



City of Nedlands

Minutes

Council Meeting

23 February 2021

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.

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City of Nedlands

Minutes of an Ordinary Meeting of Council held in the Adam Armstrong Pavilion, Beatrice Road, Dalkeith on Tuesday 23 February 2021 at 7 pm.

Declaration of Opening

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

Present and Apologies and Leave of Absence (Previously Approved)

Councillors	Her Worship the Mayor, C M de Lacy	(Presiding Member)
	Councillor F J O Bennett	Dalkeith Ward
	Councillor A W Mangano	Dalkeith Ward
	Councillor N R Youngman	Dalkeith Ward
	Councillor B G Hodsdon	Hollywood Ward
	Councillor P N Poliwka	Hollywood Ward
	Councillor J D Wetherall	Hollywood Ward
	Councillor R A Coghlan	Melvista Ward
	Vacant	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

Staff	Mr M A Goodlet	Chief Executive Officer
	Mr J Duff	Director Technical Services
	Mr T G Free	Director Planning & Development
	Mr E K Herne	Director Corporate & Strategy
	Mrs N M Ceric	Executive Officer
	Ms P Panayotou	Executive Manager Community
	Mr A Melville	Manager Health & Compliance

Public There were 31 members of the public present and 4 online.

Press The Post Newspaper representative.

Leave of Absence Nil.
(Previously Approved)

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.

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1. Public Question Time

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

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

Nil.

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.

Mr Bob Adam & Mr Ben Lane, 14 & 28 Stanley Street, Nedlands 4.1
(spoke in support of the petition)

Mr Michael Somerville-Brown, 8 Dalkieth Road, Nedlands PD01.21 & 14.7
(spoke in support of the recommendation & motion)

Mr Andrew Jackson, Unit 3 114 Stirling Hwy, Nedlands PD03.21
(spoke in opposition to the recommendation)

Mr Peter Robins, 10 Edward Street, Nedlands PD03.21
(spoke in opposition to the recommendation)

Moved – Councillor Coghlan
Seconded – Councillor Youngman

That Standing Order 3.4(4) be suspended to allow Ms Rose to speak.

CARRIED UNANIMOUSLY 12/-

Ms Emma Rose, Mountjoy Road, Nedlands PD03.21
(spoke in opposition to the recommendation)

Mr Michael Cahill, 65 Melvista Avenue, Nedlands 13.11
(spoke in support of the recommendation)

Mrs Elizabeth Gibson, 41 Louise Street, Nedlands 13.12
(spoke in opposition to the recommendation)

Mr Mark Stratford, Suite 44, 460 Stirling Highway, Cottesloe 14.6
(spoke in support of the motion)

Mr Kenneth Young Campbell, 28 Beatrice Road Dalkeith 14.6
(spoke in support of the motion)

Ms Fiona Argyle, 39 Kinninmont Avenue, Nedlands 14.7
(spoke in support of the motion)

3. Requests for Leave of Absence

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

Nil.

4. Petitions

Petitions to be tabled at this point.

4.1 Mr Robert Adam, 14 Stanley Street, Nedlands – Traffic Management in Stanley Street & Adjacent Streets

The CEO tabled a petition containing 344 signatures from residents of Nedlands, and others, requesting the following of Council:

We, the occupants in the locality of Stanley Street Nedlands, strongly oppose the City of Nedlands proposal to sacrifice the Stanley Street community to excessive future traffic flow. Council's resolution of 29 September 2020, without consultation, to in-principle adopt the Florence Road Public Realm Plaza and incorporate its design into the draft Nedlands Town Centre Precinct Plan has disproportionately grave consequences for the amenity of Stanley Street occupants. 'We demand that Council constrain traffic flow to Stanley St as a local access road only, abandon the proposal to install a Florence Road Public Realm Plaza and / formally remove it from the draft Nedlands Town Centre Precinct Plan.

Moved – Councillor Hodsdon
Seconded – Councillor Youngman

That Council receive the petition.

CARRIED UNANIMOUSLY 12/-

5. Disclosures of Financial / Proximity 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.

5.1 Councillor Hodsdon – 14.4 – Councillor Smyth - Councillor Smyth – Dust Control

Councillor Hodsdon disclosed a financial interest in Item 14.5 – Public Road Connecting John 23rd Ave with Brockway Road, his interest being that he will be employed by Christ Church Grammar School in 1 months' time. Councillor Hodsdon declared that he would leave the room during discussion on this item

5.2 Councillor Hodsdon – 14.5 – Councillor Smyth - Public Road Connecting John 23rd Ave with Brockway Road

Councillor Hodsdon disclosed a financial interest in Item 14.5 – Public Road Connecting John 23rd Ave with Brockway Road, his interest being that he will be employed by Christ Church Grammar School in 1 months' time. Councillor Hodsdon declared that he would leave the room during discussion on this item.

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 Senathirajah – CPS04.21 - Review of Point Resolution Child Care Centre Update

Councillor Senathirajah disclosed an impartiality interest in Item CPS04.21 - Review of Point Resolution Child Care Centre Update. Councillor Senathirajah disclosed that his grandson attends the childcare centre, and as a consequence, there may be a perception that his impartiality on the matter may be affected. Councillor Senathirajah declared that he would consider this matter on its merits and vote accordingly.

6.2 Councillor Smyth – 14.7 - Councillor Mangano – Legal Advice – Supreme Court Challenge to JDAP Approval – 97-105 Stirling Highway, Nedlands

Councillor Smyth disclosed an impartiality interest in Item 14.7 - Councillor Mangano – Legal Advice – Supreme Court Challenge to JDAP Approval – 97-105 Stirling Highway, Nedlands. Councillor Smyth disclosed that she is a Ministerial appointee and paid member of the MINJDAP that considered this item at a meeting on 16th February 2021. Accordingly, Councillor Smyth advised she is bound by the DAP Code of Conduct 2017, in particular 'Clause 2.1.7 A DAP member must not make any statement that is critical, or that could be understood as being critical, of the Minister, the Director General, a local government, a local government employee, departmental employee, a DAP or another DAP member.' As a consequence, there may be a perception that her impartiality on the matter may be affected.

Please Note that although not participating in the debate Councillor Smyth intended to listen to Public Questions and Addresses as she believed this is a neutral position and does not predispose a bias for the JDAP.

6.3 Councillor Bennett – 14.7 - Councillor Mangano – Legal Advice – Supreme Court Challenge to JDAP Approval – 97-105 Stirling Highway, Nedlands

Councillor Bennett disclosed that disclosed an impartiality interest in Item 14.7 - Councillor Mangano – Legal Advice – Supreme Court Challenge to JDAP Approval – 97-105 Stirling Highway, Nedlands. Councillor Bennett disclosed that he is a Ministerial appointee and paid member of the MINJDAP that considered this item at a meeting on 16th February 2021. Accordingly, Councillor Bennett advised he is bound by the DAP Code of Conduct 2017, in particular 'Clause 2.1.7 A DAP member must not make any statement that is critical, or that could be understood as being critical, of the Minister, the Director General, a local government, a local government employee, departmental employee, a DAP or another DAP member.' As a consequence, there may be a perception that his impartiality on the matter may be affected.

Please Note that although not participating in the debate Councillor Bennett intended to listen to Public Questions and Addresses as he believed this is a neutral position and does not predispose a bias for the JDAP.

6.4 Councillor Bennett – 17.1 - Council Risk and Reporting

Councillor Bennett disclosed an impartiality interest in item 17.1 - Council Risk and Reporting. Councillor Bennett disclosed that his name appears in the papers, and as a consequence, there may be a perception that his impartiality on the matter may be affected. Councillor Bennett declared that he would consider this matter on its merits and vote accordingly.

6.5 Councillor Mangano – 17.1 – Council Risk & Reporting

Councillor Mangano disclosed an impartiality interest in item 17.1 - Council Risk and Reporting. Councillor Mangano disclosed that his name appears in the papers, and as a consequence, there may be a perception that his impartiality on the matter may be affected. Councillor Mangano declared that he would consider this matter on its merits and vote accordingly.

6.6 Councillor Coghlan – 17.1 – Council Risk & Reporting

Councillor Coghlan disclosed an impartiality interest in item 17.1 - Council Risk and Reporting. Councillor Coghlan disclosed that an email from herself appears in the papers, and as a consequence, there may be a perception that her impartiality on the matter may be affected. Councillor Coghlan declared that she would consider this matter on its merits and vote accordingly.

6.7 Councillor Hodsdon – 17.1 – Council Risk & Reporting

Councillor Hodsdon disclosed an impartiality interest in item 17.1 - Council Risk and Reporting. Councillor Hodsdon disclosed that his name appears in the papers, and as a consequence, there may be a perception that his impartiality on the matter may be affected. Councillor Hodsdon declared that he would consider this matter on its merits and vote accordingly.

6.8 Councillor Smyth – 17.1 – Council Risk & Reporting

Councillor Smyth disclosed an impartiality interest in item 17.1 - Council Risk and Reporting. Councillor Smyth disclosed that her name appears in the papers and she was copied into the emails, and as a consequence, there may be a perception that her impartiality on the matter may be affected. Councillor Smyth declared that she would consider this matter on its merits and vote accordingly.

6.9 Councillor Senathirajah – 17.1 – Council Risk & Reporting

Councillor Senathirajah disclosed an impartiality interest in Item 17.1 – Council Risk & Reporting. Councillor Senathirajah disclosed that his name appears in the papers, and as a consequence, there may be a perception that his impartiality on the matter may be affected. Councillor Senathirajah declared that he would consider this matter on its merits and vote accordingly.

6.10 Councillor Horley – 17.1 – Council Risk & Reporting

Councillor Horley disclosed an impartiality interest in item 17.1 - Council Risk and Reporting. Councillor Horley disclosed that her name appears in the papers and she was copied into the emails, and as a consequence, there may be a perception that her impartiality on the matter may be affected. Councillor Horley declared that she would consider this matter on its merits and vote accordingly.

6.11 Deputy Mayor McManus – 17.1 – Council Risk & Reporting

Deputy Mayor McManus disclosed an impartiality interest in Item 17.1 – Council Risk & Reporting. Deputy Mayor McManus disclosed that his name appears in the papers, and as a consequence, there may be a perception that his impartiality on the matter may be affected. Deputy Mayor 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

Councillor Youngman advised he did not complete reading item 17.1.

8. Confirmation of Minutes

8.1 Ordinary Council Meeting 15 December 2020

Moved – Councillor Wetherall
Seconded – Councillor Hodsdon

The Minutes of the Ordinary Council Meeting held 15 December 2020 be confirmed.

**CARRIED 11/1
(Against: Cr. Bennett)**

8.2 Special Council Meeting 27 January 2021

Moved – Councillor Hodsdon
Seconded – Councillor Senathirajah

The Minutes of the Special Council Meeting held 27 January 2021 be confirmed.

CARRIED UNANIMOUSLY 12/-

8.3 Special Council Meeting 2 February 2021

Moved – Councillor Hodsdon
Seconded – Councillor Senathirajah

The Minutes of the Special Council Meeting held 2 February 2021 are to be confirmed.

CARRIED UNANIMOUSLY 12/-

8.4 Special Council Meeting 9 February 2021

Moved – Councillor Hodsdon
Seconded – Councillor McManus

The Minutes of the Special Council Meeting held 9 February 2021 be confirmed.

CARRIED UNANIMOUSLY 12/-

8.5 Special Council Meeting 11 February 2021

Moved – Councillor Coghlan
Seconded – Councillor Hodsdon

The Minutes of the Special Council Meeting held 11 February 2021 be confirmed with the following correction:

That all 4 motions moved and carried are separated into 4 individual resolutions for clarity purposes, and not combined into one.

CARRIED UNANIMOUSLY 12/-

9. Announcements of the Presiding Member without discussion

Firstly, I'd like to take the opportunity to thank our outgoing CEO whose last day with us is tomorrow. He has overseen the City's response to the unprecedented COVID pandemic and the implementation of the first new planning scheme for Nedlands in over 30 years. Not an easy task by any stretch of the imagination. Council would like to show its appreciation by asking the CEO to accept this small token of thanks from us for his efforts.

Secondly, as many of you probably know by now, I have resigned from my position as Mayor and will finish up officially by tomorrow's end.

I have had a bumpy ride in local politics since I decided to try and help the community in 2016 using my skills and experience on an issue that seemed unsolvable for so long; that being the delivery of underground power in the Hollywood Ward. The ground I covered with the support of Nedlands residents, some of whom had a wealth of experience in State government policy making was immense. An example of poor State government public policy was challenged and has been changed resulting in a trial by State government of a fairer, more cost-effective policy approach.

I was then encouraged by members of the community to take on the role of Mayor to drive further strategic policy making for the betterment of our community. This has been challenging given the enormity of the issues associated with Local Planning Scheme 3. I recall a Grattan Institute Report on Housing Affordability stating that "the politics of planning is poisonous." To overcome this the report made a number of recommendations for change, many of which I agree with. However, that change cannot be driven at the local level and through a 'business as usual' approach.

We are starting to see systemic failure across core parts of our society that can only be addressed through taking a step back and observing what is happening, pausing and reflecting on what could drive lasting change and then acting together to make the change. We have come so far and can go so much further by diagnosing problems together and then seeing opportunities for change that do not shut down debate too early, due to an unwillingness to engage, listen and learn. No one is right, and no one is wrong. We just need to take the time to find the messy, middle ground. 'Band-Aid' solutions from polarised debate are no longer a sustainable option.

I have been described by some as a 'person who solves wicked problems.' Its why I took on underground power. Nedlands has its fair share of problems, but they cannot be solved solely at that level. It's why I lobbied State government to establish Western Suburbs Project Working Groups for Stirling Highway and the railway bringing together LGA's, DPLH, Main Roads, PTA and the Dept of Transport. Just today I received a letter from a Town of Claremont resident endorsing this group as Claremont considers an amendment to its scheme to rezone areas along Stirling Highway for higher density development.

More generally local government as a sector has its challenges evidenced by the major reform of the Local Government Act, and the universal application of

the findings of the City of Perth inquiry. I feel the local government sector is at a crossroads, and to see this sector truly flourish for the betterment of grass roots democracy is something I truly believe in. It's just not necessarily the sort of change one Mayor in one local government authority can drive, and sometimes change is best sought outside the system if that system is inflexible.

Without this change I believe the sector is at risk of falling behind and being unable to navigate the complexities of what some are now calling the fourth industrial revolution.

I very much wish to thank the community, Council and the Administration for their support over the past few years. I intend to continue driving policy change for the greater good. It's part of who I am.

10. Members announcements without discussion

10.1 Councillor McManus

Councillor McManus wished the Mayor all the best and thanked her for all she had done.

Audit & Risk Forum – On Thursday 18th February, I participated in an Audit & Risk forum on Teams conducted by the OAG. Well known professional Company Director Diane Smith-Gander was the guest presenter.

This was a very frustrating forum as there was no sound for the first 15/20 minutes and the sound went off again about halfway through the forum.

This forum was not only for Local Govt A & R Committee Chairman's.

The following are some points made that are applicable to Local Government;

1. The OAG are keen to work cooperatively with Local Govt's but they are not there to do their work such as preparing financial statements or do the training.
2. The extent to which the OAG can reasonably assist entities to achieve an unqualified report is under examination.
3. They are learning more about LG the longer they are exposed to this sector.
4. There are some emerging findings from completed audits such as;
 - a) Recurrent issues
 - b) Adverse trends in the LG financial position.
5. The OAG would like to see a reduction in the reporting burdens of LG.

Councillor McManus also continued to attend the Children's Hospice Control Group meetings together, with the CEO, and the Stakeholder Group meetings.

Design and fund raising for the Hospice continues and a further meeting is scheduled for next month. Councillor McManus continued to raise traffic and parking matters and advised he is comfortable that an acceptable will result. Councillor McManus also pressed for the Group to hold a public meeting to fully inform the local residents. Hopefully this will be held in the coming month.

10.1 Councillor Smyth

Councillor Smyth provided the following list of events and meetings she had attended since the last Council Meeting:

HMAS Perth 61st Memorial Regatta – 21 February 2021 at 12pm
Hosted by Nedlands Yacht Club -Launch of the HMAS Perth (1) Memorial Foundation Inc.

WALGA Central Metropolitan Zone Meeting – 16 February 2021 at 6:00pm Host by City of Nedlands - Adam Armstrong Pavilion, Beatrice Road Dalkeith
Agenda & Minutes available on WALGA website <https://walga.asn.au/About-WALGA/Structure/Zones/Central-Metropolitan-Zone.aspx>
Attended also Mayor Cilla de Lacy, CEO, Mark Goodlet and Executive Officer Nicole Ceric.

Lake Claremont Advisory Committee meeting – 11 February 2021 at 8:00am at the Town of Claremont
Agenda & Minutes available on Town of Claremont website: <https://www.claremont.wa.gov.au/Council/Committee-and-Council-Meetings>
Attended with social distancing. Councillor Bennett also attended.

City of Nedlands Australia Day Citizenship Ceremony Meeting – 26 January 2021 at 9:30am Adam Armstrong Pavilion, Dalkeith.

WALGA Central Metropolitan Zone Meeting – 26 November 2020 at 6:00pm at the Town of Mosman Park ('Memorial Park' Cnr Bay View Terrace and Memorial Drive, Mosman Park WA)
Agenda & Minutes available on WALGA website: <https://walga.asn.au/About-WALGA/Structure/Zones/Central-Metropolitan-Zone.aspx>
Attended also Mayor Cilla de Lacy, Councillor Rebecca Coghlan and CEO, Mark Goodlet.

DAP Meetings (x6)

Metro Inner North JDAP meeting #50 – 26 November 2020 at 9:00am at the Department of Planning, Lands and Heritage, 140 William Street, Perth to determine the following applications:

Attended online with Councillor Bennett.

Lot 142 & 141 (21-23) Louise St, Nedlands (MINJDAP previously deferred on 23 September 2020, for 60 days).

Residential Development consisting of 7 two storey grouped dwellings, 6 apartments over three storeys and basement car parking. The RAR recommendation for approval was moved with amendment and CARRIED 4/1.

And

Lot 71 (13) Vincent Street, Nedlands - 15 Unit, 5 storey + basement multiple dwellings. The RAR recommendation for approval was moved and CARRIED 4/1.

Metro Inner North JDAP meeting #51 – 1 December 2020 at 9:00am at the Department of Planning, Lands and Heritage, 140 William Street, Perth to determine the following applications:

Attended online with Councillor Bennett.

Lot 531 (No. 79) and Lot 532 (No. 81) Broadway, Nedlands - Mixed Use Development – 34 Multiple Dwellings, Shop tenancy and associated car parking. The RAR recommendation for approval was moved with amended conditions and CARRIED 3/2

Metro Inner North JDAP meeting #52 – 3 December 2020 at 9:00am at the Department of Planning, Lands and Heritage, 140 William Street, Perth to determine the following applications.

Attended online with Councillor Bennett.

Lot 256 (97) Smyth Road, Nedlands - 12 Residential Multiple Dwellings. Procedural Motion to defer for 60 days to address Design Peer Review and other R-Code outcomes not achieved. CARRIED 3/2.

And

Lot 689 (5) Hillway, Nedlands (MINJDAP previously refused on 22 May 2020, then approved on 29th September 2020 following SAT referral) - 10x multiple dwellings. The RAR recommendation for approval of modifications was moved and CARRIED 3/2.

Metro Inner North JDAP meeting #56 – 17 December 2020 at 9:00am at the Department of Planning, Lands and Heritage, 140 William Street, Perth to determine the following applications:

Attended online with Councillor Bennett.

Lot 67 (18) & Lot 68 (20) Webster, Nedlands - Ten Grouped Dwellings. The RAR recommendation for refusal was moved and LOST 2/3. The requested Alternate motion for approval was amended and CARRIED 3/2.

Metro Inner North JDAP meeting #62 –8 February 2021 at 9:00am at the Department of Planning, Lands and Heritage, 140 William Street, Perth to determine the following applications:

Attended online with Councillor Bennett.

Lot 100 (97) and Lot 500 (105) Stirling Highway, Nedlands - Mixed use development comprising of basement car parking, restaurants, offices, motor vehicle sales and 301 multiple dwellings. The RAR recommendation for refusal with an additional reason for traffic, was moved and LOST 2/3. The alternate motion for approval was moved and CARRIED 3/2.

Metro Inner North JDAP meeting #67 –16 February 2021 at 9:00am at the Department of Planning, Lands and Heritage, 140 William Street, Perth to determine the following applications:

Attended online with Councillor Bennett.

Lot 256 (97) Smyth Road, Nedlands - 12 Residential Multiple Dwellings. The RAR recommendation for approval with amended conditions for frosted glass on all balconies, and list of 5 properties for dilapidation survey, was moved and CARRIED 5/-.

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.

Item 17.1 Council Risk and Reporting.

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 Hodsdon
Seconded – Councillor McManus

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

Audit & Risk Committee	14 December 2020
Unconfirmed, Circulated to Councillors on 18 December 2020	
Council Committee	1 December 2020
Unconfirmed, Circulated to Councillors on 15 December 2020	
Council Committee	9 February 2021
Unconfirmed, Circulated to Councillors on 19 February 2021	

CARRIED UNANIMOUSLY 12/-

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

En Bloc

Moved - Councillor Youngman
Seconded – Councillor Horley

That all Committee Recommendations relating to Reports under items 12.2, 12.3, 12.4 and 12.5 with the exception of Report Nos. PD01.21, PD02.21, PD03.21, CM01.21, CPS04.21 are adopted en bloc.

CARRIED UNANIMOUSLY 12/-

Moved – Mayor de Lacy
Seconded – Councillor Coghlan

That item 13.1 be brought forward.

CARRIED UNANIMOUSLY 12/-

Moved – Mayor de Lacy
Seconded – Councillor Coghlan

That item 14.7 be brought forward.

CARRIED 10/2
(Against: Crs. Smyth & Poliwka)

Moved – Mayor de Lacy
Seconded – Councillor Coghlan

That item 17.1 be brought forward.

Lost 4/8
(Against: Crs. Smyth McManus Bennett Mangano
Youngman Poliwka Coghlan & Senathirajah)

Please note this item was brought forward from page 61.

13.1 Council Policy Reviews

Committee	9 February 2021
Council	23 February 2021
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995 and section 10 of the City of Nedlands Code of Conduct for Impartiality	Nil.
CEO	Mark Goodlet
Attachments	<ol style="list-style-type: none"> 1. Elected Member Fees, Expenses, Allowances and Other Provisions 2. Legal Representation for Elected Members and Employees Council Policy 3. Management of Information for Elected Members Council Policy 4. Council Member and Employee training and conference attendance Policy 5. Asset Management Council Policy 6. Use of Council Facilities for Community Purposes Policy 7. Community Notice Boards in Council Operated Facilities Council Policy 8. Application of Grant Funding Council Policy 9. Community Signage Council Policy 10. Bulk Waste Collection and Waste Receptacles on Nature Strips Council Policy 11. Unauthorised Damage of Vegetation Council Policy 12. Trading in Public Places Council Policy 13. Natural Area Path Network Council Policy 14. Nature Strip (Verge) Parking adjacent to Vacant Lots Council Policy (attachment 14); and 15. Operation of Bank Accounts Council Policy 16. Professional Development Council Policy 17. Advisory & Working Groups Policy (Updated following Cr Briefing 16 February 2021) 18. Natural Areas Management Council Policy
Confidential Attachments	Nil.

Regulation 11(da) – Council agreed that some policies needed to be workshopped further for better understanding and clarification prior to final adoption or new or reviewed policies.

Moved – Councillor Horley

Seconded – Councillor Smyth

Council Resolution

Council:

1. Refers the following policies to a Councillor workshop:

- Elected Member Fees, Expenses, Allowances and Other Provisions
- Legal Representation for Elected Members and Employees Council Policy
- Management of Information for Elected Members Council Policy
- Professional Development and Attendance at Events

2. Amends the Community Notice Boards in Council Operated Facilities policy be amended by:

Query 1st item on the 2nd page, revision requested:

‘Commercial products and services’ appears to include the many exercise and wellness activities that are currently advertised on community notice boards. If this clause is applied it will exclude many low profit, highly valued community exercise classes, including Zumba for retirees and chair yoga classes et cetera. Having these remain advertised on the community notice boards retains a valued source of information for many members of the community.

3. Amends the Bulk Waste Collection Policy be amended as follows:

a. Context to read as follows:

The City is committed to providing excellent waste management services to the community, whilst minimising any adverse impact on amenity from waste services.

b. Add a new clause d) as follows:

- d) Residents are to ensure that wherever possible Municipal refuse, recycling and green waste bins do not block pathways.**

**CARRIED 10/2
(Against: Mayor de Lacy Cr. Wetherall)**

Moved – Councillor McManus
Seconded – Councillor Senathirajah

Council Resolution

- 1. adopts the following updated Council Policies:**
 - d. Council Member and Employee training and conference attendance Policy (attachment 4);**
 - e. Asset Management Council Policy (attachment 5);**
 - f. Use of Council Facilities for Community Purposes Policy (attachment 6);**
 - h. Application of Grant Funding Council Policy (attachment 8);**
 - i. Community Signage Council Policy (attachment 9);**
 - k. Unauthorised Damage of Vegetation Council Policy (attachment 11);**
 - l. Trading in Public Places Council Policy (attachment 12);**
 - m. Natural Area Path Network Council Policy (attachment 13);**
 - n. Nature Strip (Verge) Parking adjacent to Vacant Lots Council Policy (attachment 14); and**
 - o. Operation of Bank Accounts Council Policy (attachment 15); and**
- 2. adopts the following new Council Policies:**
 - a. Advisory & Working Groups Policy (attachment 17); and**
 - b. Natural Areas Management Council Policy (attachment 18).**

CARRIED 9/3
(Against: Crs. Bennett Mangano & Youngman)

Recommendation to Council

Council:

- 1. adopts the following updated Council Policies:**
 - a. Elected Member Fees, Expenses, Allowances and Other Provisions (attachment 1);**
 - b. Legal Representation for Elected Members and Employees Council Policy (attachment 2);**
 - c. Management of Information for Elected Members Council Policy (attachment 3);**
 - d. Council Member and Employee training and conference attendance Policy (attachment 4);**
 - e. Asset Management Council Policy (attachment 5);**
 - f. Use of Council Facilities for Community Purposes Policy (attachment 6);**

- g. Community Notice Boards in Council Operated Facilities Council Policy (attachment 7);
 - h. Application of Grant Funding Council Policy (attachment 8);
 - i. Community Signage Council Policy (attachment 9);
 - j. Bulk Waste Collection and Waste Receptacles on Nature Strips Council Policy (attachment 10);
 - k. Unauthorised Damage of Vegetation Council Policy (attachment 11);
 - l. Trading in Public Places Council Policy (attachment 12);
 - m. Natural Area Path Network Council Policy (attachment 13);
 - n. Nature Strip (Verge) Parking adjacent to Vacant Lots Council Policy (attachment 14); and
 - o. Operation of Bank Accounts Council Policy (attachment 15); and
2. adopts the following new Council Policies:
- a. Professional Development Council Policy (attachment 16);
 - b. Advisory & Working Groups Policy (attachment 17); and
 - c. Natural Areas Management Council Policy (attachment 18).

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.

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 or CEO 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.

Elected Member Expenses and Equipment Council Policy

This policy has been reviewed by the Chief Executive Officer and it is recommended the policy be renamed - Elected Member Fees, Expenses, Allowances and Other Provisions as per attachment 1.

A significant change is a proposal to pay elected members in arrears, not in advance. Payment in advance of work performed is not in keeping with modern accepted business practice. Payment in arrears, while possible, creates problems after an election or resignation of an elected member, since the local government is required to seek reimbursement of unused advanced payment.

This policy was reviewed with Councillors at a briefing session and is now presented to Council for adoption.

Interstate and International Travel Council Policy renamed Council Member and Employee Training and Conference Attendance Policy

This policy has been reviewed by the Chief Executive Officer and it is recommended the policy to be renamed – “Council Member and Employee Training and Conference Attendance Policy” as per attachment 4.

Under the annual SAT pay determination for Councillors and CEOs, travel and accommodation reimbursements are required to be as per schedule I of the Public Service Award 1992 - The extent to which a Council member can be reimbursed for intrastate or interstate travel and accommodation costs incurred in any of the circumstances referred to in regulation 32(1) of the LG Regulations is at the same rate applicable to the reimbursement of travel and accommodation costs in the same or similar circumstances under the Public Service Award 1992 issued by the Western Australian Industrial Relations Commission as at the date of this determination.

Council reviewed this policy at a Councillor Briefing and is now presented to Council for adoption.

Council Policies with minor changes

All of the policies listed below have been reviewed by administration, with only minor changes recommended to bring the policy up to date which are shown in track changes as per the attachments and are now presented to Council for review and adoption.

- Management of Information for Elected Members Council Policy
- Community Notice Boards in Council Operated Facilities Council Policy
- Application of Grant Funding Council Policy
- Community Signage Council Policy
- Bulk Waste Collection and Waste Receptacles on Nature Strips Council Policy
- Unauthorised Damage of Vegetation Council Policy
- Trading in Public Places Council Policy
- Natural Area Path Network Council Policy
- Assessment Management Council Policy
- Legal Representation for Elected Members and Employees Council Policy
- Use of Council Facilities for Community Purposes Council Policy
- Nature Strip (Verge) Parking adjacent to Vacant Lots Council Policy
- Operation of Bank Accounts Council Policy

New Council Policies

Professional Development Council Policy

This policy is a requirement under the Local Government Act 1995.

5.128. Policy for continuing professional development

- (1) A local government must prepare and adopt* a policy in relation to the continuing professional development of council members.
* Absolute majority required.
- (2) A local government may amend* the policy.
* Absolute majority required.
- (3) When preparing the policy or an amendment to the policy, the local government must comply with any prescribed requirements relating to the form or content of a policy under this section.
- (4) The CEO must publish an up-to-date version of the policy on the local government's official website.
- (5) A local government —
 - (a) must review the policy after each ordinary election; and
 - (b) may review the policy at any other time.

This policy was drafted by the CEO and reviewed and discussed with Councillors at a briefing session and is now presented for adoption.

Advisory & Working Groups Council Policy

Council has established two community working groups and therefore this policy is required to provide guidance for the operation of these Working Groups and any advisory groups Council may wish to establish.

This policy was drafted by the CEO and reviewed and discussed with Councillors at a briefing session and is now presented for adoption.

Natural Areas Management Council Policy

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 outcome focus. The bushland reserves will be managed for the purposes of:

- biodiversity,
- conservation; and
- recreation outcomes for the community.

This policy was drafted by the CEO and reviewed and discussed with Councillors at a briefing session and is now presented for adoption.

Key Relevant Previous Council Decisions:

Council Resolution – 15 December 2020

That this item be deferred to the Council Committee Meeting on 9 February 2021.

Consultation

New Policies or those policies with major changes were presented to Councillors and discussed at Councillor Briefings as per the list below prior to presentation to Council for adoption.

1 October 2019

- Elected Member Expenses and Equipment Council Policy renamed Elected Members Expenses, Allowances and Other Provisions
- Interstate and International Travel Council Policy renamed Council Member and Employee Training and Conference Attendance Council Policy

10 December 2019

- Natural Areas Management Council Policy

21 July 2020

- Advisory & Working Groups Policy

- Professional Development Council Policy
- Elected Member Expenses and Equipment Council Policy renamed Elected Members Expenses, Allowances and Other Provisions

Council Policies with only minor changes were reviewed by staff followed by the Executive Management Team and are now presented to Council for review and adoption.

Budget/Financial Implications

Nil.

Conclusion

The Council Policies listed in this report have been reviewed and are now presented to Council for review in accordance with the Review of Policies Council Policy and recommended for adoption.



Elected Member Fees, Expenses, Allowances and Other Provisions

Status	Council
Responsible Division	Office of the Chief Executive Officer
Objective	To determine discretionary elements of fees, expenses, allowances and other provisions provided to Elected Members.

Context

Elected Members are entitled to receive fees, expenses and allowances in performing their duties. This policy determines the extent of those fees, expenses and allowances that are subject to Council's discretion.

Upon election Elected Members are entitled to receive the necessary other provisions, including allocated seating, a gift at the conclusion of office, training and conference attendance, in performing their role.



Definitions

Determination – means the Western Australia Salaries and Allowances Act 1975 Determination of The Salaries and Allowances Tribunal for Local Government Chief Executive Officers and Elected Members, pursuant to Section 7A and 7B of the Local Government Act 1995,

ICT expenses – means:

- (a) rental charges in relation to one telephone and one facsimile machine, as prescribed by regulation 31(1)(a) of the LG Regulations; or
- (b) any other expenses that relate to information and communications technology (for example, telephone call charges and internet service provider fees) and that are a kind of expense prescribed by regulation 32(1) of the LG Regulations;

Statement

1. Fees.

The Mayor, Deputy Mayor and Councillors shall be paid the 100th percentile of the applicable annual fee range of the determination (6.4), to be confirmed in the



annual budget each year (s5.98(1) & 5.99). This annual fee shall be paid monthly, in arrears.

2. Expenses and Allowances

The Mayor, Deputy Mayor and Councillors shall be paid expenses as annual allowances, as per the Determination (s5.98(2)(a), 5.98A, 5.99A, reg31 & reg32).

The Mayor shall be paid the annual allowance range maximum under sections 7.1 & 7.2 of the Determination (s.5.98(5)).

The Deputy Mayor shall be paid the annual allowance percentage provided under section 7.3 of the Determination (s.5.98A).

The Mayor, Deputy Mayor and Councillors shall be paid the annual allowance range maximum of the information and communications technology (ICT) allowance (s5.99A(1)).

No IT equipment will be provided by the City. Equipment previously provided by the City to elected members may be kept by the elected member if the equipment is 3 years old or more when the elected member terminates their membership of Council.

The annual allowances are to be confirmed in the annual budget each year.

The annual allowances are to be paid monthly in arrears.

If the allowable expenses of any Council member exceed the allowance, they are entitled to, and may make application to the CEO, for reimbursement (s5.98(2)(a), 5.99A(1) & reg.31).

3. Induction

Newly Elected Members will be required to undertake a comprehensive induction process conducted by Administration. This may involve evening and weekend sessions. Existing Elected Members will also have electronic access to induction materials.

4. Provision of Information

Relevant materials and reports will be provided electronically to Elected Members. Hard copies for items over 30 pages will be provided upon request by the Elected Member.

Elected members will be provided with a City of Nedlands email address which is to be used in Council related email correspondence.

Elected members will be provided with access to a Councillor [portal](#).



5. Seats in Council Chambers.

5.1. Elected Members will occupy the seats in the Council Chambers allocated to them based on the ward represented and alphabetical placement. In exceptional circumstances, by resolution of Council, an Elected Member may be allowed to occupy another seat.

6.



7. Salary Sacrifice

Elected members are not able to salary sacrifice.



8. Gift at conclusion of term of office.

Council will recognise the service given by Elected Members when they retire or are unsuccessful in seeking re-election, by presenting them with a gift up to the value of \$50 per year of office, up to the maximum prescribed amount. The elected member must have served at least one full 4 year term of office to be eligible for a gift (s5.100A & reg34AC).

9. Disability Provisions

The requirements of the Disability Discrimination Act 1992 ensure equal access is provided where disability of an elected member imposes limitations on their ability to perform their duties. The City will provide information and equipment, as needed, in addition to that listed in this policy to support elected members with disabilities.

Related documentation

Professional Development & Attendance Policy

Related Local Law / Legislation

Local Government Act 1995, sections 5.98, 5.98A, 5.99, 5.99A

Local Government (Administration) Regulations 1996

Disability Discrimination Act 1992 (Federal)

Related delegation

Nil



Review History

20 December 2016 (Report CPS33.16)
24 September 2013 (Report CPS26.13)
25 May 2010 (Report CM10.10)
27 August 2013 (Report CPS26.13)



Legal Representation for Elected Members and Employees

Status	Council
Responsible Division	Corporate & Strategy
Objective	To determine when it is appropriate to pay legal representation costs for elected members or employees.

Context

This policy sets the parameters and conditions for payment of legal representation for Elected Members and Employees.

There are four criteria for determining whether the City of Nedlands will pay the legal representation costs of an elected member or employee. These are:

- the legal representation costs must relate to a matter that arises from the performance, by the elected member or employee, of his or her functions;
- the legal representation costs must be in respect of legal proceedings that have been, or may be commenced;
- in performing his or her functions, to which the legal representation relates, the elected member or employee must have acted in good faith, and must not have acted unlawfully or in a way that constitutes improper conduct; and
- the legal representation costs do not relate to a matter that is of a personal or private nature.

Definition

Approved lawyer is to be:

- a 'certified practitioner' under the *Legal Practice Act 2003*;
- from a law firm on the City of Nedlands panel of legal service providers, if relevant, unless the Council considers that this is not appropriate – for example where there is or may be a conflict of interest or insufficient expertise; and
- approved in writing by the Council or the Chief Executive Officer under delegated authority.



Elected member or employee means an elected member of the Council of the City of Nedlands or an employee of the City of Nedlands.

Legal proceedings may be civil, criminal or investigative.

Legal representation costs are the costs, including fees and disbursements, properly incurred in providing legal representation.

Legal services includes advice, representation or documentation that is provided by an approved lawyer.

Payment by the City of Nedlands of legal representation costs may be either by:

- a direct payment to the approved lawyer (or the relevant firm); or
- a reimbursement to the elected member or employee, if a reimbursement is to be paid, the amount must be agreed in advance of the costs being incurred.

Statement

Examples of legal representation costs that may be approved

The City of Nedlands may approve the payment of legal representation costs for the following reasons:

- where proceedings are brought against an elected member or employee in connection with his or her functions – for example, an action for defamation or negligence arising out of a decision made or action taken by the elected member or employee; or
- to enable proceedings to be commenced and/or maintained by an elected member or employee to permit him or her to carry out his or her functions – for example where an elected member or employee seeks to take action to obtain a restraining order against a person using threatening behaviour to the elected member or employee; or
- in the event of a local government enquiry or complaint lodged against an elected member or employee, to permit him or her to provide a proportionate response – for example when questioned by a member of the legal profession; and
- where exceptional circumstances are involved – for example, where a person or organisation is lessening the confidence of the community in the local government by publicly making adverse personal comments about elected members or employees.

The City of Nedlands will not approve, unless under exceptional circumstances, the payment of legal representation costs for a defamation action, or a negligence action, instituted by an elected member or employee.

Application for payment

An elected member or employee who seeks assistance under this policy is to make an application(s), in writing, to the Chief Executive Officer.

For payment to be made, the written application for payment of legal representation costs is to give details of:

- the matter for which legal representation is sought;
- how that matter relates to the functions of the elected member or employee making the application;
- the lawyer (or law firm) who is to be asked to provide the legal representation;
- the nature of legal representation to be sought (such as advice, representation in court, preparation of a document etc);
- an estimated cost of the legal representation; and
- why it is in the interests of the City of Nedlands.

The application is to contain a declaration by the applicant that he or she has acted in good faith and has not acted unlawfully or in a way that constitutes improper conduct in relation to the matter to which the application relates.

As far as possible the application is to be made before commencement of the legal representation to which the application relates.

The application is to be accompanied by a signed written statement by the applicant that he/she:

- has read, and understands, the terms of the policy;
- acknowledges that any approval of legal representation costs is conditional on the repayment provisions and any other conditions to which the approval is subject; and
- undertakes to repay to the City of Nedlands any legal representation costs.

When a person is to be in receipt of such monies the person should sign a document which requires repayment of that money to the local government as may be required by the local government and the terms of the policy.



An application is also to be accompanied by a report prepared by the Chief Executive Officer or where the Chief Executive Officer is the applicant by an appropriate employee.

Legal representation costs – Limit

The Council in approving an application in accordance with this policy shall set a limit on the costs to be paid based on the estimated costs in the application.

An elected member or employee may make a further application to Council in respect of the same matter.

Council's powers

The Council may:

- refuse;
- grant; or
- grant subject to conditions;

an application for payment for legal representation costs.

Conditions may include, but are not restricted to, a financial limit and/or a requirement to enter into a formal agreement, including a security agreement, relating to the payment, and repayment, of legal representation costs.

In assessing an application, the council may have regard to any insurance benefits that may be available to the applicant under the City of Nedlands' elected members or employee's insurance policy or its equivalent.

The Council may at any time revoke or vary an approval, or any conditions of approval, for the payment of legal representation costs.

The Council may determine that an elected member or employee whose application for legal representation costs has been approved has, in respect of the matter for which legal representation costs were approved:

- not acted in good faith, or has acted unlawfully or in a way that constitutes improper conduct; or
- given false or misleading information in respect of the application.

If a determination is made by the Council it can only be on the basis of, and consistent with, the findings of a court, tribunal or inquiry.



Where the Council makes a determination, the legal representation costs paid by the City of Nedlands are to be repaid by the elected member or employee.

Delegation to Chief Executive Officer

In cases where a delay in the approval of an application will be detrimental to the legal rights of the applicant, the Chief Executive Officer may exercise, on behalf of the Council, approval to a maximum of \$20,000 in respect of each application.

An application approved by the Chief Executive Officer is to be submitted to the next ordinary meeting of the Council. Council may exercise any of its powers under this policy.

Repayment of legal representation costs

An elected member or employee whose legal representation costs have been paid by the City of Nedlands is to repay the City of Nedlands:

- all or part of those costs in accordance with a determination by the Council;
- as much of those costs as are available to be paid by way of set-off – where the elected member or employee receives monies paid for costs, damages, or settlement, in respect of the matter for which the City of Nedlands paid the legal representation costs.

The City of Nedlands may take action in a court of competent jurisdiction to recover any monies due to it under this policy.

Related documentation

Nil.

Related Local Law / Legislation

Sections 3.1, 6.7(2) and 9.56 of the Local Government Act 1995

Related delegation

Nil.

Review History



24 September 2013 (Report CPS28.13)
24 August 2010 (Report CM21.10)



Management of Information for Elected Members

Status	Council
Responsible Division	Corporate & Strategy
Objective	To provide for the compliance by Elected Members with the <i>State Records Act 2000</i> .

Context

As one of the City of Nedlands's major stakeholders, Elected Members' records must be created and kept which properly and adequately record the performance of member functions arising from their participation in the decision-making processes of Council and Committees of Council and arising from their role as Councillors.

This requirement should be met through the creation and retention of records of meetings of local government and other communications and transactions of elected members which constitute evidence affecting the accountability of the Council and the discharge of its business.

Political and personal records of Elected Members are exempt. Any correspondence produced or received by Elected Members as part of their duties should be periodically returned to The City for registration into the approved record keeping system.

Statement

The City will file and archive any public records that are created or received by Elected Members in the course of their duties that are required by the *State Records Act 2000* to be retained.

Examples of records related to local government projects or business activities to be retained include – communications; lobbying; telephone, meetings and other verbal conversations; social media posts; work diaries; allowance, benefits and gifts records; and addresses/ speeches / presentations.

Examples of records that are NOT required to be retained include – duplicate copies; draft or working documents; publications; invitations; telephone, meetings and other

verbal conversations NOT related to local government projects or business activities; electioneering; and personal records.

All records created by Elected Members must be returned to the City to be captured, retained and, when authorised, legally destroyed.

Related Documentation

[Record Keeping Plan 2018](#)

Related Local Law / Legislation

[State Records Act 2000](#)

Related Delegation

Nil.

Review History

14 December 2010 (Report CM29.10)

9 July 2019

05 June 2020



Council Member and Employee training and conference attendance.

Status	Council
Responsible Division	Office of the Chief Executive Officer
Objective	To determine requirements for training and conference support for Elected Members and City Employees.

Context

Training and conference attendance are important to Elected Members and Employees in performing the functions of their roles. This policy sets out Council's express authority and terms of approval for attendance at training and conferences, in addition to mandatory training.

Interstate and international travel may be required by Elected Members and Employees for attending training, conferences and professional events. This policy sets out the requirements associated with such travel.

Statement

1. Professional Development and attendance at events.

Council members are required to completed mandatory training (s.5.126).

In addition to mandatory training, if funds have been specifically provided in the budget for an Elected Member to attend a particular training course or conference, then the Chief Executive Officer (CEO) may approve attendance and make any necessary arrangements.

If an Elected Member requests approval to attend a training course or conference for which **no** interstate or international travel is required, and which no specific budget allocation has been made but there are sufficient unallocated funds available within the budget, the following can be applied:

- Where the total cost is no more than \$1,000, CEO can approve;
- Where the total cost is between \$1,001 and \$2,000 then the CEO in consultation with the Mayor may approve attendance if there are sufficient unallocated funds within the budget; and
- Where training or conferences cost more than \$2,000, they must be referred to Council for approval.

Any Elected Member refused permission by the CEO or Mayor to attend training course or conference may refer the matter to Council.

When considering any application by an Elected Member to attend a training course or conference, the CEO, the Mayor or Council should take into account the training needs of the Elected Member and any issues of equity between Elected Members concerning access to training.

DO YOU WISH TO HAVE AN ALLOCATION PER ELECTED MEMBER (suggest same proportion split as per elected members, Deputy Mayor and Mayor)?

2. International and interstate travel

All City funded international travel for Employees and Councillors requires the timely approval of Council when recommended by the CEO. In the case of CEO international travel, the proposal should be presented to Council without recommendation.

All proposals for approval of travel covered by this provision should be in writing and show the reason for the request.

A written report on the travel and event/s attended should be presented to Council by the person who travelled no later than the second meeting after return from the travel.

Interstate travel for Employees for work related purposes is subject to approval by the CEO and a report of the approval and reason for it is to be presented to Council at the meeting following that approval.

Interstate travel by Councillors for Councillor related purposes, including educational, is subject to approval by Council.

3. Reimbursement approvals

The extent to which a Council [Member and Employee](#) can be reimbursed for intrastate or interstate travel and accommodation costs incurred in any of the circumstances referred to in regulation 32(1) of the LG Administration Regulations is at the same rate applicable to the reimbursement of travel and accommodation costs in the same or similar circumstances under the Public Service Award 1992 issued by the Western Australian Industrial Relations Commission as at the date of this determination.

Reimbursement requests must be provided to the CEO and are to include all receipts and a completed reimbursement form.

4. Cancellations

Where cancellations occur the Council member/Employee member should endeavour to find a replacement Council member or appropriate Employee. When no replacement is found the non-refundable portion will accrue to the Council member's or Employee's value of conference attendance.

Related documentation

Elected Member Fees, Expenses Allowances and Other Provisions Policy

Related local law and legislation

Local Government Act 1995, section 5.98(2)(b), 5.126

Local Government (Administration) Regulations 1996, reg.(32)

Related delegation

Nil

Review History

20 December 2016 (Report CPS33.16)

TBD

Asset Management

Status	Council
Responsible Division	Office of the Chief Executive Officer
Objective	This policy establishes the framework for decision making by Council in undertaking asset management in a structured, organised and sustainable manner. .

Context

As the custodian of the City's assets this policy will ensure:

- all legal obligations are met;
- Appropriate representation of the community as asset owners; and
- assets are sustainably managed in an equitable manner.

It is the responsibility of Administration to provide accurate, evidence based technical and professional asset management advice to enable elected members to make informed decisions on behalf of the community they represent.

Statement

Asset Management in the City of Nedlands utilises a combination of contemporary best practice and resources to ensure that the assets under its control are maintained in a safe and functional condition and replaced according to adopted strategies and plans.

Asset Management involves Council, Administration and the Community; from those that plan services, provide services and manage assets and services to those who use the assets. Council will utilise integrated decision-making processes to ensure asset provision and maintenance are properly considered throughout the asset management lifecycle.

The primary goal of asset management is to provide the required level of service in the most cost-effective way through the creation, acquisition, maintenance, operation, rehabilitation and disposal of assets for the present and future generations.

Asset management is a key objective in the City's ten (10) year Strategic Community Plan and Strategic Plan and shall be incorporated into long term financial-management plan. The City's strategic financial plan will ensure that:

- a) Sufficient funds are allocated as a priority each year to operate, maintain and, refurbishment or replacement of existing assets throughout their lifecycle; and



- b) Ensure funds are identified and allocated where appropriate for the investment in new or upgraded assets.

Long term financial models will be prepared that identify the whole of life costs for all City assets. Where appropriate this should include performance modelling of assets based on different funding scenarios.

Investments in new asset creation shall consider whole of life costs of the asset assessing benefit/cost ratios, net present value and the environmental and social benefits of investment.

This policy shall be read in conjunction with the ten (10) year Strategic Community Plan, Four (4) year Corporate Business Plan, Long Term Financial Plan and various strategic documents including but not limited to:

- Asset Management Strategy;
- Asset Management Plans;
- Long Term Financial Plan; and
- Disability Access and Inclusion Plan.

Related documentation

Nil

Related Local Law / Legislation

Local Government Act 1995

Related delegation

Nil

Review History

28 July 2015 (Report CPS18.15)
27 November 2012 (Report CPS48.12)
22 June 2010 (Report D34.10)



Use of Council Facilities for Community Purposes

Status	Council
Department	Community Development
Objective	To provide guidance on the use of Council-owned facilities for community purposes.

Scope

- This policy applies to the use of Council-owned facilities for community purposes only.
 - Therefore, it applies to the use of Council facilities by sporting clubs; community groups and organisations; government departments; and individual community members, when using a Council facility for a community purpose.
 - It does not apply to tenancy of Council facilities for residential or commercial purposes. In these instances, commercial considerations will apply.
-

Definitions

Community purpose	means a purpose that is primarily aimed at benefiting the local community. It includes use by an incorporated sporting club or community organisation or community group. It may also include use by a government department, where the City considers that usage to be of particular value to the local community. It excludes use by a privately owned, profit-based business entity.
Community facilities	include halls, pavilions, change-rooms, clubrooms and other buildings used for community purposes, as well as sporting fields.



Statement

- Council recognises the key contribution that sporting clubs and community organisations make to the local community.
- Therefore, the City provides a range of facilities for their use, as well as use by individual community members.
- Council will structure its fees for use of community facilities on the basis of building community sector capacity and in a way that is financially sustainable for Council.
- Council will make its community facilities available to users on the basis of one of the following:
 - Lease
 - Management Licence or
 - Hire.
- Leases are generally for long-term, formal tenancy arrangements. Management licences are generally for medium-term tenancy arrangements. Hire arrangements are generally for short-term or casual usage.
- Council reserves the right to decide whether a particular facility (or part of a facility) is offered for use on the basis of a lease, management licence or hire arrangement.
- Generally, Council aims to maximise use of its facilities. Therefore, use of community facilities by multiple users is the preferred model. However, under some circumstances Council will consider offering exclusive use of a facility to one specific user, formalised by a lease or management licence.

Leases

- *Purpose:* community-purpose leases aim to provide sporting clubs and other community-based user groups with secure, long-term tenure of Council-owned facilities that are developed and maintained by the tenant.
- *Approval:* all leases of Council-owned property must be approved by Council, unless authority to approve has been formally delegated by Council to the CEO.
- *Eligibility criteria:* Council may consider offering use of a community facility under a lease in the following circumstances:
 - The user group requires exclusive use of a facility. (Example 1: greens used by a bowling clubs cannot be shared by other sport types. Example 2: a bridge club requires such constant use of a facility, and under such



conditions, that the bridge club's use would be incompatible with other uses.)

- The user group has the capacity to manage and maintain the facility, including any capital development required.
- The user group is incorporated as a not-for-profit sporting club or community organisation; or a government department.
- However, meeting the eligibility criteria listed above does not confer a right to a lease. Council reserves the right to decide whether a facility is offered on the basis of a lease; and if so, to whom the lease is offered.
- *Rationale:* the overarching rationale for Council's community-purpose leases is to provide the facility to the user-group free of rental charge, and at no cost to Council. While Council does not seek to profit from community-purpose leases, nor should such leases result in a financial impost on Council and therefore rate-payers generally. The principle underlying community use leases is that *all costs associated with the facility must be met by the lessee.*
- *Key features:* the City's community-purpose leases will be based on a Standard Lease, with the following key features:
 1. No rental fee to be paid by the tenant;
 2. Tenant maintains, develops and operates the facility;
 3. Term of 10 years, plus a 5 year option to renew.
- In exchange for use of a rent-free facility, the tenant is responsible for all maintenance of the facility, including responsibility for the facility's structure, as well as any capital development and replacement of the facility.
- The facility must be maintained to the standard required by Council and fit for the purpose of the use specified in the lease.
- The tenant is also responsible for all utility costs associated with the facility.
- Council may consider CSRFF application: Notwithstanding the tenant's responsibility for capital development of the facility under the terms of their lease, Council may consider formal applications from sporting clubs for capital development grants under the Community Sport and Recreational Fund program, as outlined in Council policy "Capital Grants to Sporting Clubs".

Management Licences



- *Purpose:* community-purpose management licences aim to provide sporting clubs and other community-based user groups with secure, medium-term tenure of a Council facility that is maintained by the City.

Approval: all Management Licences authorising the use of Council-owned facilities must be approved by Council, unless authority to approve has been formally delegated by Council to the CEO.

- *Eligibility criteria:* Council may consider offering use of a community facility under a management licence in the following circumstances:
 - Council elects to offer use of that facility through a management licence..
 - The user group's needs can be met by a management licence in the City's view.
 - The user group has the capacity to meet the costs outlined in the management licence.
 - The user group is an incorporated, not-for-profit, sporting club or community organisation.
- However, meeting the eligibility criteria listed above does not confer a right to a management licence. Council reserves the right to decide whether a facility is offered on the basis of a management licence; and if so, to whom the licence is offered.
- *Rationale:* the overarching rationale for Council's management licence agreements is to enable secure medium-term use of community facilities that are maintained by the City..
- *Key features:* the City's community-purpose management licences will be based on a Standard Management Licence, with the following key features:
 1. Licence fee to be paid by the tenant
 2. City maintains and develops the facility
 3. Term of 3 – 5 years.
- The City is responsible for all maintenance of the facility, including responsibility for the facility's structure, as well as any capital development of the facility.
- The City will maintain the facility to the standard it determines as required for a general, shared-use community building. The City will not fit-out or maintain a shared-use building to meet the particular requirements of any specific user.



- If a user group has specific requirements beyond those determined by the City as appropriate for a general, shared-usage community facility, that user group may request City permission to install the additional requirements. The City may or may not support this request. Any costs associated with these additional requirements must be met by the user group.
- The user group will be responsible for payment of all utilities for the time period for which they are licenced to use the facility.
- *Management licence fees:* Management licence fees will be determined by taking into account:
 - the cost of maintaining the City's community facilities portfolio as a whole;
 - the size of the specific facility being offered under management licence; and
 - the amount of time the user group uses the facility.
- User groups will be charged a management licence fee, approved in Council's annual Fees & Charges, to offset the cost of maintaining the City's community facilities.
- From time to time, Council will consider the cost of providing the City's community facilities portfolio as a whole; and decide on an appropriate rate of cost recovery, to be implemented through the City's management licences.

Hire

- *Purpose:* the primary purpose of providing halls and community centres for hire is to provide community-based users with short-term use of public facilities that are provided and maintained by the City.
- *Approval:* bookings of the City's hire facilities are approved by Administrative staff.
- *Eligibility:* community groups and organisations, sporting clubs, individuals and businesses are all eligible to use the City's hire facilities. However, priority will be given to the following users:
 - Incorporated, not-for-profit, community organisations and sporting clubs
 - Informal community groups.
- However, meeting the priority categories listed above does not confer a right to hire a Council facility. Council reserves the right to decide whether a facility is offered for hire; and to whom the facility is offered.



- *Maximising Use:* In order to maximise use of its hire facilities, Council may allow bookings by individuals and businesses. However, priority for bookings will be given to community groups and organisations.
- *Ineligibility:* private parties with alcohol are not allowed in Council owned facilities.
- However, the ban on private parties with alcohol in City facilities does not prevent sporting clubs or community groups that are regular users of a City facility from holding events with alcohol, providing they meet all necessary requirements.
- Rooms at Mt Claremont Community Centre will not be hired out for events with alcohol, even to sporting clubs or community organisations that are regular users of a Council facility, due to the Centre's proximity to residences.
- *Rationale:* the overarching rationale for Council's hire facilities is to enable orderly, short-term use of Council facilities by multiple community-based users.
- *Key features:* the City's hire arrangements will be based on a hire agreement with the following key features:
 1. Hire fee to be paid by the hirer
 2. City maintains the facility, including all capital expenditure
 3. Short term hire of a minimum period of 1 hour, over a maximum term of 1 year.
- Bookings by hirers can only be made for a maximum of 1 calendar year at a time.
- The City is responsible for all maintenance of the facility, including responsibility for the facility's structure, as well as any capital development of the facility.
- The City is also responsible for all utility costs associated with the facility.
- The City will maintain the facility to the standard it determines as required for a general, shared-use community building. The City will not fit-out or maintain a shared-use building to meet the requirements of any specific hirer.
- The City will not provide signage for hirers.
- *Hire Fees:* Users will be charged a hire fee, listed in Council's annual Fees & Charges, to off-set the cost of maintaining its community facilities..
- From time to time, Council will consider the cost of providing the City's community facilities portfolio as a whole and decide on an appropriate rate of cost recovery, to be implemented through the City's hall hire fees.



Summary of Usage Types:

The key features of the different ways that Council facilities can be accessed are summarised below.

Lease	Management License	Hire
<ul style="list-style-type: none"> • No rental fee paid by tenant • Tenant maintains facility • Tenant responsible for capital development • Tenant pays utilities • 10-year term + option to renew for 5 years 	<ul style="list-style-type: none"> • Annual licence fee paid by tenant • Council maintains facility • Council responsible for capital development • User group pays utilities • 3 – 5 years terms 	<ul style="list-style-type: none"> • Hire fee paid by user • Council maintains facility • Council responsible for capital development • Council responsible for utilities • Booked period = 1 hour – 1 day, depending on availability of facility; • Repeat bookings taken for a maximum period of 1 year. •

Related documentation

Procedure – Use of Council Facilities for Community Purposes (not yet developed)
Council Policy – Capital Grants for Sporting Clubs

Related Local Law/legislation

Property Law Act 1969 (WA)
Disability Services Act 1993 (WA)
Local Government Act 1995 (WA)
Land Administration Act 1997 (WA)

Related delegations

Nil.



Review History

24 March 2015 (Report CPS07.15)



Community Notice Boards in Council Operated Facilities

Status	Council
Responsible Division	Office of the Chief Executive Officer
Objective	To define the use of community notice boards provided in council operated facilities.

Context

This policy sets the parameters and conditions for the use of community notice boards in Council operated facilities which have dedicated space to display community information.

Definitions:

- Community notice boards – dedicated spaces for the display of community generated notices.
- Council operated facilities – for the purpose of this policy, the Council operated facilities include:

The City's Administration building
 Nedlands Library
 Mt Claremont Library
 Mt Claremont Community Centre
 Tresillian Arts Centre
 Point Resolution Child Care Centre

Statement

- Subject matter of items to be displayed on community notice boards must be of general community interest and benefit. Preference will be given to promoting:

Local clubs, service clubs, schools and organisations
 Community events and festivals
 Self-help and support groups
 Cultural events
 Public education programmes

- The following items will not be displayed:



Items advertising commercial products and services, or personal monetary gain
Petitions, or references to petitions, will not be displayed in any Council operated facility

- The City's Chief Executive Officer will consider requests to display materials on the community notice boards. The City reserves the right to refuse to accept materials considered unsuitable under the guidelines of this policy.

- All materials for display must be handed to a staff member either:

At the specific location the material is intended to be displayed, or
if it is to be displayed in more than one facility, multiple copies can be given to the one centre, to be forwarded to other designated facilities.

- As a general rule, materials will be displayed for one month maximum. Materials will be clearly dated upon receipt to manage the display time frames. City staff will remove items from display according to these time frames and the items will be recycled.
- Due to limited space on community notice boards, priority will be given to local material. Items which are not considered local will be displayed when space allows.
- Items up to A4 size are preferred, A3 size will be considered if space is available.

Related documentation

Nil.

Related Local Law/legislation

Nil.

Related delegation

Nil.

Review History

25 August 2015 (report CPS20.15)
26 March 2013

Application of Grant Funding

Status	Council
Responsible Division	Office of the Chief Executive Officer
Objective	To establish guidelines for Council to agree to projects or programs in advance which are subject to planned annual funding rounds, and to allow the Chief Executive Officer to apply for and accept unplanned grant funding amounts up to \$200,000.



Context

There are occasions when grant opportunities arise which are beneficial to the City, that don't fit within City budget development and approval cycles. This policy sets the parameters for application and acceptance of these grants.

Statement

1. General

The Chief Executive Officer may apply for and approve the acceptance of all grants that fit with the strategic priorities, in the following circumstances.

- a. Where the amount of any one grant does not exceed \$100,000 provided it complies with 1b, 1c or 3a of this policy.
- b. If an opportunity exists to enhance a project that has been funded in an adopted budget.
- c. If a project to be funded has been identified in the Strategic Community Plan or Corporate Business Plan.

If a grant application is successful and there is no existing budget for either the income or proposed expenditure Council will need to approve the budget amendment which it may do so after considering a report on the proposal either separately or if appropriate as part of a general budget review.

2. Road Infrastructure Grants

Each year, as part of the annual review of the forward works program, Council will be advised of the next relevant financial year's projects which may qualify for external grant funding under the next relevant Black Spot Projects, Metropolitan Regional Road



Group, Roads to Recovery Department of Transport Western Australia Bicycle Network Grants and Grants Commission” grant programs.

Unless there are any amendments made to these projects as part of the adopted budget, these will be the projects that Council seeks grant funding for.

3. Service Agreement Grants

(This excludes Commonwealth Home Support Programme funding arrangements)

- a. The City may enter into specific service agreements with other Government Agencies for both re-current and non -recurrent funding.
- b. In circumstances where the grant exceeds \$100,000 Council is required to formally resolve to enter into such agreements before funding is accepted.

4. Approval of Grant Applications Authorised by Council

Where grants have been approved by Council in accordance with items 2 or 3 the CEO is authorised to approve the submissions and if successful approve the acceptance of the grants.

Related documentation

Nil.

Related local law and legislation

Local Government Act 1995, section 6.8. Expenditure from municipal fund not included in annual budget

Related delegation

Nil.

Review History

10 December 2013 (Report CPS40.13)

9 May 2006 (Report CP25.06)

Community Signage

Status	Council
Responsible Division	Technical Services

Objective

This policy aims to stipulate what community signage the City will consider installing when requested by organisations within the City, and how installation costs will be applied.

Context

Community and commercial organisations request signage) to their facilities from time to time. The types of signs requested include blue steel signs in road reserves, sporting club signage on public reserves or buildings and signs on reserves advertising community events or commercially provided community services. . A proliferation of signs, together with street name signs, park name signs and public facility signs can render all of the signs insignificant. For this reason, the City will only approve community signage in the appropriate e circumstances.

Definitions

Major road means Primary Distributors and District Distributors (A and B). This includes such major roads as Railway Road, Aberdare Road, Hampden Road and Monash Avenue. This does not include Local Distributor roads such as Dalkeith Road or Princess Road.

Statement

Approval of community signage shall be in accordance with: AS1742.5 section 3; MRWA requirements for Category 3 signs; and the following:

1. The purpose of such signs is to advise road users of the direction of facilities located in side streets
2. Community signage will not be approved for facilities located on a major road;
3. Community signage will not be approved for facilities located on a street directly abutting a major road unless in the opinion of the City there is uncertainty as to which direction the facility is in (Main Roads WA does not permit community signage to be placed on Stirling Highway);

4. Community signage will only be approved for facilities which attract a significant number of visitors from outside of the City;
5. Community signage will not be approved for commercial facilities. Facilities able to apply include:
 - Sporting and Recreational Grounds and Facilities
 - Hospitals
 - Railway Stations and Coach Stations
 - Post Offices
 - Churches and religious institutions
 - Other non-profit institutions
 - Shopping Centres (but not individual shops)
6. Community signage will only be approved for primary and secondary schools which contain within them a specific facility which attracts a significant number of visitors from outside of the City;
7. A written application must be submitted to the City for consideration of a community sign. An application fee will apply;
8. The City is responsible for supply and installation of community signage. All costs for the supply and installation of community signs will be borne by the applicant;
9. A maximum of two community signs shall be erected at any one location;
10. Once approved, community signage will state the shortest name by which the facility is commonly known. Signs should be generic where possible, for example "Hospital" rather than "St Andrew's Hospital". Churches and religious institutions may have the full name displayed; and
11. The City reserves the right to remove community signage at its own discretion. Where this is within six months of the sign being erected, the installation costs (not including the application fee) will be refunded to the applicant.

The AS 1742.5 advises that a better way of directing people to a facility is to ensure that a clear address is provided on stationery and publicity material – this should be a recommendation where applications do not meet the eligibility criteria for a community sign.

Related documentation

Australian Standard 1742.5

Related local law and legislation

Nil



Related delegation

Nil

Review History

28 July 2015 (report CPS18.15)

Bulk Waste Collection and Waste Receptacles on Nature Strips

Status Council

Responsible division Technical Services

Objective

The objectives of this policy are to:

- a) Communicate Council's position that unauthorised placement of material or placement of waste receptacles on nature strips contrary to the City's advice or approval is not acceptable.
- b) To ensure that community members are not inconvenienced by the depositing of unauthorised material or placement of waste receptacles on nature strips.
- c) To practically minimise the amount of time that material or waste receptacles is located on a nature strip prior to collection.
- d) Ensure that the City collects bulk collection material within advertised timeframes.

Context

The City is committed to providing excellent waste management services to the community. ~~An orderly waste collection and recycling system will ensure that any adverse impact on amenity from waste services is minimised.~~ Material that is deposited, separated and collected will be removed by the City or its bulk collection service contractors in an efficient and timely manner, reducing vandalism, arson and nuisance.

Statement

- a) This policy will not apply to reserves or land vested in other agencies.
- b) Wherever appropriate, a notice will be issued to the property owner or occupier for unauthorised placement of waste material or waste receptacles on the nature strip.
- c) Residents are to ensure that all municipal refuse, recycling and greenwaste bins are not put on the nature strip for collection earlier than 24 hours before collection and must be removed within 24 hours of collection.
- d) Residents are to ensure that all municipal refuse, recycling and greenwaste bins are stored out of sight from the street. Residents can apply to Council where they

wish to store bins in a manner where they can be viewed from the street outside of their normal collection day.

- e) During bulk waste collection times, bulk waste, green waste, metals, mattresses and e-waste are to be stacked separately.
- f) No rubbish is to be placed on the nature strip more than one week prior to collection date.
- g) Skip style or bulk waste bins should not be placed on the nature strip where practicable. These bins may be placed on the nature strip immediately adjacent to the property with the express written permission of the City. Repair for any damage caused to the nature strip or its infrastructure due to the placement or transportation of the bin will be the responsibility of the landowner of the adjacent land.
- h) Recognising that illegal dumping on nature strips and other public land occurs from time to time, the City will investigate reported instances prior to the material being removed.
- i) All offenders of illegal dumping will be infringed or prosecuted in accordance with relevant acts or laws.
- j) The City will continue to advise residents annually, via a booklet or similar, detailing the timelines and methods in which material should be placed on the nature strip for those residents wishing to participate in the bulk collection service.
- k) Material containing asbestos or material suspected of containing asbestos must not be placed in a City waste receptacle, nor placed on the nature strip for bulk waste collection.

Related documentation

Nil.

Related Local Law/legislation

City of Nedlands Health Local Law
 City of Nedlands Waste Local Law 2016
 Litter Act 1979
 Litter Regulations 1981
 Health (Asbestos) Regulations 1992
 Waste Avoidance and Resource Recovery Act 2007

Related delegation

Nil.

Review History

28 April 2015 (CPS10.15)
13 December 2005 (Report CP36.05)
26 October 2004 (Report E111.04)
25 November 2003 (Report E108.03)
12 November 2002 (Report E154.02)
12 March 1996 (Item 12 TS)



Unauthorised Damage of Vegetation

Status	Council
Responsible Division	Planning & Development Services
Objective	To provide a clear direction as to the appropriate response by the City in the event of unauthorised vegetation damage on Council Reserves..

Context

The City is committed to the effective management and protection of vegetation. Unauthorised damage to vegetation on public land occurs from time to time particularly along foreshore and coastal areas. Vegetation is damaged for a number of reasons, ranging from random vandalism to deliberately planned acts, which may be occurring for private benefit such as the enhancement of views. This policy aims to discourage unauthorised damage of vegetation through the use of signage.

Vegetation within the City is of high importance and is significant in terms of:

- Habitat and biodiversity values;
- Erosion prevention;
- Visual amenity;
- Landscape protection;
- Shade provision;
- Wind buffer for residents and users of foreshore and coastal reserves;
- Cultural and historical significance;
- Contribution to developing and maintaining the urban forest; and
- Streetscape value.

Statement

General

- The City may prosecute where an offender is identified who has caused unauthorised damage to vegetation on public land;The City will provide a mechanism to encourage community members to report unauthorised damage to vegetation on public land;
- The City will provide a significant deterrent against future unauthorised damage to vegetation on public land; and



- The City will pursue, in conjunction with a prosecution, any replacement costs for the vegetation and in the case of trees, their value in accordance with the City's Tree Register.

Related documentation

City of Nedlands Urban Forest Strategy 2018 – 2023

Natural Area Management Plans 2019-2024

Western Suburbs Greening Plan 2002

Related Local Law/legislation

Local Government Act 1995

Local Government Property Local Law 2010

Regulation No.5 of Local Government (Uniform Local Provisions)

Regulations (1996)

Environmental Protection Act (1986)

Related delegation

Nil

Review History

26 June 2012 (CP27.12)

23 June 2015 (CPS14.15)

Trading in Public Places

Status	Council
Responsible division	Planning & Development Services
Objective	To allow for the operation of trading activities in public places in such a manner that they do not conflict with or prejudice the City's permanent retail and service base, or other normal functions of the City.

Context

The City encourages vibrant local centres which deliver local services to community. Outdoor dining and the display of goods associated with a shop may be allowed in accordance with this policy.

Statement

General

- Council will consider applications to trade in public places, including outdoor dining and the display of goods upon the footpath.
- Applications will be assessed in a way similar to applications for the use of private land made under the Town Planning Scheme.
- The ways in which any proposal will impact upon the following will be given particular attention.
- The appropriateness of any activity to the character and function of the area.
- The movement of pedestrians and vehicular traffic.
- The safety and accessibility of proposed trading locations.

Outdoor Dining

- Approval will only be given to proposals for outdoor dining that is part of an eating establishment in an adjacent building.



- The use of any item of equipment including, tables and chairs, planters, umbrellas and railings will be subject to conditions that will facilitate the safe movement of pedestrians and protect access to facilities such as parking and bus stops.
- Any approval for outdoor dining on footpaths will require a minimum clear footpath width of 1.5 metres.

Goods on Footpaths

- Approval will only be given to display goods on footpaths directly in front of the premises from which the goods are being offered for sale and where no obstruction is caused to adjacent premises.
- Any approval for the display of goods on footpaths will require a minimum clear footpath width of 1.8 metres.

Related documentation

Nil

Related Local Law/legislation

Health Local Law

Trading in Public Places Local Law

Related delegation

Nil

Review History

28 July 2015 (Report CPS18.15)

28 February 2012 (Report CM12.12)

Natural Area Path Network

Status	Council
Responsible division	Planning & Development Services
Objective	To outline a strategy for improving and rehabilitating the natural area path network throughout the City.

Context

To minimise the cost of rehabilitating and maintaining natural area paths as described in the City's Bushland Management Plans to an acceptable standard in accordance with Australian Standards (where possible).

Statement

Council will develop a strategy for the improvement and rehabilitation of the natural area path network in accordance with fire protection strategies (where appropriate) and for the integration of a hierarchy of paths for pedestrians and cyclists.

A schedule of natural area path improvements and rehabilitation shall be submitted to Council as a ten-Year Capital Works Program. Priority shall be for paths that are degraded and as such pose safety risks. Priority will also be for paths that require upgrading for fire fighting vehicle access (where appropriate).

The procedures associated with this policy detail the ways in which the strategy will be developed and the standards and specifications for natural area paths.

The City shall aim to upgrade natural area paths to meet its obligations under the Disability Access and Inclusion Plan in consultation with Bushland Friends Groups (where possible).

Related documentation

Natural Area Paths – Construction and Maintenance Procedures
 Natural Area Management Plans – 2019-2024

Related Local Law/legislation

Local Government Act 1995
 Disability Access and Inclusion Plan



Related delegation

Nil

Review History

28 April 2015 (CPS10.15)

26 June 2012 (CP27.12)

Nature Strip (Verge) Parking adjacent to Vacant Lots

KFA	Managing Parking
Status	Council
Responsible Division	Technical Services
Objective	To manage parking on nature strip (verge) adjacent to vacant lots.

Context

Part 5, cl. 5.14 of the City's Parking and Parking Facilities Local Law 2013 (Local Law) does not permit parking on a nature strip (verge) without the authorisation of the adjacent property owner. Compliance with the Local Law is initiated where a property owner advises the City of any unauthorised vehicle being parked on the nature strip adjacent to their property.

Nature strips adjacent to vacant lots with no prohibitions for verge parking have a tendency to be used for informal parking without the knowledge of the adjacent property owner. Uninvited nature strip (verge) parking should be minimised and ~~wherever possible such that there is a requirement allowing for it to be~~ effectively managed in conjunction with a vacant lot.

Statement

Where community concerns are raised, the City may erect 'No Parking on Verge' signage adjacent to vacant lots to allow enforcement of the local law parking laws. Signs will be removed following the issue of a building permit.

The City will provide 10 working days written notice to the adjacent vacant lot owner prior to installing any signage under this policy. The City will provide the reasoning for the signage, and the opportunity for the lot owner to provide any feedback or objection to the signage for the City's consideration if applicable.

Related documentation

Nature Strip Development Policy

Related local law and legislation

- *Local Government Act 1995*
- *City of Nedlands Parking and Parking Facilities Local Law 2013*



Related delegation

Nil.

Review History

27 October 2015 (Report CPS24.15)

Operation of Council Bank Accounts

Status	Council
Responsible Division	Corporate & Strategy
Objective	To define the bank accounts that are authorised for operation, the purposes to which each can be applied, and the signatories to those respective bank accounts.

Context

The Local Government Act 1995 requires the operation of separate bank accounts for money held in the Municipal Fund, Trust Fund and in reserve accounts.

Statement

- 1 In order to meet its statutory obligations under Division 4 of Part 6 of the *Local Government Act 1995*, and to facilitate the day to day financial operations of Council, the following bank accounts are authorised to be operated:
 - Municipal Fund;
 - Trust Fund; and
 - Reserve Accounts for each of Council's Reserves.
- 2 The signatories to the above accounts shall be any two of:
 - Chief Executive Officer
 - Director Corporate & Strategy
 - Director Planning & Development
 - Director Technical Services
 - Manager Financial Services
 - Manager Corporate Strategy & Systems

With any two to authorise withdrawal/payment from any of the City's accounts.

Related Documentation

Nil.

Related Local Law / Legislation

Section 5.42 and Sections 6.6 – 6.11 *Local Government Act 1995*

Related delegation

3D Operation of Council Bank Accounts

Review History

10 December 2013 (Report CPS40.13)

26 October 2010 (Report CM26.10)

Professional Development & Attendance at Events

Status	Administration
Responsible Division	Office of the Chief Executive Officer
Objective	To determine requirements for professional development and attendance at events.

Context

Professional Development and attendance at events are important to Elected Members and the Chief Executive Officer (CEO) for capacity building of the individual and the organisation. This policy sets out Council's position and terms of approval for professional development and attendance at events.

The attendance at events component of this policy is to enable Council members to attend events as a representative of Council without restricting their ability to participate in Council meetings. It is not intended to be used as a mechanism to avoid conflict of interest provisions where significant matters are likely to come before Council from the provider of the invitation.

Definitions

Event	Includes concert, conference, function, seminar, webinar and sporting event.
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Statement

1. General Purpose and Principle

- a. The City of Nedlands (City) is committed to the development, education and improvement, of its Councillor with a view to enhancing Council performance and effectiveness for the benefit of the LG and its constituents.
- b. The aspiration of this policy is to equip Council Members and the CEO with the knowledge, skills and understanding they need to discharge their responsibilities effectively having regard to sound local authority governance standards and regulatory requirements.
- c. This policy addresses attendance at any events, including concerts, conferences, functions or sporting events, whether free of charge, part of a sponsorship agreement, or paid by the local government. The purpose of the policy is to provide transparency about the attendance at events by Council Members and the (CEO).

- d. Attendance at an event in accordance with this policy will exclude the gift holder from the requirement to disclose an interest if the ticket is above \$300 and the donor has a matter before Council. Any gift received that is less than \$300 (either one gift or cumulative over 12 months from the same donor) also does not need to be disclosed as an interest. Receipt of the gift will still be required under the gift register provisions.
- e. In particular this Policy, and its adoption is intended to respond to the requirements of s 5.90A in regard to attendance at event, and s.5.128 in regard to professional development, of the Local Government Act 1995 as amended ("Act").

