respond to requests from public agencies on issues requiring or inviting comment by the City with regard to local, metropolitan, regional and/or strategic planning matters.	Chief Executive Officer
Planning and Development (Development Assessment)	Respond to the Department of Planning Lands and Heritage on planning applications submitted in accordance with the Planning and Development (Development Assessment Panels) Regulations 2011	Chief Executive Officer JDAP applications are to be referred to Council for their comment prior to the submission of the Responsible Authority Report (RAR)

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
Panels Regulations 2011		
	Provide recommendation and to the Department of Planning Lands and Heritage on development applications submitted in accordance with the Shenton Park Improvement Scheme.	Chief Executive Officer
	Provide recommendation to the Department of Communities (Housing Authority) on development applications submitted to the City.	Chief Executive Officer
	Respond to the Department of Treasury and finance for development application referrals.	Chief Executive Officer

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**16. Delegations under the Building Act 2011**

Authority to delegate: Section 127 of the Building Act 2011

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
Section 127	All powers under the Building Act 2011	Chief Executive Officer

**17. Delegations under the Building Regulations 2012**

Authority to delegate: Section 127 of the Building Act 2011

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
Building Act 2011	All powers under the Building Regulations 2012	Chief Executive Officer

## 18. Delegations from the Chief Executive Officer to other staff members

## 18.1 Local Government Act 1995 and Regulations

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
Section 3.25(1)	A local government may give an occupier a notice requiring them to do something to the land if it is specified in Schedule 3.1. The local government must also inform the owner if the occupier is not the owner	Director Planning & Development Director Technical Services
Section 3.50(1)	A local government may close any thoroughfare that it manages to the passage of vehicles, wholly or partially, for a period not exceeding 4 weeks.	Director Technical Services
Section 3.57(1)	A local government must invite tenders before it enters into a contract for goods or services with a value of \$100,000 or more (Functions and General Regulation 11)	Director Planning & Development Director Technical Services Director Corporate & Strategy
Local Government (Functions and General) Regulations - Regulation 14(2a)	Where a local government is inviting tenders, the local government must determine in writing the criteria for accepting tenders	Director Planning & Development Director Technical Services Director Corporate & Strategy
Local Government (Functions and General) Regulations, reg.21(1)	A local government may seek expressions of interest before entering the tender process	Director Planning & Development Director Technical Services Director Corporate & Strategy

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
Section 6.12(1)(c)	A local government may write off any amount of money that is owed to the local government (subject to section 6.12(2))	Director Planning & Development Only delegated to: <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> </ol>
Section 6.14(1)	A local government may invest money in its municipal or trust funds that is not being used, in accordance with Part III of the <i>Trustees Act 1962</i>	Director Corporate & Strategy
Section 6.56(1)	A local government may recover an unpaid rate or service charge and the cost of proceedings in court of competent jurisdiction	Director Corporate & Strategy
Section 6.60(2)	A local government may 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 local government in satisfaction of the rate or service charge	Director Corporate & Strategy

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
Section 6.60(3)	If a local government gives notice to a lessee, under section 6.60(2), the local government must give a copy of the notice to the lessor	Director Corporate & Strategy
Section 6.60(4)	If a local government gives notice to a lessee, under section 6.60(2), and the lessee fails to pay rent to the local government, the local government may recover the rate or service charge as a debt from the lessee	Director Corporate & Strategy

## 18.2 Food Act 2008

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
Section 119	The CEO, after consultation with an enforcement agency (other than the CEO), may, in writing, impose conditions or limitations on the performance of functions under this Act by the enforcement agency	Director Planning & Development

## 18.3 Freedom of Information Act 1992

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
Sections 13, 15, 17, 18, 20, 23, 24, 25, 26, 27, 28, 30, 31, 41, 47, 48, 50 and 54	To make decisions and coordinate applications.	Manager Health & Compliance
Sections 20, 23, 24, 25, 30, 31, 41, 43, 48, 50 and 54	To make decisions.	Director Corporate & Strategy Director Technical Services Director Planning & Development Manager Health & Compliance

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## 18.4 Planning and Building Acts and Regulations

Legislation to be delegated	Description of delegation	Conditions and duration (indefinite unless otherwise specified)
Planning and Building Acts and Regulations	Where delegation to the CEO exists under the: <ul style="list-style-type: none"> <li>- Local Planning Scheme No. 3;</li> <li>- Planning and Development Act 2005;</li> <li>- Planning and Development (Local Planning Schemes) Regulations 2015;</li> <li>- Heritage of Western Australia Act 1990;</li> <li>- Metropolitan Region Scheme;</li> <li>- Strata Titles Act 1985;</li> <li>- Liquor Control Act 1988; and</li> <li>- Responding to external organisations.</li> </ul>	Director Planning and Development Manager Urban Planning Principal Planner (Urban Planning) Senior Urban Planner (Statutory)
Planning and Building Acts and Regulations	Where delegation to the CEO exists under the: <ul style="list-style-type: none"> <li>- Building Act 2011; and</li> <li>- Building Regulations 2012.</li> </ul>	Manager Building Services Senior Building Surveyor With the exception of: Section 59 and Section 99(3) of the Act; and Reg 132(3) of the Regulations.

**18.5 Dog Act 1976**

<b>Legislation to be delegated</b>	<b>Description of delegation</b>	<b>Conditions and duration (indefinite unless otherwise specified)</b>
Dog Act 1976	Where delegation to the CEO exists under the Dog Act 1976 Section 44 Enforcement proceedings 2(b).	Director Planning & Development

**18.6 Delegations from the Chief Executive Officer to other staff members in acting positions**

<b>Legislation to be delegated</b>	<b>Description of delegation</b>	<b>Conditions and duration (indefinite unless otherwise specified)</b>
All subdelegations	All subdelegations apply to all acting positions for periods of appointment in the acting position.	Director Planning & Development Director Corporate & Strategy Director Technical Services Manager Urban Planning Principal Planner (Urban Planning) Senior Urban Planner (Statutory) Manager Building Services Senior Building Surveyor Manager Health & Compliance

<b>Document Version Control</b>	
Responsible Department	Office of the Chief Executive Officer
Responsible Officer	Chief Executive Officer
<b>Document Control</b>	
Document Status Date	Adopted by Council (insert date)
Distribution	Public Document

<b>Review History</b>		
Version	Version Description	Date of Resolution

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## 13.7 Council Policies

<b>Council</b>	17 December 2019
<b>Applicant</b>	City of Nedlands
<b>Employee Disclosure under section 5.70 Local Government Act 1995</b>	Nil.
<b>CEO</b>	Mark Goodlet
<b>Attachments</b>	<ol style="list-style-type: none"> <li>1. Payments to Employees in Addition to Contract or Award Council Policy - Existing</li> <li>2. Disposal and Acquisition to Contract or Award Council Policy - Existing</li> <li>3. Fireworks in the City Council Policy - Existing</li> <li>4. Debt Recovery Council Policy - Existing</li> <li>5. Investment of Council Funds Council Policy - Existing</li> <li>6. Demolition and Disposal Council Policy - Existing</li> <li>7. Freeman of the City Policy- Existing</li> <li>8. Greenways Policy – Council Existing</li> <li>9. Bee Keeping Policy – Council Existing</li> <li>10. Natural Areas Management Council Policy – New</li> <li>11. Debt Recovery Procedure</li> <li>12. Freeman of the City Procedure</li> <li>13. Greenways Procedure</li> </ol>

**Regulation 11(da) – Council agreed further discussion on the Disposal and Acquisition of Land Council Policy and new Natural Areas Management Policy was needed.**

Moved – Councillor Horley  
Seconded – Councillor Smyth

**That the Recommendation to Council be adopted subject to the removal of 1 b. Disposal and Acquisition of Land Council Policy and item 2 new Natural Areas Management Council Policy to be referred to the Council Strategy Day on 22 February 2020 or a future Councillor Briefing.**

**CARRIED UNANIMOUSLY 11/-**

### **Council Resolution**

#### **Council:**

- 1. adopts the following updated policies;**
  - a. Payments to Employees in Addition to Contract or Award;**
  - b. Fireworks in the City;**
  - c. Debt Recovery;**
  - d. Investment of Council Funds;**
  - e. Demolition and Disposal of Materials;**

- f. **Freemen of the City;**
  - g. **Greenways; and**
  - h. **Bee Keeping;**
2. **requests the Chief Executive Officer investigate and report to Council on options to accelerate improvement of the Hollywood Nature Reserve;**
3. **notes the following procedures:**
  - a. **Debt Recovery Procedure;**
  - b. **Freemen of the City Procedure; and**
  - c. **Greenways Procedure; and**
4. **Refers the Disposal and Acquisition of Land Council Policy and new Natural Areas Management Council Policy to Council Strategy Day on 22 February 2020 or a future Councillor Briefing.**

Recommendation to Council

Council:

1. adopts the following updated policies;
  - a. Payments to Employees in Addition to Contract or Award;
  - b. Disposal and Acquisition of Land;
  - c. Fireworks in the City;
  - d. Debt Recovery;
  - e. Investment of Council Funds;
  - f. Demolition and Disposal of Materials;
  - g. Freemen of the City;
  - h. Greenways; and
  - i. Bee Keeping;
2. adopts the new Natural Areas Management Council Policy;
3. requests the Chief Executive Officer investigate and report to Council on options to accelerate improvement of the Hollywood Nature Reserve; and
4. notes the following procedures:
  - a. Debt Recovery Procedure;
  - b. Freemen of the City Procedure; and
  - c. Greenways Procedure.

## **Executive Summary**

All Council policies are required to be reviewed regularly and approved by Council. This report contains policies that have been reviewed and require formal Council adoption with the addition of one new Council Policy for adoption – Natural Areas Management Council Policy.

## **Discussion/Overview**

Council policies are reviewed periodically to ensure they reflect the strategic direction and responsibilities of Council and are kept up to date.

The procedure for policy reviews is as follows:

- Policies will be reviewed and updated by staff with any amendments due to changes in any Legislation, Local Laws, Regulations etc. and recommendations made to the Executive Management Team;
- Staff recommendations are reviewed by the Executive Management Team and amended as required and recommendations made to Council;
- Where there are major amendments to existing policies these policies are then presented at a Councillor Briefing for discussion prior to presentation to Council;
- Where a number of policies have common themes, these policies may be combined to establish a new policy. Redundant and old policies will be revoked where they are substantially changed, and a new replacement policy will be presented at a Councillor Briefing for discussion prior to presentation to Council; and
- Administration may at times recommend a policy be revoked with no Council Policy to replace it. This may occur when it has been identified that the policy is operational or covered under legislation and/or the responsibility of the Chief Executive Officer.

Policy statements should provide guidance for decision-making by Council and demonstrate the transparency of the decision-making process.

## **Payments to Employees in Addition to Contract or Award Council Policy**

This policy was reviewed as required and it is recommended that the Payments to Employees in Addition to Contract or Award Council Policy (attachment 1) be approved with the following minor changes:

- removal of KFA (Key Focus Area) – Governance and Civic Leadership which was referenced in our previous Strategic Community Plan but is no longer referenced in our current Strategic Community Plan.

- Increase in gift from \$150 to \$200, to longest servicing staff at 20, 30 and 40 years;
- Inclusion of gift up to \$120 value for delivered flowers where there is a death or birth in the immediate family.

The Local Government Act section 5.50 requires a local government to prepare this policy where an employee is finishing their employment with the City.

A similar policy is required for elected members and in this circumstance the maximum gift value is \$100 per year. The City's policy position is \$50 per year of service for elected members.

### **Disposal and Acquisition of Land Council Policy**

This policy was reviewed as required and it is recommended that the Disposal and Acquisition of Land Council Policy (attachment 2) be adopted with the following changes (as tracked in attachment 2):

- removal of KFA (Key Focus Area) – Governance and Civic Leadership which was referenced in our previous Strategic Community Plan but is no longer referenced in our current Strategic Community Plan;
- Modifications in red proposed to acknowledge free hold land value and the opportunities this brings; and
- Modifications in blue following Councillor Briefing on 10 December 2019 relating to acknowledge Community benefit from City land ownership.

### **Fireworks in the City Council Policy**

This Policy was reviewed as required and it is recommended that the Fireworks in the City Council Policy (attachment 3) be adopted with one minor change (as tracked in attachment 3) being the removal of KFA (Key Focus Area) – Community Development which was referenced in our previous Strategic Community Plan but is no longer referenced in our current Strategic Community Plan.