2. Induction and Regulatory Prescribed Training

- a. The City will implement induction procedures designed to allow new Council appointees to gain knowledge about the City and the principles of local government so they may participate fully and actively in Council meetings and decision making at the earliest opportunity following their appointment.
- b. Such induction procedures may relate to and assist Councillors to gain a better understanding of:
 - the City's financial, strategic, operational and risk management position;
 - their rights, duties and responsibilities as Councillors;
 - the role of Council committees and Council advisory / working groups and their Terms of Reference;
 - the City's culture and values;
 - Standing Orders Local Law meeting procedures;
 - good practice protocols and constraints concerning interactions with other Councillors, the CEO, officers, staff, constituents and stakeholders as per the Code of Conduct and Regulations, Rules of Conduct.
- c. Without limiting the generality of 2(a) and (b) of this Policy, each Council member must also complete training in accordance with regulations prescribed under s.5.126 of the Act.

3. Professional Development

- a. Councillors should commit to undertaking continuing professional development to update and enhance their knowledge, skills and understandings to assist them in more effectively discharging their responsibilities as Councillors for the benefit of the City and its constituents as a whole.

- b. The professional development to be undertaken by Councillors should be such that is most relevant to each Councillor individually having regard to their own existing level of knowledge, skills, experience, understanding and qualifications.
- c. The following subject matter should as a minimum be considered by Councillors in their professional development:
 - Integrated Strategic Planning
 - Finance
 - Governance & Board Operations
 - Local Government Act & Regulations
 - Planning
 - Asset Management
 - Community Health & Wellbeing
- d. Professional Development opportunities or other fields related to local government may also be considered, including but not limited to environmental, social, technical, IT strategy and planning.
- e. Nothing in paragraph (d) implies that Councillors should not undertake relevant professional development at their own expense, or by way of co-contribution with the LG, as appropriate.

4. Attendance Approval

a. Approval Criteria

In making an application to attend professional development or an event the applicant must provide the following in writing to the CEO, or Mayor where the applicant is the CEO:

- i. who is providing the invitation or ticket;
- ii. the location;
- iii. the role of the council member or CEO when attending (participant, observer, presenter) and the value of their contribution;
- iv. whether it is sponsored by the local government;
- v. the benefit of local government representation;
- vi. the number of invitations / tickets received; and
- vii. the cost to attend / participate, including the cost of the ticket (or estimated value of the event per invitation) and any other expenses such as travel and accommodation.

Decisions to attend events will be made by the CEO, Mayor or Council, in accordance with this policy.

Any Elected Member not financially supported by the CEO or Mayor to attend professional development or an event may refer the matter to Council.

When considering any application by an Elected Member to attend professional development or an event, the CEO, the Mayor or Council should take into account the professional development needs of the Elected Member and any issues of equity between Elected Members concerning access to professional development.

b. Mandatory training & specific budget provision

In addition to mandatory training, if funds have been specifically provided in the budget for a Council Member to attend specific professional development or an event, then the Chief Executive Officer (CEO) will make any necessary arrangements.

c. No specific budget provision and attendance within 300 kms radius from Nedlands

If a Council Member requests approval to attend professional development or an event within 300 kms radius from Nedlands, for which no specific budget allocation has been made, but there are sufficient unallocated funds available within the budget, the following will be applied:

- Where the total cost is no more than \$1,000, CEO can approve;
- Where the total cost is between \$1,001 and \$2,000 then the CEO in consultation with the Mayor may approve attendance if there are sufficient unallocated funds within the budget; and
- Where the total cost is more than \$2,000, the request must be referred to Council for approval.

d. International and interstate travel

All City funded international travel for Employees and Councillors requires the timely approval of Council when recommended by the CEO. In the case of CEO international travel, the proposal should be presented to Council without recommendation.

All proposals for approval of travel covered by this provision should be in writing and show the reason for the request.

Interstate travel by Councillors for Councillor related purposes, including educational, is subject to approval by Council.

A written report on the event/s attended is to be presented to Council by the attendee no later than the second Council meeting after the event.

5. Provision of tickets to events

All invitations or offers of tickets for a council member to attend an event should be in writing and forwarded to the CEO, or to the Mayor where the CEO receives the invitation.

Any invitation or offer of tickets not forwarded to the CEO, or Mayor in case of the CEO, is not captured by this policy and must be disclosed in accordance with the gift and interest provisions in the Act.

A list of events and attendees authorised by the local government in advance of the event as per below:

Events	Approved Attendee/s
<ul style="list-style-type: none"> • State & Federal Department • Local Governments • WALGA • LG Professionals • Local Sporting Clubs • Local Not for Profit Groups • Private Schools • Local RSL Branch • Local Charities 	<ul style="list-style-type: none"> • Mayor • Councillors • CEO

6. Payments / Reimbursements in respect of attendance

Where an invitation or ticket to an event is provided free of charge, the local government may contribute to appropriate expenses for attendance, such as travel and accommodation, for events outside the district if the Council determines attendance to be of public value.

For any events where a member of the public is required to pay, unless previously approved and listed as per 6 above, the council will determine whether it is in the best interests of the local government for a council member or the CEO or another officer to attend on behalf of the Council.

If the Council determines that a Council Member or CEO should attend a paid event, the local government will pay the cost of attendance and reasonable expenses, such as travel and accommodation.

Where partners of an authorised local government representative attend an event, any tickets or expenses specifically incurred for that person, if paid for by the local government, must be reimbursed by the representative unless expressly authorised by the Council.

Reimbursements are as determined by The Salaries and Allowances Tribunal each year. The extent to which a Council Member and Employee can be reimbursed for intrastate or interstate travel and accommodation costs incurred in any of the circumstances referred to in regulation 32(1) of the LG Administration Regulations is at the same rate applicable to the reimbursement of travel and accommodation costs in the same or similar circumstances under the Public Service Award 1992 issued by the Western Australian Industrial Relations Commission as at the date of this determination.

Reimbursement requests must be provided to the CEO and are to include all receipts and a completed reimbursement form.

7. Cancellations

Where cancellations occur the Council member/CEO should endeavour to find a replacement Council member or appropriate Employee. When no replacement is found the non-refundable portion will accrue to the Council member's or CEO's value of conference attendance.

8. Councillor Disclosure of Professional Development undertaken

- a. The City will keep a progressive record of all professional development, education and training undertaken by Councillors as may be reported to the CEO by Councillors.
- b. Councillors should promptly report in writing to the CEO any relevant professional development education and training in the terms of this Policy undertaken by them including:
 - the substance, nature and learning outcomes from the same;
 - when, or the period over which, the same was undertaken;
 - in the case of any such professional development, education and training not fully funded by the City, a statement to that effect, and should ensure that all such reports for professional development, education and training undertaken by a Councillor during a financial year are provided to the CEO by the end of the relevant financial year.

9. Reporting by LG

Section 5.127 – Report on Training

- (1) A local government must prepare a report for each financial year on the training completed by Council Members in the financial year.
- (2) The CEO must publish the report on the local government's official website within 1 month after the end of the financial year to which the report relates.

10. Policy Review / Amendment

This Policy is to be reviewed after each ordinary election so as to comply with section 5.128(5) of the Local Government Act 1995.

Related documentation

Nil.

Related local Law and Legislation

Local Government Act 1995 – Section 5.128. Policy for continuing professional development

Related delegation

Nil.

Review History

Adopted by Council xxxx

Advisory & Working Groups Policy

Status	Administration
Responsible Division	Office of the Chief Executive Officer
Objective	To provide guidance for the establishment and operation of the City's Advisory or Working Groups.

Definitions

Establishment Date: is the date on which Council resolved to form an Advisory or Working Group.

Financial Interest: has the same meaning as given by Section 5.60A of the Local Government Act 1995.

Impartiality Interest: has the same meaning as "Interest", given by Regulation 11(1) of the Local Government (Rules of Conduct) Regulations 2007.

Proximity Interest: has the same meaning as given by Section 5.60B of the Local Government Act 1995.

Termination Date: means the date the Advisory or Working Group ceases and is the earlier of:

- a. 2 years from the establishment date;
- b. The date resolved by Council; or
- c. Close of business on the day before ordinary elections.

Advisory or Working Group: means and includes Advisory or Working Group as referred to in this Policy and established by a resolution of the Council.

Terms of Reference: for an Advisory or Working Group includes the following:

- a. Purpose / Objectives
- b. Membership and Chair / Deputy Chair
- c. Statement of adherence to the Code of Conduct
- d. Tasks
- e. Key performance indicators (outcomes)
- f. Meeting frequency
- g. Termination date
- h. Agenda

Statement

Council may establish and operate Advisory and Working Groups.

1. Policy Principles

1.1 Establishment

The Council may, by resolution, establish an Advisory or Working Group to:

- a. facilitate Council member, stakeholder and/or community input and involvement opportunities; and
- b. provide advice and support to the City, in regard to strategic, special interest, project and/or operational activities.

Advisory or Working Groups established pursuant to this Policy are not, and are not intended to be Committees established under Section 5.8 of the Local Government Act 1995. Advisory or Working Groups cannot be given delegated powers and duties by Council.

1.2 Operation

Where not already determined by Council, the first business of each Advisory or Working Group will be to recommend draft Terms of Reference. These will include, but are not limited to:

- a. Purpose / Objectives
- b. Membership and Chair
- c. Statement of adherence to the Code of Conduct
- d. Tasks
- e. Key performance indicators
- f. Meeting frequency
- g. Termination date
- h. Agenda

Once the draft Terms of Reference have been produced they shall be submitted to the Council, via the CEO through a report, for approval.

Advisory or Working Groups will operate in accordance with the Council approved Terms of Reference.

2. Policy Guidance

2.1 Terms of Advisory and Role

Advisory or Working Groups are to operate within the Terms of Reference approved by the Council and the following general framework:

- a. The role of an Advisory or Working Group is to act in an advisory and consultative capacity, providing the City's Administration and the Council with its views and/or proposals relevant to the Objectives for which the group was established.

- b. The Advisory or Working Group will only consider matters referred to it by the Council.
- c. An Advisory or Working Group has no decision-making powers and does not have any authority to act on behalf of the City. In operation, the group cannot direct employees, call tenders, award contracts, expend monies, direct volunteers or do anything which is the responsibility of the City.
- d. Should an Advisory or Working Group wish to inform Council of its position on any matter, or to action any matter not already within the approved budget or being carried out administratively, then a formal recommendation to Council must be provided, via a majority vote of the members.
- e. Advisory or Working Group meetings will be conducted in an informal manner, providing opportunities for ideas to be raised and general discussion.
- f. Advisory or Working Group members (Mayor excepted) either collectively or individually are not authorised to speak on behalf of the City or provide comment to the media or other persons, in respect of any item under consideration, unless authorised by the Mayor and Chief Executive Officer.
- g. Matters determined by the CEO or Chairperson to be confidential are to be dealt with by the members as such. Members are not permitted to reveal the nature or content of confidential material provided to the Advisory or Working Group outside of that Group.

2.2 Role of the Chairperson

- a. The Advisory or Working Group Chairperson is to be appointed by the Council.
- b. The Council appointed Chairperson will preside at all meetings. In the absence of the Chairperson, a person elected by the quorum will assume the Chair for that meeting. Preferably, the Advisory or Working Group should be chaired by a Council member (if possible), or then by a Senior City Officer.
- c. The Chairperson (in liaison with the most Senior City Officer appointed to the Advisory or Working Group) shall ensure that the Advisory or Working Group operates in accordance with this Policy at all times.

3. Meeting Procedures

3.1 Meetings

- a. Unless approved by the Council or there is a need to address an urgent issue (the latter to be agreed by the Chairperson and the Chief Executive Officer), the Advisory or Working Group shall meet as required. Additional meetings may be convened at the discretion of the Chief Executive Officer.
- b. At the first meeting, the Advisory or Working Group shall determine a Schedule of Meeting dates for the remainder of the year.

3.2 Quorum

A quorum will be by simple majority plus one.

3.3 Agendas

- a. The Chairperson will determine the Agenda for each meeting. Members may submit items for consideration and listing on the Agenda.
- b. All meetings shall be confined to items listed on the Agenda, unless the Chairperson wishes to bring up an urgent item.

3.4 Minutes/Meeting Notes

- a. The relevant Senior City officer having responsibility for the Advisory or Working Group, in liaison with the Advisory or Working Group Chairperson, shall be responsible to ensure the preparation and accuracy of the Minutes/meeting notes.
- b. Items considered at the meeting do not need to be voted upon. However, the minutes/meeting notes of the Group will record a vote on all actions and advice positions. They will not reflect verbatim discussion on issues or matters discussed during debate prior to agreement being reached. At the end of each meeting, the City's Officer in attendance will read out the agreed actions and any points of agreement to the meeting to ensure they are accurately reflected to the consensus view, prior to the meeting voting on the actions or advice positions.
- c. Matters that the Advisory or Working Group wish to bring to Council formally are to be voted on as formal recommendations.
- d. The view and proposals of an Advisory or Working Group are to be recorded in Minutes/meeting notes and retained in the City's record keeping systems.
- e. Minutes/meeting notes of the meeting will be prepared by the Responsible Officer and distributed to members within ten (10) working days after the date of the meeting.
- f. The Minutes/meeting notes shall accurately record the details of any disclosure of interest and the extent of such interest.
- g. The Minutes/meeting notes shall record the times any person who has made a disclosure, has departed and/or re-enters the meeting.
- h. Minutes/meeting notes not requiring a Council decision will be circulated to the elected members and each member of the Advisory or Working Group and shall be records managed.
- i. Unconfirmed Minutes/meeting notes requiring a decision of Council are to be reported through relevant Directorate reports, with any recommendations regarding the views and proposals of the Advisory or Working Group, to the next available Ordinary Council Meeting, where practicable.
- j. Reports will consider each proposal to ensure it is:

- i. Consistent with the City's established strategic and operational planning and the objectives for which the Advisory or Working Group was established;
- ii. Within the City's capacity relevant to staffing, resources and adopted budget and also operational effectiveness and efficiencies; and
- iii. Endorsed by Council resolution, where funding from external sources is proposed.

4. Administrative Action and Support

- a. A City employee will be assigned to provide administrative support to the Advisory or Working Group. This person will be responsible for the following:
 - i. Issuing of the Agenda;
 - ii. Recording of Apologies prior to the meeting;
 - iii. Preparation of the Minutes/meeting notes;
 - iv. Room booking; and
 - v. Bringing formal recommendations to Council through reports.
- b. Advisory or Working Group meetings will not be catered aside from tea, coffee, water and biscuits.
- c. Any items which have been dealt with by the Advisory or Working Group will only be implemented by the City's Administration once approved by Council, except where an action is carried out in the normal course of the City's budgetted activities.

5. Code of Conduct

- a. The City's Code of Conduct shall apply to members of the Advisory or Working Groups.
- b. Members will be advised of the relevant provisions of the City's Code of Conduct and must comply with the relevant requirements. A copy of the Code of Conduct will be provided to each member upon their appointment.
- c. All members shall be required to declare any conflicts of interest in matters being considered by the Group.
- d. The City's Chief Executive Officer is available to provide any assistance or guidance concerning the Code of Conduct or any matters of Interest.

6. Conflict of Interest

- a. Although the financial, proximity and impartiality interest provisions of the Local Government Act 1995 do not apply to an Advisory or Working Groups (as it is not a Council appointed committee approved under section 5.8 of the Local Government Act 1995), all conflict of interest need to be recognised, to ensure that probity is maintained at all times.
- b. If a matter is being discussed by the Advisory or Working Group and a member has a financial or proximity interest in the matter, then the member

is required to declare the interest and remove themselves from the meeting whilst discussion on that issue is taking place.

- c. If a member discloses a financial or proximity interest in a matter under consideration by the Group and wishes to remain and participate in the meeting, the member may consider whether the interest is:
 - i. trivial or insignificant; or
 - ii. an interest in common to a significant number of electors or ratepayers.

The member shall make the request to the Chairperson to remain and participate at the meeting and not only disclose the nature of their interest, but also the extent of that interest. If the Disclosing member is the Chairperson, such disclosure shall be made to the meeting.

- d. The member shall then depart the meeting, whilst the meeting considers the request. The meeting shall then determine that the member should:
 - i. not participate in that part of the meeting;
 - ii. remain in the meeting and participate in discussion; or
 - iii. remain in the meeting only, but not participate in discussion on the matter.
- e. Once the meeting has made a decision concerning a request, the Chairperson shall inform the member of the decision and the member shall comply with the Meeting's decision.
- f. The Minutes/meeting notes shall record the member's disclosure of interest and the extent of the interest. They shall also record the times a disclosing member has departed and/or re-entered the meeting and/or is absent from the meeting during the item of interest.
- g. If a member is unsure whether they have an interest in a matter, they are encouraged to raise the issue with the Senior City Officer in attendance at the meeting to assist (though not direct) them in their decision.

7. Insurances

Where available through its insurance provisions the City will arrange all insurance to cover Advisory or Working Group members whilst discharging their normal course of duty.

8. Membership

- a. Membership of an Advisory or Working Group is to be determined by the Council on a basis of relevancy to the purpose for which the group has been established.
- b. Membership may include; Council delegate/s (Council members), employees and representatives of stakeholder organisations and members of the community.
- c. Where Advisory or Working Group membership includes representatives of stakeholder organisations, the City shall seek written nomination/s from the organisation/s.

- d. Where Advisory or Working Group membership includes representatives to be drawn from members of the community; the City shall publicly advertise and call for nominations to be received within a defined period. Members are to be appointed by the Council based on demonstrated knowledge, skills and/or understanding relevant to the purpose for which the Advisory or Working Group has been established, or based on any other criteria determined by Council.
- e. In order to facilitate specific aspects of the operations of an Advisory or Working Group, membership with required skills or knowledge may also be co-opted on an 'as required' basis, by either the Chief Executive Officer or Advisory or Working Group Chairperson.
- f. **Should a member resign from the Advisory or Working Group the Chief Executive Officer may appoint a replacement member/s from the Expression of interest list of applicants.**

9. Tenure of Appointment

- a. The Council will appoint a member to the Advisory or Working Group including the prescribed Term and any conditions.
- b. Unless determined otherwise by Council the Advisory or Working Group membership tenure is from the date of approval by Council until the termination date.
- c. If a member fails to attend three (3) consecutive meetings of the Advisory or Working Group, his/her appointment shall be automatically terminated, unless Leave of Absence has been granted and approved by the Advisory or Working Group. The Chief Executive Officer shall advise any member, in writing, when their membership of a Group is terminated.
- d. The Council may terminate the appointment of any member prior to the expiry of his/her term, if:
 - i. the Chairperson and Chief Executive Officer are of the opinion that the member is not making a positive contribution to deliberations of the group; or
 - ii. the member is found to be in breach of the Code of Conduct or a breach or contravention of the Local Government Act 1995, or its subsidiary legislation; or
 - iii. a member's conduct, action or comments brings the City of Nedlands into disrepute.
- e. The Council may by resolution terminate the Advisory or Working Group at any time and for any reason.

10. Vacancies

Vacancies shall be filled by calling for nominations of either the Council or community representatives. Members filling a vacated position will hold that position until the termination date.

11. Council Decision

The City's decision-making obligations are guided by relevant legislative, strategic and operational requirements and therefore the views or proposals of an Advisory or Working Group may not always prevail.

12. Review

The operations and Terms of Reference of an Advisory or Working Group shall be reviewed when it is reconvened by Council, or at any other time as required by Council.

Related documentation

City of Nedlands Code of Conduct

Related local Law and Legislation

Local Government Act 1995

Related delegation

Nil.

Review History

Adopted by Council xxxx

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.

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

Review History

Adopted by Council xxxx

Please note this item was brought forward from page 182.

14.7 Councillor Mangano – Legal Advice – Supreme Court Challenge to JDAP Approval – 97-105 Stirling Highway, Nedlands

On 10 February 2021 Councillor Mangano gave notice of his intention to move the following at this is meeting.

Councillor Smyth – Impartiality Interest

Councillor Smyth disclosed that she is a Ministerial appointee and paid member of the MINJDAP that considered this item at a meeting on 16th February 2021. Accordingly, Councillor Smyth advised she is bound by the DAP Code of Conduct 2017, in particular 'Clause 2.1.7 A DAP member must not make any statement that is critical, or that could be understood as being critical, of the Minister, the Director General, a local government, a local government employee, departmental employee, a DAP or another DAP member.' As a consequence, there may be a perception that her impartiality on the matter may be affected.

Please Note that although not participating in the debate Councillor Smyth intended to listen to Public Questions and Addresses as she believed this is a neutral position and does not predispose a bias for the JDAP.

Councillor Bennett – Impartiality Interest

Councillor Bennett disclosed that he is a Ministerial appointee and paid member of the MINJDAP that considered this item at a meeting on 16th February 2021. Accordingly, Councillor Bennett advised he is bound by the DAP Code of Conduct 2017, in particular 'Clause 2.1.7 A DAP member must not make any statement that is critical, or that could be understood as being critical, of the Minister, the Director General, a local government, a local government employee, departmental employee, a DAP or another DAP member.' As a consequence, there may be a perception that his impartiality on the matter may be affected.

Please Note that although not participating in the debate Councillor Bennett intended to listen to Public Questions and Addresses as he believed this is a neutral position and does not predispose a bias for the JDAP.

Councillor Smyth and Councillor Bennett left the meeting at 8.29 pm.

Moved – Councillor Mangano
Seconded – Councillor Wetherall

Council directs the CEO to:

- 1. obtain legal advice from suitably experienced Senior Counsel (briefed by City solicitors) on the options of a Merit Review by State Administrative Tribunal or a Judicial Review of the Metro Inner North Joint Development Assessment Panels approval of 97-105 Stirling Highway made on Monday 8 February 2021; and**
- 2. undertake the appointment of such legal advice in a timely manner so as to comply with relevant time limits for review.**

CARRIED UNANIMOUSLY 10/-

Councillor Bennett & Councillor Smyth returned to the meeting at 8.41 pm.

Justification

1. The approved structure is not compliant with R-AC1 and is more like R-AC0.
2. The JDAP did not take into account Clause 67 adequately.
3. Comments made by some of the members as to its financial viability which is not relevant.

Administration Comment

The comment is based on previous legal advice obtained by the City in relation to a JDAP decision in 2020.

It is important to appreciate that an application for judicial review is not equivalent to an appeal against the JDAP decision, or an application for a merits review by the SAT. The City will have legal standing to seek a judicial review of the JDAP decision, but the grounds for review are limited to identified instances of substantive legal error. The JDAP may make a legally valid decision even if the decision is an unequivocally bad decision on the planning merits. A judicial review does not permit the Supreme Court to consider a development application and substitute its own judgment on the planning merits for that of the JDAP.

If a substantive legal error is made out, the Supreme Court may quash the JDAP's decision and refer the matter back for determination in accordance with the law.

Speaking generally, administrative decisions such as a determination on an application for development approval must be made in accordance with the principles of natural justice. The principles of natural justice are often expressed to involve two primary aspects, one being the rule against bias and the other being the right to a fair hearing.

The question of legal unreasonableness is directed to whether or not the decision is within the scope of the power conferred on the decision-maker. There is an essential difference between the 'unreasonableness' ground of review and a merits review. In a judicial review for unreasonableness, the Court is not concerned with whether it would have made the same decision on the available material, but rather the question is whether the decision-maker could have made the decision as a matter of law. In applying a standard of reasonableness, the Courts are 'conscious of not exceeding their supervisory role by undertaking a review of the merits of an exercise of discretionary power. Properly applied, a standard of legal reasonableness does not involve substituting a Court's view as to how a discretion should be exercised for that of a decision-maker'.

It has also been said that 'Where the matter of which the authority is required to be satisfied is a matter of opinion or policy or taste it may be very difficult to show that ... its decision could not reasonably have been reached'. The legal ground of unreasonableness is for those reasons very difficult to establish.

In challenging the JDAP decision the City would effectively be required to show, as a matter of law, that the development was incapable of approval. In a planning context where the decision is made on discretionary grounds and having primary regard to a performance-based policy it will be exceptionally difficult for the City to establish that the JDAP's approval was plainly unjust, perverse, illogical or so irrational that no reasonable decision-maker could have made it.

A contemporary example of how difficult it is to establish legal unreasonableness in the exercise of a discretionary power is the case of *Nairn v Metro Central JDAP* [2016] WASC 56. In that case the applicant challenged the JDAP's decision to grant approval for a 97m high building in a planning framework which set a maximum building height of 26.5m. One of the grounds of review in *Nairn* was that the JDAP decision was legally unreasonable, and that the additional height approved was more than a mere variation. The Supreme Court did not agree, as there was scope to grant development approval with a height greater, even considerably greater, than the maximum building height stated in the planning scheme.

The cost of obtaining the Special Counsel advise on the potential basis of Supreme Court action is likely to be approximately \$20,000.

If Council is to lodge a writ with the Supreme Court, officers understand that this must be done within 3 months of the decision. If the matter was to be heard by the Supreme Court and Council lost, the City may well be liable for the costs incurred by the other party in addition to the City's costs.

Moved – Councillor Hodsdon
Seconded – Councillor Youngman

That item 14.6 be brought forward.

CARRIED UNANIMOUSLY 12/-

14.6 Councillor Wetherall – Recission Motion – 28 Beatrice Road, Dalkeith Retrospective Amendment

Please note this item was brought forward from page 182.

On 4 February 2021 Councillor Wetherall, Councillor McManus, Councillor Hodsdon, Councillor Poliwka and Councillor Senathirajah in accordance with Standing Orders Local Law 2009, Part 14 gave notice of their intention to move the following at this is meeting.

We, the undersigned wish to rescind previous Council decision of Special Council Meeting, 2 February 2021, Item 7 in accordance with Standing Orders Local Law 2009, Part 14.

Councillor Wetherall
Councillor McManus
Councillor Hodsdon
Councillor Poliwka
Councillor Senathirajah

Moved – Councillor Wetherall
Seconded – Councillor Youngman

Council:

- 1. revokes the following lost decision of the Special Meeting of Council held 2/2/21 in order to permit submission at the February Meeting of Council on 23/2/21 of a revised motion as shown below;**

Item 7 - No. 28 Beatrice Road, Dalkeith – Retrospective Amendments to DA19/41051 – Studio Extension, Feature Walls and Primary Street Fencing;

Council approves the development application received on 15 September 2020 with plans date stamped 9 December 2020 for the amendments to DA19/41051 – Studio Extension, Feature Walls and Primary Street Fencing at Lot 50 (No. 28) Beatrice Road, Dalkeith, on the following grounds; and

- 2. delegates authority to the Chief Executive Officer to determine the development application (DA21/60440) received on 9 February 2021 under Delegation, with plans date stamped 9 February 2021 for the amendments to DA19/41051 – Studio Extension, Feature Walls and**

Primary Street Fencing at Lot 50 (No. 28) Beatrice Road, Dalkeith, as previously recommended for approval.

Councillor Bennett left the meeting at 9.41 pm and returned at 9.43 pm.

**CARRIED 9/3
(Against: Crs. Bennett Mangano & Coghlan)**

Justification

1. The proprietors of 28 Beatrice Rd Dalkeith are building a family home with abundant style. Their builder, Riverstone, has acknowledged that some footings and portion of slab were constructed that were not approved. The proprietors were unaware of this error for some time.
2. The Director of Riverstone (Mr Mark Stratfold) was unaware of the error initially, but on being advised immediately contacted the CON and offered to remove the unauthorised work. He, in turn, was advised by the planners that the additional work was a minor modification in the planners' view and to wait until the matter was considered by Council (confirmed by email). This advice was based on Administration's view that the modification would probably be approved by Council – Administration's recommendation to Council was to approve.
3. At some point in the process one adjacent neighbour in Haig street put in an objection. This is the only reason it came to Council. After clarification and agreement for the removal of the studio air-conditioner unit and reduction of feature wall height, that neighbour has withdrawn their objection. There are now no objections from neighbours. The concession is a set back from the rear boundary of 4m rather than the standard 6m. It is noted however that the building envelop of the adjacent neighbour to the North is also a 4m setback.
4. The builder has explained that the error occurred when he had a relief supervisor standing in for his long term supervisor who was off for some weeks on leave. There is no evidence to doubt this explanation.
5. In summary, in my opinion a major injustice will be done to these ratepayers if the refusal stands. There is no point punishing the builder for what is very likely an oversight. It is of course, the innocent proprietors who would bear the significant costs entailed by delaying the construction and the costs of a SAT appeal. A SAT appeal would be hard to defend and there is no point our ratepayers stumping up \$20-40K for an almost certain lost cause.

Administration Comment

Administration stands by its original recommendation for approval as per below:

Recommendation to Council

Council approves the development application received on 15 September 2020 with plans date stamped 9 December 2020 for the amendments to DA19/41051 – Studio Extension, Feature Walls and Primary Street Fencing at Lot 50 (No. 28) Beatrice Road, Dalkeith, 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 amendments to DA19/41051 – Studio Extension, Feature Walls and Primary Street Fencing as indicated on the determination plans.
3. The Studio is not to be used for Ancillary Accommodation without further Development Approval being obtained from the City of Nedlands.
4. All footings and structures to retaining walls, fences and parapet walls, shall be constructed wholly inside the site boundaries of the property's Certificate of Title.
5. All stormwater from the development, which includes permeable and non-permeable areas shall be contained onsite.
6. Prior to occupation of the development, all external fixtures including, but not limited to TV and radio antennae, satellite dishes, plumbing vents and pipes, solar panels, air conditioners and hot water systems shall be integrated into the design of the building and not be visible from the primary street, secondary street to the satisfaction of the City of Nedlands.
7. Prior to occupation of the development, all air-conditioning plant, satellite dishes, antennae and any other plant and equipment to the roof of the building shall be located or screened so as not to be highly visible from beyond the boundaries of the development site to the satisfaction of the City of Nedlands.
8. Retaining walls, fences or other structures are to be truncated or reduced to no higher than 0.75m within 1.5m of where the wall, fences, other structures adjoining vehicle access points where a driveway meets a public street to the satisfaction of the City of Nedlands.
9. The proposed fencing within the primary street setback area shall not exceed 1.8m in height from natural ground level and is to be visually permeable in accordance with the Residential Design Codes (v1, 2019) above 1.2m in height from natural ground level (refer to advice note b).

Advice Notes specific to this approval:

Planning

- a. In relation to Condition 9, "Visually Permeable" as defined in the Residential Design Codes (v1, 2019) means the vertical surface has:
- Continuous vertical gaps of 50mm or greater width occupying not less than one third of the total surface area;
 - Continuous vertical or horizontal gaps less than 50mm in width, occupying at least one half of the total surface area in aggregate; or
 - A surface offering equal or lesser obstruction to view as viewed directly from the street.

Services

- b. An exterior fixture associated with any air-conditioning unit or hot water system is considered an appropriate location where it is positioned:
- outside of balcony/verandah areas (if applicable) and below the height of a standard dividing fence within a side or rear setback area; or within a screened rooftop plant area or nook.
- c. 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 1.0m³ for every 80m² of calculated surface area of the development.
- d. The location of any bin stores shall be behind the street alignment so as not to be visible from a street or public place and constructed in accordance with the City's Health Local Law 1997

Demolition

- e. Where the existing dwelling/building and structures are to be demolished, a demolition permit is required prior to demolition works occurring.
- f. All works are required to comply with relevant statutory provisions. 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 2nd 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 10m² of ACM or any amount of friable ACM to be removed, it shall be removed by a Worksafe licensed and trained individual or business.

Building Permit

- g. Where building works are proposed to the building, a building permit shall be applied for prior to works commencing.
- h. Where building works proposes a “notifiable event” or are likely to affect neighbouring land or property, then the ‘Work affecting other land’ provisions of the *Building Act 2011* will apply. This information sets out the requirements for managing building work on or close to a boundary. This process is used to confirm agreement with the work and with the effects it may have on neighbouring land or property.

Noise

- i. The landowner is advised that all mechanical equipment (e.g. air-conditioner, swimming pool or spa) is required to comply with the Environmental *Protection (Noise) Regulations 1997*, in relation to noise.
- j. The applicant is advised to consult the City’s *Acoustic Advisory Information* in relation to locating any mechanical equipment (e.g. air-conditioner, swimming pool or spa) such that noise, vibration 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 the applicant is advised to consult the online fairair noise calculator at www.fairair.com.au and use this as a guide to prevent noise affecting neighbouring properties.

General Advice

- k. This decision constitutes planning approval only and is valid for a period of four years from the date of approval. If the subject development is not substantially commenced within the four-year period, the approval shall lapse and be of no further effect.
- l. The applicant is advised that all development must comply with this planning approval and approved plans at all times.
- m. Any development, whether it be a structure or building, that is not in accordance with the planning approval, including any condition of approval, may be subject to further planning approval by the City.
- n. The applicant is advised that variations to the hereby approved development including variations to wall dimensions, setbacks, height, window dimensions and location, floor levels, floor area and alfresco area, may delay the granting of a Building Permit. Applicants are therefore encouraged to ensure that the Building Permit application is in compliance with this planning approval, including all conditions and approved plans.

- o. Where Building Permit applications are not in accordance with the planning approval, a schedule of changes is to be submitted and early liaison with the City's Planning Department is encouraged prior to lodgement.
- p. This planning decision is confined to the authority of the *Planning and Development Act 2005*, the City of Nedlands' Local Planning Scheme No. 3 and all subsidiary legislation. This decision does not remove the obligation of the applicant and/or property owner to ensure that all other required local government approvals are first obtained, all other applicable state and federal legislation is complied with, and any restrictions, easements, or encumbrances are adhered to.

12.2 Planning & Development Report No's PD01.21 to PD04.21 (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.

PD01.21	Strategic Planning Framework - Gaps Analysis
Committee	9 February 2021
Council	23 February 2021
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995 and section 10 of the City of Nedlands Code of Conduct for Impartiality.	Nil. “the author, reviewers and authoriser of this report declare they have no financial or impartiality interest with this matter. There is no financial or personal relationship between City staff and the proponents or their consultants. Whilst parties may be known to each other professionally, this relationship is consistent with the limitations placed on such relationships by the Codes of Conduct of the City and the Planning Institute of Australia”.
Director	Tony Free – Director Planning & Development
CEO	Mark Goodlet
Reference	Nil
Attachments	<ol style="list-style-type: none"> 1. Letter from Western Australian Planning Commission 2. Strategic Planning Framework Gaps Analysis 3. Community Working Group Minutes – 9 December 2020 4. List of Council decisions not in accordance with strategic planning program of works
Confidential Attachments	Nil

Regulation 11(da) – Not Applicable – Recommendation adopted with minor addition.

Moved – Councillor Mangano

Seconded – Councillor Hodsdon

That the Recommendation to Council be adopted with an additional clause 2 (e) make the City's traffic model available to potential developers for R40 and above sites and require them to use the model in assessing the impact of their proposed development on the city's road network to the satisfaction of the City's engineering and planning staff.

Amendment

Moved - Councillor Coghlan

Seconded - Councillor Bennett

That clause 2 (c) be deleted.

The AMENDMENT was PUT and was

Lost 4/8

(Against: Mayor de Lacy Crs. Horley McManus Smyth Youngman Hodsdon
Wetherall Senathirajah)

The Original Motion was PUT and was

CARRIED 10/2

(Against: Crs. Bennett & Mangano)

Council Resolution

Council:

- 1. endorses the strategic planning gaps analysis (Attachment 2 with indicative dates for delivery included) which is consistent with advice from the Chair of the West Australian Planning Commission.**
- 2. instructs the CEO to:**
 - a) continue to undertake the nominated programme of “required investigations” as outlined in Attachment 2;**
 - b) liaise and collaborate with the Department of Planning, Lands and Heritage to review the findings of the investigations, and collectively establish the need for and nature of any new planning tools, where deemed necessary, to address the gaps identified in the local planning framework;**
 - c) ensure that where a strategic planning project is covered by the GAPS Analysis, all previous Council decisions relating to timeframe deliverables be superseded with this resolution;**
 - d) defer the initiation of any further strategic planning proposals including scheme amendments and finalisation of local planning policies where the determination of the WAPC is required, until agreement has been established on the planning tool in accordance with point 2(b); and**
 - e) make the City’s traffic model available to potential developers for R40 and above.**

Committee Recommendation

Council:

1. endorses the strategic planning gaps analysis (Attachment 2 with indicative dates for delivery included) which is consistent with advice from the Chair of the West Australian Planning Commission.
2. instructs the CEO to:
 - a) continue to undertake the nominated programme of “required investigations” as outlined in Attachment 2;
 - b) liaise and collaborate with the Department of Planning, Lands and Heritage to review the findings of the investigations, and collectively establish the need for and nature of any new planning tools, where deemed necessary, to address the gaps identified in the local planning framework;
 - c) ensure that where a strategic planning project is covered by the GAPS Analysis, all previous Council decisions relating to timeframe deliverables be superseded with this resolution; and
 - d) defer the initiation of any further strategic planning proposals including scheme amendments and finalisation of local planning policies where the determination of the WAPC is required, until agreement has been established on the planning tool in accordance with point 2(b).

Recommendation to Committee

Council:

1. endorses the strategic planning gaps analysis (Attachment 2) which is consistent with advice from the Chair of the West Australian Planning Commission.
2. instructs the CEO to:
 - a) continue to undertake the nominated programme of “required investigations” as outlined in Attachment 2;
 - b) liaise and collaborate with the Department of Planning, Lands and Heritage to review the findings of the investigations, and collectively establish the need for and nature of any new planning tools, where deemed necessary, to address the gaps identified in the local planning framework;

- c) ensure that where a strategic planning project is covered by the GAPS Analysis, all previous council decisions relating to timeframe deliverables be superseded with this resolution; and
- d) defer the initiation of any further strategic planning proposals including scheme amendments and finalisation of local planning policies where the determination of the WAPC is required, until agreement has been established on the planning tool in accordance with point 2(b).

PD02.21	Establishment of a Design Review Panel, Final Adoption of the Design Review Panel Local Planning Policy and Appointment of Panel Members
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Committee	9 February 2021
Council	23 February 2021
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995 and section 10 of the City of Nedlands Code of Conduct for Impartiality.	Nil. “the author, reviewers and authoriser of this report declare they have no financial or impartiality interest with this matter. There is no financial or personal relationship between City staff and the proponents or their consultants. Whilst parties may be known to each other professionally, this relationship is consistent with the limitations placed on such relationships by the Codes of Conduct of the City and the Planning Institute of Australia”.
Director	Tony Free – Director Planning & Development
CEO	Mark Goodlet
Previous Item	PD14.19 - OCM 23 April 2019 Item: 16.1 – OCM 17 December 2019 Item: 7 – SCM 30 January 2020 Item: 14.4 – OCM 30 March 2020 Item: 14.1 – OCM 28 July 2020 Item: 13.9 – OCM 15 December 2020
Attachments	1. Design Review Panel – Local Planning Policy 2. Summary of comments from Office of the Government Architect
Confidential Attachments	1. Design Review Panel – Candidate Cumulative Scoring Sheet 2. Design Review Panel – Interview Forms (Collated) 3. Overview of Design Review Panel members interviewed 4. Design Review Panel – Recorded Interviews (MP4 video format)

Regulation 11(da) – Not Applicable – Item deferred.

Moved – Councillor Youngman

Seconded – Councillor McManus

Council Resolution

Consideration of the establishment of a Design Review Panel including the associated Local Planning Policy and appointment of Panel members be deferred until the Council meeting on 27 March 2021.

CARRIED UNANIMOUSLY 12/-

Recommendation to Committee

Council:

1. proceeds to adopt the Design Review Panel - Local Planning Policy, as set out in Attachment 1, in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 2, Part 2, Clause 4(3)(b)(i);
2. in accordance with Clause 2 of the Design Review Panel - Terms of Reference, appoints, for a period of two years, the following Design Review Panel members:
 - a) General members:
 - Tony Blackwell
 - Dominic Snellgrove
 - Samuel Klopper
 - Munira Mackay
 - Philip Gresley
 - Hans Oerlemans
 - b) Specialist members:
 - Graham Agar
 - John Taylor
3. instructs the CEO to review the Design Review Panel Local Planning Policy and funding model after six months of the operation of the Panel.

PD03.21	Local Planning Policy, Primary Controls and Community Benefits for Apartment Developments
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Committee	9 February 2021
Council	23 February 2021
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995 and section 10 of the City of Nedlands Code of Conduct for Impartiality.	The author, reviewers and authoriser of this report declare they have no financial or impartiality interest with this matter. There is no financial or personal relationship between City staff and the proponents or their consultants. Whilst parties may be known to each other professionally, this relationship is consistent with the limitations placed on such relationships by the Codes of Conduct of the City and the Planning Institute of Australia.
Director	Tony Free – Director Planning & Development
CEO	Mark Goodlet
Attachments	1. Draft Local Planning Policy, Primary Controls and Community Benefit for Apartment Developments
Confidential Attachments	1. Legal Advice dated 11 January 2021

Regulation 11(da) – Not Applicable – item deferred.

Moved – Councillor Coghlan

Seconded – Councillor Hodsdon

Council Resolution

To defer Local Planning Policy, Primary Controls and Community Benefits for Apartment Developments be referred to a Councillor workshop where the following issues are addressed, as a minimum:

- upper cap;
- minimum 10 out of 10 outcomes are achieved in relation to the Design Principles, before bonuses are applied;
- Design Principles generally; and
- consider the need to develop a separate policy for development incentive bonuses.

Councillor Wetherall left the meeting at 9.05 pm and returned at 9.07 pm.

**CARRIED 11/1
(Against: Cr. Wetherall)**

Committee Recommendation

Council:

1. 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, Local Planning Policy – Primary Controls and Community Benefits for Apartment Developments.

Recommendation to Committee

Council:

1. 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, Local Planning Policy – Primary Controls and Community Benefits for Apartment Developments; and
2. makes the legal advice attached to this report non-confidential.

PD04.21	Broadway, Nedlands Town Centre and Waratah Village Context and Character Local Planning Policies
----------------	---

Committee	9 February 2021
Council	23 February 2021
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995 and section 10 of the City of Nedlands Code of Conduct for Impartiality.	<p>Nil</p> <p>The author, reviewers and authoriser of this report declare they have no financial or impartiality interest with this matter. There is no financial or personal relationship between City staff and the proponents or their consultants. Whilst parties may be known to each other professionally, this relationship is consistent with the limitations placed on such relationships by the Codes of Conduct of the City and the Planning Institute of Australia</p>
Director	Tony Free – Director Planning & Development
CEO	Mark Goodlet
Attachments	<p>Draft Broadway Precinct Context and Character Local Planning Policy</p> <p>Draft Nedlands Town Centre Precinct Context and Character Local Planning Policy</p> <p>Draft Waratah Village Precinct Context and Character Local Planning Policy</p>

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Youngman
 Seconded – Councillor Horley

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

CARRIED UNANIMOUSLY EN BLOC 12/-

Council Resolution / Committee Recommendation / Recommendation to Committee

Council:

1. 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:
 - a. Draft Broadway Precinct Context and Character Local Planning Policy;

- b. Draft Nedlands Town Centre Precinct Context and Character Local Planning Policy; and**
- c. Draft Waratah Village Precinct Context and Character Local Planning Policy.**

12.3 Technical Services Report No's TS01.21 to TS02.21 (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.

TS01.21	Integrated Transport Strategy and Precinct Plan Transport Impact Assessments – Budget Request
----------------	--

Committee	11 February 2021
Council	25 February 2021
Applicant	City of Nedlands
Employee Disclosure under section 5.70 of the Local Government Act 1995 and section 10 of the City of Nedlands Code of Conduct for Impartiality.	Nil.
Director	Jim Duff – Director Technical Services
CEO	Mark Goodlet
Attachments	Nil.
Confidential Attachments	Nil.

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Youngman
Seconded – Councillor Horley

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

CARRIED UNANIMOUSLY EN BLOC 12/-

Council Resolution / Committee Recommendation / Recommendation to Council
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Council:

- | |
|---|
| <ol style="list-style-type: none"> 1. instructs the CEO to commence the development of the Integrated Transport Strategy and Transport Impact Assessments for the Broadway, Waratah Avenue and Town Centre Precinct Plans; and |
|---|

- 2. approves budget allocation of \$145,000 in the 2020/21 and \$50,000 in the 2021/22 financial year to engage a consultant to deliver the Integrated Transport Strategy and the Transport Impact Assessments for the Broadway, Waratah Avenue and Town Centre Precinct Plans.**

TS02.21	Railway Road / Aberdare Road Intersection Upgrade
----------------	--

Committee	11 February 2021
Council	25 February 2021
Applicant	City of Nedlands
Employee Disclosure under section 5.70 of the Local Government Act 1995 and section 10 of the City of Nedlands Code of Conduct for Impartiality.	Nil.
Director	Jim Duff – Director of Technical Services
Attachments	1. Western Power Concept Design Report 2. MRRG and City of Subiaco Design Funding Approval 3. Concept Civil Works Design 4. Aberdare Road Land Availability Map 5. Key Stakeholder Endorsements
Confidential Attachments	Nil.

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Youngman

Seconded – Councillor Horley

That the Recommendation to Council be adopted.

(Printed below for ease of reference)

CARRIED UNANIMOUSLY EN BLOC 12/-

Council Resolution / Committee Recommendation / Recommendation to Committee

Council:

1. approves an additional \$38,750 in the City's 2020/21 budget to finalise the design for the Railway Road / Aberdare Road intersection upgrade;
2. upon completion of the design, approves the CEO to submit an MRRG Road Improvement or Black Spot Funding Application in 2021/22 for construction in 2022/23 and 2023/24; and

3. upon MRRG funding approval for construction in 2022/23 and 2023/24, agrees to consider including construction of the project in the 2022/23 and 2023/24 budgets for a total project cost of \$4,005,669, comprising two thirds MRRG \$2,503,543, one sixth City of Subiaco \$625,886 and one sixth City of Nedlands (incl. 40% Administration overhead) \$876,240.

12.4 Community & Organisational Development Report No's CM01.21 (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.

CM01.21	Nedlands Playgroup Requests Fee Waiver or Reduction
----------------	--

Committee	9 February 2021
Council	23 February 2021
Applicant	City of Nedlands
Employee Disclosure under section 5.70 of the Local Government Act 1995 and section 10 of the City of Nedlands Code of Conduct for Impartiality.	Nil.
Director	Pat Panayotou – Executive Manager Community Development
Attachments	Nil.
Confidential Attachments	Nil.

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor McManus

Seconded – Councillor Smyth

That the Recommendation to Council be adopted.

(Printed below for ease of reference)

CARRIED 9/3

(Against: Mayor de Lacy Crs. Mangano & Coghlan)

Council Resolution / Committee Recommendation / Recommendation to Committee

Council:

- acknowledges the importance of Playgroups to the well-being of families in the City of Nedlands;**

- 2. accepts the Nedlands Playgroup's agreement to pay \$200 per month towards their outstanding debt to the City, for the period January – June 2021 inclusive;**
- 3. agrees to waive \$5,347 of the \$6,547 debt currently owed by the Nedlands Playgroup to the City, conditional on the Playgroup:**
 - a. making the agreed monthly payments for the period January – June 2021 inclusive; and,**
 - b. returning to paying standard fees for the usage of their building from 1 July 2021.**

12.5 Corporate & Strategy Report No's CPS01.21 to CPS04.21 (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.

CPS01.21	List of Accounts Paid – November and December 2020
-----------------	---

Committee	9 February 2021
Council	23 February 2021
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	Nil.
Director	Ed Herne - Director Corporate & Strategy
Attachments	<ol style="list-style-type: none"> 1. Creditor Payment Listing – November 2020; 2. Credit Card and Purchasing Card Payments – November 2020 (28 October – 29 November 2020); 3. Creditor Payment Listing – December 2020; and 4. Credit Card and Purchasing Card Payments – December 2020 (30 November - 28 December 2020)
Confidential Attachments	Nil.

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Hodsdon

Seconded – Councillor McManus

That the Recommendation to Council be adopted.

(Printed below for ease of reference)

CARRIED 10/2
(Against: Crs. Bennett & Coghlan)

Council Resolution / Committee Recommendation / Recommendation to Committee
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Council receives the List of Accounts Paid for the months of November and December 2020 as per attachments.

CPS02.21	Alteration of Permitted Use – Sublease to Sand Volley Australia Pty Ltd
-----------------	--

Committee	9 February 2021
Council	23 February 2021
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	Nil.
Director	Ed Herne – Director Corporate & Strategy
Attachments	1. Letter of Request – Sand Volley Australia Pty Ltd
Confidential Attachments	Nil.

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Youngman

Seconded – Councillor Horley

That the Recommendation to Council be adopted.

(Printed below for ease of reference)

CARRIED UNANIMOUSLY EN BLOC 12/-

Council Resolution / Committee Recommendation / Recommendation to Committee

Council:

1. requests the CEO to arrange preparation of new 2-year Deed of Lease and Sublease agreements based on the same terms and conditions as the current agreements, with the exception being the change of 'permitted use' within the sublease as defined within this report;
2. notes that all costs related to the preparation of the new lease and sublease agreements will be borne by Sand Volley Australia Pty Ltd;
3. subject to the Minister for Lands consent, authorises the CEO and Mayor to execute the new 2-year lease agreement with Hollywood-Subiaco Bowling Club Inc and apply the City's Common Seal; and

- 4. subject to the Minister for Lands' consent, authorises the CEO and Mayor to execute the new 2-year sublease agreement with Hollywood-Subiaco Bowling Club Inc and Sand Volley Australia Pty Ltd and apply the City's Common Seal.**

CPS03.21 New Lease to Allen Park Tennis Club	
Committee	9 February 2021
Council	23 February 2021
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	Nil.
Director	Ed Herne – Director Corporate & Strategy
Attachments	1. Letter of Request – Allen Park Tennis Club; and 2. Draft Lease Agreement
Confidential Attachments	Nil.

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Youngman

Seconded – Councillor Horley

That the Recommendation to Council be adopted.

(Printed below for ease of reference)

CARRIED UNANIMOUSLY EN BLOC 12/-

Council Resolution / Committee Recommendation

That the Recommendation to Committee be adopted subject to the agreement preparation costs being shared 50/50 between the City and the Allen Park Tennis Club.

Recommendation to Committee

Council:

1. approves the draft lease agreement as noted in attachment 2 between the City of Nedlands and Allen Park Tennis Club;
2. subject to the Minister for Lands Consent, authorises the CEO and Mayor to execute the agreement and apply the City's Common Seal and;

does not approve the request from Allen Park Tennis Club for the City to absorb the agreement preparation costs. This decision is consistent with the 'Use of Council Facilities for Community Purposes Council Policy' which states that peppercorn lease agreements are to be delivered at no cost to Council.

CPS04.21	Review of Point Resolution Child Care Centre Update
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Committee	9 February 2021
Council	23 February 2021
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	Nil.
Director	Patricia Panayotou – Executive Manager Community Development
Attachments	Nil.
Confidential Attachments	Nil.

Councillor Senathirajah – Impartiality Interest

Councillor Senathirajah disclosed that his grandson attends the childcare centre, and as a consequence, there may be a perception that his impartiality on the matter may be affected. Councillor Senathirajah declared that he would consider this matter on its merits and vote accordingly.

Regulation 11(da) - *

Moved – Councillor McManus

Seconded – Councillor Youngman

Council:

1. with respect to the current requirement to review the long-term needs for Child Care south of Stirling Highway in reference to the City's land assets and undertake full community consultation with all stakeholders;
 - a. notes that the Administration has been unsuccessful in appointing a consultant with the high level of direct experience and knowledge, deemed necessary to conduct the required review; and
2. with respect to the continued operation of Point Resolution Child Care until the review is conducted:
 - a. notes that from 4 January 2021, the number of children that can be enrolled at PRCC has increased from 24 to 26, as per Council resolution on 24 November 2020;

- b. **notes that fees for attendance at PRCC increased by \$15.00 per day, per child from 4 January 2021, as per Council resolution on 27 October 2020; and**
 - c. **instructs the CEO to carry out a review of the financial viability of the continued operation of Point Resolution Child Care beyond 31 December 2021, based on the financial performance for the second half of the financial year 2020/21, including the impact of the implementation of (2 a) and (2 b) above.”**
- 3. **with respect to the Sale of 64-66 Melvista Avenue, Dalkeith;**
 - a. **agrees that the Committee/Council recommendation for report CPS21.20 to be ‘deferred to the March 2021 round of meetings in order to review the long-term needs for Child Care South of Stirling Highway in reference to the City’s land assets and undertake full community consultation with all stakeholders’ be revoked; and**
 - b. **instructs the CEO to provide a separate report on the future of the City’s property at 64-66 Melvista Avenue, Dalkeith, in line with the prioritisation of the potential ‘Land Investment Strategy’ Projects; and**
- 4. **instructs the CEO to ensure that the full complement of staff as per the approved Budget be implemented with immediate effect and examine opportunities for improvement of administrative processes.**

Amendment

Moved - Councillor Coghlan

Seconded - Councillor Mangano

That an additional clause 1(b) be added as follows:

- 1 (b) the number of children at Kidz Galore be examined and that we report the number of children at PRCC.

The AMENDMENT was PUT and was

Councillor Smyth left the meeting at 9.33 pm and returned at 9.35 pm.

Lost 5/7

(Against: Mayor de Lacy Crs. McManus Smyth Youngman
Hodsdon Wetherall & Senathirajah)

The Original Motion was PUT and was

**CARRIED 10/2
(Against: Crs. Poliwka & Wetherall)**

Council Resolution

Council:

- 1. with respect to the current requirement to review the long-term needs for Child Care south of Stirling Highway in reference to the City's land assets and undertake full community consultation with all stakeholders;**
 - a. notes that the Administration has been unsuccessful in appointing a consultant with the high level of direct experience and knowledge, deemed necessary to conduct the required review; and**
- 2. with respect to the continued operation of Point Resolution Child Care until the review is conducted:**
 - a. notes that from 4 January 2021, the number of children that can be enrolled at PRCC has increased from 24 to 26, as per Council resolution on 24 November 2020;**
 - b. notes that fees for attendance at PRCC increased by \$15.00 per day, per child from 4 January 2021, as per Council resolution on 27 October 2020; and**
 - c. instructs the CEO to carry out a review of the financial viability of the continued operation of Point Resolution Child Care beyond 31 December 2021, based on the financial performance for the second half of the financial year 2020/21, including the impact of the implementation of (2 a) and (2 b) above."**
- 3. with respect to the Sale of 64-66 Melvista Avenue, Dalkeith;**
 - a. agrees that the Committee/Council recommendation for report CPS21.20 to be 'deferred to the March 2021 round of meetings in order to review the long-term needs for Child Care South of Stirling Highway in reference to the City's land assets and undertake full community consultation with all stakeholders' be revoked; and**
 - b. instructs the CEO to provide a separate report on the future of the City's property at 64-66 Melvista Avenue, Dalkeith, in line with the prioritisation of the potential 'Land Investment Strategy' Projects; and**
- 4. instructs the CEO to ensure that the full complement of staff as per the approved Budget be implemented with immediate effect and examine opportunities for improvement of administrative processes.**

Recommendation to Committee

Council:

1. with respect to the current requirement to review the long-term needs for Child Care south of Stirling Highway in reference to the City's land assets and undertake full community consultation with all stakeholders;
 - a. notes that the Administration has been unsuccessful in appointing a consultant with the high level of direct experience and knowledge, deemed necessary to conduct the required review; and
 - b. instructs the CEO to provide this report to Council by 30 June 2022;
2. with respect to the continued operation of Point Resolution Child Care until the review is conducted:
 - a. notes that from 4 January 2021, the number of children that can be enrolled at PRCC has increased from 24 to 26, as per Council resolution on 24 November 2020;
 - b. notes that fees for attendance at PRCC increased by \$15.00 per day, per child from 4 January 2021, as per Council resolution on 27 October 2020; and
 - c. instructs the CEO to oversee the continued operation of Point Resolution Child Care with annual fee increases commensurate with local childcare centres until the review is conducted; and
3. with respect to the Sale of 64-66 Melvista Avenue, Dalkeith;
 - a. agrees that the Committee/Council recommendation for report CPS21.20 to be 'deferred to the March 2021 round of meetings in order to review the long-term needs for Child Care South of Stirling Highway in reference to the City's land assets and undertake full community consultation with all stakeholders' be revoked; and
 - b. instructs the CEO to provide a separate report on the future of the City's property at 64-66 Melvista Avenue, Dalkeith at a date to be determined after the report on the review of 'the long-term needs for Child Care South of Stirling Highway' has been provided to Council, in line with the prioritisation of the potential 'Land Investment Strategy' Projects.

13. Reports by the Chief Executive Officer

Please note this item was brought forward see page 20.

13.1 Council Policy Reviews

Committee	9 February 2021
Council	23 February 2021
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995 and section 10 of the City of Nedlands Code of Conduct for Impartiality	Nil.
CEO	Mark Goodlet
Attachments	<ol style="list-style-type: none"> 1. Elected Member Fees, Expenses, Allowances and Other Provisions 2. Legal Representation for Elected Members and Employees Council Policy 3. Management of Information for Elected Members Council Policy 4. Council Member and Employee training and conference attendance Policy 5. Asset Management Council Policy 6. Use of Council Facilities for Community Purposes Policy 7. Community Notice Boards in Council Operated Facilities Council Policy 8. Application of Grant Funding Council Policy 9. Community Signage Council Policy 10. Bulk Waste Collection and Waste Receptacles on Nature Strips Council Policy 11. Unauthorised Damage of Vegetation Council Policy 12. Trading in Public Places Council Policy 13. Natural Area Path Network Council Policy 14. Nature Strip (Verge) Parking adjacent to Vacant Lots Council Policy (attachment 14); and 15. Operation of Bank Accounts Council Policy 16. Professional Development Council Policy 17. Advisory & Working Groups Policy (Updated following Cr Briefing 16 February 2021) 18. Natural Areas Management Council Policy
Confidential Attachments	Nil.

13.2 Common Seal Register Report – December 2020 & January 2021

Moved – Councillor McManus
 Seconded – Councillor Hodsdon

The following Common Seal Register Report for the month of December 2020 & January 2021 is to be received.

CARRIED UNANIMOUSLY 12/-

December 2020 & January 2021

SEAL NUMBER	DATE SEALED	DEPARTMENT	MEETING DATE / ITEM NO.	REASON FOR USE
954	1 December 2020	Planning & Development	Special Council Meeting 19 November 2020 Item 6	Seal Certification - Seal No. 954 - Scheme Amendment No. 8 – Amendment to Density Coding on Alexander Road, Philip Road, Waratah Avenue and Alexander Place, Dalkeith (2 copies)
955	1 December 2020	Planning & Development	Council Meeting 27 October 2020 Item PD47.20	Seal Certification - Seal No.955 - Scheme Amendment No. 4 - Fast Food Outlets (2 copies)
956	6 January 2021	Planning & Development	Council Meeting 15 December 2020 Item 13.15	Seal Certification - Seal No.956 - 70A notification on title noting bushfire prone area. Lot 49 on DP 418865.
957	27 January 2021	Planning & Development	Council Meeting 15 December 2020 Item 13.16	Seal Certification - Seal No. 957 - S136 removal of easement from the common property due to sale of property.

13.3 List of Delegated Authorities – December 2020 & January 2021

Moved – Councillor McManus

Seconded – Councillor Hodsdon

The following List of Delegated Authorities for the months of December 2020 & January 2021 is to be received.

CARRIED 11/1
(Against: Cr. Bennett)

December 2020

Date of use of delegation of authority	Title	Property	Position exercising delegated authority	Act	Section of Act	Applicant / CoN / Property Owner / Other
December 2020						
1/12/2020	BA129766 Certified building permit - Dwelling	51A Haldane Street, MT CLAREMONT, Lot 89, 82538, 199497	Manager Building Services	Building Act 2011	s20.1	Distinctive Homes WA
1/12/2020	BA131244 Certified building permit - Dwelling	44 Waratah Avenue, DALKEITH, Lot 705, 28606, 127613	Manager Building Services	Building Act 2011	s20.1	Coastview Australia Pty Ltd
2/12/2020	BA131340 Certified building permit - Pool	48 St Johns Wood Boulevard, MT CLAREMONT, Lot 507, 76560, 173591	Manager Building Services	Building Act 2011	s20.1	Aquatic Leisure Technologies Pty Ltd

2/12/2020	3045298 - Withdrawn Parking Infringement Notice - Compassionate Grounds	7 Hooley Street, SWANBOURNE, Lot 25, 4915, 104612	Manager Health & Compliance	Local Government Act 1995	9.20/6.12(1)	Shane Clarke
2/12/2020	3048003 - Withdrawn Parking Infringement Notice - Compassionate Grounds	Monash Avenue, NEDLANDS, Lot 8699, 39833, 138396	Manager Health & Compliance	Local Government Act 1995	9.20/6.21(1)	Lee Culverhouse
3/12/2020	BA131358 Uncertified building permit - Spa	52B Adderley Street, MT CLAREMONT, Lot 2, 76950, 173989	Manager Building Services	Building Act 2011	S20.1	L W McIntosh
3/12/2020	BA129166 Certified building permit - Cabana	78 Kirwan Street, FLOREAT, Lot 44, 6145, 105783	Manager Building Services	Building Act 2011	s20.1	Project Artichoke Pty Ltd
3/12/2020	BA130608 Uncertified building permit - pool	62 Browne Avenue, DALKEITH, Lot 95, 17178, 116483	Manager Building Services	Building Act 2011	s20.1	A1 Pools
4/12/2020	BA130863 Certified building permit - pool	44 Waratah Avenue, DALKEITH, Lot 705, 28606, 127613	Manager Building Services	Building Act 2011	s20.1	Imperial Pools
7/12/2020	BA131768 Demolition permit - Full site	20 Loch Street, NEDLANDS, Lot 51, 37750, 136341	Manager Building Services	Building Act 2011	s21.1	Berriman Resources Pty Ltd
7/12/2020	BA131841 Building approval certificate - wall removal	33 Birdwood Parade, DALKEITH, Lot 204, 16106, 115444	Manager Building Services	Building Act 2011	s58.1	Fast Track Approvals Pty Ltd

7/12/2020	BA128295 Demolition permit - Full site	95A Waratah Avenue, DALKEITH, Lot 388, 29042, 128033	Manager Building Services	Building Act 2011	s21.1	Mr Cut Demolition
7/12/2020	(APP) - DA20-56148 - 32 Leon Road, Dalkeith - Residential - Single House - Additions - Front Fence & Gate	32 Leon Road, DALKEITH, Lot 177, 22969, 122176	Principal Planner	Planning and Development (Local Planning Schemes) Regulations 2015	Regulation 82	S C Chan
7/12/2020	BA130812 Certified building permit - Alterations	135 Rochdale Road, MT CLAREMONT, Lot 134, 10273, 109777	Manager Building Services	Building Act 2011	s20.1	Mr D Q Foley
7/12/2020	BA129944 Certified building permit - Dwelling	20 Loch Street, NEDLANDS, Lot 51, 37750, 136341	Manager Building Services	Building Act 2011	s20.1	Webb & Brown Neaves
8/12/2020	3048079 - Withdrawn Parking Infringement Notice - Compassionate Grounds	58 Jenkins Avenue, NEDLANDS, Lot 4, 54156, 152231	Manager Health & Compliance	Local Government Act 1995	9.20/6.12(1)	Rorden O'Shea
8/12/2020	BA129839 Certified building permit - Fence	40 Burnettia Lane, MT CLAREMONT, Lot 304, 80240, 183319	Manager Building Services	Building Act 2011	s20.1	Timberscapes Pty Ltd
8/12/2020	BA130370 Certified building permit - Dwelling	104 Circe Circle South, DALKEITH, Lot 773, 18051, 117358	Manager Building Services	Building Act 2011	s20.1	Tangent Nominees Pty Ltd

8/12/2020	BA129747 Certified building permit - Fence	20 Landon Way, MT CLAREMONT, Lot 406, 6585, 106203	Manager Building Services	Building Act 2011	s20.1	L Punchihewa
9/12/2020	(APP) - DA20-55823 - 25 John XXIII Avenue, MT CLAREMONT - Car park extension in association with education establishment and warehouse	25 John XXIII Avenue, MT CLAREMONT, Lot 10629, 80052, 181453	Manager Urban Planning	Planning and Development (Local Planning Schemes) Regulations 2015	Regulation 82	Eamon Broderick
9/12/2020	BA132152 Certified building permit - Pool fence	16 Hooley Street, SWANBOURNE, Lot 42, 4965, 104661	Manager Building Services	Building Act 2011	s20.1	Werd Landscapes
9/12/2020	BA131269 Certified building permit - Boundary and Pool Fence	19 Leopold Street, NEDLANDS, Lot 17, 55136, 153213	Manager Building Services	Building Act 2011	s20.1	Escape Garden Design & Construction
9/12/2020	BA130208 Certified building permit - Dwelling	40 Olearia Lane, MT CLAREMONT, Lot 2, 82633, 200121	Manager Building Services	Building Act 2011	s20.1	Create Homes Pty Ltd
9/12/2020	BA131556 Uncertified building permit - Re-roof	12 Burwood Street, NEDLANDS, Lot 80, 32881, 131631	Manager Building Services	Building Act 2011	s20.1	Mr S Lee
9/12/2020	BA129913 Certified building permit - Dwelling	22A Mayfair Street, MT CLAREMONT, Lot 927, 82662, 107599	Manager Building Services	City of Nedlands LPS3	s20.1	Residential Building WA

10/12/2020	(APP) - DA20-51278 - 12 Kennedia Lane, Mt Claremont - Residential - Single House	12 Kennedia Lane, MT CLAREMONT, 82643, 200196	Principal Planner	Planning and Development (Local Planning Schemes) Regulations 2015	Regulation 82	Residential Building WA
10/12/2020	(APP) - DA20-51908 - 64 Kingsway, Nedlands (Lot 2) - Residential - Grouped Dwelling	64 Kingsway, NEDLANDS, Lot 7, 68399, 165555	Principal Planner	Planning and Development (Local Planning Schemes) Regulations 2015	Regulation 82	Averna Pty Ltd
10/12/2020	(APP) - DA20-47791 - 6 Bedford Street, Nedlands - Residential - 4x Grouped Dwellings	6 Bedford Street, NEDLANDS, Lot 392, 31348, 130120	Principal Planner	Planning and Development (Local Planning Schemes) Regulations 2015	Regulation 82	WABCA Pty Ltd
10/12/2020	(APP) - DA20-53982 - 22 Lisle Street, MT CLAREMONT - Single House	22 Lisle Street, MT CLAREMONT, Lot 337, 6975, 106567	Principal Planner	Planning and Development (Local Planning Schemes) Regulations 2015	Regulation 82	Ross North Group
10/12/2020	BA131367 Certified building permit - Stage 1 Shenton College	227 Stubbs Terrace, SHENTON PARK, Lot 557, 12500, 111948	Manager Building Services	Building Act 2011	s20.1	Schlager Group Pty Ltd

10/12/2020	BA132269 Certified building permit - Patio	37 Wavell Road, DALKEITH, Lot 822, 30693, 129627	Manager Building Services	Building Act 2011	s20.1	Abel Patio's and Roofing
10/12/2020	BA131534 Certified building permit - Dwelling	21 Muecke Way, SHENTON PARK, Lot 32, 82597, 199950	Manager Building Services	Building Act 2011	s20.1	Fischer Homes Pty Ltd
10/12/2020	BA129018 Uncertified building permit - Patio	1 Godetia Garden(s), MT CLAREMONT, Lot 261, 75027, 172080	Manager Building Services	Building Act 2011	s20.1	Perth Patio Magic
10/12/2020	BA132226 Occupancy permit - Warehouse	10 Selby Street, SHENTON PARK, Lot 7961, 81635, 110478	Manager Building Services	Building Act 2011	s58.1	Accredit Building Surveying & Construction Services Pty Ltd
11/12/2020	(APP) - DA20-51901 - 64 Kingsway, Nedlands - Grouped Dwelling (Lot 3)	64 Kingsway, NEDLANDS, Lot 7, 68399, 165555	Principal Planner	Planning and Development (Local Planning Schemes) Regulations 2015	Regulation 82	Averna Pty Ltd
11/12/2020	BA130351 Certified building permit - Dwelling	16 Sutcliffe Street, DALKEITH, Lot 190, 26345, 125468	Manager Building Services	Building Act 2011	s20.1	Secunda Pty Ltd
11/12/2020	BA132470 Certified building permit - Shade sail	12 James Road, SWANBOURNE, Lot 40, 81468, 104927	Manager Building Services	Building Act 2011	s20.1	Shade Solutions

11/12/2020	(APP) - DA20-53558 - 2 Viewway Nedlands - Residential - Single House - Carport	2 Viewway, NEDLANDS, Lot 490, 63739, 161422	Principal Planner	Planning and Development (Local Planning Schemes) Regulations 2015	Regulation 82	Marzia Design
14/12/2020	(APP) - DA20-55283 - 53 Waratah Avenue, Dalkeith - Residential - Single House	53 Waratah Avenue, DALKEITH, Lot 9, 28680, 127696	Principal Planner	Planning and Development (Local Planning Schemes) Regulations 2015	Regulation 82	Mercedes Group Pty Ltd
14/12/2020	(APP) - DA20-56152 - 81 Waratah Avenue, Dalkeith - Additions to Existing Shopping Centre	81 Waratah Avenue, DALKEITH, Lot 8, 28957, 127951	Principal Planner	Planning and Development (Local Planning Schemes) Regulations 2015	Regulation 82	Urbanista Town Planning
14/12/2020	BA132098 Building approval certificate - Deck	114A Victoria Avenue, DALKEITH, Lot 16, 26874, 125963	Manager Building Services	Building Act 2011	s20.1	Resolve Group Pty Ltd
14/12/2020	(APP) - DA20-56569 - 63 Wood Street Swanbourne - Residential Single House - Additions and Alterations	63 Wood Street, SWANBOURNE, Lot 37, 13815, 113233	Principal Planner	Planning and Development (Local Planning Schemes) Regulations 2015	Regulation 82	Mo Wilson Drafting and Design

14/12/2020	3043557 - Withdrawn Parking Infringement Notice - Officer Error	Esplanade, DALKEITH, Lot 254, 26434, 125559	Manager Health & Compliance	Local Government Act 1995	9.20/6.12(1)	Peter Brigg
14/12/2020	3048866 - Withdrawn Parking Infringement Notice - Compassionate Grounds	Monash Avenue, NEDLANDS, Lot 8699, 39833, 138396	Manager Health & Compliance	Local Government Act 1995	9.21/6.12(1)	Jay Francis
15/12/2020	3045310 - Withdrawn Parking Infringement Notice - Compassionate Grounds	45 Alexander Road, DALKEITH, Lot 119, 14942, 114280	Manager Health & Compliance	Local Government Act 1995	9.21/6.12(1)	Esther Lauw
16/12/2020	(APP) - DA20-54745 - 91 Melvista Avenue, Nedlands - Residential - Additions - Patio & Parapet Wall	91 Melvista Avenue, NEDLANDS, Lot 17, 56815, 154856	Principal Planner	Planning and Development (Local Planning Schemes) Regulations 2015	Regulation 82	Complete Approvals
16/12/2020	(APP) - DA20-49378 - 28 Marita Road, Nedlands - Residential - Single House - Additions	28 Marita Road, NEDLANDS, Lot 102, 56271, 154310	Manager Urban Planning	Planning and Development (Local Planning Schemes) Regulations 2015	Regulation 82	L Q Haskett & M J Haskett
16/12/2020	BA130629 Demolition permit - Full site	22 Vincent Street, NEDLANDS, Lot 90, 64581, 162271	Manager Building Services	Building Act 2011	s21.1	AAA Demolition & Tree Service
16/12/2020	BA132246 Demolition permit - Full site	60 Mayfair Street, MT CLAREMONT,	Manager Building Services	Building Act 2011	s21.1	Denaya Nominees Pty Ltd

		Lot 156, 8383, 108001				
16/12/2020	BA131690 Uncertified building permit - pergola	4 Gunn Street, FLOREAT, Lot 15, 4614, 104315	Manager Building Services	Building Act 2011	s20.1	C Howie
17/12/2020	BA132536 Uncertified building permit - Sign	4/141 Broadway, NEDLANDS, Lot 4, 48149, 146399	Manager Building Services	Building Act 2011	s20.1	Direct Image
17/12/2020	BA130650 Certified building permit - Dwelling	82 Smyth Road, NEDLANDS, Lot 12, 42761, 141291	Manager Building Services	Building Act 2011	s20.1	J Corp Pty Ltd
17/12/2020	BA131984 Certified building permit - Dwelling	24 Mayfair Street, MT CLAREMONT, Lot 218, 8008, 107615	Manager Building Services	Building Act 2011	s20.1	Distinctive Homes WA
17/12/2020	BA132665 Building Approval Certificate - Grout Injection	58 Browne Avenue, DALKEITH, Lot 97, 17152, 116467	Manager Building Services	Building Act 2011	s58.1	Assured Group WA Pty Ltd
17/12/2020	BA132290 Certified building permit - Fence	48 Leura Street, NEDLANDS, Lot 297, 37506, 136119	Manager Building Services	Building Act 2011	s20.1	Onzo Builders Pty Ltd
18/12/2020	(APP) - DA20-53451 -147 Alfred Road, Mt Claremont - Residential Single House	147 Alfred Road, MT CLAREMONT, Lot 110, 2133, 101931	Principal Planner	Planning and Development (Local Planning Schemes) Regulations 2015	Regulation 82	Plunkett Homes
18/12/2020	(APP) - DA20-57333 - 100 Stephenson Avenue, Mt	100 Stephenson Avenue, MT	Principal Planner	Planning and Development	Regulation 82	P McCann

	Claremont - Non-Residential - Outbuilding	CLAREMONT, Lot 201, 81163, 168393		(Local Planning Schemes) Regulations 2015		
18/12/2020	BA58548 Certified building permit - Additions	75 Broadway, NEDLANDS, Lot 529, 47517, 145805	Manager Building Services	Building Act 2011	s20.1	Saltus Built Pty Ltd
18/12/2020	BA130911 Certified building permit - Dwelling	58 Browne Avenue, DALKEITH, Lot 97, 17152, 116467	Manager Building Services	Building Act 2011	s20.1	Averna Pty Ltd
18/12/2020	BA131187 Certified building permit - Dwelling	32 Mayfair Street, MT CLAREMONT, Lot 1, 8105, 107714	Manager Building Services	Building Act 2011	s20.1	Pindan Homes Pty Ltd
18/12/2020	BA126766 Certified building permit - Solar panels	1 Brockway Road, MT CLAREMONT, Lot 15061, 71316, 168310	Manager Building Services	Building Act 2011	s20.1	Westsun Solar
18/12/2020	BA132568 Uncertified building permit - Sign	95 Broadway, NEDLANDS, Lot 539, 47614, 145888	Manager Building Services	Building Act 2011	s20.1	Direct Image
18/12/2020	BA132577 Uncertified building permit - Sign	139 Broadway, NEDLANDS, Lot 686, 48107, 146357	Manager Building Services	Building Act 2011	s20.1	Direct Image
21/12/2020	BA130087 Uncertified building permit - Ancillary Dwelling	28 Waroonga Road, NEDLANDS, Lot 158, 65553, 163238	Manager Building Services	Building Act 2011	s20.1	Davley Building Pty Ltd
21/12/2020	BA131674 Certified building permit - Retaining wall	64A Mayfair Street, MT CLAREMONT,	Manager Building Services	Building Act 2011	s20.1	Distinctive Homes WA

		Lot 2, 82725, 200857				
21/12/2020	BA131573 Certified building permit - Retaining wall	64 Mayfair Street, MT CLAREMONT, Lot 1, 82724, 108043	Manager Building Services	Building Act 2011	s20.1	Distinctive Homes WA
21/12/2020	BA132414 Certified building permit - Pool	2 Hynes Road, DALKEITH, Lot 173, 23096, 122309	Manager Building Services	Building Act 2011	s20.1	Perth Concrete Pools
21/12/2020	(APP) - DA20-58648 - 64 & 64A Mayfair Street, Mt Claremont - Retaining Wall	64 Mayfair Street, MT CLAREMONT, Lot 1, 82724, 108043	Principal Planner	Planning and Development (Local Planning Schemes) Regulations 2015	Regulation 82	Distinctive Homes
22/12/2020	(APP) - DA20-52681 - 64 Mayfair Street, Mt Claremont - Residential - Grouped Dwelling (Lot 3)	64 Mayfair Street, MT CLAREMONT, Lot 1, 82724, 108043	Principal Planner	Planning and Development (Local Planning Schemes) Regulations 2015	Regulation 82	Malcolm Jones
23/12/2020	BA132687 Certified building permit - Patios	9 Whitfeld Street, FLOREAT, Lot 219, 13336, 112763	Manager Building Services	Building Act 2011	s20.1	Abel Patio's and Roofing
23/12/2020	BA132944 Certified building permit - Pool	3 Burwood Street, NEDLANDS, Lot 93, 32792, 131540	Manager Building Services	Building Act 2011	s20.1	Select Pools

23/12/2020	BA133190 Certified building permit - Dwelling	12 Kennedia Lane, MT CLAREMONT, 82643, 200196	Manager Building Services	Building Act 2011	s20.1	Residential Building WA
23/12/2020	BA132904 Building approval certificate - Retaining wall	7 Vix Street, DALKEITH, Lot 51, 28151, 127167	Manager Building Services	Building Act 2011	s58.1	Zemla Pty Ltd

January 2021

Date of use of delegation of authority	Title	Property	Position exercising delegated authority	Act	Section of Act	Applicant / CoN / Property Owner / Other
January 2021						
4/01/2021	BA133502 Certified building permit - Alterations	17 Lemnos Street, SHENTON PARK, Lot 11605, 78265, 176370	Manager Building Services	Building Act 2011	s20.1	Mr W D Harris
4/01/2021	3045322 - Withdrawn Parking Infringement Notice - Officer Error	Lemnos Street, SHENTON PARK, Lot 41989, 76316, 173344	Director Planning & Development	Local Government Act 1995	9.21/6.20(1)	Josephine Scibilia
4/01/2021	BA132867 Uncertified building permit - Shed	59 Strickland Street, MT CLAREMONT, Lot 107, 12348, 111799	Manager Building Services	Building Act 2011	s20.1	A J Meyer

4/01/2021	3048185 - Withdrawn Parking Infringement Notice - Compassionate Grounds	1 Meriwa Street, NEDLANDS, Lot 445, 38918, 137463	Director Planning & Development	Local Government Act 1995	9.21/6.20(1)	Estelle Stan - Bishop
5/01/2021	BA132598 Demolition permit - Partial building	13 Reeve Street, SWANBOURNE, Lot 124, 9711, 109249	Manager Building Services		s21.1	J & V Earthmoving Contractors
5/01/2021	BA132483 Demolition permit - Full site	88 Tyrell Street, NEDLANDS, Lot 604, 63569, 161257	Manager Building Services	Building Act 2011	s21.1	AAA Demolition & Tree Service
5/01/2021	BA132748 Certified building permit - Dwelling and Pool	62 Beatrice Road, DALKEITH, Lot 22, 15671, 115014	Manager Building Services	Building Act 2011	s20.1	Coastview Australia Pty Ltd
6/01/2021	BA132677 Building approval certificate - Balustrade	38 Brockman Avenue, DALKEITH, Lot 136, 16627, 115949	Manager Building Services	Building Act 2011	s58.1	Building Lines Approvals Ltd
6/01/2021	(APP) - DA20-57879 - 59 Leura Street, Nedlands - Residential - Removal of Conditions 2 & 3	59 Leura Street, NEDLANDS, Lot 3, 37603, 136218	Principal Planner	Planning and Development (Local Planning Schemes) Regulations 2015	Regulation 82	Nathan Palmer
6/01/2021	BA132177 Certified building permit - Additions	13 Reeve Street, SWANBOURNE, Lot 124, 9711, 109249	Manager Building Services	Building Act 2011	s20.1	Bacic Group Pty Ltd

7/01/2021	BA130682 Certified building permit - Pool	89 Florence Road, NEDLANDS, Lot 732, 53540, 151639	Manager Building Services	Building Act 2011	s20.1	Quality Dolphin Pools
11/01/2021	(APP) - DA20-56890 - 3 Beatrice Road, Dalkeith - Residential Single House Additions	3 Beatrice Road, DALKEITH, Lot 2, 15249, 114587	Principal Planner	Planning and Development (Local Planning Schemes) Regulations 2015	Regulation 82	Summit Constructions
11/01/2021	BA133558 Certified building permit - Pool and Barrier	64A Mayfair Street, MT CLAREMONT, Lot 2, 82725, 200857	Manager Building Services	Building Act 2011	s20.1	Imperial Pools
11/01/2021	BA132034 Certified building permit - Stage 3 Works	37 Lemnos Street, SHENTON PARK, Lot 15368, 80482, 185678	Manager Building Services	Building Act 2011	s20.1	Icon SI (Aust) Pty Ltd
11/01/2021	BA133544 Certified building permit - Pool and Barrier	88 Tyrell Street, NEDLANDS, Lot 604, 63569, 161257	Manager Building Services	Building Act 2011	s20.1	Imperial Pools
11/01/2021	BA130293 Certified building permit - Data Centre Stage 2	37 Lemnos Street, SHENTON PARK, Lot 15368, 80482, 185678	Manager Building Services	Building Act 2011	s20.1	Icon SI (Aust) Pty Ltd
12/01/2021	3048956 - Withdrawn Parking Infringement Notice - Compassionate Grounds	Monash Avenue, NEDLANDS, Lot 8699, 39833, 138396	Manager Health & Compliance	Local Government Act 1995	9.21/6.20(1)	Bena Patel

12/01/2021	BA133589 Certified building permit - Patio and Wall	91 Melvista Avenue, NEDLANDS, Lot 17, 56815, 154856	Manager Building Services	Building Act 2011	s20.1	Sustain Patios and Outdoors
13/01/2021	BA133976 Occupancy permit - Endoscopy Suite 312	101 Monash Avenue, NEDLANDS, Lot 565, 82619, 181206	Manager Building Services	Building Act 2011	s58.1	Ian Lush & Associates
13/01/2021	BA133685 Certified building permit - Shed conversion	74 Vincent Street, NEDLANDS, Lot 10, 65105, 162792	Manager Building Services	Building Act 2011	s20.1	360 Group WA
13/01/2021	BA133558 Certified building permit - Swimming pool	64A Mayfair Street, MT CLAREMONT, Lot 2, 82725, 200857	Manager Building Services	Building Act 2011	s20.1	Imperial Pools
13/01/2021	BA134086 Certified building permit - Additions	57 Bruce Street, NEDLANDS, Lot 552, 48709, 146936	Manager Building Services	Building Act 2011	s20.1	Addstyle Constructions Pty Ltd
13/01/2021	BA133795 Certified building permit - Pool barrier	48 St Johns Wood Boulevard, MT CLAREMONT, Lot 507, 76560, 173591	Manager Building Services	Building Act 2011	s20.1	S Rawstorne
13/01/2021	BA134029 Occupancy Permit - Cardiology Suite 307	101 Monash Avenue, NEDLANDS, Lot 565, 82619, 181206	Manager Building Services	Building Act 2011	s58.1	IDS Consultants Pty Ltd
14/01/2021	BA133072 Certified building permit - Dwelling	7 Muecke Way, SHENTON PARK,	Manager Building Services	Building Act 2011	s20.1	Coast Homes WA Pty Ltd

		Lot 25, 82590, 199885				
15/01/2021	BA133821 Certified building permit - Alterations	1/31 Cooper Street, NEDLANDS, Lot 1, 50233, 148403	Manager Building Services	Building Act 2011	s20.1	MK Building Solutions Pty Ltd
15/01/2021	BA133645 Certified building permit - Dwelling	22 Hobbs Avenue, DALKEITH, Lot 66, 20747, 120030	Manager Building Services	Building Act 2011	s20.1	Distinctive Homes WA
19/01/2021	BA134507 Certified building permit - Additions	3 Beatrice Road, DALKEITH, Lot 2, 15249, 114587	Manager Building Services	Building Act 2011	s20.1	Tangent Nominees Pty Ltd
19/01/2021	3048964 - Withdrawn Parking Infringement Notice - Compassionate Grounds	Monash Avenue, NEDLANDS, Lot 8699, 39833, 138396	Manager Health & Compliance	Local Government Act 1995	9.20/6.12(1)	Meredith Neumann
19/01/2021	3048848 - Withdrawn Parking Infringement Notice - Compassionate Grounds	1 Campsie Street, NEDLANDS, Lot 46, 32970, 131722	Manager Health & Compliance	Local Government Act 1995	9.20/6.12(1)	Suk Khan Choong
19/01/2021	3048980 - Withdrawn Parking Infringement Notice - Compassionate Grounds	Verdun Street, NEDLANDS, Lot 9075, 44577, 142984	Manager Health & Compliance	Local Government Act 1995	9.20/6.21(1)	Jan Willilams
20/01/2021	(APP) - DA21-59153 - 105 Hardy Road, Nedlands - Residential Single House - Ancillary Accommodation	105 Hardy Road, NEDLANDS, Lot 387, 35601, 134296	Principal Planner	Planning and Development (Local Planning Schemes)	Regulation 82	Summit Constructions

				Regulations 2015		
20/01/2021	BA132924 Certified building permit - Dwelling	9 Mayfair Street, MT CLAREMONT, Lot 202, 7858, 107417	Manager Building Services	Building Act 2011	s20.1	Distinctive Homes WA
20/01/2021	BA134802 Certified building permit - Renovations	136 Stirling Highway, NEDLANDS, Lot 86, 81171, 158121	Manager Building Services	Building Act 2011	s20.1	Moore Constructions Pty Ltd
20/01/2021	3048901 - Withdrawn Parking Infringement Notice - Compassionate Grounds	14 Clark Street, NEDLANDS, Lot 425, 49802, 147983	Manager Health & Compliance	Local Government Act 1995	9.210/6.21(1)	Anne Louise Hogg
20/01/2021	BA132435 Uncertified building permit - Pool	12 Jubaea Garden(s), MT CLAREMONT, Lot 201, 73978, 171041	Manager Building Services	Building Act 2011	s20.1	Barrier Reef Pools Perth
20/01/2021	BA133847 Demolition permit - Dwelling	60 Philip Road, DALKEITH, Lot 312, 25242, 124404	Manager Building Services	Building Act 2011	s21.1	Brajovich Demolition & Salvage Pty Ltd
21/01/2021	BA133990 Certified building permit - stage 2 alterations to school buildings	227 Stubbs Terrace, SHENTON PARK, Lot 557, 12500, 111948	Manager Building Services	Building Act 2011	s20.1	Schlager Group Pty Ltd
21/01/2021	BA134366 Occupancy Permit - Perth Radiological Clinic	101 Monash Avenue, NEDLANDS, Lot 565, 82619, 181206	Manager Building Services	Building Act 2011	s58.1	Fast Track Approvals Pty Ltd

21/01/2021	BA134290 Building approval certificate - Pool and deck	103 Rochdale Road, MT CLAREMONT, Lot 1, 82526, 109470	Manager Building Services	Building Act 2011	s58.1	Constructive Building Consultant Pty Ltd
21/01/2021	BA134990 Certified building permit - Pool and barrier	64 Mayfair Street, MT CLAREMONT, Lot 154, 8422, 108043	Manager Building Services	Building Act 2011	s20.1	Imperial Pools
21/01/2021	BA133510 Certified building permit - Dwelling	24 Baird Avenue, NEDLANDS, Lot 3, 82649, 200246	Manager Building Services	Building Act 2011	s20.1	Residential Building WA
21/01/2021	BA132818 Certified building permit - Refurbishment	17 John XXIII Avenue, MT CLAREMONT, Lot 12241, 80473, 185579	Manager Building Services	Building Act 2011	s20.1	Sanpro Construction Pty Ltd
22/01/2021	(APP) - DA20-57074 - 12 Genesta Crescent Dalkeith - 4x Grouped Dwellings	12 Genesta Crescent, DALKEITH, Lot 408, 20014, 119313	Principal Planner	Planning and Development (Local Planning Schemes) Regulations 2015	Regulation 82	Ian Collins Homes Pty Ltd
22/01/2021	(APP) - DA20-57901 - 45 Portland Street Nedlands - Residential Single House Additions	45 Portland Street, NEDLANDS, Lot 88, 41846, 140384	Principal Planner	Planning and Development (Local Planning Schemes)	Regulation 82	B Riley

				Regulations 2015		
22/01/2021	BA134717 Demolition permit - full site	3 Marlin Court, DALKEITH, Lot 26, 23169, 122374	Manager Building Services	Building Act 2011	s21.1	Brajkovich Demolition & Salvage Pty Ltd
22/01/2021	BA134476 Uncertified building permit - Shed	57 Adderley Street, MT CLAREMONT, Lot 67, 741, 100990	Manager Building Services	Building Act 2011	s20.1	Mr B B Thomas
22/01/2021	BA132981 Certified building permit - Dwelling	88 Tyrell Street, NEDLANDS, Lot 604, 63569, 161257	Manager Building Services	Building Act 2011	s20.1	Distinctive Homes WA
25/01/2021	BA134973 Certified building permit - Re roof	5 Hynes Road, DALKEITH, Lot 63, 21426, 120709	Manager Building Services	Building Act 2011	s20.1	Mr M Powel
25/01/2021	BA126782 Certified building permit - Solar panels	119 Melvista Avenue, NEDLANDS, Lot 706, 56938, 154971	Manager Building Services	Building Act 2011	s20.1	Infinite Energy
27/01/2021	BA134955 Certified building permit - Shade sail	45 Bulimba Road, NEDLANDS, Lot 260, 49721, 147926	Manager Building Services	Building Act 2011	s20.1	Supreme Shades
28/01/2021	BA134258 Occupancy permit - Genesis Radiation Oncology Fit out	101 Monash Avenue, NEDLANDS, Lot 565, 82619, 181206	Manager Building Services	Building Act 2011	s58.1	Milestone Certifiers Pty Ltd
28/01/2021	BA132797 Certified building permit - Stage 2 Main Apartment Works	30 Dalkeith Road, NEDLANDS, Lot 239, 33316, 132068	Manager Building Services	Building Act 2011	s20.1	Proud Holdings Pty Ltd

28/01/2021	BA132497 Uncertified building permit - Patio	9 Chessington Garden(s), MT CLAREMONT, Lot 531, 72778, 169607	Manager Building Services	Building Act 2011	s20.1	Perth Patio Magic
28/01/2021	BA133168 Certified building permit - Pool and barrier	90 Mountjoy Road, NEDLANDS, Lot 35, 57837, 155853	Manager Building Services	Building Act 2011	s20.1	West Coast Custom Pools
29/01/2021	(APP) - DA21-59703 - 64 Mayfair Street, Mt Claremont - Residential Single House Retaining Wall	64 Mayfair Street, MT CLAREMONT, Lot 1, 82724, 108043	Principal Planner	Planning and Development (Local Planning Schemes) Regulations 2015	Regulation 82	Distinctive Homes WA
29/01/2021	(APP) - DA21-59696 - 64A Mayfair Street, Mt Claremont - Residential Single House Retaining Wall	64A Mayfair Street, MT CLAREMONT, Lot 2, 82725, 200857	Principal Planner	Planning and Development (Local Planning Schemes) Regulations 2015	Regulation 82	Distinctive Homes
29/01/2021	(APP) - DA21-60063 - 100A Smyth Road, Nedlands - Residential Single House	100A Smyth Road, NEDLANDS, Lot 889, 82723, 200840	Principal Planner	Planning and Development (Local Planning Schemes) Regulations 2015	Regulation 82	Peter Fryer Design

29/01/2021	BA117643 Building approval certificate - Retaining wall	34 Lisle Street, MT CLAREMONT, Lot 15, 7094, 106674	Manager Building Services	Building Act 2011	s58.1	Russell Building Approvals
29/01/2021	BA134832 Certified building permit - Dwelling and Pool	89 Florence Road, NEDLANDS, Lot 732, 53540, 151639	Manager Building Services	Building Act 2011	s20.1	Coastview Australia Pty Ltd
29/01/2021	BA135096 Building permit amendment - Grout injection	16 Sutcliffe Street, DALKEITH, Lot 190, 26345, 125468	Manager Building Services	Building Act 2011		Secunda Pty Ltd
29/01/2021	BA133051 Certified building permit - Dwelling	90 Mountjoy Road, NEDLANDS, Lot 35, 57837, 155853	Manager Building Services	Building Act 2011	s20.1	Westlake Corporation Pty Ltd

13.4 Monthly Financial Report – December 2020

Council	23 February 2021
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995 and section 10 of the city of Nedlands Code of Conduct for Impartiality.	Nil
Director	Ed Herne – Director Corporate & Strategy
Attachments	<ol style="list-style-type: none"> 1. Financial Summary (Operating) by Business Units – 31 December 2020 2. Capital Works & Acquisitions – 31 December 2020 3. Statement of Net Current Assets – 31 December 2020 4. Statement of Financial Activity – 31 December 2020 5. Borrowings – 31 December 2020 6. Statement of Financial Position – 31 December 2020 7. Operating Income & Expenditure by Reporting Activity – 31 December 2020 8. Operating Income by Reporting Nature & Type – 31 December 2020

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Wetherall

Seconded – Councillor McManus

That the Recommendation to Council be adopted.

(Printed below for ease of reference)

CARRIED UNANIMOUSLY 12/-

Council Resolution / Recommendation to Council

Council receives the Monthly Financial Report for 31 December 2020.

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 financial impact of COVID-19 is reflected with effect from April, the Hardship policy endorsed at the Special Council Meeting of 14 April 2020 introduced measures to support the City's many stakeholders these are also reflected in the financials.

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 31 December 2020 together with a Statement of Net Current Assets as at 31 December 2020.

The operating revenue at the end of December 2020 was \$32.01 M which represents \$1.33 M favourable variance compared to the year-to-date budget.

The operating expense at the end of December 2020 was \$16.17 M, which represents \$488 K favourable variance compared to the year-to-date budget.

The attached Operating Statement compares "Actual" with "Budget" by Business Units. The budget figures include subsequent Council approval to budget changes. Variations from the budget of revenue and expenses by Directorates are highlighted in the following paragraphs.

Governance

Expenditure:	Favourable variance of	\$ 95,216
Revenue:	Unfavourable variance of	\$ (76,922)

The favourable expenditure variance is mainly due to:

- WESROC expenses of \$260K not spent,
- Office expenses of \$34k not spent yet,
- Other employee costs of 36k not spent yet,
- Professional fees overspend by \$27k arising from additional legal advice on planning matters,
- The salary reduction of \$442k as resolved by Council at the adoption of the budget has been shown as a reduction in salaries of approximately \$36k per month in Governance as a temporary budget item until the actual savings across the business units are identified and actioned. Thereafter the budget savings will be moved to the respective business units. The above list of savings of \$303k is off set against the \$216k salary savings yet to be realised, though underway.

The unfavourable revenue variance is due to the relocating of all WESROC services to another local government and subsequently there will be no income receivable. For the past 5 years the City of Nedlands has hosted the WESROC Environmental Officer's position and managed expenses and invoicing of WESROC local governments. This position has now moved to the Town of Claremont, along with the associated management of the WESROC financials.

The budget for WESROC expense and revenue will be adjusted at mid-year budget review to reflect the move of the WESROC services to the Town of Claremont.

Corporate and Strategy

Expenditure:	Favourable variance of	\$ 89,049
Revenue:	Favourable variance of	\$ 558,211

The favourable expenditure variance is mainly due to:

- ICT expenses of \$67k not expensed,
- Corporate services, Finance and Shared services Professional fees of \$71k not spent yet,
- Corporate services ICT expenses over expensed by \$51k due to additional works on smart office system completed.

The favourable revenue variances is mainly due to:

- Higher Interim rates income by \$691k,
- Offset by lower term deposit interest income of \$97k.

Community Development and Services

Expenditure:	Favourable variance of	\$ 207,948
Revenue:	Favourable variance of	\$ 580,626

The favourable expenditure variance is mainly due to:

- Donations, Special projects and Operational activities of \$145k not expensed yet,
- Nedlands library office and other expenses of \$29k not yet expensed,
- Overall other employee cost not spent of \$27k,

The favourable income variance is mainly due to:

- Increase fees and charges from Tresillian, Positive Ageing and PRCC of \$283k – at the time of setting the budget revenue estimates were based on the Covid 19 environment at that time (ie restrictions relating to public attendances at events), with restrictions easing these services have benefitted from higher attendances
- NCC grants income by \$282k

Planning and Development

Expenditure:	Unfavourable variance of	\$ (95,190)
Revenue:	Favourable variance of	\$ 237,749

The unfavourable expenditure variance is mainly due to:

- Urban planning and Building services salaries over spent by \$206k. Urban planning salaries are higher by \$174k due to increased applications, SAT appeals and unplanned policy work and re-work. Building services salaries is higher by \$32k due to additional works, increasing revenue by \$145k. This is offset by Environmental salaries of \$31k due to delay in back-filling vacancies.
- Environmental operation activities and Town planning other employee costs of \$137k not spent,
- Professional fees of \$149k have expensed as a result of a Council approved un-budgeted expenditure on professional services related to the Woolworths DA appeal including traffic advice, public realm modelling and professional advice.
- Urban Planning Projects of \$192k not yet expensed.
- Offset by lower expenses of \$95k in planning projects due to profiling issue.

The favourable revenue variance is mainly due to:

- Increase fees & charges income in Urban Planning, Environmental Health and Building services of \$210k.

Technical Services

Expenditure:	Favourable variance of	\$ 169,976
Revenue:	Favourable variance of	\$ 39,832

The favourable expenditure variance is mainly due to:

- Plant expenses and waste minimisation expenses of \$696k not expensed yet,
- Building, parks and road maintenance expense of \$342k not expensed yet,
- Underground power project of \$393k over expensed due to profiling, scoping and planning work by Western power. Under YTD budget of \$983k
- Utilities invoices of \$59k not received yet,
- Off-set against lower charge out of on-cost to projects by \$512k

The small favourable revenue variance is mainly due to:

- Timing difference of receiving direct grant payment of \$71k.

Borrowings

As at 31 December 2020, we have a balance of borrowings of \$4.9 M.

Net Current Assets Statement

At 31 December 2020, net current assets was \$18.28 M compared to \$18.58 M as at 31 December 2019. Current assets are higher by \$2.8 M offset by lower current liabilities \$564 K.

Outstanding rates debtors are \$6.3 M as at 31 December 2020 compared to \$6.8 M as at 31 December 2019. Breakdown as follows:

	31 Dec 2020	31 Dec 2019	Variance
Rates	\$4,800	\$6,019	-\$1,219
Rubbish & Pool	\$84	\$136	-\$52
Pensioner Rebates	\$319	\$548	-\$229
ESL	\$174	\$175	-\$1

Higher rates balance is due to higher interim rates of \$578k as of December 2020 compared to December 2019.

Capital Works Programme

As at 31 December, expenditure on capital works was \$2.3 M with additional capital commitments of \$157k which is 34% of a total budget of \$8.4 M.

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	173
Number of contract staff (temporary/agency staff) as of the last day of the previous month	3
*FTE (Full Time Equivalent) count as of the last day of the previous month	153.88
Number of unfilled staff positions at the end of each month	15

Total active employees reduced from previous (November) month from 179 to 173 for December with increase of inactive casual employees over the Christmas/New Year period and vacancies increased from 11 to 15, due to resignations.

Conclusion

The statement of financial activity for the period ended 31 December 2020 indicates that operating expenses are under the year-to-date budget by 2.81% or \$466 K, while revenue is above the Budget by 4.37% or \$1.3 M.

Key Relevant Previous Council Decisions:

Nil.

Consultation

N/A

Strategic Implications

The 2020/21 approved budget is in line with the City's strategic direction. Our operations and capital spend, and income is undertaken in line with and measured against the budget.

The 2020/21 approved budget ensures that there is an equitable distribution of benefits in the community

The 2020/21 budget was prepared in line with the City's level of tolerance of risk and it is managed through budgetary review and control.

The approved budget was based on zero based budgeting concept which requires all income and expenses to be thoroughly reviewed against data and information available to perform the City's services at a sustainable level.

Budget/Financial Implications

As outlined in the Monthly Financial Report.

The approved budget is prepared taking into consideration the Long-Term Financial Plan, current economic situation and special consideration to the effect from COVID-19. The approved budget was in surplus of \$976,898. Subsequent Council approval on budget changes has reduced the surplus to a deficit of \$139,282.

The adopted 2020/21 budget included a 0% rate increase.



CITY OF NEDLANDS
FINANCIAL SUMMARY - OPERATING - BY BUSINESS UNIT
AS AT 31 DECEMBER 2020

City of Nedlands

Row Labels	Master Account (desc)	December Actual YTD	December Budget YTD	Variance	Committed Balance	Annual Budget
Governance						
CEO's Office						
Governance						
Expense						
20420	Salaries - Governance	420,663	181,120	(239,543)	0	404,959
20421	Other Employee Costs - Governance	20,368	10,360	(10,008)	21	13,700
20423	Office - Governance	20,766	26,730	5,964	2,214	32,860
20425	Depreciation - Governance	50,400	50,400	0	0	100,800
20427	Finance - Governance	79,200	79,200	0	0	158,400
20428	Insurance - Governance	0	0	0	0	0
20430	Other Expense - Governance	2,762	5,164	2,402	16,913	15,000
20434	Professional Fees - Governance	184,691	157,506	(27,185)	92,119	315,000
20450	Special Projects - Governance / PC93	10,442	270,992	260,550	0	289,393
Expense Total		789,292	781,472	(7,820)	111,267	1,330,112
Income						
50410	Sundry Income - Governance/PC 93	(10,752)	(80,140)	(69,388)	0	(160,281)
50416	Contributions & Reimbursements	(2,466)	0	2,466	0	0
Income Total		(13,218)	(80,140)	(66,922)	0	(160,281)
Governance Total		776,074	701,332	(74,742)	111,267	1,169,831
Communications						
Expense						
28320	Salaries - Communications	150,562	138,679	(11,883)	0	292,786
28321	Other Employee Costs - Communications	1,688	14,245	12,557	0	14,245
28322	Staff Recruitment - Communications	0	1,500	1,500	0	1,500
28323	Office - Communications	16,000	44,370	28,370	7,912	90,960
28327	Finance - Communications	43,800	43,800	0	0	87,600
28330	Other Expense - Communications	2,452	1,398	(1,054)	0	2,800
28335	ICT Expenses - Communications	14,940	20,820	5,880	11,975	41,640
28350	Special Projects - Communications / PC 90	7,023	19,500	12,478	(3,775)	33,000
Expense Total		236,464	284,312	47,848	16,112	564,531
Communications Total		236,464	284,312	47,848	16,112	564,531
Human Resources						
Expense						
20520	Salaries - HR	197,888	200,951	3,063	0	424,183
20521	Other Employee Costs - HR	61,171	85,046	23,875	31,645	174,100
20522	Staff Recruitment - HR	6,623	6,498	(125)	1	13,000
20523	Office - HR	441	952	511	0	8,900
20527	Finance - HR	(358,950)	(358,950)	0	0	(717,900)
20528	Insurance - HR	92,527	107,740	15,213	0	107,740
20534	Professional Fees - HR	8,984	5,000	(3,984)	6,500	10,000
Expense Total		8,684	47,237	38,553	38,145	20,023
Income						
50510	Contributions & Reimbursements - HR	0	(10,000)	(10,000)	0	(20,000)
Income Total		0	(10,000)	(10,000)	0	(20,000)
Human Resources Total		8,684	37,237	28,553	38,145	23
Members Of Council						
Expense						
20323	Office - MOC	7,219	9,252	2,033	3,268	18,500
20325	Depreciation - MOC	450	450	0	0	900
20329	Members of Council - MOC	231,950	247,802	15,852	0	477,601
20330	Other Expense - MOC	1,256	0	(1,256)	0	0
20327	Finance - MOC	11,196	11,202	6	0	22,400
Expense Total		252,070	268,706	16,636	3,268	519,401

Item 13.4 - Attachment 1

Row Labels	Master Account (desc)	December Actual YTD	December Budget YTD	Variance	Committed Balance	Annual Budget
Members Of Council Total		252,070	268,706	16,636	3,268	519,401
CEO's Office Total		1,273,293	1,291,587	18,294	168,793	2,253,786
Governance Total		1,273,293	1,291,587	18,294	168,793	2,253,786
Corporate & Strategy						
Corporate Strategy & Systems						
Corporate Services						
Expense						
21220	Salaries - Corporate Services	321,378	302,874	(18,504)	15,788	639,288
21221	Other Employee Costs - Corporate Services	7,077	18,610	11,533	0	27,110
21224	Motor Vehicles - Corporate Services	9,757	10,002	245	0	20,000
21227	Finance - Corporate Services	(120,450)	(120,450)	0	0	(240,900)
21230	Other Expense - Corporate Services	5,252	6,000	748	4,696	12,000
21234	Professional Fees - Corporate Services	0	25,000	25,000	0	50,000
21235	ICT Expenses - Corporate Services	76,342	25,002	(51,340)	9,673	50,000
21250	Special Projects - Corporate Services / PC68	11,300	7,500	(3,800)	3,700	15,000
Expense Total		310,656	274,538	(36,118)	33,857	572,498
Corporate Services Total		310,656	274,538	(36,118)	33,857	572,498
Customer Services						
Expense						
21320	Salaries - Customer Service	139,628	161,073	21,445	577	337,365
21321	Other Employee Costs - Customer Service	2,266	6,120	3,854	0	6,120
21323	Office - Customer Service	2,266	3,100	834	3,903	6,200
21327	Finance - Customer Service	(174,648)	(174,650)	(2)	0	(349,300)
21330	Other Expense - Customer Service	0	102	102	812	200
21350	Special Projects - Customer Service	0	0	0	0	0
Expense Total		(30,488)	(4,255)	26,233	5,292	585
Income						
51310	Sundry Income - Customer Service	0	(300)	(300)	0	(600)
51301	Fees & Charges - Customer Services	(290)	0	290	0	0
Income Total		(290)	(300)	(10)	0	(600)
Customer Services Total		(30,778)	(4,555)	26,223	5,292	(15)
ICT						
Expense						
21720	Salaries - ICT	206,550	173,754	(32,796)	0	365,958
21721	Other Employee Costs - ICT	1,573	3,420	1,847	0	3,420
21723	Office - ICT	31,864	17,172	(14,692)	18,873	33,365
21724	Motor Vehicles - ICT	0	0	0	0	0
21725	Depreciation - ICT	82,900	103,098	20,198	0	206,200
21727	Finance - ICT	(607,050)	(607,052)	(2)	0	(1,214,100)
21728	Insurance - ICT	6,652	6,370	(282)	0	6,370
21730	Other Expense - ICT	126	4,998	4,872	651	10,000
21734	Professional Fees - ICT	16,101	19,998	3,897	23,178	40,000
21735	ICT Expenses - ICT	392,655	459,998	67,343	94,633	755,000
Expense Total		131,371	181,756	50,385	137,335	206,213
ICT Total		131,371	181,756	50,385	137,335	206,213
Corporate Strategy & Systems Total		411,249	451,739	40,490	176,484	778,696
Finance						
Rates						
Expense						
21920	Salaries - Rates	59,535	57,651	(1,884)	0	121,698
21921	Other Employee Costs - Rates	698	1,520	822	0	1,520
21923	Office - Rates	11,599	12,975	1,376	560	15,200
21927	Finance - Rates	74,196	81,848	7,652	5,691	144,700
21930	Other Expense - Rates	8,819	7,500	(1,319)	908	11,500
21934	Professional Fees - Rates	60,810	65,000	4,190	11,459	65,000
Expense Total		215,657	226,494	10,837	18,618	359,618
Income						
51908	Rates - Rates	(25,033,984)	(24,387,739)	646,245	0	(24,533,233)

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Row Labels	Master Account (desc)	December Actual YTD	December Budget YTD	Variance	Committed Balance	Annual Budget
Income Total		(25,033,984)	(24,387,739)	646,245	0	(24,533,233)
Rates Total		(24,818,327)	(24,161,245)	657,082	18,618	(24,173,615)
General Finance						
Expense						
21420	Salaries - Finance	354,045	327,630	(26,415)	80,844	690,741
21421	Other Employee Costs - Finance	4,832	10,030	5,198	0	10,030
21423	Office - Finance	682	348	(334)	1,364	700
21424	Motor Vehicles - Finance	0	0	0	0	0
21425	Depreciation - Finance	450	450	0	0	900
21427	Finance - Finance	(347,743)	(342,500)	5,243	287	(685,000)
21430	Other Expense - Finance	0	500	500	0	500
21434	Professional Fees - Finance	380	10,502	10,122	36,166	58,000
Expense Total		12,645	6,960	(5,685)	118,661	75,871
Income						
51401	Fees & Charges - Finance	(38,973)	(27,000)	11,973	0	(54,000)
51410	Sundry Income - Finance	(21,590)	(21,000)	590	0	(21,000)
Income Total		(60,563)	(48,000)	12,563	0	(75,000)
General Finance Total		(47,918)	(41,040)	6,878	118,661	871
General Purpose						
Expense						
21623	Office - General Purpose	154	0	(154)	0	0
21627	Finance - General Purpose	0	18,498	18,498	0	37,000
21631	Interest - General Purpose	93,377	86,058	(7,319)	0	172,115
Expense Total		93,530	104,556	11,026	0	209,115
Income						
51604	Grants Operating - General Purpose	(178,816)	(181,500)	(2,684)	0	(363,000)
51607	Interest - General Purpose	(60,098)	(158,000)	(97,902)	0	(275,000)
Income Total		(238,914)	(339,500)	(100,586)	0	(638,000)
General Purpose Total		(145,383)	(234,944)	(89,561)	0	(428,885)
Shared Services						
Expense						
21523	Office - Shared Services	51,948	53,502	1,554	16,304	107,000
21527	Finance - Shared Services	(118,248)	(118,248)	0	0	(236,500)
21528	Insurance - Shared Services	5,625	0	(5,625)	0	0
21534	Professional Fees - Shared Services	28,308	64,750	36,442	5,918	129,500
Expense Total		(32,367)	4	32,371	22,222	0
Shared Services Total		(32,367)	4	32,371	22,222	0
Finance Total		(25,043,995)	(24,437,225)	606,770	159,501	(24,601,629)
Corporate & Strategy Total		(24,632,746)	(23,985,486)	647,260	335,985	(23,822,933)
Community Development						
Community Development						
Community Development						
Expense						
28120	Salaries - Community Development	235,638	228,863	(6,775)	0	482,586
28121	Other Employee Costs - Community Development	3,445	7,560	4,115	0	9,210
28123	Office - Community Development	546	498	(48)	0	1,000
28124	Motor Vehicles - Community Development	4,245	4,500	255	0	9,000
28125	Depreciation - Community Development	550	552	2	0	1,100
28127	Finance - Community Development	67,950	67,950	0	0	135,900
28128	Insurance - Community Development	0	0	0	0	0
28130	Other Expense - Community Development	4,538	3,756	(782)	0	7,500
28134	Professional Fees - Community Development	0	252	252	0	500
28137	Donations - Community Development	29,400	130,400	101,000	0	186,000
28150	Special Projects - Community Development	8,982	38,500	29,518	5,328	77,000
28151	OPRL Activities - Community Development / PC82-87	25,345	40,798	15,453	12,163	86,100
Expense Total		380,638	523,629	142,991	17,491	995,896
Income						
58101	Fees & Charges - Community Development	(4,711)	(6,996)	(2,285)	0	(14,000)

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Row Labels	Master Account (desc)	December Actual YTD	December Budget YTD	Variance	Committed Balance	Annual Budget
58104	Grants Operating - Community Development	0	(498)	(498)	0	(1,000)
58106	Contributions & Reimbursem - Community Development	0	(2,502)	(2,502)	0	(5,000)
Income Total		(4,711)	(9,996)	(5,285)	0	(20,000)
Community Development Total		375,928	513,633	137,705	17,491	975,896
Community Facilities						
Expense						
28252	Finance - Community Facilities	4,500	4,500	0	0	9,000
28220	Salaries - Community Facilities	21,003	20,817	(186)	0	44,000
28253	Communiy Insurance- Community Facilities	1,563	6,367	4,805	0	6,367
Expense Total		27,065	31,684	4,619	0	59,367
Income						
58201	Fees & Charges - Community Facilities	(1,030)	(252)	778	0	(500)
58209	Council Property - Community Facilities	(102,873)	(98,196)	4,677	0	(209,900)
Income Total		(103,903)	(98,448)	5,455	0	(210,400)
Community Facilities Total		(76,838)	(66,764)	10,074	0	(151,033)
Volunteer Services VRC						
Expense						
29320	Salaries - Volunteer Services VRC	78,003	43,698	(34,305)	0	92,243
29321	Other Employee Cost - Volunteer Services VRC	809	1,160	351	0	1,160
29323	Office - Volunteer Services VRC	1,067	1,800	733	0	2,700
29327	Finance - Volunteer Services VRC	20,802	20,802	0	0	41,600
29328	Insurance - Volunteer Services VRC	0	0	0	0	0
29330	Other Expense - Volunteer Services VRC	(432)	1,575	2,007	0	4,150
Expense Total		100,249	69,035	(31,214)	0	141,853
Income						
59304	Grants Operating - Volunteer Services VRC	(14,608)	(15,500)	(892)	0	(31,000)
Income Total		(14,608)	(15,500)	(892)	0	(31,000)
Volunteer Services VRC Total		85,642	53,535	(32,107)	0	110,853
Volunteer Services NVS						
Expense						
29220	Salaries - Volunteer Services NVS	15,220	14,260	(960)	0	30,077
29221	Other Employee Costs - Volunteer Services NVS	177	380	203	0	380
29223	Office - Volunteer Services NVS	0	250	250	0	500
29227	Finance - Volunteer Services NVS	18,900	18,900	0	0	37,800
29230	Other Expense - Volunteer Services NVS	136	999	863	434	2,100
29250	Special Projects - Volunteer Services NVS	2,312	3,000	688	0	3,000
Expense Total		36,744	37,789	1,045	434	73,857
Volunteer Services NVS Total		36,744	37,789	1,045	434	73,857
Tresillian Community Centre						
Expense						
29120	Salaries - Tresillian CC	120,325	116,497	(3,828)	0	244,056
29121	Other Employee Costs - Tresillan CC	1,212	2,630	1,418	0	2,630
29123	Office - Tresillian CC	8,842	12,499	3,657	912	25,000
29125	Depreciation - Tresillan CC	1,250	1,248	(2)	0	2,500
29127	Finance - Tresillan CC	30,948	30,948	0	0	61,900
29130	Other Expense - Tresillan CC	2,173	3,749	1,576	0	7,500
29136	Courses - Tresillan CC	120,027	122,900	2,873	2,843	245,800
29150	Exhibition - Tresillan CC	18,226	5,300	(12,926)	0	10,600
Expense Total		303,003	295,771	(7,232)	3,754	599,986
Income						
59101	Fees & Charges - Tresillan CC	(372,157)	(240,752)	131,405	0	(381,500)
59109	Council Property - Tresillan CC	(21,516)	(18,000)	3,516	0	(36,000)
51906	Contributions & Reimbursement - Tresillian CC	(500)	0	500	0	0
Income Total		(394,173)	(258,752)	135,421	0	(417,500)
Tresillian Community Centre Total		(91,170)	37,019	128,189	3,754	182,486
Community Development Total		330,306	575,212	244,906	21,680	1,192,059
Community Services Centres						
Nedlands Community Care						

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		December	December		Committed	
Row Labels	Master Account (desc)	Actual YTD	Budget YTD	Variance	Balance	Annual Budget
Expense						
28620	Salaries - NCC	372,691	356,419	(16,272)	0	752,427
28621	Other Employee Costs - NCC	4,684	11,670	6,986	0	13,170
28623	Office - NCC	2,708	4,501	1,793	923	9,000
28624	Motor Vehicles - NCC	44,241	47,498	3,257	0	95,000
28625	Depreciation - NCC	0	2,298	2,298	0	4,600
28626	Utility - NCC	3,950	6,750	2,800	0	13,500
28627	Finance - NCC	84,600	84,600	0	0	169,200
28628	Insurance - NCC	2,031	5,280	3,249	0	5,280
28630	Other Expense - NCC	24,101	20,802	(3,299)	5,496	41,600
28635	ICT Expenses - NCC	5,414	0	(5,414)	0	6,000
28664	Hacc Unit Cost - NCC / PC66	12,042	0	(12,042)	0	0
Expense Total		556,461	539,818	(16,643)	6,419	1,109,777
Income						
58601	Fees & Charges - NCC/PC 66	(63,845)	(60,000)	3,845	0	(120,000)
58604	Grants Operating - NCC/PC 66	(784,554)	(502,400)	282,154	0	(1,004,800)
58610	Sundry Income - NCC	0	0	0	0	(2,000)
Income Total		(848,399)	(562,400)	285,999	0	(1,126,800)
Nedlands Community Care Total		(291,938)	(22,582)	269,356	6,419	(17,023)
Positive Ageing						
Expense						
27420	Salaries - Positive Ageing	77,598	75,554	(2,044)	0	159,193
27421	Other Employee Costs - Positive Ageing	884	0	(884)	0	0
27427	Finance - Positive Ageing	17,148	17,148	0	0	34,300
28437	Donations - Positive Ageing	995	2,502	1,507	791	5,000
28450	Other Expense - Positive Ageing	15,467	26,998	11,531	2,490	54,000
28451	Insurance	214	2,160	1,946	0	2,160
Expense Total		112,306	124,362	12,056	3,281	254,653
Income						
58420	Fees & Charges - Positive Ageing	(21,833)	(18,550)	3,283	0	(52,500)
58423	Grants Operating - Positive Ageing	0	(500)	(500)	0	(2,000)
Income Total		(21,833)	(19,050)	2,783	0	(54,500)
Positive Ageing Total		90,474	105,312	14,838	3,281	200,153
Point Resolution Child Care						
Expense						
28820	Salaries - PRCC	243,992	271,439	27,447	0	571,062
28821	Other Employee Costs - PRCC	3,444	7,945	4,501	0	8,870
28823	Office - PRCC	1,442	4,599	3,157	80	9,200
28824	Motor Vehicles - PRCC	4,140	3,750	(390)	0	7,500
28825	Depreciation - PRCC	450	450	0	0	900
28826	Utility - PRCC	1,933	4,650	2,717	0	9,300
28827	Finance - PRCC	47,148	47,148	0	0	94,300
28828	Insurance - PRCC	138	1,080	942	0	1,080
28830	Other Expense - PRCC	6,215	11,996	5,781	813	24,000
28835	ICT Expenses - PRCC	713	0	(713)	1,590	1,600
Expense Total		309,616	353,057	43,441	2,483	727,812
Income						
58801	Fees & Charges - PRCC	(407,746)	(256,000)	151,746	0	(586,000)
Income Total		(407,746)	(256,000)	151,746	0	(586,000)
Point Resolution Child Care Total		(98,130)	97,057	195,187	2,483	141,812
Mt Claremont Library						
Expense						
28523	Office - Mt Claremont Library	2,949	5,250	2,301	1,492	10,500
28527	Finance - Mt Claremont Library	37,302	37,302	0	0	74,600
28530	Other Expense - Mt Claremont Library	12,583	17,604	5,021	9,230	37,200
28535	ICT Expenses - Mt Claremont Library	9,778	9,300	(478)	0	12,000
Expense Total		62,613	69,456	6,843	10,723	134,300
Income						

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Row Labels	Master Account (desc)	December Actual YTD	December Budget YTD	Variance	Committed Balance	Annual Budget
58501	Fees & Charges - Mt Claremont Library	(294)	(450)	(156)	0	(900)
58510	Sundry Income - Mt Claremont Library	(409)	(252)	157	0	(500)
58511	Fines & Penalties - Mt Claremont Library	(166)	(276)	(110)	0	(550)
Income Total		(868)	(978)	(110)	0	(1,950)
Mt Claremont Library Total		61,745	68,478	6,733	10,723	132,350
Nedlands Library						
Expense						
28720	Salaries - Library Services	457,825	464,188	6,363	0	971,456
28721	Other Employee Costs - Library Services	7,710	18,018	10,308	0	25,240
28723	Office - Nedlands Library	10,304	26,254	15,950	1,454	45,500
28724	Motor Vehicles - Nedlands Library	9,108	9,276	168	0	18,550
28725	Depreciation - Nedlands Library	6,750	6,750	0	0	13,500
28727	Finance - Nedlands Library	189,852	189,852	0	0	379,700
28728	Insurance - Nedlands Library	1,687	4,680	2,993	0	4,680
28730	Other Expense - Nedlands Library	38,390	51,858	13,468	13,719	103,700
28731	Grants Expenditure - Nedlands Library	1,100	1,300	200	0	1,300
28734	Professional Fees - Nedlands Library	0	500	500	0	1,000
28735	ICT Expenses - Nedlands Library	25,756	26,300	544	0	32,600
28750	Special Projects - Nedlands Library	0	1,550	1,550	0	3,100
Expense Total		748,483	800,526	52,043	15,173	1,600,326
Income						
58701	Fees & Charges - Nedland Library	(3,124)	(252)	2,872	0	(500)
58704	Grants Operating - Nedlands Library	(1,000)	(1,300)	(300)	0	(1,300)
58710	Sundry Income - Nedlands Library	(4,024)	(2,502)	1,522	0	(5,000)
58711	Fines & Penalties - Nedlands Library	(2,213)	(798)	1,415	0	(1,600)
Income Total		(10,361)	(4,852)	5,509	0	(8,400)
Nedlands Library Total		738,122	795,674	57,552	15,173	1,591,926
Community Services Centres Total		500,272	1,043,939	543,667	38,079	2,049,218
Community Development Total		830,578	1,619,151	788,573	59,758	3,241,277
Planning & Development Services						
Planning Services						
Statutory Planning						
Expense						
24320	Salaries - Statutory Planning	0	0	0	0	0
24334	Professional Fees - Statutory Planning	61,709	0	(61,709)	27,649	0
Expense Total		61,709	0	(61,709)	27,649	0
Statutory Planning Total		61,709	0	(61,709)	27,649	0
Strategic Planning						
Expense						
24857	Strategic Projects - Strategic Planning/PC 61	16,650	0	(16,650)	1,832	0
24920	Salaries - Strategic Planning	0	0	0	0	0
24934	Professional Fees - Strategic Planning	17,305	0	(17,305)	0	0
Expense Total		33,955	0	(33,955)	1,832	0
Strategic Planning Total		33,955	0	(33,955)	1,832	0
Urban Planning						
Expense						
24820	Salaries - Town Planning Admin	845,171	670,471	(174,700)	0	1,414,758
24821	Other Employee Costs - Town Planning Admin	12,631	29,080	16,449	2,273	39,580
24823	Office - Town Planning Admin	19,280	7,749	(11,531)	1,000	15,500
24824	Motor Vehicles - Town Planning Admin	17,623	15,996	(1,627)	0	32,000
24825	Depreciation - Town Planning Admin	100	102	2	0	200
24827	Finance - Town Planning Admin	182,400	182,400	0	0	364,800
24830	Other Expense - Town Planning Admin	239	1,350	1,111	0	2,700
24834	Professional Fees - Town Planning Admin	149,120	0	(149,120)	119,705	0
24858	Projects - PC61	100,148	292,500	192,352	109,039	845,458
Expense Total		1,326,712	1,199,648	(127,064)	232,018	2,714,996
Income						
54801	Fees & Charges - Town Planning Admin	(393,465)	(351,000)	42,465	0	(702,000)

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Row Labels	Master Account (desc)	December Actual YTD	December Budget YTD	Variance	Committed Balance	Annual Budget
54810	Sundry Income - Town Planning Admin	(146)	0	146	0	0
54811	Fines & Penalties - Town Planning	0	(750)	(750)	0	(1,500)
Income Total		(393,611)	(351,750)	41,861	0	(703,500)
Urban Planning Total		933,101	847,898	(85,203)	232,018	2,011,496
Planning Services Total		1,028,765	847,898	(180,867)	261,499	2,011,496
Health & Compliance						
Sustainability						
Expense						
24620	Salaries - Sustainability	18,149	15,182	(2,967)	0	32,044
24621	Other Employee Costs - Sustainability	186	400	214	0	400
24624	Motor Vehicles - Sustainability	9,577	9,498	(79)	0	19,000
24625	Depreciation - Sustainability	800	798	(2)	0	1,600
24627	Finance - Sustainability	2,100	2,100	0	0	4,200
24638	Operational Activities - Sustainability / PC79	8,900	8,328	(572)	8,848	24,000
Expense Total		39,712	36,306	(3,406)	8,848	81,244
Sustainability Total		39,712	36,306	(3,406)	8,848	81,244
Environmental Health						
Expense						
24720	Salaries - Environmental Health	249,669	281,347	31,678	0	593,503
24721	Other Employee Costs - Environmental Health	5,551	12,820	7,269	0	19,720
24723	Office - Environmental Health	411	898	487	0	1,800
24725	Depreciation - Environmental Health	3,250	3,252	2	0	6,500
24727	Finance - Environmental Health	59,902	49,902	(10,000)	0	99,800
24730	Other Expense - Environmental Health	3,245	6,750	3,505	0	13,500
24751	OPRL Activities - Environmental Health PC76,77,78	5,688	10,848	5,160	3,813	21,700
Expense Total		327,716	365,817	38,101	3,813	756,523
Income						
54701	Fees & Charges - Environmental Health	(44,861)	(22,500)	22,361	0	(45,000)
54710	Sundry Income - Environmental Health	0	(1,002)	(1,002)	0	(2,000)
54711	Fines & Penalties - Environmental Health	(845)	(20,496)	(19,651)	0	(41,000)
Income Total		(45,706)	(43,998)	1,708	0	(88,000)
Environmental Health Total		282,011	321,819	39,808	3,813	668,523
Environmental Conservation						
Expense						
24220	Salaries - Environmental Conservation	8,609	0	(8,609)	0	0
24221	Other Employee Costs - Environmental Conservation	1,081	2,850	1,769	0	3,350
24223	Office - Environmental Conservation	440	553	113	0	900
24227	Finance - Environmental Conservation	31,650	31,650	0	0	63,300
24230	Other Expense - Environmental Conservation	0	0	0	0	1,350
24237	Donations - Environmental Conservation	0	0	0	0	2,250
24251	OPRL Activities - Environ Conservation / PC80	364,888	486,128	121,240	161,070	827,400
Expense Total		406,667	521,181	114,514	161,070	898,550
Income						
54204	Grants Operating - Environmental Conservation	(1,855)	(14,670)	(12,815)	0	(30,000)
54210	Sundry Income - Environmental Conservation	(6,356)	(3,694)	2,662	0	(8,800)
Income Total		(8,212)	(18,364)	(10,152)	0	(38,800)
Environmental Conservation Total		398,456	502,817	104,361	161,070	859,750
Ranger Services						
Expense						
21120	Salaries - Ranger Services	327,208	299,265	(27,943)	0	629,274
21121	Other Employee Costs - Ranger Services	4,749	12,092	7,343	239	16,875
21123	Office - Ranger Services	5,155	3,046	(2,109)	479	6,200
21124	Motor Vehicles - Ranger Services	23,732	31,500	7,768	0	63,000
21125	Depreciation - Ranger Services	3,000	3,000	0	0	6,000
21127	Finance - Ranger Services	82,130	83,554	1,425	0	178,100
21130	Other Expense - Ranger Services	4,632	8,151	3,519	20,866	82,950
21137	Donations - Ranger Services	0	1,000	1,000	0	1,000
Expense Total		450,605	441,608	(8,997)	21,585	983,399

Item 13.4 - Attachment 1

Row Labels	Master Account (desc)	December Actual YTD	December Budget YTD	Variance	Committed Balance	Annual Budget
Income						
51101	Fees & Charges - Ranger Services	(35,804)	(44,501)	(8,697)	0	(70,000)
51106	Contributions & Reimbursements- Rangers Services	(31,844)	0	31,844	0	0
51111	Fines & Penalties - Rangers Services	(149,979)	(105,751)	44,228	0	(212,500)
Income Total		(217,627)	(150,252)	67,375	0	(282,500)
Ranger Services Total		232,977	291,356	58,379	21,585	700,899
Health & Compliance Total		953,156	1,152,298	199,142	195,316	2,310,416
Building Services						
Building Services Expense						
24420	Salaries - Building Services	379,599	347,471	(32,128)	0	733,576
24421	Other Employee Costs - Building Services	8,576	21,395	12,819	0	33,520
24423	Office - Building Services	366	3,290	2,924	0	3,780
24424	Motor Vehicles - Building Services	13,621	14,498	877	0	29,000
24425	Depreciation - Building Services	150	150	0	0	300
24427	Finance - Building Services	93,048	93,048	0	0	186,100
24430	Other Expense - Building Services	92	676	584	0	1,350
24434	Professional Fees - Building Services	0	2,250	2,250	0	4,500
Expense Total		495,452	482,778	(12,674)	0	992,126
Income						
54401	Fees & Charges - Building Services	(503,760)	(358,004)	145,756	0	(554,000)
54410	Sundry Income - Building Services	(2,243)	(12,498)	(10,255)	0	(25,000)
54411	Fines & Penalties - Building Services	(8,206)	(6,750)	1,456	0	(13,500)
Income Total		(514,209)	(377,252)	136,957	0	(592,500)
Building Services Total		(18,757)	105,526	124,283	0	399,626
Building Services Total		(18,757)	105,526	124,283	0	399,626
Planning & Development Services Total		1,963,163	2,105,722	142,559	456,815	4,721,538
Technical Services						
Engineering						
Infrastructure Services						
Infrastructure Services Expense						
26220	Salaries - Infrastructure Svs	1,061,023	1,093,806	32,783	61,204	2,295,796
26221	Other Employee Costs - Infrastructure Svs	40,209	86,099	45,890	6,057	119,850
26223	Office - Infrastructure Svs	6,493	15,754	9,261	2,289	31,500
26224	Motor Vehicles - Infrastructure Svs	13,910	26,498	12,588	0	53,000
26225	Depreciation - Infrastructure Svs	5,850	5,850	0	0	11,700
26227	Finance - Infrastructure Svs	(772,805)	(1,285,002)	(512,197)	0	(2,570,000)
26228	Insurance - Infrastructure Svs	133,496	169,490	35,994	0	169,490
26230	Other Expense - Infrastructure Svs	17,007	32,500	15,493	2,587	65,000
26234	Professional Fees - Infrastructure Svs	62,855	41,500	(21,355)	10,031	83,000
36101	Project Contribution - Infrastructure	885,000	491,632	(393,368)	0	983,260
Expense Total		1,453,038	678,127	(774,911)	82,169	1,242,596
Income						
56206	Contributions & Reimbursement - Infrastructure Svs	0	0	0	0	0
50202	Service Charges - Infrastructure Svs	(10,986)	0	10,986	0	0
56201	Fees & Charges - Infrastructure Svs	(65)	(2,500)	(2,435)	0	(5,000)
Income Total		(11,051)	(2,500)	8,551	0	(5,000)
Infrastructure Services Total		1,441,987	675,627	(766,360)	82,169	1,237,596
Plant Operating						
Plant Operating Expense						
26521	Other Employee Costs - Plant Operating	1,652	3,590	1,938	0	3,590
26525	Depreciation - Plant Operating	164,000	164,000	0	0	328,000
26527	Finance - Plant Operating	(498,874)	(598,754)	(99,880)	0	(1,197,500)
26532	Plant - Plant Operating	231,973	364,400	132,427	30,184	677,900
26533	Minor Parts & Workshop Tools - Plant Operating	9,380	33,348	23,968	4,803	66,700
26549	Loss Sale of Assets - Plant Operating	0	15,159	15,159	0	30,316
Expense Total		(91,870)	(18,257)	73,613	34,987	(90,994)
Income						

Item 13.4 - Attachment 1

Row Labels	Master Account (desc)	December Actual YTD	December Budget YTD	Variance	Committed Balance	Annual Budget
56501	Fees & Charges - Plant Operating	0	0	0	0	0
56515	Profit Sale of Assets - Plant Operating	0	(90)	(90)	0	(182)
56506	Contributions & Reimbursements - Plant Operating	(27,061)	(26,298)	763	0	(52,600)
Income Total		(27,061)	(26,388)	673	0	(52,782)
Plant Operating Total		(118,931)	(44,645)	74,286	34,987	(143,776)
Streets Roads and Depots						
Expense						
26625	Depreciation - Streets Roads & Depots	1,134,700	1,134,698	(2)	0	2,269,400
26626	Utility - Streets Roads & Depots	244,518	291,500	46,982	0	583,000
26630	Other Expense - Streets Roads & Depots	10,767	27,500	16,733	4,732	55,000
26640	Reinstatement - Streets Roads & Depot	311	3,500	3,189	800	7,000
26667	Maintenance - Road Maintenance / PC51	265,478	340,250	74,772	89,383	680,500
26668	Maintenance - Drainage Maintenance / PC52	239,567	249,999	10,432	32,614	500,000
26669	Maintenance - Footpath Maintenance / PC53	128,742	97,500	(31,242)	24,169	195,000
26670	Maintenance - Parking Signs / PC54	52,769	43,749	(9,020)	39	87,500
26671	Maintenance - Right of Way Maintenance / PC55	44,495	39,999	(4,496)	2,345	80,000
26672	Maintenance - Bus Shelter Maintenance / PC56	3,499	5,799	2,300	0	11,600
26673	Maintenance - Graffiti Control / PC57	2,574	7,500	4,926	2,105	15,000
26674	Maintenance - Streets Roads & Depot / PC89	37,514	57,498	19,984	14,500	115,000
Expense Total		2,164,935	2,299,492	134,557	170,689	4,599,000
Income						
56601	Fees & Charges - Streets Roads & Depots	(33,784)	(40,000)	(6,216)	0	(80,000)
56604	Grants Operating - Streets Roads & Depots	(71,250)	(35,000)	36,250	0	(70,000)
56606	Contributions & Reimburse - Streets Roads & Depots	(24,726)	(5,000)	19,726	0	(10,000)
56610	Sundry Income - Streets Roads & Depots	(403)	0	403	0	0
Income Total		(130,162)	(80,000)	50,162	0	(160,000)
Streets Roads and Depots Total		2,034,773	2,219,492	184,719	170,689	4,439,000
Waste Minimisation						
Expense						
24520	Salaries - Waste Minimisation	121,997	117,445	(4,552)	0	247,908
24521	Other Employee Costs - Waste Minimisation	1,930	4,916	2,986	0	6,730
24524	Motor Vehicles - Waste Minimisation	4,637	4,998	361	0	10,000
24527	Finance - Waste Minimisation	90,718	90,348	(370)	0	180,700
24538	Purchase of Product - Waste Minimisation	225	0	(225)	0	0
24552	Residential Kerbside - Waste Minimisation / PC71	773,183	1,044,352	271,169	1,361,042	2,088,700
24553	Residential Bulk - Waste Minimisation / PC72	1,781	228,704	226,923	40,835	457,400
24554	Commercial - Waste Minimisation / PC73	38,756	55,098	16,342	215,237	110,200
24555	Public Waste - Waste Minimisation / PC74	25,076	46,002	20,926	66,479	92,000
24556	Waste Strategy - Waste Minimisation / PC75	3,060	32,148	29,088	8,630	64,300
Expense Total		1,061,362	1,624,011	562,649	1,692,223	3,257,938
Income						
54501	Fees & Charges - Waste Minimisation	(3,272,504)	(3,299,454)	(26,950)	0	(3,299,454)
Income Total		(3,272,504)	(3,299,454)	(26,950)	0	(3,299,454)
Waste Minimisation Total		(2,211,142)	(1,675,443)	535,699	1,692,223	(41,516)
Building Maintenance						
Expense						
24120	Salaries - Building Maintenance	181,969	188,814	6,845	0	397,202
24121	Other Employee Costs - Building Maintenance	3,113	6,540	3,427	0	8,140
24123	Office - Building Maintenance	118	306	188	0	613
24124	Motor Vehicles - Building Maintenance	17,857	18,000	143	0	36,000
24125	Depreciation - Building Maintenance	373,650	373,650	0	0	747,300
24126	Utility - Building Maintenance PC41,42,43	85,058	144,500	59,442	0	289,000
24127	Finance - Building Maintenance	85,152	(64,848)	(150,000)	0	(129,700)
24128	Insurance - Building Maintenance PC40	79,396	90,700	11,304	0	90,700
24130	Other Expense - Building Maintenance	1,019	12,500	11,481	836	25,000
24133	Building - Building Maintenance PC58	591,876	706,254	114,378	255,294	1,412,500
24135	ICT Expenses - Building Maintenance	0	1,000	1,000	0	2,000
Expense Total		1,419,207	1,477,416	58,209	256,130	2,878,755

Item 13.4 - Attachment 1

Row Labels	Master Account (desc)	December Actual YTD	December Budget YTD	Variance	Committed Balance	Annual Budget
Income						
54106	Contributions & Reimbursement - Building Maintenan	(38,141)	(55,002)	(16,861)	0	(110,000)
54109	Council Property - Building Maintenance	(132,224)	(142,932)	(10,708)	0	(285,884)
Income Total		(170,365)	(197,934)	(27,569)	0	(395,884)
Building Maintenance Total		1,248,843	1,279,482	30,639	256,130	2,482,871
Engineering Total		2,395,529	2,454,513	58,984	2,236,198	7,974,175
Parks Services						
Parks Services						
Expense						
26360	Depreciation - Parks Services	371,950	371,948	(2)	0	743,900
26365	Maintenance - Parks Services / PC59	2,031,965	2,147,827	115,862	362,319	4,087,240
Expense Total		2,403,915	2,519,775	115,860	362,319	4,831,140
Income						
56301	Fees & Charges - Parks & Ovals	(148)	0	148	0	0
56306	Contributions & Reimbursements - Parks Services	(20,026)	(10,000)	10,026	0	(20,000)
56309	Council Property - Parks Services	(39,055)	(17,550)	21,505	0	(35,100)
56310	Sundry Income - Parks Services	(13,666)	(10,500)	3,166	0	(21,000)
56312	Fines & Penalties - Parks & Ovals	(620)	(500)	120	0	(1,000)
Income Total		(73,515)	(38,550)	34,965	0	(77,100)
Parks Services Total		2,330,401	2,481,225	150,824	362,319	4,754,040
Parks Services Total		2,330,401	2,481,225	150,824	362,319	4,754,040
Technical Services Total		4,725,930	4,935,738	209,808	2,598,517	12,728,215
City of Nedlands Total		(15,839,783)	(14,033,288)	1,806,495	3,619,869	(878,117)



CITY OF NEDLANDS
CAPITAL WORKS & ACQUISITIONS
AS AT 31 DECEMBER 2020

L1	L1 Desc / N L2 - Desc	December Actual YTD	Committed Bal	Annual Budget YTD	Budget Available
2	Footpath Rehabilitation				
	2006 Stubbs Terrace	13,666	0	50,332	36,666
	2011 Victoria Avenue	0	4,703	35,900	31,197
	2012 Waratah Avenue	3,857	51,070	286,000	231,073
	2023 Bruce Street	69,037	6,463	34,051	-41,449
	2048 Kirwan St	0	0	25,885	25,885
	2097 Whitfeld St	0	0	38,828	38,828
	2452 School Sports Facility	0	0	30,211	30,211
	200 Monash Avn-Paving of Verge(infrn of Sch)	113,713	3,241	68,202	-48,751
	609 Stirling Highway-Kinninmont to smyth	9,104	0	16,813	7,709
	643 Bruce st Hillway to The Avenue	0	946	41,267	40,321
	644 Bruce street 26 Stirling Highway	26,839	1,811	27,484	-1,165
	645 Victoria Avenue Riverview crt to Waratah	0	0	15,716	15,716
	646 Victoria Ave Waratah place to Bishop Rd	0	0	31,740	31,740
	Footpath Rehabilitation Total	236,216	68,234	702,429	397,979
3	Road Rehabilitation				
	612 Campsie St-Verdun Street to cul-de-sac	0	0	0	0
	616 Ringneck Ln drainage-Brick Paving and in	0	0	0	0
	2319 Laneways	0	0	25,377	25,377
	647 Karella Street(East)	24,101	5,007	273,240	244,132
	648 Lissadel st - Kirwan to Alderbury st	868	37,469	173,000	134,663
	649 Melvista Avenue - Bay Rd to Stone St	0	286	96,774	96,488
	667 Nameless Lane (Nth of Haldane)	0	0	146,961	146,961
	Road Rehabilitation Total	24,969	42,761	715,352	647,621
4	Drainage Rehabilitation				
	638 Drainage Risk Review Dalkeith & Nedlands	0	0	28,197	28,197
	2002 Government road and Loch Street	0	0	20,141	20,141
	642 56 Dalkeith Rd Drainage & Laneway Design	0	1,500	14,300	12,800
	668 Government Road & Loch Street Sumps	0	0	57,200	57,200
	Drainage Rehabilitation Total	0	1,500	119,838	118,338
5	Street Furniture / Bus Shelter				
	501 City Wide Street Lights - INSTL LED	0	55	0	-55
	Street Furniture / Bus Shelter Total	0	55	0	-55
6	Grant Funded Projects				
	2001 Railway Road	37,635	8,944	42,910	-3,669
	2003 Alfred Road	11,244	5,446	342,475	325,785
	2012 Waratah Avenue	4,304	0	0	-4,304
	2015 Birdwood Parade	1,440	0	30,000	28,560
	2017 Loch Street	0	0	0	0
	2037 Elizabeth Street	753,071	59,890	1,108,550	295,589
	2198 Hampden Road	454,007	6,897	114,377	-346,527
	2143 Brockway Road	0	0	0	0
	2070 Waroonga Road	0	0	0	0
	2071 Rockton Road	0	0	0	0
	2410 INTXN - Smyth RD/Monash Av	0	2,273	0	-2,273
	2041 Elizabeth St-Broadwy to Bay Rd(Drainage)	115,354	218,960	250,000	-84,314
	657 North street (Boundary Road)	0	0	22,570	22,570
	658 School Sports Circuit Mt Claremont	0	0	120,100	120,100
	659 Quintilian Road Shared Path - Stage 3	0	0	24,300	24,300
	660 Quintilian Road - Additional Traffic	0	0	71,500	71,500
	661 Asquith Street Medium Treatment	2,675	16,786	81,390	61,929
	683 Brockway Rd - Alfred to Lemnos St	4,277	1,048	657,325	652,001
	684 Brockway Rd - Lemnos to Underwood	77,139	1,636	422,331	343,556
	685 Alfred Road - Narla to West coast Hwy	0	0	0	0
	Grant Funded Projects Total	1,461,146	321,880	3,287,828	1,504,802
11	Building Construction				
	4003 Broome St - Council Depot	7,047	1,314	0	-8,361
	4004 Webster St - Drabble House	0	2,625	0	-2,625



CITY OF NEDLANDS
CAPITAL WORKS & ACQUISITIONS
AS AT 31 DECEMBER 2020

L1	L1 Desc / N L2 - Desc	December Actual YTD	Committed Bal	Annual Budget YTD	Budget Available
	4007 140 Melvista Ave - JC Smith Pavilion	0	659	0	-659
	4008 60 Stirling Hwy - Nedlands Library	0	1,440	0	-1,440
	4009 53 Jutland Pde - PRCC	0	4,473	0	-4,473
	4012 19 Haldane St - MTC Community Centre	21,534	472	0	-22,006
	4020 71 Stirling Hwy - Administration Bldg	2,393	2,895	0	-5,288
	4021 110 Smyth Road - Cottage Bldg	0	643	0	-643
	4159 8 Draper St - Hackett Hall	7,886	0	10,010	2,125
	4164 100A Princess Rd - College Park Family Centre	0	1,901	0	-1,901
	619 Charles Court Reserve Toilets-Renovation	140	286	0	-426
	620 Mt Claremont Library-Re roof	29,527	46	0	-29,573
	650 Hearing Loop	56,872	74	85,800	28,854
	651 Dalketh Hall - Floor	1,740	164	64,350	62,446
	652 Allen Park Cottage - Alternate Facility	0	10,500	150,000	139,500
	653 Nedlands Golf Club Greenkeepers Shed	0	0	50,000	50,000
	682 71 Stirling Hwy - Renovate roof, Air con	5,264	0	214,500	209,237
	Building Construction Total	132,401	27,492	574,660	414,767
	Major Projects - Roads				
13	662 Foreshore Workshop	0	0	25,000	25,000
	663 Riverwall-170 Waratah Place Asset SRDaIO	0	0	36,450	36,450
	664 Riverwall - PFSYC Boat Slipway Temporary	0	0	24,300	24,300
	Major Projects - Roads Total	0	0	85,750	85,750
14	Parks & Reserves Construction				
	4052 Allen Park	16,849	8,373	12,890	-12,332
	4055 Asquith Park	0	0	0	0
	4060 Birdwood Parade Reserve	0	0	0	0
	4061 Bishop Road Reserve	163	0	41,685	41,522
	4062 Blain Park	0	0	0	0
	4069 Carrington Park	0	0	0	0
	4071 Charles Ct Reserve	0	0	0	0
	4072 College Park	0	8,373	12,890	4,517
	4079 David Cruickshank Reserve	7,242	0	21,450	14,208
	4080 Directors Gardens	0	0	0	0
	4087 Grainger Reserve	0	0	0	0
	4089 Hamilton Park	325	0	72,748	72,423
	4094 Jones Park	0	0	0	0
	4096 Lawler Park	302	0	60,000	59,698
	4100 Masons Gardens	0	0	0	0
	4107 Mount Claremont Reserve	0	0	0	0
	4115 New Court Gardens	1,302	0	21,148	19,846
	4118 Peace Memorial Rose Garden	0	0	0	0
	4131 Street Gardens and Verges	26,960	0	25,740	-1,220
	4137 Swanbourne Beach Reserve	9,354	0	5,035	-4,319
	4141 WA Bridge Club Surrounds	3,120	193	0	-3,313
	4192 College Green Mt Claremont	0	14,542	22,357	7,815
	4173 Cottesloe Golf Club	0	5,660	120,141	114,481
	732 Allen Park (LO) - INST floodlight	21,359	5,106	0	-26,464
	734 Asquith Reserve - Redevelopment	6,544	0	0	-6,544
	737 Bishop Rd Rsv - Enviro-scape manster pln	60,123	768	19,033	-41,858
	752 Hamilton Park - UG irrigation system	0	4,076	24,395	20,319
	771 Jones Park - Bushfence Bollards Gate&Eco	4,265	0	0	-4,265
	631 Peace Memo Gardens-Renew Bore(38m)	46,517	2,071	12,689	-35,899
	632 Point Resolution Reserve-Upgrade of fina	0	0	0	0
	633 Swanbourne Greenway Project	0	9,153	15,614	6,461
	636 Bains Harris and Jones Parks	31,960	0	8,449	-23,511
	637 Daran Park	40,027	0	12,843	-27,184
	641 Montario Quarter	0	0	30,211	30,211
	654 River Foreshore Protection and Acess Man	0	0	4,300	4,300
	655 Mt Claremont Oval Bushland Fencing	0	0	5,000	5,000



CITY OF NEDLANDS
CAPITAL WORKS & ACQUISITIONS
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L1	L1 Desc / N L2 - Desc	December Actual YTD	Committed Bal	Annual Budget YTD	Budget Available
11	656 Lawler Park seats and Exercise Equipment	0	0	11,683	11,683
	687 Charles Court R - Replace Weldmesh Fenci	6,519	0	7,955	1,436
	688 Charles Court R - Replace Bollatd Lights	0	0	0	0
	689 Charles Court R - Replace Carpark Light	0	0	0	0
	690 Charles Court R - Replace Flat Bench	0	4,680	17,120	12,440
	691 Charles Court R - Replace Park Bench	0	0	0	0
	692 Charles Court R - Upgrade Irrigation Syst	0	0	0	0
	693 David Cruicksshank R - Replace Metal Sta	0	0	0	0
	694 Cruicksshank Verge repair, Passive Recreat	13,267	7,865	25,000	3,868
	695 Allen Park - Upgrade Bore and Pump	12,021	0	13,365	1,345
	696 College Green Walkway - Upgrade Irrigati	0	0	12,688	12,688
	697 Directors Gardens - Upgrade Irrigation	0	0	0	0
	698 Grainger Reserve - Upgrade Irrigation S	0	0	0	0
	699 Hamilton Park - Renew Garden Beds	10	0	29,754	29,744
	772 Daran Park - Construct Noise Attention	0	0	45,820	45,820
	775 College Park - Tennis court Lighting	0	0	12,780	12,780
	773 Bishop Rd Reseve - Reconstruct Bore	0	0	43,450	43,450
	774 College Park - Lower Oval AFL goals	0	8,915	11,930	3,015
	776 Allen park - Play Ground Fencing	0	7,480	16,330	8,850
	777 Annie Dorrington Park - Informal Pathway	0	0	6,390	6,390
	778 Street gardens and Verges - Install LED	0	0	15,620	15,620
	779 Tres Arts Cntre - Restr of retaning wal	0	7,235	17,040	9,805
	780 Allen park - Upgrade floodl 2 game stand	0	0	80,000	80,000
	Parks & Reserves Construction Total	308,229	94,490	915,543	512,825
15	Plant & Equipment				
	7500 Technical Svs - Engineering	0	0	33,000	33,000
	7502 Development Svs - Building Svs	0	0	34,000	34,000
	7505 Planning & Development Svs - Ranger Svs	0	0	102,000	102,000
	7508 Corporate & Strategy - Finance	0	14	0	-14
	7509 Technical Svs - Parks Svs	110,048	8,134	120,000	1,818
	Plant & Equipment Total	110,048	8,148	289,000	170,805
16	ICT Capital Projects				
	6063 Replace SSD on VDI nodes	9,944	0	0	-9,944
	6065 Administration Booking Softwate	0	0	40,000	40,000
	6066 Administration Comms Rack Cleanup Aups R	24,999	0	0	-24,999
	670 Adobe Acrobat	0	0	25,000	25,000
	671 Azure Migration	0	0	50,000	50,000
	672 IP Phone System Collaboration	0	0	40,000	40,000
	673 Visitor Management System	0	0	10,000	10,000
	674 Cyber Security Review	0	0	15,000	15,000
	675 Video Collaboration	0	0	15,000	15,000
	676 CCTV Management System	0	0	15,000	15,000
	677 Meeting Minutes & Agenda	0	0	40,000	40,000
	678 Website Review	0	0	60,000	60,000
	679 Printers	0	0	130,000	130,000
	680 Finance System	0	0	1,250,000	1,250,000
	ICT Capital Projects Total	34,943	0	1,690,000	1,655,057
18	Furniture & Fixture				
	669 71 Stirling Hwy Admin - Desks & Shelving	0	0	10,000	10,000
	Furniture & Fixture Total	0	0	10,000	10,000
19	Public Art				
	9000 City Wide	353	0	0	-353
	9001 Public Arts Work	0	0	50,000	50,000
	Public Art Total	353	0	50,000	49,647
20	Major Projects - Parks				
	904 Swanbourne Beach Oval - rehabilitation	16,187	6,599	0	-22,786
	Major Projects - Parks Total	16,187	6,599	0	-22,786
City of Nedlands Total		2,324,493	571,158	8,440,400	5,544,750



CITY OF NEDLANDS
STATEMENT OF NET CURRENT ASSETS
CLOSING FUNDS
AS AT 31 DECEMBER 2020

	2020/21 YTD 31 DECEMBER 2020	2019/20 YTD 31 DECEMBER 2019	2019/20 YEAR END 30 June 2020
Current Assets			
Cash & Cash Equivalents	25,603,182	22,166,991	16,493,227
Receivable - Rates Outstanding (inc Rebates)	6,384,788	6,880,755	1,004,314
Receivable - Sundry Debtors	663,847	852,966	845,430
Receivable - Self Supporting Loan	3,447	6,867	3,447
Receivable - UGP	47,042	78,147	105,251
GST Receivable	390,425	209,440	220,871
Prepayments	95,060	197,094	290,591
Less: Provision for Doubtful Debts	(9,282)	(9,282)	(9,282)
Inventories	21,370	12,927	22,816
	<u>33,199,880</u>	<u>30,395,906</u>	<u>18,976,664</u>
Current Liabilities			
Payable - Sundry Creditors	(4,372,425)	(1,430,368)	(6,716,486)
Payable - ESL	(1,709,396)	(1,749,152)	(7,622)
Payable Lease Liability	(38,987)	(66,835)	(38,987)
Accrued Salaries and Wages	(101,236)	(154,365)	(411,724)
Employee Provisions	(2,777,263)	(2,258,734)	(2,652,371)
Borrowings	(842,381)	(814,176)	(1,750,166)
Deferred Income	0	0	(72,952)
	<u>(9,841,688)</u>	<u>(6,473,630)</u>	<u>(11,650,308)</u>
Unadjusted Net Current Assets	<u>23,358,192</u>	<u>23,922,276</u>	<u>7,326,356</u>
Less: Restricted Reserves	(5,911,142)	(6,141,457)	(5,895,847)
Less: Current Self Supporting Loan Liability	(3,447)	(6,867)	(3,447)
Add Back: Borrowings	842,381	814,176	1,750,166
Net Current Assets	<u>18,285,984</u>	<u>18,588,128</u>	<u>3,177,229</u>



CITY OF NEDLANDS
STATEMENT OF FINANCIAL ACTIVITY
BY DIRECTORATES
FOR THE PERIOD ENDED 31 DECEMBER 2020

Note	2020-21 Annual Budget \$	December 20 YTD Budget \$	December 20 YTD Actual \$	December 20 YTD Variance \$	Variance %
Operating Income					
Governance	180,281	90,140	13,218	(76,922)	-85.34%
Corporate & Strategy	25,246,833	24,775,539	25,333,750	558,211	2.25%
Community Development & Services	2,456,550	1,225,976	1,806,602	580,626	47.36%
Planning & Development Services	1,705,300	941,616	1,179,365	237,749	25.25%
Technical Services	3,990,220	3,644,826	3,684,658	39,832	1.09%
	33,579,184	30,678,097	32,017,593	1,339,496	4.37%
Operating Expense					
Governance	(2,434,067)	(1,381,727)	(1,286,511)	95,216	6.89%
Corporate & Strategy	(1,423,900)	(790,053)	(701,004)	89,049	11.27%
Community Development & Services	(5,697,827)	(2,845,127)	(2,637,179)	207,948	7.31%
Planning & Development Services	(6,426,838)	(3,047,338)	(3,142,528)	(95,190)	-3.12%
Technical Services	(16,718,435)	(8,580,564)	(8,410,588)	169,976	1.98%
	(32,701,067)	(16,644,809)	(16,177,811)	466,998	2.81%
Capital Income					
Grants Capital	2,180,879		0		
Capital Contribution	0		279,607		
Proceeds from Disposal of Assets	3,411,163		34,504		
New Borrowings	0		0		
Self Supporting Loan Principal Repayments	17,500		0		
Transfer from Reserve	2,299,388		0		
	7,908,930		314,111		
Capital Expenditure					
Land & Buildings	(574,660)		(132,401)		
Infrastructure - Road	(4,856,796)		(1,722,331)		
Infrastructure - Parks	(947,122)		(324,416)		
Plant & Equipment	(289,000)		(110,048)		
Furniture & Equipment	(1,700,000)		(35,296)		
Principal elements of finance lease payments	(38,987)		0		
Repayment of Debentures	(1,750,166)		(907,785)		
Transfer to Reserves	(4,524,113)		(15,295)		
	(14,680,844)		(3,247,573)		
Total Operating and Non-Operating	(5,893,797)		12,906,321		
Adjustment - Non Cash Items					
Depreciation	4,446,300		2,202,950		
Receivables/Provisions/Other Accruals	0		(516)		
Change in accounting policy	0		0		
(Profit) on Sale of Assets	(182)		0		
Loss on Sale of Assets	30,316		0		
ADD - Surplus/(Deficit) 1 July b/f	997,619		3,177,229		
LESS - Surplus/(Deficit) 30 June c/f	(419,744)		18,285,984		
	5,893,797		(12,906,321)		