### **Debt Recovery Council Policy**

This policy was reviewed as required and no changes are proposed therefore it is recommended that the Debt Recovery Council Policy (attachment 4) be adopted.

### **Investment of Council Funds Council Policy**

This policy was reviewed as required and it is recommended that the Investment of Council Funds Council Policy (attachment 5) be adopted with the changes (as tracked in attachment 5) for the following reasons:

- Changing the name of the policy to Investment of Operating Cash to better reflect the purpose of the policy.

- removal of KFA (Key Focus Area) – Governance and Civic Leadership which was referenced in our previous Strategic Community Plan but is no longer referenced in our current Strategic Community Plan.
- Investment in Term Deposits shall not be fixed longer than 36 months rather than 12 months to bring this policy in line with the updated Financial Management Regulations 1996.

### **Demolition and Disposal of Materials Council Policy**

This policy was reviewed as required and it is recommended that the Demolition and Disposal of Materials Council Policy (attachment 6) be adopted with the changes (as tracked in attachment 6) to bring the policy up to date with legislation and regulations.

The removal of KFA (Key Focus Area) – Natural and Built Environment which was referenced in our previous Strategic Community Plan but is no longer referenced in our current Strategic Community Plan.

### **Freemen of the City Council Policy**

This Policy was reviewed as required and it is recommended that the Freemen of the City Council Policy (attachment 7) be adopted with one minor change (as tracked in attachment 7) being the removal of KFA (Key Focus Area) – Community Development which was referenced in our previous Strategic Community Plan but is no longer referenced in our current Strategic Community Plan.

### **Greenways Council Policy**

This Policy was reviewed as required and it is recommended that the Greenways Council Policy (attachment 8) be adopted with minor changes (as tracked in attachment 8) being:

- the removal of KFA (Key Focus Area) – Natural and Built Environment which was referenced in our previous Strategic Community Plan but is no longer referenced in our current Strategic Community Plan;
- Addition of the golf clubs; and
- Updating of maps.

### **Bee Keeping Council Policy**

This Policy was reviewed as required and it is recommended that the Bee Keeping Council Policy (attachment 9) be adopted with changes (as tracked in attachment 9) to bring it line with the updated Health Local Law 2017 and the removal of KFA (Key Focus Area) – Community Development which was referenced in our previous Strategic Community Plan but is no longer referenced in our current Strategic Community Plan.

### **Natural Areas Management Council Policy**

This is a new policy which provides Council's overall direction and position statement in relation to care of its natural areas. It informs the operational management plans.

While this policy provides the overall direction for natural bushland, it has been observed that Hollywood Nature Reserve in particular, has bushland restoration issues. It is recommended that further investigation of the potential options to accelerate restoration of this parcel of bush land be undertaken and presented to Council.

### **Key Relevant Previous Council Decisions**

Nil.

### **Consultation**

Policies were discussed at Councillor Briefing on 10 December 2019 prior to presentation to Council.

### **Budget/Financial Implications**

Nil.

## Payments to Employees in Addition to Contract or Award

~~KFA~~ ~~— Governance and Civic Leadership~~

**Status** Council

**Responsible division** Corporate and Strategy

**Objective** This policy is to set the broad framework for payments to employees in addition to contract or award.

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### Statement

#### Recognition of Service – Retirement or Resignation

Upon retirement or resignation of a staff member, the appropriate Division will organise a City funded morning tea and if the employee has more than 12 months' service, a gift.

The value of the gift should be calculated at \$10 per year of service. The gift must not be in the form of a cash or cheque payment but may include a gift voucher or a direct payment to a retailer.

A gift may not be given if the employee has been recognised for long and continuous employment.

#### Recognition of Service – Long and Continuous Employment

Recognition will be given after the completion of 5, 10, 15, 20, 30 and 40 years of continuous service.

At the time of being recognised, an employee must be in active service on their anniversary date (staff on leave of absence will receive recognition upon return to active employment).

Recognition will be given at a City funded morning tea (or similar) organised by the relevant division.

If a staff member is eligible for a gift, then the gift must not be in the form of a cash payment or cheque, but a gift voucher may be given, or a payment made directly to a retailer.

After 5, 10, 15, 20, 30 and 40 years of continuous service, the staff member will be recognised with a gift, the value of which shall be calculated at the following rates:

- 5 years service - \$50
- 10 years service - \$100
- 15 years service - \$150
- 20 years service - \$200 + dinner for two to a maximum of ~~\$200~~<sup>\$450</sup>.
- 30 years - \$300 + dinner for two to a maximum of ~~\$200~~<sup>\$450</sup>
- 40 years - \$400 + dinner for two to a maximum of ~~\$200~~<sup>\$450</sup>.

### Recognition of Extraordinary Service

Where it is believed that the service of any retiring or terminating employee has been extraordinary, then a recommendation by the CEO for the payment of a gratuity may be made to Council.

### Payment on Compassionate Grounds

The CEO is authorised to provide flowers and a card to staff to the value of up to \$120 in the follow circumstances:

- Death of an immediate family member; or
- Birth of a child.

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### Link to administration protocol

Payment to Employees in Addition to Contract or Award

### Related documentation

Nil.

### Related Local Law/legislation

Section 5.50 of the *Local Government Act 1995*

### Related delegation

Nil.

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### Review History

22 October 2013 (Report CPS33.13)  
27 November 2012 (Report CPS48.12)





## Disposal and Acquisition of Land

**KFA** Governance and Civic Leadership

**Status** Council

**Responsible Division** Chief Executive Officer Planning & Development Services

**Objective** The objectives of this policy are to ensure the City of Nedlands has open and accountable processes to consider the disposal and acquisition of land assets.

### Context

Under this policy land is defined as physical land assets and includes land as a physical entity, property under s3.58 of the Local Government Act 1995 buildings, structures, improvements to land, land covered by water, strata lot, community title, or unit.

Land also includes a legal estate or interest in land such as a leasehold estate. However, this Policy does not cover easements or rights of way, road reserves or recreational reserves.

When considering options for the disposal or acquisition of land, Council will look for opportunities to advance the objectives of its Strategic Plan for the Future.

The process for the disposal of land assets is set out in the *Local Government Act* and *Local Government (Functions and General) Regulations 1996* to ensure fairness and transparency to achieve the best outcome and price.

### Statement

This policy outlines the decision-making process for the disposal or acquisition of land. In order to maintain its land asset base, Council's preference is for the proceeds of the disposal sale of land to be used to acquire other land for its own operational use, for income producing purposes or for capital investment.

### Disposal of Freehold Land

Council recognizes that its freehold land holdings are a community benefit and a form of wealth investment. In addition to considering community benefits of holding

**Commented [MG1]:** As per the LG Act. Plan for the Future is two documents- Strategic Community Plan the Corporate Business Plan.

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**Commented [MG2]:** Recognises the community benefit provided through its land holdings.

freehold land, Council will aim to maximise the revenue and wealth generation opportunities of its land wealth by:

- Assessing the return on investment of its freehold land in comparison to other investments;
- Locating its non-revenue generating built assets on Crown reserve land so as not to tie up community wealth; and
- Investigating opportunities to add value to freehold land by development of that land for commercial purposes.

**Commented [MG3]:** Recognises Council's ability to use land to help keep rates low.

Land zoned as freehold land that is surplus to the City's requirements can be sold or otherwise disposed in accordance with the Act, as considered and determined by Council.

#### **Disposal of Leasehold or Licenced Interests**

##### Community Purpose

Where Council has an interest in land and/or premises, which are leased or licensed for community purposes, the lease or licence may be renewed to the existing lessee or licensee subject to the terms of Council's Use of Council Facilities for Community Purposes Policy ~~Lease and Licence Policy~~.

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**Commented [MG4]:** Correct Policy Named.

Where land and/or premises are vacant, and Council proposes to lease or licence the land and/or premises for community purposes, then the provisions of Council's Use of Council Facilities for Community Purposes ~~Lease and Licensing~~ Policy will be followed.

##### Commercial Purpose

Council recognises that it has the potential to generate income for the community through commercial lease of reserve land in appropriate circumstances.

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Where Council has an interest in land and/or premises, which are leased or licensed for commercial purposes, the lease or licence may be renewed to the existing lessee or licensee subject to the terms of any extension permitted in the lease or licence, provided the lessee or licensee is not in major breach of terms of the lease or licence.

Where land and/or premises are vacant, and Council proposes to lease or licence the land and/or premises for commercial purposes, then the matter must be considered and determined by Council.

**Commented [MG5]:** New item added to deal with commercial tenancies.

#### **Disposal / Retention Criteria**

The following criteria will be used to assess whether Council should retain or dispose of a land asset including owned and leasehold interests:

- Relationship to service requirements and relevant strategic drivers
- Current use / utilisation and its community benefit
- Cultural or historical significance
- Level of community ownership
- Alternate future community use
- Alternate future use/s, including capital and operating income potentials
- Development potential
- Annual cost of maintenance
- Immediate location to a similar facility
- Duplication of the facility
- Benefit / Risk Analysis
- Current maintenance service level of area
- Current state of property
- Current market value
- Anti-social behaviour on the property
- Potential political consequence
- Potential future use to adjacent properties
- Area of land concerned
- Open Space Plan requirements
- Covenants on the property
- How the property was acquired
- Restrictions on disposal

**Commented [MG6]:** List re-ordered to show community use considerations at top, alternative considerations next and other considerations following. Added comments regarding community benefit and income benefits.

Where it is found that a land asset should be disposed of or in any other way removed from general public usage, excluding the lease and licencing provisions above, the process will be governed by the requirements of Council's Community Land Management Plans considered and determined by Council in all instances.

**Commented [MG7]:** Masterplanning has superceded Land Management Plans mostly. It is intended that Council considers and determines all these matters.

### Acquisition of Land

Council may require land for future operations or the provision of services.

The following guidelines provide the basis for preparing a business case for any proposed acquisition. The items are listed in order of importance:

- Has defined service level been set in accordance with the requirements of Council's Strategic Plan Plan for the Future and the Long Term Financial Plan;

**Commented [MG8]:** Captures the relevant documents and aligns with LG Act terminology.



- ~~• Does the acquisition support the requirements of Council's Strategic Recreation Plan;~~
- ~~• Are other sources of funds available / Have other sources of funds been examined for joint funding initiatives; and~~
- ~~• Have other service delivery models been explored.~~

In addition to the guidelines above, where an acquisition of land is for recreation purposes the following additional guidelines shall be considered:

- ~~• Does the acquisition support the requirements of Council's Strategic Recreation Plan; and~~
- Are sufficient funds available within Council's Open Space Reserve Fund applicable Reserves / ~~Annual Budget or Long-Term Financial Plan;~~
- ~~• Are other sources of funds available / Have other sources of funds been examined for joint funding initiatives; and~~
- ~~• Have other service delivery models been explored.~~

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Commented [MG9]: Reserve names have changed.

Commented [MG10]: Already considered above.

#### Related Documentation

Nil

#### Related Local Law / Legislation

Local Government Act 1995, s3.58 Disposing of property  
 Local Government (Functions and General) Regulations 1996, regs 30 and 31.  
 Transfer of Land Act 1893  
 Strata Titles Act 1985

#### Related Delegation

Nil

#### Review History

10 December 2013 (Report CPS40.13)  
 27 July 2010 (Report CM15.10)

## Fireworks in the City

~~KFA~~ ~~Community Development~~

**Status** Council

**Responsible Division** Community Development

**Objective** To establish standards for fireworks displays.

---

### Context

The Department of Mines and Petroleum is responsible for the statutory approval of fireworks displays. This approval process requires the local government of the district to provide written consent.

The *Environmental Protection (Noise) Regulations 1997* establishes the prescribed standard for noise emissions. Most fireworks displays exceed these standard noise emissions.

### Definitions

#### Private Events

Noise from fireworks displays proposed as part of a private event (such as; private parties, weddings, etc; held at function centres (or similar venues).

#### Community/Public Events

Noise from fireworks displays proposed as part of a Community Event (such as; shows, fairs, fetes, exhibitions, etc...) or a Public event (such as concerts, public open spaces etc) with the event being open to members of the general public is controlled in accordance with the approval process stipulated in Regulation 18 of the *Environmental Protection (Noise) Regulations 1997*.