**SUMMARY STATEMENT OF BORROWING ACTIVITY
FOR THE PERIOD ENDING 31 DECEMBER 2020**

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 31 DECEMBER 2020				
	Principal 01-Jul-20 \$	New loans \$	Principal Repayment \$	Principal 31-Dec-20 \$	Interest(YTD) \$
6.04%	539,212	0	(60,546)	478,666	15,526
5.91%	256,766	0	(126,500)	130,266	6,037
4.67%	398,479	0	(129,755)	268,724	8,551
2.78%	871,357	0	(81,805)	789,551	11,639
3.12%	791,285	0	(66,477)	724,808	11,740
3.12%	374,498	0	(31,462)	343,035	5,516
2.64%	1,831,084	0	(323,145)	1,507,939	23,107
3.07%	578,626	0	(64,909)	513,717	8,063
3.07%	84,512	0	(9,480)	75,031	1,178
3.07%	60,019	0	(6,733)	53,287	836
	5,785,837	0	(900,812)	4,885,025	92,193
3.07%	78,815	0	(6,973)	71,842	1,183
				0	
	5,864,652	0	(907,785)	4,956,867	93,376

Adopted Budget 2020/21		
New loans \$	Principal 30-Jun-21 \$	Interest \$
0	416,277	29,200
0	0	7,320
0	135,922	14,055
0	706,606	22,134
0	657,290	22,434
0	311,081	10,577
0	1,180,514	41,935
0	513,717	17,764
0	75,032	2,595
0	53,286	1,842
0	4,049,725	169,856
0	64,762	2,259
0	4,114,487	172,115



CITY OF NEDLANDS
STATEMENT OF FINANCIAL POSITION
AS AT 31 DECEMBER 2020

	2020/2021	2019/2020	2019/2020
	YTD 31	YTD 31	YEAR END 30
	DECEMBER	DECEMBER	June 2020
	\$	\$	\$
Current Assets			
Cash & Cash Equivalents	25,603,182	22,166,991	16,493,227
Trade & Other Receivables	7,480,267	8,018,894	2,170,031
Inventories	21,370	12,927	22,816
Other - Prepayments & Accruals	95,060	197,094	290,591
Total Current Assets	33,199,880	30,395,906	18,976,664
Non Current Assets			
Other Receivables	1,295,496	1,386,505	1,295,496
Other Financial Assets	142,442	140,137	142,442
Property, Plant & Equipment	170,669,358	345,796,249	172,594,563
Infrastructure	92,349,126	87,147,801	90,302,379
Total Non Current Assets	264,456,423	434,470,692	264,334,880
Total Assets	297,656,303	464,866,597	283,311,546
Current Liabilities			
Trade & Other Payables	6,222,044	3,400,720	7,247,771
Current Borrowings	842,381	814,176	1,750,166
Employee Provisions	2,777,263	2,258,734	2,652,371
Total Current Liabilities	9,841,688	6,473,630	11,650,308
Non Current Liabilities			
Long Term Borrowings	4,114,484	5,861,752	4,114,485
Deferred Liability	47,251	92,988	47,251
Employee Provisions	264,987	474,196	264,987
Total Non Current Liabilities	4,426,722	6,428,936	4,426,723
Total Liabilities	14,268,410	12,902,566	16,077,031
Net Assets	283,387,893	451,964,031	267,234,514
Equity			
Retained Surplus	97,192,101	92,275,924	81,054,017
Reserves - Cash Backed	5,911,142	6,141,457	5,895,847
Revaluation Surplus	180,284,650	353,546,650	180,284,650
Total Equity	283,387,893	451,964,031	267,234,514



**SUMMARY STATEMENT OF FINANCIAL ACTIVITY - OPERATING
BY REPORTING ACTIVITY
FOR THE PERIOD ENDING 31 DECEMBER 2020**

Reporting Activity	December 20 YTD Budget	December 20 YTD Actual	Variance Indicators				2020-21 Annual Budget	Var. Scale	Comment Ref
			\$	%	Flag	F/U			
Income:									
Community Leadership	80,140	13,218	(66,922)	(84%)	▶	U	160,281	●	Lower income from Wesroc project
Corporate Administration	397,800	299,766	(98,034)	(25%)	▶	U	733,600	●	Lower interest income
Community Capacity Building	382,696	517,394	134,698	35%	▶	F	678,900	●	
Community Care	837,450	1,277,978	440,528	53%	▶	F	1,767,300	●	
Libraries	5,830	11,230	5,400	93%	▶	F	10,350	●	
Building & Development Control	729,002	907,820	178,818	25%	▶	F	1,296,000	●	
Environmental Health Services	43,998	45,706	1,708	4%	▶	F	88,000	●	
Rangers & Public Safety	150,252	217,627	67,375	45%	▶	F	282,500	●	
Engineering & Asset Management	2,500	11,051	8,551	342%	▶	F	5,000	●	
Parks & Natural Areas	56,914	81,726	24,812	44%	▶	F	115,900	●	
Roads, Paths & Drains	106,388	157,224	50,836	48%	▶	F	212,782	●	
Community Building Management	197,934	170,365	(27,569)	(14%)	▶	U	395,884	●	Lower income from council property
Waste Management	3,299,454	3,272,504	(26,950)	(1%)	▶	U	3,299,454	●	
Rates & Property Services	24,387,739	25,033,984	646,245	3%	▶	F	24,533,233	●	
Total Income	30,678,097	32,017,593		4%	▶	F	33,579,184		

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

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% ●



**SUMMARY STATEMENT OF FINANCIAL ACTIVITY - OPERATING
BY REPORTING ACTIVITY
FOR THE PERIOD ENDING 31 DECEMBER 2020**

Reporting Activity	December 20 YTD Budget	December 20 YTD Actual	Variance Indicators				2020-21 Annual Budget	Var. Scale	Comment Ref
			\$	%	Flag	F/U			
Expenditure:									
Community Leadership	1,050,178	1,041,363	8,815	1%	▶	F	1,849,513	●	
Corporate Administration	895,108	730,495	164,613	18%	▶	F	1,648,836	●	
Community Capacity Building	957,908	847,700	110,208	12%	▶	F	1,870,959	●	
Community Care	1,017,237	978,383	38,854	4%	▶	F	2,092,242	●	
Libraries	869,982	811,096	58,886	7%	▶	F	1,734,626	●	
Building & Development Control	1,709,660	1,927,216	(238,808)	14%	▶	U	3,788,366	●	Higher salary cost and professional fees in planning
Environmental Health Services	365,817	327,716	38,101	10%	▶	F	756,523	●	
Rangers & Public Safety	441,608	450,605	(8,997)	2%	▶	U	983,399	●	
Engineering & Asset Management	678,127	1,453,038	(774,911)	114%	▶	U	1,242,596	●	Higher underground power and lower oncost charged out due to lower maintenance worked completed
Parks & Natural Areas	3,040,956	2,810,583	230,373	8%	▶	F	5,729,690	●	
Roads, Paths & Drains	2,281,235	2,073,065	208,170	9%	▶	F	4,508,006	●	
Community Building Management	1,477,416	1,419,207	58,209	4%	▶	F	2,878,755	●	
Waste Management	1,624,011	1,061,362	562,649	35%	▶	F	3,257,938	●	
Rates & Property Services	226,494	215,657	10,837	5%	▶	F	359,618	●	
Total Operating Expenditure	16,644,809	16,177,811		3%	▶	F	32,701,067		
Net Operating Result	14,033,288	15,839,783					878,117		

Legend

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

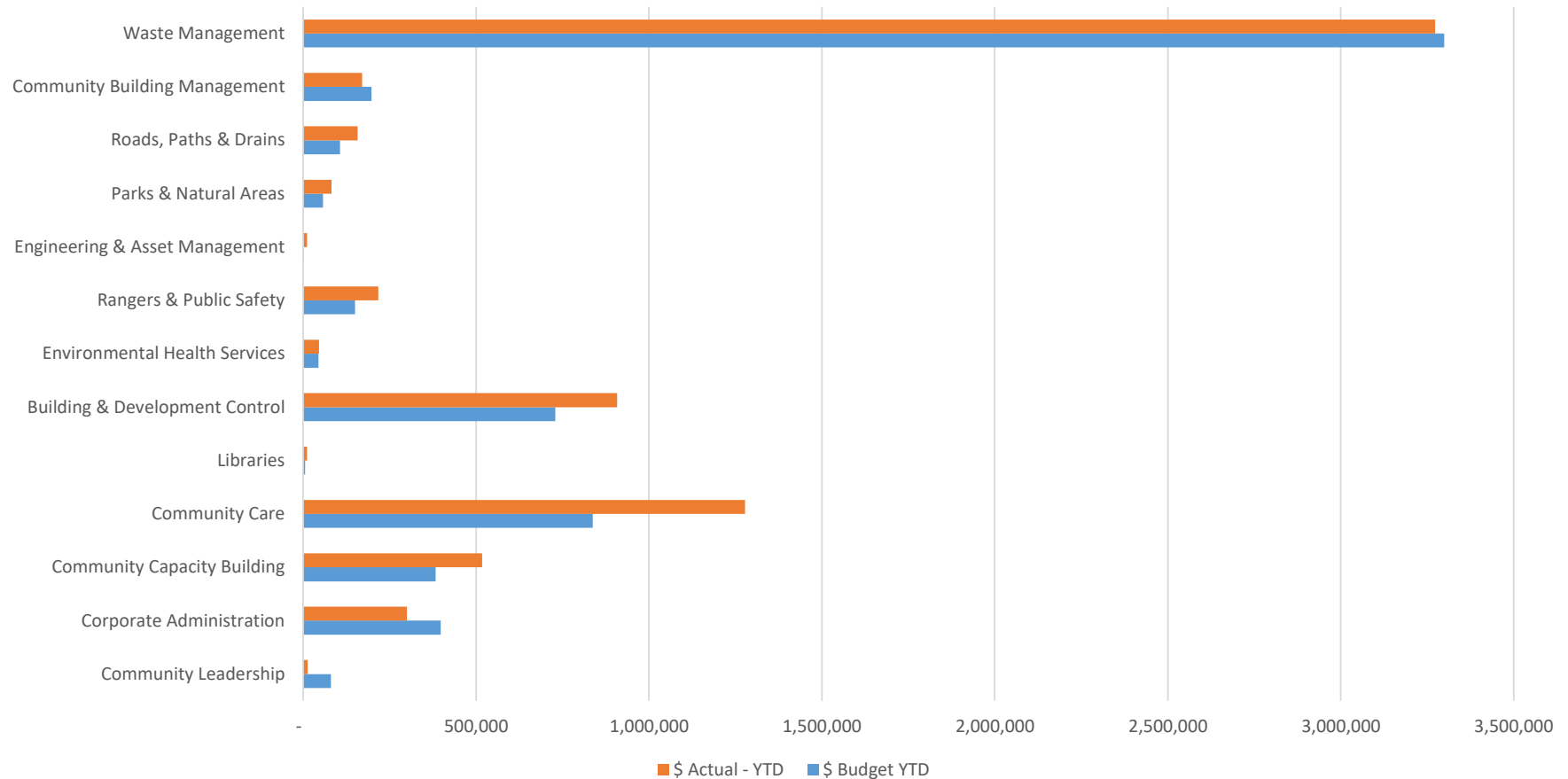
Legend

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 31 DECEMBER 2020**

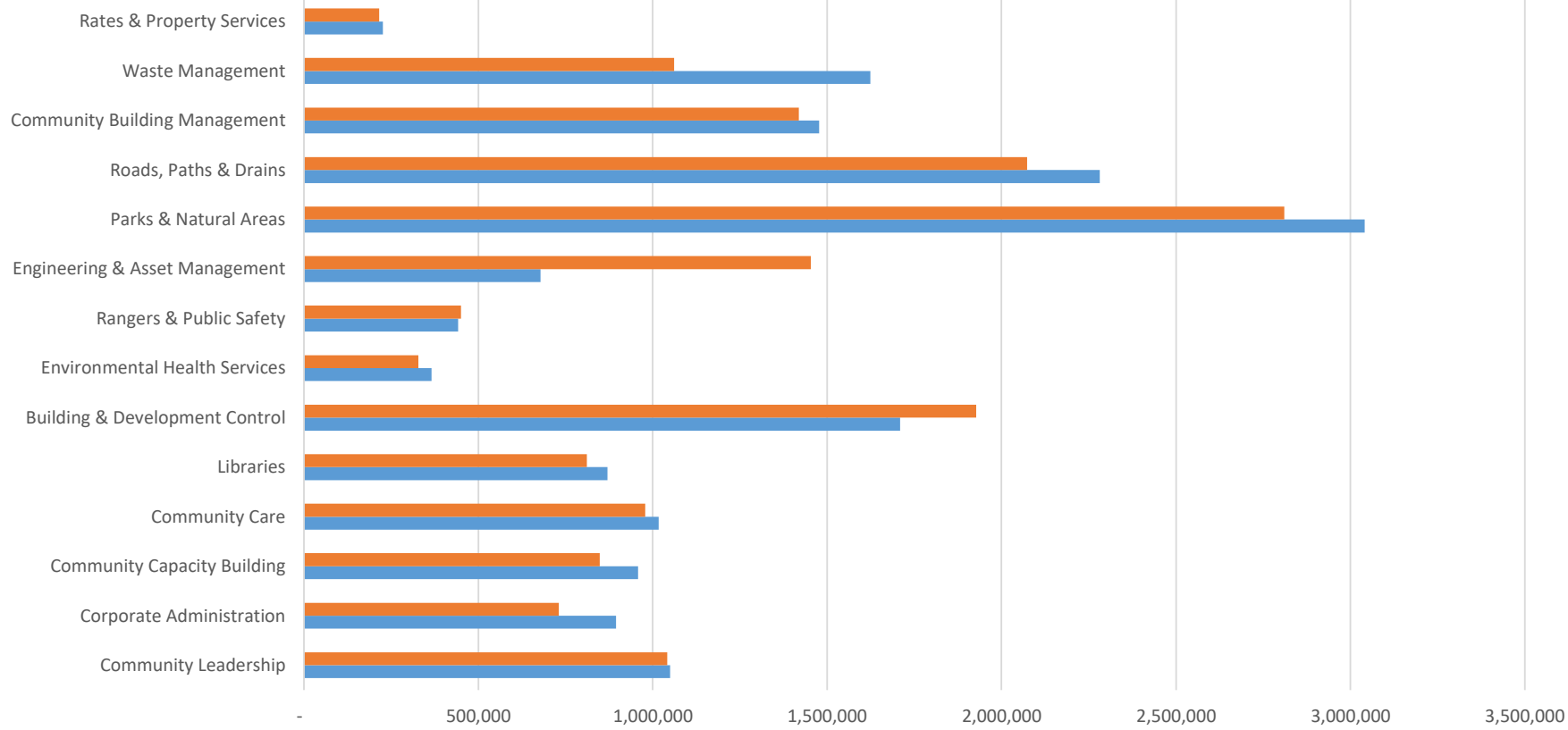
Income - YTD by Reporting Activity (Excluding Rates)





**GRAPHICAL SUMMARY OF FINANCIAL ACTIVITY - OPERATING
BY REPORTING ACTIVITY
FOR THE PERIOD ENDING 31 DECEMBER 2020**

Operating Expenditure - YTD by Reporting Activity





CITY OF NEDLANDS
SUMMARY STATEMENT OF FINANCIAL ACTIVITY - INCOME
BY REPORTING NATURE & TYPE
FOR THE PERIOD ENDING 31 DECEMBER 2020

Reporting Activity

Income:

Operating Income

	December 20 YTD Budget	December 20 YTD Actual	Variance Indicators \$ % Flag F/U	2020-21 Annual Budget	Var. Scale
Rates	24,387,739	25,033,984	646,245 3% F	24,533,233	
Service Charges (UGP)	-	10,986	10,986 0 F	-	
Fees & Charges	4,728,211	5,198,393	470,182 10% F	5,965,354	
Fines & Penalties	135,321	162,029	26,708 20% F	271,650	
Interest Revenue	158,000	60,098	(97,902) (62%) U	275,000	Lower interest rate
Operating Grants	751,368	1,052,083	300,715 40% F	1,503,100	
Contributions	385,480	440,431	54,951 14% F	784,484	
Other Revenue	131,948	59,590	(72,358) (55%) U	246,363	Wesroc and Park services lower income
Operating Income	30,678,067	32,017,593		33,579,184	

Capital Income

Capital Grants and Contribution	1,090,440	199,607	(890,833) (82%) U	2,180,879	Difference due to profiling and refund of grants received due to projects not under-taken
Asset Sale Proceeds	1,705,582	34,504	(1,671,078) (98%) U	3,411,163	Difference due to profiling and sale of property not undertaken yet
Sub Total - Capital Income	2,796,021	234,111		5,592,042	

Total Income	33,474,088	32,251,704	(4%) U	39,171,226
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Legend

Favourable Variance to Budget F

Unfavourable Variance to Budget U

Legend

Favourable Variance > 10%

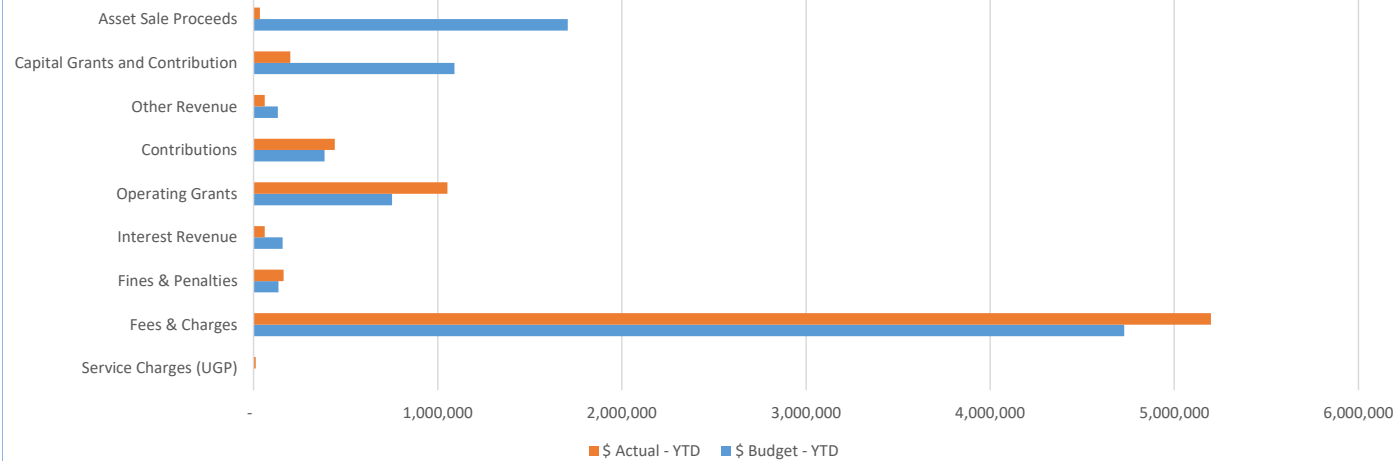
Variance between -10% (U) and +10% (F)

Unfavourable Variance > 10%

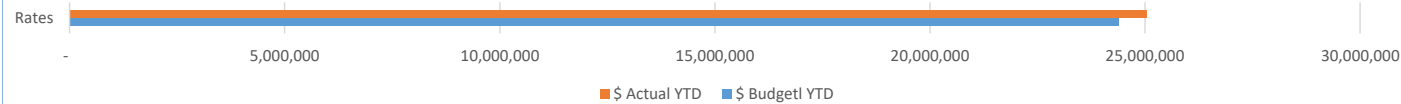


CITY OF NEDLANDS
SUMMARY STATEMENT OF FINANCIAL ACTIVITY - INCOME
BY REPORTING NATURE & TYPE
FOR THE PERIOD ENDING 31 DECEMBER 2020

Income - YTD by Nature & Type (Excluding Rates)



Rates Income - YTD



13.5 Monthly Investment Report – December 2020

Council	23 February 2021
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995 and section 10 of the city of Nedlands Code of Conduct for Impartiality	Nil.
Director	Ed Herne – Director Corporate & Strategy
Attachments	1. Investment Report for the period ended 31 December 2020

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Youngman
 Seconded – Councillor Horley

That the Recommendation to Council be adopted.

(Printed below for ease of reference)

CARRIED UNANIMOUSLY 12/-

Council Resolution / Recommendation to Council

Council receives the Investment Report for the period ended 31 December 2020.

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 is structured 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 31 December 2020 and 31 December 2019 the City held the following funds in investments:

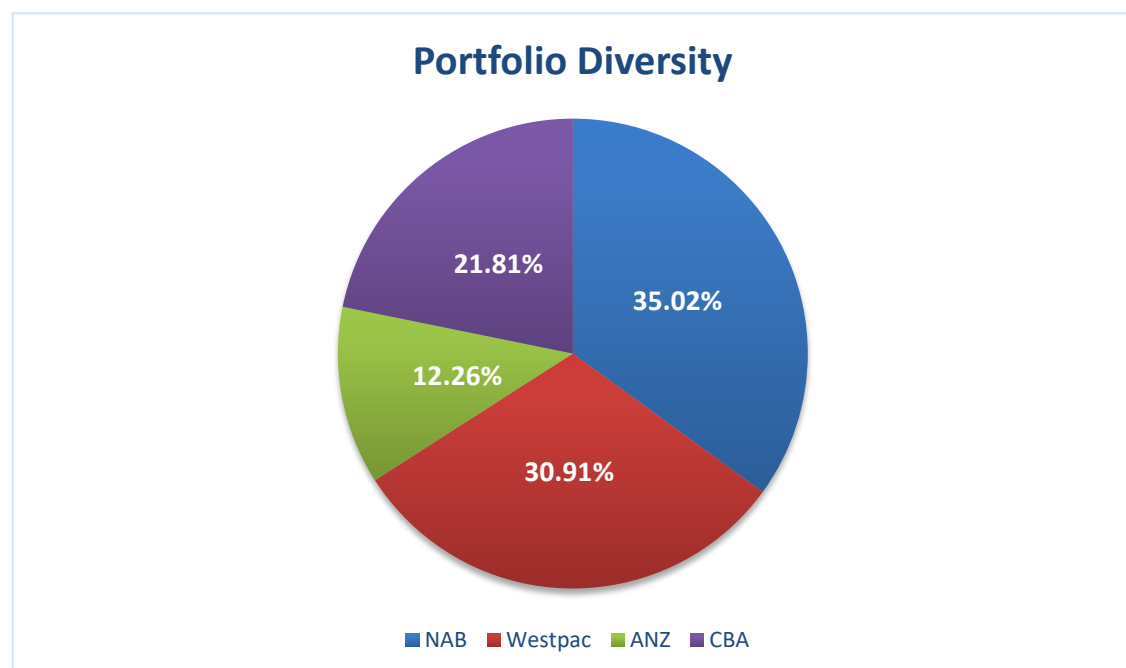
	31-Dec-2020	31-Dec-2019
Municipal Funds	\$ 11,911,865	\$ 15,094,727
Reserve Funds	\$ 5,918,648	\$ 6,794,125
Total investments	<u>\$ 17,830,513</u>	<u>\$ 21,888,852</u>

The City has \$5.8 M in Westpac online saver account which returns an interest rate of 0.40% per annum. As this rate is higher than the rates quoted for the term deposits as of end November, the surplus cash is maintained in the Westpac online saver account.

The total interest earned from investments as at 31 December 2020 was \$46,315.

The Investment Portfolio comprises holdings in the following institutions:

Financial Institution	Funds Invested	Interest Rate	Proportion of Portfolio
NAB	\$6,244,901	0.40% - 0.88%	35.02%
Westpac	\$5,511,115	0.20% - 1.05%	30.91%
ANZ	\$2,186,293	0.20%	12.26%
CBA	\$3,888,205	0.24% - 0.62%	21.81%
Total	\$17,830,514		100.00%



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 ☒

Strategic Implications

The investment of surplus funds in the 2020/21 approved budget is in line with the City's strategic direction.

The 2020/21 approved budget ensured that there is an equitable distribution of benefits in the community

The 2020/21 budget was prepared in line with the City's level of tolerance of risk and it is managed through budgetary review and control.

The interest income on investment in the 2020/21 approved budget was based on economic and financial data available at the time of preparation of the budget.

Budget/Financial Implications

The December YTD Actual interest income from investments is \$46,315 compared to the December YTD Budget of \$135,000.

The approved budget is prepared taking into consideration the Long-Term Financial Plan and current economic situation.

The adopted 2020/21 budget included a 0% rate increase.



INVESTMENTS REPORT
FOR THE PERIOD ENDED 31 DECEMBER 2020

Particulars	Interest Rate	Invest. Date	Maturity Date	Period Days	NAB *AA-/Stable/A-1+	Westpac *AA-/Stable/A-1+	ANZ *AA-/Stable/A-1+	CBA *AA-/Stable/A-1+	Total	Interest YTD Accumulated
RESERVE INVESTMENTS										
Plant Replacement	0.47%	24-Sep-20	22-Feb-21	151				34,636.01	34,636.01	\$88.80
City Development - Western Zone	0.47%	24-Sep-20	22-Feb-21	151				174,821.88	174,821.88	\$448.18
City Development - Western Zone	0.24%	21-Dec-20	21-May-21	151				66,078.06	66,078.06	\$224.06
Business system reserve	0.47%	24-Sep-20	22-Feb-21	151				142,436.63	142,436.63	\$365.15
All abilities play space	0.47%	24-Sep-20	22-Feb-21	151				97,670.82	97,670.82	\$250.39
North Street	0.24%	22-Dec-20	23-Mar-21	91		375,007.60			375,007.60	\$1,401.95
Welfare - General	0.47%	16-Aug-20	15-Apr-21	242				319,456.89	319,456.89	\$746.95
Welfare - NCC	0.22%	30-Dec-20	4-Apr-21	95				360,458.41	360,458.41	\$930.06
Welfare - PRCC	0.24%	21-Dec-20	21-May-21	151				15,744.25	15,744.25	\$52.13
Services - Tawarri 1	0.20%	22-Dec-20	23-Mar-21	91		68,736.08			68,736.08	\$256.30
Services General	0.45%	26-Nov-20	26-Feb-21	92	25,861.62				25,861.62	\$93.97
Services - Tawarri 2	0.20%	11-Dec-20	11-Mar-21	90			117,436.49		117,436.49	\$366.68
Insurance	0.20%	11-Dec-20	11-Mar-21	90			65,352.00		65,352.00	\$204.05
Undrground power	0.85%	25-Sep-20	21-Jan-21	118	772,870.55				772,870.55	\$2,790.42
Waste Management	0.47%	24-Sep-20	22-Feb-21	151				512,247.53	512,247.53	\$1,313.18
City Development - Swanbourne	0.47%	16-Aug-20	15-Apr-21	242				134,815.18	134,815.18	\$315.34
City Building - General	0.20%	22-Dec-20	23-Mar-21	91		415,475.92			415,475.92	\$1,549.15
City Building - PRCC	0.24%	21-Dec-20	21-May-21	151				26,170.15	26,170.15	\$88.74
Business system Reserve	0.88%	24-Sep-20	18-Jan-21	116	410,466.83				410,466.83	\$1,592.56
Public Art Reserves	0.88%	24-Sep-20	18-Jan-21	116	97,757.14				97,757.14	\$364.37
Waste Management Reserve	0.88%	24-Sep-20	18-Jan-21	116	574,045.41				574,045.41	\$2,139.63
City Development Reserve	0.88%	24-Sep-20	18-Jan-21	116	33,903.26				33,903.26	\$126.37
Building Replacement Reserve	0.88%	24-Sep-20	18-Jan-21	116	306,493.65				306,493.65	\$1,142.39
All ability play space	0.85%	25-Sep-20	20-Jan-21	117	183,912.67				183,912.67	\$662.05
Major projects	0.70%	2-Sep-20	4-Jan-21	124		586,793.43			586,793.43	\$2,218.03
TOTAL RESERVE INVESTMENTS					\$2,405,311.14	\$1,446,013.03	\$182,788.49	\$1,884,535.81	\$5,918,648.47	\$19,730.90
MUNICIPAL INVESTMENTS										
Muni Investment NS60	1.05%	30-Nov-20	30-Dec-20	30		1,058,920.38			1,058,920.38	\$4,579.40
Muni Investment #4 - WBC	0.42%	30-Nov-20	28-Feb-21	90		1,002,077.60			1,002,077.60	\$2,077.60
Muni Investment #6 - WBC	0.70%	15-Sep-20	15-Feb-21	153		2,004,104.11			2,004,104.11	\$4,104.11
Muni Investment #1 - CBA	0.62%	14-Sep-20	12-Jan-21	120				2,003,669.04	2,003,669.04	\$3,669.04
Muni Investment #2 - CBA								0.00	0.00	\$199.36
Muni Investment #7 - NAB	0.40%	18-Sep-20	17-Dec-20	90	3,005,269.24				3,005,269.24	\$5,269.24
Muni Investment #150 - ANZ	0.20%	7-Sep-20	7-Dec-20	91			2,003,504.53		2,003,504.53	\$3,504.53
Muni Investment #8 - ANZ								0.00	0.00	\$100.47
Muni Investment #12 - NAB	0.88%	24-Sep-20	1-Jan-21	99	353,539				353,539.10	\$1,336.99
Muni Investment #13 - NAB-	0.85%	25-Sep-20	21-Jan-21	118	480,781				480,781.47	\$1,743.71
TOTAL MUNICIPAL INVESTMENTS					3,839,589.81	4,065,102.09	2,003,504.53	2,003,669.04	\$11,911,865.47	\$26,584.45
TOTAL					\$6,244,900.95	\$5,511,115.12	\$2,186,293.01	\$3,888,204.85	\$17,830,513.93	\$46,315.36

13.6 Monthly Financial Report – January 2021

Council	23 February 2021
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995 and section 10 of the city of Nedlands Code of Conduct for Impartiality.	Nil
Director	Ed Herne – Director Corporate & Strategy
Attachments	<ol style="list-style-type: none"> 1. Financial Summary (Operating) by Business Units – 31 January 2021 2. Capital Works & Acquisitions – 31 January 2021 3. Statement of Net Current Assets – 31 January 2021 4. Statement of Financial Activity – 31 January 2021 5. Borrowings – 31 January 2021 6. Statement of Financial Position – 31 January 2021 7. Operating Income & Expenditure by Reporting Activity – 31 January 2021 8. Operating Income by Reporting Nature & Type – 31 January 2021

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor McManus

Seconded – Councillor Youngman

That the Recommendation to Council be adopted.

(Printed below for ease of reference)

CARRIED UNANIMOUSLY 12/-

Council Resolution / Recommendation to Council

Council receives the Monthly Financial Report for 31 January 2021.

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 financial impact of COVID-19 is reflected with effect from April, the Hardship policy endorsed at the Special Council Meeting of 14 April 2020 introduced measures to support the City's many stakeholders these are also reflected in the financials.

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 31 January 2021 together with a Statement of Net Current Assets as at 31 January 2021.

The operating revenue at the end of January 2021 was \$32.16 M which represents \$863 K favourable variance compared to the year-to-date budget.

The operating expense at the end of January 2021 was \$18.64 M, which represents \$764 K favourable variance compared to the year-to-date budget.

The attached Operating Statement compares "Actual" with "Budget" by Business Units. The budget figures include subsequent Council approval to budget changes. Variations from the budget of revenue and expenses by Directorates are highlighted in the following paragraphs.

Governance

Expenditure:	Favourable variance of	\$ 53,015
Revenue:	Unfavourable variance of	\$ (76,922)

The favourable expenditure variance is mainly due to:

- WESROC expenses of \$263k not spent,
- Office expenses of \$34k not spent yet,
- Other employee costs and Member of Councils of \$63k not spent yet,
- Professional fees overspend by \$59k arising from additional legal advice on planning matters,
- The salary reduction of \$442k as resolved by Council at the adoption of the budget has been shown as a reduction in salaries of approximately \$36k per month in Governance as a temporary budget item until the actual savings across the business units are identified and actioned. Thereafter the budget savings will be moved to the respective business units. The above list of savings of \$271k is offset against the \$252K salary savings yet to be realised, though underway.

The unfavourable revenue variance is due to the relocating of all WESROC services to another local government and subsequently there will be no income receivable. For the past 5 years the City of Nedlands has hosted the WESROC Environmental Officer's position and managed expenses and invoicing of WESROC local governments. This position has now moved to the Town of Claremont, along with the associated management of the WESROC financials. The budget for WESROC expense and revenue will be adjusted at mid-year budget review to reflect the move of the WESROC services to the Town of Claremont.

Corporate and Strategy

Expenditure:	Unfavourable variance of	\$ (81,336)
Revenue:	Favourable variance of	\$ 425,641

The favourable expenditure variance is mainly due to:

- Professional fees of \$79k not spent yet,
- Corporate services ICT expenses over expensed by \$47k due to additional works on smart office system completed.
- Office and ICT expenses over expensed by \$113k due to extension of printer lease for 3 months and profiling.

The favourable revenue variances is mainly due to:

- Interim rates over budget by \$529k and general rates over budget by 35k
- Offset by lower term deposit interest income of \$114k.

Community Development and Services

Expenditure:	Favourable variance of	\$ 268,871
Revenue:	Favourable variance of	\$ 261,893

The favourable expenditure variance is mainly due to:

- Community Special projects, donations and operational activities of \$135k not expensed yet,
- Savings on PRCC salary of \$40k due to delay in filling up vacant position,
- Nedlands library salary, office and other expenses of \$61k not yet expensed,
- Tresillian, positive ageing and PRCC expenses of \$21k not spent yet,

The favourable income variance is mainly due to:

- Increase fees and charges from Tresillian and PRCC of \$237k – at the time of setting the budget revenue estimates were based on the Covid 19 environment at that time (ie restrictions relating to public attendances at events), with restrictions easing these services have benefitted from higher attendances,

- Increase on NCC grants income by \$30k,
- Offset by lower Grants from Volunteer services of \$8k.

Planning and Development

Expenditure:	Favourable variance of	\$ 204,889
Revenue:	Favourable variance of	\$ 244,943

The Favourable expenditure variance is mainly due to:

- Urban planning and Building services salaries over spent by \$198k. Urban planning salaries are higher by \$177k due to increased applications, SAT appeals and unplanned policy work and re-work. Building services salaries is higher by \$20k due to additional works. This is offset by Environmental salaries of \$44k due to delay in back-filling vacancies.
- Professional fees of \$154k have over expensed as a result of a Council approved un-budgeted expenditure on professional services related to the Woolworths DA appeal including traffic advice, public realm modelling and professional advice.
- Operational activities of \$141k not spent yet.
- Urban Projects expenses of \$501k not expensed yet. YTD budget increased by \$280k. Offset by lower expenses of \$96k in projects due to profiling issue.

The favourable revenue variance is mainly due to:

- Increase fees & charges income in Urban Planning, Environmental Health and Building services of \$186k.
- Increase fine & penalties from ranger services of 55k.

Technical Services

Expenditure:	Favourable variance of	\$ 300,650
Revenue:	Favourable variance of	\$ 8,102

The favourable expenditure variance is mainly due to:

- Building, road, and Park maintenance expense of \$568k not expensed yet,
- Plant expenses and waste minimisation expenses of \$641k not expensed yet,
- Savings in salaries in Technical department of \$40k due to delay in back-filling staff who have resigned and other employee costs of \$46k not spent yet,
- Underground power project of \$393k over expensed due to profiling, scoping, and planning work by Western power. Under YTD budget of \$983k,
- Utilities invoices of \$64k not received yet,
- Off-set against lower charge out of on-cost to projects by \$564k,
- Offset against infrastructure professional fees of 21k.

The small favourable revenue variance is mainly due to profiling issues.

Borrowings

As at 31 January 2021, we have a balance of borrowings of \$4.90 M.

Net Current Assets Statement

At 31 January 2021, net current assets was \$15.72 M compared to \$15.62 M as at 31 January 2020. Current assets are higher by \$3.7 M offset by higher current liabilities \$3.8 M.

Outstanding rates debtors are \$4.4 M as at 31 January 2021 compared to \$4.8 M as at 31 January 2021. Breakdown as follows:

	31 Jan 2021	31 Jan 2021	Variance
Rates	\$3,036	\$3,995	-\$959
Rubbish & Pool	\$63	\$123	-\$60
Pensioner Rebates	\$304	\$550	-\$246
ESL	\$25	\$120	-\$95

Capital Works Programme

As at 31 January, expenditure on capital works was \$2.8 M with additional capital commitments of \$614 K which is 40% of a total budget of \$8.7 M.

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	4
*FTE (Full Time Equivalent) count as of the last day of the previous month	159.28
Number of unfilled staff positions at the end of each month	10

Slight increase in Total Active staff and Occupied FTE from previous (December) month to 177 and 159.28, respectively. Unfilled positions decreased from 15 to 10. Notable resignations taking effect included: Director Corporate & Strategy, Director Planning and Manager Financial Services – all roles being covered by interim arrangements.

Conclusion

The statement of financial activity for the period ended 31 January 2021 indicates that operating expenses are under the year-to-date budget by 3.85% or \$746 K, while revenue is above the Budget by 2.76% or \$863 K.

Key Relevant Previous Council Decisions:

Nil.

Consultation

N/A

Strategic Implications

The 2020/21 approved budget is in line with the City's strategic direction. Our operations and capital spend, and income is undertaken in line with and measured against the budget.

The 2020/21 approved budget ensures that there is an equitable distribution of benefits in the community

The 2020/21 budget was prepared in line with the City's level of tolerance of risk and it is managed through budgetary review and control.

The approved budget was based on zero based budgeting concept which requires all income and expenses to be thoroughly reviewed against data and information available to perform the City's services at a sustainable level.

Budget/Financial Implications

As outlined in the Monthly Financial Report.

The approved budget is prepared taking into consideration the Long-Term Financial Plan, current economic situation and special consideration to the effect from COVID-19. The approved budget was in surplus of \$976,898. Subsequent Council approval on budget changes has reduced the surplus to a deficit of \$139,282.

The adopted 2020/21 budget included a 0% rate increase.



CITY OF NEDLANDS
FINANCIAL SUMMARY - OPERATING - BY BUSINESS UNIT
AS AT 31 JANUARY 2021

Row Labels	Master Account (desc)	January Actual YTD	January Budget YTD	Variance	Committed Balance	Annual Budget
Governance						
CEO's Office						
Governance						
Expense						
20420	Salaries - Governance	478,885	209,781	(269,104)	0	404,959
20421	Other Employee Costs - Governance	20,368	10,360	(10,008)	21	13,700
20423	Office - Governance	24,688	27,635	2,947	1,784	32,860
20425	Depreciation - Governance	58,800	58,800	0	0	100,800
20427	Finance - Governance	92,400	92,400	0	0	158,400
20428	Insurance - Governance	0	0	0	0	0
20430	Other Expense - Governance	6,156	5,247	(909)	4,520	15,000
20434	Professional Fees - Governance	243,728	183,757	(59,971)	95,499	315,000
20450	Special Projects - Governance / PC93	10,442	274,059	263,617	0	289,393
Expense Total		935,467	862,039	(73,428)	101,823	1,330,112
Income						
50410	Sundry Income - Governance/PC 93	(10,752)	(80,140)	(69,388)	0	(160,281)
50416	Contributions & Reimbursements	(2,466)	0	2,466	0	0
Income Total		(13,218)	(80,140)	(66,922)	0	(160,281)
Governance Total		922,249	781,899	(140,350)	101,823	1,169,831
Communications						
Expense						
28320	Salaries - Communications	169,768	161,241	(8,527)	0	292,786
28321	Other Employee Costs - Communications	1,779	14,245	12,466	0	14,245
28322	Staff Recruitment - Communications	0	1,500	1,500	0	1,500
28323	Office - Communications	21,203	51,765	30,562	10,381	90,960
28327	Finance - Communications	51,100	51,100	0	0	87,600
28330	Other Expense - Communications	2,452	1,656	(796)	0	2,800
28335	ICT Expenses - Communications	17,130	24,290	7,160	11,975	41,640
28350	Special Projects - Communications / PC 90	7,023	19,500	12,478	(3,775)	33,000
Expense Total		270,454	325,297	54,843	18,581	564,531
Communications Total		270,454	325,297	54,843	18,581	564,531
Human Resources						
Expense						
20520	Salaries - HR	226,508	233,647	7,139	0	424,183
20521	Other Employee Costs - HR	70,732	101,387	30,655	31,522	174,100
20522	Staff Recruitment - HR	7,888	7,581	(307)	1	13,000
20523	Office - HR	574	1,377	803	0	8,900
20527	Finance - HR	(418,775)	(418,775)	0	0	(717,900)
20528	Insurance - HR	92,527	107,740	15,213	0	107,740
20534	Professional Fees - HR	8,984	5,000	(3,984)	6,500	10,000
Expense Total		(11,561)	37,957	49,518	38,023	20,023
Income						
50510	Contributions & Reimbursements - HR	0	(10,000)	(10,000)	0	(20,000)
Income Total		0	(10,000)	(10,000)	0	(20,000)
Human Resources Total		(11,561)	27,957	39,518	38,023	23
Members Of Council						
Expense						
20323	Office - MOC	7,626	10,794	3,168	3,007	18,500
20325	Depreciation - MOC	525	525	0	0	900
20329	Members of Council - MOC	265,939	286,102	20,163	0	477,601
20330	Other Expense - MOC	1,256	0	(1,256)	0	0
20327	Finance - MOC	13,062	13,069	7	0	22,400
Expense Total		288,408	310,490	22,082	3,007	519,401
Members Of Council Total		288,408	310,490	22,082	3,007	519,401
CEO's Office Total		1,469,550	1,445,643	(23,907)	161,433	2,253,786

Item 13.6 - Attachment 1

Row Labels	Master Account (desc)	January Actual YTD	January Budget YTD	Variance	Committed Balance	Annual Budget
Governance Total		1,469,550	1,445,643	(23,907)	161,433	2,253,786
Corporate & Strategy						
Corporate Strategy & Systems						
Corporate Services						
Expense						
21220	Salaries - Corporate Services	369,908	352,155	(17,753)	15,788	639,288
21221	Other Employee Costs - Corporate Services	10,626	18,610	7,984	0	27,110
21224	Motor Vehicles - Corporate Services	11,400	11,669	269	0	20,000
21227	Finance - Corporate Services	(140,525)	(140,525)	0	0	(240,900)
21230	Other Expense - Corporate Services	6,213	7,000	787	4,696	12,000
21234	Professional Fees - Corporate Services	0	25,000	25,000	0	50,000
21235	ICT Expenses - Corporate Services	76,342	29,169	(47,173)	9,673	50,000
21250	Special Projects - Corporate Services / PC68	11,300	7,500	(3,800)	3,700	15,000
Expense Total		345,265	310,578	(34,687)	33,857	572,498
Corporate Services Total		345,265	310,578	(34,687)	33,857	572,498
Customer Services						
Expense						
21320	Salaries - Customer Service	167,848	187,375	19,527	577	337,365
21321	Other Employee Costs - Customer Service	2,266	6,120	3,854	0	6,120
21323	Office - Customer Service	2,796	3,600	804	3,903	6,200
21327	Finance - Customer Service	(203,756)	(203,758)	(2)	0	(349,300)
21330	Other Expense - Customer Service	0	119	119	812	200
21350	Special Projects - Customer Service	0	0	0	0	0
Expense Total		(30,846)	(6,544)	24,302	5,292	585
Income						
51310	Sundry Income - Customer Service	0	(350)	(350)	0	(600)
51301	Fees & Charges - Customer Services	(290)	0	290	0	0
Income Total		(290)	(350)	(60)	0	(600)
Customer Services Total		(31,136)	(6,894)	24,242	5,292	(15)
ICT						
Expense						
21720	Salaries - ICT	230,101	202,054	(28,047)	0	365,958
21721	Other Employee Costs - ICT	1,573	3,420	1,847	0	3,420
21723	Office - ICT	41,122	20,034	(21,088)	18,873	33,365
21724	Motor Vehicles - ICT	0	0	0	0	0
21725	Depreciation - ICT	96,717	120,281	23,564	0	206,200
21727	Finance - ICT	(708,225)	(708,227)	(2)	0	(1,214,100)
21728	Insurance - ICT	6,652	6,370	(282)	0	6,370
21730	Other Expense - ICT	126	5,831	5,705	651	10,000
21734	Professional Fees - ICT	17,890	23,331	5,441	23,178	40,000
21735	ICT Expenses - ICT	589,654	497,331	(92,323)	83,366	755,000
Expense Total		275,608	170,425	(105,183)	126,067	206,213
ICT Total		275,608	170,425	(105,183)	126,067	206,213
Corporate Strategy & Systems Total		589,737	474,109	(115,628)	165,217	778,696
Finance						
Rates						
Expense						
21920	Salaries - Rates	69,460	67,031	(2,429)	0	121,698
21921	Other Employee Costs - Rates	698	1,520	822	0	1,520
21923	Office - Rates	13,575	12,975	(600)	560	15,200
21927	Finance - Rates	82,689	93,656	10,967	5,691	144,700
21930	Other Expense - Rates	10,338	9,500	(838)	908	11,500
21934	Professional Fees - Rates	61,426	65,000	3,574	11,459	65,000
Expense Total		238,186	249,682	11,496	18,618	359,618
Income						
51908	Rates - Rates	(24,931,372)	(24,402,240)	529,132	0	(24,533,233)
Income Total		(24,931,372)	(24,402,240)	529,132	0	(24,533,233)
Rates Total		(24,693,186)	(24,152,558)	540,628	18,618	(24,173,615)
General Finance						
Expense						

Item 13.6 - Attachment 1

Row Labels	Master Account (desc)	January Actual YTD	January Budget YTD	Variance	Committed Balance	Annual Budget
21420	Salaries - Finance	410,547	380,968	(29,579)	77,244	690,741
21421	Other Employee Costs - Finance	4,832	10,030	5,198	0	10,030
21423	Office - Finance	702	406	(296)	1,364	700
21424	Motor Vehicles - Finance	0	0	0	0	0
21425	Depreciation - Finance	525	525	0	0	900
21427	Finance - Finance	(406,223)	(399,583)	6,640	287	(685,000)
21430	Other Expense - Finance	0	500	500	0	500
21434	Professional Fees - Finance	380	10,919	10,539	36,166	58,000
Expense Total		10,763	3,765	(6,998)	115,060	75,871
Income						
51401	Fees & Charges - Finance	(44,725)	(31,500)	13,225	0	(54,000)
51410	Sundry Income - Finance	(21,590)	(21,000)	590	0	(21,000)
Income Total		(66,315)	(52,500)	13,815	0	(75,000)
General Finance Total		(55,552)	(48,735)	6,817	115,060	871
General Purpose						
Expense						
21623	Office - General Purpose	154	0	(154)	0	0
21627	Finance - General Purpose	20,258	21,581	1,323	0	37,000
21631	Interest - General Purpose	107,180	100,401	(6,779)	0	172,115
Expense Total		127,592	121,982	(5,610)	0	209,115
Income						
51604	Grants Operating - General Purpose	(178,816)	(181,500)	(2,684)	0	(363,000)
51607	Interest - General Purpose	(67,438)	(182,000)	(114,562)	0	(275,000)
Income Total		(246,254)	(363,500)	(117,246)	0	(638,000)
General Purpose Total		(118,662)	(241,518)	(122,856)	0	(428,885)
Shared Services						
Expense						
21523	Office - Shared Services	56,582	62,419	5,837	17,060	107,000
21527	Finance - Shared Services	(137,956)	(137,956)	0	0	(236,500)
21528	Insurance - Shared Services	5,625	0	(5,625)	0	0
21534	Professional Fees - Shared Services	29,618	64,750	35,132	5,918	129,500
Expense Total		(46,131)	(10,787)	35,344	22,978	0
Shared Services Total		(46,131)	(10,787)	35,344	22,978	0
Finance Total		(24,913,531)	(24,453,598)	459,933	156,656	(24,601,629)
Corporate & Strategy Total		(24,323,794)	(23,979,489)	344,305	321,873	(23,822,933)
Community Development						
Community Development						
Community Development						
Expense						
28120	Salaries - Community Development	262,706	266,119	3,413	0	482,586
28121	Other Employee Costs - Community Developme	4,283	7,560	3,277	0	9,210
28123	Office - Community Development	832	581	(251)	0	1,000
28124	Motor Vehicles - Community Development	4,942	5,250	308	0	9,000
28125	Depreciation - Community Development	642	644	2	0	1,100
28127	Finance - Community Development	79,275	79,275	0	0	135,900
28128	Insurance - Community Development	0	0	0	0	0
28130	Other Expense - Community Development	4,538	4,382	(156)	0	7,500
28134	Professional Fees - Community Development	0	294	294	0	500
28137	Donations - Community Development	75,606	130,400	54,794	0	186,000
28150	Special Projects - Community Development	8,982	77,000	68,018	5,328	77,000
28151	OPRL Activities - Community Development / PC	29,035	41,381	12,346	22,334	86,100
Expense Total		470,841	612,886	142,045	27,662	995,896
Income						
58101	Fees & Charges - Community Development	(4,861)	(8,162)	(3,301)	0	(14,000)
58104	Grants Operating - Community Development	0	(581)	(581)	0	(1,000)
58106	Contributions & Reimburse - Community Dev	0	(2,919)	(2,919)	0	(5,000)
Income Total		(4,861)	(11,662)	(6,801)	0	(20,000)
Community Development Total		465,980	601,224	135,244	27,662	975,896
Community Facilities						
Expense						

Item 13.6 - Attachment 1

Row Labels	Master Account (desc)	January Actual YTD	January Budget YTD	Variance	Committed Balance	Annual Budget
28252	Finance - Community Facilities	5,250	5,250	0	0	9,000
28220	Salaries - Community Facilities	23,816	24,202	386	0	44,000
28253	Communiy Insurance- Community Facilities	1,563	6,367	4,805	0	6,367
Expense Total		30,628	35,819	5,191	0	59,367
Income						
58201	Fees & Charges - Community Facilities	(1,030)	(294)	736	0	(500)
58209	Council Property - Community Facilities	(111,700)	(114,562)	(2,863)	0	(209,900)
Income Total		(112,730)	(114,856)	(2,126)	0	(210,400)
Community Facilities Total		(82,101)	(79,037)	3,064	0	(151,033)
Volunteer Services VRC						
Expense						
29320	Salaries - Volunteer Services VRC	78,853	50,808	(28,045)	0	92,243
29321	Other Employee Cost - Volunteer Services VRC	809	1,160	351	0	1,160
29323	Office - Volunteer Services VRC	1,067	1,800	733	50	2,700
29327	Finance - Volunteer Services VRC	24,269	24,269	0	0	41,600
29328	Insurance - Volunteer Services VRC	0	0	0	0	0
29330	Other Expense - Volunteer Services VRC	(432)	1,575	2,007	0	4,150
Expense Total		104,566	79,612	(24,954)	50	141,853
Income						
59304	Grants Operating - Volunteer Services VRC	(14,608)	(23,250)	(8,642)	0	(31,000)
Income Total		(14,608)	(23,250)	(8,642)	0	(31,000)
Volunteer Services VRC Total		89,959	56,362	(33,597)	50	110,853
Volunteer Services NVS						
Expense						
29220	Salaries - Volunteer Services NVS	16,452	16,581	129	0	30,077
29221	Other Employee Costs - Volunteer Services NVS	177	380	203	0	380
29223	Office - Volunteer Services NVS	0	250	250	264	500
29227	Finance - Volunteer Services NVS	22,050	22,050	0	0	37,800
29230	Other Expense - Volunteer Services NVS	181	1,125	944	903	2,100
29250	Special Projects - Volunteer Services NVS	2,312	3,000	688	0	3,000
Expense Total		41,172	43,386	2,214	1,166	73,857
Volunteer Services NVS Total		41,172	43,386	2,214	1,166	73,857
Tresillian Community Centre						
Expense						
29120	Salaries - Tresillian CC	134,516	135,518	1,002	0	244,056
29121	Other Employee Costs - Tresillian CC	1,212	2,630	1,418	0	2,630
29123	Office - Tresillian CC	9,543	13,332	3,789	0	25,000
29125	Depreciation - Tresillian CC	1,458	1,456	(2)	0	2,500
29127	Finance - Tresillian CC	36,106	36,106	0	0	61,900
29130	Other Expense - Tresillian CC	2,173	4,332	2,159	503	7,500
29136	Courses - Tresillian CC	121,127	122,900	1,773	1,913	245,800
29150	Exhibition - Tresillian CC	18,226	5,300	(12,926)	0	10,600
Expense Total		324,362	321,574	(2,788)	2,416	599,986
Income						
59101	Fees & Charges - Tresillian CC	(386,081)	(282,044)	104,037	0	(381,500)
59109	Council Property - Tresillian CC	(24,590)	(21,000)	3,590	0	(36,000)
51906	Contributions & Reimbursement - Tresillian CC	(500)	0	500	0	0
Income Total		(411,170)	(303,044)	108,126	0	(417,500)
Tresillian Community Centre Total		(86,809)	18,530	105,339	2,416	182,486
Community Development Total		428,200	640,465	212,265	31,295	1,192,059
Community Services Centres						
Nedlands Community Care						
Expense						
28620	Salaries - NCC	417,093	414,408	(2,685)	0	752,427
28621	Other Employee Costs - NCC	4,684	11,670	6,986	0	13,170
28623	Office - NCC	2,965	5,668	2,703	923	9,000
28624	Motor Vehicles - NCC	44,241	55,415	11,174	0	95,000
28625	Depreciation - NCC	0	2,681	2,681	0	4,600
28626	Utility - NCC	3,950	10,125	6,175	0	13,500
28627	Finance - NCC	98,700	98,700	0	0	169,200

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Row Labels	Master Account (desc)	January Actual YTD	January Budget YTD	Variance	Committed Balance	Annual Budget
28628	Insurance - NCC	2,031	5,280	3,249	0	5,280
28630	Other Expense - NCC	35,709	24,769	(10,940)	9,421	41,600
28635	ICT Expenses - NCC	5,414	0	(5,414)	0	6,000
28664	Hacc Unit Cost - NCC / PC66	22,405	0	(22,405)	0	0
Expense Total		637,192	628,716	(8,476)	10,344	1,109,777
Income						
58601	Fees & Charges - NCC/PC 66	(72,698)	(70,000)	2,698	0	(120,000)
58604	Grants Operating - NCC/PC 66	(784,554)	(753,600)	30,954	0	(1,004,800)
58610	Sundry Income - NCC	0	0	0	0	(2,000)
Income Total		(857,252)	(823,600)	33,652	0	(1,126,800)
Nedlands Community Care Total		(220,059)	(194,884)	25,175	10,344	(17,023)
Positive Ageing						
Expense						
27420	Salaries - Positive Ageing	88,551	87,858	(693)	0	159,193
27421	Other Employee Costs - Positive Ageing	884	0	(884)	0	0
27427	Finance - Positive Ageing	20,006	20,006	0	0	34,300
28437	Donations - Positive Ageing	995	2,919	1,924	791	5,000
28450	Other Expense - Positive Ageing	18,317	31,331	13,014	2,310	54,000
28451	Insurance	214	2,160	1,946	0	2,160
Expense Total		128,967	144,274	15,307	3,101	254,653
Income						
58420	Fees & Charges - Positive Ageing	(23,082)	(23,750)	(668)	0	(52,500)
58423	Grants Operating - Positive Ageing	0	(1,000)	(1,000)	0	(2,000)
Income Total		(23,082)	(24,750)	(1,668)	0	(54,500)
Positive Ageing Total		105,885	119,524	13,639	3,101	200,153
Point Resolution Child Care						
Expense						
28820	Salaries - PRCC	274,848	315,672	40,824	0	571,062
28821	Other Employee Costs - PRCC	3,722	7,945	4,223	0	8,870
28823	Office - PRCC	1,442	4,932	3,490	638	9,200
28824	Motor Vehicles - PRCC	4,838	4,375	(463)	0	7,500
28825	Depreciation - PRCC	525	525	0	0	900
28826	Utility - PRCC	2,386	4,650	2,264	0	9,300
28827	Finance - PRCC	55,006	55,006	0	0	94,300
28828	Insurance - PRCC	138	1,080	942	0	1,080
28830	Other Expense - PRCC	6,872	13,662	6,790	1,088	24,000
28835	ICT Expenses - PRCC	713	0	(713)	1,590	1,600
Expense Total		350,490	407,847	57,357	3,317	727,812
Income						
58801	Fees & Charges - PRCC	(434,233)	(301,000)	133,233	0	(586,000)
Income Total		(434,233)	(301,000)	133,233	0	(586,000)
Point Resolution Child Care Total		(83,742)	106,847	190,589	3,317	141,812
Mt Claremont Library						
Expense						
28523	Office - Mt Claremont Library	3,025	6,125	3,100	992	10,500
28527	Finance - Mt Claremont Library	43,519	43,519	0	0	74,600
28530	Other Expense - Mt Claremont Library	15,248	20,838	5,590	8,818	37,200
28535	ICT Expenses - Mt Claremont Library	9,778	9,300	(478)	0	12,000
Expense Total		71,571	79,782	8,211	9,809	134,300
Income						
58501	Fees & Charges - Mt Claremont Library	(377)	(525)	(148)	0	(900)
58510	Sundry Income - Mt Claremont Library	(423)	(294)	129	0	(500)
58511	Fines & Penalties - Mt Claremont Library	(271)	(322)	(51)	0	(550)
Income Total		(1,071)	(1,141)	(70)	0	(1,950)
Mt Claremont Library Total		70,499	78,641	8,142	9,809	132,350
Nedlands Library						
Expense						
28720	Salaries - Library Services	513,656	540,014	26,358	0	971,456
28721	Other Employee Costs - Library Services	11,267	18,085	6,818	0	25,240
28723	Office - Nedlands Library	11,422	28,629	17,207	1,454	45,500

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Row Labels	Master Account (desc)	January Actual YTD	January Budget YTD	Variance	Committed Balance	Annual Budget
28724	Motor Vehicles - Nedlands Library	10,643	10,822	180	0	18,550
28725	Depreciation - Nedlands Library	7,875	7,875	0	0	13,500
28727	Finance - Nedlands Library	221,494	221,494	0	0	379,700
28728	Insurance - Nedlands Library	1,687	4,680	2,993	0	4,680
28730	Other Expense - Nedlands Library	42,384	60,501	18,117	12,962	103,700
28731	Grants Expenditure - Nedlands Library	1,100	1,300	200	0	1,300
28734	Professional Fees - Nedlands Library	0	500	500	0	1,000
28735	ICT Expenses - Nedlands Library	25,756	26,600	844	0	32,600
28750	Special Projects - Nedlands Library	0	1,550	1,550	0	3,100
Expense Total		847,285	922,050	74,765	14,416	1,600,326
Income						
58701	Fees & Charges - Nedland Library	(3,543)	(294)	3,249	0	(500)
58704	Grants Operating - Nedlands Library	(1,000)	(1,300)	(300)	0	(1,300)
58710	Sundry Income - Nedlands Library	(4,382)	(2,919)	1,463	0	(5,000)
58711	Fines & Penalties - Nedlands Library	(2,710)	(931)	1,779	0	(1,600)
Income Total		(11,634)	(5,444)	6,190	0	(8,400)
Nedlands Library Total		835,651	916,606	80,955	14,416	1,591,926
Community Services Centres Total		708,234	1,026,734	318,500	40,987	2,049,218
Community Development Total		1,136,434	1,667,199	530,765	72,281	3,241,277
Planning & Development Services						
Planning Services						
Statutory Planning						
Expense						
24320	Salaries - Statutory Planning	0	0	0	0	0
24334	Professional Fees - Statutory Planning	62,919	0	(62,919)	27,024	0
Expense Total		62,919	0	(62,919)	27,024	0
Statutory Planning Total		62,919	0	(62,919)	27,024	0
Strategic Planning						
Expense						
24857	Strategic Projects - Strategic Planning/PC 61	16,650	0	(16,650)	1,832	0
24920	Salaries - Strategic Planning	0	0	0	0	0
24934	Professional Fees - Strategic Planning	17,305	0	(17,305)	0	0
Expense Total		33,955	0	(33,955)	1,832	0
Strategic Planning Total		33,955	0	(33,955)	1,832	0
Urban Planning						
Expense						
24820	Salaries - Town Planning Admin	957,182	779,580	(177,602)	0	1,414,758
24821	Other Employee Costs - Town Planning Admin	16,441	29,080	12,639	2,273	39,580
24823	Office - Town Planning Admin	19,289	8,611	(10,678)	2,228	15,500
24824	Motor Vehicles - Town Planning Admin	20,592	18,663	(1,929)	0	32,000
24825	Depreciation - Town Planning Admin	117	119	2	0	200
24827	Finance - Town Planning Admin	212,800	212,800	0	0	364,800
24830	Other Expense - Town Planning Admin	8,739	1,350	(7,389)	0	2,700
24834	Professional Fees - Town Planning Admin	154,589	0	(154,589)	128,260	0
24858	Projects - PC61	100,148	601,995	501,847	109,039	845,458
Expense Total		1,489,897	1,652,198	162,301	241,800	2,714,996
Income						
54801	Fees & Charges - Town Planning Admin	(416,975)	(409,500)	7,475	0	(702,000)
54810	Sundry Income - Town Planning Admin	(146)	0	146	0	0
54811	Fines & Penalties - Town Planning	0	(750)	(750)	0	(1,500)
Income Total		(417,121)	(410,250)	6,871	0	(703,500)
Urban Planning Total		1,072,776	1,241,948	169,172	241,800	2,011,496
Planning Services Total		1,169,650	1,241,948	72,298	270,657	2,011,496
Health & Compliance						
Sustainability						
Expense						
24620	Salaries - Sustainability	20,639	17,652	(2,987)	0	32,044
24621	Other Employee Costs - Sustainability	186	400	214	0	400
24624	Motor Vehicles - Sustainability	11,191	11,081	(110)	0	19,000
24625	Depreciation - Sustainability	933	931	(2)	0	1,600

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Row Labels	Master Account (desc)	January Actual YTD	January Budget YTD	Variance	Committed Balance	Annual Budget
24627	Finance - Sustainability	2,450	2,450	0	0	4,200
24638	Operational Activities - Sustainability / PC79	8,900	10,938	2,038	8,848	24,000
Expense Total		44,300	43,452	(848)	8,848	81,244
Sustainability Total		44,300	43,452	(848)	8,848	81,244
Environmental Health						
Expense						
24720	Salaries - Environmental Health	283,085	327,138	44,053	0	593,503
24721	Other Employee Costs - Environmental Health	8,473	13,195	4,722	0	19,720
24723	Office - Environmental Health	411	1,047	636	0	1,800
24725	Depreciation - Environmental Health	3,792	3,794	2	0	6,500
24727	Finance - Environmental Health	68,219	58,219	(10,000)	0	99,800
24730	Other Expense - Environmental Health	4,195	7,875	3,680	0	13,500
24751	OPRL Activities - Environmental Health PC76,77	5,688	12,656	6,968	3,813	21,700
Expense Total		373,864	423,924	50,060	3,813	756,523
Income						
54701	Fees & Charges - Environmental Health	(45,759)	(26,250)	19,509	0	(45,000)
54710	Sundry Income - Environmental Health	0	(1,169)	(1,169)	0	(2,000)
54711	Fines & Penalties - Environmental Health	(845)	(23,912)	(23,067)	0	(41,000)
Income Total		(46,604)	(51,331)	(4,727)	0	(88,000)
Environmental Health Total		327,260	372,593	45,333	3,813	668,523
Environmental Conservation						
Expense						
24220	Salaries - Environmental Conservation	9,305	0	(9,305)	0	0
24221	Other Employee Costs - Environmental Conserv.	1,081	2,850	1,769	0	3,350
24223	Office - Environmental Conservation	440	553	113	0	900
24227	Finance - Environmental Conservation	36,925	36,925	0	0	63,300
24230	Other Expense - Environmental Conservation	443	0	(443)	0	1,350
24237	Donations - Environmental Conservation	0	0	0	0	2,250
24251	OPRL Activities - Environ Conservation / PC80	412,280	509,230	96,950	152,498	827,400
Expense Total		460,474	549,558	89,084	152,498	898,550
Income						
54204	Grants Operating - Environmental Conservation	(6,785)	(14,670)	(7,885)	0	(30,000)
54210	Sundry Income - Environmental Conservation	(6,356)	(8,800)	(2,444)	0	(8,800)
Income Total		(13,142)	(23,470)	(10,328)	0	(38,800)
Environmental Conservation Total		447,332	526,088	78,756	152,498	859,750
Ranger Services						
Expense						
21120	Salaries - Ranger Services	365,722	348,045	(17,677)	0	629,274
21121	Other Employee Costs - Ranger Services	6,554	12,717	6,163	239	16,875
21123	Office - Ranger Services	5,155	3,613	(1,542)	479	6,200
21124	Motor Vehicles - Ranger Services	27,652	36,750	9,098	0	63,000
21125	Depreciation - Ranger Services	3,500	3,500	0	0	6,000
21127	Finance - Ranger Services	99,616	103,188	3,573	0	178,100
21130	Other Expense - Ranger Services	5,883	9,801	3,918	20,866	82,950
21137	Donations - Ranger Services	0	1,000	1,000	0	1,000
Expense Total		514,081	518,614	4,533	21,585	983,399
Income						
51101	Fees & Charges - Ranger Services	(39,573)	(51,168)	(11,595)	0	(70,000)
51106	Contributions & Reimbursements- Rangers Serv	(31,844)	0	31,844	0	0
51111	Fines & Penalties - Rangers Services	(173,789)	(118,293)	55,496	0	(212,500)
Income Total		(245,206)	(169,461)	75,745	0	(282,500)
Ranger Services Total		268,875	349,153	80,278	21,585	700,899
Health & Compliance Total		1,087,766	1,291,286	203,520	186,744	2,310,416
Building Services						
Building Services						
Expense						
24420	Salaries - Building Services	424,525	404,003	(20,522)	0	733,576
24421	Other Employee Costs - Building Services	12,711	22,520	9,809	0	33,520
24423	Office - Building Services	632	3,430	2,798	0	3,780
24424	Motor Vehicles - Building Services	15,915	16,915	1,000	0	29,000

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Row Labels	Master Account (desc)	January Actual YTD	January Budget YTD	Variance	Committed Balance	Annual Budget
24425	Depreciation - Building Services	175	175	0	0	300
24427	Finance - Building Services	108,556	108,556	0	0	186,100
24430	Other Expense - Building Services	92	1,014	922	0	1,350
24434	Professional Fees - Building Services	0	2,625	2,625	0	4,500
Expense Total		562,607	559,238	(3,369)	0	992,126
Income						
54401	Fees & Charges - Building Services	(554,932)	(395,671)	159,261	0	(554,000)
54410	Sundry Income - Building Services	(2,243)	(14,581)	(12,338)	0	(25,000)
54411	Fines & Penalties - Building Services	(38,336)	(7,875)	30,461	0	(13,500)
Income Total		(595,510)	(418,127)	177,383	0	(592,500)
Building Services Total		(32,903)	141,111	174,014	0	399,626
Building Services Total		(32,903)	141,111	174,014	0	399,626
Planning & Development Services Total		2,224,513	2,674,345	449,832	457,401	4,721,538
Technical Services						
Engineering						
Infrastructure Services						
Expense						
26220	Salaries - Infrastructure Svs	1,248,795	1,272,243	23,448	55,077	2,295,796
26221	Other Employee Costs - Infrastructure Svs	51,598	89,224	37,626	5,876	119,850
26223	Office - Infrastructure Svs	7,394	20,213	12,819	2,289	31,500
26224	Motor Vehicles - Infrastructure Svs	16,254	30,915	14,661	0	53,000
26225	Depreciation - Infrastructure Svs	6,825	6,825	0	0	11,700
26227	Finance - Infrastructure Svs	(934,274)	(1,499,168)	(564,894)	0	(2,570,000)
26228	Insurance - Infrastructure Svs	133,496	169,490	35,994	0	169,490
26230	Other Expense - Infrastructure Svs	17,007	46,250	29,243	2,587	65,000
26234	Professional Fees - Infrastructure Svs	62,855	41,500	(21,355)	10,031	83,000
36101	Project Contribution - Infrastructure	885,000	491,632	(393,368)	0	983,260
Expense Total		1,494,949	669,124	(825,825)	75,861	1,242,596
Income						
56206	Contributions & Reimbursement - Infrastructure	(110)	0	110	0	0
50202	Service Charges - Infrastructure Svs	(14,994)	0	14,994	0	0
56201	Fees & Charges - Infrastructure Svs	(65)	(2,500)	(2,435)	0	(5,000)
Income Total		(15,169)	(2,500)	12,669	0	(5,000)
Infrastructure Services Total		1,479,780	666,624	(813,156)	75,861	1,237,596
Plant Operating						
Expense						
26521	Other Employee Costs - Plant Operating	1,652	3,590	1,938	0	3,590
26525	Depreciation - Plant Operating	191,333	191,333	(0)	0	328,000
26527	Finance - Plant Operating	(551,287)	(698,546)	(147,259)	0	(1,197,500)
26532	Plant - Plant Operating	250,101	419,150	169,049	28,800	677,900
26533	Minor Parts & Workshop Tools - Plant Operating	11,752	44,464	32,712	4,803	66,700
26549	Loss Sale of Assets - Plant Operating	0	20,212	20,212	0	30,316
Expense Total		(96,449)	(19,797)	76,652	33,603	(90,994)
Income						
56501	Fees & Charges - Plant Operating	0	0	0	0	0
56515	Profit Sale of Assets - Plant Operating	0	(120)	(120)	0	(182)
56506	Contributions & Reimbursements - Plant Operat	(31,370)	(30,681)	689	0	(52,600)
Income Total		(31,370)	(30,801)	569	0	(52,782)
Plant Operating Total		(127,819)	(50,598)	77,221	33,603	(143,776)
Streets Roads and Depots						
Expense						
26625	Depreciation - Streets Roads & Depots	1,323,817	1,323,814	(3)	0	2,269,400
26626	Utility - Streets Roads & Depots	284,322	340,083	55,761	0	583,000
26630	Other Expense - Streets Roads & Depots	10,767	27,500	16,733	4,732	55,000
26640	Reinstatement - Streets Roads & Depot	311	3,500	3,189	800	7,000
26667	Maintenance - Road Maintenance / PC51	328,592	453,666	125,074	86,382	680,500
26668	Maintenance - Drainage Maintenance / PC52	275,625	333,332	57,707	47,115	500,000
26669	Maintenance - Footpath Maintenance / PC53	148,824	130,000	(18,824)	26,743	195,000
26670	Maintenance - Parking Signs / PC54	60,663	58,332	(2,331)	39	87,500
26671	Maintenance - Right of Way Maintenance / PC5	44,495	53,332	8,837	2,345	80,000

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Row Labels	Master Account (desc)	January Actual YTD	January Budget YTD	Variance	Committed Balance	Annual Budget
26672	Maintenance - Bus Shelter Maintenance / PC56	3,499	7,732	4,233	0	11,600
26673	Maintenance - Graffiti Control / PC57	2,931	8,750	5,819	2,105	15,000
26674	Maintenance - Streets Roads & Depot / PC89	42,405	67,081	24,676	14,500	115,000
Expense Total		2,526,253	2,807,122	280,869	184,762	4,599,000
Income						
56601	Fees & Charges - Streets Roads & Depots	(37,850)	(40,000)	(2,150)	0	(80,000)
56604	Grants Operating - Streets Roads & Depots	(71,250)	(35,000)	36,250	0	(70,000)
56606	Contributions & Reimburse - Streets Roads & Depots	(21,781)	(5,000)	16,781	0	(10,000)
56610	Sundry Income - Streets Roads & Depots	(403)	0	403	0	0
Income Total		(131,283)	(80,000)	51,283	0	(160,000)
Streets Roads and Depots Total		2,394,970	2,727,122	332,152	184,762	4,439,000
Waste Minimisation						
Expense						
24520	Salaries - Waste Minimisation	139,322	136,554	(2,768)	0	247,908
24521	Other Employee Costs - Waste Minimisation	2,587	4,916	2,329	0	6,730
24524	Motor Vehicles - Waste Minimisation	5,418	5,831	413	0	10,000
24527	Finance - Waste Minimisation	105,776	105,406	(370)	0	180,700
24538	Purchase of Product - Waste Minimisation	225	0	(225)	0	0
24552	Residential Kerbside - Waste Minimisation / PC7	905,066	1,218,410	313,344	1,361,042	2,088,700
24553	Residential Bulk - Waste Minimisation / PC72	163,184	266,821	103,637	40,835	457,400
24554	Commercial - Waste Minimisation / PC73	67,985	64,281	(3,704)	215,237	110,200
24555	Public Waste - Waste Minimisation / PC74	33,068	53,669	20,601	65,379	92,000
24556	Waste Strategy - Waste Minimisation / PC75	3,060	37,506	34,446	8,630	64,300
Expense Total		1,425,690	1,893,394	467,704	1,691,123	3,257,938
Income						
54501	Fees & Charges - Waste Minimisation	(3,274,044)	(3,299,454)	(25,410)	0	(3,299,454)
Income Total		(3,274,044)	(3,299,454)	(25,410)	0	(3,299,454)
Waste Minimisation Total		(1,848,354)	(1,406,060)	442,294	1,691,123	(41,516)
Building Maintenance						
Expense						
24120	Salaries - Building Maintenance	210,012	219,584	9,572	0	397,202
24121	Other Employee Costs - Building Maintenance	3,113	7,340	4,227	0	8,140
24123	Office - Building Maintenance	118	357	239	0	613
24124	Motor Vehicles - Building Maintenance	20,866	21,000	134	0	36,000
24125	Depreciation - Building Maintenance	435,925	435,925	0	0	747,300
24126	Utility - Building Maintenance PC41,42,43	104,519	168,583	64,064	0	289,000
24127	Finance - Building Maintenance	99,344	(50,656)	(150,000)	0	(129,700)
24128	Insurance - Building Maintenance PC40	79,396	90,700	11,304	0	90,700
24130	Other Expense - Building Maintenance	1,019	18,750	17,731	474	25,000
24133	Building - Building Maintenance PC58	685,130	823,963	138,833	248,160	1,412,500
24135	ICT Expenses - Building Maintenance	0	1,500	1,500	0	2,000
Expense Total		1,639,441	1,737,046	97,605	248,634	2,878,755
Income						
54106	Contributions & Reimbursement - Building Maintenance	(38,398)	(64,169)	(25,771)	0	(110,000)
54109	Council Property - Building Maintenance	(147,897)	(166,754)	(18,857)	0	(285,884)
Income Total		(186,294)	(230,923)	(44,629)	0	(395,884)
Building Maintenance Total		1,453,147	1,506,123	52,976	248,634	2,482,871
Engineering Total		3,351,724	3,443,211	91,487	2,233,984	7,974,175
Parks Services						
Parks Services						
Expense						
26360	Depreciation - Parks Services	433,942	433,939	(3)	0	743,900
26365	Maintenance - Parks Services / PC59	2,270,529	2,474,176	203,647	361,294	4,087,240
Expense Total		2,704,470	2,908,115	203,645	361,294	4,831,140
Income						
56301	Fees & Charges - Parks & Ovals	(235)	0	235	0	0
56306	Contributions & Reimbursements - Parks Services	(21,391)	(15,000)	6,391	0	(20,000)
56309	Council Property - Parks Services	(42,348)	(35,100)	7,248	0	(35,100)
56310	Sundry Income - Parks Services	(15,516)	(15,750)	(234)	0	(21,000)
56312	Fines & Penalties - Parks & Ovals	(730)	(750)	(20)	0	(1,000)

Item 13.6 - Attachment 1

Row Labels	Master Account (desc)	January Actual YTD	January Budget YTD	Variance	Committed Balance	Annual Budget
Income Total		(80,220)	(66,600)	13,620	0	(77,100)
Parks Services Total		2,624,250	2,841,515	217,265	361,294	4,754,040
Parks Services Total		2,624,250	2,841,515	217,265	361,294	4,754,040
Technical Services Total		5,975,974	6,284,726	308,752	2,595,278	12,728,215
City of Nedlands Total		(13,517,322)	(11,907,576)	1,609,746	3,608,266	(878,117)