### Statement

The City will only support approval for fireworks and pyrotechnics displays that are:

- limited to a 15-minute duration for community and public events, or 5 minutes for private events; and,
- timed to occur within the following day and time limitations:
- From Sunday to Thursday displays will conclude no later than 9:00 pm AWST.



- On Fridays, Saturdays or the day before a Public Holiday displays will conclude no later than 10.00 pm (AWST).
- On 31 December New Year's Eve displays will conclude no later than 12:30 am (AWST) on 1 January.

The City will limit its support for applications for fireworks and pyrotechnics displays to not more than:

- Three community/public events at any one location within any rolling 12-month period;
- Two private events at any one location within any rolling 12-month period; and
- Regardless of the above, the City reserves the right to vary its support of fireworks and pyrotechnics applications.

The City of Nedlands support for an application for firework and pyrotechnics displays is conditional upon the applicant or event organiser providing residents and occupiers of surrounding property with notification occurring at least two weeks prior to the scheduled display.

The notice will include the following minimum details:

- location or venue
- date and time, and
- contact information for the event organiser.

The form of notification can be either:

- an advertisement in the form of a prominent display notice appearing in a local or community newspaper, and
- community or public events: a direct letter drop to all properties within a 1 km radius of the location or venue for fireworks, or
- private: a direct letter drop to all properties within a 250 metre radius of the location or venue for pyrotechnics, or
- a direct letter drop to all properties as required by the City for fireworks displays.

### **Non-conforming applications**

Applications that are outside the requirements of this policy may be made in writing, seeking exemption and outlining reasons for consideration.

Non-conforming applications must be received by the City no later than 60 clear days prior to the proposed display and will be referred to the Council for determination.

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### **Related Documentation**

Nil.

### **Related Local Law / Legislation**

Explosives and Dangerous Goods Act 1961  
Environmental Protection (Noise) Regulations 1997

### **Related delegation**

Nil.

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### **Review History**

27 April 2010 (Report CM07.10)  
10 December 2013 (Report CPS40.13)



## Debt Recovery

<b>Status</b>	Council
<b>Responsible Division</b>	Corporate and Strategy
<b>Objective</b>	To provide for the recovery of monies owed to the City of Nedlands.

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### Context

In order to maintain equity for all residents and ratepayers, action must be taken wherever possible to recover debts owed to the City of Nedlands.

### Statement

#### 1. Rates Debt Recovery

Except where a ratepayer is entitled to defer the payment of their rates, Council will actively pursue the recovery of any rate arrears (including legal action and the issue of a Goods and Land Warrant – Property Seizure Sales Order).

#### 2. General Debtors

If a general debtor does not respond to a formal demand letter issued, then legal action may be commenced. The Chief Executive is authorised to deny a debtor access to Council's services and facilities.

#### 3. Infringement Debt Recovery

Any unpaid infringement will be referred to the Fines Enforcement Registry.

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### Related documentation

Nil.

### Related local law and legislation

*Local Government Act 1995*

*Local Government (Financial Management) Regulations 1996*

*Rates and Charges (Rebates and Deferments) Act 1992*

### Related delegation





Section 6.56(1) *Local Government Act 1995*

A local government may recover an unpaid rate or service charge and the cost of proceedings in a court of competent jurisdiction.

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### **Review History**

10 December 2013 (Report CPS40.13)

26 October 2010 (Report CM26.10)

## Investment of ~~Operating Cash Council Funds~~

~~KFA~~ — ~~Governance and Civic Leadership~~

**Status** Council

**Responsible Division** Corporate & Strategy

**Objective** To set the criteria for making authorised investments of ~~surplus funds operating cash~~ after assessing credit risk and diversification limits in order to maximise earnings and ensure the security of Council funds.

### Context

Funds held by the City of Nedlands that are not required immediately may be invested in accordance with the Local Government Act 1995. In order to minimise the risks associated with investing funds, this policy specifies the minimum acceptable credit ratings for funds as well as the maximum amount of funds that may be invested in the one financial institution.

### Statement

1. Any funds surplus to Council's immediate requirements are to be invested in accordance with the following:
  - Local Government Act 1995 Section 6.14
  - Trustees Act 1962 Part III Investments
  - Local Government (Financial Management) Regulations 1996.
2. Investments are limited to the following, in the four major banks:
  - Interest bearing deposits
  - Bank accepted/endorsed bank bills
  - Managed funds.
3. The purchase of speculative financial investments is prohibited.
4. The amount invested with any one institution shall not exceed 40% of average annual funds invested.
5. Officers are to manage the investment portfolio with the care, diligence and skill that a prudent person would exercise.
6. Investments in Term Deposits shall not be fixed for longer than 36,12 months.

Commented [HS1]: Updated Financial Management Regulations 1996



7. Should the credit rating of any institution or fund be downgraded then any investment will be divested on maturity or within 30 days, whichever is sooner.
8. The investment portfolio is not to be used for leveraging.
9. A report will be provided to Council each month detailing the performance of all investments.

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#### **Related Documentation**

Investment of City's Funds Procedure

#### **Related Local Law / Legislation**

Section 6.14 of the *Local Government Act 1995*

#### **Related Delegation**

Authority for implementation of the Investment Policy is delegated by Council to the CEO in accordance with the *Local Government Act 1995*. The CEO may in turn delegate the day-to-day management of the Investments to the Director Corporate & Strategy, the Manager Finance and other designated senior staff subject to regular reviews.

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#### **Review History**

28 October 2014 (Item 13.5 Investment of Council Funds Policy)  
10 December 2013 (Report CPS40.13)  
26 October 2010 (Report CM26.10)

## Demolition and Disposal of Materials

~~KFA~~ ~~Natural and Built Environment~~

**Status** Council

**Responsible Division** Planning & Development

**Objective** To provide guidance regarding demolition of buildings – disposal of materials.

### Context

Council places importance in the support of sustainable demolition practices for buildings to be demolished with the City.

### Statement

1. A demolition ~~licence permit~~ shall not be issued for any premises unless the applicant has provided documentary evidence that rodent baiting has taken place.
2. Before any demolition ~~licence permit~~ is issued the City may arrange for rodent baiting of the premises and charge the approved fee.
- ~~3. The applicant is to submit information to the satisfaction of the City advising of the disposal of materials in order to minimise waste being deposited to landfill in accordance with the City's Waste Minimisation Strategy.~~
3. The City may provide additional information within the demolition permit approved documents promoting the recycling of construction and demolition waste referred by the City's Waste Minimisation Strategy

**Commented [PB1]:** This process is current and registered pest controller certificates are required and received. Still relevant. Approval type updated; no other changes required

**Commented [PB2]:** City has been and still arranges baiting through the Health department. Used by applicants periodically, Fees reflect cost recovery for City. Still applicable. Approval type updated; no further changes required.

**Commented [PB3]:** The Cities strategy does not require the provision of information by applicants for construction and demolition waste but rather provides that the City will promote the recycling of such waste (cl 4.4). This clause is not applicable and should be removed.

**Commented [PB4]:** New clause to align with the strategy. This will require the creation of said information by City's responsible Technical Services officers for inclusion in the permit documentation issued by Building Services.

### Related documentation

The City's Waste Minimisation Strategy

### Related Local Law / Legislation

*Building Act 2011*  
*Building Regulations 2012*  
*Health Act 1911*  
*Environmental Protection (Noise) Act 1997*



**Related delegation**

Nil

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**Review History**

26 July 2011 (Report CM05.11)

23 September 2014 (Report CPS30.14)

## Freemen of the City

~~KFA~~ ~~Community Development~~

<b>Status</b>	Council
<b>Responsible Division</b>	Community Development
<b>Objective</b>	To outline considerations for Honorary Freeman of the City.

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### Context

Council may bestow the honorary title Freeman of the City on a person who has made an outstanding contribution to the City of Nedlands community. This prestigious honour will only be awarded for exceptional service.

### Statement

#### Eligibility

To be nominated, a person must meet the following eligibility criteria:

- Resident status: the nominated person will usually be a current resident of the City of Nedlands. However, a person who has previously lived in and contributed to the City of Nedlands is eligible for nomination, even if they currently reside elsewhere.
- Living person: only living persons are eligible for nomination. Other avenues exist for the recognition of deceased persons, and their recognition is not part of the purpose of the Freeman of the City award.
- Council service: it is not necessary for the nominated person to have served as a City of Nedlands Councillor. Past Council members are eligible for nomination. Currently serving members of Council are not eligible for nomination.

#### Selection Criteria

Nominees will be judged on their record of service to the local community against the following criteria:

1. Length of service in a field (or fields) of activity;
2. Community benefit: while the main emphasis is on the benefit to the community of the City of Nedlands, account may also be taken of any contribution the nominee has made to the broader state, national or international community.



3. Special achievements of the nominee.

In recognition of the standing of this award, a maximum of six living persons only may hold the honorary title of Freeman of the City of Nedlands at any one time.

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**Related documentation**

Procedure – Freeman of the City

**Related Local Law / Legislation**

Nil.

**Related delegation**

Nil.

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**Review History**

24 March 2015 (Report CPS07.15)  
22 October 2013 (Report CPS33.13)  
26 October 2010 (Report CM26.10)

## Greenways Policy

~~KFA~~ ~~Natural and Built Environment~~

**Status** Council

**Responsible Division** Planning & Development

**Objectives**

- a) To designate greenways around the City.
- b) To outline how greenways will be developed and/or enhanced.
- c) To protect, retain and promote flora and fauna along local and regional greenways within the City.

### 1. Context

Definition

**Greenways** - (Also referred to as *Greenway Corridors*)

Networks of land containing linear elements that are planned, designed and managed for multiple use including ecological, recreational, cultural aesthetic, or other purposes compatible with the concept of sustainable land use. Primarily greenways act as networking links to better enable travel by wildlife using greenways as connecting corridors between natural areas, encouraged through the specific planting of types of native flora. These act as areas to connect wildlife populations that would otherwise be separated by human activities or structures (such as roads and development).

A greenway does not have to be any specific width or size, only a narrow area of land can be effective as a greenway. Land identified as being part of the greenway network within the City is planted with specific types of native flora to encourage and support wildlife utilising the greenway corridor for habitat and movement.

The City's greenways form a part of the Perth Metropolitan regional greenway network. This policy identifies the local and regional greenways that are located within the City's area of management and control.

#### 1.1 Background

The City of Nedlands is well regarded as a tree-lined leafy municipality. This was acknowledged as part of the community led *Our Vision 2030* process which as part of its natural environment vision declared:



*“We will live sustainably within a thriving natural environment. Our gardens, streets and parks will be leafy and green despite water restrictions. Our bushland, river and beaches will be healthy ecosystems supporting local wildlife and enjoyed by people. We will be recognised as a global benchmark for sustainable living because of our innovative use of water, energy and other resources.”*

The City of Nedlands Greenways Policy evolved following the development of “A Strategic Plan for Perth’s Greenways 1998” 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 Scheme (if possible) along with the development of a Local Planning Policy to deal with the planning and implementation of local greenways.

The Greenways Corridors Policy was approved in 2001. Prior to its approval public consultation was undertaken with residents requested to provide comment on the policy.

Developing and enhancing Greenways through revegetation programs on public land provides the opportunity for achieving this vision. In doing so Greenways can become a crucial feature of the urban fabric as they link the natural and built environments of the City’s neighbourhoods and provide for biodiversity and achieve sustainability. This is a Council policy for public land to guide its activities to:

- retain and enhance existing greenways; and
- create new greenways around the City.

This policy encourages greater biodiversity and enhanced amenity around the City’s neighbourhoods.

## **1.2 Designated greenways (map attached)**

Regional and local greenways have been designated along transport routes where they connect to parkland, remnant bushland and government lands. The connecting parkland, remnant bushland and government lands also form part of the green corridor.

Regional greenways provide linkages between regionally significant remnant bushland areas, coastal habitats, riverine habitats and wetlands as well as parklands. Local greenways provide linkages between locally significant remnant bushland, open space, parks and recreational areas along with extending regionally significant bushland.