CITY OF NEDLANDS
CAPITAL WORKS & ACQUISITIONS
AS AT 31 JANUARY 2021

L1	L1 Desc / N L2 - Desc	January Actual YTD	Committed Bal	Annual Budget YTD	Budget Available
2	Footpath Rehabilitation				
	2006 Stubbs Terrace	13,666	0	14,332	666
	2011 Victoria Avenue	27,226	4,703	35,900	3,971
	2012 Waratah Avenue	3,857	51,070	286,000	231,073
	2023 Bruce Street	69,037	6,463	34,051	-41,449
	2048 Kirwan St	0	0	0	0
	2097 Whitfeld St	0	0	38,828	38,828
	2452 School Sports Facility	0	0	30,211	30,211
	2147 Nandina Avenue	0	0	25,000	25,000
	200 Monash Avn-Paving of Verge(infrn of Sch)	113,713	3,241	68,202	-48,751
	609 Stirling Highway-Kinninmont to smyth	9,104	0	9,213	109
	643 Bruce st Hillway to The Avenue	0	946	41,267	40,321
	644 Bruce street 26 Stirling Highway	26,839	1,811	27,484	-1,165
	645 Victoria Avenue Riverview crt to Waratah	13,639	0	15,716	2,077
	646 Victoria Ave Waratah place to Bishop Rd	27,553	0	31,740	4,187
	798 Stirling Hwy- Weld to Broome	0	0	5,124	5,124
	Footpath Rehabilitation Total	304,634	68,234	663,068	290,200
3	Road Rehabilitation				
	2003 Alfred Road	0	0	10,847	10,847
	2015 Birdwood Parade	0	0	20,664	20,664
	2202 Mooro Drive	0	0	18,818	18,818
	2176 Walba Way	0	0	5,130	5,130
	2027 The Avenue	0	0	12,896	12,896
	612 Campsie St-Verdun Street to cul-de-sac	0	0	0	0
	616 Ringneck Ln drainage-Brick Paving and in	0	0	0	0
	2319 Laneways	0	0	25,377	25,377
	647 Karella Street(East)	159,230	5,007	163,240	-996
	648 Lissadel st - Kirwan to Alderbury st	67,551	37,469	103,000	-2,020
	649 Melvista Avevue - Bay Rd to Stone St	0	286	96,774	96,488
	667 Nameless Lane (Nth of Haldane)	0	0	146,961	146,961
	790 Kingston St	0	0	3,456	3,456
	796 Viewway	0	0	46,000	46,000
	797 Mengler Av road Resurfacing	0	0	173,250	173,250
	799 Jacaranda Av	0	0	6,237	6,237
	800 Lobelia Street	0	0	7,088	7,088
	801 Wood Street	0	0	5,538	5,538
	Road Rehabilitation Total	226,781	42,761	845,276	575,734
4	Drainage Rehabilitation				
	638 Drainage Risk Review Dalkeith & Nedlands	0	0	28,197	28,197
	2002 Government road and Loch Street	0	0	20,141	20,141
	642 56 Dalkeith Rd Drainage & Laneway Design	0	1,500	14,300	12,800
	668 Government Road & Loch Street Sumps	0	0	57,200	57,200
	Drainage Rehabilitation Total	0	1,500	119,838	118,338
5	Street Furniture / Bus Shelter				
	501 City Wide Street Lights - INSTL LED	0	55	0	-55
	Street Furniture / Bus Shelter Total	0	55	0	-55
6	Grant Funded Projects				
	2001 Railway Road	37,635	8,944	42,910	-3,669
	2003 Alfred Road	23,515	5,446	342,475	313,514
	2012 Waratah Avenue	4,304	0	0	-4,304
	2015 Birdwood Parade	6,343	0	7,000	657
	2017 Loch Street	0	0	0	0
	2037 Elizabeth Street	753,071	59,890	1,108,550	295,589
	2198 Hampden Road	454,007	6,897	114,377	-346,527
	2097 Whitfeld St	0	0	78,000	78,000
	2143 Brockway Road	0	0	0	0
	2070 Waroonga Road	0	0	0	0
	2071 Rockton Road	0	0	0	0



CITY OF NEDLANDS
CAPITAL WORKS & ACQUISITIONS
AS AT 31 JANUARY 2021

L1	L1 Desc / N L2 - Desc	January Actual YTD	Committed Bal	Annual Budget YTD	Budget Available
	2410 INTXN - Smyth RD/Monash Av	0	2,273	0	-2,273
	2041 Elizabeth St-Broadway to Bay Rd(Drainage)	116,567	217,538	250,000	-84,105
	657 North street (Boundary Road)	22,937	0	22,570	-367
	658 School Sports Circuit Mt Claremont	0	890	120,100	119,210
	659 Quintilian Road Shared Path - Stage 3	0	0	24,300	24,300
	660 Quintilian Road - Additional Traffic	0	0	71,500	71,500
	661 Asquith Street Medium Treatment	2,675	16,786	20,390	929
	683 Brockway Rd - Alfred to Lemnos St	4,277	1,048	657,325	652,001
	684 Brockway Rd - Lemnos to Underwood	77,139	1,636	422,331	343,556
	685 Alfred Road - Narla to West coast Hwy	0	0	0	0
	790 Kingston St	0	0	180,000	180,000
	793 Lemnos St-Bedbrook Pl to Selby St	0	0	25,000	25,000
	794 Lemnos St-Brockway Rd to Bedbrook Pl	0	0	25,000	25,000
	802 Rochdale Rd- Alfrd rd to Town of Cambrid	0	0	25,000	25,000
	Grant Funded Projects Total	1,502,470	321,348	3,536,828	1,713,010
11	Building Construction				
	4003 Broome St - Council Depot	7,047	1,314	0	-8,361
	4004 Webster St - Drabble House	0	2,625	0	-2,625
	4007 140 Melvista Ave - JC Smith Pavilion	0	659	0	-659
	4008 60 Stirling Hwy - Nedlands Library	0	1,440	0	-1,440
	4009 53 Jutland Pde - PRCC	0	4,473	0	-4,473
	4012 19 Haldane St - MTC Community Centre	21,534	472	0	-22,006
	4020 71 Stirling Hwy - Administration Bldg	2,393	2,895	0	-5,288
	4021 110 Smyth Road - Cottage Bldg	0	643	0	-643
	4159 8 Draper St - Hackett Hall	7,886	0	10,010	2,125
	4164 100A Princess Rd - College Park Family Centre	0	1,901	0	-1,901
	619 Charles Court Reserve Toilets-Renovation	140	286	0	-426
	620 Mt Claremont Library-Re roof	29,527	46	0	-29,573
	650 Hearing Loop	56,872	74	85,800	28,854
	651 Dalketh Hall - Floor	1,740	164	64,350	62,446
	652 Allen Park Cottage - Alternate Facility	0	10,500	150,000	139,500
	653 Nedlands Golf Club Greenkeepers Shed	0	0	50,000	50,000
	682 71 Stirling Hwy - Renovate roof, Air con	111,471	41,710	214,500	61,319
	Building Construction Total	238,609	69,202	574,660	266,849
13	Major Projects - Roads				
	662 Foreshore Workshop	0	0	25,000	25,000
	663 Riverwall-170 Waratah Place Asset SRDal0	0	0	36,450	36,450
	664 Riverwall - PFSYC Boat Slipway Temporary	0	0	24,300	24,300
	Major Projects - Roads Total	0	0	85,750	85,750
14	Parks & Reserves Construction				
	4052 Allen Park	16,849	8,373	12,890	-12,332
	4055 Asquith Park	0	0	0	0
	4060 Birdwood Parade Reserve	0	0	0	0
	4061 Bishop Road Reserve	163	0	41,685	41,522
	4062 Blain Park	0	0	0	0
	4069 Carrington Park	0	0	0	0
	4071 Charles Ct Reserve	0	0	0	0
	4072 College Park	0	8,373	12,890	4,517
	4079 David Cruickshank Reserve	22,157	0	21,450	-707
	4080 Directors Gardens	0	0	0	0
	4087 Grainger Reserve	0	0	0	0
	4089 Hamilton Park	325	0	72,748	72,423
	4094 Jones Park	0	0	0	0
	4096 Lawler Park	302	0	60,000	59,698
	4100 Masons Gardens	0	0	0	0
	4107 Mount Claremont Reserve	0	0	0	0
	4115 New Court Gardens	59,563	5,267	21,148	-43,683
	4118 Peace Memorial Rose Garden	0	0	0	0



CITY OF NEDLANDS
CAPITAL WORKS & ACQUISITIONS
AS AT 31 JANUARY 2021

L1	L1 Desc / N L2 - Desc	January Actual YTD	Committed Bal	Annual Budget YTD	Budget Available
	4131 Street Gardens and Verges	26,960	0	25,740	-1,220
	4137 Swanbourne Beach Reserve	9,354	0	5,035	-4,319
	4141 WA Bridge Club Surrounds	3,120	193	0	-3,313
	4192 College Green Mt Claremont	0	10,612	22,357	11,745
	4173 Cottesloe Golf Club	0	5,660	120,141	114,481
	732 Allen Park (LO) - INST floodlight	21,359	9,506	0	-30,864
	734 Asquith Reserve - Redevelopment	6,544	0	0	-6,544
	737 Bishop Rd Rsv - Enviro-scape manster pln	100,173	768	19,033	-81,908
	752 Hamilton Park - UG irrigation system	715	2,290	24,395	21,390
	771 Jones Park - Bushfence Bollards Gate&Eco	4,265	0	0	-4,265
	631 Peace Memo Gardens-Renew Bore(38m)	69,589	26	12,689	-56,927
	632 Point Resolution Reserve-Upgrade of fina	0	0	0	0
	633 Swanbourne Greenway Project	174	9,153	15,614	6,287
	636 Bains Harris and Jones Parks	31,960	0	8,449	-23,511
	637 Daran Park	40,027	0	12,843	-27,184
	641 Montario Quarter	0	0	30,211	30,211
	654 River Foreshore Protection and Acess Man	0	0	4,300	4,300
	655 Mt Claremont Oval Bushland Fencing	0	0	5,000	5,000
	656 Lawler Park seats and Exercise Equipment	0	0	11,683	11,683
	687 Charles Court R - Replace Weldmesh Fenci	6,519	0	7,955	1,436
	688 Charles Court R - Replace Bollatd Lights	0	0	0	0
	689 Charles Court R - Replace Carpark Light	0	0	0	0
	690 Charles Court R - Replace Flat Bench	0	4,680	17,120	12,440
	691 Charles Court R - Replace Park Bench	0	0	0	0
	692 Charles Court R - Upgrade Irrigation Syst	0	0	0	0
	693 David Cruicksshank R - Replace Metal Sta	0	0	0	0
	694 Cruickshank Verge repair,Passive Recreat	13,267	7,865	25,000	3,868
	695 Allen Park - Upgrade Bore and Pump	12,021	0	13,365	1,345
	696 College Green Walkway - Upgrade Irrigati	0	0	12,688	12,688
	697 Directors Gardens - Upgrade Irrigation	0	0	0	0
	698 Grainger Reserve - Upgrade Irrigation S	0	0	0	0
	699 Hamilton Park - Renew Garden Beds	10	0	29,754	29,744
	772 Daran Park - Construct Noise Attention	0	0	45,820	45,820
	775 College Park - Tennis court Lighting	0	0	12,780	12,780
	773 Bishop Rd Reseve - Reconstruct Bore	0	0	43,450	43,450
	774 College Park - Lower Oval AFL goals	0	8,915	11,930	3,015
	776 Allen park - Play Ground Fencing	0	7,480	16,330	8,850
	777 Annie Dorrington Park - Informal Pathway	0	0	6,390	6,390
	778 Street gardens and Verges - Install LED	0	0	15,620	15,620
	779 Tresi Arts Cntre - Restr of retaning wal	0	7,235	17,040	9,805
	780 Allen park - Upgrade floodl 2 game stand	0	0	80,000	80,000
	Parks & Reserves Construction Total	445,416	96,396	915,543	373,731
15	Plant & Equipment				
	7500 Technical Svs - Engineering	0	0	33,000	33,000
	7502 Development Svs - Building Svs	0	0	34,000	34,000
	7505 Planning & Development Svs - Ranger Svs	0	0	102,000	102,000
	7508 Corporate & Strategy - Finance	0	14	0	-14
	7509 Technical Svs - Parks Svs	110,048	8,134	120,000	1,818
	Plant & Equipment Total	110,048	8,148	289,000	170,805
16	ICT Capital Projects				
	6063 Replace SSD on VDI nodes	9,944	0	0	-9,944
	6065 Administration Booking Softwate	0	0	40,000	40,000
	6066 Administration Comms Rack Cleanup Aups R	24,999	0	0	-24,999
	670 Adobe Acrobat	0	0	25,000	25,000
	671 Azure Migration	0	0	50,000	50,000
	672 IP Phone System Collaboration	0	0	40,000	40,000
	673 Visitor Management System	0	0	10,000	10,000
	674 Cyber Security Review	0	0	15,000	15,000



CITY OF NEDLANDS
CAPITAL WORKS & ACQUISITIONS
AS AT 31 JANUARY 2021

L1	L1 Desc / N L2 - Desc	January Actual YTD	Committed Bal	Annual Budget YTD	Budget Available
	675 Video Collaboration	0	0	15,000	15,000
	676 CCTV Management System	0	0	15,000	15,000
	677 Meeting Minutes & Agenda	0	0	40,000	40,000
	678 Website Review	0	0	60,000	60,000
	679 Printers	0	0	130,000	130,000
	680 Finance System	0	0	1,250,000	1,250,000
	ICT Capital Projects Total	34,943	0	1,690,000	1,655,057
18	Furniture & Fixture				
	669 71 Stirling Hwy Admin - Desks & Shelving	0	0	10,000	10,000
	Furniture & Fixture Total	0	0	10,000	10,000
19	Public Art				
	9000 City Wide	353	0	0	-353
	9001 Public Arts Work	0	0	50,000	50,000
	Public Art Total	353	0	50,000	49,647
20	Major Projects - Parks				
	904 Swanbourne Beach Oval - rehabilitation	16,187	6,599	0	-22,786
	Major Projects - Parks Total	16,187	6,599	0	-22,786
City of Nedlands Total		2,879,442	614,242	8,779,963	5,286,280



CITY OF NEDLANDS
STATEMENT OF NET CURRENT ASSETS
CLOSING FUNDS
AS AT 31 JANUARY 2021

	2020/21 YTD 31 JANUARY 2021	2019/20 YTD 31 JANUARY 2020	2019/20 YEAR END 30 June 2020
Current Assets			
Cash & Cash Equivalents	25,833,050	21,436,792	16,493,227
Receivable - Rates Outstanding (inc Rebates)	4,434,709	4,819,548	1,004,314
Receivable - Sundry Debtors	638,887	793,454	845,430
Receivable - Self Supporting Loan	3,447	6,867	3,447
Receivable - UGP	45,287	74,509	105,251
GST Receivable	145,546	152,139	220,871
Prepayments	95,060	197,094	290,591
Less: Provision for Doubtful Debts	(9,282)	(9,282)	(9,282)
Inventories	21,286	9,158	22,816
	<u>31,207,991</u>	<u>27,480,279</u>	<u>18,976,664</u>
Current Liabilities			
Payable - Sundry Creditors	(5,220,191)	(1,705,890)	(6,716,486)
Payable - ESL	(1,709,286)	(1,749,152)	(7,622)
Payable Lease Liability	(38,987)	(66,835)	(38,987)
Accrued Salaries and Wages	(96,231)	(88,324)	(411,724)
Employee Provisions	(2,502,519)	(2,093,746)	(2,652,371)
Borrowings	(792,837)	(766,148)	(1,750,166)
Deferred Income	0	0	(72,952)
	<u>(10,360,050)</u>	<u>(6,470,095)</u>	<u>(11,650,308)</u>
Unadjusted Net Current Assets	<u>20,847,941</u>	<u>21,010,185</u>	<u>7,326,356</u>
Less: Restricted Reserves	(5,917,176)	(6,141,457)	(5,895,847)
Less: Current Self Supporting Loan Liability	(3,447)	(6,867)	(3,447)
Add Back: Borrowings	792,837	766,148	1,750,166
Net Current Assets	<u>15,720,155</u>	<u>15,628,009</u>	<u>3,177,229</u>



CITY OF NEDLANDS
STATEMENT OF FINANCIAL ACTIVITY
BY DIRECTORATES
FOR THE PERIOD ENDED 31 JANUARY 2020

Note	2020-21 Annual Budget \$	January 21 YTD Budget \$	January 21 YTD Actual \$	January 21 YTD Variance \$	Variance %
Operating Income					
Governance	180,281	90,140	13,218	(76,922)	-85.34%
Corporate & Strategy	25,246,833	24,818,590	25,244,231	425,641	1.72%
Community Development & Services	2,456,550	1,608,747	1,870,640	261,893	16.28%
Planning & Development Services	1,705,300	1,072,639	1,317,582	244,943	22.84%
Technical Services	3,990,220	3,710,278	3,718,380	8,102	0.22%
	33,579,184	31,300,394	32,164,052	863,658	2.76%
Operating Expense					
Governance	(2,434,067)	(1,535,783)	(1,482,768)	53,015	3.45%
Corporate & Strategy	(1,423,900)	(839,101)	(920,437)	(81,336)	-9.69%
Community Development & Services	(5,697,827)	(3,275,946)	(3,007,075)	268,871	8.21%
Planning & Development Services	(6,426,838)	(3,746,984)	(3,542,095)	204,889	5.47%
Technical Services	(16,718,435)	(9,995,004)	(9,694,354)	300,650	3.01%
	(32,701,067)	(19,392,818)	(18,646,729)	746,089	3.85%
Capital Income					
Grants Capital	2,180,879		0		
Capital Contribution	0		279,607		
Proceeds from Disposal of Assets	3,411,163		34,504		
New Borrowings	0		0		
Self Supporting Loan Principal Repayments	17,500		0		
Transfer from Reserve	2,299,388		0		
	7,908,930		314,111		
Capital Expenditure					
Land & Buildings	(574,660)		(238,609)		
Infrastructure - Road	(4,856,796)		(2,033,885)		
Infrastructure - Parks	(947,122)		(461,603)		
Plant & Equipment	(289,000)		(110,048)		
Furniture & Equipment	(1,700,000)		(35,296)		
Principal elements of finance lease payments	(38,987)		0		
Repayment of Debentures	(1,750,166)		(957,329)		
Transfer to Reserves	(4,524,113)		(21,329)		
	(14,680,844)		(3,858,100)		
Total Operating and Non-Operating	(5,893,797)		9,973,334		
Adjustment - Non Cash Items					
Depreciation	4,446,300		2,570,108		
Receivables/Provisions/Other Accruals	0		(516)		
Change in accounting policy	0		0		
(Profit) on Sale of Assets	(182)		0		
Loss on Sale of Assets	30,316		0		
ADD - Surplus/(Deficit) 1 July b/f	997,619		3,177,229		
LESS - Surplus/(Deficit) 30 June c/f	(419,744)		15,720,155		
	5,893,797		(9,973,334)		



**SUMMARY STATEMENT OF BORROWING ACTIVITY
FOR THE PERIOD ENDING 31 JANUARY 2021**

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 31 JANUARY 2021				
	Principal 01-Jul-20 \$	New loans \$	Principal Repayment \$	Principal 31-Jan-21 \$	Interest(YTD) \$
6.04%	539,212	0	(60,546)	478,666	17,935
5.91%	256,766	0	(126,500)	130,266	6,678
4.67%	398,479	0	(129,755)	268,724	9,597
2.78%	871,357	0	(81,805)	789,551	13,468
3.12%	791,285	0	(100,105)	691,180	13,625
3.12%	374,498	0	(47,378)	327,120	6,408
2.64%	1,831,084	0	(323,145)	1,507,939	26,425
3.07%	578,626	0	(64,909)	513,717	9,343
3.07%	84,512	0	(9,480)	75,031	1,365
3.07%	60,019	0	(6,733)	53,287	969
	5,785,837	0	(950,356)	4,835,481	105,813
3.07%	78,815	0	(6,973)	71,842	1,367
				0	
	5,864,652	0	(957,329)	4,907,323	107,180

Adopted Budget 2020/21		
New loans \$	Principal 30-Jun-21 \$	Interest \$
0	416,277	29,200
0	0	7,320
0	135,922	14,055
0	706,606	22,134
0	657,290	22,434
0	311,081	10,577
0	1,180,514	41,935
0	513,717	17,764
0	75,032	2,595
0	53,286	1,842
0	4,049,725	169,856
0	64,762	2,259
0	4,114,487	172,115



CITY OF NEDLANDS
STATEMENT OF FINANCIAL POSITION
AS AT 31 JANUARY 2021

	2020/2021	2019/2020	2019/2020
	YTD 31	YTD 31	YEAR END 30
	JANUARY 2021	JANUARY 2020	June 2020
	\$	\$	\$
Current Assets			
Cash & Cash Equivalents	25,833,050	21,436,792	16,493,227
Trade & Other Receivables	5,258,595	5,837,235	2,170,031
Inventories	21,286	9,158	22,816
Other - Prepayments & Accruals	95,060	197,094	290,591
Total Current Assets	31,207,991	27,480,279	18,976,664
Non Current Assets			
Other Receivables	1,295,496	1,386,505	1,295,496
Other Financial Assets	142,442	140,137	142,442
Property, Plant & Equipment	160,035,138	345,747,004	162,221,293
Infrastructure	92,797,868	88,509,160	90,302,379
Total Non Current Assets	254,270,944	435,782,806	253,961,610
Total Assets	285,478,935	463,263,085	272,938,276
Current Liabilities			
Trade & Other Payables	7,064,694	3,610,201	7,247,771
Current Borrowings	792,837	766,148	1,750,166
Employee Provisions	2,502,519	2,093,746	2,652,371
Total Current Liabilities	10,360,050	6,470,095	11,650,308
Non Current Liabilities			
Long Term Borrowings	4,114,484	5,861,752	4,114,485
Deferred Liability	47,251	92,988	47,251
Employee Provisions	264,987	474,196	264,987
Total Non Current Liabilities	4,426,722	6,428,936	4,426,723
Total Liabilities	14,786,772	12,899,031	16,077,031
Net Assets	270,692,163	450,364,054	256,861,244
Equity			
Retained Surplus	104,817,337	90,675,948	91,007,747
Reserves - Cash Backed	5,917,176	6,141,457	5,895,847
Revaluation Surplus	159,957,650	353,546,650	159,957,650
Total Equity	270,692,163	450,364,054	256,861,244



**SUMMARY STATEMENT OF FINANCIAL ACTIVITY - OPERATING
BY REPORTING ACTIVITY
FOR THE PERIOD ENDING 31 JANUARY 2021**

Reporting Activity	January 21 YTD Budget	January 21 YTD Actual	Variance Indicators				2020-21 Annual Budget	Var. Scale	Comment Ref
			\$	%	Flag	F/U			
Income:									
Community Leadership	80,140	13,218	(66,922)	(84%)	▶	U	160,281	●	Lower income from Wesroc project
Corporate Administration	426,350	312,859	(113,491)	(27%)	▶	U	733,600	●	Lower interest income
Community Capacity Building	452,812	543,368	90,556	20%	▶	F	678,900	●	
Community Care	1,149,350	1,314,567	165,217	14%	▶	F	1,767,300	●	
Libraries	6,585	12,705	6,120	93%	▶	F	10,350	●	
Building & Development Control	828,377	1,012,631	184,254	22%	▶	F	1,296,000	●	
Environmental Health Services	51,331	46,604	(4,727)	(9%)	▶	U	88,000	●	
Rangers & Public Safety	169,461	245,206	75,745	45%	▶	F	282,500	●	
Engineering & Asset Management	2,500	15,169	12,669	507%	▶	F	5,000	●	
Parks & Natural Areas	90,070	93,361	3,291	4%	▶	F	115,900	●	
Roads, Paths & Drains	110,801	162,653	51,852	47%	▶	F	212,782	●	
Community Building Management	230,923	186,294	(44,629)	(19%)	▶	U	395,884	●	Lower income from council property
Waste Management	3,299,454	3,274,044	(25,410)	(1%)	▶	U	3,299,454	●	
Rates & Property Services	24,402,240	24,931,372	529,132	2%	▶	F	24,533,233	●	
Total Income	31,300,394	32,164,052		3%	▶	F	33,579,184		

*** 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 31 JANUARY 2021**

Reporting Activity	January 21 YTD Budget	January 21 YTD Actual	Variance Indicators				2020-21 Annual Budget	Var. Scale	Comment Ref
			\$	%	Flag	F/U			
Expenditure:									
Community Leadership	1,172,529	1,223,875	(51,346)	4%	▶	U	1,849,513	●	
Corporate Administration	952,673	941,145	11,528	1%	▶	F	1,648,836	●	
Community Capacity Building	1,093,277	971,569	121,708	11%	▶	F	1,870,959	●	
Community Care	1,180,837	1,116,650	64,187	5%	▶	F	2,092,242	●	
Libraries	1,001,832	918,856	82,976	8%	▶	F	1,734,626	●	
Building & Development Control	2,238,670	2,158,766	61,210	3%	▶	F	3,788,366	●	
Environmental Health Services	423,924	373,864	50,060	12%	▶	F	756,523	●	
Rangers & Public Safety	518,614	514,081	4,533	1%	▶	F	983,399	●	
Engineering & Asset Management	669,124	1,494,949	(825,825)	123%	▶	U	1,242,596	●	Lower oncost charged out due to lower capital and maintenance work completed
Parks & Natural Areas	3,457,673	3,164,944	292,729	8%	▶	F	5,729,690	●	
Roads, Paths & Drains	2,787,325	2,429,804	357,521	13%	▶	F	4,508,006	●	
Community Building Management	1,737,046	1,639,441	97,605	6%	▶	F	2,878,755	●	
Waste Management	1,893,394	1,425,690	467,704	25%	▶	F	3,257,938	●	
Rates & Property Services	249,682	238,186	11,496	5%	▶	F	359,618	●	
Total Operating Expenditure	19,392,818	18,646,729		4%	▶	F	32,701,067		
Net Operating Result	11,907,576	13,517,322					878,117		

Legend

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

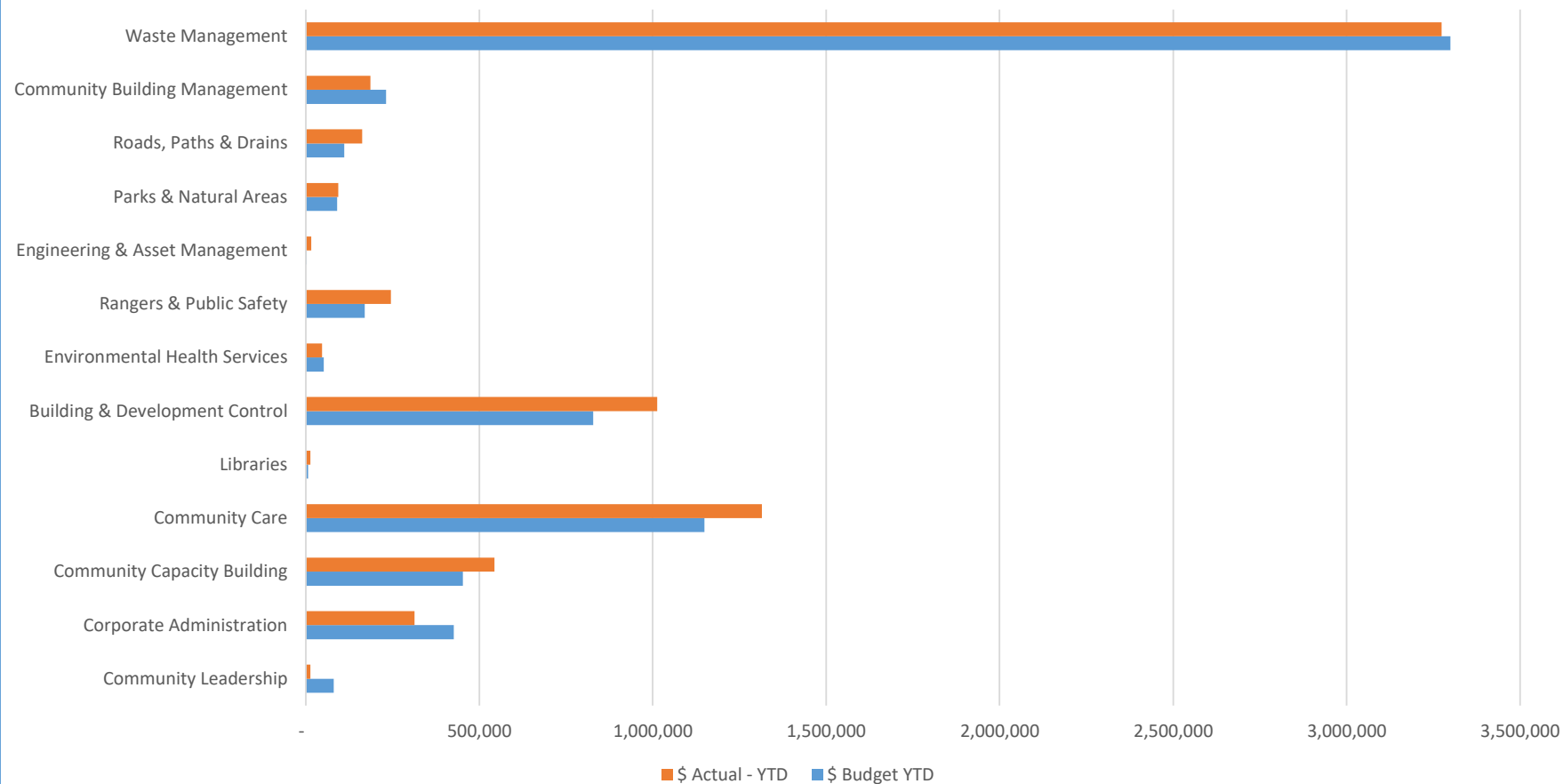
Legend

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 31 JANUARY 2021**

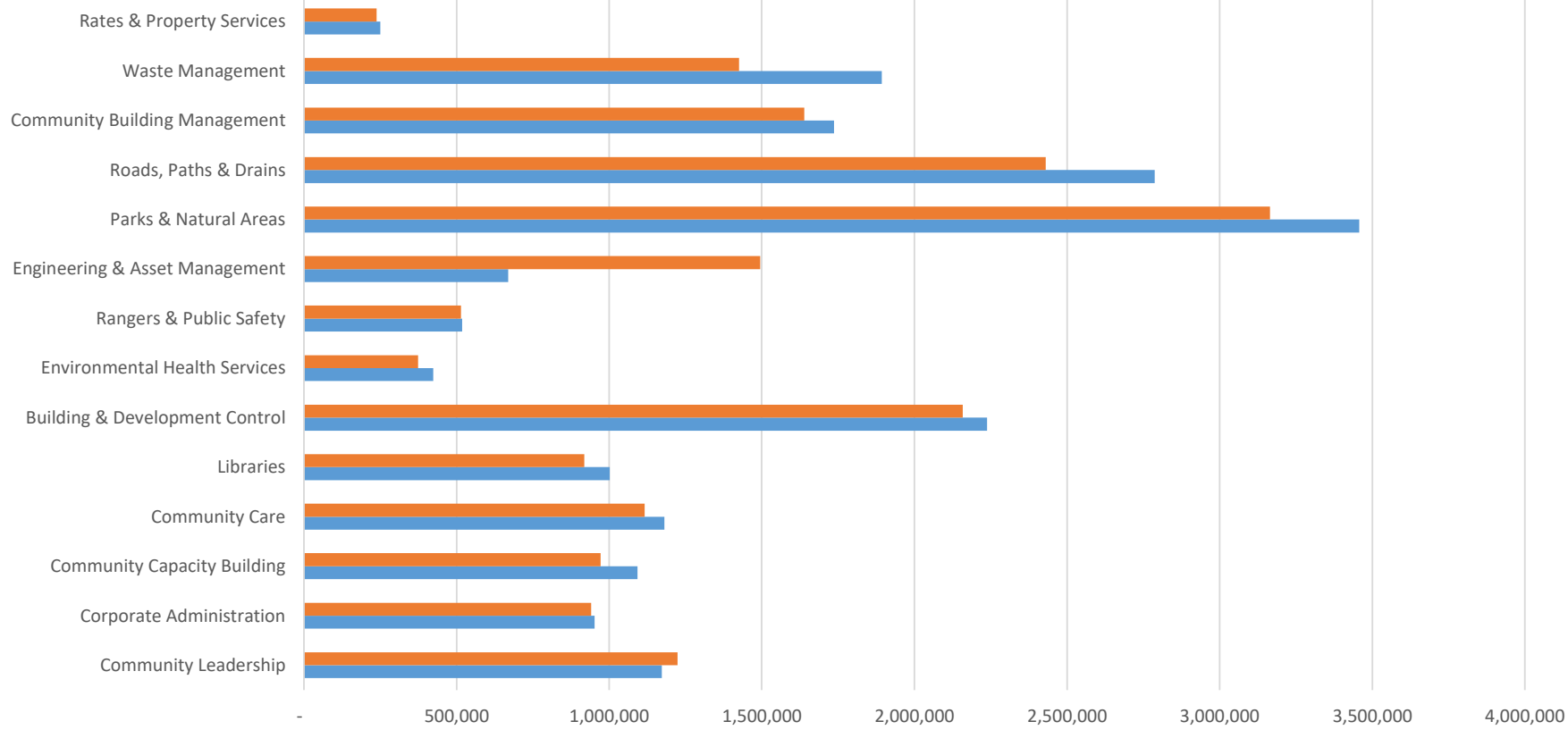
Income - YTD by Reporting Activity (Excluding Rates)





**GRAPHICAL SUMMARY OF FINANCIAL ACTIVITY - OPERATING
BY REPORTING ACTIVITY
FOR THE PERIOD ENDING 31 JANUARY 2021**

Operating Expenditure - YTD by Reporting Activity





CITY OF NEDLANDS
SUMMARY STATEMENT OF FINANCIAL ACTIVITY - INCOME
BY REPORTING NATURE & TYPE
FOR THE PERIOD ENDING 31 JANUARY 2021

Reporting Activity

Income:

Operating Income

	January 21 YTD Budget	January 21 YTD Actual	Variance Indicators \$ % Flag F/U	2020-21 Annual Budget	Var. Scale
Rates	24,402,240	24,931,372	529,132 2% F	24,533,233	
Service Charges (UGP)	-	14,994	14,994 0 F	-	
Fees & Charges	4,942,112	5,340,351	398,239 8% F	5,965,354	
Fines & Penalties	152,833	216,681	63,848 42% F	271,650	
Interest Revenue	182,000	67,438	(114,562) (63%) U	275,000	Lower interest rate
Operating Grants	1,010,901	1,057,013	46,112 5% F	1,503,100	
Contributions	465,185	474,392	9,207 2% F	784,484	
Other Revenue	145,063	61,811	(83,252) (57%) U	246,363	Wesroc and Park services lower income
Operating Income	31,300,334	32,164,052		33,579,184	

Capital Income

Capital Grants and Contribution	1,272,179	279,607	(992,573) (78%) U	2,180,879	Difference due to profiling and refund of grants received due to projects not under-taken
Asset Sale Proceeds	1,989,845	34,504	(1,955,341) (98%) U	3,411,163	Difference due to profiling and sale of property not undertaken yet
Sub Total - Capital Income	3,262,025	314,111		5,592,042	

Total Income	34,562,359	32,478,162	(6%) U	39,171,226	
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Legend

Favourable Variance to Budget F

Unfavourable Variance to Budget U

Legend

Favourable Variance > 10%

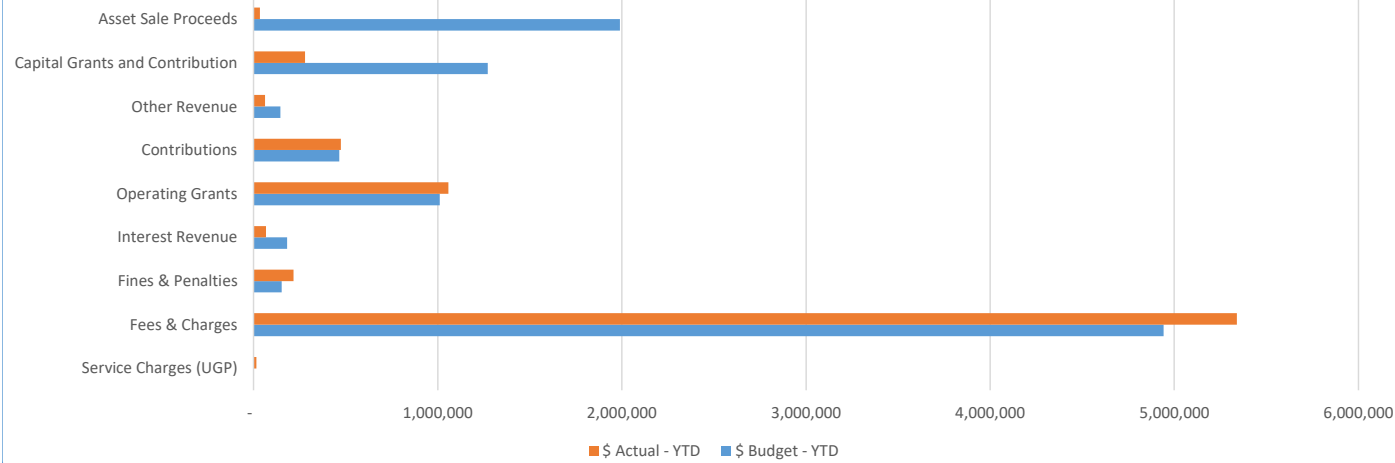
Variance between -10% (U) and +10% (F)

Unfavourable Variance > 10%

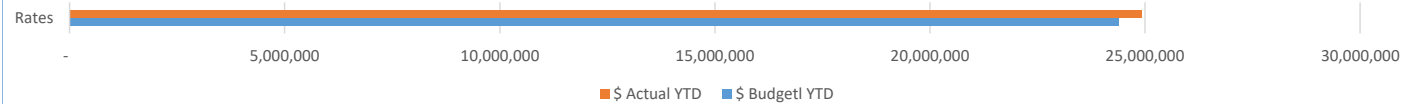


CITY OF NEDLANDS
SUMMARY STATEMENT OF FINANCIAL ACTIVITY - INCOME
BY REPORTING NATURE & TYPE
FOR THE PERIOD ENDING 31 JANUARY 2021

Income - YTD by Nature & Type (Excluding Rates)



Rates Income - YTD



13.7 Monthly Investment Report – January 2021

Council	23 February 2021
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995 and section 10 of the city of Nedlands Code of Conduct for Impartiality	Nil.
Director	Ed Herne – Director Corporate & Strategy
Attachments	1. Investment Report for the period ended 31 January 2021

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Horley

Seconded – Councillor Youngman

That the Recommendation to Council be adopted.

(Printed below for ease of reference)

CARRIED UNANIMOUSLY 12/-

Council Resolution / Recommendation to Council

Council receives the Investment Report for the period ended 31 January 2021.

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 is structured 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.

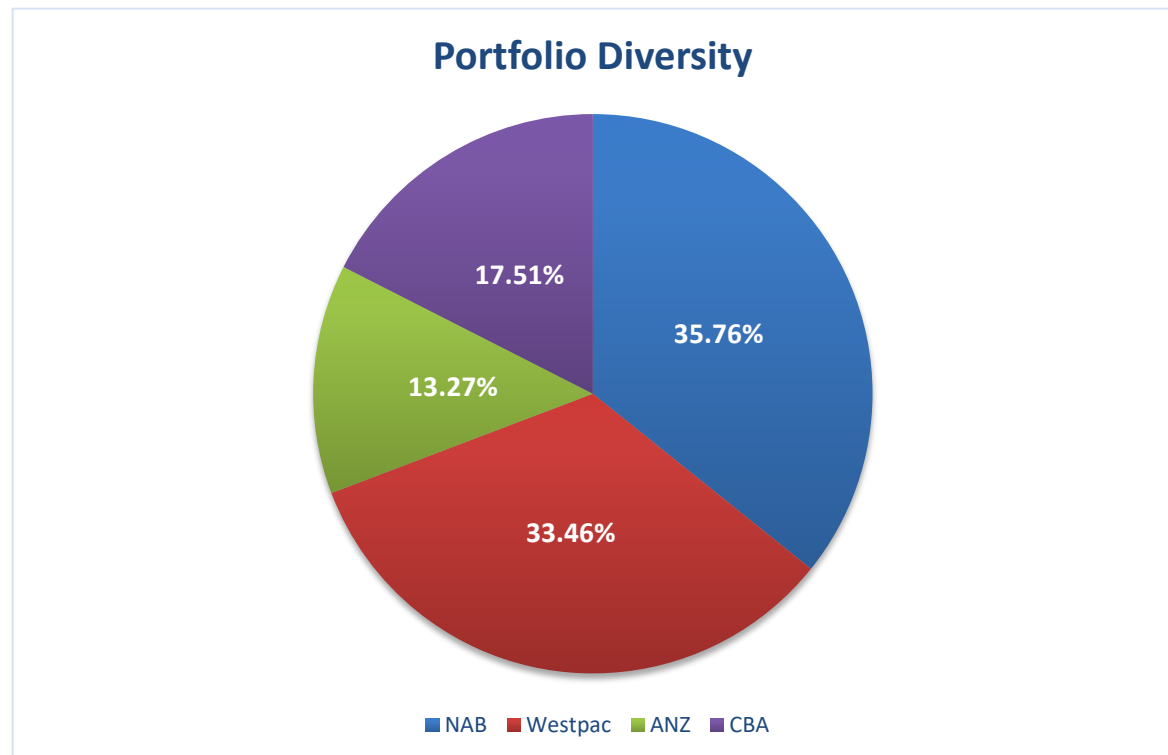
The Investment Summary shows that as at 31 January 2021 and 31 January 2020 the City held the following funds in investments:

	31-Jan-2021	31-Jan-2020
Municipal Funds	\$ 10,558,324	\$ 15,094,727
Reserve Funds	\$ 5,920,652	\$ 6,794,125
Total investments	<u>\$ 16,478,976</u>	<u>\$ 21,888,852</u>

The City has \$5.8 M in Westpac online saver account which returns an interest rate of 0.40% per annum. As this rate is higher than the rates quoted for the term deposits as of end November, the surplus cash is maintained in the Westpac online saver account.

The total interest earned from investments as at 31 January 2021 was \$53,214. The Investment Portfolio comprises holdings in the following institutions:

Financial Institution	Funds Invested	Interest Rate	Proportion of Portfolio
NAB	\$5,893,626	0.35% - 0.45%	35.76%
Westpac	\$5,513,496	0.20% - 1.05%	33.46%
ANZ	\$2,186,664	0.20%	13.27%
CBA	\$2,885,191	0.12% - 0.47%	17.51%
Total	\$16,478,976		100.00%



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 ☒

Strategic Implications

The investment of surplus funds in the 2020/21 approved budget is in line with the City's strategic direction.

The 2020/21 approved budget ensured that there is an equitable distribution of benefits in the community

The 2020/21 budget was prepared in line with the City's level of tolerance of risk and it is managed through budgetary review and control.

The interest income on investment in the 2020/21 approved budget was based on economic and financial data available at the time of preparation of the budget.

Budget/Financial Implications

The January YTD Actual interest income from investments is \$53,214 compared to the January YTD Budget of \$157,500.

The approved budget is prepared taking into consideration the Long-Term Financial Plan and current economic situation.

The adopted 2020/21 budget included a 0% rate increase.



INVESTMENTS REPORT FOR THE PERIOD ENDED 31 JANUARY 2021

Particulars	Interest Rate	Invest. Date	Maturity Date	Period Days	NAB *AA-/Stable/A-1+	Westpac *AA-/Stable/A-1+	ANZ *AA-/Stable/A-1+	CBA *AA-/Stable/A-1+	Total	Interest YTD Accumulated
RESERVE INVESTMENTS										
Plant Replacement	0.47%	24-Sep-20	22-Feb-21	151				34,649.81	34,649.81	\$102.61
City Development - Western Zone	0.47%	24-Sep-20	22-Feb-21	151				174,891.58	174,891.58	\$517.87
City Development - Western Zone	0.24%	21-Dec-20	21-May-21	151				66,091.53	66,091.53	\$237.53
Business system reserve	0.47%	24-Sep-20	22-Feb-21	151				142,493.42	142,493.42	\$421.94
All abilities play space	0.47%	24-Sep-20	22-Feb-21	151				97,709.76	97,709.76	\$289.33
North Street	0.24%	22-Dec-20	23-Mar-21	91		375,084.04			375,084.04	\$1,478.38
Welfare - General	0.47%	16-Aug-20	15-Apr-21	242				319,540.96	319,540.96	\$831.03
Welfare - NCC	0.22%	30-Dec-20	4-Apr-21	95				360,525.77	360,525.77	\$997.41
Welfare - PRCC	0.24%	21-Dec-20	21-May-21	151				15,747.46	15,747.46	\$55.34
Services - Tawarri 1	0.20%	22-Dec-20	23-Mar-21	91		68,747.76			68,747.76	\$267.98
Services General	0.45%	26-Nov-20	26-Feb-21	92	25,871.50				25,871.50	\$103.85
Services - Tawarri 2	0.20%	11-Dec-20	11-Mar-21	90			117,456.43		117,456.43	\$386.63
Insurance	0.20%	11-Dec-20	11-Mar-21	90			65,363.10		65,363.10	\$215.15
Undrground power	0.35%	20-Jan-21	20-Apr-21	90	773,205.79				773,205.79	\$3,125.66
Waste Management	0.47%	24-Sep-20	22-Feb-21	151				512,451.75	512,451.75	\$1,517.40
City Development - Swanbourne	0.47%	16-Aug-20	15-Apr-21	242				134,850.66	134,850.66	\$350.83
City Building - General	0.20%	22-Dec-20	23-Mar-21	91		415,546.49			415,546.49	\$1,619.72
City Building - PRCC	0.24%	21-Dec-20	21-May-21	151				26,175.48	26,175.48	\$94.08
Business system Reserve	0.35%	18-Jan-21	19-Apr-21	91	410,649.30				410,649.30	\$1,775.03
Public Art Reserves	0.35%	18-Jan-21	19-Apr-21	91	97,799.17				97,799.17	\$406.40
Waste Management Reserve	0.35%	18-Jan-21	19-Apr-21	91	574,292.21				574,292.21	\$2,386.44
City Development Reserve	0.35%	18-Jan-21	19-Apr-21	91	33,917.84				33,917.84	\$140.94
Building Replacement Reserve	0.35%	18-Jan-21	19-Apr-21	91	306,625.43				306,625.43	\$1,274.16
All ability play space	0.35%	20-Jan-21	24-Apr-21	94	183,992.46				183,992.46	\$741.84
Major projects	0.31%	4-Jan-21	4-May-21	120		586,972.91			586,972.91	\$2,397.51
TOTAL RESERVE INVESTMENTS					\$2,406,353.69	\$1,446,351.20	\$182,819.53	\$1,885,128.18	\$5,920,652.60	\$21,735.04
MUNICIPAL INVESTMENTS										
Muni Investment NS60	1.05%	31-Jan-21	28-Feb-21	28		1,059,416.47			1,059,416.47	\$5,075.49
Muni Investment #4 - WBC	0.42%	30-Nov-20	28-Feb-21	90		1,002,434.93			1,002,434.93	\$2,434.93
Muni Investment #6 - WBC	0.70%	15-Sep-20	15-Feb-21	153		2,005,293.15			2,005,293.15	\$5,293.15
Muni Investment #1 - CBA	0.12%	12-Jan-21	12-Feb-21	31				1,000,062.47	1,000,062.47	\$4,139.18
Muni Investment #2 - CBA								0.00	0.00	\$199.36
Muni Investment #7 - NAB	0.40%	17-Dec-20	17-Mar-21	90	3,006,290.05				3,006,290.05	\$6,290.05
Muni Investment #150 - ANZ	0.20%	7-Dec-21	7-Mar-21	91			2,003,844.80		2,003,844.80	\$3,844.80
Muni Investment #8 - ANZ								0.00	0.00	\$100.47
Muni Investment #12 - NAB								0.00	0.00	\$1,444.91
Muni Investment #13 - NAB-	0.35%	20-Jan-21	30-Apr-21	100	480,982				480,982.12	\$2,656.67
TOTAL MUNICIPAL INVESTMENTS					3,487,272.17	4,067,144.55	2,003,844.80	1,000,062.47	\$10,558,323.99	\$31,479.01
TOTAL					\$5,893,625.87	\$5,513,495.74	\$2,186,664.34	\$2,885,190.65	\$16,478,976.60	\$53,214.05

13.8 Code of Conduct for Council Members, Committee Members and Candidates

Council	23 February 2021
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995 and section 10 of the City of Nedlands Code of Conduct for Impartiality.	Nil.
CEO	Mark Goodlet
Attachments	<ol style="list-style-type: none"> 1. Guidelines on the Model Code of Conduct for Council Members, Committee Members and Candidates 2. Draft – City of Nedlands Code of Conduct for Council Members, Committee Members and Candidates 3. Complaint about alleged Breach Draft Template 4. Local Government (Model Code of Conduct) Regulation s2021 - Explanatory Notes

Moved – Councillor Mangano

Seconded – Councillor Coghlan

That the Recommendation to Council be adopted with the removal of clauses 3 a and b.

Lost 7/5

(Against: Mayor de Lacy Crs. Horley McManus Smyth
Poliwka Wetherall & Senathirajah)

Regulation 11(da) – Not Applicable – Recommendation Adopted with minor addition of additional complaints person.

Moved – Councillor Poliwka

Seconded – Councillor Smyth

That the Recommendation to Council be adopted.

(Printed below for ease of reference)

Amendment

Moved - Councillor Youngman

Seconded - Councillor Coghlan

That an additional 3 b v. be added as follows:

Or any complaint can be referred to an external consultant.

The AMENDMENT was PUT and was

**CARRIED 11/1
(Against: Cr. Poliwka)**

The Substantive Motion was PUT and was

**CARRIED 8/4
(Against: Crs. Bennett Mangano Youngman & Coghlan)**

Council Resolution

That with respect to the new Model Code of Conduct for Council Members, Committee Members and Candidates for a local government election, Council;

- 1. repeals its Code of Conduct of 23 August 2016;**
- 2. pursuant to section 5.104 of the Local Government Act 1995, adopts the new Code of Conduct for Council Members, Committee Members and Candidates for local government elections for the City of Nedlands, listed as Attachment 2;**
- 3. Pursuant to the Local Government (Model Code of Conduct) Regulations 2021;**
 - a. regulation 11 (2), adopts the form for lodging complaints, listed as Attachment 3;**
 - b. regulation 11 (3), authorises the following persons to receive Division 3 complaints and withdrawals of same, relating to Council Members, Committee Members and Candidates:**
 - i. Complaints about Council Members or candidates for elections that become Council Members, excluding those made by the Mayor – the Mayor;**
 - ii. Complaints made by the Mayor excluding those made by the Deputy Mayor – the Deputy Mayor;**
 - iii. Complaints about the Mayor – the Deputy Mayor; and**
 - iv. Complaints about the Deputy Mayor made by the Mayor – the CEO for referral to Council; and**
 - v. Or any complaint can be referred to an external consultant.**

- 4. Pursuant to sections 5.104 (7) of the Local Government Act 1995, request the Chief Executive Officer to ensure the Code of Conduct is published on the City's official website, as soon as practical.**

Recommendation to Council

That with respect to the new Model Code of Conduct for Council Members, Committee Members and Candidates for a local government election, Council;

1. repeals its Code of Conduct of 23 August 2016;
2. pursuant to section 5.104 of the Local Government Act 1995, adopts the new Code of Conduct for Council Members, Committee Members and Candidates for local government elections for the City of Nedlands, listed as Attachment 2;
3. Pursuant to the Local Government (Model Code of Conduct) Regulations 2021;
 - a. regulation 11 (2), adopts the form for lodging complaints, listed as Attachment 3;
 - b. regulation 11 (3), authorises the following persons to receive Division 3 complaints and withdrawals of same, relating to Council Members, Committee Members and Candidates:
 - i. Complaints about Council Members or candidates for elections that become Council Members, excluding those made by the Mayor – the Mayor;
 - ii. Complaints made by the Mayor excluding those made by the Deputy Mayor – the Deputy Mayor;
 - iii. Complaints about the Mayor – the Deputy Mayor; and
 - iv. Complaints about the Deputy Mayor made by the Mayor – the CEO for referral to Council; and
4. Pursuant to sections 5.104 (7) of the Local Government Act 1995, request the Chief Executive Officer to ensure the Code of Conduct is published on the City's official website, as soon as practical.

ABSOLUTE MAJORITY REQUIRED

Executive Summary

The State Government has enacted new legislation requiring all local governments to adopt a new Code of Conduct for Council Members, Committee Members and Candidates for a local government election, and to deal with ancillary matters.

Discussion/Overview

Background

The following regulations took effect on 3 February 2021, implementing the remaining parts of the Local Government Legislation Amendment Act 2019:

- Local Government (Administration) Amendment Regulations 2021
- Local Government Regulations Amendment (Employee Code of Conduct) Regulations 2021
- Local Government (Model Code of Conduct) Regulations 2021.

In regard to the Local Government (Model Code of Conduct) Regulations 2021, Local Government are required to adopt a Code of Conduct for Council Members, Committee Members and Candidates within 3 months of the Regulations taking effect.

To account for any breaches occurring on and from the first day that the Regulations take effect, Local Governments must authorise at least one person to receive complaints. This has to be done by 24 February 2021.

Comment

The Department of Local Government, Sport and Cultural Industries (DLGSC) has produced Guidelines on the Model Code of Conduct for Council Members, Committee Members and Candidates, which is an attachment to this item.

The Model Code of Conduct must be resolved by May 2021. For this reason, it is recommended that the Code be resolved as written, and then at an appropriate time Council can amend its Code when it pleases.

The guidelines indicate that local governments must authorise at least one person to receive complaints regarding members and candidates. The Regulations state that the Local Government must, in writing, authorise one or more persons to receive complaints and withdrawals of complaints, but they do not specify who that person(s) will be. The Complaints Officer could be:

- Mayor;
- Deputy President (especially for complaints about the President);
- Chief Executive Officer;
- Former elected member or other person familiar with Local Government;
- or
- External Consultant

The DLGSC has also produced a template complaints form as the Regulations state that complaints are to be made in writing in a form approved by the Local Government. The DLGSC template form is another attachment to this item (Attachment 3).

There is a requirement to appoint a Complaints Office by the 24 February 2021.

For clarity, it is noted that there is still a requirement for a local government to have a Complaints Officer (section 5.120 of the Local Government Act 1995), to process allegations of 'Rules of Conduct' breaches, and these alleged breaches are still to be referred to the Local Government Standards Panel (refer Division 4 of the Model Code of Conduct). The Chief Executive Officer is that officer.

In time, with the development of templates by industry or the Western Australian Local Government Association (WALGA), Local Governments can determine the most appropriate and effective process for dealing with complaints under Division 3 of the Code of Conduct and how they are prioritised and managed. Guidance can be taken from these documents once available.

Consultation

Nil.

Strategic Implications

How well does it fit with our strategic direction?

How well does the option fit with our vision and strategic priorities?
This assists in good governance.

Who benefits?

Are we ensuring an equitable distribution of benefits in the community?

Does it involve a tolerable risk?

What level of risk is associated with the option? How can it be managed?
Does the residual risk fit within our risk tolerance level?

A Code of Conduct, well adhered to, is likely to reduce risk to Council.

Do we have the information we need?

Yes.

Does this affect any CEO Key Result Areas?

Identify the KRA/s and briefly discuss the affect.

This aligns with KRA 8.1.4 8.1.4 - Revise Standing Orders Local Law & Codes of Conduct for both Councillors and Staff and ensure these are consistent with the updated.

Budget/Financial Implications

Summarise any financial impacts of the proposal. Where possible, provide figures.

Nil.

Can we afford it?

How well does the option fit within our Long Term Financial Plan? What do we need to do to manage the costs over the lifecycle of the asset / project / service?

N/A

How does the option impact upon rates?

Decisions made must minimize the impact of rate increases where possible.

N/A

Conclusion

Adoption of the Code of Conduct, complaints officer and the form of complaint fulfils the City's new obligations under the Local Government Act 1995.



Department of
Local Government, Sport
and Cultural Industries

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*Local Government
Act 1995 Review*
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LOCAL GOVERNMENT ACT REVIEW ►► DELIVERING FOR THE COMMUNITY

Guidelines on the Model Code of Conduct for Council Members, Committee Members and Candidates

February 2021

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Model Code of Conduct

Introduction

Local government is vital for the delivery of key services and infrastructure in the community. Individuals who are, or seek to be, members of local councils and council committees are entrusted by their community to represent local views, make sound decisions, and utilise public funds effectively to deliver services and amenities for their community. As such, a high standard of professional and ethical conduct is expected of council members and committee members in local governments, as well as candidates in local government elections.

A review of the *Local Government Act 1995* (Act), including consultation with community and sector stakeholders, led to the implementation of priority reforms under the *Local Government Amendment Act 2019* (Amendment Act).

The Amendment Act was developed in response to stakeholder feedback that there was a need for governance reforms, including a Code of Conduct for council members, committee members and candidates that clearly reflects community expectations of behaviour and supports consistency between local governments in relation to the overall process for managing alleged breaches of that Code.

As a result, key reforms under the Amendment Act include the introduction of a Model Code of Conduct (Model Code) that must be adopted by local governments and applied to council members, committee members and candidates; as well as a separate Code of Conduct for Employees.

The Model Code replaces the previous statutory requirement for local governments to develop and implement an individual code of conduct for their council members, committee members and employees.

The *Model Code of Conduct Regulations 2021* (Regulations) have been developed to give effect to the Amendment Act, and provide for:

- overarching principles to guide behaviour;
- behaviours and complaints which are managed by local governments; and
- rules of conduct, contraventions of which are considered by the independent Local Government Standards Panel (Standards Panel) where appropriate.

Definitions

The Model Code defines key terms to aid understanding and compliance. Where a term is not defined in either the Regulations or the Act, then the generally accepted meaning of the term applies. Some additional guidance is provided as follows:

Candidate: an individual is considered a candidate when their nomination for election is accepted by a Returning Officer under section 4.49 of the Act. The Model Code applies to the individual from that point. Any alleged breach of the Model Code may only be addressed if and when the individual is elected as a council member.

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Council member: references to 'council member' in the Regulations mean an individual who has been elected as a council member under the Act. The requirements of the Regulations also apply to a council member who is a committee member on a council committee.

Committee member: under the Regulations, a 'committee member' includes any council member, local government employee or unelected member of the community who has been engaged by the council to participate in a council committee.

Evidence: references to 'evidence' in the Regulations means the available facts or information indicating whether an allegation is true or valid. Local governments must use evidence provided by the complainant and by the person to whom the complaint relates, as well as other relevant information, to decide whether an alleged breach of the Model Code has occurred.

Local government(s): per the approach in the Act, references to 'local government' in the Regulations mean the body corporate that is the local governing body made up of the council, Chief Executive Officer (CEO) and administrative staff appointed and managed by the CEO.

Where a statutory function entails decision-making on governance matters, the council is responsible for making those decisions. This includes decisions on complaints regarding the conduct of council members, committee members and candidates, as set out in the Regulations.

Further guidance on certain terms in the Model Code is provided in these Guidelines.

Purpose

The purpose of the Model Code is to guide the decisions, actions and behaviours of members, both in council and on council committees, and of candidates running for election as a council member.

Members must comply with the provisions in the Model Code in fulfilling their role and responsibilities in council and on council committees, as set out in the Act.

An individual who has nominated as a candidate for election as a council member is also required to demonstrate professional and ethical behaviour during their election campaign. If elected, the individual must continue to comply with the Model Code in council and on council committees.

It is the individual responsibility of council members, committee members and candidates to become familiar with the Model Code, these Guidelines and any relevant policies of their local government, and to follow the Code at all times.

Where the behaviour of a council member, committee member or candidate does not comply with the Code, it is intended that the local council address the behaviour through education and other remedial actions that the council considers appropriate, rather than formal sanctions.

Where an individual does not comply with any action required by the council, then the council may determine that the matter is to be referred to the Standards Panel as an

alleged contravention of a rule of conduct. The Standards Panel has the authority to make binding decisions regarding allegations of minor misconduct.

Adoption

Section 5.104 of the Act requires that local governments adopt the Model Code as their Code of Conduct within three months of the Regulations coming into operation (by 3 May 2021). Note: The operational requirements of Division 3 require local governments to take certain initial actions within three weeks (by 24 February 2021).

In accordance with section 5.104(4), the Model Code applies until the local government adopts it as their Code. This means that the principles, behaviour requirements and rules of conduct of the Regulations apply to council members, committee members and candidates even if their local government has not yet adopted the Model Code.

While local governments may not amend Division 2 (Principles) or Division 4 (Rules of Conduct), additional behaviour requirements can be included in Division 3 (Behaviours) if deemed appropriate by the local government. Any additions must be consistent with the Model Code of Conduct (section 5.104(3) of the Act).

In preparing the Code for adoption, local governments are encouraged to review their existing Code and consider incorporating any additional behaviour requirements that are not represented in the Model Code. This may include specific dress standards or the appropriate use of technology.

To adopt the Code, a resolution passed by an absolute majority of the council is required. Once the Code is adopted, it must be published on the local government's official website (section 5.104(7)).

Division 2 – General Principles

This section of the Regulations set out the fundamental rules that council members, committee members and candidates are expected to adhere to, promote and support. Adhering to these rules will assist individuals to comply with the behaviours outlined in Division 3 and 4.

The principles outline the overarching approach that members and candidates should demonstrate in their role as public representatives, or potential public representatives. Individuals should consider all behaviours in light of these principles, including any behaviour and conduct that is not covered specifically in Division 3 and 4.

The principles are grouped into three key areas: Personal Integrity; Relationships with others and Accountability. Additional guidance on these areas is provided as follows:

Integrity and conflicts of interest

Members and candidates are generally active in their local area which may lead to a conflict between the public interests of the community and the personal interests of the individual, their family members and associates.

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It is the individual responsibility of members and candidates to disclose any such conflicts and ensure that they are managed appropriately to comply with the Model Code and serve their community as expected by the local electors.

Individuals should also consider perceived and potential conflicts of interest. While an individual may be confident of the integrity of their actions, it is important to reflect on how their actions may appear to others, and/or how an action taken now could lead to a conflict of interest in future. If an interest is identified, the individual should disclose and manage this to avoid a conflict with the public interest.

Avoidance of reputational damage

Elected members and candidates may hold strong concerns in relation to actions, or a lack of action, by their local government on certain matters.

It is the individual responsibility of members to ensure that they comply with the Model Code by raising concerns in a respectful and constructive manner and working effectively with their colleagues for their community, as expected by the local electors.

During an election campaign, it is the individual responsibility of candidates to ensure that any concerns they raise regarding the current local government is based on accurate information and expressed in a respectful and constructive manner that demonstrates to local electors their suitability as a potential public representative.

Decision-making and accountability

Council and committee members regularly make decisions that impact on their local area. The community expects that members will make council and committee decisions based on information that is relevant and factually correct. This will vary according to the decision to be made and the information available to the council members and committee members at that time.

In general, individuals are responsible for ensuring their decisions are based on information that is accurate and pertinent to the matter at hand; and can be reasonably considered accurate and relevant by others.

As part of being accountable to their community, council members and committee members should accept responsibility for the decisions they make in the performance of their role.

Division 3 – Behaviour

This section of the Regulations sets the standards of behaviour which reflect the general principles outlined in Division 2.

It is the individual responsibility of members and candidates to demonstrate, promote and support professional and ethical behaviour as provided in the Model Code.

Complaints regarding alleged breaches of the Model Code in Division 3 are managed by the local council as the decision-making body of the local governments. The division also provides a process for responding to alleged breaches. The emphasis is on

education and development, rather than punitive sanctions, with the aim of establishing or restoring positive working relationships and avoiding further breaches.

Failure to comply with this Division may give rise to a complaint regarding the conduct of a council member, committee member or candidate, which may lead to the council making a formal finding of a breach and requiring remedial action by the individual.

A local government may wish to develop further guidance on dealing with complaints through the introduction of a complementary policy and/or procedure on complaints management to the extent it is not provided for in the Regulations. There are resources on effective complaints management available on the Ombudsman WA's website at www.ombudsman.wa.gov.au.

Complaints

Process for making a complaint

Clause 11 of the Regulations provides that a person can make a complaint alleging a breach of Division 2 within one month of the alleged breach occurring.

Local governments should ensure that making a complaint is a simple and accessible process so that any member of the local community can raise concerns about the conduct of council members, committee members and candidates.

Local governments should make it clear that it is important a complainant provides details in their complaint, with supporting information where feasible to do so, because the complaint will form part of the evidence considered by the council when deciding whether a breach of the Model Code has occurred.

Action required

Local governments must authorise at least one person to receive complaints regarding members and candidates. While the Regulations do not include specific requirements and a local government may decide that the complaints officer is appropriate, other options could include:

- President or Mayor,
- Deputy President or Mayor (especially for complaints about the President or Mayor),
- Chief Executive Officer, or
- External consultant

To account for any breaches occurring on the first day that the Regulations take effect, local governments must authorise at least one person within three weeks of the Regulations taking effect (by 24 February 2021).

The Regulations also provide that complaints are to be made in writing in a form approved by the local government.

Action required

Local governments must determine whether there will be a specific template for complaints and process for how they are to be lodged.

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Local governments may choose to:

- establish a specific email address for conduct complaints
- provide a name/position to whom complaints should be addressed
- prepare a complaint form to allow the complainant.
- engaged an independent person to support the resolution of a complaint. Local governments may consider sharing the services of an independent person.

The Department has prepared a template form for complaints to assist local governments. The template is available on the department's website at www.dlgsc.wa.gov.au.

The authorised person(s) should acknowledge the receipt of every written complaint in a timely manner. As part of the acknowledgment process, the complainant should be provided information on how the complaint will be progressed and an expected timeframe for the matter to be finalised. This may include providing the complainant with a copy of the complaint policy where available.

Dealing with a complaint

The Regulations do not specify a timeframe by when complaints should be dealt with, however, a timeframe could be included in a local government's policy.

In the interests of procedural fairness, all complaints should be dealt with in a timely manner and allow all parties the opportunity to provide information regarding the alleged conduct.

Clause 12 of the Regulations outlines the process for dealing with complaints regarding the conduct of elected members and candidates. The Model Code leaves it open to local governments to determine the most appropriate and effective process for how this is undertaken. Options could include:

- The President/Mayor or Deputy consider all complaints
- Delegation of complaints to the CEO to prepare a report for the council
- Appointment of an independent/external consultant to review complaints and provide a report to the council
- Establish a committee to review complaints and report to the council. The committee may include independent members.

Local governments should consider how they are going to respond to complaints, and whether complaints are going to be addressed based on seriousness or impact of the allegation or on the order in which complaints are received.

Action required

Local governments must determine who will be considering complaints received and how complaints will be prioritised and managed.

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Clause 12(2) of the Regulations require that the person to whom the complaint relates is given a reasonable opportunity to be heard. This should include providing a copy of the complaint to that person in a timely manner and allowing them an opportunity to respond to the allegations in writing. The information provided by that person will assist the local government in forming a view as to whether a breach has occurred.

Making a finding

Clause 12(1) requires the local council to consider whether the alleged matter which is the subject of a complaint, did occur and make a finding on whether the matter constituted a breach of the Code of Conduct.

The local council should use the same approach as the Standards Panel in their deliberations and decision-making; that is, based on the complaint and other evidence received by the council, the council must be satisfied that, on the balance of probabilities, it is more likely than not that a breach occurred.

Information provided by the complainant and information provided by the person to who the complaint relates will assist the council to make a finding.

Action Plans

Clause 12(4) provides that if the local council makes a finding that a breach of the Code of Conduct did occur, the council may determine that no further action is required; or that an action plan must be prepared and implemented.

An action plan should be designed to provide the member with the opportunity and support to demonstrate the professional and ethical behaviour expected of elected representatives.

The action plan does not need to be complex. The plan should outline:

- the behaviour(s) of concern;
- the actions to be taken to address the behaviour(s);
- who is responsible for the actions; and
- an agreed timeframe for the actions to be completed.

An action plan should not include measures that are intended to be a punishment, and instead should focus on mechanisms to encourage positive behaviour and prevent negative behaviour from occurring again in future.

The Code requires that in preparing the action plan, consultation must be undertaken with the elected member to whom the plan relates. This is designed to provide the member with the opportunity to be involved in matters such as the timing of meetings or training. Note: some members may not be willing to engage with the opportunity to participate in the process.

The council or a delegated person should monitor the actions and timeframes set out in the action plan. This is important because if the member does not comply with the

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action/s within the agreed timeframe, then under the Regulations it is considered a contravention of a rule of conduct.

Dismissal of complaints

While local governments are required to consider all complaints, they can be dismissed if:

- the behaviour occurred at a council or committee meeting and the behaviour was dealt with at that meeting (clause 13), or
- the complaint is withdrawn (clause 14).

Clause 13 allows a complaint to be dismissed if the behaviour occurred at a council or committee meeting, and that behaviour was addressed at the time. This could have been by the presiding member, or remedial action was taken in accordance with the local government's standing orders or local law.

Where agreement cannot be reached

Circumstances may arise when a local council cannot agree on the resolution of a complaint or whether the complaint can be dismissed under clause 13.

In these situations, the local government may decide to engage an independent person to review the complaint and make recommendations on appropriate actions.

Withdrawal of a complaint

Clause 14 provides the option for a complaint to be withdrawn before it is considered by the council.

Local governments may elect to include in their complaints policy the option for mediation between the complainant and the member. Mediation may resolve any specific issues before the council is required to make a finding and may lead to the complainant withdrawing the complaint. Clause 14 requires a withdrawal to be made in writing and provided to the person(s) authorised to receive complaints.

Division 4 – Rules of Conduct

Contraventions of rules of conduct are matters that:

- negatively affect the honest or impartial performance of an elected member;
- involve a breach of trust placed in the elected member; or
- involve the misuse of information or material.

Division 4 sets out rules of conduct for elected members and candidates that relate to the principles in Division 2 and the behaviours in Division 3. This Division also introduces a new rule of conduct to address situations where an elected member does not undertake the actions required by the local council following a breach of the Model Code. A contravention of this rule of conduct is considered a minor breach, as defined in the Act.

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The process for complaints under Division 4 is outlined in the Act. Complaints in the first instance are directed to the complaints officer at the local government. The Act provides that the complaints officer is the CEO or another officer with delegated responsibility.

A council may decide to refer an alleged contravention of Division 4 to the independent Standards Panel in accordance with the Act. As the Panel does not have investigative powers, decisions are made based on the information received by the Panel from the local government. The Standards Panel must be satisfied that, on the balance of probabilities, it is more likely than not that a breach has occurred for the Standards Panel to make a finding of breach.

Where the Standards Panel makes a finding against an elected member or candidate, sanctions will be imposed in accordance with the Part 5 Division 9 of the Act.

Nothing in this Division removes the obligations placed upon council members and employees (including the CEO) of the local government under the *Corruption, Crime and Misconduct Act 2003*.

Further information on the Standards Panel process is available on the Department's website.

Further information

The aim of the Model Code of Conduct is to foster a high standard of professional and ethical conduct by council members and candidates, and to support consistency across local governments in relation to their response to complaints regarding conduct.

Local governments are encouraged to seek guidance and advice on specific matters whenever necessary. For queries, please contact: actreview@dlgsc.wa.gov.au



Code of Conduct

Council Members, Committee Members & Candidates

Division 1 — Preliminary provisions

1. Citation

This is the City of Nedlands Code of Conduct for Council Members, Committee Members and Candidates.

2. Terms used

(1) In this code —

Act means the *Local Government Act 1995*;

candidate means a candidate for election as a council member;

complaint means a complaint made under clause 11(1);

publish includes to publish on a social media platform.

(2) Other terms used in this code that are also used in the Act have the same meaning as they have in the Act unless the contrary intention appears.

Division 2 — General principles

3. Overview of Division

This Division sets out general principles to guide the behaviour of council members, committee members and candidates.

4. Personal integrity

(1) A council member, committee member or candidate should —

- (a) act with reasonable care and diligence; and
- (b) act with honesty and integrity; and
- (c) act lawfully; and
- (d) identify and appropriately manage any conflict of interest; and
- (e) avoid damage to the reputation of the local government.



(2) A council member or committee member should —

- (a) act in accordance with the trust placed in council members and committee members; and
- (b) participate in decision-making in an honest, fair, impartial and timely manner; and
- (c) actively seek out and engage in training and development opportunities to improve the performance of their role; and
- (d) attend and participate in briefings, workshops and training sessions provided or arranged by the local government in relation to the performance of their role.

5. Relationship with others

(1) A council member, committee member or candidate should —

- (a) treat others with respect, courtesy and fairness; and
- (b) respect and value diversity in the community.

(2) A council member or committee member should maintain and contribute to a harmonious, safe and productive work environment.

6. Accountability

A council member or committee member should —

- (a) base decisions on relevant and factually correct information; and
- (b) make decisions on merit, in the public interest and in accordance with statutory obligations and principles of good governance and procedural fairness; and
- (c) read all agenda papers given to them in relation to council or committee meetings; and
- (d) be open and accountable to, and represent, the community in the district.



Division 3 — Behaviour

7. Overview of Division

This Division sets out —

- (a) requirements relating to the behaviour of council members, committee members and candidates; and
- (b) the mechanism for dealing with alleged breaches of those requirements.

8. Personal integrity

(1) A council member, committee member or candidate —

- (a) must ensure that their use of social media and other forms of communication complies with this code; and
- (b) must only publish material that is factually correct.

(2) A council member or committee member —

- (a) must not be impaired by alcohol or drugs in the performance of their official duties; and
- (b) must comply with all policies, procedures and resolutions of the local government.

9. Relationship with others

A council member, committee member or candidate —

- (a) must not bully or harass another person in any way; and
- (b) must deal with the media in a positive and appropriate manner and in accordance with any relevant policy of the local government; and
- (c) must not use offensive or derogatory language when referring to another person; and
- (d) must not disparage the character of another council member, committee member or candidate or a local government employee in connection with the performance of their official duties; and
- (e) must not impute dishonest or unethical motives to another council member, committee member or candidate or a local government employee in connection with the performance of their official duties.



10. Council or committee meetings

When attending a council or committee meeting, a council member, committee member or candidate —

- (a) must not act in an abusive or threatening manner towards another person; and
- (b) must not make a statement that the member or candidate knows, or could reasonably be expected to know, is false or misleading; and
- (c) must not repeatedly disrupt the meeting; and
- (d) must comply with any requirements of a local law of the local government relating to the procedures and conduct of council or committee meetings; and
- (e) must comply with any direction given by the person presiding at the meeting; and
- (f) must immediately cease to engage in any conduct that has been ruled out of order by the person presiding at the meeting.

11. Complaint about alleged breach

- (1) A person may make a complaint, in accordance with subclause (2), alleging a breach of a requirement set out in this Division.
- (2) A complaint must be made —
 - (a) in writing in the form approved by the local government; and
 - (b) to a person authorised under subclause (3); and
 - (c) within 1 month after the occurrence of the alleged breach.
- (3) The local government must, in writing, authorise 1 or more persons to receive complaints and withdrawals of complaints.

12. Dealing with complaint

- (1) After considering a complaint, the local government must, unless it dismisses the complaint under clause 13 or the complaint is withdrawn under clause 14(1), make a finding as to whether the alleged breach the subject of the complaint has occurred.
- (2) Before making a finding in relation to the complaint, the local government must give the person to whom the complaint relates a reasonable opportunity to be heard.
- (3) A finding that the alleged breach has occurred must be based on evidence from which it may be concluded that it is more likely that the breach occurred than that it did not occur.



- (4) If the local government makes a finding that the alleged breach has occurred, the local government may —
 - (a) take no further action; or
 - (b) prepare and implement a plan to address the behaviour of the person to whom the complaint relates.
- (5) When preparing a plan under subclause (4)(b), the local government must consult with the person to whom the complaint relates.
- (6) A plan under subclause (4)(b) may include a requirement for the person to whom the complaint relates to do 1 or more of the following —
 - (a) engage in mediation;
 - (b) undertake counselling;
 - (c) undertake training;
 - (d) take other action the local government considers appropriate.
- (7) If the local government makes a finding in relation to the complaint, the local government must give the complainant, and the person to whom the complaint relates, written notice of —
 - (a) its finding and the reasons for its finding; and
 - (b) if its finding is that the alleged breach has occurred — its decision under subclause (4).

13. Dismissal of complaint

- (1) The local government must dismiss a complaint if it is satisfied that —
 - (a) the behaviour to which the complaint relates occurred at a council or committee meeting; and
 - (b) either —
 - (i) the behaviour was dealt with by the person presiding at the meeting; or
 - (ii) the person responsible for the behaviour has taken remedial action in accordance with a local law of the local government that deals with meeting procedures.
- (2) If the local government dismisses a complaint, the local government must give the complainant, and the person to whom the complaint relates, written notice of its decision and the reasons for its decision.