1. The following routes have been designated Greenways due to their ability to:
  - Provide linkages from the coast to the river
  - Provide linkages along foreshore areas
  - Provide linkages between wetlands
  - Provide linkages between large bushland areas and small fragmented bushlands
  - Represent areas to develop or secure linkages
  - a. Coastal Regional Greenway  
Marine Parade Swanbourne
  - b. Railway Regional Greenway  
Railway Road (north of Loch Street)  
Stubbs Terrace (north of Brockway Road)
  - c. Foreshore Regional Greenway  
Along Swan River Foreshore
  - d. Coast and Allen Park to Bold Park via Campbell Barracks and Cottesloe Golf Course Regional Greenway  
Through Seaward Village  
West Coast Highway
  - e. Bold Park to Kings Park Regional Greenway  
Rochdale Road  
Stephenson Avenue  
Underwood Avenue  
Selby Street  
Bedbrook Place  
Little Gibraltar Road  
Aberdare Road (between Railway Road and Smyth Road)  
Smyth Road (between Aberdare Road and Monash Avenue)  
Monash Avenue
  - f. Coast and Bold Park to Lake Claremont Regional Greenway  
Marine Terrace  
Allen Park  
Narla Road (northern half of north/south section)  
Lake Claremont  
Alfred Road  
Montgomery Avenue  
Bold Park
  - g. Local Greenways  
Aberdare Road (from Smyth Road to Thomas Street)  
Alexander Place



- Alexander Road
- Allen Park
- Bay Road (from Princess Road to Melvista Avenue)
- Biara Gardens
- Birdwood Parade (between Wavell Road and Throssell Street)
- Birdwood Parade Bushland
- Bostock Road
- Brockway Road
- Bromilow Green (along Lesley Graham Reserve)
- Brookdale Street
- Broome Street (north of Carrington Street)
- Carrington Street (between Broome Street and Dalkeith Road)
- Cottesloe Golf Course
- Dalkeith Road (from Melvista to Gallop Road)
- Gallop Road
- Godetia Gardens
- Government Road
- Hackett Road (between Kathryn Crescent and Melvista Avenue)
- Heritage Lane green space
- Hollywood Reserve
- Jutland Parade (between Wattle Avenue and bowling club)
- Karella Street (between Dalkeith Road and Smyth Road)
- Kathryn Crescent (between Garland Road and Hackett Road)
- Lantana Avenue (north of Zamia Street)
- Lemnos Street (between Brockway Road and Shenton College)
- Loch Street (between Government Road and Railway Road)
- Loftus Street
- McKenna Glen
- Melvista Avenue
- Montgomery Avenue (between Stephenson Avenue and Lobelia Street)
- Mooro Drive green space
- Mount Claremont Community Centre green space
- Mount Claremont Oval Reserve
- Mt Claremont Oval Bushland Reserve
- Mount Claremont Reserve (between Montgomery Drive and Whitney Crescent)
- Nedlands Golf Course
- Pine Tree Lane green space
- Primula Place
- Point Resolution Reserve
- Princess Road (between Bulimba to Bay Road)
- Shenton Bushland
- Sunset Hospital
- Vix Street
- Waroonga Road
- Watkins Road (between Alexander Place and Garland Road)
- Wattle Avenue (between Jutland Parade and Beatrice Road)

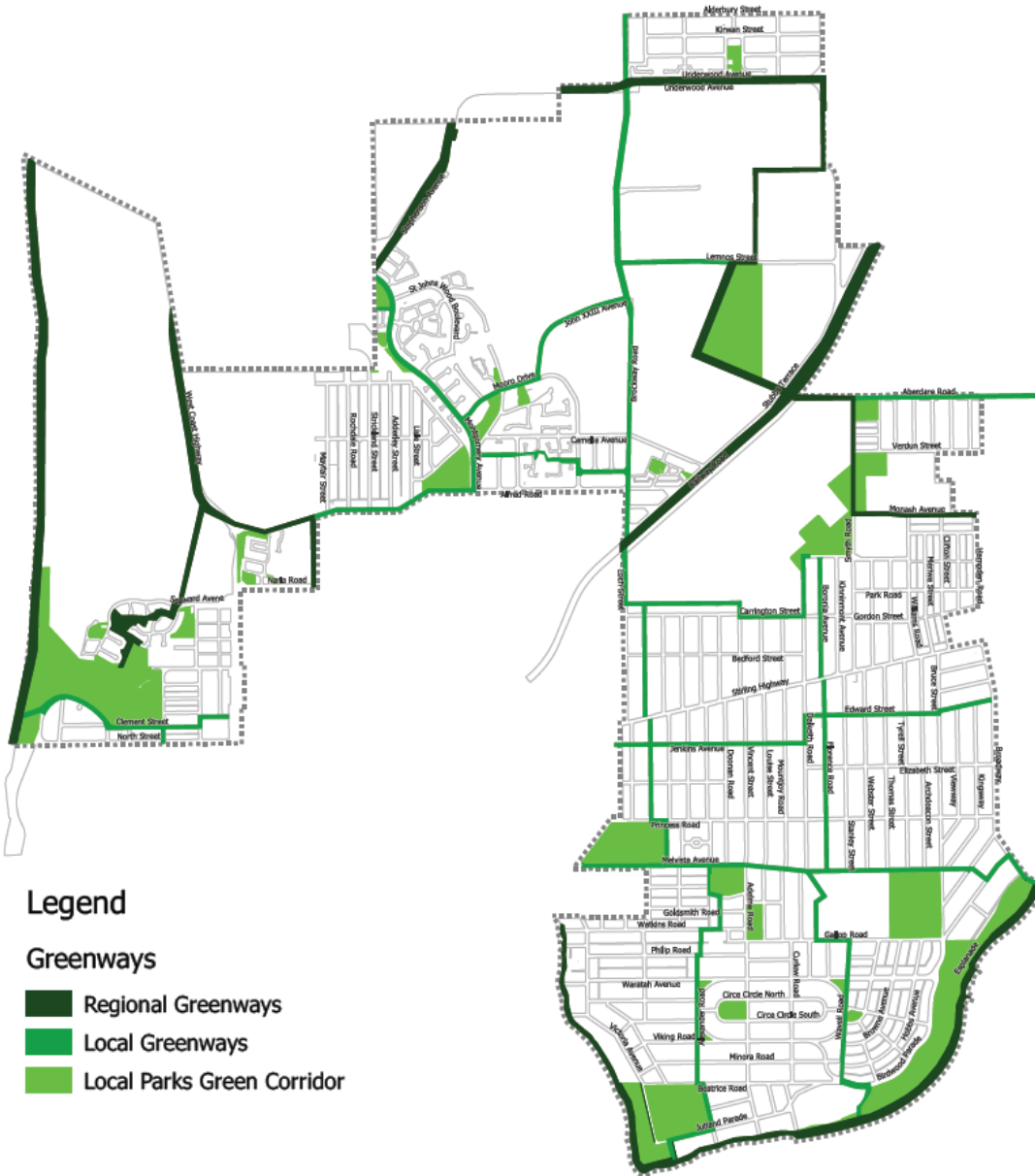
**Commented [VS1]:** Golf course is public land and contains bushland and an important network of trees. Part of it is also included within a Bush Forever site.

**Commented [VS2]:** Golf course is public land and contains an important network of trees.

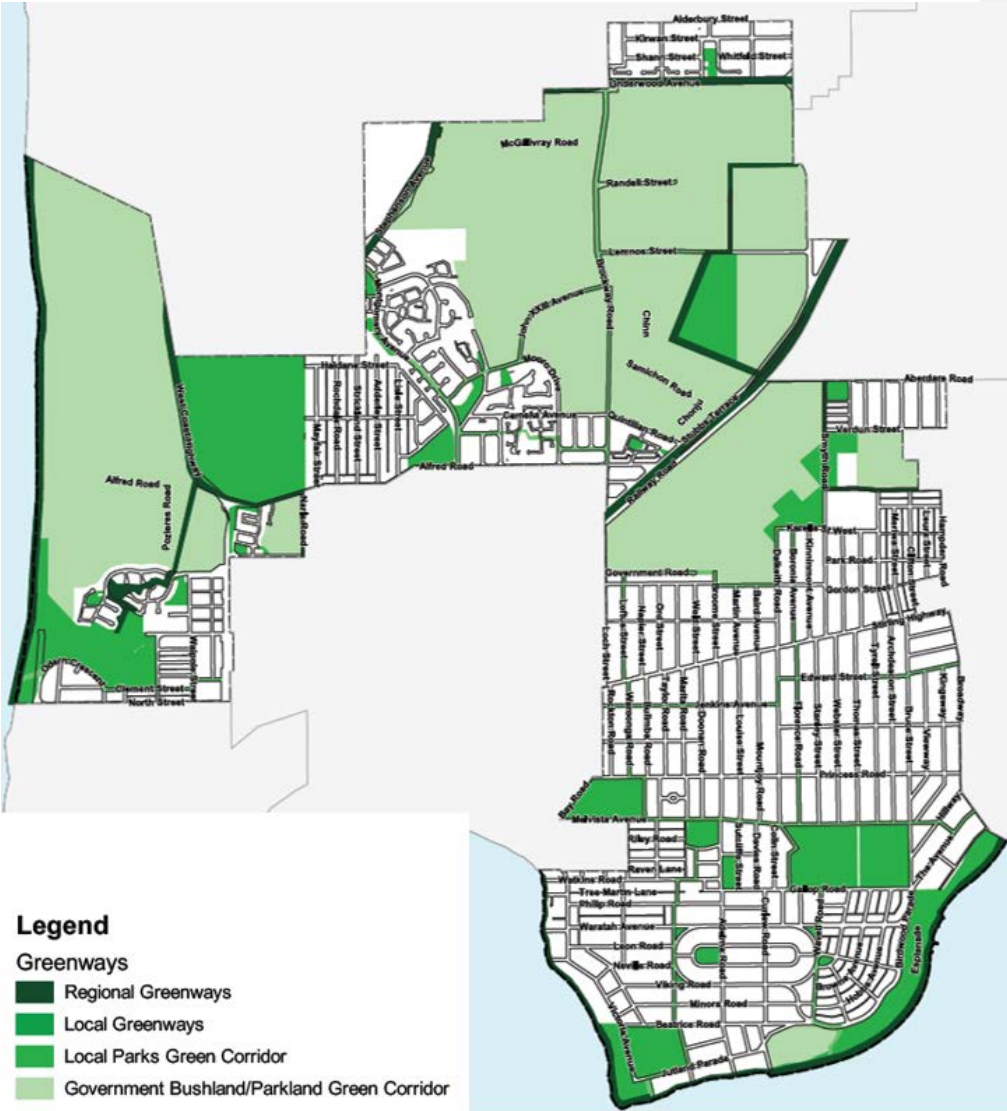


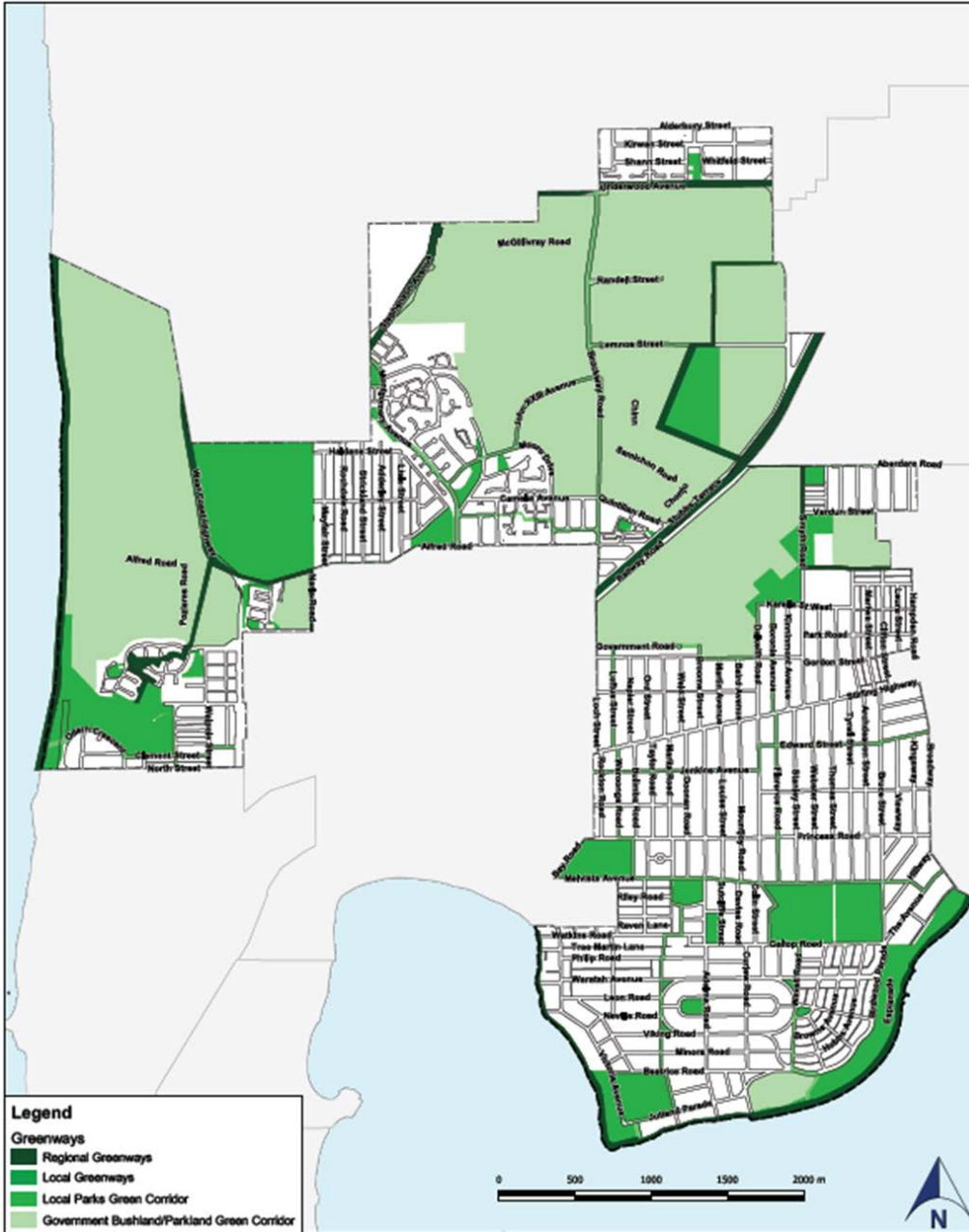
Wavell Road  
Zamia Street

**Commented [VS3]:** Deleted old map and inserted new map which includes all public land including state government areas and Crown Reserves leased to Golf Courses



Commented [NC4]: To be removed and replaced with the map below.





Map 1: Greenways Concept Map

## Statement

### 2.1 Objectives

The objectives of this policy are:

- a) To designate greenways around the City.
- b) To outline how greenways will be developed and/or enhanced.
- c) To protect, retain and promote flora and fauna along local and regional greenways within the City.

### 2.2 Outcomes

The outcomes of this policy are that:

- a) Biodiversity within the City is maintained and protected.
- b) The habitat and food sources for fauna (especially threatened or endangered species) is retained, protected and enhanced.
- c) The movement of fauna (particularly avifauna) between areas of remnant bushland is facilitated.
- d) Greenways physically link natural areas and parklands.
- e) Landscaping amenity along greenways, built environments and local reserves are improved.
- f) Genetic diversity and biodiversity of flora will be maintained.

### 2.3 Guiding principles

The following guiding principles will assist in achieving the above outcomes:

- a) Existing healthy trees will not be removed when developing and/or enhancing greenways.
- b) Local indigenous species are preferred when planting or seeding greenways.
- c) Where possible, local seed stock will be used to maintain genetic diversity and biodiversity.
- d) Consultation with adjoining residents and landowners will be undertaken prior to greenways being developed.
- e) Adjoining residents and landowners will be encouraged to plant complementary species of native flora where their boundaries adjoin a greenway.

Special measures will be taken to retain trees within greenways that are used as a source of food and for roosting by endangered Carnaby's Black-Cockatoo.



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**Related documentation**

WESROC Greening Plan  
A Strategic Plan for Perth's Greenways, Tingay and Associates 1995  
Regional Framework for Local Biodiversity Conservation Priorities for Perth and Peel,  
Perth Biodiversity Project  
City of Nedlands Greenways Procedure  
City of Nedlands Street Trees Policy  
City of Nedlands Landscaping Plans Local Planning Policy  
City of Nedlands Nature Strip Policy

**Related Local Law/legislation**

Environmental Protection Act 1986  
Environmental Protection (Clearing of Native Vegetation) Regulations 2004  
Environmental Protection and Biodiversity Conservation Act 1999

**Related delegation**

Nil

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**Review History**

26 April 2017 (Report CPS13.17)  
24 July 2012 (Report CP31.12)  
14 August 2001 (Report T34.01)



## Bee Keeping

~~KFA~~ ~~Community Development~~

**Status** Council

**Responsible Division** Planning & Development

**Objective** To allow the keeping of bees within the City of Nedlands subject to appropriate management to avoid nuisance.

### Context

On 28 February 2012 Council approved the retention of a hobby bee hive at a residence in the City of Nedlands. Conditional to this approval Council resolved that the City's Administration prepare a report outlining conditions under which approval for similar applications can be assessed under delegations by Administrative staff.

### Statement

Honeybees possess a sting and therefore require proper and responsible management, so they do not create a problem for neighbouring properties. The City notes that whilst bees exist in the natural environment, there are residents who enjoy keeping bees for recreation. There are occasions where the keeping of bees may ~~be in conflict with~~ conflict with those who have allergies or experience nuisance as a result of the keeping of bees. Effective management has been demonstrated to minimise adverse consequences that may result from keeping bees in a residential environment.

The following items address essential considerations for keeping bee hive(s) in the City of Nedlands:

1. Hive density

A maximum of two (2) hives may be permitted within a single residential lot.

2. Hive Placement

- Bee hive(s) should not be positioned in the front yard of suburban residence
- Where possible, bee hive(s) should be positioned out of sight of the public
- Where practical the entrance of the hive(s) is to be located in such a direction that bees fly across the property allotment.

### 3. Barriers

Flight path barriers are recommended to be above 2m when crossing property boundaries. This may be achieved by using screens, shrubs, walls, hedges, fences, etc., thereby encouraging bees to fly at a height.

### 4. Lights

It is recommended that a physical barrier, screen or similar is provided between the hive entrance and light sources from immediate properties.

### 5. Water Supply

An adequate supply of water must be available with each hive.

### 5.6. Docile bees

The applicant is to monitor the hive to maintain a docile strain of bees.

### 6.7. Hive management

The applicant must be able to justify that they have sufficient knowledge, expertise or experience to manage a bee hive and are capable of identifying problems that may arise, particularly in relation to swarm control, temperament of the colony, disease management and prevention, and maintenance of safety to nearby properties. This includes management of any transport of the colony and hives that may be required.

### 8. Registration

Any person who owns or who has charge, care or possession of honeybees or beehives is required to register with the Department of Primary Industries and Regional Development (DPIRD) within fourteen (14) days of becoming a beekeeper. Registered beekeepers, both amateur and commercial are allocated a hive identifier.

### 9. Quality Assurance Schemes

DPIRD have developed two (2) quality assurance schemes for beekeepers and honey producers being:

- B-Qual
- B-Safe

These are designed to ensure the consumer receives a safe and healthy Product. There is a further additional requirement to comply with the Food Standards Australia New Zealand (FSANZ) Food Safety Standard, which requires food

businesses to develop a Hazard Analysis and Critical Control Point (HACCP) based food safety plan.

7-10. Notification to immediate residences

- A City of Nedlands representative will advise immediate neighbours following receipt of an application to keep a bee hive(s)
- Neighbours will be provided with 10 working days to comment in writing to the application.
- If an objection is received the application for keeping bees is to be determined by the Chief Executive Officer.

8-11. Approval for the keeping of bees can be revoked at any time by the Chief Executive Officer. In the event that approval is revoked, the applicant has 21 days to remove all bees and hives from the property.

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**Related documentation**

Nil

Application to DPIRD for registration as a beekeeper.

**Related Local Law/legislation**

*City of Nedlands Health Local Laws ~~2017~~4997 Division ~~57~~ - Bee Keeping*  
*~~Western Australian Beekeepers Act 1963~~*

**Related delegation**

Nil

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**Review History**

20 December 2016 (Report CPS33.16)  
24 September 2013 (Report CPS28.13)

## Natural Areas Management

**Status** Council

**Responsible Division** Planning and Development

**Objective** The City of Nedlands recognises the importance of remnant bushland areas and the value of effectively managing local bushland within a local context, based on a scientific outcomes focus. The bushland reserves will be managed for the purposes of:

- biodiversity,
- conservation; and
- recreation outcomes for the community.

### Context

The natural areas within the City are situated on the Swan Coastal Plain contained within one of the world's 35 global biodiversity hotspots. These areas contain unique flora and high species diversity. Key threats include environmental weeds, plant pathogens, feral animals, fire management, illegal dumping, un-managed access and climate change.

This Policy provides direction for which the City will ensure bushland under its responsibility is managed in a way that complies with federal and state environmental legislation, applicable policy and management frameworks, to enhance conservation and biodiversity outcomes.

This policy will assist the City to:

- Improve public amenity through the improvement of bushland condition and access,
- Conserve biodiversity through the protection and enhancement of natural areas,
- Maintain and enhance genetic diversity through the improvement of ecological corridors and habitat,
- Improve the resilience of natural areas in the face of a changing climate,
- Effectively manage the scope and assist the activities of bushland "Friends Groups",
- Reduce bushfire risk through environmental weed control; and
- Receive grant funding assistance through the implementation of Natural Areas Management Plans.

### Statement

The City has six natural areas which are all actively managed. They include coastal, riverine and inland natural areas which cover approximately 60Ha across the district.

The effective management of natural areas requires scientific assessment and measured outcomes via the implementation of identified actions. These are identified via the ongoing development, implementation and review of the Natural Areas Management Plans by the City. The Plans provide guiding information, strategies and management actions necessary to protect, enhance and restore natural areas and biodiversity within the City.

The plans provide for the measurement of the program's success through the science-based monitoring of bushland condition, environmental weed and flora and fauna surveys. Where it is identified that progress is not meeting expectations, management actions and focus areas will be reviewed and modified, in order to increase the effectiveness of the Reserve's ongoing management. The monitoring and review process will occur during the 5-year review of the management plans.

Management plans have been developed with actions provided for natural area management, in the following natural areas located throughout the City:

- Shenton Bushland, 24.57Ha located in Shenton Park (of which 3.46Ha is vested in the Department of Health and 0.11Ha Department of Education),
- Allen Park Bushland, 18.9Ha located in Swanbourne (of which 2.9Ha is vested in the Department of Defence),
- Point Resolution Reserve, 4Ha located in Dalkeith,
- Birdwood Parade, 5.7Ha located in Dalkeith,
- Hollywood Reserve, 6.41Ha located in Nedlands; and
- Mt Claremont Oval Bushland, 2.21Ha located in Mt Claremont.

The management plans provide a strategic and operational framework to stakeholders involved in the management of the City's natural areas. These include the City of Nedlands, Department of Defence (for Allen Park), Department of Health (for Shenton Bushland), volunteers and bushland "Friends" groups.