- (3) If the local government dismisses a complaint, the local government must give the complainant, and the person to whom the complaint relates, written notice of its decision and the reasons for its decision.
- (4) If the local government dismisses a complaint, the local government must give the complainant, and the person to whom the complaint relates, written notice of its decision and the reasons for its decision.

14. Withdrawal of complaint

- (1) A complainant may withdraw their complaint at any time before the local government makes a finding in relation to the complaint.
- (2) The withdrawal of a complaint must be —
 - (a) in writing; and
 - (b) given to a person authorised under clause 11(3).

15. Other provisions about complaints

- (1) A complaint about an alleged breach by a candidate cannot be dealt with by the local government unless the candidate has been elected as a council member.
- (2) The procedure for dealing with complaints may be determined by the local government to the extent that it is not provided for in this Division.

Division 4 — Rules of conduct

Notes for this Division:

- 1. Under section 5.105(1) of the Act a council member commits a minor breach if the council member contravenes a rule of conduct. This extends to the contravention of a rule of conduct that occurred when the council member was a candidate.
- 2. A minor breach is dealt with by a standards panel under section 5.110 of the Act.

16. Overview of Division

- (1) This Division sets out rules of conduct for council members and candidates.
- (2) A reference in this Division to a council member includes a council member when acting as a committee member.



17. Misuse of local government resources

- (1) In this clause —

electoral purpose means the purpose of persuading electors to vote in a particular way at an election, referendum or other poll held under the Act, the *Electoral Act 1907* or the *Commonwealth Electoral Act 1918*;

resources of a local government includes —

- (a) local government property; and
 - (b) services provided, or paid for, by a local government.
- (2) A council member must not, directly or indirectly, use the resources of a local government for an electoral purpose or other purpose unless authorised under the Act, or by the local government or the CEO, to use the resources for that purpose.

18. Securing personal advantage or disadvantaging others

- (1) A council member must not make improper use of their office —

- (a) to gain, directly or indirectly, an advantage for the council member or any other person; or
- (b) to cause detriment to the local government or any other person.

- (2) Subclause (1) does not apply to conduct that contravenes section 5.93 of the Act or *The Criminal Code* section 83.

19. Prohibition against involvement in administration

- (1) A council member must not undertake a task that contributes to the administration of the local government unless authorised by the local government or the CEO to undertake that task.
- (2) Subclause (1) does not apply to anything that a council member does as part of the deliberations at a council or committee meeting.



20. Relationship with local government employees

(1) In this clause —

local government employee means a person —

- (a) employed by a local government under section 5.36(1) of the Act; or
- (b) engaged by a local government under a contract for services.

(2) A council member or candidate must not —

- (a) direct or attempt to direct a local government employee to do or not to do anything in their capacity as a local government employee; or
- (b) attempt to influence, by means of a threat or the promise of a reward, the conduct of a local government employee in their capacity as a local government employee; or
- (c) act in an abusive or threatening manner towards a local government employee.

(3) Subclause (2)(a) does not apply to anything that a council member does as part of the deliberations at a council or committee meeting.

(4) If a council member or candidate, in their capacity as a council member or candidate, is attending a council or committee meeting or other organised event (for example, a briefing or workshop), the council member or candidate must not orally, in writing or by any other means —

- (a) make a statement that a local government employee is incompetent or dishonest; or
- (b) use an offensive or objectionable expression when referring to a local government employee.

(5) Subclause (4)(a) does not apply to conduct that is unlawful under *The Criminal Code* Chapter XXXV.

21. Disclosure of information

(1) In this clause —

closed meeting means a council or committee meeting, or a part of a council or committee meeting, that is closed to members of the public under section 5.23(2) of the Act;

confidential document means a document marked by the CEO, or by a person authorised by the CEO, to clearly show that the information in the document is not to be disclosed;



document includes a part of a document;

non-confidential document means a document that is not a confidential document.

- (2) A council member must not disclose information that the council member —
 - (a) derived from a confidential document; or
 - (b) acquired at a closed meeting other than information derived from a non-confidential document.
- (3) Subclause (2) does not prevent a council member from disclosing information —
 - (a) at a closed meeting; or
 - (b) to the extent specified by the council and subject to such other conditions as the council determines; or
 - (c) that is already in the public domain; or
 - (d) to an officer of the Department; or
 - (e) to the Minister; or
 - (f) to a legal practitioner for the purpose of obtaining legal advice; or
 - (g) if the disclosure is required or permitted by law.

22. Disclosure of interests

- (1) In this clause —

interest —

- (a) means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest; and
 - (b) includes an interest arising from kinship, friendship or membership of an association.
- (2) A council member who has an interest in any matter to be discussed at a council or committee meeting attended by the council member must disclose the nature of the interest —
 - (a) in a written notice given to the CEO before the meeting; or
 - (b) at the meeting immediately before the matter is discussed.
- (3) Subclause (2) does not apply to an interest referred to in section 5.60 of the Act.



- (4) Subclause (2) does not apply if a council member fails to disclose an interest because the council member did not know —
 - (a) that they had an interest in the matter; or
 - (b) that the matter in which they had an interest would be discussed at the meeting and the council member disclosed the interest as soon as possible after the discussion began.
- (5) If, under subclause (2)(a), a council member discloses an interest in a written notice given to the CEO before a meeting, then —
 - (a) before the meeting the CEO must cause the notice to be given to the person who is to preside at the meeting; and
 - (b) at the meeting the person presiding must bring the notice and its contents to the attention of the persons present immediately before any matter to which the disclosure relates is discussed.
- (6) Subclause (7) applies in relation to an interest if —
 - (a) under subclause (2)(b) or (4)(b) the interest is disclosed at a meeting; or
 - (b) under subclause (5)(b) notice of the interest is brought to the attention of the persons present at a meeting.
- (7) The nature of the interest must be recorded in the minutes of the meeting.

23. Compliance with plan requirement

If a plan under clause 12(4)(b) in relation to a council member includes a requirement referred to in clause 12(6), the council member must comply with the requirement.

Complaint About Alleged Breach Form - Code of conduct for council members, committee members and candidates

Schedule 1, Division 3 of the *Local Government (Model Code of Conduct) Regulations 2021*

NOTE: A complaint about an alleged breach must be made —
 (a) in writing in the form approved by the local government
 (b) to an authorised person
 (c) within one month after the occurrence of the alleged breach.

Name of person who is making the complaint:

Name:

Given Name(s)

Family Name

Contact details of person making the complaint:

Address: _____

Email: _____

Contact number: _____

Name of the local government (city, town, shire) concerned:

Name of council member, committee member, candidate alleged to have committed the breach:

State the full details of the alleged breach. Attach any supporting evidence to your complaint form.

Date of alleged breach:
<div style="display: flex; justify-content: space-around; align-items: center;"> _____ / _____ / 20_____ </div>

SIGNED:	
Complainant's signature:
Date of signing:	<div style="display: flex; justify-content: space-around; align-items: center;"> _____ / _____ / 20_____ </div>

Received by Authorised Officer	
Authorised Officer's Name:
Authorised Officer's Signature:
Date received:	<div style="display: flex; justify-content: space-around; align-items: center;"> _____ / _____ / 20_____ </div>

NOTE TO PERSON MAKING THE COMPLAINT:

This form should be completed, dated and signed by the person making a complaint of an alleged breach of the Code of Conduct. The complaint is to be specific about the alleged breach and include the relevant section/subsection of the alleged breach.

The complaint must be made to the authorised officer within one month after the occurrence of the alleged breach.

Signed complaint form is to be forwarded to: (insert email/postal address)

LOCAL GOVERNMENT (MODEL CODE OF CONDUCT) REGULATIONS 2021 – EXPLANATORY NOTES

These regulations bring into effect **sections 48 to 51** of the *Local Government Legislation Amendment Act 2019*.

In particular, the following will take effect: sections 5.102A, 5.103, 5.104 and 5.105.

	Regulation	Explanation
3	Model Code of Conduct	These regulations provide for the model code of conduct for council members, committee members and candidates in Schedule 1.
4	<i>Local Government (Rules of Conduct) Regulations 2007</i> repealed	This regulation repeals the <i>Local Government (Rules of Conduct) Regulations 2007</i> (Rules of Conduct Regulations) as they now form part of the Model Code regulations (Schedule 1, Division 4).
5	<i>Local Government (Administration) Regulations 1996</i> amended	<p>This regulation inserts new Part 9A – Minor breaches by council members - into the Model Code regulations. It replaces existing regulation 4 of the Rules of Conduct Regulations (Contravention of certain local laws) and instead inserts it into the Administration Regulations.</p> <p>Part 9A provides that a contravention of a local law that relates to the conduct of people at council or committee meetings is a minor breach for the purposes of section 5.105(1)(b) of the Act. This is not a rule of conduct, which is why it is separate to the provisions in the Model Code.</p>
6	<i>Local Government (Audit) Regulations 1996</i> amended	This regulation amends the statutory requirements for the compliance audit return to capture the adoption of the Model Code and deletes the reference to the Rules of Conduct Regulations.
7	<i>Local Government (Constitution) Regulations 1998</i> amended	This regulation amends Schedule 1 Form 7 (Declaration by elected member of council) of the Constitution Regulations to reference the code of conduct adopted by the relevant local government, rather than the Rules of Conduct Regulations.
	Schedule 1 – Model code of conduct	
1	Citation	New section 5.104 of the Local Government Act requires local governments to adopt the model code of conduct within three months of these Regulations coming into operation. Until the Model Code is adopted, in accordance with section 5.104(5), the model code is taken to be a local government's adopted code of conduct until the local government adopts a code of conduct.

	Regulation	Explanation
		<p>The Model Code, as drafted, provides a template for local governments to adopt the code as their own by inserting their local government name.</p> <p>In accordance with section 5.104(3), local governments can include additional behaviours under Division 3 that are not inconsistent with the Code, which may not currently be represented.</p> <p>To adopt the code, a resolution needs to be passed by an absolute majority. Once the code is adopted, it must be published on the local government's website.</p>
2	Terms Used	This clause defines "Act", "candidate", "complaint" and "publish". All other terms used have the same meaning as in the Act unless the contrary intention appears.
	Division 2 – General principles	
3	Overview of Division	As per new section 5.103(2)(a), the Model Code is to contain general principles to guide behaviour. These are set out in Division 2.
4	Personal Integrity	<p>This clause outlines specific personal integrity principles, including the need to:</p> <ul style="list-style-type: none"> • act with reasonable care and diligence; • act with honesty and integrity; • act lawfully; • identify and appropriately manage any conflict of interest; • avoid damage to the reputation of the local government.
5	Relationships with others	This clause outlines principles for relationships with others, including the need to treat others with respect, courtesy and fairness, and maintain and contribute to a harmonious, safe and productive work environment.
6	Accountability	This clause outlines principles for accountability, including that decisions should be based on relevant and factually correct information and that a council or committee member should be open and accountable to, and represent, the community in the district.
	Division 3 - Behaviour	
7	Overview of Division	<p>As per new section 5.103(2)(b), the Model Code is to contain requirements relating to behaviour.</p> <p>This division sets the standards of behaviour which enable and empower members to meet the principles outlined in Division 2. Division 3 behaviour breaches are managed by local</p>

	Regulation	Explanation
		governments, and so the division also includes a mechanism to deal with alleged breaches. The emphasis is on an educative role to establish sound working relationships and avoid repeated breaches.
8	Personal Integrity	<p>This clause provides for behaviours for council members, committee members and candidates, as well as behaviours specific to council and committee members.</p> <p>Behaviours include that a council member, committee member or candidate must ensure their use of social media and other forms of communication comply with the code. Members must also not be impaired by alcohol or drugs in the performance of their official duties.</p>
9	Relationships with others	<p>This clause provides for behaviours related to relationships with others, including the requirement to:</p> <ul style="list-style-type: none"> • deal with the media in a positive and appropriate manner; • not use offensive or derogatory language when referring to another person; • not disparage the character of another council member, committee member, candidate or local government employee in connection with the performance of their official duties; and • not impute dishonest or unethical motives to another council member, committee member, candidate or local government employee in connection with the performance of their official duties.
10	Council or committee meetings	<p>This clause provides for behaviours when attending a council or committee meeting. This includes that a council member, committee member or candidate must not:</p> <ul style="list-style-type: none"> • act in an abusive or threatening manner towards another person; • repeatedly disrupt the meeting; or • make a statement that they know, or could reasonably be expected to know, is false or misleading.
11	Complaints about alleged breach	<p>This clause provides that a person may make a complaint alleging a breach of Division 3 by submitting the complaint in writing (in a form approved by the local government) within one month of the alleged breach occurring.</p> <p>The local government is to authorise at least one person to receive complaints and withdrawals of complaints.</p>

	Regulation	Explanation
12	Dealing with complaint	<p>This clause provides a process for dealing with complaints. Subclause (1) requires local governments to make a finding as to whether the breach occurred, unless the complaint is dismissed (clause 13), or withdrawn (clause 14).</p> <p>Before making a finding, the person to whom the complaint relates must be given a reasonable opportunity to be heard. A finding about whether the breach has occurred should be based on whether it is more likely than not that the breach occurred. This is the same premise used by the Standards Panel in its decision making.</p> <p>If a finding of breach is made, the local government can choose to take no further action or develop a plan to address the person's behaviour. This may include training, mediation, counselling or any other action considered appropriate. Subclause (5) requires that the local government must consult with the person to whom the complaint relates in preparing the plan.</p> <p>After a finding has been made, written notice of the outcome needs to be given to the complainant and the person to whom the complaint relates.</p>
13	Dismissal of complaint	This clause provides that a complaint must be dismissed if the behaviour occurred at a council or committee meeting, and the local government is satisfied that the behaviour has already been dealt with, or the person responsible for the behaviour has taken remedial action in accordance with the meeting procedures local law.
14	Withdrawal of complaint	This clause provides that a complainant may withdraw a complaint at any time before a finding is made.
15	Other provisions about complaints	This clause provides that a complaint about a candidate cannot be dealt with unless the candidate is elected. It also allows local governments to determine the procedure for dealing with complaints to the extent it isn't already provided for.
	Division 4 – Rules of conduct	
16	Overview of Division	<p>As per section 5.103(2)(c) of the Amendment Act, the Model Code contains rules of conduct. The rules of conduct are specific rules for which alleged breaches (minor breaches) are referred to the Standards Panel. A reference to a council member in this division includes a council member acting as a committee member.</p> <p>The Rules of Conduct Regulations are being repealed (see regulation 4 above) and replaced by this Division.</p>

	Regulation	Explanation
17	Misuse of local government resources	This clause is based on regulation 8 of the Rules of Conduct Regulations. It provides that a council member must not misuse local government resources, which includes local government property or services.
18	Securing personal advantage or disadvantaging others	This is based on regulation 7 of the Rules of Conduct Regulations. It provides that a council member must not make improper use of their office to gain advantage or cause detriment to the local government or any other person.
19	Prohibition against involvement in administration	This is based on regulation 9 of the Rules of Conduct Regulations. It provides that a council member must not undertake a task that contributes to the administration of the local government unless authorised by the local government (council) or CEO.
20	Relationship with local government employees	This is based on regulation 10 of the Rules of Conduct Regulations. It provides that a council member or candidate must not direct, influence, abuse or threaten a local government employee.
21	Disclosure of information	This is based on regulation 6 of the Rules of Conduct Regulations. It provides that a council member must not disclose information that is from a confidential document or was acquired at a closed meeting.
22	Disclosure of interests	This is based on regulation 11 of the Rules of Conduct Regulations. It provides that a council member must disclose impartiality interests, which includes interests arising from kinship, friendship or membership of an association.
23	Compliance with plan requirement	This is a new rule of conduct that provides for a minor breach if a council member does not comply with a plan requirement (see clause 12(4)(b)) imposed by the local government following a breach of a behaviour under Division 3.

13.9 Senior Appointments

Council	23 February 2021
Applicant	City of Nedlands (unless otherwise)
Employee Disclosure under section 5.70 Local Government Act 1995 and section 10 of the City of Nedlands Code of Conduct for Impartiality.	Nil.
CEO	Mark Goodlet
Attachments	1. Policy for Temporary Employment or Appointment of Acting CEO
Confidential Attachments	1. Jim Duff, Curriculum Vitae 2. Ed Herne, Curriculum Vitae 3. Tony Free, Curriculum Vitae

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor McManus

Seconded – Councillor Youngman

That the Recommendation to Council be adopted.

(Printed below for ease of reference)

CARRIED UNANIMOUSLY 12/-

Council Resolution / Recommendation to Council

Council:

- 1. appoints Mr Jim Duff to the Acting CEO role from 25 February 2021;**
- 2. notes the appointment of Mr Ed Herne to Director Corporate Services role;**
- 3. notes the appointment of Mr Tony Free to Director Planning & Development role; and**
- 4. approves the Acting CEO Policy as per Attachment 1 of this report.**

Executive Summary

With the recent resignations and departure of Directors Lorraine Driscoll and Peter Mickleson, both director roles were advertised, interviews conducted and appointments on a 1 year contract were made as follows:

- Director Corporate & Strategy - Mr Ed Herne
- Director Planning & Development – Mr Tony Free

CEO Mark Goodlet has resigned his position with the City of Nedlands - his last working day will be 24 February 2021.

In accordance with Council resolution of 15 December 2020, a CEO Recruitment & Selection Committee was formed and the process to recruit an interim CEO and a Long-Term CEO began.

With the departure of Mr Goodlet being imminent and for the continuation of the oversight of administrative functions and good governance of the City, it is necessary to have a higher duties Acting CEO with appropriate skills to bridge the gap. At its 2 February 2021 Council meeting Council resolved to share the role among the three directors. Jim Duff, Director Technical Services is therefore, nominated for appointment by Council.

In accordance with s5.39C of the Local Government Act 1995, a Policy for Temporary Employment or Appointment of an Acting CEO is now required. (Attachment 1).

Discussion/Overview

Mr Jim Duff, Acting CEO

Mr Jim Duff has been working at the City as the Director Technical Services for the past 19 months.

Mr Duff is an experienced civil and infrastructure practitioner with a career spanning over 35 years working in both the United Kingdom and in Western Australia. Jim has worked in a variety of Private Sector, State Government and Local Government roles leading the delivery of multiple projects.

Mr Duff possesses qualifications in civil engineering and business leadership, in particular which he has applied in the local government sphere. Jim is an integral member of the City's Executive Management Team during his tenure. In his time at the City of Nedlands Mr Duff has established a sound working relationship with Councillors and staff.

Mr Duff's CV is attached (Attachment 2).

Mr Edmund (Ed) Herne, interim Director Corporate and Strategy

The interim Director Corporate and Strategy role was advertised in December 2020. There were 22 applications and interviews of shortlisted candidates were conducted in January 2021. Ed Herne was identified as the suitable and preferred candidate for the role.

Mr Herne has over 35 years' experience in senior positions in both the private and public sectors. Ed's experience includes the role of Director Corporate Services for 13 years at the City of Stirling where he was responsible for the suite of corporate services including financial management, ICT, human resources and strategic asset management. Prior to joining the City of Stirling Ed held a similar position at Murdoch University.

Mr Herne holds a Bachelor of Business Degree and has been a CPA since 1981.

Mr Herne's CV is attached (Attachment 3).

Mr Tony Free, Interim Director Planning & Development

The interim Director Planning & Development role was advertised in December 2020. There were 13 applications and interviews of shortlisted candidates were conducted in January 2021. Tony Free was identified as the suitable and preferred candidate for the role.

Tony Free has more than 20 years' experience in local government including over 17 years at the executive level. Tony is a qualified town planner with a Master of Business Administration. Tony's extensive experience in the planning area includes more than 16 years as the Director Sustainable Communities at the City of Mandurah and prior to that, 3 years as the Manager Development Services.

Mr Free's CV is attached (Attachment 4).

Acting CEO Policy

On 3 February 2021 a new section 5.39C. "Policy for temporary employment or appointment of CEO", of the Local Government Act 1995, came into effect. As such, and in order to expedite matters, Council's appointment of the higher duties Acting CEO is recommended. The attached policy is also recommended. This will cut down on the administrative process for sharing the role of higher duties Acting CEO, while the interim and long-term CEO positions are filled.

Key Relevant Previous Council Decisions:

11 February 2020

Council:

1. revokes Council Resolution, Item 10 “Chief Executive Officer Recruitment” to adopt the Terms of Reference and approve appointment of recruitment agents, of the Special Council Meeting 2 February 2021;
2. requests to the CEO that the Director Corporate and Strategy, Director Technical Services and Director Planning & Development share the position of Acting CEO on higher duties from 25 February 2021 until Council determines an interim or long-term CEO;
3. requests the CEO to advise the respondents to RFQ 2020-21.137 that no respondent has been selected;
4. requests the CEO to undertake a further request for quotation process to seek suitably experienced organisations from a wide field to provide recruitment services for (a) Interim CEO and (b) Long term CEO.
5. adopts the revised CEO Recruitment and Selection Committee 2021 Terms of Reference below, with deletions shown as strike through and additions shown in bold.
 1. The CEO Recruitment and Selection Committee is to be an interim Committee for the life of the CEO recruitment and selection processes.
 2. In accordance with Local Government Operational Guidelines Number 10 – Appointing a CEO (updated April 2019) and in the interests of professionalism for all parties and the reputation of the City, matters discussed and information relating to executive search companies that are commercial in confidence or relating to applicants and their details will be treated in the strictest confidence. All Councillors and staff dealing with the CEO recruitment and selection processes are to sign a confidentiality agreement.
 3. The role of respective members of the Committee are to be clarified and confirmed – that is, the roles of the Mayor and Committee members and the roles of alternate Committee members, including whether the alternate Committee members are to act as proxies. That the alternate Committee members are to act as proxies, with voting rights if the respective Committee members cannot attend.
 4. The CEO Recruitment and Selection Committee, will refine the requirements for the selection of the CEO and will assist with coordination of the process. The CEO Recruitment and Selection

Committee may request the assistance of an independent human resources consultant.

5. The CEO Recruitment and Selection Committee will coordinate the end-to-end recruitment process, including working with an Executive Search consultancy as required to advertise for and search and select appropriate candidates.
6. The CEO Recruitment and Selection Committee will report back to Council at important points in the process as approved by Council and enable Council to make the final decision regarding selection and appointment of the interim CEO and the long-Term CEO.
7. The CEO recruitment process will operate in accordance with;
 - a. section 5.39A “Model standards for CEO recruitment, performance and termination” of the Local Government Act 1995;
 - b. regulation 18FA. “Model standards for CEO recruitment, performance and termination” of the Local Government (Administration) Regulations 1996;
 - c. Schedule 2 — “Model standards for CEO recruitment, performance and termination” of the Local Government (Administration) Regulations 1996;
 - d. prior to the determination of the position description and selection criteria for the long-term CEO, the independent person be appointed to the Committee; and
 - e. that the Committee’s Recommendations for appointing the independent person be in accordance with the Department of Local Government Guidelines for CEO Recruitment; and
6. notes that the next meeting of the CEO Recruitment and Selection Committee 2021 will make recommendations to Council that comply with the new requirements under the Local Government Act 1995 and its subsidiary legislation, including, but not limited to;
 - a. Inclusion of an independent person on the committee;
 - b. Determining the position description; and
 - c. Determining the selection criteria.

Consultation

N/A

Strategic Implications

Ensures appropriate management and good governance.

Budget/Financial Implications

Within existing budget.

Can we afford it?

Backfilling essential positions ensures the continuation of the leadership and management of the City and is within existing budget.

How does the option impact upon rates?

No impact on rates as is within existing budget.

Conclusion

Council to endorse Jim Duff as the Acting CEO, pending the recruitment and appointment of an interim CEO.

Council to note the appointment of Ed Herne to the interim Director Corporate & Strategy role.

Council to note the appointment of Tony Free to the interim Director Planning & Development role.

Council to adopt a new policy on Acting CEOs.

Appointment of Acting Chief Executive Officer

Status	Council
Responsible Division	Office of the Chief Executive Officer
Objective	To ensure compliance with Local Government Act 1995 s5.39C by having a policy regarding the employment of an acting Chief Executive Officer.
Context	To provide a framework and guidelines for the employment of an acting CEO.

Statement

Section 5.39C of the Local Government Act requires the adoption of a policy regarding the employment of an acting Chief Executive Officer (CEO).

Council delegates to the CEO, appointment of an internal employee higher duties Acting CEO subject to the following conditions:

1. The appointment is to be for a period of no more than 3 months; and
2. The person appointed is to be suitably qualified, experienced and knowledgeable for the Acting CEO role; and
3. The appointment not being due to a vacancy of the CEO's position.

The Chief Executive Officer must inform the elected members of all proposed Acting CEO arrangements.

For CEO vacancy periods over 3 months the appointment of the Acting CEO shall be determined by Council.

The CEO shall report to Council any proposal to fill an Acting CEO role over three months with as much advanced notice as possible. In this case the CEO may recommend a suitable internal candidate for higher duties and must also provide an alternative recommendation to Council, to convene a CEO Recruitment and Selection Committee to progress the Acting CEO recruitment.

If the Chief Executive Officer's position becomes vacant, all acting arrangements are to be determined by the Council.

Related Documentation

Related Local Law / Legislation

- Local Government Act 1995 s5.39C, (which also refers to any prescribed matters but as at the date of adoption of this Policy, there were no such prescribed matters).
She

Related Delegation

Register of Delegations xxx

Review History

Adopted by Council xxxx

13.10 Engagement Contract Investigation Findings

Council	24 February 2021
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995 and section 10 of the City of Nedlands Code of Conduct for Impartiality.	Nil.
CEO	Mark Goodlet
Attachments	Nil.
Confidential Attachments	1. Final Report – Agreed Upon Procedures - Community Engagement

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Wetherall

Seconded – Councillor McManus

That the Recommendation to Council be adopted.

(Printed below for ease of reference)

CARRIED 9/3

(Against: Crs. Bennett Mangano & Coghlan)

Council Resolution / Recommendation to Council

Council notes the findings of the report in confidential Attachment 1 by Moore Australia.

Executive Summary

This report presents the findings of an external audit firm engaged at Council's request (OCM 24 November 2020):

- to investigate confirmation of the RFQ documents (for an engagement consultant);
- confirmation as to whether CGM Communications ever saw the offending material; and
- the sequence of events that occurred in the development of the RFQ, the procurement process and the assessment.

This report was requested by Council due primarily to the unlawful disclosure of confidential information to the media relating to the procurement and engagement of CGM Communications. This left Council with little choice reputationally but to seek the services of a suitably qualified independent professional auditor to investigate the matter.

The report and its findings are in confidential Attachment 1. The investigator was competitively sourced. In short, it confirms the advice already provided to Council at the ordinary meeting of Council on 24 November 2020;

- that the contract did not include the “offensive material”;
- the Google source of the information; and
- that the ideas expressed were not prevalent in the organisation.

Discussion/Overview

Investigation

By way of recap of the report to Council on 24 November 2020, the Engagement Services contract and evaluation report were provided to the Councillors confidentially and then subsequently information in the documents was provided to the Post newspaper by sources unknown. Internet quotations were printed in the 7 November 2020 Post newspaper claiming that this was the “admin brief” and that ‘the City of Nedlands has asked public relations firms to “divide and conquer” its own residents’.

Reputationally Council was left with little option but to have the matter independently investigated.

As stated in the report to Council of 24 November 2020 and now confirmed in an independent report, the Post’s article on this matter is misleading and incorrect. The material in question did not form part of the contract and CGM Communications. This material was simply a Google search extract by an officer and was not circulated among staff as an administrative position.

The reports states that “we have confirmed with the internal stakeholders these documents were only shared between three employees... and it was not included in the RFQ documents and they have not discussed it verbally or in writing with any parties including the three service providers to the RFQ”. “We found no evidence that the documents containing the “offending material” was distributed to any other person other than between the three City employees”.

In terms of CGM Communications the report states “They confirmed they did not receive a copy of the “offending material” or are aware of any discussions relating to this with anyone at the City. As they did not receive it then they could not have distributed it”.

Budget Authorisation

It is noted that consultancy budgets approved by Council are discretionary, giving the CEO or any other authorised officer the ability to respond to the needs of the City by utilising this budget to engage the services of consultants on matters topical to the City. This is similar in effect to the library's new books budget. The Council approves the books budget, not the list of books purchased. The use of an approved consultancy budget for engagement consultants was not "unauthorised", and the procurement was undertaken in accordance with Council policy. This was also misleading information published in the Post.

Confidentiality

The Attached report is confidential under section 5.23(a) of the Local Government Act 1995 as it a matter affecting an employee or employees.

Should Council wish the report be made public then it should request the CEO to seek permission from the firm who produced the report and secondly redact staff details, excluding the CEO, who is permitting his identification.

Key Relevant Previous Council Decisions:

Resolution of Council on 24 November 2020

Council:

1. notes that the contract between CGM Communications and the City of Nedlands has been terminated by agreement between the parties; and
2. instructs the Mayor undertake an FOI request for the entire documents to be fulfilled within 7 working days as per below:
 - a. The 22 page contract document bundle distributed to Councillors on the 29th October 2020 relating to quotation for Provision of Consultancy Services Community Outrage Engagement, consisting of 7 contract documents listed in Schedule 1 of AS4122-2010 Annexure Part A (Summary of Content), including document 2 titled: City of Nedlands Request for Quotation document RFQ 2019-20.WM issued April 2020; and
 - b. The Mayor to release documents once the FOI is completed; and
3. instructs the CEO to request the Director of Corporate & Strategy to appoint an independent investigator to ascertain the following and report to the Audit & Risk Committee:
 - a. confirmation of the RFQ documents;
 - b. confirmation as to whether CGM Communications ever saw the offending material; and
 - c. the sequence of events that occurred in the development of the RFQ, the procurement process and the assessment.

4. approves an investigator be appointed within 2 weeks from 24 November 2020;
5. approves that the investigator report the outcome to the CEO within 2 week from the date of their appointment;
6. instructs the CEO to update the Mayor at their weekly meetings on the progress of the investigation.

Consultation

Nil.

Budget/Financial Implications

Expenditure on Engagement Consultant

While the Engagement consultant budget was \$60,000, the final expenditure was \$25,463.

Expenditure on Investigator

The validity of any investigation goes to the credibility of the investigator. As resolved, the Director Corporate and Strategy, who also provides the liaison to the City's Audit and Risk Committee, sought competitive quotations and procured the services of a professional audit firm with financial and IT expertise, to undertake a thorough internal and external review of the matter. The value of the investigation work is \$37,000.

Conclusion

The investigator's report confirms the advice already provided to Council at the ordinary meeting of Council on 24 November 2020; that the contract did not include the "offensive material", the Google source of the information, and that the ideas expressed were not prevalent in the organisation.

13.11 Scheme Amendment No. 11 – Residential Aged Care Facilities

Council	23 February 2021
Applicant	City of Nedlands
Employee Disclosure under section 5.70 of the Local Government Act 1995 and section 10 of the City of Nedlands Code of Conduct for Impartiality.	<p>Nil.</p> <p>“The author, reviewers and authoriser of this report declare they have no financial or impartiality interest with this matter. There is no financial or personal relationship between City staff and the proponents or their consultants. Whilst parties may be known to each other professionally, this relationship is consistent with the limitations placed on such relationships by the Codes of Conduct of the City and the Planning Institute of Australia”.</p>
Director	Tony Free – Director of Planning and Development
Attachments	<p>1. Justification Report – Scheme Amendment No 11</p> <p>2. Summary of Submissions</p>
Confidential Attachments	1. Full Submissions - YourVoice

Regulation 11(da) - *

Moved – Councillor Coghlan

Seconded – Councillor Mangano

That the Recommendation to Council be adopted subject to the addition of a new clause 32.7 (2) a) ii. for residential land as follows:

32.7 (2) a.

ii. the following setbacks apply:

- **9m minimum street setback for land coded R10 to R15**
- **6m minimum street setback for land coded R20**
- **4m minimum street setback for land coded R30 to R35**
- **6m side and rear boundary setback.**

Councillor Youngman & Councillor Smyth left the meeting at 10.33 pm.

Councillor Youngman & Councillor Smyth returned to the meeting at 10.35 pm.

CARRIED 9/3
(Against: Crs. McManus Wetherall & Poliwka)

Council Resolution

Council:

1. pursuant to section 75 of the *Planning and Development Act 2005* and in accordance with section 50(3) of the *Planning and Development (Local Planning Schemes) Regulations 2015* supports with modifications Scheme Amendment No. 11 to amend Local Planning Scheme No. 3 as follows:

An addition of a new Clause 32.7 for Residential zoned land to be added, with the following sub clauses inserted:

32.7 (1) In relation to applications for Residential Aged Care Facilities on land coded R10, R12.5, R15, R20, R30 and R35, the preparation of Local Development Plan (LDP) may be required in accordance with Part 6 of the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 2 “Deemed Provisions.” The purpose of the Local Development Plan is to provide specific guidance for Residential Aged Care Facilities to ensure the achievement of orderly and proper planning outcomes. The LDP shall be consistent with the requirements of subclause 2 (a).

32.7 (2) Where there is no approved Structure Plan, Local Development Plan, Precinct Plan and/or Activity Centre Plan, non-residential applications are to comply with the R Codes where relevant except where varied below:

a. In relation to land coded R10 to R35:

- i. a maximum building height of two storeys with a maximum external wall height of 8.5m and maximum overall height of 10m as measured from natural ground level. A storey and natural ground level are defined in accordance with Residential Design Codes.
- ii. the following setbacks apply:
 - 9m minimum street setback for land coded R10 to R15
 - 6m minimum street setback for land coded R20
 - 4m minimum street setback for land coded R30 to R35
 - 6m side and rear boundary setback.
- iii. maximum plot ratio of 1.0.
- iv. a minimum 50 percent of site area provided as open space.

2. in accordance with *Planning and Development (Local Planning Schemes) Regulations 2015* section 53(1) submit 2 copies of the proposed Scheme Amendment No. 11 to the West Australian Planning Commission.
3. instructs the CEO to undertake a review of the Local Planning Policy Residential Aged Care Facilities to ensure consistency with proposed Scheme Amendment No. 11 and that the policy provisions support the optimal development of a Residential Aged Care Facility. The findings and recommendations of the review are to be presented to Council for approval.

Recommendation to Council

Council:

1. pursuant to section 75 of the *Planning and Development Act 2005* and in accordance with section 50(3) of the *Planning and Development (Local Planning Schemes) Regulations 2015* supports with modifications Scheme Amendment No. 11 to amend Local Planning Scheme No. 3 as follows:

An addition of a new Clause 32.7 for Residential zoned land to be added, with the following sub clauses inserted:

32.7 (1) In relation to applications for Residential Aged Care Facilities on land coded R10, R12.5, R15, R20, R30 and R35, the preparation of Local Development Plan (LDP) may be required in accordance with Part 6 of the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 2 “Deemed Provisions.” The purpose of the Local Development Plan is to provide specific guidance for Residential Aged Care Facilities to ensure the achievement of orderly and proper planning outcomes. The LDP shall be consistent with the requirements of subclause 2 (a).

32.7 (2) Where there is no approved Structure Plan, Local Development Plan, Precinct Plan and/or Activity Centre Plan, non-residential applications are to comply with the R Codes where relevant except where varied below:

- a. In relation to land coded R10 to R35:
 - i. a maximum building height of two storeys with a maximum external wall height of 8.5m and maximum overall height of 10m as measured from natural ground level. A storey and natural ground level are defined in accordance with Residential Design Codes.
 - ii. the following setbacks apply:

- 6m minimum street setback.
 - 6m side and rear boundary setback.
- iii. maximum plot ratio of 1.0.
- iv. a minimum 50 percent of site area provided as open space.
2. in accordance with *Planning and Development (Local Planning Schemes) Regulations* 2015 section 53(1) submit 2 copies of the proposed Scheme Amendment No. 11 to the West Australian Planning Commission.
3. instructs the CEO to undertake a review of the Local Planning Policy Residential Aged Care Facilities to ensure consistency with proposed Scheme Amendment No. 11 and that the policy provisions support the optimal development of a Residential Aged Care Facility. The findings and recommendations of the review are to be presented to Council for approval.

Executive Summary

The purpose of this report is for Council to provide consent to adopt or refuse the proposed Scheme Amendment No. 11 to Local Planning Scheme No. 3 (LPS3) post advertising.

Scheme Amendment No. 11 was initially presented to Council at the 28 July 2020 OCM for Council's consent to advertise. Council provided consent to advertise Scheme Amendment No. 11, resolving as follows:

"Council:

1. Pursuant to Section 75 of the Planning and Development Act 2005, adopt an Amendment to Local Planning Scheme 3 by:

An addition of a new Clause 32.7 for Residential zoned land to be added, with the following sub clauses inserted:

32.7 (1) In relation to applications for Residential Aged Care Facilities on land coded R10, R12.5, R15, R20, R30 and R35, the preparation of Local Development Plan (LDP) may be required in accordance with Part 6 of the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2 "Deemed Provisions." The purpose of the Local Development Plan is to provide specific guidance for Residential Aged Care Facilities to ensure the achievement of orderly and proper planning outcomes. The LDP shall be consistent with the requirements of subclause 2 (a).

32.7 (2) Where there is no approved Structure Plan, Local Development Plan, Precinct Plan and/or Activity Centre Plan, non-residential applications are to comply with the R Codes where relevant except where varied below:

- b) In relation to land coded R10 to R35:
 - i. A maximum building height of two storeys with a maximum external wall height of 8.5m and maximum overall height of 10m as measured from NGL. A storey is defined in accordance with Residential Design Codes.
 - ii. The following setbacks apply:
 - 6m minimum street.
 - 6m side and rear boundary setback.
 - iii. Maximum plot ratio of 1.0.
 - iv. A minimum 50 percent of site area provided as open space.
- 2. In accordance with Planning and Development (Local Planning Schemes) Regulations 2015 section 35(2), the City believes that the amendment is a Standard Amendment for the following reasons:
 - a) an amendment relating to a zone or reserve that is consistent with the objectives identified in the scheme for that zone or reserve;
 - b) an amendment that is consistent with a local planning strategy for the scheme that has been endorsed by the Commission;
 - c) an amendment that would have minimal impact on land in the scheme area that is not the subject of the amendment;
 - d) an amendment that does not result in any significant environmental, social, economic or governance impacts on land in the scheme area; and
 - e) any other amendment that is not a complex or basic amendment.
- 3. Pursuant to Section 81 of the Planning and Development Act 2005, refers Scheme Amendment 11 to the Environmental Protection Authority.
- 4. Subject to Section 84 of the Planning and Development Act 2005 advertises Scheme Amendment 11 in accordance with Regulation 38 of the Planning and Development (Local Planning Schemes) Regulations 2015 and Local Planning Policy – Consultation of Planning Proposals.”

Discussion/Overview

Amendment No. 11 Details

In LPS3 Residential Aged Care Facilities are an ‘A’ (local government discretion required post advertising) use within the Residential and Mixed-Use Zones. Table 6 – Additional requirements that apply to land in Scheme area, imposes additional requirements on development within the City. Currently, Table 6 provides no built form guidance for Residential Aged Care Facilities and does not impose any additional development requirements on Residential zoned land.

The Amendment seeks to insert Clause 32.7, which will provide built form controls for development within the Residential zone. Sub-clauses 32.7(1)-(2) will provide additional built form requirements specifically for Residential Aged Care Facilities.

This amendment is in accordance with the planning principles of the City's Local Planning Strategy, including:

- Protect and enhance local character and amenity.

And the relevant objectives of LPS3, being:

Residential Zone Objective:

- To provide for a range of non-residential uses, which are compatible with and complementary to residential development.
- To ensure development maintains compatibility with the desired streetscape in terms of bulk, scale, height, street alignment and setbacks.

The development of Residential Aged Care Facilities in the Residential zone is considered to increase the intensification of the land use, including increased noise, traffic, and visitors, and have the potential to negatively impact on the amenity of low-density residential areas. A Residential Aged Care Facility with a maximum height equivalent to a three-storey building, generous boundary setbacks and a maximum plot ratio of 1.0 will sit more comfortably within the character of the Residential zone. In addition to this, the requirement for an LDP will allow for development in low density residential areas to be planned and negotiated between an applicant and the Local Government prior to a Development Application being lodged, providing for greater negotiation and certainty for both parties. The built form outcomes proposed under Clause 32.7 will both protect and enhance the local character and amenity of the Residential zones, in keeping with the intent of the City's Local Planning Strategy.

Minor Modifications proposed to Scheme Amendment No 11

The minor modification proposed to Scheme Amendment No 11 is in relation to Clause 32.7 (a)i. This clause originally read:

A maximum building height of two storeys with a maximum external wall height of 8.5m and maximum overall height of 10m as measured from NGL. A storey is defined in accordance with Residential Design Codes.

The proposed modification changes Clause 32.7 (a)i to the following:

A maximum building height of two storeys with a maximum external wall height of 8.5m and maximum overall height of 10m as measured from natural ground level. A storey and natural ground level are defined in accordance with Residential Design Codes.

The acronym NGL has been changed to 'natural ground level' to ensure it reflects the Residential Design Codes. The wording has also changed to ensure that both storeys and natural ground level are defined as per the Residential Design Codes. This minor change removes any margin for misunderstanding or error and has been made in relation to submissions received from community members.

Administration's Recommendation – Why it differs from the Recommendation for Scheme Amendment No 10

Scheme Amendment No 11 and Scheme Amendment No 10, which relates to built form controls for the Additional Use 9 sites (Lots 10 (16) and 11 (18) Betty Street, Nedlands and Lots 19 (73) and 18 (75) Doonan Road, Nedlands), were presented to Council originally at the 28 July 2021 OCM.

At the 15 December OCM, Scheme Amendment No 10 was presented to Council for final consideration. Administration recommended that the built form provisions included within Scheme Amendment No 10 should be removed, as placing them within Table 4 of the Scheme means that they are inflexible and cannot be varied. Administration considered that placing immovable built form outcomes within a Scheme may not lead to the optimal built form outcomes for the site. Council resolved not to remove the built form provisions from Scheme Amendment No 10 at the 27 January 2021 Special Council Meeting.

SA11 proposes to place a new Clause 32.7 within Table 6 of LPS3, which imposes built form provisions relating to all Residential Aged Care Facilities proposed in the Residential Zone. Administration is supportive of these built form provisions being included, as provisions placed within Clause 32 can be varied by Clause 34 of LPS3. This means that if a development were proposed that varied the built form provisions in SA11, but produced a better built form outcome overall, the City would still be able to recommend approval.

Therefore, the provisions proposed through SA11 would be flexible and able to be applied on a case by case basis. As SA11 is related to a Residential Aged Care Facility proposed anywhere within the Residential zone, the City's recommendation would be dependant on variables such as where the development is proposed, how big the site is and how big the proposed Residential Aged Care Facility is. Flexible provisions are therefore key to ensuring the best built form outcomes are achieved for this style of development within the City. In light of this, Administration's recommendation for SA11 is to retain the built form provisions, rather than remove them as was the recommendation for SA10.

Consultation

Scheme Amendment No 11 was advertised for a period of 42 days, from Saturday the 3 October 2020 to Saturday 14 November 2020. The City received 198 submissions (one contributor submitting twice), being 177 in support, 6 objections and 16 commenting.

The most common responses received via community consultation, and Administration's responses to them are:

- Minor modifications required to ensure consistency between LPS3 Scheme Amendment No. 10 and RACF LPP.

When initially presented to Council for endorsement to advertise, Scheme Amendment No. 11 was consistent with the provisions of Scheme Amendment No 10 and the LPPRACF. However, in response to comments received during the consultation period, Council chose to make modifications to the LPPRACF post advertising and prior to adoption at the 3 September 2020 Special Council Meeting.

The Council Resolution regarding the amendments made to the LPPRACF at the 3 September 2020 Special Council Meeting was as follows:

"Council:

Resolves to adopt the Residential Aged Care Facilities Local Planning Policy, as set out in Attachment 1, in accordance with the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2, Part 2, Clause 4(3)(b)(i) with the following changes:

1. Delete 4.3.3 2) b)(i) and replace with the following: "(i) 9 m minimum street setback for land coded R 10- R 15; 6 m minimum street setback for land coded R20; 4m minimum street setback for land coded R30 to R35; 6m side and rear boundary setbacks"; and
2. Add "4.3.3 3) Any boundary wall shall be minimised by the building design and shall not exceed the acceptable outcome standard under the R-Codes".
3. Add the following sentence to the end of 4.3.4 1) "The LDP must be consistent with the requirements of the following provisions of this Policy."
4. Clarification Note:
Paragraph "4.3.4 2) (v) A minimum 50% of site area provided as open space is required" was omitted from the Agenda Papers but was correctly included in Attachment 1.
5. Add the following words to the beginning of 4.6.1 paragraph 2 "Windows to habitable rooms and unenclosed".
6. Modify clause 4.8.1 to read "Delivery loading and building service areas are to be located so that they are not visible from the street or adjacent to adjoining residential properties."
7. Modify clause 6.2 to read "All Residential Aged Care Facilities are to be advertised in accordance with the requirements of the Local Planning Policy-Consultation of Planning Proposals."

At this time, the Scheme Amendment process had already been initiated by Council at the 28 July OCM and proposed Scheme Amendment No. 11 was undergoing review by the Environmental Protection Authority, the first step in the Scheme Amendment process. The *Planning and Development (Local Planning Schemes) Regulations 2015* provide no option to alter the wording of

a Scheme Amendment between Council endorsement and public advertising. The only time that minor amendments may be made to a Standard Scheme Amendment is post advertising as per Regulation 50(3) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Administration does not support Council's changes to the LPPRACF. The policy provisions are not designed to be specifically relevant to specific sites. However, if Council chooses to endorse Scheme Amendment No 11, it is recommended that they also Resolve that the LPP-RACF is altered to ensure consistency with Scheme Amendment No 10 and 11.

- Minimum 9m street setback should be required.

The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is a permitted use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.

A number of comments were included regarding locational criteria that may be addressed together due to their similar issues. The overarching issues included in these comments were:

- Conditions for development of an RACF in the residential zone should be included so RACF are appropriately situated to minimize impact on the surrounding residential area.

AND

- Standards from the RACF LPP Clause 4.2.1 to be included:
 - no more than two boundaries to an adjacent residential lot
 - within proximity to an area of open public space
 - within proximity to amenities including hospitals, medical centres, shopping precincts and high frequency public transport.

AND

- Vehicular access should be internalised.

RACF are an 'A' use throughout the Residential zone as per Table 3 – Zoning Table of LPS3. Although preferential location criteria can be included in the LPP-RACF, designating certain lots as more or less desirable for an RACF due to their proximity to certain amenities is not appropriate within Table 6 of LPS3. Table 6 is for the provision of additional requirements applicable to land within the Scheme area, and it is not the appropriate location to designate certain lots for a Use Class that has been stipulated as an 'A' use throughout the Residential zone. A provision within Table 6 that sought to control specific sites which were designated for the RACF use would be in contradiction with Table 3 – Zoning Table, and therefore be an inoperable and ineffective condition.

- Minimum land area for development should be required.

RACF are listed as Permissible uses on several sites under LPS3 Table 4 – Specified additional uses for zoned land in Scheme area. These sites have been identified within LPS3 as suitable for RACF, and therefore the opportunity to specify ideal site requirements does not exist within these instances.

RACF are listed as an ‘A’ use in the Residential and Mixed Use zones within LPS3, which means that the Development Application can be considered and must be advertised.

The locational requirements for an RACF are most appropriately located within the LPP RACF. Strict locational requirements are unlikely to be supported by the WAPC within a scheme amendment, particularly as the Scheme already dictates locations where RACF’s are a permitted Additional Use.

- Proximity should be defined.

Proximity is not mentioned within Scheme Amendment No 11, and therefore there is no nexus for providing a definition.

- There needs to be an absolute obligation on a proponent to prepare a Local Development Plan (LDP)

A Local Development Plan is a planning instrument used to coordinate better built form outcomes by linking lot design and future development. Local Development Plans can be used to facilitate the design and coordination of development upon small or highly constrained lots. They can also provide supplemental development standards to those contained in local planning schemes, local planning policies and the R-Codes.

A Local Development Plan should be used in limited situations to guide and coordinate development outcomes for a particular site and cannot be used purely as a means to vary the deemed-to-comply provisions of the R-Codes. It is only to apply to specific lots, or group of lots.

Local Development Plans are intended to be negotiated between a developer and Local Government and receive approval from the WAPC prior to a development application being submitted. In lieu of a Local Development Plan the conditions included in SA11, considered alongside the provisions of the LPPRACF, will provide an adequately flexible planning framework for the development of a Residential Aged Care Facility.

- Amendments to the LPS Regulations are currently being advertised which propose amendments to Clause 47 to include circumstances where the provision of a Scheme requires one to be prepared.

The Amendments to the LPS Regulations do include circumstances where a Local Development Plan can be required to be provided, such as through a Local Planning Policy, which has not previously been an avenue for preparation. However, the ultimate approval of such a document would still fall to the WAPC. This means that if the City's LPPRACF required the preparation of a Local Development Plan for every RACF, there is still the potential for the WAPC to refuse it. Hence the optimal outcome considered by the City is that the Local Government, WAPC and applicant work together to prepare a Local Development Plan and if one party does not agree with its creation, then the building built form provisions will remain to support a high-quality development in proposed Clause 32.

Strategic Implications

How well does it fit with our strategic direction?

The objectives for the Residential zone within the City's Local Planning Scheme requires non-residential uses and their built form to be compatible with the residential landscape where they are proposed in a residential area. The proposed amendments to the scheme provide built form controls that will guide Residential Aged Care Facilities to sit comfortably within the City's strategic direction for these zones.

Who benefits?

The community benefits from this Scheme Amendment, as it imposes built form controls for Residential Aged Care Facilities where they are proposed within the Residential zone.

Does it involve a tolerable risk?

This Scheme Amendment is not considered to pose a strategic risk to the City.

Do we have the information we need?

Yes.

6.0 Budget/Financial Implications

Can we afford it?

The costs associated with this Local Planning Policy are only in relation to advertising.

How does the option impact upon rates?

As above.

Conclusion

Administration advises Council that, upon further consideration of the detail and submissions from the community, Scheme Amendment No. 11 should be supported with minor modifications. These modifications involve text changes to Clause 32.7(a)i. to ensure that natural ground level is understood to be defined as per the Residential Design Codes.

Scheme Amendment No. 11 will result in reasonable and flexible built form requirements that permit the exercise of discretion due to Clause 34 of LPS3 allowing the variation of provisions within Clause 32. Where these provisions cannot be achieved, the requirement for a Local Development Plan that is developed with due regard to the existing LPPRACF will enable the City to negotiate appropriate planning outcomes for Residential Aged Care Facilities within the Residential zone. Administration recommends that Council resolve to support Scheme Amendment No. 11 with modifications as outlined in Attachment 2 – Justification Report.



City of Nedlands
Local Planning Scheme No. 3

Amendment No. 11

An addition of a new Clause 32.7 for Residential Zoned land to be added, with the following sub clauses inserted:

32.7 (1) In relation to applications for Residential Aged Care Facilities on land coded R10, R12.5, R15, R20, R30 and R35, the preparation of Local Development Plan (LDP) may be required in accordance with Part 6 of the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2 "Deemed Provisions." The purpose of the Local Development Plan is to provide specific guidance for Residential Aged Care Facilities to ensure the achievement of orderly and proper planning outcomes. The LDP shall be consistent with the requirements of subclause 2 (a).

32.7 (2) Where there is no approved Structure Plan, Local Development Plan, Precinct Plan and/or Activity Centre Plan, non-residential applications are to comply with the R Codes where relevant except where varied below:

- a. In relation to land coded R10 to R35:*
 - i. A maximum building height of two storeys with a maximum external wall height of 8.5m and maximum overall height of 10m as measured from natural ground level. A storey and natural ground level are defined in accordance with Residential Design Codes.*
 - ii. The following setbacks apply:*
 - 6m minimum street.*
 - 6m side and rear boundary setback.*
 - iii. Maximum plot ratio of 1.0.*
 - iv. A minimum 50 percent of site area provided as open space.*

Planning and Development Act 2005

**RESOLUTION TO PREPARE AMENDMENT
TO LOCAL PLANNING SCHEME**

*City of Nedlands Local Planning Scheme 3
Scheme Amendment 11*

Resolved that the Local Government pursuant to Section 75 of the Planning and Development Act 2005, amends the Local Planning Scheme by:

An addition of a new Clause 32.7 for Residential Zoned land to be added, with the following sub clauses inserted:

32.7 (1) In relation to applications for Residential Aged Care Facilities on land coded R10, R12.5, R15, R20, R30 and R35, the preparation of Local Development Plan (LDP) may be required in accordance with Part 6 of the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2 "Deemed Provisions." The purpose of the Local Development Plan is to provide specific guidance for Residential Aged Care Facilities to ensure the achievement of orderly and proper planning outcomes. The LDP shall be consistent with the requirements of subclause 2 (a).

32.7 (2) Where there is no approved Structure Plan, Local Development Plan, Precinct Plan and/or Activity Centre Plan, non-residential applications are to comply with the R Codes where relevant except where varied below:

- a. In relation to land coded R10 to R35:
 - i. A maximum building height of two storeys with a maximum external wall height of 8.5m and maximum overall height of 10m as measured from natural ground level. A storey and natural ground level are defined in accordance with Residential Design Codes.
 - ii. The following setbacks apply:
 - 6m minimum street setback.
 - 6m side and rear boundary setback.
 - iii. Maximum plot ratio of 1.0.
 - iv. A minimum 50 percent of site area provided as open space.

The amendment is considered standard under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reason(s):

- a) an amendment relating to a zone or reserve that is consistent with the objectives identified in the scheme for that zone or reserve;
- b) an amendment that is consistent with a local planning strategy for the scheme that has been endorsed by the Commission;
- c) an amendment that would have minimal impact on land in the scheme area that is not the subject of the amendment;

- d) an amendment that does not result in any significant environmental, social, economic or governance impacts on land in the scheme area;
- e) any other amendment that is not a complex or basic amendment.

Dated this _____ day of _____ 20__

(Chief Executive Officer)

City of Nedlands

Local Planning Scheme No. 3 – Scheme Amendment No. 11

Scheme Amendment Report

1.0 INTRODUCTION

Local Planning Scheme No. 3 (LPS 3) was gazetted on 16 April 2019. Table 3 – Zoning Table lists Residential Aged Care Facilities as a discretionary use requiring advertising ('A' use) within Residential zone.

The amendment is in the opinion of the City a Standard Amendment as it satisfies the following criteria of Regulation 34 of the Planning and Development (Local Planning Schemes) Regulations 2015:

- a) an amendment relating to a zone or reserve that is consistent with the objectives identified in the scheme for that zone or reserve;
- b) an amendment that is consistent with a local planning strategy for the scheme that has been endorsed by the Commission;
- c) an amendment that would have minimal impact on land in the scheme area that is not the subject of the amendment;
- d) an amendment that does not result in any significant environmental, social, economic or governance impacts on land in the scheme area;
- e) any other amendment that is not a complex or basic amendment.

2.0 PROPOSAL

An addition of a new Clause 32.7 for Residential Zoned land to be added, with the following sub clauses inserted:

32.7 (1) In relation to applications for Residential Aged Care Facilities on land coded R10, R12.5, R15, R20, R30 and R35, the preparation of Local Development Plan (LDP) may be required in accordance with Part 6 of the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2 "Deemed Provisions." The purpose of the Local Development Plan is to provide specific guidance for Residential Aged Care Facilities to ensure the achievement of orderly and proper planning outcomes. The LDP shall be consistent with the requirements of subclause 2 (a).

32.7 (2) Where there is no approved Structure Plan, Local Development Plan, Precinct Plan and/or Activity Centre Plan, non-residential applications are to comply with the R Codes where relevant except where varied below:

- a. In relation to land coded R10 to R35:
 - i. A maximum building height of two storeys with a maximum external wall height of 8.5m and maximum overall height of 10m as measured from natural ground level. A storey and natural ground level are defined in accordance with Residential Design Codes.

- ii. The following setbacks apply:
 - 6m minimum street.
 - 6m side and rear boundary setback.
- iii. Maximum plot ratio of 1.0.
- iv. A minimum 50 percent of site area provided as open space.

2.1 JUSTIFICATION

Within Table 3 – Zoning Table of LPS3, Residential Aged Care Facilities are an ‘A’ (local government discretion required post advertising) use in the Residential and Mixed-Use Zones. LPS3’s Table 6 – Additional requirements that apply to land in Scheme area, imposes additional requirements on development within the City. Currently, Table 6 provides no built form guidance for Residential Aged Care Facilities and does not impose any additional development requirements on Residential zoned land.

The amendment seeks to insert Clause 32.7, which will provide built form controls for development within the Residential zone. Sub-clauses 32.7(1)-(2) will provide additional built form requirements specifically for Residential Aged Care Facilities. This Amendment is consistent with the following objectives for the Residential Zone within LPS3:

- *To provide for a range of non-residential uses, which are compatible with and complementary to residential development.*
- *To ensure development maintains compatibility with the desired streetscape in terms of bulk, scale, height, street alignment and setbacks.*

The proposed Scheme Amendment No 11 is considered necessary to provide built form provisions for Residential Aged Care Facilities within the Residential zone as the development of Residential Aged Care Facilities in the Residential zone is considered to increase the intensification of the land use, including increased noise, traffic, and visitors. This land use intensification has the potential to negatively impact on the amenity of low-density residential areas, traditional to the City of Nedlands. The proposed provisions within Scheme Amendment No 11 will assist in guiding developers and the City in relation to the preferred outcome for this style of development within the Residential zone.

The development controls currently applicable to Residential Aged Care Facilities within the Residential zone include:

- Local Planning Scheme No.3
- Local Planning Strategy
- *Local Planning Policy – Residential Aged Care Facilities*
- *Local Planning Policy – Parking*

There are no specific development standards listed as conditions applicable to Residential Aged Care Facilities under LPS3. Therefore, the broad controls under LPS3 apply, including the scheme aims, zone objectives, land use table and additional

site and development requirements. These broad controls do not provide specific standards to guide the development of a Residential Aged Care Facility in the Residential zone.

2.1.1 Local Planning Strategy

The City's Local Planning Strategy, endorsed by the Western Australian Planning Commission on the 26 September 2017, includes guiding planning principles that represent best practice urban planning for the City. These planning principles include:

- *Protect and enhance local character and amenity*

In the absence of specific and targeted scheme-based development standards, the City adopted *Local Planning Policy – Residential Aged Care Facilities* in April 2020 in an effort to guide future built form outcomes. However, as a discretionary and 'due regard' planning instrument, a Local Planning Policy cannot impose mandatory controls comparable to provisions contained within LPS3. Therefore, the proposed scheme amendment has been prepared to provide built form provisions for Residential Aged Care Facilities in the Residential zone to ensure greater clarity and certainty for the City, the community, and applicants with regard to acceptable development standards.

Depending on the scale, Residential Aged Care Facilities' built form outcomes can be incompatible with the existing and desired character of the City's low-density residential areas. A multi-storey facility, with high visitation to the site, high volume traffic and delivery vehicles, can be inconsistent with the amenity outcomes of low-density residential properties. The potential for intensification of land use that is associated with Residential Aged Care Facilities, including increased noise, traffic, and visitors, has the potential to negatively impact on the amenity of low-density residential areas. Given the potential incompatibility of these uses, a Local Development Plan (LDP) is an appropriate mechanism through which development outcomes and interfacing issues can be considered, negotiated, and rectified prior to a Development Application being lodged. An LDP for a Residential Aged Care Facility within the Residential Zone would also be required to incorporate the proposed provisions of sub clauses 32.7 (2) – (4), which have been proposed for the following reasons:

- A minimum 6m street setback is proposed. The setback applies to all street frontages and although less than the traditional 9m front setback which applies to the low density residential land pursuant to clause 26(1)(a)(i) of LPS3, it strikes a balance between the primary and secondary street setbacks permitted under the LPS3 and R-Codes Vol. 1. At 6m, the street setback will likely provide for sufficient landscaping opportunity and streetscape activation generally consistent with the existing character and future expectations for the Residential zone.
- A maximum building height of two storeys with an external wall height of 8.5m and overall height 10m is proposed, as measured from natural ground level. It is noted that a 2.4m floor to ceiling height is appropriate for a Class 9a health care building or a Class 9c building under the BCA. The proposed maximum height is generally consistent with the City's Local Planning Policy: Residential

Development: single and grouped dwellings and the R-Codes Vol.1 as applicable in the surrounding neighbourhood (coded R10-R12.5) and on the adjoining land to the north (coded 12.5). Building height will also be constrained by the proposed plot ratio control.

- A minimum 6m side and rear boundary setback is proposed to allow for adequate separation at the upper levels, future internal amenity (access to northern sunlight and ventilation, deep soil area, canopy tree planting), servicing opportunities, the mitigation of potential impacts associated with a commercial use in a traditional residential area.
- A maximum plot ratio of 1.0 is proposed. This plot ratio is considered appropriate to the maximum height, setback standards and a commercial use. The plot ratio applicable to a commercial use under LPS3 is the ratio of the entire floor area of a building to the area of land within lot boundaries i.e., the calculation includes communal or common areas used by aged care residents, service and machinery, air-conditioning and equipment rooms, space below natural ground level, parking below ground, storage areas and lobbies, balconies and courtyards or roof top terraces. These elements are excluded for residential developments where R-Codes Vol 2 applies.

A Residential Aged Care Facility with a maximum height equivalent to a three-storey building, generous boundary setbacks and a maximum plot ratio of 1.0 will sit more comfortably within the character of the Residential Zone. In addition to this, the requirements for an LDP will allow for development on the site to be planned and negotiated between an applicant and the Local Government prior to a Development Application being lodged, providing for greater negotiation and certainty for both parties. The built form outcomes proposed under Clause 32.7 will both protect and enhance the local character and amenity of the Residential zones, in keeping with the intent of the City's Local Planning Strategy.

2.1.2 Department of Planning, Lands and Heritage - Residential Aged Care Position Statement – December 2020

DPLH's position statement on Residential Aged Care states that Local Planning Schemes should specify locations, sites, densities and development standards for this style of development. Scheme Amendment No 11 proposes to include development standards for Residential Aged Care Facilities within the Residential zone. By proposing the development standards are included under Clause 32, the built form standards proposed are able to be formalised within the Scheme whilst also retaining some flexibility to ensure the optimal development outcome. This is due to built form provisions under Clause 32 being able to be varied by Clause 34 of LPS3. Scheme Amendment No 11 is therefore considered to be in keeping with the intent of this Position Statement.

2.1.3 Consideration as a Standard Amendment

An amendment relating to a zone or reserve that is consistent with the objectives identified in the scheme for that zone or reserve;	The amendment is consistent with the objectives of the Residential zone as it seeks to provide built form controls for a non-residential use within the zone that is not compatible with or complementary to residential development.
An amendment that is consistent with a local planning strategy for the scheme that has been endorsed by the Commission;	<p>The amendment is consistent with the guiding Planning Principles of the City's Local Planning Strategy, endorsed by the WAPC on the 26 September 2017. In particular, the proposed amendment aligns with the following planning principle in the strategy:</p> <ul style="list-style-type: none"> ▪ <i>Protect and enhance local character and amenity.</i> <p>Large, bulky Residential Aged Care Facilities are not consistent with the character of large lot, low-density traditional residential neighbourhoods, and therefore the proposed amendment is consistent with the principles of the City's Local Planning Strategy.</p>
An amendment that would have minimal impact on land in the scheme area that is not the subject of the amendment;	By imposing further built form requirements on Residential Aged Care Facilities when they are proposed within the Residential zone, the proposed amendment will reduce the risk of future development that will result in an unreasonable adverse impact on adjoining and surrounding residential and mixed use properties.
An amendment that does not result in any significant environmental, social, economic or governance impacts on land in the scheme area;	The amendment proposes to impose built form controls on Residential Aged Care Facility within the Residential Zone. It does not otherwise seek to alter land use permissibility as provided in clauses 17 and 18 of LPS3. This amendment will have no significant negative impact on the environmental, social, economic or governance outcomes of the surrounding land in the scheme area.
Any other amendment that is not a complex or basic amendment.	The proposed amendment does not meet the requirements for a basic or complex amendment, as per the requirements of the Planning and Development (Local Planning Schemes) Regulations 2015.

2.1.4 Minor Modification to Scheme Amendment No 11 post advertising

The minor modification proposed to Scheme Amendment No 11 is in relation to Clause 32.7 (a)i. This clause originally read:

A maximum building height of two storeys with a maximum external wall height of 8.5m and maximum overall height of 10m as measured from NGL. A storey is defined in accordance with Residential Design Codes.

The proposed modification changes Clause 32.7 (a)i to the following:

A maximum building height of two storeys with a maximum external wall height of 8.5m and maximum overall height of 10m as measured from natural ground level. A storey and natural ground level are defined in accordance with Residential Design Codes.

The acronym NGL has been changed to 'natural ground level' to ensure it reflects the Residential Design Codes definition. The wording has also changed to ensure that both storeys and natural ground level are defined as per the Residential Design Codes. This minor change removes any margin for misunderstanding or error and has been made in relation to submissions received from community members regarding the potential for confusion.

3.0 CONCLUSION

The information and justification provided in this report is submitted to support the amendment of the addition of Clause 32.7 and its sub-clauses, to impose built form requirements on Residential Aged Care Facilities where they are proposed in the Residential zone.

The proposed built form provisions provide guidance for applicants and the community of the City's expectations of the built form of Residential Aged Care Facilities within the Residential zone. The proposed amendments to Table 6 guide future development to ensure it responds sympathetically to the local built form context and ensure the protection and enhancement of the local character and amenity.

The City requests that the WAPC support the proposed addition of Clause 32.7 and its sub clauses, as outlined within this report.

FORM 6A

COUNCIL ADOPTION

This Standard Amendment was adopted by resolution of the Council of the City of Nedlands at the Ordinary Meeting of the Council held on the 28 day of July 2020.

.....
MAYOR/SHIRE PRESIDENT

.....
CHIEF EXECUTIVE OFFICER

COUNCIL RESOLUTION TO ADVERTISE

By resolution of the Council of the City of Nedlands at the Ordinary Meeting of the Council held on the 28 day of July 2020, proceed to advertise this Amendment.

.....
MAYOR/SHIRE PRESIDENT

.....
CHIEF EXECUTIVE OFFICER

COUNCIL RECOMMENDATION

This Amendment is recommended [for support/ not to be supported] by resolution of the [LOCAL GOVERNMENT] at the [NAME] Meeting of the Council held on the [number] day of [month], 20[year] and the Common Seal of the [LOCAL GOVERNMENT] was hereunto affixed by the authority of a resolution of the Council in the presence of:

.....
MAYOR/SHIRE PRESIDENT

.....
CHIEF EXECUTIVE OFFICER

WAPC ENDORSEMENT (r.63)

.....
DELEGATED UNDER S.16 OF
THE P&D ACT 2005

DATE.....
FORM 6A - CONTINUED

APPROVAL GRANTED

.....
MINISTER FOR PLANNING

DATE.....

Submissions Received

Disclaimer: the following is a summary of submissions received.

Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance.

Where two submissions were received from the same address they were summarised separately.

Submitter Number:	1
Submitter Name:	Irene Tan
Submitter Address:	85 Melvista Avenue Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Comments

Summary of Submission:

- 1) Land should not have been re-zoned.
- 2) Land should not have been sold by Council.
- 3) DA for Aged Care not appropriately reported on to Councillors by planners.
- 4) 50% open space unachievable provision.

Response to Submission

- 1) Scheme Amendment No 11 does not address re-zoned land. It proposes built form requirements for Residential Aged Care Facilities (RACF) where they are proposed throughout the Residential zone. RACF's are an A use in the Residential zone and the City are therefore required to assess any proposed RACF in this zone.
- 2) This query is best directed to the City's Council members.
- 3) The Development Application for the RACF proposed at Betty/Doonan was appropriately reported on by the City's planning team. The City's Council had previously endorsed the LPPRACF, deeming it appropriate. The City's planning team provided all required information to Council to assist in their decision making regarding the LPPRACF and relevant Scheme Amendments.
- 4) The setbacks proposed under Scheme Amendment No 11 are likely to achieve 50% open space. If the provisions do not allow for development on specific sites, as the provisions are proposed to be inserted under Clause 32 of LPS3, they may be varied by Clause 34 of LPS3. This provides a greater level of flexibility for the design process.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	2
Submitter Name:	Mark Borman
Submitter Address:	15 Weld Street Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Object

Summary of Submission:

- 1) Why is it necessary to develop a general rule for a single development.
- 2) The amendment is too onerous and may stop the development of an RACF.
- 3) Potential short-term impact on property prices but establishment will lead to overall gain.
- 4) Aged care will increasingly be a desired and necessary resource.
- 5) Council needs to determine their view for the planning needs of Nedlands in the future and not jump around as per popular opinion.

Response to Submission

- 1) Scheme Amendment No 11 provides built form provisions for all potential future RACF within the Residential Zone in Nedlands – it is not focussed on a single site or development.
- 2) The provisions are to be placed in Clause 32 of the LPS3, which may ultimately be varied by the provisions of Clause 34. This provides some flexibility that should not discourage development.
- 3) Property prices are not a planning consideration, and planning cannot comment on this.
- 4) Aged Care is considered to be a growing need, as per the Department of Planning Lands and Heritages Position Paper (December 2020) on Aged Care Facilities. Scheme Amendment No 11 seeks to create provisions that developers can use as a guide for their Residential Aged Care Facilities.
- 5) Noted – this comment should be directed to the City's Council.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	3
Submitter Name:	Simon Rushton
Submitter Address:	26 Bedford Street Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support

Summary of Submission:

- 1) Needs an absolute obligation on proponent to prepare an LDP.
- 2) The Planning and Development (Local Planning Schemes) Regulations 2015 in Clause 47 of Schedule 2 (the Deemed Provisions) allows an LDP to be made where it is either required by a Structure Plan or Activity Centre Plan, or the Commission and the Local Government think that one is necessary.
- 3) Amendments to the LPS Regulations are currently being advertised which propose amendments to Clause 47 to include circumstances where the provision of a Scheme requires one to be prepared.

Response to Submission

- 1) A Local Development Plan is a planning instrument used to coordinate better built form outcomes by linking lot design and future development. Local Development Plans can be used to facilitate the design and coordination of development upon small or highly constrained lots. They can also provide supplemental development standards to those contained in local planning schemes, local planning policies and the R-Codes. A Local Development Plan should be used in limited situations to guide and coordinate development outcomes for a particular site and cannot be used purely as a means to vary the deemed-to-comply provisions of the R-Codes. It is only to apply to specific lots, or group of lots. Local Development Plans are intended to be negotiated between a developer and Local Government and receive approval from the WAPC prior to a development application being submitted. In lieu of a Local Development Plan the conditions included in SA11, considered alongside the provisions of the LPPRACF, will provide an adequately flexible planning framework for the development of a Residential Aged Care Facility.
- 2) This is correct, however as specified the WAPC must also provide their consent for the Local Development Plan. The City has been provided with no indication that this would be supported by the WACP.
- 3) This is correct, the Amendments to the LPS Regulations do include circumstances where a Local Development Plan can be required to be provided, such as through a Local Planning Policy, which has never been an avenue for preparation before.

However, the ultimate approval of such a document would still fall to the WAPC. So if the City's LPPRACF required the preparation of a Local Development Plan for every RACF, there is still the potential for the WAPC to refuse it. Hence the optimal outcome considered by the City is that the Local Government, WAPC and applicant work together to prepare a Local Development Plan and if one party does not agree with its creation, then the guiding built form provisions will remain to support a high quality development in proposed Clause 32.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	4
Submitter Name:	Anthony Orchard
Submitter Address:	46 Doonan Road Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
1) 9m setbacks should be required.	

Response to Submission

- 1) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	5
Submitter Name:	Charles Murphy
Submitter Address:	49 Melvista Avenue Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	

- 1) Additional standards should be included to ensure RACFs in residential areas are located appropriately and do not disrupt the amenity of local residents. Should be located close to open space, shopping, hospitals, medical care and have high frequency public transport for staff and visitors.
- 2) Should be a minimum land size for RACFs.
- 3) RACFs should be on sites that allow internal vehicle access across two streets or along a long frontage.

Response to Submission

- 1) RACF are an 'A' use throughout the Residential zone as per Table 3 – Zoning Table of LPS3. Although preferential location criteria can be included in the LPP-RACF, designating certain lots as more or less desirable for an RACF due to their proximity to

- certain amenities is not appropriate within Table 6 of LPS3. Table 6 is for the provision of additional requirements applicable to land within the Scheme area, and it is not the appropriate location to designate certain lots for a Use Class that has been stipulated as an 'A' use throughout the Residential zone. A provision within Table 6 that sought to control specific sites which were designated for the RACF use would be in contradiction with Table 3 – Zoning Table, and therefore be an inoperable and ineffective condition.
- 2) RACF are listed as Permissible uses on several sites under LPS3 Table 4 – Specified additional uses for zoned land in Scheme area. These sites have been identified within LPS3 as suitable for RACF, and therefore the opportunity to specify ideal site requirements does not exist within these instances. RACF are listed as an 'A' use in the Residential and Mixed Use zones within LPS3, which means that the Development Application can be considered and must be advertised. The locational requirements for an RACF are most appropriately located within the LPP RACF. Strict locational requirements are unlikely to be supported by the WAPC within a scheme amendment, particularly as the Scheme already dictates locations where RACF's are a permitted Additional Use.
- 3) See response to Point 1.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	6
Submitter Name:	Carmen Tutor
Submitter Address:	8A Alexander Road Dalkeith
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
1) Additional standards should be included to ensure RACFs in residential areas are located appropriately and do not disrupt the amenity of local residents. Should be located close to open space, shopping, hospitals, medical care and have high frequency public transport for staff and visitors.	
2) Should be a minimum land size for RACFs.	
3) RACFs should be on sites that allow internal vehicle access across two streets or along a long frontage.	
Response to Submission	
See response to Submission 5.	

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	7
Submitter Name:	Chase Christian
Submitter Address:	Unit 3/4 Mountjoy Rd Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	

- 1) Additional standards should be included to ensure RACFs in residential areas are located appropriately and do not disrupt the amenity of local residents. Should be located close to open space, shopping, hospitals, medical care and have high frequency public transport for staff and visitors.
- 2) Should be a minimum land size for RACFs.
- 3) RACFs should be on sites that allow internal vehicle access across two streets or along a long frontage.

Response to Submission

See response to Submission 5.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	8
Submitter Name:	Thomas Neilsen
Submitter Address:	97 Victoria Avenue Dalkeith
Residence within Nedlands:	Yes
Support/Object/Comment:	Support

Summary of Submission:

- 1) Should be obligation to include LDP.
- 2) Planning and Development Regulations 2015 allow LDP to be required where it is either required by a structure or activity centre plan or the WAPC and LG deem it necessary.
- 3) Amendment to the LPS Regulations are currently being advertised which propose amendments to Clause 47 to include circumstances where the provision of a Scheme requires one to be prepared.

Response to Submission

See response to Submission 3.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	9
Submitter Name:	Denita Slatter
Submitter Address:	29 Chester Road Claremont
Residence within Nedlands:	No
Support/Object/Comment:	Object

Summary of Submission:

- 1) Minor modifications required to ensure consistency between LPS3 Scheme Amendment No. 10 and RACF LPP.
- 2) Minimum 9m street setback should be required.
- 3) Conditions for development of an RACF in the residential zone should be included so RACF are appropriately situated to minimize impact on the surrounding residential area.
- 4) Standards from the RACF LPP Clause 4.2.1 to be included:
 - no more than two boundaries to an adjacent residential lot
 - within proximity to an area of open public space

- within proximity to amenities including hospitals, medical centres, shopping precincts and high frequency public transport.
- 5) Proximity should be defined.
 - 6) Minimum land area for development should be required.
 - 7) RACF should have a minimum two street frontages or a long single street frontage so that vehicular access can be internalised.

Response to Submission

- 1) When initially presented to Council for endorsement to advertise, Scheme Amendment No. 11 was consistent with the provisions of Scheme Amendment No 10 and the LPPRACF. However, in response to comments received during the consultation period, Council chose to make modifications to the LPPRACF post advertising and prior to adoption at the 3 September 2020 Special Council Meeting. At this time, the Scheme Amendment process had already been initiated by Council at the 28 July OCM and proposed Scheme Amendment No. 11 was undergoing review by the Environmental Protection Authority, the first step in the Scheme Amendment process. The Planning and Development (Local Planning Schemes) Regulations 2015 provide no option to alter the wording of a Scheme Amendment between Council endorsement and public advertising. The only time that minor amendments may be made to a Standard Scheme Amendment is post advertising as per Regulation 50(3) of the Planning and Development (Local Planning Schemes) Regulations 2015. Administration does not support Council's changes to the LPPRACF. The policy provisions are not designed to be specifically relevant to specific sites. However, if Council chooses to endorse Scheme Amendment No 11, it is recommended that they also Resolve that the LPP-RACF is altered to ensure consistency with Scheme Amendment No 10 and 11.
- 2) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.
- 3 and 4) RACF are an 'A' use throughout the Residential zone as per Table 3 – Zoning Table of LPS3. Although preferential location criteria can be included in the LPP-RACF, designating certain lots as more or less desirable for an RACF due to their proximity to certain amenities is not appropriate within Table 6 of LPS3. Table 6 is for the provision of additional requirements applicable to land within the Scheme area, and it is not the appropriate location to designate certain lots for a Use Class that has been stipulated as an 'A' use throughout the Residential zone. A provision within Table 6 that sought to control specific sites which were designated for the RACF use would be in contradiction with Table 3 – Zoning Table, and therefore be an inoperable and ineffective condition.
- 5) Proximity is not mentioned in Scheme Amendment No 11 and therefore there is no nexus for a definition.
- 6 and 7) RACF are listed as Permissible uses on several sites under LPS3 Table 4 – Specified additional uses for zoned land in Scheme area. These sites have been identified within LPS3 as suitable for RACF, and therefore the opportunity to specify ideal site requirements does not exist within these instances.