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### Related Documentation

- City of Nedlands Community Friends Group Policy
- City of Nedlands Greenways Policy
- City of Nedlands Illegal Clearing of Vegetation Policy
- City of Nedlands Natural Area Management Plans
- City of Nedlands Natural Area Path Network Policy
- City of Nedlands Urban Forest Strategy 2018-2023
- Perth and Peel @3.5 Million and Central Metropolitan Perth sub-regional Strategy



- State Planning Policy 2.8
- Western Australian Planning Commission Bush Forever Policy 2000
- Western Suburbs Greening Plan (WESROC)

#### **Related Local Law / Legislation**

- Aboriginal Heritage Act 1972
- Biosecurity and Agriculture Management Act 2007
- Cat Act 2011
- Bushfires Act 1954
- City of Nedlands Local Law Relating to Reserves, Foreshores and Beaches
- Environmental Protection and Biodiversity Conservation Act 1999 (Commonwealth)
- Biodiversity Conservation Act 2016
- Swan and Canning Rivers Management Act 2006

#### **Related Delegation**

Register of Delegations under the City of Nedlands Local Law Relating to Reserves, Foreshores and Beaches, Section 17, 18

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#### **Review History**

N/A

## Debt Recovery

**Responsible Division** Corporate and Strategy

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### Procedure

#### 1. Rates Debt Recovery

- a. This procedure will apply equally to all ratepayers except registered pensioners and seniors.
  - i. In the case of registered pensioners there will be no recovery action for rates that are eligible for deferment. Outstanding rates that fall into this category will be automatically deferred at the 30th June each year.
  - ii. In relation to the rubbish charges for registered pensioners and both rates and rubbish charges for registered seniors the ratepayer shall be entitled to have until the 30th June following the issue of the rate notice to pay the account.
  - iii. Registered pensioners and seniors with an outstanding balance will be issued with a reminder after the normal fourth instalment 3 weeks prior to 30th June each year to ensure that they are aware that they are required to pay their rates by the 30th June and so that they don't not lose their rebate.
  - iv. Post the 30th June recovery action will commence for any arrears of the respective amounts from the period prior to the previous 30th June.
- b. Following the issue of rate notices, rate payers will have the statutory timeframe in which to either pay their rates in full, elect to pay by instalment and pay the first instalment, or if they are experiencing difficulties enter into an agreed arrangement for the payment of the rates. The statutory period is 35 days from the date of issue. After this period Council will apply penalty interest on arrears.
- c. Following this initial due date, Council will issue final notices to any ratepayer who has either not paid anything at all or has not paid an amount that is at least equivalent to the first instalment, other than those that have entered into a special arrangement. Final notices will remind these ratepayers that they are required to either pay in full or establish a payment arrangement whether that is the standard instalment plan, or some other agreed alternative. Rate Officer to obtain Manager Financials Services approval for the issuance of the Final Notice.





- d. Twenty-one days (Fourteen days' notice and seven days grace) after the issuance of the Final Notice, the Final Demand will be issued to all ratepayers who meet the criteria and subject to the checks outlined below:
- Has not paid anything at all; or
  - Has paid an amount less than the first instalment; and
  - Is not either a registered pensioner or senior; and
  - Has not entered into any agreed payment; and
  - Has received a Final Notice.

Independent Officer to check the final list of ratepayers to be sent to identified ratepayers. Rates Officer and Independent Officer to initial on the list and Manager Financial Services to approve the list.

- e. Seven days after the issue of the final demand notice, those outstanding rates assessments that have still not met Council's conditions will be referred to the City's appointed collection agents without any further warnings.

List of ratepayers referred to collection agency to be initialled by the Rates Officer and Independent Officer and approved by the Manager Financial Services.

- f. The Chief Executive Officer shall ensure that there are appropriate procedures and practices in place such that at each step of the recovery process, appropriate checking and controls are in place. In committing to this, it is acknowledged and understood that correspondence and payments may cross in the mail.
- g. The full costs of any recovery action in the debt recovery process are chargeable to the ratepayer. These costs will be incurred as soon as an instruction has been given for the recovery action to take place. These costs are to be charged to the ratepayer whether or not the action has taken place prior to settlement of the outstanding debt unless it can be demonstrated, or it is acknowledged that the action is an error on Council's part.
- h. If the debt remains unpaid, or an arrangement for payment has not been agreed to within the recovery period (1-12 weeks) these accounts will be referred on for legal action. The full cost of any legal action in the debt recovery process is chargeable to the ratepayer. These costs will be incurred as soon as an instruction has been given for the legal action to take place and will include court fees and any costs associated with handling or service. These costs are to be charged to the ratepayer whether or not the General Procedure Claim / Judgement is served prior to the settlement of the outstanding debts unless it can be demonstrated, or it is acknowledged that the action is an error on Council's part.



- i. If the debt remains unpaid after a General Procedure Claim/Judgement has been served the Chief Executive Officer will assess the position in relation for the best prospects for the collection of the rates debt. In considering this, the Chief Executive Officer may determine:
  - i. To proceed with a Goods and Land Warrant (Property Seizure Sales Order):
    - i. If a title search indicates that there is a mortgage the lender may be notified of the default by the mortgagee in the payment of their rates;
    - ii. If the property is known to be a rental property, either commercial or residential, a notice may be served on the lessee in accordance with the Local Government Act requiring the lessee to remit rental payments to Council, until such time as the rates are paid.
  - j. Should the options identified above not be available, or prove unsuccessful in the recovery of the rates, then a report will be presented to Council outlining all the steps previously undertaken and advising on the remaining courses of action that are available to Council under the Local Government Act.
  - k. At any stage from the issue of the rates notice through the debt recovery process a ratepayer is entitled to propose an arrangement for the payment of rates and/or rubbish charges different from the normal instalment arrangements in order to clear the debt. Such arrangements may be accepted by the Chief Executive Officer at his/her discretion. In considering the acceptance of such arrangements the Chief Executive Officer will consider:
    - i. The payment history of the ratepayer,
    - ii. The stage of the debt recovery process that has been reached,
    - iii. Whether the proposed arrangement will clear the debt by the next 30th June.
  - l. Ratepayers who elect to pay by normal rates instalment arrangements pay a fee set by Council. Recognising the costs associated with setting up and monitoring special arrangements Council may also choose to set a fee to be charged to ratepayers for accepting such arrangements.
  - m. Recovery action will apply to any ratepayer who opts to pay by instalments or is paying according to an agreed arrangement and who subsequently defaults on any of those arrangements. The action will be in accordance with the above arrangements commencing with the issue of an Instalment Default Notice except where recovery action had already commenced prior to the arrangement being entered into. In this case recovery action will commence from where it was previously up to. If legal action is required where a ratepayer has defaulted on instalments or an agreed arrangement,



then all arrangements shall be deemed cancelled and the legal action shall be issued for the full amount of the outstanding debt.

- n. Similar recovery action will apply to interim rates issued during the course of the year. In this case ratepayers will have 35 days from the issue of the interim rate notice and any required recovery action will follow as above from this point.

## 2. General Debtors Debt Recovery

- a. The debt recovery process for General Debtors commences 30 days after the issue of an invoice. At the end of the month, statements are issued to all debtors.
- b. On the 1st and 3rd Friday of each month, overdue debtors are identified, and follow-up action is taken.
- c. Debtors aged more than 30 days – the debtor is contacted via telephone or email or an Amount Owing Query letter is sent out to obtain a confirmed payment date and follow-up action to be taken.
- d. Debtors aged more than 60 days – a demand letter is sent (with a copy to the officer who initiated the raising of the invoice for any input). The demand letter is to include a copy of the original invoice, together with a warning that debt collection and or legal action may follow. The demand letter gives 14 days to pay.
- e. 14 days after the issue of the demand letter a Notice of Appointment of Debt Collector or Intention to Summons giving 7 days to pay the account is to be issued. A copy of the Notice is to be issued to the Manager of the department from which the invoice originated.
- f. The notice will also advise that the following actions may be taken if the debt remains unpaid after the 7 days:

### Premises or Facilities Booking and Provision of Services:

- Further bookings of premises or facilities may be disallowed
- Any prior bookings made for the use of premises or facilities for future dates may be cancelled and timeslots may be reallocated.
- Future bookings of premises or facilities may be on cash terms
- Cessation of use of premise or facilities
- Cessation of services
- Penalty shall be charged if applicable



Lease, Rental, Management & Utility Charges for Council Properties:

- Interest charged in accordance with the terms and conditions of the agreement
  - Termination of agreement in accordance with the terms and conditions of the agreement
- g. 7 Days after the issue of the Notice, if the account remains unpaid, the relevant actions above will be carried out. Debts over \$500.00 will be referred to the Collection Agency after obtaining approval from Manager Finance. Debts over \$5,000.00 will be referred to the lawyers for issuance of the summons after obtaining approval from Manager Finance.
- h. In preparing any debtors for summons action the following checks must be undertaken:
- Finance Officer must obtain authority from the Manager Finance to prepare for summons action.
  - Turnaround time from preparing for the issue of a summons and getting the advice to Council's appointed debt collection agency and getting the agency to prepare and issue the summons is critical to reduce unnecessary problems and queries due to crossed mail. Thorough checking however should not be compromised. All officers involved in the process and Council's appointed debt collection agency must be committed to the time frame before commencement
  - Check that all return to sender mail has been processed.
  - Check that:
    - Cashiers are not holding any problem receipts, and
    - All receipt postings are up to date.
  - All relevant details of the debtor must be checked thoroughly before proceeding with summons issue.
  - Check for:
    - Accuracy of detail and financial data,
    - Memos to ensure no record of why the debtor should not receive a summons, and
    - Check City's systems for relevant correspondence for at least the last 12 months to ensure that there is no record of why the debtor should not receive a summons.
  - Finance Officer must submit the final checked request to issue a summons to debtor to the Manager of Finance who once satisfied and having given authority in writing must then submit the request to the Director of Corporate Services for final approval.
  - Once all approvals have been given and immediately prior to forwarding to Council's appointed debt collection agency the Finance Officer must check the debtor again to ensure there have been no last-minute changes or payments received.



- i. For any debts that are \$50 or less, a written request for the debt write off will be submitted to the Director of Corporate Services for approval. A copy of the approved request will be submitted to the Director department from which the invoice originated.

After 14 days following the issue of a summons, if it is not responded to either with payment in full including costs, or an acceptable signed arrangement with acknowledgment of debt, then a report is to be prepared and referred to the Director Corporate Services. The report is to give consideration to options for the pursuit of the summons, e.g. if there has been notice of intention to defend whether or not the City wishes to pursue it, the issue of a warrant, etc.

### 3. Infringements Debt Recovery

- a. Subject to an appeal all parking infringements will be submitted to Fines Enforcement Registry for recovery action. This will follow an initial 21 days to pay and the issue of a demand letter. All costs for the issue of the demand letter and the forwarding of the debt to Fines Enforcement Registry if necessary, shall be added to the infringement and recovered from the party to whom the infringement has been issued.
- b. The person to whom an infringement has been issued can appeal against the issue of that infringement. Appeals in relation to infringements will be accepted at any stage prior to the infringement being lodged with Fines Enforcement Registry for collection. When an appeal is received all recovery action is put on hold until the outcome of the appeal has been determined. If an appeal is successful, the infringement is withdrawn. Where it is unsuccessful, the infringement recovery process then continues.

### 4. Underground Power Debt Recovery

- a. The recovery of underground power charges will follow the same process as for rates recovery (refer 1).

#### **Related documentation**

Debt Recovery Council Policy

#### **Related legislation**

Local Government Act 1995

Local Government (Financial Management) Regulations 1996

Rates and Charges (Rebates and Deferrals) Act 1992

#### **Related delegation**

Debt Recovery

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## **Review History**

Approved by Executive 28 November 2019

Approved by Executive 16 February 2012

## Freeman of the City

**Responsible Division**    Community Development

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### 1. Eligibility

The following persons are eligible for nomination for nomination as a Freeman of the City of Nedlands.

- A resident who has contributed a significant period of time serving the Nedlands community.
- resident whose endeavours have caused a significant improvement in the quality of life enjoyed by the residents of the City of Nedlands and
- An Elected Member who has served the City of Nedlands for at least three consecutive terms although length of service is not a criterion.
- Preference shall be given to a person who performs in a voluntary capacity, but this shall not preclude a person whose dedication and contribution to the Nedlands community is significantly above that usually expected from their occupation.
- Employees of the City of Nedlands are not eligible for nomination.

### 2. Nomination Criteria

- Length of service in a field (or fields) of activity;
- Level of commitment to the field (or fields) of activity;
- Personal leadership qualities;
- Benefits to the community of the City of Nedlands but including more broadly to the State of Western Australia or to the nation resulting from the nominee's work; and
- Special achievements of the nominee.

### 3. Nomination Procedure

- Any resident or Elected Member of the City of Nedlands may make a nomination on the prescribed nomination form at any time when there are fewer than six (6) current Honorary Freemen.
- The procedure will be made available on the City's website or directly from the office of the Chief Executive Officer.



- All nominations should contain sufficient information to assist in the assessment of the nomination against the criteria.
- Nominations will be received by the Chief Executive Officer in strictest confidence without the knowledge of the nominee.
- The Chief Executive Officer will submit a confidential report to an ordinary meeting of Council.
- The report will also seek Council approval to use the City's seal on the certificate should it decide to bestow the title.
- If a nomination is approved by Council, the Chief Executive Officer will seek the nominee's acceptance of the honour prior to its formal presentation and announcement.
- The successful nomination will remain confidential until officially bestowed on the nominee at a Bestowal Ceremony.