RACF are listed as an 'A' use in the Residential and Mixed Use zones within LPS3, which means that the Development Application can be considered and must be advertised.

The locational requirements for an RACF are most appropriately located within the LPP RACF. Strict locational requirements are unlikely to be supported by the WAPC within a scheme amendment, particularly as the Scheme already dictates locations where RACF's are a permitted Additional Use.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	10
Submitter Name:	Tim Cummins
Submitter Address:	36 Marita Road Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
1) 9m setbacks should be required.	

Response to Submission

- 1) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	11
Submitter Name:	David van der Walt
Submitter Address:	45 Watkins Road Dalkeith
Residence within Nedlands:	Yes
Support/Object/Comment:	Comment
Summary of Submission:	
1) 9m setbacks should be required.	

Response to Submission

- 1) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	12
Submitter Name:	Matil
Submitter Address:	Chancellor Street Claremont

Residence within Nedlands:	No
Support/Object/Comment:	Support
Summary of Submission:	
Support the Scheme Amendment with modifications as follows:	
<ol style="list-style-type: none"> 1) Amending Clause 1b to ensure that a Local Development Plan (LDP) is prepared and must comply and be consistent with the development standards detailed in the LPPRACF and Scheme Amendment No. 10. 2) LPS3 map should be amended to include the A9 area R-coded as R12.5. 3) Provisions relating to residential development should be removed. 4) Amend Clause 1c provisions to require a minimum 9m street setback and adding a requirement for a minimum 50% of the site area to be provided as open space. 	
Response to Submission	
<ol style="list-style-type: none"> 1) See response to Submission 3. 2) A separate Scheme Amendment is being run to include R12.5 as the density code for the sites affected by A9. 3) There are no provision relating to residential development in Scheme Amendment No 11. 4) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height. 50% open space is already a proposed built form provision of Scheme Amendment No 11. 	

Submissions Received	
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Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	13
Submitter Name:	Rosalind Smith
Submitter Address:	7 Granby Crescent Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
1) These amendments are essential to protect our suburb and its unique character.	
Response to Submission	
1) Administration does consider that this Amendment will contribute to the protection of the Residential zones character.	

Submissions Received	
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Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	14
Submitter Name:	Dan Meredith
Submitter Address:	67 Thomas Street Nedlands

Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
1) Additional standards should be included to ensure RACFs in residential areas are located appropriately and do not disrupt the amenity of local residents. Should be located close to open space, shopping, hospitals, medical care and have high frequency public transport for staff and visitors. 2) Should be a minimum land size for RACFs. 3) RACFs should be on sites that allow internal vehicle access across two streets or along a long frontage.	
Response to Submission	
See response to Submission 5.	

Submissions Received	
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Submitter Number:	15
Submitter Name:	Dale Harris
Submitter Address:	61 Melvista Avenue Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
1) Additional standards should be included to ensure RACFs in residential areas are located appropriately and do not disrupt the amenity of local residents. Should be located close to open space, shopping, hospitals, medical care and have high frequency public transport for staff and visitors. 2) Should be a minimum land size for RACFs. 3) RACFs should be on sites that allow internal vehicle access across two streets or along a long frontage.	
Response to Submission	
See response to Submission 5.	

Submissions Received	
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Submitter Number:	16
Submitter Name:	Marcey Spilsbury
Submitter Address:	41 Portland Street Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
1) Needs an absolute obligation on proponent to prepare an LDP. 2) The Planning and Development (Local Planning Schemes) Regulations 2015 in Clause 47 of Schedule 2 (the Deemed Provisions) allows an LDP to be made where it is either	

required by a Structure Plan or Activity Centre Plan, or the Commission and the Local Government think that one is necessary.
3) Amendments to the LPS Regulations are currently being advertised which propose amendments to Clause 47 to include circumstances where the provision of a Scheme requires one to be prepared.
Response to Submission
See response to Submission 3.

Submissions Received	
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Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	17
Submitter Name:	David Robb
Submitter Address:	160A Victoria Avenue Dalkeith
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
1) Additional standards should be included to ensure RACFs in residential areas are located appropriately and do not disrupt the amenity of local residents. Should be located close to open space, shopping, hospitals, medical care and have high frequency public transport for staff and visitors. 2) Should be a minimum land size for RACFs. 3) RACFs should be on sites that allow internal vehicle access across two streets or along a long frontage.	
Response to Submission	
See response to Submission 5.	

Submissions Received	
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Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	18
Submitter Name:	Brian Burton
Submitter Address:	14 Betty Street Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
1) Minor modifications required to ensure consistency between LPS3 Scheme Amendment No. 10 and RACF LPP. 2) Minimum 9m street setback should be required. 3) Conditions for development of an RACF in the residential zone should be included so RACF are appropriately situated to minimize impact on the surrounding residential area. 4) Standards from the RACF LPP Clause 4.2.1 to be included: <ul style="list-style-type: none"> - no more than two boundaries to an adjacent residential lot - within proximity to an area of open public space - within proximity to amenities including hospitals, medical centres, shopping precincts and high frequency public transport. 	

- 5) Proximity should be defined.
- 6) Minimum land area for development should be required.
- 7) RACF should have a minimum two street frontages or a long single street frontage so that vehicular access can be internalised.

Response to Submission

- 1) See response to Submission 9.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	19
Submitter Name:	Jan Robb
Submitter Address:	160A Victoria Avenue Dalkeith
Residence within Nedlands:	Yes
Support/Object/Comment:	Support

Summary of Submission:

- 1) 9m setbacks should be required.

Response to Submission

- 1) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	20
Submitter Name:	Myles McNeilly
Submitter Address:	71 Doonan Road Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support

Summary of Submission:

- 1) Needs an absolute obligation on proponent to prepare an LDP.
- 2) The Planning and Development (Local Planning Schemes) Regulations 2015 in Clause 47 of Schedule 2 (the Deemed Provisions) allows an LDP to be made where it is either required by a Structure Plan or Activity Centre Plan, or the Commission and the Local Government think that one is necessary.
- 3) Amendments to the LPS Regulations are currently being advertised which propose amendments to Clause 47 to include circumstances where the provision of a Scheme requires one to be prepared.

Response to Submission

See response to Submission 3.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	21
Submitter Name:	Elliot McNeilly
Submitter Address:	71 Doonan Road Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support

Summary of Submission:

- 1) Additional standards should be included to ensure RACFs in residential areas are located appropriately and do not disrupt the amenity of local residents. Should be located close to open space, shopping, hospitals, medical care and have high frequency public transport for staff and visitors.
- 2) Should be a minimum land size for RACFs.
- 3) RACFs should be on sites that allow internal vehicle access across two streets or along a long frontage.

Response to Submission

See response to Submission 5.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	22
Submitter Name:	Emerson McNeilly
Submitter Address:	71 Doonan Road Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support

Summary of Submission:

- 1) Additional standards should be included to ensure RACFs in residential areas are located appropriately and do not disrupt the amenity of local residents. Should be located close to open space, shopping, hospitals, medical care and have high frequency public transport for staff and visitors.
- 2) Should be a minimum land size for RACFs.
- 3) RACFs should be on sites that allow internal vehicle access across two streets or along a long frontage.

Response to Submission

See response to Submission 5.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	23
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Submitter Name:	Denise Breen
Submitter Address:	Archdeacon Street Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
1) 9m setbacks should be required.	
Response to Submission	
1) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.	

Submissions Received	
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Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	24
Submitter Name:	Jennifer Golding
Submitter Address:	33 Circe Circle Dalkeith
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
1) Additional standards should be included to ensure RACFs in residential areas are located appropriately and do not disrupt the amenity of local residents. Should be located close to open space, shopping, hospitals, medical care and have high frequency public transport for staff and visitors.	
2) Should be a minimum land size for RACFs.	
3) RACFs should be on sites that allow internal vehicle access across two streets or along a long frontage.	
Response to Submission	
See response to Submission 5.	

Submissions Received	
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Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	25
Submitter Name:	Kylie Passage
Submitter Address:	80 Doonan Road Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
1) Minor modifications required to ensure consistency between LPS3 Scheme Amendment No. 10 and RACF LPP.	

- 2) Minimum 9m street setback should be required.
- 3) Conditions for development of an RACF in the residential zone should be included so RACF are appropriately situated to minimize impact on the surrounding residential area.
- 4) Standards from the RACF LPP Clause 4.2.1 to be included:
 - no more than two boundaries to an adjacent residential lot
 - within proximity to an area of open public space
 - within proximity to amenities including hospitals, medical centres, shopping precincts and high frequency public transport.
- 5) Proximity should be defined.
- 6) Minimum land area for development should be required.
- 7) RACF should have a minimum two street frontages or a long single street frontage so that vehicular access can be internalised.

Response to Submission

- 1) See response to Submission 9.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	26
Submitter Name:	Jurgen Passage
Submitter Address:	80 Doonan Road Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
<ol style="list-style-type: none"> 1) 9m setback should be required. 2) Additional standards should be included to ensure RACFs in residential areas are located appropriately and do not disrupt the amenity of local residents. Should be located close to open space, shopping, hospitals, medical care and have high frequency public transport for staff and visitors. 3) Should be a minimum land size for RACFs. 4) RACFs should be on sites that allow internal vehicle access across two streets or along a long frontage. 	
Response to Submission	
See response to Submission 5.	

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	27
Submitter Name:	Hugo Passage
Submitter Address:	80 Doonan Road Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
<ol style="list-style-type: none"> 1) 9m setback should be required. 	

- 2) Additional standards should be included to ensure RACFs in residential areas are located appropriately and do not disrupt the amenity of local residents. Should be located close to open space, shopping, hospitals, medical care and have high frequency public transport for staff and visitors.
- 3) Should be a minimum land size for RACFs.
- 4) RACFs should be on sites that allow internal vehicle access across two streets or along a long frontage.

Response to Submission

See response to Submission 5.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	28
Submitter Name:	Isaac Passage
Submitter Address:	80 Doonan Road Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	

- 1) 9m setback should be required.
- 2) Additional standards should be included to ensure RACFs in residential areas are located appropriately and do not disrupt the amenity of local residents. Should be located close to open space, shopping, hospitals, medical care and have high frequency public transport for staff and visitors.
- 3) Should be a minimum land size for RACFs.
- 4) RACFs should be on sites that allow internal vehicle access across two streets or along a long frontage.

Response to Submission

- 1) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.

2, 3 and 4) See response to Submission 5.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	29
Submitter Name:	David Southam
Submitter Address:	69 Doonan Road Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	

- 1) Minor modifications required to ensure consistency between LPS3 Scheme Amendment No. 10 and RACF LPP.
- 2) Minimum 9m street setback should be required.
- 3) Conditions for development of an RACF in the residential zone should be included so RACF are appropriately situated to minimize impact on the surrounding residential area.
- 4) Standards from the RACF LPP Clause 4.2.1 to be included:
 - no more than two boundaries to an adjacent residential lot
 - within proximity to an area of open public space
 - within proximity to amenities including hospitals, medical centres, shopping precincts and high frequency public transport.
- 5) Proximity should be defined.
- 6) Minimum land area for development should be required.
- 7) RACF should have a minimum two street frontages or a long single street frontage so that vehicular access can be internalised.

Response to Submission

- 1) See response to Submission 9.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	30
Submitter Name:	Angeline Lai
Submitter Address:	48 Roseberry Avenue South Perth
Residence within Nedlands:	No
Support/Object/Comment:	Comments

Summary of Submission:

- 1) Minor modifications required to ensure consistency between LPS3 Scheme Amendment No. 10 and RACF LPP.
- 2) Minimum 9m street setback should be required.
- 3) Conditions for development of an RACF in the residential zone should be included so RACF are appropriately situated to minimize impact on the surrounding residential area.
- 4) Standards from the RACF LPP Clause 4.2.1 to be included:
 - no more than two boundaries to an adjacent residential lot
 - within proximity to an area of open public space
 - within proximity to amenities including hospitals, medical centres, shopping precincts and high frequency public transport.
- 5) Proximity should be defined.
- 6) Minimum land area for development should be required.
- 7) RACF should have a minimum two street frontages or a long single street frontage so that vehicular access can be internalised.

Response to Submission

- 1) See response to Submission 9.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	31
Submitter Name:	Giok Khuan Lai
Submitter Address:	48 Roseberry Avenue South Perth
Residence within Nedlands:	No
Support/Object/Comment:	Comments
Summary of Submission:	
1) Additional standards included to ensure Residential Aged Care Facilities in residential areas are located appropriately and do not disrupt the amenity of local residents. Location should be close to open space, shopping, hospitals, medical care and have high frequency public transport for staff and visitors. 2) There should be a minimum land size required. 3) They should be in locations that allow internal vehicle access across two streets or along a long frontage.	
Response to Submission	
See response to Submission 5.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	32
Submitter Name:	Jack Edis
Submitter Address:	72 Kingsway Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
1) 9m setback should be required. 2) Additional standards should be included to ensure RACFs in residential areas are located appropriately and do not disrupt the amenity of local residents. Should be located close to open space, shopping, hospitals, medical care and have high frequency public transport for staff and visitors. 3) Should be a minimum land size for RACFs. 4) RACFs should be on sites that allow internal vehicle access across two streets or along a long frontage.	
Response to Submission	
1) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height. 2, 3 and 4) See response to Submission 5.	

Submissions Received	
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Submitter Number:	33

Submitter Name:	Karen Sanders
Submitter Address:	70 Doonan Road Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
1) Minor modifications required to ensure consistency between LPS3 Scheme Amendment No. 10 and RACF LPP. 2) Minimum 9m street setback should be required. 3) Conditions for development of an RACF in the residential zone should be included so RACF are appropriately situated to minimize impact on the surrounding residential area. 4) Standards from the RACF LPP Clause 4.2.1 to be included: <ul style="list-style-type: none"> - no more than two boundaries to an adjacent residential lot - within proximity to an area of open public space - within proximity to amenities including hospitals, medical centres, shopping precincts and high frequency public transport. 5) Proximity should be defined. 6) Minimum land area for development should be required. 7) RACF should have a minimum two street frontages or a long single street frontage so that vehicular access can be internalised.	
Response to Submission	
1) See response to Submission 9.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	34
Submitter Name:	Katelyn Sanders
Submitter Address:	70 Doonan Road Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
1) Additional standards included to ensure Residential Aged Care Facilities in residential areas are located appropriately and do not disrupt the amenity of local residents. Location should be close to open space, shopping, hospitals, medical care and have high frequency public transport for staff and visitors. 2) There should be a minimum land size required. 3) They should be in locations that allow internal vehicle access across two streets or along a long frontage.	
Response to Submission	
See response to Submission 5.	

Submissions Received	
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Submitter Number:	35
Submitter Name:	Lauren Sanders

Submitter Address:	70 Doonan Road Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
1) Needs an absolute obligation on proponent to prepare an LDP. 2) The Planning and Development (Local Planning Schemes) Regulations 2015 in Clause 47 of Schedule 2 (the Deemed Provisions) allows an LDP to be made where it is either required by a Structure Plan or Activity Centre Plan, or the Commission and the Local Government think that one is necessary. 3) Amendments to the LPS Regulations are currently being advertised which propose amendments to Clause 47 to include circumstances where the provision of a Scheme requires one to be prepared.	
Response to Submission	
See response to Submission 3.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	36
Submitter Name:	John Sanders
Submitter Address:	70 Doonan Road Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
1) Needs an absolute obligation on proponent to prepare an LDP. 2) The Planning and Development (Local Planning Schemes) Regulations 2015 in Clause 47 of Schedule 2 (the Deemed Provisions) allows an LDP to be made where it is either required by a Structure Plan or Activity Centre Plan, or the Commission and the Local Government think that one is necessary. 3) Amendments to the LPS Regulations are currently being advertised which propose amendments to Clause 47 to include circumstances where the provision of a Scheme requires one to be prepared.	
Response to Submission	
See response to Submission 3.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	37
Submitter Name:	Julie Holmes
Submitter Address:	56 Melvista Avenue Dalkeith
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
1) 9m setbacks should be required.	

Response to Submission

- 1) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.

Submissions Received

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Submitter Number:	38
Submitter Name:	Jon Van Der Peyl
Submitter Address:	68 Riley Road Dalkeith
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
Could not access comment file.	
Response to Submission	
N/A	

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	39
Submitter Name:	Sally Ferguson
Submitter Address:	6 Bostock Road Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
<p>1) Additional standards included to ensure Residential Aged Care Facilities in residential areas are located appropriately and do not disrupt the amenity of local residents. Location should be close to open space, shopping, hospitals, medical care and have high frequency public transport for staff and visitors.</p> <p>2) There should be a minimum land size required.</p> <p>3) They should be in locations that allow internal vehicle access across two streets or along a long frontage.</p>	
Response to Submission	
See response to Submission 5.	

Submissions Received

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Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	40
Submitter Name:	Minh Lam
Submitter Address:	61 Riley Road Dalkeith
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
<ol style="list-style-type: none"> 1) Minor modifications required to ensure consistency between LPS3 Scheme Amendment No. 10 and RACF LPP. 2) Minimum 9m street setback should be required. 3) Conditions for development of an RACF in the residential zone should be included so RACF are appropriately situated to minimize impact on the surrounding residential area. 4) Standards from the RACF LPP Clause 4.2.1 to be included: <ul style="list-style-type: none"> - no more than two boundaries to an adjacent residential lot - within proximity to an area of open public space - within proximity to amenities including hospitals, medical centres, shopping precincts and high frequency public transport. 5) Proximity should be defined. 6) Minimum land area for development should be required. 7) RACF should have a minimum two street frontages or a long single street frontage so that vehicular access can be internalised. 	
Response to Submission	
See response to Submission 9.	

Submissions Received	
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Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	41
Submitter Name:	Jennifer Falkner
Submitter Address:	68 Vincent Street Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	
Summary of Submission:	
<ol style="list-style-type: none"> 1) Minor modifications required to ensure consistency between LPS3 Scheme Amendment No. 10 and RACF LPP. 2) Minimum 9m street setback should be required. 3) Conditions for development of an RACF in the residential zone should be included so RACF are appropriately situated to minimize impact on the surrounding residential area. 4) Standards from the RACF LPP Clause 4.2.1 to be included: <ul style="list-style-type: none"> - no more than two boundaries to an adjacent residential lot - within proximity to an area of open public space - within proximity to amenities including hospitals, medical centres, shopping precincts and high frequency public transport. 5) Proximity should be defined. 6) Minimum land area for development should be required. 7) RACF should have a minimum two street frontages or a long single street frontage so that vehicular access can be internalised. 	
Response to Submission	

1) See response to Submission 9.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	42
Submitter Name:	F Walker-Hart
Submitter Address:	26 Violet Grove Shenton Park
Residence within Nedlands:	No
Support/Object/Comment:	Support
Summary of Submission:	
<ol style="list-style-type: none"> 1) Minor modifications required to ensure consistency between LPS3 Scheme Amendment No. 10 and RACF LPP. 2) Minimum 9m street setback should be required. 3) Conditions for development of an RACF in the residential zone should be included so RACF are appropriately situated to minimize impact on the surrounding residential area. 4) Standards from the RACF LPP Clause 4.2.1 to be included: <ul style="list-style-type: none"> - no more than two boundaries to an adjacent residential lot - within proximity to an area of open public space - within proximity to amenities including hospitals, medical centres, shopping precincts and high frequency public transport. 5) Proximity should be defined. 6) Minimum land area for development should be required. 7) RACF should have a minimum two street frontages or a long single street frontage so that vehicular access can be internalised. 	
Response to Submission	
1) See response to Submission 9.	

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	43
Submitter Name:	Mark Meneghello
Submitter Address:	67 Doonan Road Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
<ol style="list-style-type: none"> 1) Minor modifications required to ensure consistency between LPS3 Scheme Amendment No. 10 and RACF LPP. 2) Minimum 9m street setback should be required. 3) Conditions for development of an RACF in the residential zone should be included so RACF are appropriately situated to minimize impact on the surrounding residential area. 4) Standards from the RACF LPP Clause 4.2.1 to be included: <ul style="list-style-type: none"> - no more than two boundaries to an adjacent residential lot - within proximity to an area of open public space 	

<ul style="list-style-type: none"> - within proximity to amenities including hospitals, medical centres, shopping precincts and high frequency public transport.
5) Proximity should be defined.
6) Minimum land area for development should be required.
7) RACF should have a minimum two street frontages or a long single street frontage so that vehicular access can be internalised.
Response to Submission
1) See response to Submission 9.

Submissions Received	
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Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	44
Submitter Name:	Emily Meneghello
Submitter Address:	6 / 9 Dover Road, Scarborough
Residence within Nedlands:	No
Support/Object/Comment:	Support
Summary of Submission:	
1) Minor modifications required to ensure consistency between LPS3 Scheme Amendment No. 10 and RACF LPP.	
2) Minimum 9m street setback should be required.	
3) Conditions for development of an RACF in the residential zone should be included so RACF are appropriately situated to minimize impact on the surrounding residential area.	
4) Standards from the RACF LPP Clause 4.2.1 to be included:	
<ul style="list-style-type: none"> - no more than two boundaries to an adjacent residential lot - within proximity to an area of open public space - within proximity to amenities including hospitals, medical centres, shopping precincts and high frequency public transport. 	
5) Proximity should be defined.	
6) Minimum land area for development should be required.	
7) RACF should have a minimum two street frontages or a long single street frontage so that vehicular access can be internalised.	
Response to Submission	
1) See response to Submission 9.	

Submissions Received	
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Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance.	
Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	45
Submitter Name:	Mary Meneghello
Submitter Address:	52 Cobb Street Scarborough
Residence within Nedlands:	No
Support/Object/Comment:	Support
Summary of Submission:	
1) Minor modifications required to ensure consistency between LPS3 Scheme Amendment No. 10 and RACF LPP.	

- 2) Minimum 9m street setback should be required.
- 3) Conditions for development of an RACF in the residential zone should be included so RACF are appropriately situated to minimize impact on the surrounding residential area.
- 4) Standards from the RACF LPP Clause 4.2.1 to be included:
 - no more than two boundaries to an adjacent residential lot
 - within proximity to an area of open public space
 - within proximity to amenities including hospitals, medical centres, shopping precincts and high frequency public transport.
- 5) Proximity should be defined.
- 6) Minimum land area for development should be required.
- 7) RACF should have a minimum two street frontages or a long single street frontage so that vehicular access can be internalised.

Response to Submission

- 1) See response to Submission 9.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	46
Submitter Name:	Jane Meneghello
Submitter Address:	67 Doonan Road Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support

Summary of Submission:

- 1) Minor modifications required to ensure consistency between LPS3 Scheme Amendment No. 10 and RACF LPP.
- 2) Minimum 9m street setback should be required.
- 3) Conditions for development of an RACF in the residential zone should be included so RACF are appropriately situated to minimize impact on the surrounding residential area.
- 4) Standards from the RACF LPP Clause 4.2.1 to be included:
 - no more than two boundaries to an adjacent residential lot
 - within proximity to an area of open public space
 - within proximity to amenities including hospitals, medical centres, shopping precincts and high frequency public transport.
- 5) Proximity should be defined.
- 6) Minimum land area for development should be required.
- 7) RACF should have a minimum two street frontages or a long single street frontage so that vehicular access can be internalised.

Response to Submission

See response to Submission 9.

Submissions Received

Disclaimer: the following is a summary of submissions received.

Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance.

Where two submissions were received from the same address they were summarised separately.

Submitter Number:	47
Submitter Name:	Kathryn Michael

Submitter Address:	25 Hope Street Mosman Park
Residence within Nedlands:	No
Support/Object/Comment:	Support
Summary of Submission:	
1) Minimum 9m setback and 50% open space should be required.	
Response to Submission	
1) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.	

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	48
Submitter Name:	Danny Meneghello
Submitter Address:	31 Philip Road Dalkeith
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
1) 9m setbacks should be required.	
Response to Submission	
1) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.	

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	49
Submitter Name:	Anna Lee
Submitter Address:	76 Doonan Road Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
Scheme Amendment No 11 should be consistent with the LPPRACF – following changes should be made to ensure consistency in relation to:	
1) a Local Development Plan should be required and be consistent with the requirements of the LPP Residential Aged Care Facilities;	
2) Natural Ground Level terminology should be as per the Residential Design Codes;	

- 3) 9m minimum street setback should apply;
- 4) 6m side and rear boundary setback terminology should be amended;
- 5) Conditions for development of a Residential Aged Care Facility in the residential zone should be included to ensure that such facilities are appropriately situated to minimize impact on the surrounding residential area, including in relation to proximity (which should be defined); streetscape character; building and roof form; visual privacy; landscaping, location of building services and bin storage area; traffic impact, pedestrian access; location of vehicular access and car parking; and staff parking bays to be located on site. Such conditions must be consistent with LPPRACF clause 4.
- 6) For the purposes of the R-Codes, imposing an R12.5 coding on areas of land which are specified as additional use A9.
- 7) Modifying the Justifications set out in paragraph 2.1 of the Scheme Amendment Report to be consistent with the above.

Response to Submission

- 1) See response to Submission 3.
- 2) NGL has been changed to natural ground level in the Scheme Amendment and report.
- 3) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.
- 4) Provisions placed within Clause 32 of the Scheme may be varied by Clause 34 of the Scheme. Amending the terminology used here would serve no purpose in this instance.
- 5) See response to Submission 5.
- 6) A separate Scheme Amendment process is being run to include the R12.5 density code for sites affected by A9.

Submissions Received

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Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance.

Where two submissions were received from the same address they were summarised separately.

Submitter Number:	50
Submitter Name:	Jane Leaversuch
Submitter Address:	78 Doonan Road Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support

Summary of Submission:

Scheme Amendment No 11 should be consistent with the LPPRACF – following changes should be made to ensure consistency in relation to:

- 1) a Local Development Plan should be required and be consistent with the requirements of the LPP Residential Aged Care Facilities;
- 2) Natural Ground Level terminology should be as per the Residential Design Codes;
- 3) 9m minimum street setback should apply;
- 4) 6m side and rear boundary setback terminology should be amended;
- 5) Conditions for development of a Residential Aged Care Facility in the residential zone should be included to ensure that such facilities are appropriately situated to minimize impact on the surrounding residential area, including in relation to proximity (which should be defined); streetscape character; building and roof form; visual privacy; landscaping, location of building services and bin storage area; traffic impact, pedestrian

- access; location of vehicular access and car parking; and staff parking bays to be located on site. Such conditions must be consistent with LPPRACF clause 4.
- 6) For the purposes of the R-Codes, imposing an R12.5 coding on areas of land which are specified as additional use A9.
- 7) Modifying the Justifications set out in paragraph 2.1 of the Scheme Amendment Report to be consistent with the above.

Response to Submission

- 1) See response to Submission 3.
- 2) NGL has been changed to natural ground level in the Scheme Amendment and report.
- 3) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.
- 4) Provisions placed within Clause 32 of the Scheme may be varied by Clause 34 of the Scheme. Amending the terminology used here would serve no purpose in this instance.
- 5) See response to Submission 5.
- 6) A separate Scheme Amendment process is being run to include the R12.5 density code for sites affected by A9.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	51
Submitter Name:	Ross Lee
Submitter Address:	76 Doonan Road Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support

Summary of Submission:

Scheme Amendment No 11 should be consistent with the LPPRACF – following changes should be made to ensure consistency in relation to:

- 1) a Local Development Plan should be required and be consistent with the requirements of the LPP Residential Aged Care Facilities;
- 2) Natural Ground Level terminology should be as per the Residential Design Codes;
- 3) 9m minimum street setback should apply;
- 4) 6m side and rear boundary setback terminology should be amended;
- 5) Conditions for development of a Residential Aged Care Facility in the residential zone should be included to ensure that such facilities are appropriately situated to minimize impact on the surrounding residential area, including in relation to proximity (which should be defined); streetscape character; building and roof form; visual privacy; landscaping, location of building services and bin storage area; traffic impact, pedestrian access; location of vehicular access and car parking; and staff parking bays to be located on site. Such conditions must be consistent with LPPRACF clause 4.
- 6) For the purposes of the R-Codes, imposing an R12.5 coding on areas of land which are specified as additional use A9.

Response to Submission

- 1) See response to Submission 3.
- 2) NGL has been changed to natural ground level in the Scheme Amendment and report.

- 3) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.
- 4) Provisions placed within Clause 32 of the Scheme may be varied by Clause 34 of the Scheme. Amending the terminology used here would serve no purpose in this instance.
- 5) See response to Submission 5.
- 6) A separate Scheme Amendment process is being run to include the R12.5 density code for sites affected by A9.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	52
Submitter Name:	Samantha Lee
Submitter Address:	76 Doonan Road Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	

Scheme Amendment No 11 should be consistent with the LPPRACF – following changes should be made to ensure consistency in relation to:

- 1) a Local Development Plan should be required and be consistent with the requirements of the LPP Residential Aged Care Facilities;
- 2) Natural Ground Level terminology should be as per the Residential Design Codes;
- 3) 9m minimum street setback should apply;
- 4) 6m side and rear boundary setback terminology should be amended;
- 5) Conditions for development of a Residential Aged Care Facility in the residential zone should be included to ensure that such facilities are appropriately situated to minimize impact on the surrounding residential area, including in relation to proximity (which should be defined); streetscape character; building and roof form; visual privacy; landscaping, location of building services and bin storage area; traffic impact, pedestrian access; location of vehicular access and car parking; and staff parking bays to be located on site. Such conditions must be consistent with LPPRACF clause 4.
- 6) For the purposes of the R-Codes, imposing an R12.5 coding on areas of land which are specified as additional use A9.

Response to Submission

- 1) See response to Submission 3.
- 2) NGL has been changed to natural ground level in the Scheme Amendment and report.
- 3) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.
- 4) Provisions placed within Clause 32 of the Scheme may be varied by Clause 34 of the Scheme. Amending the terminology used here would serve no purpose in this instance.
- 5) See response to Submission 5.

6) A separate Scheme Amendment process is being run to include the R12.5 density code for sites affected by A9.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	53
Submitter Name:	Jonathan Tibballs
Submitter Address:	20 Allenby Road Dalkeith
Residence within Nedlands:	Yes
Support/Object/Comment:	Support

Summary of Submission:

- 1) Minimum 9m street setback required.
- 2) Further conditions for development of a Residential Aged Care Facility in the residential zone which are consistent with clause 4 of the LPPRACF in relation to location, size, character, privacy, traffic, parking and to minimize impact on the surrounding residential area.
- 3) An amendment to the Scheme Map in LPS3 to clearly show that the sites specified as "Additional Use A9" are zoned R12.5.

Response to Submission

- 1) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.
- 2) See response to Submission 5.
- 3) A separate Scheme Amendment process is being run to include the R12.5 density code for sites affected by A9.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	54
Submitter Name:	Anne Gribble
Submitter Address:	75 Florence Road Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support

Summary of Submission:

- 1) Minimum 9m street setback required.
- 2) Further conditions for development of a Residential Aged Care Facility in the residential zone which are consistent with clause 4 of the LPPRACF in relation to location, size, character, privacy, traffic, parking and to minimize impact on the surrounding residential area.
- 3) An amendment to the Scheme Map in LPS3 to clearly show that the sites specified as "Additional Use A9" are zoned R12.5.

Response to Submission

- 1) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.
- 2) See response to Submission 5.
- 3) A separate Scheme Amendment process is being run to include the R12.5 density code for sites affected by A9.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	55
Submitter Name:	Sarah Leaversuch
Submitter Address:	78 Doonan Road Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support

Summary of Submission:

Scheme Amendment No 11 should be consistent with the LPPRACF – following changes should be made to ensure consistency in relation to:

- 1) a Local Development Plan should be required and be consistent with the requirements of the LPP Residential Aged Care Facilities;
- 2) Natural Ground Level terminology should be as per the Residential Design Codes;
- 3) 9m minimum street setback should apply;
- 4) 6m side and rear boundary setback terminology should be amended;
- 5) Conditions for development of a Residential Aged Care Facility in the residential zone should be included to ensure that such facilities are appropriately situated to minimize impact on the surrounding residential area, including in relation to proximity (which should be defined); streetscape character; building and roof form; visual privacy; landscaping, location of building services and bin storage area; traffic impact, pedestrian access; location of vehicular access and car parking; and staff parking bays to be located on site. Such conditions must be consistent with LPPRACF clause 4.
- 6) For the purposes of the R-Codes, imposing an R12.5 coding on areas of land which are specified as additional use A9.

Response to Submission

- 1) See response to Submission 3.
- 2) NGL has been changed to natural ground level in the Scheme Amendment and report.
- 3) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.
- 4) Provisions placed within Clause 32 of the Scheme may be varied by Clause 34 of the Scheme. Amending the terminology used here would serve no purpose in this instance.
- 5) See response to Submission 5.
- 6) A separate Scheme Amendment process is being run to include the R12.5 density code for sites affected by A9.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	56
Submitter Name:	Mia Leaversuch
Submitter Address:	78 Doonan Road Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support

Summary of Submission:

Scheme Amendment No 11 should be consistent with the LPPRACF – following changes should be made to ensure consistency in relation to:

- 1) a Local Development Plan should be required and be consistent with the requirements of the LPP Residential Aged Care Facilities;
- 2) Natural Ground Level terminology should be as per the Residential Design Codes;
- 3) 9m minimum street setback should apply;
- 4) 6m side and rear boundary setback terminology should be amended;
- 5) Conditions for development of a Residential Aged Care Facility in the residential zone should be included to ensure that such facilities are appropriately situated to minimize impact on the surrounding residential area, including in relation to proximity (which should be defined); streetscape character; building and roof form; visual privacy; landscaping, location of building services and bin storage area; traffic impact, pedestrian access; location of vehicular access and car parking; and staff parking bays to be located on site. Such conditions must be consistent with LPPRACF clause 4.
- 6) For the purposes of the R-Codes, imposing an R12.5 coding on areas of land which are specified as additional use A9.

Response to Submission

- 1) See response to Submission 3.
- 2) NGL has been changed to natural ground level in the Scheme Amendment and report.
- 3) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.
- 4) Provisions placed within Clause 32 of the Scheme may be varied by Clause 34 of the Scheme. Amending the terminology used here would serve no purpose in this instance.
- 5) See response to Submission 5.
- 6) A separate Scheme Amendment process is being run to include the R12.5 density code for sites affected by A9.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	57
Submitter Name:	Jeremy Leaversuch

Submitter Address:	78 Doonan Road Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
<p>Scheme Amendment No 11 should be consistent with the LPPRACF – following changes should be made to ensure consistency in relation to:</p> <ol style="list-style-type: none"> 1) a Local Development Plan should be required and be consistent with the requirements of the LPP Residential Aged Care Facilities; 2) Natural Ground Level terminology should be as per the Residential Design Codes; 3) 9m minimum street setback should apply; 4) 6m side and rear boundary setback terminology should be amended; 5) Conditions for development of a Residential Aged Care Facility in the residential zone should be included to ensure that such facilities are appropriately situated to minimize impact on the surrounding residential area, including in relation to proximity (which should be defined); streetscape character; building and roof form; visual privacy; landscaping, location of building services and bin storage area; traffic impact, pedestrian access; location of vehicular access and car parking; and staff parking bays to be located on site. Such conditions must be consistent with LPPRACF clause 4. 6) For the purposes of the R-Codes, imposing an R12.5 coding on areas of land which are specified as additional use A9. 	
Response to Submission	
<ol style="list-style-type: none"> 1) See response to Submission 3. 2) NGL has been changed to natural ground level in the Scheme Amendment and report. 3) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height. 4) Provisions placed within Clause 32 of the Scheme may be varied by Clause 34 of the Scheme. Amending the terminology used here would serve no purpose in this instance. 5) See response to Submission 5. 6) A separate Scheme Amendment process is being run to include the R12.5 density code for sites affected by A9. 	

Submissions Received	
<p>Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.</p>	
Submitter Number:	58
Submitter Name:	Tony Leaversuch
Submitter Address:	78 Doonan Road Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
<p>Scheme Amendment No 11 should be consistent with the LPPRACF – following changes should be made to ensure consistency in relation to:</p> <ol style="list-style-type: none"> 1) a Local Development Plan should be required and be consistent with the requirements of the LPP Residential Aged Care Facilities; 2) Natural Ground Level terminology should be as per the Residential Design Codes; 3) 9m minimum street setback should apply; 	

- 4) 6m side and rear boundary setback terminology should be amended;
- 5) Conditions for development of a Residential Aged Care Facility in the residential zone should be included to ensure that such facilities are appropriately situated to minimize impact on the surrounding residential area, including in relation to proximity (which should be defined); streetscape character; building and roof form; visual privacy; landscaping, location of building services and bin storage area; traffic impact, pedestrian access; location of vehicular access and car parking; and staff parking bays to be located on site. Such conditions must be consistent with LPPRACF clause 4.
- 6) For the purposes of the R-Codes, imposing an R12.5 coding on areas of land which are specified as additional use A9.

Response to Submission

- 1) See response to Submission 3.
- 2) NGL has been changed to natural ground level in the Scheme Amendment and report.
- 3) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.
- 4) Provisions placed within Clause 32 of the Scheme may be varied by Clause 34 of the Scheme. Amending the terminology used here would serve no purpose in this instance.
- 5) See response to Submission 5.
- 6) A separate Scheme Amendment process is being run to include the R12.5 density code for sites affected by A9.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	59
Submitter Name:	Julie Verley
Submitter Address:	27 Lovegrove Close Mount Claremont
Residence within Nedlands:	Yes
Support/Object/Comment:	Support

Summary of Submission:

- 1) Minimum 9m street setback required.
- 2) Further conditions for development of a Residential Aged Care Facility in the residential zone which are consistent with clause 4 of the LPPRACF in relation to location, size, character, privacy, traffic, parking and to minimize impact on the surrounding residential area.
- 3) An amendment to the Scheme Map in LPS3 to clearly show that the sites specified as "Additional Use A9" are zoned R12.5.

Response to Submission

- 1) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.
- 2) See response to Submission 5.

- 3) A separate Scheme Amendment process is being run to include the R12.5 density code for sites affected by A9.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	60
Submitter Name:	Patricia Le
Submitter Address:	12 Betty Street Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support

Summary of Submission:

- 1) Minor modifications required to ensure consistency between LPS3 Scheme Amendment No. 10 and RACF LPP.
- 2) Minimum 9m street setback should be required.
- 3) Conditions for development of an RACF in the residential zone should be included so RACF are appropriately situated to minimize impact on the surrounding residential area.
- 4) Standards from the RACF LPP Clause 4.2.1 to be included:
 - no more than two boundaries to an adjacent residential lot
 - within proximity to an area of open public space
 - within proximity to amenities including hospitals, medical centres, shopping precincts and high frequency public transport.
- 5) Proximity should be defined.
- 6) Minimum land area for development should be required.
- 7) RACF should have a minimum two street frontages or a long single street frontage so that vehicular access can be internalised.

Response to Submission

See response to Submission 9.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	61
Submitter Name:	Tri Le
Submitter Address:	12 Betty St Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support

Summary of Submission:

- 1) 9m setbacks should be required.

Response to Submission

- 1) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	62
Submitter Name:	Hoang Dinh
Submitter Address:	12 Betty St Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support

Summary of Submission:

- 1) Minimum 9m street setback should be required.
- 2) Conditions for development of an RACF in the residential zone should be included so RACF are appropriately situated to minimize impact on the surrounding residential area.
- 3) Standards from the RACF LPP Clause 4.2.1 to be included:
 - no more than two boundaries to an adjacent residential lot
 - within proximity to an area of open public space
 - within proximity to amenities including hospitals, medical centres, shopping precincts and high frequency public transport.
- 4) Minimum land area for development should be required.
- 5) RACF should have a minimum two street frontages or a long single street frontage so that vehicular access can be internalised.

Response to Submission

See response to Submission 9.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	63
Submitter Name:	Jan Lord
Submitter Address:	21 Alexander Road Dalkeith
Residence within Nedlands:	Yes
Support/Object/Comment:	Support

Summary of Submission:

- 1) Minimum 9m street setback required.
- 2) Further conditions for development of a Residential Aged Care Facility in the residential zone which are consistent with clause 4 of the LPPRACF in relation to location, size, character, privacy, traffic, parking and to minimize impact on the surrounding residential area.
- 3) An amendment to the Scheme Map in LPS3 to clearly show that the sites specified as "Additional Use A9" are zoned R12.5.

Response to Submission

- 1) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential

- Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.
- 2) See response to Submission 5.
 - 3) A separate Scheme Amendment process is being run to include the R12.5 density code for sites affected by A9.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	64
Submitter Name:	David Lord
Submitter Address:	21 Alexander Road Dalkeith
Residence within Nedlands:	Yes
Support/Object/Comment:	Support

Summary of Submission:

- 1) Minimum 9m street setback required.
- 2) Further conditions for development of a Residential Aged Care Facility in the residential zone which are consistent with clause 4 of the LPPRACF in relation to location, size, character, privacy, traffic, parking and to minimize impact on the surrounding residential area.
- 3) An amendment to the Scheme Map in LPS3 to clearly show that the sites specified as "Additional Use A9" are zoned R12.5.

Response to Submission

- 1) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.
- 2) See response to Submission 5.
- 3) A separate Scheme Amendment process is being run to include the R12.5 density code for sites affected by A9.

Submissions Received

Disclaimer: the following is a summary of submissions received.

Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance.

Where two submissions were received from the same address they were summarised separately.

Submitter Number:	65
Submitter Name:	Michael Tan
Submitter Address:	156 Adelma Road Dalkeith
Residence within Nedlands:	Yes
Support/Object/Comment:	Support

Summary of Submission:

- 1) 9m setbacks should be required.

Response to Submission

- 1) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these

provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	66
Submitter Name:	Ella Holmes
Submitter Address:	56 Melvista Avenue Dalkeith
Residence within Nedlands:	Yes
Support/Object/Comment:	Support

Summary of Submission:

- 1) Needs an absolute obligation on proponent to prepare an LDP.
- 2) The Planning and Development (Local Planning Schemes) Regulations 2015 in Clause 47 of Schedule 2 (the Deemed Provisions) allows an LDP to be made where it is either required by a Structure Plan or Activity Centre Plan, or the Commission and the Local Government think that one is necessary.
- 3) Amendments to the LPS Regulations are currently being advertised which propose amendments to Clause 47 to include circumstances where the provision of a Scheme requires one to be prepared.

Response to Submission

See response to Submission 3.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	67
Submitter Name:	Harry Holmes
Submitter Address:	56 Melvista Avenue Dalkeith
Residence within Nedlands:	Yes
Support/Object/Comment:	Support

Summary of Submission:

- 1) 9m setbacks should be required.

Response to Submission

- 1) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	68
Submitter Name:	Tony Holmes
Submitter Address:	56 Melvista Avenue Dalkeith
Residence within Nedlands:	Yes
Support/Object/Comment:	Support

Summary of Submission:

- 1) Minor modifications required to ensure consistency between LPS3 Scheme Amendment No. 10 and RACF LPP.
- 2) Minimum 9m street setback should be required.
- 3) Conditions for development of an RACF in the residential zone should be included so RACF are appropriately situated to minimize impact on the surrounding residential area.
- 4) Standards from the RACF LPP Clause 4.2.1 to be included:
 - no more than two boundaries to an adjacent residential lot
 - within proximity to an area of open public space
 - within proximity to amenities including hospitals, medical centres, shopping precincts and high frequency public transport.
- 5) Proximity should be defined.
- 6) Minimum land area for development should be required.
- 7) RACF should have a minimum two street frontages or a long single street frontage so that vehicular access can be internalised.

Response to Submission

See response to Submission 9.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	69
Submitter Name:	Banafsheh Driver
Submitter Address:	18 Minora Road Dalkeith
Residence within Nedlands:	Yes
Support/Object/Comment:	Support

Summary of Submission:

- 1) Minimum 9m street setback required.
- 2) Further conditions for development of a Residential Aged Care Facility in the residential zone which are consistent with clause 4 of the LPPRACF in relation to location, size, character, privacy, traffic, parking and to minimize impact on the surrounding residential area.
- 3) An amendment to the Scheme Map in LPS3 to clearly show that the sites specified as "Additional Use A9" are zoned R12.5.

Response to Submission

- 1) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential

- Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.
- 2) See response to Submission 5.
 - 3) A separate Scheme Amendment process is being run to include the R12.5 density code for sites affected by A9.

Submissions Received

Disclaimer: the following is a summary of submissions received.

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	70
Submitter Name:	Rudolf Boeddinghaus
Submitter Address:	9 Granby Crescent Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support

Summary of Submission:

Minor modifications suggested.

- 1) The setbacks should surely be 9m, not 6m.
- 2) The plot ratio of 1 should be clearly defined such that the denominator is the total floor area (i.e not excluding common areas, corridors etc)

Response to Submission

- 1) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.
- 2) Plot ratio is calculated using the definition in Local Planning Scheme No 3, which is influenced by State Planning Policy – a separate definition cannot be provided for a specific development.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	71
Submitter Name:	Julie Quansing-Rowlands
Submitter Address:	1 Sutcliffe Street Dalkeith
Residence within Nedlands:	Yes
Support/Object/Comment:	Support

Summary of Submission:

- 1) Additional standards should be included to ensure RACFs in residential areas are located appropriately and do not disrupt the amenity of local residents. Should be located close to open space, shopping, hospitals, medical care and have high frequency public transport for staff and visitors.
- 2) Should be a minimum land size for RACFs.
- 3) RACFs should be on sites that allow internal vehicle access across two streets or along a long frontage.

Response to Submission

See response to Submission 5.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	72
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Submitter Name:	Richard Rowlands
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Submitter Address:	1 Sutcliffe St Dalkeith
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Residence within Nedlands:	Yes
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Support/Object/Comment:	Support
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Summary of Submission:

- 1) Additional standards should be included to ensure RACFs in residential areas are located appropriately and do not disrupt the amenity of local residents. Should be located close to open space, shopping, hospitals, medical care and have high frequency public transport for staff and visitors.
- 2) Should be a minimum land size for RACFs.
- 3) RACFs should be on sites that allow internal vehicle access across two streets or along a long frontage.

Response to Submission

See response to Submission 5.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	73
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Submitter Name:	Angela Myott
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Submitter Address:	130 Princess Road Nedlands
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Residence within Nedlands:	Yes
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Support/Object/Comment:	Comments
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Summary of Submission:

- 1) Needs an absolute obligation on proponent to prepare an LDP.
- 2) The Planning and Development (Local Planning Schemes) Regulations 2015 in Clause 47 of Schedule 2 (the Deemed Provisions) allows an LDP to be made where it is either required by a Structure Plan or Activity Centre Plan, or the Commission and the Local Government think that one is necessary.
- 3) Amendments to the LPS Regulations are currently being advertised which propose amendments to Clause 47 to include circumstances where the provision of a Scheme requires one to be prepared.

Response to Submission

See response to Submission 3.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	74
Submitter Name:	Julie Clark
Submitter Address:	36 Louise Street Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support

Summary of Submission:

- 1) Minor modifications required to ensure consistency between LPS3 Scheme Amendment No. 10 and RACF LPP.
- 2) Minimum 9m street setback should be required.
- 3) Conditions for development of an RACF in the residential zone should be included so RACF are appropriately situated to minimize impact on the surrounding residential area.
- 4) Standards from the RACF LPP Clause 4.2.1 to be included:
 - no more than two boundaries to an adjacent residential lot
 - within proximity to an area of open public space
 - within proximity to amenities including hospitals, medical centres, shopping precincts and high frequency public transport.
- 5) Proximity should be defined.
- 6) Minimum land area for development should be required.
- 7) RACF should have a minimum two street frontages or a long single street frontage so that vehicular access can be internalised.

Response to Submission

See response to Submission 9.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	75
Submitter Name:	Fiona Argyle
Submitter Address:	39 Kinninmont Avenue Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support

Summary of Submission:

- 1) It must be amended, so residential areas are protected and the exclusive area maintain it's uniqueness.

Response to Submission

- 1) Scheme Amendment No 11 proposes built form provisions to retain the character elements of the City's residential areas, including setbacks and open space provisions.

Submissions Received

Disclaimer: the following is a summary of submissions received.

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Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	76
Submitter Name:	Laura Triglavcanin
Submitter Address:	10 Watkins Road Dalkeith
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
1) 9m setbacks should be required.	
Response to Submission	
1) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.	

Submissions Received	
Disclaimer: the following is a summary of submissions received.	
Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance.	
Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	77
Submitter Name:	Paul Schmiede
Submitter Address:	44 Webster Street Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
1) Minor modifications required to ensure consistency between LPS3 Scheme Amendment No. 10 and RACF LPP. 2) Minimum 9m street setback should be required. 3) Conditions for development of an RACF in the residential zone should be included so RACF are appropriately situated to minimize impact on the surrounding residential area. 4) Standards from the RACF LPP Clause 4.2.1 to be included: <ul style="list-style-type: none"> - no more than two boundaries to an adjacent residential lot - within proximity to an area of open public space - within proximity to amenities including hospitals, medical centres, shopping precincts and high frequency public transport. 5) Proximity should be defined. 6) Minimum land area for development should be required. 7) RACF should have a minimum two street frontages or a long single street frontage so that vehicular access can be internalised.	
Response to Submission	
See response to Submission 9.	

Submissions Received	
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Where two submissions were received from the same address they were summarised separately.	

Submitter Number:	78
Submitter Name:	Tim Morrison
Submitter Address:	8 Granby Crescent Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
<ol style="list-style-type: none"> 1) Minor modifications required to ensure consistency between LPS3 Scheme Amendment No. 10 and RACF LPP. 2) Minimum 9m street setback should be required. 3) Conditions for development of an RACF in the residential zone should be included so RACF are appropriately situated to minimize impact on the surrounding residential area. 4) Standards from the RACF LPP Clause 4.2.1 to be included: <ul style="list-style-type: none"> - no more than two boundaries to an adjacent residential lot - within proximity to an area of open public space - within proximity to amenities including hospitals, medical centres, shopping precincts and high frequency public transport. 5) Proximity should be defined. 6) Minimum land area for development should be required. 7) RACF should have a minimum two street frontages or a long single street frontage so that vehicular access can be internalised. 	
Response to Submission	
See response to Submission 9.	

Submissions Received	
<p>Disclaimer: the following is a summary of submissions received.</p> <p>Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance.</p> <p>Where two submissions were received from the same address they were summarised separately.</p>	
Submitter Number:	79
Submitter Name:	Annette O'Brien-Oxley
Submitter Address:	65 Goldsmith Road Dalkeith
Residence within Nedlands:	Yes
Support/Object/Comment:	Yes
Summary of Submission:	
<ol style="list-style-type: none"> 1) The facility should 'fit in' with the local street scape i.e. setbacks similar to residential property and locations should be fit for purpose 2) Standards will have to be based on the recommendations of the royal commission. 	
Response to Submission	
<ol style="list-style-type: none"> 1) Scheme Amendment No 11 proposes built form provisions that apply to the entire Residential zone of the City. The provisions seek to control the impact future RACF development may have on the amenity of the residential areas. 2) The Royal Commission may impose standards upon residential aged care developers and operators that will change the way they design and develop their facilities. However, these are separate from the planning legislation that governs the impact and amenity on the surrounding residential area. 	

Submissions Received	
<p>Disclaimer: the following is a summary of submissions received.</p> <p>Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance.</p>	

Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	80
Submitter Name:	Penelope Austin
Submitter Address:	44 Doonan Road Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
<ol style="list-style-type: none"> 1) There should be minimum land size for RACFs 2) They should be in locations that allow internal vehicle access across 2 streets or a long frontage. RACFs should be near shops, hospitals, medical centres and public transport and they should not disrupt local residents way of life. 3) 9m set back should apply as per the local residences 	
Response to Submission	
<ol style="list-style-type: none"> 1, 2) See response to Submission 5. 3) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height. 	

Submissions Received	
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Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance.	
Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	81
Submitter Name:	Vincent Mort
Submitter Address:	17 Leopold Street Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
<ol style="list-style-type: none"> 1) Minor modifications required to ensure consistency between LPS3 Scheme Amendment No. 10 and RACF LPP. 2) Minimum 9m street setback should be required. 3) Conditions for development of an RACF in the residential zone should be included so RACF are appropriately situated to minimize impact on the surrounding residential area. 4) Standards from the RACF LPP Clause 4.2.1 to be included: <ul style="list-style-type: none"> - no more than two boundaries to an adjacent residential lot - within proximity to an area of open public space - within proximity to amenities including hospitals, medical centres, shopping precincts and high frequency public transport. 5) Proximity should be defined. 6) Minimum land area for development should be required. 7) RACF should have a minimum two street frontages or a long single street frontage so that vehicular access can be internalised. 	
Response to Submission	
See response to Submission 9.	

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	82
Submitter Name:	Paul Kidd
Submitter Address:	62 Melvista Avenue Dalkeith
Residence within Nedlands:	Yes
Support/Object/Comment:	Support

Summary of Submission:

- 1) Minor modifications required to ensure consistency between LPS3 Scheme Amendment No. 10 and RACF LPP.
- 2) Minimum 9m street setback should be required.
- 3) Conditions for development of an RACF in the residential zone should be included so RACF are appropriately situated to minimize impact on the surrounding residential area.
- 4) Standards from the RACF LPP Clause 4.2.1 to be included:
 - no more than two boundaries to an adjacent residential lot
 - within proximity to an area of open public space
 - within proximity to amenities including hospitals, medical centres, shopping precincts and high frequency public transport.
- 5) Proximity should be defined.
- 6) Minimum land area for development should be required.
RACF should have a minimum two street frontages or a long single street frontage so that vehicular access can be internalised.
- 7) Local development plan should be required.

Response to Submission

- 1 to 6) See response to Submission 5.
7) See response to Submission 3.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	83
Submitter Name:	Robyn Kidd
Submitter Address:	62 Melvista Avenue Dalkeith
Residence within Nedlands:	Yes
Support/Object/Comment:	Support

Summary of Submission:

- 1) Minor modifications required to ensure consistency between LPS3 Scheme Amendment No. 10 and RACF LPP.
- 2) Minimum 9m street setback should be required.
- 3) Conditions for development of an RACF in the residential zone should be included so RACF are appropriately situated to minimize impact on the surrounding residential area.
- 4) Standards from the RACF LPP Clause 4.2.1 to be included:
 - no more than two boundaries to an adjacent residential lot
 - within proximity to an area of open public space
 - within proximity to amenities including hospitals, medical centres, shopping precincts and high frequency public transport.

- 5) Proximity should be defined.
- 6) Minimum land area for development should be required.
RACF should have a minimum two street frontages or a long single street frontage so that vehicular access can be internalised.
- 7) Local development plan should be required.

Response to Submission

- 1 to 6) See response to Submission 5.
- 7) See response to Submission 3.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	84
Submitter Name:	Holly Birch
Submitter Address:	94 Stanley Street Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support

Summary of Submission:

- 1) Minimum 9m street setback required.
- 2) Further conditions for development of a Residential Aged Care Facility in the residential zone which are consistent with clause 4 of the LPPRACF in relation to location, size, character, privacy, traffic, parking and to minimize impact on the surrounding residential area.
- 3) An amendment to the Scheme Map in LPS3 to clearly show that the sites specified as "Additional Use A9" are zoned R12.5.

Response to Submission

- 1) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.
- 2) See response to Submission 5.
- 3) A separate Scheme Amendment process will be run to include the density code of R12.5 on the sites affected by A9.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	85
Submitter Name:	Danielle Wright
Submitter Address:	60 Kingsway Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support

Summary of Submission:

A RACF should also have:

- 1) 9m setbacks to line up with adjacent residential.
- 2) Neighbouring amenity needs as a priority.
- 3) It should be consistent with the LPP for RACF.
- 4) There should be an LDP in place.

Response to Submission

- 1) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.
- 2) The built form provision proposed in Scheme Amendment No 11 have been created with the amenity of surrounding landowners as a priority.
When initially presented to Council for endorsement to advertise, Scheme Amendment No. 11 was consistent with the provisions of Scheme Amendment No 10 and the LPPRACF. However, in response to comments received during the consultation period, Council chose to make modifications to the LPPRACF post advertising and prior to adoption at the 3 September 2020 Special Council Meeting. At this time, the Scheme Amendment process had already been initiated by Council at the 28 July OCM and proposed Scheme Amendment No. 11 was undergoing review by the Environmental Protection Authority, the first step in the Scheme Amendment process. The Planning and Development (Local Planning Schemes) Regulations 2015 provide no option to alter the wording of a Scheme Amendment between Council endorsement and public advertising. The only time that minor amendments may be made to a Standard Scheme Amendment is post advertising as per Regulation 50(3) of the Planning and Development (Local Planning Schemes) Regulations 2015. Administration does not support Council's changes to the LPPRACF. The policy provisions are not designed to be specifically relevant to specific sites. However, if Council chooses to endorse Scheme Amendment No 11, it is recommended that they also Resolve that the LPP-RACF is altered to ensure consistency with Scheme Amendment No 10 and 11.
- 3) See response to submission 3.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	86
Submitter Name:	Pauleen Gates
Submitter Address:	34 Omaroo Terrace City Beach
Residence within Nedlands:	No
Support/Object/Comment:	Support

Summary of Submission:

- 1) Minor modifications required to ensure consistency between LPS3 Scheme Amendment No. 10 and RACF LPP.
- 2) Minimum 9m street setback should be required.
- 3) Conditions for development of an RACF in the residential zone should be included so RACF are appropriately situated to minimize impact on the surrounding residential area.
- 4) Standards from the RACF LPP Clause 4.2.1 to be included:
 - no more than two boundaries to an adjacent residential lot
 - within proximity to an area of open public space

<ul style="list-style-type: none"> - within proximity to amenities including hospitals, medical centres, shopping precincts and high frequency public transport.
5) Proximity should be defined.
6) Minimum land area for development should be required.
7) RACF should have a minimum two street frontages or a long single street frontage so that vehicular access can be internalised.
Response to Submission
See response to Submission 9.

Submissions Received	
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Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	87
Submitter Name:	Andrew
Submitter Address:	12 Betty Street Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
1) Additional standards should be included to ensure RACFs in residential areas are located appropriately and do not disrupt the amenity of local residents. Should be located close to open space, shopping, hospitals, medical care and have high frequency public transport for staff and visitors. 2) Should be a minimum land size for RACFs. 3) RACFs should be on sites that allow internal vehicle access across two streets or along a long frontage.	
Response to Submission	
See response to Submission 5.	

Submissions Received	
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Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance.	
Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	88
Submitter Name:	Andrew Lim
Submitter Address:	56/85 Monash Avenue Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
1) 9m setbacks should be required.	
Response to Submission	
1) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.	

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	89
Submitter Name:	Luke Lim
Submitter Address:	8 Brahea Place Mount Claremont
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
<ol style="list-style-type: none"> 1) Minor modifications required to ensure consistency between LPS3 Scheme Amendment No. 10 and RACF LPP. 2) Minimum 9m street setback should be required. 3) Conditions for development of an RACF in the residential zone should be included so RACF are appropriately situated to minimize impact on the surrounding residential area. 4) Standards from the RACF LPP Clause 4.2.1 to be included: <ul style="list-style-type: none"> - no more than two boundaries to an adjacent residential lot - within proximity to an area of open public space - within proximity to amenities including hospitals, medical centres, shopping precincts and high frequency public transport. 5) Proximity should be defined. 6) Minimum land area for development should be required. 7) RACF should have a minimum two street frontages or a long single street frontage so that vehicular access can be internalised. 	
Response to Submission	
See response to Submission 9.	

Submissions Received

Disclaimer: the following is a summary of submissions received.

Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance.

Where two submissions were received from the same address they were summarised separately.

Submitter Number:	90
Submitter Name:	Doreen Lim
Submitter Address:	8 Brahea Place Mount Claremont
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
<ol style="list-style-type: none"> 1) Minor modifications required to ensure consistency between LPS3 Scheme Amendment No. 10 and RACF LPP. 2) Minimum 9m street setback should be required. 3) Conditions for development of an RACF in the residential zone should be included so RACF are appropriately situated to minimize impact on the surrounding residential area. 4) Standards from the RACF LPP Clause 4.2.1 to be included: <ul style="list-style-type: none"> - no more than two boundaries to an adjacent residential lot - within proximity to an area of open public space - within proximity to amenities including hospitals, medical centres, shopping precincts and high frequency public transport. 	

- 5) Proximity should be defined.
- 6) Minimum land area for development should be required.
- 7) RACF should have a minimum two street frontages or a long single street frontage so that vehicular access can be internalised.

Response to Submission

See response to Submission 9.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	91
Submitter Name:	Susan Mitchell
Submitter Address:	Thomas Street Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support

Summary of Submission:

- 1) I would like this special pocket of residential area to be preserved.

Response to Submission

- 1) Scheme Amendment No 11 proposes built form provisions that apply to the entire Residential zone of the City. The provisions seek to control the impact future RACF development may have on the amenity of the residential areas.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	92
Submitter Name:	billandjan
Submitter Address:	Bateman 6150
Residence within Nedlands:	No
Support/Object/Comment:	Support

Summary of Submission:

No comments.

Response to Submission

N/A

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	93
Submitter Name:	Clive Trott
Submitter Address:	7 Goldsmith Road, Claremont

Residence within Nedlands:	No
Support/Object/Comment:	Support
Summary of Submission:	
<ol style="list-style-type: none"> 1) Minimum 9m street setback required. 2) Further conditions for development of a Residential Aged Care Facility in the residential zone which are consistent with clause 4 of the LPPRACF in relation to location, size, character, privacy, traffic, parking and to minimize impact on the surrounding residential area. 3) An amendment to the Scheme Map in LPS3 to clearly show that the sites specified as "Additional Use A9" are zoned R12.5. 	
Response to Submission	
<ol style="list-style-type: none"> 1) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height. 2) See response to Submission 5. 3) A separate Scheme Amendment process will be run to include the density code of R12.5 on the sites affected by A9. 	

Submissions Received	
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Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	94
Submitter Name:	Elizabeth Trott
Submitter Address:	7 Goldsmith Road, Claremont
Residence within Nedlands:	No
Support/Object/Comment:	Support
Summary of Submission:	
<ol style="list-style-type: none"> 1) Minimum 9m street setback required. 2) Further conditions for development of a Residential Aged Care Facility in the residential zone which are consistent with clause 4 of the LPPRACF in relation to location, size, character, privacy, traffic, parking and to minimize impact on the surrounding residential area. 3) An amendment to the Scheme Map in LPS3 to clearly show that the sites specified as "Additional Use A9" are zoned R12.5. 	
Response to Submission	
<ol style="list-style-type: none"> 1) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height. 2) See response to Submission 5. 3) A separate Scheme Amendment process will be run to include the density code of R12.5 on the sites affected by A9. 	

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	95
Submitter Name:	Ann Walker
Submitter Address:	2 George Avenue, Claremont
Residence within Nedlands:	No
Support/Object/Comment:	Support

Summary of Submission:

- 1) Minor modifications required to ensure consistency between LPS3 Scheme Amendment No. 10 and RACF LPP.
- 2) Minimum 9m street setback should be required.
- 3) Conditions for development of an RACF in the residential zone should be included so RACF are appropriately situated to minimize impact on the surrounding residential area.
- 4) Standards from the RACF LPP Clause 4.2.1 to be included:
 - no more than two boundaries to an adjacent residential lot
 - within proximity to an area of open public space
 - within proximity to amenities including hospitals, medical centres, shopping precincts and high frequency public transport.
- 5) Proximity should be defined.
- 6) Minimum land area for development should be required.
- 7) RACF should have a minimum two street frontages or a long single street frontage so that vehicular access can be internalised.

Response to Submission

See response to Submission 9.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	96
Submitter Name:	Lanie Byk
Submitter Address:	3 Betty Street Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support

Summary of Submission:

- 1) 9m minimum setback required;
- 2) Aged care facilities should be located with appropriate access to open space, medical care and high frequency public transport for both staff and visitors.
- 3) The facility should not totally disrupt and damage the local nature of the community.

Response to Submission

- 1) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.

2 and 3) See response to submission 5.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	97
Submitter Name:	Libby Rayner
Submitter Address:	10 Victoria Avenue Claremont
Residence within Nedlands:	No
Support/Object/Comment:	Support
Summary of Submission:	
<ol style="list-style-type: none"> 1) Minimum 9m street setback required. 2) Further conditions for development of a Residential Aged Care Facility in the residential zone which are consistent with clause 4 of the LPPRACF in relation to location, size, character, privacy, traffic, parking and to minimize impact on the surrounding residential area. 3) An amendment to the Scheme Map in LPS3 to clearly show that the sites specified as "Additional Use A9" are zoned R12.5. 	

Response to Submission

- 1) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.
- 2) See response to Submission 5.
- 3) A separate Scheme Amendment process will be run to include the density code of R12.5 on the sites affected by A9.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	98
Submitter Name:	Ted Graham
Submitter Address:	42 Marita Road Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
<ol style="list-style-type: none"> 1) RACF in residential areas should be located appropriately and not disrupt the amenity of local residents. They should be located close to open space, shopping, hospitals, medical care and have high frequency public transport for staff and visitors. 2) There should be a minimum land size for RACFs. 3) RACF should be in locations that allow internal vehicle access across two streets or along a long frontage. 	

Response to Submission

See response to Submission 5.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	99
Submitter Name:	Kate Bailey
Submitter Address:	77 Thomas Street Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
<ol style="list-style-type: none"> 1) Minor modifications required to ensure consistency between LPS3 Scheme Amendment No. 10 and RACF LPP. 2) Minimum 9m street setback should be required. 3) Conditions for development of an RACF in the residential zone should be included so RACF are appropriately situated to minimize impact on the surrounding residential area. 4) Standards from the RACF LPP Clause 4.2.1 to be included: <ul style="list-style-type: none"> - no more than two boundaries to an adjacent residential lot - within proximity to an area of open public space - within proximity to amenities including hospitals, medical centres, shopping precincts and high frequency public transport. 5) Proximity should be defined. 6) Minimum land area for development should be required. 7) RACF should have a minimum two street frontages or a long single street frontage so that vehicular access can be internalised. 	
Response to Submission	
See response to Submission 9.	

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	100
Submitter Name:	Rosemarie Lai
Submitter Address:	61 Riley Road Dalkeith
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
<ol style="list-style-type: none"> 1) RACF in residential areas should be located appropriately and not disrupt the amenity of local residents. They should be located close to open space, shopping, hospitals, medical care and have high frequency public transport for staff and visitors. 2) There should be a minimum land size for RACFs. 3) RACF should be in locations that allow internal vehicle access across two streets or along a long frontage. 	
Response to Submission	
See response to Submission 5.	

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	101
Submitter Name:	Dougal Burton
Submitter Address:	13 Carmody Court, Bull Creek
Residence within Nedlands:	No
Support/Object/Comment:	Comments
Summary of Submission:	
1) 9m setbacks should be required.	

Response to Submission

- 1) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	102
Submitter Name:	Edward Herron
Submitter Address:	91 Melvista Avenue Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
1) 9m setbacks should be required.	

Response to Submission

- 1) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	103
Submitter Name:	Simone Janney
Submitter Address:	10 Victoria Avenue Claremont

Residence within Nedlands:	No
Support/Object/Comment:	Support
Summary of Submission:	
<ol style="list-style-type: none"> 1) Minimum 9m street setback required. 2) Further conditions for development of a Residential Aged Care Facility in the residential zone which are consistent with clause 4 of the LPPRACF in relation to location, size, character, privacy, traffic, parking and to minimize impact on the surrounding residential area. 3) An amendment to the Scheme Map in LPS3 to clearly show that the sites specified as "Additional Use A9" are zoned R12.5. 	
Response to Submission	
<ol style="list-style-type: none"> 1) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height. 2) See response to Submission 5. 3) A separate Scheme Amendment process will be run to include the density code of R12.5 on the sites affected by A9. 	

Submissions Received	
<p>Disclaimer: the following is a summary of submissions received.</p> <p>Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance.</p> <p>Where two submissions were received from the same address they were summarised separately.</p>	
Submitter Number:	104
Submitter Name:	Megan Joyce
Submitter Address:	100 Webster Street Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
<ol style="list-style-type: none"> 1) Minimum 9m street setback required. 2) Further conditions for development of a Residential Aged Care Facility in the residential zone which are consistent with clause 4 of the LPPRACF in relation to location, size, character, privacy, traffic, parking and to minimize impact on the surrounding residential area. 3) An amendment to the Scheme Map in LPS3 to clearly show that the sites specified as "Additional Use A9" are zoned R12.5. 	
Response to Submission	
<ol style="list-style-type: none"> 1) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height. 2) See response to Submission 5. 3) A separate Scheme Amendment process will be run to include the density code of R12.5 on the sites affected by A9. 	

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	105
Submitter Name:	Poh Suan
Submitter Address:	73 Meriwa Street Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Comments

Summary of Submission:

- 1) Additional standards should be included to ensure RACFs in residential areas are located appropriately and do not disrupt the amenity of local residents. Should be located close to open space, shopping, hospitals, medical care and have high frequency public transport for staff and visitors.
- 2) Should be a minimum land size for RACFs.
- 3) RACFs should be on sites that allow internal vehicle access across two streets or along a long frontage.

Response to Submission

See response to Submission 5.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	106
Submitter Name:	Natasha Rajalingam
Submitter Address:	11 Betty Street Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support

Summary of Submission:

- 1) Additional standards should be included to ensure RACFs in residential areas are located appropriately and do not disrupt the amenity of local residents. Should be located close to open space, shopping, hospitals, medical care and have high frequency public transport for staff and visitors.
- 2) Should be a minimum land size for RACFs.
- 3) RACFs should be on sites that allow internal vehicle access across two streets or along a long frontage.

Response to Submission

See response to Submission 5.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	107
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Submitter Name:	Mario Faugno
Submitter Address:	74 Doonan Road Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
1) Minor modifications required to ensure consistency between LPS3 Scheme Amendment No. 10 and RACF LPP. 2) Minimum 9m street setback should be required. 3) Conditions for development of an RACF in the residential zone should be included so RACF are appropriately situated to minimize impact on the surrounding residential area. 4) Standards from the RACF LPP Clause 4.2.1 to be included: <ul style="list-style-type: none"> - no more than two boundaries to an adjacent residential lot - within proximity to an area of open public space - within proximity to amenities including hospitals, medical centres, shopping precincts and high frequency public transport. 5) Proximity should be defined. 6) Minimum land area for development should be required. 7) RACF should have a minimum two street frontages or a long single street frontage so that vehicular access can be internalised.	
Response to Submission	
See response to Submission 9.	

Submissions Received	
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Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	108
Submitter Name:	Deanne Bailey
Submitter Address:	Thomas Road
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
1) Needs an absolute obligation on proponent to prepare an LDP. 2) The Planning and Development (Local Planning Schemes) Regulations 2015 in Clause 47 of Schedule 2 (the Deemed Provisions) allows an LDP to be made where it is either required by a Structure Plan or Activity Centre Plan, or the Commission and the Local Government think that one is necessary. 3) Amendments to the LPS Regulations are currently being advertised which propose amendments to Clause 47 to include circumstances where the provision of a Scheme requires one to be prepared.	
Response to Submission	
See response to Submission 3.	

Submissions Received	
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Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	109

Submitter Name:	Alexandra Shepherd
Submitter Address:	83 Vincent Street, Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
1) Additional standards should be included to ensure RACFs in residential areas are located appropriately and do not disrupt the amenity of local residents. Should be located close to open space, shopping, hospitals, medical care and have high frequency public transport for staff and visitors. 2) Should be a minimum land size for RACFs. 3) RACFs should be on sites that allow internal vehicle access across two streets or along a long frontage.	
Response to Submission	
See response to Submission 5.	

Submissions Received	
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Submitter Number:	110
Submitter Name:	Andrew Morrissey
Submitter Address:	83 Vincent Street, Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
1) Needs To be an absolute obligation to prepare an LDP.	
Response to Submission	
1) See response to Submission 3.	

Submissions Received	
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Submitter Number:	111
Submitter Name:	Nicole Jones
Submitter Address:	59 Melvista Avenue Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
1) Minor modifications required to ensure consistency between LPS3 Scheme Amendment No. 10 and RACF LPP. 2) Minimum 9m street setback should be required. 3) Conditions for development of an RACF in the residential zone should be included so RACF are appropriately situated to minimize impact on the surrounding residential area. 4) Standards from the RACF LPP Clause 4.2.1 to be included: <ul style="list-style-type: none"> - no more than two boundaries to an adjacent residential lot - within proximity to an area of open public space 	

<ul style="list-style-type: none"> - within proximity to amenities including hospitals, medical centres, shopping precincts and high frequency public transport.
5) Proximity should be defined.
6) Minimum land area for development should be required.
7) RACF should have a minimum two street frontages or a long single street frontage so that vehicular access can be internalised.
Response to Submission
See response to Submission 9.

Submissions Received	
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Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	112
Submitter Name:	Rita Kelly
Submitter Address:	55 Philip Road, Dalkeith
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
1) Minimum 9m street setback required.	
2) Further conditions for development of a Residential Aged Care Facility in the residential zone which are consistent with clause 4 of the LPPRACF in relation to location, size, character, privacy, traffic, parking and to minimize impact on the surrounding residential area.	
3) An amendment to the Scheme Map in LPS3 to clearly show that the sites specified as "Additional Use A9" are zoned R12.5.	
Response to Submission	
1) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.	
2) See response to Submission 5.	
3) A separate Scheme Amendment process will be run to include the density code of R12.5 on the sites affected by A9.	

Submissions Received	
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Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	113
Submitter Name:	John McGuire
Submitter Address:	2 Granby Crescent, Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	

- 1) Minor modifications required to ensure consistency between LPS3 Scheme Amendment No. 10 and RACF LPP.
- 2) Minimum 9m street setback should be required.
- 3) Conditions for development of an RACF in the residential zone should be included so RACF are appropriately situated to minimize impact on the surrounding residential area.
- 4) Standards from the RACF LPP Clause 4.2.1 to be included:
 - no more than two boundaries to an adjacent residential lot
 - within proximity to an area of open public space
 - within proximity to amenities including hospitals, medical centres, shopping precincts and high frequency public transport.
- 5) Proximity should be defined.
- 6) Minimum land area for development should be required.
- 7) RACF should have a minimum two street frontages or a long single street frontage so that vehicular access can be internalised.

Response to Submission

See response to Submission 9.

Submissions Received

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Submitter Number:	114
Submitter Name:	David and Mary Hillman
Submitter Address:	1 Granby Crescent, Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Comments

Summary of Submission:

- 1) Minimum 9m street setback required.
- 2) That consideration is given to the suitability of any location where residential aged care facilities are to be built re disruption to the amenity of local residents, proximity to public transport for staff and residents and the provision of suitable on-site parking for visitors, staff and service vehicles.
- 3) Scheme Amendments 10, 11 and the RACF LPP must be consistent.

Response to Submission

- 1) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.
- 2) See response to Submission 5.
- 3) When initially presented to Council for endorsement to advertise, Scheme Amendment No. 11 was consistent with the provisions of Scheme Amendment No 10 and the LPPRACF. However, in response to comments received during the consultation period, Council chose to make modifications to the LPPRACF post advertising and prior to adoption at the 3 September 2020 Special Council Meeting. At this time, the Scheme Amendment process had already been initiated by Council at the 28 July OCM and proposed Scheme Amendment No. 11 was undergoing review by the Environmental Protection Authority, the first step in the Scheme Amendment process. The Planning and Development (Local Planning Schemes) Regulations 2015 provide no option to alter the

wording of a Scheme Amendment between Council endorsement and public advertising. The only time that minor amendments may be made to a Standard Scheme Amendment is post advertising as per Regulation 50(3) of the Planning and Development (Local Planning Schemes) Regulations 2015. Administration does not support Council's changes to the LPPRACF. The policy provisions are not designed to be specifically relevant to specific sites. However, if Council chooses to endorse Scheme Amendment No 11, it is recommended that they also Resolve that the LPP-RACF is altered to ensure consistency with Scheme Amendment No 10 and 11.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	115
Submitter Name:	Jennifer Lord
Submitter Address:	37 Thomas Street Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
<ol style="list-style-type: none"> 1) Minimum 9m street setback required. 2) Further conditions for development of a Residential Aged Care Facility in the residential zone which are consistent with clause 4 of the LPPRACF in relation to location, size, character, privacy, traffic, parking and to minimize impact on the surrounding residential area. 3) An amendment to the Scheme Map in LPS3 to clearly show that the sites specified as "Additional Use A9" are zoned R12.5. 	

Response to Submission

- 1) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.

Submissions Received

Disclaimer: the following is a summary of submissions received.

Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance.

Where two submissions were received from the same address they were summarised separately.