#### **4. Bestowal of Title**

- A Bestowal Ceremony will be held within two months of the recipient's acceptance of the title.
- Local media will be invited to the Ceremony.
- At the Ceremony, the Mayor will read a full citation, confer the title of 'Honorary Freeman of the City', and present the plaque and certificate to the recipient.
- The recipient will be invited to respond.
- The Ceremony will conclude with a buffet supper for Elected Members, Chief Executive Officer and Executive staff, current Freeman of the City, the recipient, and the recipient's nominated family and friends.

#### **5. Entitlements**

- Any person upon whom the title 'Honorary Freeman of the City has been conferred may designate himself/herself 'Honorary Freeman of the City of Nedlands.
- The recipient shall be presented with a badge which identifies them as Freeman of the City together with a plaque and a certificate.
- An Honorary Freeman of the City shall be invited to all subsequent formal Civic functions.





- All Freemen will be included on the City's website and Honour Roll.

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**Related documentation**

Freemen of the City Policy

**Related Local Law / Legislation**

Nil

**Related delegation**

Nil

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**Review History**

Approved by Executive 27 November 2019

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Approved by Executive 3 August 2011

## Greenways

**Responsible  
Division**

Planning & Development

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## Procedure

### 1 Retaining existing trees

When developing, conserving and/or enhancing greenways:

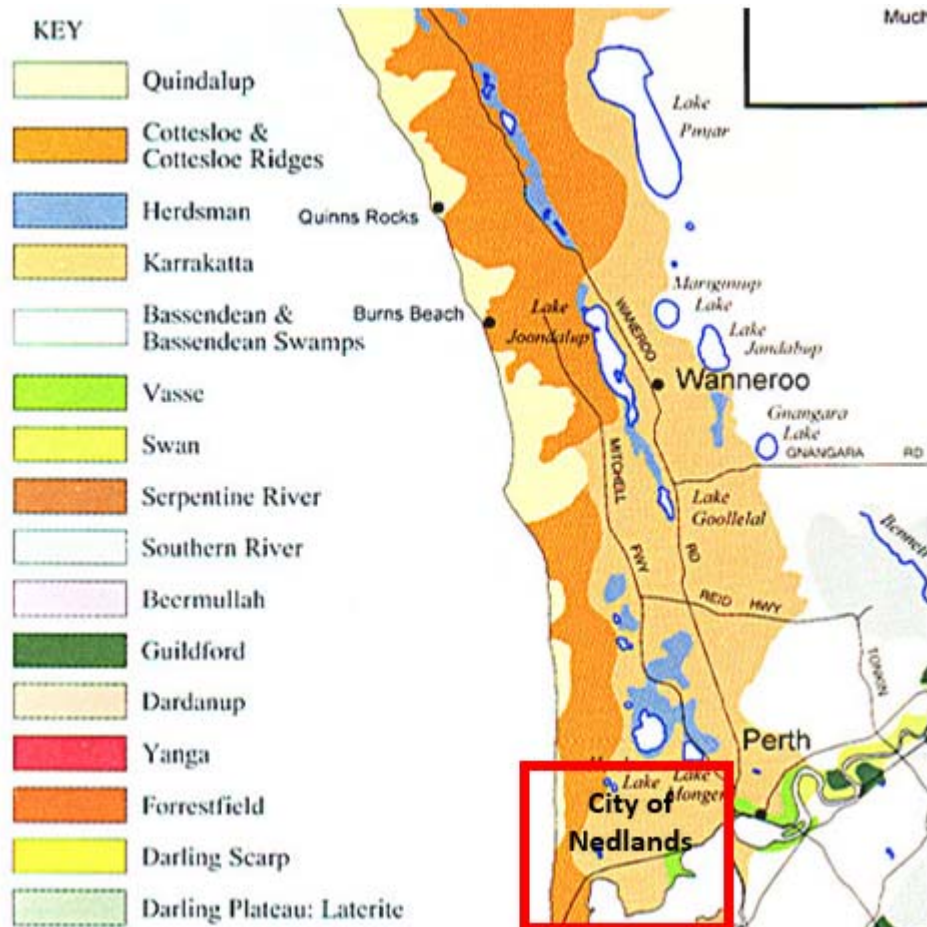
- a) Healthy trees will not be removed
- b) Trees that are declining will be tested and appropriate treatments administered if required
- c) Weed trees that are used for feeding, roosting and nesting will be retained (where possible)

### 2 Using local indigenous species

Local indigenous species are to be used according to relevant soil type. The soil types found within the City of Nedlands include:

- Cottesloe and Cottesloe Ridges
- Quindalup
- Karrakatta

These are shown on the map below.



Map 1: Soil Types Perth Swan Coastal Plain

For plant species types please refer to the below links:

<https://apacewa.org.au/regions/cottesloe-cottesloe-ridges-region/>

Quindalup: <https://apacewa.org.au/regions/quindalup-region/>

Karrakatta: <https://apacewa.org.au/regions/karrakatta-region/>

### 3 Using local seed stock

In all instances, local seed stock is preferred. This includes choosing only Swan Coastal Plain species according to their soil type. As local seed is becoming difficult to source due to sprawling urban development, the City may source local seed from within local reserves. All species for revegetation should be purchased from bushland revegetation nurseries that utilise preventative measures to ensure stock is not contaminated with plant pathogens.



#### **4 Consulting with adjoining residents/landowners**

Residents will be consulted if required through the City's community engagement and consultation processes.

#### **5 Encouraging adjoining residents/landowners to plant complementary species of native flora and fauna**

Residents and adjoining landowners will be encouraged to plant complementary native species through advertising of the annual plant subsidy scheme, the City's Landscaping Local Planning Policy, the consultation process for the greenway development and on the City's website.

#### **6 Carnaby's Black-Cockatoo roost sites and food sources**

##### **6.1 Carnaby's Black-Cockatoo roost sites**

A one-kilometre radius from the following sites within the City of Nedlands are known Carnaby's Black- Cockatoo roosting sites:

- i. 104 Adelma Rd Dalkeith (NEDDALR003)
- ii. Birdwood Parade, along river near Perth Flying Squadron (NEDDALR002)
- iii. Hollywood Hospital Site Nedlands (NEDNEDR001)
- iv. Corner Edward and Archdeacon Streets, Nedlands (NEDNEDR002)

There are a further two areas included in the roosting buffer within Nedlands that occur on roosting sites on adjacent Council land. They include:

- i. Rear of Trinity College, Crawley (NEDNEDR0003)
- ii. Perry Lakes, Floreat.



## 6.2 Plants used by Carnaby's Black-Cockatoos for feeding, nesting and roosting (Department of Environment and Conservation 2011)

Species	Used for			Priority for planting for Carnaby's	Growth form	Flower colour	Soil type				Sun exposure	Soil drainage				Origin
	Feeding	Nesting	Roosting				Clayey	Gravelly	Loamy	Sandy		Well drained	Poorly drained	Waterlogged	Salt affected	
<i>Acacia baileyana</i> (Cootamundra wattle)*				Low	Tree	Yellow					○	▶			Australian native	
<i>Acacia pentadenia</i> (Karri Wattle)				Low	Tree	Cream					○	▶	▶		WA native	
<i>Acacia saligna</i> (Orange Wattle)				Low	Tree	Yellow					○	▶			WA native	
<i>Agonis flexuosa</i> (Peppermint Tree)				Low	Tree	White					○	▶	▶		WA native	
<i>Araucaria heterophylla</i> (Norfolk Island Pine)				Low	Tree	Green					○	▶	▶		Exotic to Australia	
<i>Banksia ashbyi</i> (Ashby's Banksia)				Medium	Tree or Tall shrub	Yellow, Orange					○	▶			WA native	
<i>Banksia attenuata</i> (Slender Banksia)				High	Tree	Yellow					○	▶			WA native	
<i>Banksia baxteri</i> (Baxter's Banksia)				Medium	Tall shrub	Yellow					○	▶			WA native	
<i>Banksia carlinoides</i> (Pink Dryandra)				Medium	Medium or small shrub	White, cream, pink					○	▶			WA native	
<i>Banksia coccinea</i> (Scarlet Banksia)				Medium	Tree	Red					○	▶			WA native	
<i>Banksia dallanneyi</i> (Couch Honey-pot Dryandra)				Low	Medium or small shrub	Orange, brown					○				WA native	
<i>Banksia ericifolia</i> (Heath-leaved Banksia)				Medium	Tall shrub	Orange					○				Australian native	
<i>Banksia fraseri</i> (Dryandra)				Medium	Medium or small shrub	Orange					○	▶			WA native	
<i>Banksia gardneri</i> (Prostrate Banksia)				Low	Medium or small shrub	Orange					○	▶			WA native	
<i>Banksia grandis</i> (Bull Banksia)				High	Tree	Yellow					○	▶			WA native	
<i>Banksia hookeriana</i> (Hooker's Banksia)				Medium	Tall shrub	Orange					○	▶			WA native	
<i>Banksia ilicifolia</i> (Holly Banksia)				High	Tree	Cream					○	▶			WA native	
<i>Banksia kippistiana</i> (Dryandra)				Medium	Medium or small shrub	Yellow					○	▶			WA native	
<i>Banksia leptophylla</i>				Low	Medium or small shrub	Yellow					○	▶			WA native	
<i>Banksia littoralis</i> (Swamp Banksia)				High	Tree	Yellow					○	▶			WA native	
<i>Banksia menziesii</i> (Firewood or Menzie's Banksia)				High	Tree	Yellow, pink, red					○	▶			WA native	
<i>Banksia mucronulata</i> (Swordfish Dryandra)				Medium	Medium or small shrub	Yellow					○	▶			WA native	
<i>Banksia nivea</i> (Honey-pot Dryandra)				High	Medium or small shrub	Orange					○	▶			WA native	
<i>Banksia nobilis</i> (Golden Dryandra)				Medium	Tall shrub	Orange					○				WA native	
<i>Banksia praemorsa</i> (Cut-leaf Banksia)				Medium	Tall shrub	Red, yellow, green					○				WA native	
<i>Banksia prionotes</i> (Acorn Banksia)				High	Tree	Orange					○				WA native	

Species	Used for			Priority for planting for Carnaby's	Growth form	Flower colour	Soil type				Sun exposure	Soil drainage				Origin
	Feeding	Nesting	Roosting				Clayey	Gravelly	Loamy	Sandy		Well drained	Poorly drained	Waterlogged	Salt affected	
Banksia quercifolia (Oak-leaved Banksia)				Medium	Tall shrub	Brown					○				WA native	
Banksia sessilis (Parrot Bush)				High	Tree	Cream					○	■			WA native	
Banksia speciosa (Showy Banksia)				High	Tree	Yellow					○	■			WA native	
Banksia squarrosa (Pingle)				High	Tall shrub	Yellow					○				WA native	
Banksia tricuspis (Lesueur Banksia or Pine Banksia)				Medium	Tree	Orange					○	■			WA native	
Banksia undata (Urchin or Cut-leaf Dryandra)				High	Tall shrub	Yellow					○	■			WA native	
Banksia verticillata (Granite Banksia)				Low	Tree	Yellow					○	■			WA native	
Brassica campestris (Canola, Rape)**				Low	Herb	Yellow					○	■	▲		Exotic to Australia	
Callistemon viminalis (Captain Cook Bottlebrush)				Medium	Tall shrub	Red					○				Australian native	
Callitris sp.				Medium	Tree						○				WA native	
Carya illinoensis (Pecan)				Low	Tree	Yellow					○	■			Exotic to Australia	
Casuarina cunninghamiana (River Sheoak)*				Low	Tree	Red					○				Australian native	
Citrullus lanatus (Pie or Afghan Melon)*				Low	Scrambler, climber or percher	Yellow					○				Exotic to Australia	
Corymbia calophylla (Marri)				High	Tree	Cream					○	■			WA native	
Corymbia ficifolia (Red Flowering Gum)				Medium	Tree	Red					○				WA native	
Corymbia haematoxylon (Mountain Marri)				Medium	Tree	White					○				WA native	
Corymbia maculata (Spotted Gum)				Low	Tree	White					○				Australian native	
Darwinia citriodora (Lemon-scented Darwinia)				Low	Medium or small shrub	Red, orange, yellow					○	■			WA native	
Diospyros sp. (Sweet Persimmon)				Low	Tree						○				Exotic to Australia	
Eremophila glabra (Tarbush)				Low	Tall shrub	Various					○	■			WA native	
Erodium aureum (Corkscrew Grass or Storksbill)*				Low	Herb	Pink					○				Exotic to Australia	
Erodium botrys (Corkscrew Grass or Storksbill)*				Low	Herb	Purple					○				Exotic to Australia	
Eucalyptus caesia (Silver Princess)				Medium	Tree	Pink					○				WA native	
Eucalyptus camaldulensis (River Red Gum)				Low	Tree	Cream, yellow					○				Australian native	
Eucalyptus citriodora (Lemon Scented Gum)				Medium	Tree	Red					○				Australian native	
Eucalyptus diversicolor (Karri)				Low	Tree	Cream					○				WA native	
Eucalyptus globulus (Tasmanian Blue Gum)				Low	Tree	White					○				Australian native	
Eucalyptus gomphocephala (Tuart)				High	Tree	White					○				WA native	
Eucalyptus grandis (Flooded Gum, Rose Gum)				Low	Tree	White, cream					○				Australian native	
Eucalyptus longicornis (Red Morrell)				Low	Tree	White					○				WA native	
Eucalyptus loxophleba (York Gum)				Low	Tree	White					○				WA native	
Eucalyptus marginata (Jarrah)				Medium	Tree	White					○				WA native	
Eucalyptus occidentalis (Swamp Yate)				Low	Tree	Cream					○				WA native	
Eucalyptus patens (Blackbutt)				Medium	Tree	White					○				WA native	
Eucalyptus pleurocarpa (Tallerack)				Medium	Tree	White					○				WA native	



Species	Used for			Priority for planting for Carnaby's	Growth form	Flower colour	Soil type				Sun exposure	Soil drainage				Origin
	Feeding	Nesting	Roosting				Clayey	Gravelly	Loamy	Sandy		Well drained	Poorly drained	Waterlogged	Salt affected	
Eucalyptus preissiana (Bell-fruited Mallee)				Medium	Tree	Yellow					○				WA native	
Eucalyptus robusta (Swamp Mahogany)				Medium	Tree	White					○				Australian native	
Eucalyptus rudis (Flooded Gum)				Low	Tree	White					○				WA native	
Eucalyptus salmonophloia (Salmon Gum)				High	Tree	White					○				WA native	
Eucalyptus salubris (Gimlet)				Medium	Tree	White, cream					○				WA native	
Eucalyptus todtiana (Coastal Blackbutt or Prickley Bark)				Medium	Tree	White					○				WA native	
Eucalyptus wandoo (Wandoo)				High	Tree	White					○				WA native	
Ficus sp. (Fig)				Low	Tree						○	▲	▲		Australian native	
Grevillea armigera (Prickly Toothbrushes)				Medium	Tall shrub	Green, yellow, black					○	▲			WA native	
Grevillea bipinnatifida (Fuschia Grevillea)				Medium	Medium or small shrub	Red					○	▲			WA native	
Grevillea hookeriana (Red Toothbrushes)				Medium	Tall shrub	Red					○				WA native	
Grevillea hookeriana subsp. apiculoba (Black Toothbrushes)				Medium	Medium or small shrub	Black					○				WA native	
Grevillea paniculata (Kerosene Bush)				Medium	Tall shrub	White					○	▲			WA native	
Grevillea paradoxa (Bottlebrush Grevillea)				Medium	Medium or small shrub	Cream, pink					○				WA native	
Grevillea petrophiloides (Pink Poker)				Medium	Tall shrub	Pink					○				WA native	
Grevillea robusta (Silky Oak)				Medium	Tree	Orange					○				Australian native	
Hakea auriculata				Medium	Tall shrub	White					○	▲			WA native	
Hakea candolleana				Medium	Medium or small shrub	White					○				WA native	
Hakea circumalata (Coastal Hakea)				Medium	Medium or small shrub	White, pink					○	▲			WA native	
Hakea commutata				Medium	Medium or small shrub						○	▲			WA native	
Hakea conchifolia				Medium	Medium or small shrub	White, cream, pink					○				WA native	
Hakea costata (Ribbed Hakea)				Medium	Medium or small shrub	White					○				WA native	
Hakea cristata (Snail Hakea)				Medium	Medium or small shrub	White					○	▲			WA native	
Hakea cucullata (Snail Hakea)				Medium	Tall shrub	Pink					○				WA native	
Hakea cyclocarpa (Ramshorn)				Medium	Medium or small shrub	White					○	▲			WA native	
Hakea eneabba				Medium	Medium or small shrub	Yellow					○				WA native	
Hakea erinacea (Hedgehog Hakea)				Medium	Medium or small shrub	Cream					○	▲			WA native	
Hakea falcata (Sickle Hakea)				Medium	Tall shrub	White					○	▲			WA native	
Hakea flabellifolia (Fan-leaved Hakea)				Medium	Medium or small shrub	Brown					○				WA native	
Hakea gilbertii				Medium	Medium or small shrub	White					○				WA native	
Hakea incrassata (Golfball or Marble Hakea)				Medium	Medium or small shrub	Cream					○	▲			WA native	
Hakea lasiantha (Woolly Flowered Hakea)				Medium	Tall shrub	White					○	▲			WA native	
Hakea lasianthoides				Medium	Tall shrub	White					○	▲			WA native	
Hakea laurina (Pin-cushion hakea)				Medium	Tree	Red					○	▲			WA native	
Hakea lissocarpa (Honeybush)				Medium	Medium or small shrub	White					○	▲			WA native	

Species	Used for			Priority for planting for Carnaby's	Growth form	Flower colour	Soil type				Sun exposure	Soil drainage				Origin
	Feeding	Nesting	Roosting				Clayey	Gravelly	Loamy	Sandy		Well drained	Poorly drained	Waterlogged	Salt affected	
Hakea megalosperma (Lesueur Hakea)				Medium	Medium or small shrub	White, cream, pink, red					○				WA native	
Hakea multilineata (Grass Leaf Hakea)				Medium	Tall shrub	Pink					○	■			WA native	
Hakea obliqua (Needles and Corks)				Medium	Tall shrub	White					○				WA native	
Hakea oleifolia (Dungyn or Olive-leaved Hakea)				Medium	Tree	White					○				WA native	
Hakea pandanica subsp. crassifolia (Thick-leaved Hakea)				Medium	Tall shrub	Cream					○	■			WA native	
Hakea polyanthema				Medium	Medium or small shrub	White					○				WA native	
Hakea petiolaris (Sea Urchin Hakea)				Medium	Tall to medium shrub	Cream, pink					○	■			WA native	
Hakea preissii (Needle Tree)				Medium	Tall shrub	Yellow					○				WA native	
Hakea prostrata (Harsh Hakea)				High	Tall to medium shrub	White					○				WA native	
Hakea psilorrhyncha				Medium	Tall shrub	Cream					○				WA native	
Hakea ruscifolia (Candle Hakea)				Medium	Tall shrub	White					○	■			WA native	
Hakea scoparia (Kangaroo Bush)				Medium	Tall shrub	Cream					○	■			WA native	
Hakea smilacifolia				Medium	Medium or small shrub	White					○				WA native	
Hakea spathulata				Medium	Medium or small shrub	Red					○				WA native	
Hakea stenocarpa (Narrow-fruited Hakea)				Medium	Medium or small shrub	White					○	■			WA native	
Hakea sulcata (Furrowed Hakea)				Medium	Medium or small shrub	White					○	■			WA native	
Hakea trifurcata (Two-leaved Hakea)				High	Tall shrub	White					○	■	■		WA native	
Hakea undulata (Wavy-leaved Hakea)				High	Tall shrub	White					○	■			WA native	
Hakea varia (Variable-leaved Hakea)				Medium	Tall shrub	White					○	■			WA native	
Helianthus annuus (Sunflower)*				Low	Herb	Yellow					○	■			Exotic to Australia	
Hibiscus sp. (Hibiscus)				Low	Tall shrub	Various					○	■	■		Exotic to Australia	
Isopogon scabriusculus				Medium	Medium or small shrub	Pink					○				WA native	
Jacaranda mimosifolia (Jacaranda)				Low	Tree	Blue, purple					○	■			Exotic to Australia	
Jacksonia furcellata (Grey Stinkwood)				Medium	Tall shrub	Orange					○	■			WA native	
Lambertia inermis (Chittick)				Medium	Tree	Red, orange, yellow					○	■			WA native	
Lambertia multiflora (Many-flowered Honeysuckle)				Medium	Medium or small shrub	Orange, yellow					○				WA native	
Liquidamber styraciflua (Liquid Amber)				Medium	Tree	Green					○	■			Exotic to Australia	
Lupinus sp. (Lupin)*				Low	Herb	Yellow, blue					○				Exotic to Australia	
Macadamia integrifolia (Macadamia)				Medium	Tree	White					○				Australian native	
Malus domestica (Apple)				Low	Tree	White					○				Exotic to Australia	
Melaleuca leuropoma				Medium	Medium or small shrub	Cream, purple, yellow					○				WA native	
Melia azedarach (Cape Lilac or White Cedar)**				Low	Tree	Purple					○	■			Exotic to Australia	
Mesomeleana sp.				Medium	Grassy or strappy						○				WA native	
Protea repens				Medium	Tree or medium to small shrub	White, cream, pink					○	■			Exotic to Australia	
Protea 'Pink Ice'				Medium	Tree or medium to small shrub	White, cream, pink					○	■			Exotic to Australia	



Species	Used for			Priority for planting for Carnaby's	Growth form	Flower colour	Soil type				Sun exposure	Soil drainage				Origin
	Feeding	Nesting	Roosting				Clayey	Gravelly	Loamy	Sandy		Well drained	Poorly drained	Waterlogged	Salt affected	
Pinus canariensis (Canary Island Pine)				Low	Tree	Brown					○					Exotic to Australia
Pinus caribea (Caribbean Pine)				Low	Tree	Brown					○					Exotic to Australia
Pinus pinaster (Pinaster or Maritime Pine)**				Medium	Tree	Brown					○					Exotic to Australia
Pinus radiata (Radiata Pine)**				Medium	Tree	Brown					○					Exotic to Australia
Prunus amygdalus (Almond Tree)				Medium	Tree						○					Exotic to Australia
Raphanus raphanistrum (Wild Radish)*				Low	Herb	Various					○					Exotic to Australia
Tipuana tipu (Tipu or Rosewood Tree)**				Low	Tree	Yellow					○					Exotic to Australia
Xanthorrhoea preissii (Grass Tree)				Medium	Grassy or strappy	Cream					○					WA native

\* Weed

\*\* Potential weed



### **6.3 Measures to be taken to protect trees**

- 6.3.1 The City will provide information to public landowners whose land is used by Carnaby's Black-Cockatoos for roosting with aim of retaining roosting sites within the City.
- 6.3.2 The City will provide information to residents and the community encouraging protection of trees that are food sources for Carnaby's Black-Cockatoos through advertisements and on the City's website
- 6.3.3 Development applications on public land that propose to remove trees at known roosting sites or that are food trees for Carnaby's Black-Cockatoos and along designated greenways will require approval from the Chief Executive Officer.
- 6.3.4 Information about food trees and known Carnaby's Black-Cockatoo roosting sites within the City will be made available to all new staff through the City's induction process.

#### **Related documentation**

City of Nedlands Greenways Policy  
 City of Nedlands Greenways Procedure  
 ESROC Greening Plan  
 A Strategic Plan for Perth's Greenways, Tingay and Associates 1995  
 Regional Framework for Local Biodiversity Conservation Priorities for Perth and Peel,  
 Perth Biodiversity Project  
 City of Nedlands Street Trees Policy  
 City of Nedlands Landscaping Plans Local Planning Policy  
 City of Nedlands Nature Strip Policy

#### **Related Local Law/legislation**

*Environmental Protection Act 1986*  
 Environmental Protection (Clearing of Native Vegetation) Regulations 2004  
*Environmental Protection and Biodiversity Conservation Act 1999*

#### **Related delegation**

Nil.

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#### **Review History**

Approved by Executive 28 November 2019