Submitter Number:	116
Submitter Name:	Lulu Suleski
Submitter Address:	37 Thomas Street Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
<ol style="list-style-type: none"> 1) Minimum 9m street setback required. 2) Further conditions for development of a Residential Aged Care Facility in the residential zone which are consistent with clause 4 of the LPPRACF in relation to location, size, 	

- character, privacy, traffic, parking and to minimize impact on the surrounding residential area.
- 3) An amendment to the Scheme Map in LPS3 to clearly show that the sites specified as "Additional Use A9" are zoned R12.5.

Response to Submission

- 1) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.
- 2) See response to Submission 5.
- 3) A separate Scheme Amendment process will be run to include the density code of R12.5 on the sites affected by A9.

Submissions Received

Disclaimer: the following is a summary of submissions received.

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	117
Submitter Name:	Isabella Suleski
Submitter Address:	37 Thomas Street Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support

Summary of Submission:

- 1) Minimum 9m street setback required.
- 2) Further conditions for development of a Residential Aged Care Facility in the residential zone which are consistent with clause 4 of the LPPRACF in relation to location, size, character, privacy, traffic, parking and to minimize impact on the surrounding residential area.
- 3) An amendment to the Scheme Map in LPS3 to clearly show that the sites specified as "Additional Use A9" are zoned R12.5.

Response to Submission

- 1) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.
- 2) See response to Submission 5.
- 3) A separate Scheme Amendment process will be run to include the density code of R12.5 on the sites affected by A9.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	118
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Submitter Name:	Susan Stevens
Submitter Address:	65 Melvista Avenue Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
1) 9m minimum setback should be required. 2) Additional standards should be included to ensure that Residential Aged Care Facilities in residential areas are located appropriately and do not disrupt the amenity of local residents. They should be located close to open space, shopping, hospitals, medical care and have high frequency public transport for staff and visitors. 3) There should be a minimum land size for RACFs. 4) They should be in locations that allow internal vehicle access across two streets or along a long frontage. They should also be able to be accessed freely by emergency vehicles in the event of fire, when total evacuation is required.	
Response to Submission	
1) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height. 2, 3 and 4) See response to Submission 5.	

Submissions Received	
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Submitter Number:	119
Submitter Name:	Gwendolyn Jacobs
Submitter Address:	4 Kathryn Crescent Dalkeith
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
Comments related to Scheme Amendment No 10 and the A9 sites.	
Response to Submission	
This report is in relation to Scheme Amendment No 11, which affects all residential zoned land.	

Submissions Received	
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Submitter Number:	120
Submitter Name:	Kirsten McGuire
Submitter Address:	2 Granby Crescent Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support

Summary of Submission:

- 1) Minor modifications required to ensure consistency between LPS3 Scheme Amendment No. 10 and RACF LPP.
- 2) Minimum 9m street setback should be required.
- 3) Conditions for development of an RACF in the residential zone should be included so RACF are appropriately situated to minimize impact on the surrounding residential area.
- 4) Standards from the RACF LPP Clause 4.2.1 to be included:
 - no more than two boundaries to an adjacent residential lot
 - within proximity to an area of open public space
 - within proximity to amenities including hospitals, medical centres, shopping precincts and high frequency public transport.
- 5) Proximity should be defined.
- 6) Minimum land area for development should be required.
- 7) RACF should have a minimum two street frontages or a long single street frontage so that vehicular access can be internalised.

Response to Submission

See response to Submission 9.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	121
Submitter Name:	Dr Mohan Rajalingam
Submitter Address:	11 Betty Street Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support

Summary of Submission:

I support Scheme Amendment No 11 with minor amendments:

- 1) Local Development Plan should be a requirement.
- 2) LPS3 map should be amended to include the A9 area R-coded as R12.5.
- 3) Provisions relating to residential development should be removed.
- 4) 9m street setback and 50% open space should be required.
- 5) Scheme Amendment should be consistent with LPPRACF.

Response to Submission

- 1) See response to Submission 3.
- 2) A separate Scheme Amendment process is being undertaken to have the LPS3 map amended to include the A9 area R-coded as R12.5.
- 3) There are no provision relating to residential development in Scheme Amendment No 11.
- 4) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height. 50% open space is a provision of Scheme Amendment No 11.
- 5) See response to Submission 9.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	122
Submitter Name:	Joseph O'Halloran
Submitter Address:	1/2 Marita Rd Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Comments

Summary of Submission:

- 1) I object to this rezoning and other re-zonings which affect many parts of Nedlands, particularly those in the Melvista ward in which we are resident.
- 2) These changes affect significantly the enjoyment of our lives and homes, including changes in the ambience, population density, traffic density and resultant chaos.
- 3) Is the focus of the Council and its employees solely increase in population density. Is it fair to ask if those within the council responsible for these proposals and changes are in fact residents of the City.
- 4) Is it time for an urgent review of the city's planning and traffic issues (such as the chaos which is Jenkins Avenue) so that they more accurately reflect the wishes and aspirations of the residents of the City.

Response to Submission

- 1) Scheme Amendment No 11 does not propose a rezoning. It proposes to impose built form provisions for Residential Aged Care Facilities where they are proposed within the Residential zone.
- 2) The proposed built form provisions are intended to assist in the maintenance of the residential amenity of the areas where a Residential Aged Care Facility may be proposed.
- 3) The City does have density targets set by the State Government. However Local Planning Scheme No 3 lists Residential Aged care Facilities as an 'A' use within the Residential zone, which means the City must consider all such applications. It is noted that these facilities do not contribute to density targets, as they are not considered a residential dwelling.
- 4) Proposed traffic and planning works will undergo community consultation where it is considered reasonable to do so.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	123
Submitter Name:	E-Laine Tang
Submitter Address:	31 Circe Circle Dalkeith
Residence within Nedlands:	Yes
Support/Object/Comment:	Support

Summary of Submission:

- 1) Minor modifications required to ensure consistency between LPS3 Scheme Amendment No. 10 and RACF LPP.
- 2) Minimum 9m street setback should be required.

- 3) Conditions for development of an RACF in the residential zone should be included so RACF are appropriately situated to minimize impact on the surrounding residential area.
- 4) Standards from the RACF LPP Clause 4.2.1 to be included:
 - no more than two boundaries to an adjacent residential lot
 - within proximity to an area of open public space
 - within proximity to amenities including hospitals, medical centres, shopping precincts and high frequency public transport.
- 5) Proximity should be defined.
- 6) Minimum land area for development should be required.
- 7) RACF should have a minimum two street frontages or a long single street frontage so that vehicular access can be internalised.

Response to Submission

See response to Submission 9.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	124
Submitter Name:	Colin Tang
Submitter Address:	31 Circe Circle Dalkeith
Residence within Nedlands:	Yes
Support/Object/Comment:	Support

Summary of Submission:

I support Scheme Amendment No 11 with amendments:

- 1) minimum 9m street setback should be required.
- 2) Also further conditions for development of an RACF in the residential zone should be included to ensure that RACF are appropriately situated do not disrupt the amenity of local residents.
- 3) Standards that should be included in this amendment are listed in the RACF LPP Clause 4.2.1, including no more than two boundaries to an adjacent residential lot, within proximity to an area of open public space and within proximity to amenities including hospitals, medical centres, shopping precincts and high frequency public transport.
- 4) There should be a minimum land size for RACFs. They should be in locations that allow internal vehicle access across two streets or along a long frontage.

Response to Submission

- 1) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.

2, 3 and 4) See response to Submission 5.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	125
Submitter Name:	Geoffrey Smith
Submitter Address:	34/87 Waratah Avenue Dalkeith
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I support LPS3 Scheme Amendment No 11 - Additional Requirements. My support is subject to the inclusion of the following conditions in the final document:	
<ol style="list-style-type: none"> 1) The proposed location of a RACF within an existing residential area must meet with the approval of the nearby residents and will not affect the existing amenity of these residents. 2) Adequate off-street car parking by Staff and Visitors is essential. 3) A minimum street setback of 9m which is currently in place for adjacent residential properties must also apply to the RACF. 4) The RACF must necessarily be very close to shopping, social and professional services which aged persons need. Preferably within the same commercial zone area. 	
Response to Submission	
<ol style="list-style-type: none"> 1) RACF's, like all development, are ultimately determined against the relevant legislation by Local and State Government planning authorities, not residents groups. 2) Parking is required as per the City's LPP – Parking. 3) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height. 4) See response to Submission 5. 	

Submissions Received	
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Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	126
Submitter Name:	Joanne Cruickshank
Submitter Address:	16 Bostock Road Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
I support Scheme Amendment No 11 with amendments:	
<ol style="list-style-type: none"> 1) minimum 9m street setback should be required. 2) Also further conditions for development of an RACF in the residential zone should be included to ensure that RACF are appropriately situated do not disrupt the amenity of local residents. 3) Standards that should be included in this amendment are listed in the RACF LPP Clause 4.2.1, including no more than two boundaries to an adjacent residential lot, within proximity to an area of open public space and within proximity to amenities including hospitals, medical centres, shopping precincts and high frequency public transport. 4) There should be a minimum land size for RACFs. They should be in locations that allow internal vehicle access across two streets or along a long frontage. 	
Response to Submission	

- 1) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.
- 2, 3 and 4) See response to Submission 5.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	127
Submitter Name:	James Robinson
Submitter Address:	66 Doonan Road Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
1) 9m setbacks should be required.	

Response to Submission

- 1) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	128
Submitter Name:	Kate Robinson
Submitter Address:	66 Doonan Road Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
1) 9m setbacks should be required.	

Response to Submission

- 1) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	129
Submitter Name:	Peter Jensen
Submitter Address:	55 Vincent Street Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Comment

Summary of Submission:

- 1) Minimum 9m street setbacks to match adjacent residential property.
- 2) Additional standards should be included to ensure that Residential Aged Care Facilities in residential areas are located appropriately and do not disrupt the amenity of local residents.
- 3) They should be located close to open space, shopping, hospitals, medical care and have high frequency public transport for staff and visitors.

Response to Submission

- 1) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.
- 2 and 3) See response to Submission 5.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	130
Submitter Name:	Fiona Isbister
Submitter Address:	157 Dalkeith Road, Dalkeith
Residence within Nedlands:	Yes
Support/Object/Comment:	Support

Summary of Submission:

- 1) Minor modifications required to ensure consistency between LPS3 Scheme Amendment No. 10 and RACF LPP.
- 2) Minimum 9m street setback should be required.
- 3) Conditions for development of an RACF in the residential zone should be included so RACF are appropriately situated to minimize impact on the surrounding residential area.
- 4) Standards from the RACF LPP Clause 4.2.1 to be included:
 - no more than two boundaries to an adjacent residential lot
 - within proximity to an area of open public space
 - within proximity to amenities including hospitals, medical centres, shopping precincts and high frequency public transport.
- 5) Proximity should be defined.
- 6) Minimum land area for development should be required.
- 7) RACF should have a minimum two street frontages or a long single street frontage so that vehicular access can be internalised.

Response to Submission

See response to Submission 9.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	131
Submitter Name:	Isobel Isbister
Submitter Address:	157 Dalkeith Road, Dalkeith
Residence within Nedlands:	Yes
Support/Object/Comment:	Support

Summary of Submission:

- 1) Minor modifications required to ensure consistency between LPS3 Scheme Amendment No. 10 and RACF LPP.
- 2) Minimum 9m street setback should be required.
- 3) Conditions for development of an RACF in the residential zone should be included so RACF are appropriately situated to minimize impact on the surrounding residential area.
- 4) Standards from the RACF LPP Clause 4.2.1 to be included:
 - no more than two boundaries to an adjacent residential lot
 - within proximity to an area of open public space
 - within proximity to amenities including hospitals, medical centres, shopping precincts and high frequency public transport.
- 5) Proximity should be defined.
- 6) Minimum land area for development should be required.
- 7) RACF should have a minimum two street frontages or a long single street frontage so that vehicular access can be internalised.

Response to Submission

See response to Submission 9.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	132
Submitter Name:	Toby Lloyd
Submitter Address:	10 Bostock Road Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support

Summary of Submission:

- 1) Minimum 9m street setbacks to match adjacent residential property.
- 2) Additional standards should be included to ensure that Residential Aged Care Facilities in residential areas are located appropriately and do not disrupt the amenity of local residents.
- 3) They should be located close to open space, shopping, hospitals, medical care and have high frequency public transport for staff and visitors.

Response to Submission

- 1) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.
- 2 and 3) See response to Submission 5.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	133
Submitter Name:	Jaime Reynolds
Submitter Address:	49 Marita Rd, Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
1) Minor modifications required to ensure consistency between LPS3 Scheme Amendment No. 10 and RACF LPP. 2) Minimum 9m street setback should be required. 3) Conditions for development of an RACF in the residential zone should be included so RACF are appropriately situated to minimize impact on the surrounding residential area. 4) Standards from the RACF LPP Clause 4.2.1 to be included: <ul style="list-style-type: none"> • no more than two boundaries to an adjacent residential lot • within proximity to an area of open public space • within proximity to amenities including hospitals, medical centres, shopping precincts and high frequency public transport. 5) Proximity should be defined. 6) Minimum land area for development should be required. 7) RACF should have a minimum two street frontages or a long single street frontage so that vehicular access can be internalised.	

Response to Submission

See response to Submission 9.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	134
Submitter Name:	Heather Stynes
Submitter Address:	14 Leopold Street Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
1) 9m street setback should be required.	
Response to Submission	

- 1) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	135
Submitter Name:	Lucette Quinlan
Submitter Address:	31 Kinross Crescent Floreat
Residence within Nedlands:	No
Support/Object/Comment:	Support

Summary of Submission:

- 1) Minimum 9m street setbacks to match adjacent residential property.
- 2) Additional standards should be included to ensure that Residential Aged Care Facilities in residential areas are located appropriately and do not disrupt the amenity of local residents. They should be located close to open space, shopping, hospitals, medical care and have high frequency public transport for staff and visitors.
- 3) Internal vehicle access across two streets must be provided.

Response to Submission

- 2) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.

2 and 3) See response to Submission 5.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	136
Submitter Name:	Anthony Papamatheos
Submitter Address:	52 Louise Street Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support

Summary of Submission:

I support Scheme Amendment No 11 with minor amendments:

- 1) Local Development Plan should be a requirement.
- 2) Proximity should be defined.
- 3) Provisions relating to residential development should be removed.
- 4) 9m street setback and 50% open space should be required.
- 5) Scheme Amendment should be consistent with LPPRACF.

6) RACFs should be in location close to transport, hospitals and high amenity.

Response to Submission

- 1) See response to Submission 3.
- 2) Proximity is not within the LPPRACF, and therefore there is no nexus to define it.
- 3) There are no provision relating to residential development in Scheme Amendment No 11.
- 4) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height. 50% open space is a provision of Scheme Amendment No 11.
- 5) See response to Submission 9.
- 6) See response to Submission 5.

Submissions Received

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Submitter Number:	137
Submitter Name:	David Flanagan
Submitter Address:	5 Granby Crescent Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
1) 9m setbacks should be required.	

Response to Submission

- 1) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.

Submissions Received

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Submitter Number:	138
Submitter Name:	Matthew Sheminant
Submitter Address:	79 Louise Street, Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
1) Minor modifications required to ensure consistency between LPS3 Scheme Amendment No. 10 and RACF LPP.	
2) Minimum 9m street setback should be required.	

- 3) Conditions for development of an RACF in the residential zone should be included so RACF are appropriately situated to minimize impact on the surrounding residential area.
- 4) Standards from the RACF LPP Clause 4.2.1 to be included:
 - 8) no more than two boundaries to an adjacent residential lot
 - 9) within proximity to an area of open public space
 - 10) within proximity to amenities including hospitals, medical centres, shopping precincts and high frequency public transport.
- 5) Proximity should be defined.
- 6) Minimum land area for development should be required.
- 7) RACF should have a minimum two street frontages or a long single street frontage so that vehicular access can be internalised.

Response to Submission

See response to Submission 9.

Submissions Received

Disclaimer: the following is a summary of submissions received.

Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance.

Where two submissions were received from the same address they were summarised separately.

Submitter Number:	139
Submitter Name:	Chris Bath
Submitter Address:	95 Circe Circle South Dalkeith
Residence within Nedlands:	Yes
Support/Object/Comment:	Support

Summary of Submission:

- 1) Minor modifications required to ensure consistency between LPS3 Scheme Amendment No. 10 and RACF LPP.
- 2) Minimum 9m street setback should be required.
- 3) Conditions for development of an RACF in the residential zone should be included so RACF are appropriately situated to minimize impact on the surrounding residential area.
- 4) Standards from the RACF LPP Clause 4.2.1 to be included:
 - no more than two boundaries to an adjacent residential lot
 - within proximity to an area of open public space
 - within proximity to amenities including hospitals, medical centres, shopping precincts and high frequency public transport.
- 5) Proximity should be defined.
- 6) Minimum land area for development should be required.
- 7) RACF should have a minimum two street frontages or a long single street frontage so that vehicular access can be internalised.

Response to Submission

See response to Submission 9.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	140
Submitter Name:	Brad Forbes
Submitter Address:	36 Langham St Nedlands

Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
No comments.	
Response to Submission	
N/A	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	141
Submitter Name:	Kevin Ferguson
Submitter Address:	6 Bostock Road Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
<ol style="list-style-type: none"> 1) Additional standards should be included to ensure RACFs in residential areas are located appropriately and do not disrupt the amenity of local residents. Should be located close to open space, shopping, hospitals, medical care and have high frequency public transport for staff and visitors. 2) Should be a minimum land size for RACFs. 3) RACFs should be on sites that allow internal vehicle access across two streets or along a long frontage. 	
Response to Submission	
See response to Submission 5.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	142
Submitter Name:	Alex Meneghello
Submitter Address:	67 Doonan Road, Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
<ol style="list-style-type: none"> 1) Minor modifications required to ensure consistency between LPS3 Scheme Amendment No. 10 and RACF LPP. 2) Minimum 9m street setback should be required. 3) Conditions for development of an RACF in the residential zone should be included so RACF are appropriately situated to minimize impact on the surrounding residential area. 4) Standards from the RACF LPP Clause 4.2.1 to be included: <ol style="list-style-type: none"> 11) no more than two boundaries to an adjacent residential lot 12) within proximity to an area of open public space 13) within proximity to amenities including hospitals, medical centres, shopping precincts and high frequency public transport. 	

- 5) Proximity should be defined.
- 6) Minimum land area for development should be required.
- 7) RACF should have a minimum two street frontages or a long single street frontage so that vehicular access can be internalised.

Response to Submission

See response to Submission 9.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	143
Submitter Name:	Robert Vagnoni
Submitter Address:	38 Hobbs Avenue Dalkeith
Residence within Nedlands:	Yes
Support/Object/Comment:	Support

Summary of Submission:

- 1) 9m setback should be required.

Response to Submission

- 1) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	144
Submitter Name:	Tania Butler
Submitter Address:	69 Vincent Street, Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support

Summary of Submission:

- 1) Minor modifications required to ensure consistency between LPS3 Scheme Amendment No. 10 and RACF LPP.
- 2) Minimum 9m street setback should be required.
- 3) Conditions for development of an RACF in the residential zone should be included so RACF are appropriately situated to minimize impact on the surrounding residential area.
- 4) Standards from the RACF LPP Clause 4.2.1 to be included:
 - no more than two boundaries to an adjacent residential lot
 - within proximity to an area of open public space
 - within proximity to amenities including hospitals, medical centres, shopping precincts and high frequency public transport.
- 5) Proximity should be defined.

- 6) Minimum land area for development should be required.
- 7) RACF should have a minimum two street frontages or a long single street frontage so that vehicular access can be internalised.

Response to Submission

See response to Submission 9.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	145
Submitter Name:	Lisa Weaver
Submitter Address:	81 Stanley Street Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support

Summary of Submission:

- 1) Additional standards should be included to ensure RACFs in residential areas are located appropriately and do not disrupt the amenity of local residents. Should be located close to open space, shopping, hospitals, medical care and have high frequency public transport for staff and visitors.
- 2) Should be a minimum land size for RACFs.
- 3) RACFs should be on sites that allow internal vehicle access across two streets or along a long frontage.

Response to Submission

See response to Submission 5.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	146
Submitter Name:	Ramin Gharbi
Submitter Address:	71 Louise Street Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support

Summary of Submission:

- 1) Additional standards should be included to ensure RACFs in residential areas are located appropriately and do not disrupt the amenity of local residents. Should be located close to open space, shopping, hospitals, medical care and have high frequency public transport for staff and visitors.
- 2) Should be a minimum land size for RACFs.
- 3) RACFs should be on sites that allow internal vehicle access across two streets or along a long frontage.
- 4) 9m setback should be required.

Response to Submission

1, 2 and 3) See response to Submission 5.

- 4) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	147
Submitter Name:	Rebecca Faugno (submitted twice)
Submitter Address:	74 Doonan Rd, Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support

Summary of Submission:

- 1) 9m setback should be required.
- 2) Additional standards should be included to ensure RACFs in residential areas are located appropriately and do not disrupt the amenity of local residents. Should be located close to open space, shopping, hospitals, medical care and have high frequency public transport for staff and visitors.
- 3) Should be a minimum land size for RACFs.
- 4) RACFs should be on sites that allow internal vehicle access across two streets or along a long frontage.

Response to Submission

- 1) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.
- 2, 3 and 4) See response to Submission 5.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	148
Submitter Name:	Elaine Jacoby
Submitter Address:	29 Jutland Pde Dalkeith
Residence within Nedlands:	Yes
Support/Object/Comment:	Support

Summary of Submission:

- 1) 9m setback should be required.
- 2) Additional standards should be included to ensure RACFs in residential areas are located appropriately and do not disrupt the amenity of local residents. Should be located close to open space, shopping, hospitals, medical care and have high frequency public transport for staff and visitors.

- 3) Should be a minimum land size for RACFs.
- 4) RACFs should be on sites that allow internal vehicle access across two streets or along a long frontage.

Response to Submission

- 1) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.
- 2, 3 and 4) See response to Submission 5.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	149
Submitter Name:	Verran Fehlberg
Submitter Address:	4 Minora Road, Dalkeith
Residence within Nedlands:	Yes
Support/Object/Comment:	Support

Summary of Submission:

I support Scheme Amendment No 11 with minor amendments:

- 1) Local Development Plan should be a requirement.
- 2) Proximity should be defined.
- 3) Provisions relating to residential development should be removed.
- 4) 9m street setback and 50% open space should be required.
- 5) Scheme Amendment should be consistent with LPPRACF.
- 6) RACFs should be in location close to transport, hospitals and high amenity.

Response to Submission

- 1) See response to Submission 3.
- 2) Proximity is not within the LPPRACF, and therefore there is no nexus to define it.
- 3) There are no provision relating to residential development in Scheme Amendment No 11.
- 4) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height. 50% open space is a provision of Scheme Amendment No 11.
- 5) See response to Submission 9.
- 6) See response to Submission 5.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	150
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Submitter Name:	Lynette Power
Submitter Address:	16 Leopold Street Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
1) 9m setback should be required. 2) Additional standards should be included to ensure RACFs in residential areas are located appropriately and do not disrupt the amenity of local residents. Should be located close to open space, shopping, hospitals, medical care and have high frequency public transport for staff and visitors. 3) Should be a minimum land size for RACFs. 4) RACFs should be on sites that allow internal vehicle access across two streets or along a long frontage.	
Response to Submission	
1) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height. 2, 3 and 4) See response to Submission 5.	

Submissions Received	
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Submitter Number:	151
Submitter Name:	Julie Easton
Submitter Address:	72 Doonan Rd Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Comments
Summary of Submission:	
1) Oryx development at Betty/Doonan should be required to have a 9m setback.	
Response to Submission	
1) Scheme Amendment No 11 relates to all Residential Aged Care Facilities proposed within the Residential zone in the City of Nedlands. The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.	

Submissions Received	
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Submitter Number:	152

Submitter Name:	Arlette M Rajalingam-Eifler
Submitter Address:	11 Betty Street Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Comments
Summary of Submission:	
1) 9m street setback; 2) 3 storey maximum height; 3) Additional standards should be included to ensure RACFs in residential areas are located appropriately and do not disrupt the amenity of local residents. Should be located close to open space, shopping, hospitals, medical care and have high frequency public transport for staff and visitors.	
Response to Submission	
1) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height. 2) Scheme Amendment No 11 proposes a maximum height of 2 storeys. 3) See response to Submission 5.	

Submissions Received	
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Submitter Number:	153
Submitter Name:	George Gelavis
Submitter Address:	69 Riley Rd Dalkeith
Residence within Nedlands:	Yes
Support/Object/Comment:	Comments
Summary of Submission:	
1) Additional standards should be included to ensure RACFs in residential areas are located appropriately and do not disrupt the amenity of local residents. Should be located close to open space, shopping, hospitals, medical care and have high frequency public transport for staff and visitors. 2) Should be a minimum land size for RACFs. 3) RACFs should be on sites that allow internal vehicle access across two streets or along a long frontage.	
Response to Submission	
See response to Submission 5.	

Submissions Received	
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Submitter Number:	154
Submitter Name:	Paul Bradshaw
Submitter Address:	66 Viking Rd, Dalkeith

Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
1) 9m setback should be required. 2) Additional standards should be included to ensure RACFs in residential areas are located appropriately and do not disrupt the amenity of local residents. Should be located close to open space, shopping, hospitals, medical care and have high frequency public transport for staff and visitors. 3) Should be a minimum land size for RACFs. 4) RACFs should be on sites that allow internal vehicle access across two streets or along a long frontage.	
Response to Submission	
1) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height. 2, 3 and 4) See response to Submission 5.	

Submissions Received	
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Submitter Number:	155
Submitter Name:	Sarah Flanagan
Submitter Address:	5 Granby Cres Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
1) 9m setback should be required. 2) Additional standards should be included to ensure RACFs in residential areas are located appropriately and do not disrupt the amenity of local residents. Should be located close to open space, shopping, hospitals, medical care and have high frequency public transport for staff and visitors. 3) Should be a minimum land size for RACFs. 4) RACFs should be on sites that allow internal vehicle access across two streets or along a long frontage.	
Response to Submission	
1) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height. 2, 3 and 4) See response to Submission 5.	

Submissions Received	
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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	156
Submitter Name:	Steve Hewitt
Submitter Address:	4 Hotchin Street, Dalkeith
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
1) Development should be required to fit in with the surrounding area and respect local amenity.	
Response to Submission	
1) The built form provisions proposed within Scheme Amendment No 11 are intended to assist in the protection of the residential amenity of areas where a Residential Aged Care Facility is proposed.	

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	157
Submitter Name:	Melissa Cooney
Submitter Address:	31 Davies Road Dalkeith
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
1) 9m setback should be required.	
Response to Submission	
1) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.	

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	158
Submitter Name:	Fiona Stewart
Submitter Address:	52 Vincent Street Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	

- 1) Additional standards should be included to ensure RACFs in residential areas are located appropriately and do not disrupt the amenity of local residents. Should be located close to open space, shopping, hospitals, medical care and have high frequency public transport for staff and visitors.
- 2) Should be a minimum land size for RACFs.
- 3) RACFs should be on sites that allow internal vehicle access across two streets or along a long frontage.

Response to Submission

See response to Submission 5.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	159
Submitter Name:	Peter Coghlan
Submitter Address:	37 Bulimba Road Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	

- 1) Minor modifications required to ensure consistency between LPS3 Scheme Amendment No. 10 and RACF LPP.
- 2) Minimum 9m street setback should be required.
- 3) Conditions for development of an RACF in the residential zone should be included so RACF are appropriately situated to minimize impact on the surrounding residential area.
- 4) Standards from the RACF LPP Clause 4.2.1 to be included:
 - no more than two boundaries to an adjacent residential lot
 - within proximity to an area of open public space
 - within proximity to amenities including hospitals, medical centres, shopping precincts and high frequency public transport.
- 5) Proximity should be defined.
- 6) Minimum land area for development should be required.
- 7) RACF should have a minimum two street frontages or a long single street frontage so that vehicular access can be internalised.

Response to Submission

See response to Submission 9.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	160
Submitter Name:	Clayton Dodd
Submitter Address:	10 Leopold Street Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Comments
Summary of Submission:	

No comments provided.
Response to Submission
N/A

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	161
Submitter Name:	Ak Hamid
Submitter Address:	37 Leon Road Dalkeith
Residence within Nedlands:	Yes
Support/Object/Comment:	Comments
Summary of Submission:	
<ol style="list-style-type: none"> 1) Minor modifications required to ensure consistency between LPS3 Scheme Amendment No. 10 and RACF LPP. 2) Minimum 9m street setback should be required. 3) Conditions for development of an RACF in the residential zone should be included so RACF are appropriately situated to minimize impact on the surrounding residential area. 4) Standards from the RACF LPP Clause 4.2.1 to be included: <ul style="list-style-type: none"> • no more than two boundaries to an adjacent residential lot • within proximity to an area of open public space • within proximity to amenities including hospitals, medical centres, shopping precincts and high frequency public transport. 5) Proximity should be defined. 6) Minimum land area for development should be required. 7) RACF should have a minimum two street frontages or a long single street frontage so that vehicular access can be internalised. 	
Response to Submission	
See response to Submission 9.	

Submissions Received	
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Submitter Number:	162
Submitter Name:	Lila Gharbi
Submitter Address:	71 Louise Street Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Object
Summary of Submission:	
No comments provided.	
Response to Submission	
N/A	

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	163
Submitter Name:	Laura Fender
Submitter Address:	37 Leon Road Dalkeith
Residence within Nedlands:	Yes
Support/Object/Comment:	Support

Summary of Submission:

- 1) Minor modifications required to ensure consistency between LPS3 Scheme Amendment No. 10 and RACF LPP.
- 2) Minimum 9m street setback should be required.
- 3) Conditions for development of an RACF in the residential zone should be included so RACF are appropriately situated to minimize impact on the surrounding residential area.
- 4) Standards from the RACF LPP Clause 4.2.1 to be included:
 - no more than two boundaries to an adjacent residential lot
 - within proximity to an area of open public space
 - within proximity to amenities including hospitals, medical centres, shopping precincts and high frequency public transport.
- 5) Proximity should be defined.
- 6) Minimum land area for development should be required.
- 7) RACF should have a minimum two street frontages or a long single street frontage so that vehicular access can be internalised.

Response to Submission

See response to Submission 9.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	164
Submitter Name:	Steve O'Dea
Submitter Address:	29 Marita Road, Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support

Summary of Submission:

- 1) 9m setback should be required.
- 2) Additional standards should be included to ensure RACFs in residential areas are located appropriately and do not disrupt the amenity of local residents. Should be located close to open space, shopping, hospitals, medical care and have high frequency public transport for staff and visitors.
- 3) Should be a minimum land size for RACFs.

Response to Submission

- 1) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front

setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.

2 and 3) See response to Submission 5.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	165
Submitter Name:	Bob Jensen
Submitter Address:	24 Watkins Road, Dalkeith
Residence within Nedlands:	Yes
Support/Object/Comment:	Comments

Summary of Submission:

- 1) Recommend front, side and rear 9m setbacks.
- 2) Local development plan should be a requirement.

Response to Submission

1) The current street, side and rear setback requirement under proposed Scheme Amendment No 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. 9-metre setbacks may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.

2) See response to Submission 3.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	166
Submitter Name:	Diem Vo
Submitter Address:	58 Riley Road Dalkeith
Residence within Nedlands:	Yes
Support/Object/Comment:	Support

Summary of Submission:

- 1) 9m setback should be required.

Response to Submission

1) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	167
Submitter Name:	Sue
Submitter Address:	24 Watkins Road, Dalkeith
Residence within Nedlands:	Yes
Support/Object/Comment:	Comments

Summary of Submission:

- 1) 9m street setback should be required.

Response to Submission

- 1) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.

Submissions Received

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Submitter Number:	168
Submitter Name:	Michael Cahill
Submitter Address:	65 Melvista Ave Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support

Summary of Submission:

- 1) Preparation of an LDP should be mandatory.
- 2) 9m minimum street setbacks should be required.

Response to Submission

- 1) See response to Submission 3.
- 2) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.

Submissions Received

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Submitter Number:	169
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Submitter Name:	Grant Keady
Submitter Address:	14 Viewway, Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
1) Additional requirements on setbacks seem to be needed.	
Response to Submission	
1) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.	

Submissions Received	
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Submitter Number:	170
Submitter Name:	Chai Lim
Submitter Address:	58 Riley Road Dalkeith
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
1) Additional standards should be included to ensure RACFs in residential areas are located appropriately and do not disrupt the amenity of local residents. Should be located close to open space, shopping, hospitals, medical care and have high frequency public transport for staff and visitors. 2) Should be a minimum land size for RACFs. 3) RACFs should be on sites that allow internal vehicle access across two streets or along a long frontage.	
Response to Submission	
1, 2 and 3) See response to Submission 5.	

Submissions Received	
Disclaimer: the following is a summary of submissions received. Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance. Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	171
Submitter Name:	Dianne Allan
Submitter Address:	4b Alexander Road Dalkeith
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
1) Additional standards should be included to ensure RACFs in residential areas are located appropriately and do not disrupt the amenity of local residents. Should be	

- located close to open space, shopping, hospitals, medical care and have high frequency public transport for staff and visitors.
- 2) Should be a minimum land size for RACFs.
 - 3) RACFs should be on sites that allow internal vehicle access across two streets or along a long frontage.
 - 4) 9m setbacks should be required.

Response to Submission

- 1, 2 and 3) See response to Submission 5.
- 4) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	172
Submitter Name:	Noel Clarke
Submitter Address:	36 Rockton Road Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Object

Summary of Submission:

- 1) We object to the proposed developments eg ORYX causing traffic problems and allowing different setbacks when private dwellings are made to have 9 metre setbacks.

Response to Submission

- 1) Scheme Amendment No 11 relates to all potential Residential Aged Care Facilities developments in the Residential zone – it is not specific to the Oryx development on the A9 sites. In relation to setbacks, the current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.

Submissions Received

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Submitter Number:	173
Submitter Name:	Liz
Submitter Address:	77 Webster Street Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Comments

Summary of Submission:

- 1) Minor modifications required to ensure consistency between LPS3 Scheme Amendment No. 10 and RACF LPP.
- 2) Minimum 9m street setback should be required.
- 3) Conditions for development of an RACF in the residential zone should be included so RACF are appropriately situated to minimize impact on the surrounding residential area.
- 4) Standards from the RACF LPP Clause 4.2.1 to be included:
 - no more than two boundaries to an adjacent residential lot
 - within proximity to an area of open public space
 - within proximity to amenities including hospitals, medical centres, shopping precincts and high frequency public transport.
- 5) Proximity should be defined.
- 6) Minimum land area for development should be required.
- 7) RACF should have a minimum two street frontages or a long single street frontage so that vehicular access can be internalised.

Response to Submission

See response to Submission 9.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	174
Submitter Name:	Susie Growden
Submitter Address:	Louise Street Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
1) 9m setback should be required.	

Response to Submission

- 1) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	175
Submitter Name:	Virginia Campbell
Submitter Address:	62 Goldsmith Rd Dalkeith
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	

- 1) Minor modifications required to ensure consistency between LPS3 Scheme Amendment No. 10 and RACF LPP.
- 2) Minimum 9m street setback should be required.
- 3) Conditions for development of an RACF in the residential zone should be included so RACF are appropriately situated to minimize impact on the surrounding residential area.
- 4) Standards from the RACF LPP Clause 4.2.1 to be included:
 - no more than two boundaries to an adjacent residential lot
 - within proximity to an area of open public space
 - within proximity to amenities including hospitals, medical centres, shopping precincts and high frequency public transport.
- 5) Proximity should be defined.
- 6) Minimum land area for development should be required.
- 7) RACF should have a minimum two street frontages or a long single street frontage so that vehicular access can be internalised.
- 8) Absolute requirement for preparation of an LDP.

Response to Submission

- 1 to 7) See response to Submission 9.
 8) See response to Submission 3.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.

Submitter Number:	176
Submitter Name:	Carlriem
Submitter Address:	Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support

Summary of Submission:

- 1) 9m minimum setback required.

Response to Submission

- 1) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.

Submissions Received

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Submitter Number:	177
Submitter Name:	Anne Soo
Submitter Address:	73 Melvista Ave Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support

Summary of Submission:

- 1) Additional standards should be included to ensure RACFs in residential areas are located appropriately and do not disrupt the amenity of local residents. Should be located close to open space, shopping, hospitals, medical care and have high frequency public transport for staff and visitors.
- 2) Should be a minimum land size for RACFs.
- 3) RACFs should be on sites that allow internal vehicle access across two streets or along a long frontage.
- 4) 9m setbacks should be required.

Response to Submission

- 1, 2 and 3) See response to Submission 5.
- 4) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.

Submissions Received

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Submitter Number:	178
Submitter Name:	Janet Weeden
Submitter Address:	40 Marita Road Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	

- 1) Additional standards should be included to ensure RACFs in residential areas are located appropriately and do not disrupt the amenity of local residents. Should be located close to open space, shopping, hospitals, medical care and have high frequency public transport for staff and visitors.
- 2) Should be a minimum land size for RACFs.
- 3) RACFs should be on sites that allow internal vehicle access across two streets or along a long frontage.
- 4) 9m setbacks should be required.

Response to Submission

- 1, 2 and 3) See response to Submission 5.
- 4) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.

Submissions Received

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Submitter Number:	179
Submitter Name:	Robert Weeden
Submitter Address:	40 Marita Road Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
<ol style="list-style-type: none"> 1) Minor modifications required to ensure consistency between LPS3 Scheme Amendment No. 10 and RACF LPP. 2) Minimum 9m street setback should be required. 3) Conditions for development of an RACF in the residential zone should be included so RACF are appropriately situated to minimize impact on the surrounding residential area. 4) Standards from the RACF LPP Clause 4.2.1 to be included: <ul style="list-style-type: none"> • no more than two boundaries to an adjacent residential lot • within proximity to an area of open public space • within proximity to amenities including hospitals, medical centres, shopping precincts and high frequency public transport. 5) Proximity should be defined. 6) Minimum land area for development should be required. 7) RACF should have a minimum two street frontages or a long single street frontage so that vehicular access can be internalised. 	
Response to Submission	
See response to Submission 9.	

Submissions Received	
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Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	180
Submitter Name:	Anant Shivram Hegde
Submitter Address:	6B Waroonga Road, Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
1) 9m minimum setback should be required.	
Response to Submission	
<ol style="list-style-type: none"> 1) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height. 	

Submissions Received	
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Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	181

Submitter Name:	Lynnette Edwards
Submitter Address:	69 Doonan Road, Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
1) Minor modifications required to ensure consistency between LPS3 Scheme Amendment No. 10 and RACF LPP. 2) Minimum 9m street setback should be required. 3) Conditions for development of an RACF in the residential zone should be included so RACF are appropriately situated to minimize impact on the surrounding residential area. 4) Standards from the RACF LPP Clause 4.2.1 to be included: <ul style="list-style-type: none"> • no more than two boundaries to an adjacent residential lot • within proximity to an area of open public space • within proximity to amenities including hospitals, medical centres, shopping precincts and high frequency public transport. 5) Proximity should be defined. 6) Minimum land area for development should be required. 7) RACF should have a minimum two street frontages or a long single street frontage so that vehicular access can be internalised.	
Response to Submission	
See response to Submission 9.	

Submissions Received	
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Submitter Number:	182
Submitter Name:	Donald Latchem
Submitter Address:	11 Neville Road, Dalkeith
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
1) 9m minimum setback should be required.	
Response to Submission	
1) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.	

Submissions Received	
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Submitter Number:	183
Submitter Name:	Christopher Yek

Submitter Address:	26 Loftus St, Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
1) Additional standards should be included to ensure RACFs in residential areas are located appropriately and do not disrupt the amenity of local residents. Should be located close to open space, shopping, hospitals, medical care and have high frequency public transport for staff and visitors. 2) Should be a minimum land size for RACFs. 3) RACFs should be on sites that allow internal vehicle access across two streets or along a long frontage. 4) 9m setbacks should be required.	
Response to Submission	
1, 2 and 3) See response to Submission 5. 4) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.	

Submissions Received	
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Submitter Number:	184
Submitter Name:	Sandra
Submitter Address:	26 Loftus Street Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
1) 9m minimum setback should be required.	
Response to Submission	
1) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.	

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Submitter Number:	185
Submitter Name:	Phillip Golding
Submitter Address:	33 Circe Circle Dalkeith
Residence within Nedlands:	Yes

Support/Object/Comment:	Support
Summary of Submission:	
1) 9m minimum setback should be required.	
Response to Submission	
1) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.	

Submissions Received	
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Submitter Number:	186
Submitter Name:	Clara Murchison
Submitter Address:	7 John Street Claremont
Residence within Nedlands:	No
Support/Object/Comment:	Object
Summary of Submission:	
1) 9m minimum setback should be required.	
Response to Submission	
1) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.	

Submissions Received	
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Submitter Number:	187
Submitter Name:	John Knox
Submitter Address:	65 Doonan Road, Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
1) A minimum street setback of 9m should be required so as to be in keeping with current requirements for the area.	
2) Any application to construct a Residential Aged Care Facility in an area must present a Local Development Plan which ensures the amenity of local residents is not eroded.	
3) Any application to construct a Residential Aged Care Facility in an area must show that the facility will be located close to hospitals and medical facilities, regular public transport options for staff and visitors.	

- 4) Any application to construct a Residential Aged Care Facility must show that accessible open space will be available to residents.
- 5) Any application to construct a Residential Aged Care Facility must show that any vehicles to the site will be able to access from two streets or along a long frontage.

Response to Submission

- 1) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.
- 2) See Response to Submission 3.
- 3) See Response to Submission 5.
- 4) Scheme Amendment No 11 proposes 50% open space on site.
- 5) See Response to Submission 5.

Submissions Received

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Submitter Number:	188
Submitter Name:	Sheridan J Keenihan
Submitter Address:	58 Goldsmith Road Dalkeith
Residence within Nedlands:	Yes
Support/Object/Comment:	Support

Summary of Submission:

- 1) There should be minimum 9m street setbacks to match adjacent residential property.
- 2) Additional standards should be included to ensure that Residential Aged Care Facilities (RACF) in residential areas are located appropriately and do not disrupt the amenity of local residents.
- 3) They should be located close to open space, shopping, hospitals, medical care and have high frequency public transport for staff and visitors.
- 4) There should be a minimum land size for RACFs. They should be in locations that allow internal vehicle access across two streets or along a long frontage.
- 5) In all cases, there needs to be an absolute obligation on a proponent to prepare a Local Development Plan (LDP)

Response to Submission

- 1) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.
- 2) See response to Submission 5.
- 3) See response to Submission 3.

Submissions Received

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Where two submissions were received from the same address they were summarised separately.	
Submitter Number:	189
Submitter Name:	Stephen Keenihan
Submitter Address:	58 Goldsmith Road Dalkeith
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
<ol style="list-style-type: none"> 1) There should be minimum 9m street setbacks to match adjacent residential property. 2) Additional standards should be included to ensure that Residential Aged Care Facilities (RACF) in residential areas are located appropriately and do not disrupt the amenity of local residents. 3) They should be located close to open space, shopping, hospitals, medical care and have high frequency public transport for staff and visitors. 4) There should be a minimum land size for RACFs. They should be in locations that allow internal vehicle access across two streets or along a long frontage. 5) In all cases, there needs to be an absolute obligation on a proponent to prepare a Local Development Plan (LDP) 	
Response to Submission	
<ol style="list-style-type: none"> 1) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height. 2) See response to Submission 5. 3) See response to Submission 3 	

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Submitter Number:	190
Submitter Name:	Andrew Edwards
Submitter Address:	14 Doonan Rd Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
<ol style="list-style-type: none"> 1) 9m minimum setback should be required. 	
Response to Submission	
<ol style="list-style-type: none"> 1) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height. 	

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Submitter Number:	191
Submitter Name:	Nicole Hemsley
Submitter Address:	9 Granby Crescent, Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support

Summary of Submission:

- 1) 9m minimum setback should be required.

Response to Submission

- 1) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.

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Submitter Number:	192
Submitter Name:	Marie Merriam
Submitter Address:	77 Melvista Ave, Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support

Summary of Submission:

- 1) 9m minimum setback should be required.

Response to Submission

- 1) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.

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Submitter Number:	193
Submitter Name:	Robert Merriam
Submitter Address:	77 Melvista Ave, Nedlands

Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
<ol style="list-style-type: none"> 1) Additional standards should be included to ensure RACFs in residential areas are located appropriately and do not disrupt the amenity of local residents. Should be located close to open space, shopping, hospitals, medical care and have high frequency public transport for staff and visitors. 2) Should be a minimum land size for RACFs. 3) RACFs should be on sites that allow internal vehicle access across two streets or along a long frontage. 4) 9m setback should be required. 	
Response to Submission	
<p>1, 2 and 3) See response to Submission 5.</p> <p>4) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.</p>	

Submissions Received	
<p>Disclaimer: the following is a summary of submissions received.</p> <p>Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance.</p> <p>Where two submissions were received from the same address they were summarised separately.</p>	
Submitter Number:	194
Submitter Name:	Charles Merriam
Submitter Address:	77 Melvista Avenue, Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support
Summary of Submission:	
<ol style="list-style-type: none"> 1) Minor modifications required to ensure consistency between LPS3 Scheme Amendment No. 10 and RACF LPP. 2) Minimum 9m street setback should be required. 3) Conditions for development of an RACF in the residential zone should be included so RACF are appropriately situated to minimize impact on the surrounding residential area. 4) Standards from the RACF LPP Clause 4.2.1 to be included: <ul style="list-style-type: none"> • no more than two boundaries to an adjacent residential lot • within proximity to an area of open public space • within proximity to amenities including hospitals, medical centres, shopping precincts and high frequency public transport. 5) Proximity should be defined. 6) Minimum land area for development should be required. 7) RACF should have a minimum two street frontages or a long single street frontage so that vehicular access can be internalised. 	
Response to Submission	
See response to Submission 9.	

Submissions Received

Disclaimer: the following is a summary of submissions received.

Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance.

Where two submissions were received from the same address they were summarised separately.

Submitter Number:	195
Submitter Name:	Betty Ryan
Submitter Address:	75 Melvista Avenue, Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support

Summary of Submission:

- 1) 9m minimum setback should be required.

Response to Submission

- 1) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.

Submissions Received

Disclaimer: the following is a summary of submissions received.

Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance.

Where two submissions were received from the same address they were summarised separately.

Submitter Number:	196
Submitter Name:	Danielle Kidd
Submitter Address:	22 Strickland Street Mount Claremont
Residence within Nedlands:	Yes
Support/Object/Comment:	Object

Summary of Submission:

- 1) Minor modifications required to ensure consistency between LPS3 Scheme Amendment No. 10 and RACF LPP.
- 2) Minimum 9m street setback should be required.
- 3) Conditions for development of an RACF in the residential zone should be included so RACF are appropriately situated to minimize impact on the surrounding residential area.
- 4) Standards from the RACF LPP Clause 4.2.1 to be included:
 - no more than two boundaries to an adjacent residential lot
 - within proximity to an area of open public space
 - within proximity to amenities including hospitals, medical centres, shopping precincts and high frequency public transport.
- 5) Proximity should be defined.
- 6) Minimum land area for development should be required.
- 7) RACF should have a minimum two street frontages or a long single street frontage so that vehicular access can be internalised.

Response to Submission

See response to Submission 9.

Submissions Received

Disclaimer: the following is a summary of submissions received.

Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance.

Where two submissions were received from the same address they were summarised separately.

Submitter Number:	197
Submitter Name:	Clare
Submitter Address:	77 Melvista Avenue, Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support

Summary of Submission:

- 1) Needs an absolute obligation on proponent to prepare an LDP.
- 2) The Planning and Development (Local Planning Schemes) Regulations 2015 in Clause 47 of Schedule 2 (the Deemed Provisions) allows an LDP to be made where it is either required by a Structure Plan or Activity Centre Plan, or the Commission and the Local Government think that one is necessary.
- 3) Amendments to the LPS Regulations are currently being advertised which propose amendments to Clause 47 to include circumstances where the provision of a Scheme requires one to be prepared.

Response to Submission

See response to Submission 3.

Submissions Received

Disclaimer: the following is a summary of submissions received.

Submitter numbers do not relate to the date order in which submissions were received, nor do they relate to any hierarchy of importance.

Where two submissions were received from the same address they were summarised separately.

Submitter Number:	198
Submitter Name:	Ai Ping Kee
Submitter Address:	104 Princess Rd, Nedlands
Residence within Nedlands:	Yes
Support/Object/Comment:	Support

Summary of Submission:

- 1) 9m setbacks required;
- 2) RACFs only on streets which allow 2 way traffic, near to open spaces, have sufficient parking and not disturb neighbours.

Response to Submission

- 1) The current street setback requirement under proposed Scheme Amendment No. 11 is 6 metres. Administration recommends that this provision is suitable as these provisions are required to cater for any potential site within the Residential zone. A 9-metre front setback may restrict the ultimate form of development on sites for which the Residential Aged Care Facility is an allowed use under the Scheme. The 9m front setback control would likely result in a smaller site coverage, but greater building height.
- 2) See response to Submission 5.

13.12 Scheme Amendment No. 16 – Fast Food Outlets Use Permissibility

Council	23 February 2021
Applicant	City of Nedlands
Employee Disclosure under section 5.70 of the Local Government Act 1995 and section 10 of the City of Nedlands Code of Conduct for Impartiality.	Nil. “the author, reviewers and authoriser of this report declare they have no financial or impartiality interest with this matter. There is no financial or personal relationship between City staff and the proponents or their consultants. Whilst parties may be known to each other professionally, this relationship is consistent with the limitations placed on such relationships by the Codes of Conduct of the City and the Planning Institute of Australia”.
Director	Tony Free – Director Planning and Development
Attachments	1. Scheme Amendment No 16 – Justification Report

Regulation 11(da) – Council agreed this was a complex amendment and therefore agreed to proceed to advertise.

Moved – Councillor Youngman

Seconded – Councillor Bennett

Council Resolution**Council:**

1. pursuant to section 75 of the *Planning and Development Act 2005* adopts Scheme Amendment No. 16 to amend Local Planning Scheme No. 3 as detailed in Attachment 1 – Scheme Amendment No. 16 Justification Report and in accordance with Regulation 37(1) proceeds to advertise without modifications by:
 - a. Altering use permissibility in Table 3 – Zoning Table for Fast Food Outlet to an ‘X’ use in the Mixed Use and Neighbourhood Centre Zones.
2. in accordance with *Planning and Development (Local Planning Schemes) Regulations 2015* Regulation 35(2) is of the opinion that the amendment is a Complex Amendment for the following reasons:
 - a. the amendment is not consistent with the City’s local planning strategy for the Local Planning Scheme No 3 that has been endorsed by the Commission;
 - b. the amendment that is not addressed by the City’s local planning strategy; and

- c. **the amendment relates to development that is of a scale, or will have an impact, that is significant relative to development in the locality;**
- 3. **in accordance with *Planning and Development (Local Planning Schemes) Regulations 2015* section 37(2) submit 2 copies of the proposed Scheme Amendment No 16 to the West Australian Planning Commission for approval to advertise;**
- 4. **pursuant to Section 81 of the *Planning and Development Act 2005*, refers Scheme Amendment No 16 to the Environmental Protection Authority when advise has been received from the West Australian Planning Commission; and**
- 5. **subject to Section 84 of the *Planning and Development Act 2005* advertises Scheme Amendment 16 in accordance with Regulation 38 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the City's Local Planning Policy – Consultation of Planning Proposals.**

Councillor Mangano left the meeting at 10.49 pm and returned at 10.52 pm.

Councillor McManus left the meeting at 10.53 pm and returned at 10.55 pm.

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

Recommendation to Council

Council:

1. refuses to adopt Scheme Amendment No. 16 to Local Planning Scheme No. 3 for the following reasons:
 - a. The amendment is not consistent with the City's Local Planning Strategy that has been endorsed by the Commission, and therefore does not align with the City's strategic planning framework; and
 - b. The amendment is considered to be premature at this time as Council have not yet endorsed the GAPs Analysis documentation prepared by Administration in consultation with DPLH, and therefore Scheme Amendment No 16 has not been prepared as a part of a pre-planned program of strategic works.

2. resolves to provide two (2) copies of the Scheme Amendment documentation to the WAPC within twenty-one (21) days of the Resolution in accordance with Regulation 37 of the *Planning and Development (Local Planning Schemes) Regulations*.

Executive Summary

At the Ordinary Council Meeting on the 27 October 2020, Council Resolved to abandon Scheme Amendment No 4 – Fast Food Outlets. At this meeting, Council also resolved to prepare a new Scheme Amendment in relation to Fast Food. The Resolution was as follows:

“Council:

1. in accordance with Section 50(3) of the Planning and Development (Local Planning Schemes) Regulations 2015 does NOT support Scheme Amendment No. 4 to Local Planning Scheme No. 3 as detailed in Attachment 1 for the following reason:
 - a) The amendment proposes inconsistencies within LPS3 between Table 3 – Zoning Table and the Scheme text. This inconsistency weakens the position of LPS3 and undermines its status in a judicial setting.
2. in accordance with Planning and Development (Local Planning Schemes) Regulations 2015 section 53(1) submit 2 copies of the proposed Scheme Amendment 4 to the West Australian Planning Commission; and
3. instruct the CEO to prepare a new Scheme Amendment that prohibits (“X” use) Fast Food Outlets in all zones within the City except the Urban Development Zone.”

Administration has prepared Scheme Amendment No 16 as per point 3 of this Resolution as follows:

Altering use permissibility in Table 3 – Zoning Table for Fast Food Outlet to an ‘X’ use in the Mixed Use and Neighbourhood Centre Zones.

The proposed Scheme Amendment No 16 is now presented to Council for their consideration.

Discussion/Overview

Council was previously presented with Scheme Amendment No 4 at the 27 October OCM. Administration’s recommendation was as follows:

“Council:

1. In accordance with Section 50(3) of the *Planning and Development (Local Planning Schemes) Regulations 2015* does NOT support Scheme Amendment No. 4 to Local Planning Scheme No. 3 as detailed in Attachment 1 for the following reason:
 - (a) The amendment proposes inconsistencies within LPS3 between Table 3 – Zoning Table and the Scheme text. This inconsistency weakens the position of LPS3 and undermines its status in a judicial setting.
2. In accordance with *Planning and Development (Local Planning Schemes) Regulations 2015* section 53(1) submit 2 copies of the proposed Scheme Amendment 4 to the West Australian Planning Commission.
3. Instruct the CEO to prepare a new Scheme Amendment that incorporates the following:
 - a) Prohibit ('X' use) Fast Food Outlets in the Mixed-Use Zone within Table 3 – Zoning table of LPS3; and
 - b) Create an Additional Use (A10) in Table 4 – Specified additional uses for zoned land in Scheme area of LPS3 and specify particular sites on Stirling Highway where 'Fast Food Outlet' shall be included as an Additional Use.
4. Instruct the CEO to prepare a Local Planning Policy - Fast Food Outlets to provide guidance for development on those sites applicable under the proposed A10 provisions, with respect to built form and general amenity.”

Administration's recommendation for the format of the new Scheme Amendment was not accepted, and instead Council resolved to prepare a Scheme Amendment that prohibits Fast Food Outlets from all Zones within the City, except for the Urban Development Zone. This proposal is not considered to provide an optimal outcome for the City in terms of controlling development within the City.

The Western Australian Planning Commission (WAPC) provide final approval for all Scheme Amendments. They are unlikely to approve a scheme amendment that proposes to ban a specific Use Class from the entire Local Government Area. Administration's recommendation proposed a measured response that allowed the City to pose the potential control of this Use Class in the most appropriate locations within the City. By proposing a scheme amendment that is likely to be incapable of support from the WAPC, there is the danger of raising community hopes and expectations beyond what is achievable in the current planning framework. It is for these reasons that this course of action is not supported by Administration.

Local Planning Scheme No 3 Definition

It is important to note that the LPS3 definition of Fast-Food Outlets includes food establishments both with and without a drive through component. Council must consider that seeking to ban an entire Use Class from the Local Government Area may have unintended consequences for smaller take away businesses, including common uses such as fish and chips, pizza or sushi establishments and other take away style food outlets, that may predominantly fall into this Use Class. If Fast Food Outlets are not permitted within the City, small operators such as these businesses will also be unable apply to operate within the City, impacting upon the provision of amenity for residents and the potential for small business to flourish within the City of Nedlands.

Complex Amendment - Justification

Administration considers this proposed Amendment to be a Complex Scheme Amendment for the following reasons, as per Regulation 34 of the *Planning and Development (Local Planning Schemes) Regulations 2015*:

- (a) an amendment that is not consistent with a local planning strategy for the scheme that has been endorsed by the Commission;

The City of Nedlands Local Planning Strategy was endorsed by the Western Australian Planning Commission in September 2017. The proposed Amendment is not consistent with the Strategy's intent to increase the retail and commercial floorspace within appropriate areas of the City. The Strategy seeks to increase the diversity of commercial offerings within key precincts through transparent and considered planning and notes that:

"The City should be willing to consider any development or change of use proposal that would improve the condition and/or performance of an existing local activity centre."

The Strategy also encourages the application of State Planning Policy 4.2 Activity Centres and its 'mix of land use' provisions, in areas considered as neighbourhood and local activity centres where practicable, even though they are not specifically required for these classes of centre by SPP 4.2.

The provision of diverse commercial businesses, including Fast Food Outlets, provides opportunities for Nedlands to increase its employment self-sufficiency and self-containment. Fast Food Outlets contribute to the provision of a variety of workplaces which then provide opportunities for employment for a range of residents. This relates to the Strategy's commitment to the "*important planning objective to try and reduce the need for lengthy commuting between homes and workplaces*".

- (b) an amendment that is not addressed by any local planning strategy;

The Local Planning Strategy does not propose to prohibit Fast Food Outlets from the Local Government Area, and therefore the Scheme Amendment is not addressed by the Strategy.

- (c) an amendment relating to development that is of a scale, or will have an impact, that is significant relative to development in the locality;

The proposed Amendment relates to a style of development that may have a significant impact on the surrounding development in the Scheme Area. The prohibition or approval of a Fast-Food Outlet in Nedlands is a development that can be considered significant within the context of the City, and therefore aligns with the classification of Complex.

Key Relevant Previous Council Decisions:

Scheme Amendment No 4

At the 28 April 2020 OCM, Administration presented Scheme Amendment No. 4 to Council, seeking their consent to initiate advertising. The report proposed that Fast Food Outlets be a non-permissible ('X' use) in all zones within the City except the Urban Development Zone. This would require modification of Table 3 – Zoning Table, which lists the permissibility of Fast-Food Outlets for the Mixed Use and Neighbourhood Centre Zones as an 'A' use. Council unanimously moved that the motion for this item be adjourned until the May 2020 OCM.

At the 26 May 2020 OCM Council considered the item. Council chose not to endorse Administration's recommendation, instead supporting an alternate Resolution proposed by Council. Through this motion Council wished to constrain the permissible size of a Fast-Food Outlet and to ensure they were not permitted on Hampden Road, Broadway or Waratah Avenue. In keeping with this intent, Council endorsed the following amendments and subsequent advertising of Scheme Amendment No 4:

"Council:

1. Pursuant to Section 75 of the Planning and Development Act 2005, adopt an Amendment to Local Planning Scheme 3 by:

An addition of text to Clause 32.4 Mixed use, Local Centre and Neighbourhood zones to be added

(6) Fast Food Outlets where applied for in the Mixed-Use or Neighbourhood Centre Zone shall be limited to a maximum NLA of 200sqm.

(7) Fast Food Outlets where applied for in the Mixed-Use or Neighbourhood Centre Zone and located on Broadway, Hampden Road or Waratah Avenue will not be permitted."

Scheme Amendment No 4 was presented to Council post advertising at the 27 October 2020 OCM. Administration recommended that the Scheme Amendment not proceed as it presented inconsistencies between Table 3 – Zoning Table and the proposed Scheme text. Inconsistencies within the Scheme text provide potential for confusion during the development application process and weakens the position of the Scheme within a judicial setting. It was further recommended that Council instruct the CEO to prepare a new Scheme Amendment and Local Planning Policy that will achieve Council's intent with the correct use of the planning instruments and processes available. Administration recommended that the new Scheme Amendment propose that Fast Food Outlets would become an 'X' use within the Mixed-Use Zones, and that further research be undertaken to specify particular sites on Stirling Highway where 'Fast Food Outlet' shall be included as an Additional Use.

Council chose not to endorse this recommendation and, while they did refuse to endorse the current Amendment, they also resolved to prepare a Scheme Amendment that proposed Fast Food Outlets be an 'X' use in all zones except the Urban Development Zone, which is the subject of this Council report.

Strategic Documents

Local Planning Strategy

The City's Local Planning Strategy (the Strategy) endorsed in 2017 outlines that the City seeks to increase its Mixed Use and Commercial centres, and the diversity of commercial uses on offer within these areas. Prohibiting a Use Class such as Fast Food Outlets does not align with the vision of the endorsed Local Planning Strategy, as it intends to decrease the potential diversity of commercial uses within the Mixed Use Area.

GAPS Analysis

Since Local Planning Scheme No 3 (LPS3) was gazetted in April 2019, a number of 'gaps' have been identified by Administration in the City's strategic planning framework. These gaps have become apparent through the City's difficulty in negotiating outcomes in the Development Application process that are satisfactory in terms of the local areas context and character.

On 21 September 2020, representatives from the City's Planning team met with senior officers from the Department of Planning Lands and Heritage (DPLH) to discuss the challenges the City is facing in implementing the provisions of LPS3.

Following this meeting, the City received a letter from the Chairman of the Western Australian Planning Commission (WAPC) advising that the current approach to changing the strategic planning framework is untenable and 'is creating potentially unrealisable expectation in the community and uncertainty for development outcomes.' The WAPC recommended the City take an alternative path to resolving this matter:

- i. Undertake a strategic analysis to identify the key issues that arise from implementation of LPS3; and
- ii. Define what 'gaps' exist in the City's existing local planning framework and what planning instruments are best suited to support the implementation of the City's Local Planning Strategy and LPS3 – to deliver long term positive outcomes in the City – supported by appropriate investigations, such as the built form modelling currently being undertaken.

In accordance with this recommendation, Administration have prepared a 'Gaps Analysis' of the City's strategic planning framework in regular and iterative consultation with senior officers of the DPLH. The intent of the document is manifold; it seeks to secure agreement on the nature and associated objectives of perceived gaps. It also identifies the investigations required to substantiate the extent of the gap and demonstrate need for a new planning instrument to resolve the gap. It is also intended to establish an agreed priority of works (investigations and potential planning instruments, where there is demonstrated need). The Gaps Analysis focusses on four key areas of deficiency in the planning framework being built form, vegetation, traffic/ parking and land use/ centres. The Gaps Analysis document is being presented to Council for their consideration at the February 2021 OCM.

As Council have not yet resolved to endorse the GAPS analysis document, the initiation of this Scheme Amendment is deemed premature, and is unlikely to be supported by the WAPC given the direction and advice they have provided the City with regarding the importance of preparing Scheme Amendments and Policies within the context of a long-term strategic planning framework.

Consultation

Council must resolve to proceed with one of the following options, as per Regulation 37 of the *Planning and Development (Local Planning Schemes) Regulations 2015*:

- a) to proceed to advertise the amendment to the local planning scheme without modification;
- b) to proceed to advertise the amendment to the local planning scheme with modifications; or
- c) not to proceed to advertise the amendment to the local planning scheme.

If Council resolves to proceed to advertise the Amendment, as it is considered Complex, two copies must be submitted to the WAPC within 21 days of the Resolution. In line with Regulation 37(4), within 60 days of receipt, the WAPC must review the documents and advise the City if they consider that any modifications to the document are required before the Amendment is advertised.

The City must then refer the Amendment to the EPA for their comments. Once the EPA comments have been received, or 30 days after referral, the City must proceed to advertising the Amendment for a period of no less than 60 days in accordance with the requirements of Regulation 38.

If Council resolve not to initiate the Amendment, two copies of the documentation must be provided to the WAPC within 21 days of the Resolution.

Strategic Implications

How well does it fit with our strategic direction?

The intention of Scheme Amendment No 16 is to prohibit Fast Food Outlets within the City of Nedlands. This is not in keeping with the City's Local Planning Strategy, which encourages diversity in commercial outlets on busy thoroughfares such as Stirling Highway. As the Amendment is not aligned with the intent of the Local Planning Strategy, it does not fit with the City's formal strategic direction and therefore it is recommended that it is not supported.

Who benefits?

The City and its residents do not benefit from initiating this Scheme Amendment. As it is not in line with the City's Local Planning Strategy and it proposes to prohibit a specific Use Class from the entire City, the Western Australian Planning Commission is unlikely to provide their support. Therefore, the City risks spending time and resources on a Scheme Amendment that is not proposing common sense orderly and proper planning.

Does it involve a tolerable risk?

The risk associated with Scheme Amendment No 16 is that it will be a use of the City's time and resources that has no sound planning basis, and therefore will not be supported by the Western Australian Planning Commission.

Do we have the information we need?

Yes.

Budget/Financial Implications

Can we afford it?

There are no immediate costs associated with Scheme Amendment No 16 except for staff time associated with the preparation and advertising.

How does the option impact upon rates?

There is no current impact upon rates.

Alternate Recommendation

In the event that Council wishes to support the proposed Amendment, it should resolve as follows:

1. Pursuant to section 75 of the *Planning and Development Act 2005* adopts Scheme Amendment No. 16 to amend Local Planning Scheme No. 3 as detailed in Attachment 1 – Scheme Amendment No. 16 Justification

Report and in accordance with Regulation 37(1) proceeds to advertise without modifications by:

- a. Altering use permissibility in Table 3 – Zoning Table for Fast Food Outlet to an 'X' use in the Mixed Use and Neighbourhood Centre Zones.
2. In accordance with *Planning and Development (Local Planning Schemes) Regulations 2015* Regulation 35(2) is of the opinion that the amendment is a Complex Amendment for the following reasons:
 - a. the amendment is not consistent with the City's local planning strategy for the Local Planning Scheme No 3 that has been endorsed by the Commission;
 - b. the amendment that is not addressed by the City's local planning strategy; and
 - c. the amendment relates to development that is of a scale, or will have an impact, that is significant relative to development in the locality;
3. In accordance with *Planning and Development (Local Planning Schemes) Regulations 2015* section 37(2) submit 2 copies of the proposed Scheme Amendment No 16 to the West Australian Planning Commission for approval to advertise.
4. Pursuant to Section 81 of the *Planning and Development Act 2005*, refers Scheme Amendment No 16 to the Environmental Protection Authority when advise has been received from the West Australian Planning Commission.
5. Subject to Section 84 of the *Planning and Development Act 2005* advertises Scheme Amendment 16 in accordance with Regulation 38 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the City's Local Planning Policy – Consultation of Planning Proposals.

Conclusion

Scheme Amendment No 16 is inconsistent with the City's endorsed Local Planning Strategy, and therefore is also not consistent with the City's formalised future strategic planning vision. The proposed Scheme Amendment No 16 is also considered to be premature in light of the unresolved GAPS Analysis work the City is undertaking with DPLH. For these reasons, it is considered that Scheme Amendment No 16 is unlikely to be supported by the WAPC and may produce unrealistic expectations within the community about what can be achieved in the current planning framework.

It is recommended that Council endorses Administration's recommendation as set out in the resolution.

COVER PAGE



City of Nedlands
Local Planning Scheme No. 3

Amendment No. 16

*Scheme Amendment altering use permissibility in Table 3 – Zoning Table for Fast Food Outlet
to an 'X' use in the Mixed Use and Neighbourhood Centre Zones.*

FORM 2A

Planning and Development Act 2005

**RESOLUTION TO PREPARE AMENDMENT NO 16
TO LOCAL PLANNING SCHEME NO 3**

***Local Planning Scheme No. 3
Scheme Amendment No. 16***

Resolved that the Local Government pursuant to section 75 of the *Planning and Development Act 2005*, amend the above Local Planning Scheme by:

Altering use permissibility in Table 3 – Zoning Table for Fast Food Outlet to an ‘X’ use in the Mixed Use and Neighbourhood Centre Zones.

The amendment is complex under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reason(s):

- (a) an amendment that is not consistent with a local planning strategy for the scheme that has been endorsed by the Commission;
- (b) an amendment that is not addressed by any local planning strategy;
- (c) an amendment relating to development that is of a scale, or will have an impact, that is significant relative to development in the locality;

Dated this _____ day of _____ 20____

(Chief Executive Officer)

City of Nedlands

Local Planning Scheme No. 3 – Scheme Amendment No. 16

Scheme Amendment Report

1.0 INTRODUCTION

The City proposes to amend LPS3 through altering Table 3 – Zoning Table as follows:

Altering use permissibility in Table 3 – Zoning Table for Fast Food Outlet to an 'X' use in the Mixed Use and Neighbourhood Centre Zones.

This Scheme Amendment would see Fast Food Outlets become an 'X' use in all Zones in LPS3 except for the Urban Development Zone.

2.0 BACKGROUND

Local Planning Scheme No. 3 (LPS 3) was gazetted on 16 April 2019. Modifications from the Minister for Planning changed the definition of Fast Food Outlet from that used by former Town Planning Scheme No. 2 (TPS2), namely

“means land and buildings used for the preparation, sale and serving of food to customers in a form ready to be eaten without further preparation primarily off the premises,”

To LPS3,

“means premises, including premises with a facility for drive-through service, used for the preparation, sale and serving of food to customers in a form ready to be eaten –

- (a) Without further preparation; and*
- (b) Primarily off the premises.”*

Modifications from the Minister for Planning also changed the land use permissibility of Fast Food Outlets from a non-permissible (X use) in all zones except for the Urban Development zone where it was an AA use under TPS2.

In LPS3 Fast Food Outlet became a non-permissible use (X use) in the Residential, Local Centre, Service Commercial and Private Community Purposes zones, and a discretionary use requiring advertising (A use) in the Mixed Use and Neighbourhood Centre zones. In the Urban Development Zone, the permissibility of a Fast Food Outlet is subject to the approval of a structure plan, activity centre plan or local development plan, as per Clause 18(7) of LPS3.

The City now proposes to make Fast Food Outlets a non-permissible use (X use) in all Zones, except for the Urban Development Zone.

3.0 LOCAL PLANNING CONTEXT

Local Planning Scheme No 3 – Zone Objectives

The objectives of the LPS3 Mixed Use Zone are:

- *To provide for a significant residential component as part of any new development.*
- *To facilitate well designed development of an appropriate scale which is sympathetic to the desired character of the area.*
- *To provide for a variety of active uses on street level which are compatible with residential and other non-active uses on upper levels.*
- *To allow for the development of a mix of varied but compatible land uses such as housing, offices, showrooms, amusement centres and eating establishments which do not generate nuisances detrimental to the amenity of the district or to the health, welfare and safety of its residents.*

The objectives of the LPS3 Neighbourhood Centre Zone are:

- *To provide a community focal point for people, services, employment and leisure that are highly accessible and do not adversely impact on adjoining residential areas.*
- *To provide for daily and weekly household shopping needs, community facilities and a small range of other convenience services.*
- *To encourage diversity of land uses within the Centre to provide a broad range of employment opportunities.*
- *To facilitate a mix of commercial and residential development, which provides for activity and accessibility at the street level and supports the provision of public transport and pedestrian links. To provide for a range of quality medium and high-density residential development, to meet the diverse needs of the community.*
- *To ensure non-residential uses are located at street level and are compatible with adjoining residential uses.*

The objectives of both of the subject Zones encourage the diversification of commercial land uses. However, it is stated that these uses should be compatible with residential land uses, and not generate nuisances detrimental to the amenity of the area. The built form and busy nature of Fast Food Outlets is considered to be incompatible with the Residential zoning that abuts the City's Mixed Use Areas, and potential new Neighbourhood Centre zones.

4.0 PROPOSAL

4.1 Planning Justification

4.1.1 Local Planning Strategy

The City's Local Planning Strategy, endorsed by the Western Australian Planning Commission on the 26 September 2017, includes guiding planning principles that represent best practice urban planning for the City. These planning principles include the facilitation of good public health outcomes and to protect and enhance the City's local character and amenity.

- **Facilitate good public health outcomes**

The Western Australian Local Government Act 1995 (the Act) also states that Local Government is required to be actively concerned with the social, economic and environmental needs of their communities.

Considering these guiding principles and the requirements of the Act, the City is committed to planning for good public health outcomes for their residents. Under the former TPS2, the City pursued good public health outcomes through Fast Food Outlets being a not permitted use in many zones within the City. In 2019, the Mitchell Institute at Victoria University released statistics which highlighted that Nedlands has the lowest obesity rate in Australia. There may be a correlation between the absence of drive through fast food businesses and the low rates of obesity within the City. The proposed Scheme Amendment No 16 relates to the City's capacity to advocate and legislate for better health and environmental outcomes for the community, as per the requirements of the Local Government Act 1995. It is also aligned with the guiding planning principles laid out in the City's Local Planning Strategy. For these reasons, the City considers that the proposed Scheme Amendment No 16 will result in positive public health outcomes for the Nedlands community.

- **Protect and enhance local character and amenity**

The built form outcomes associated with Fast Food Outlets do not satisfy the planning principal to protect and enhance the local character and amenity of the area. The built form associated with a drive through fast food outlet is incompatible with the existing and desired character of the Mixed-Use areas of the City. A stand alone, 'box' style outlet with drive through facilities will not be complementary to the proposed mix of multi storey, commercial and residential properties that will define these areas. The potential for the intensification of land use that is associated with fast food outlets, including increased noise and traffic, will have a negative impact on the amenity of the Mixed-Use zones. The City's recent experience with development applications for large box style commercial developments on major thoroughfares is that the applicant is seeking to not provide a significant residential component in their development. This inhibits the City from meeting its dwelling targets along major corridors that are zoned for Mixed Use,

such as Stirling Highway, Broadway and on a smaller scale, Waratah Avenue. This potential built form outcome does not align with the objectives of the zone, or the desired future character of the area.

4.2 Complex Amendment Justification

<p>(a) an amendment that is not consistent with a local planning strategy for the scheme that has been endorsed by the Commission;</p>	<p>The City of Nedlands Local Planning Strategy was endorsed by the Western Australian Planning Commission in September 2017.</p> <p>The proposed Amendment is not consistent with the Strategy's intent to increase the retail and commercial floorspace within appropriate areas of the City. The Strategy seeks to increase the diversity of commercial offerings within key precincts through transparent and considered planning:</p> <p><i>"The City should be willing to consider any development or change of use proposal that would improve the condition and/or performance of an existing local activity centre."</i></p> <p>The Strategy also encourages the application of State Planning Policy 4.2 Activity Centres and its 'mix of land use' provisions, in neighbourhood and local activity centres where practicable, even though they are not specifically required for these classes of centre by SPP 4.2.</p> <p>The provision of diverse commercial businesses, including Fast Food Outlets, provides opportunities for Nedlands to increase its employment self-sufficiency and self-containment. Fast Food Outlets contribute to the provision of a variety of workplaces which then provide opportunities for employment for a range of residents. This relates to the Strategy's commitment to the <i>"important planning objective to try and reduce the need for lengthy commuting between homes and workplaces"</i>.</p> <p><i>The proposed Amendment is therefore not consistent with the City's Local Planning Strategy.</i></p>
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(b) an amendment that is not addressed any local planning strategy;	The Local Planning Strategy does not propose to prohibit Fast Food Outlets from the Scheme Area, and therefore the Scheme Amendment is not addressed by the Strategy.
(c) an amendment relating to development that is of a scale, or will have an impact, that is significant relative to development in the locality;	The proposed Amendment relates to a style of development that may have a significant impact on the surrounding development in the Scheme Area. The prohibition or approval of a Fast-Food Outlet in Nedlands is a style of development that can be considered significant within the context of the City, and therefore aligns with the classification of Complex.

5.0 CONCLUSION

The information and justification provided in this report is submitted to support the amendment within Table 3 – Zoning Table that Fast Food Outlet be an ‘X’ use in each zone except for the Urban Development Zone. This will require modification of the permissibility for the Mixed Use and Neighbourhood Centre zones. The proposed amendment aligns with the requirements of the WA Local Government Act 1995, requiring a Local Government to be actively concerned with the needs of the community, and provides an avenue to care for their wellbeing through planning legislation. It is also intended to provide development controls that will result in take away food outlets that are in keeping with the desired future character of the area and the objectives of the relevant zones. The City requests that the WAPC support the changes to Table 3 – Zoning Table specified within this report and support the changes to the landscape of the Mixed-Use zones that it proposes.

FORM 6A

COUNCIL ADOPTION

This [Complex/Standard] Amendment was adopted by resolution of the Council of the [LOCAL GOVERNMENT] at the [NAME] Meeting of the Council held on the [day] day of [month], 20[year].

.....
MAYOR/SHIRE PRESIDENT

.....
CHIEF EXECUTIVE OFFICER

COUNCIL RESOLUTION TO ADVERTISE

by resolution of the Council of the [LOCAL GOVERNMENT] at the [NAME] Meeting of the Council held on the [day] day of [month], 20[year], proceed to advertise this Amendment.

.....
MAYOR/SHIRE PRESIDENT

.....
CHIEF EXECUTIVE OFFICER

COUNCIL RECOMMENDATION

This Amendment is recommended [for support/ not to be supported] by resolution of the [LOCAL GOVERNMENT] at the [NAME] Meeting of the Council held on the [number] day of [month], 20[year] and the Common Seal of the [LOCAL GOVERNMENT] was hereunto affixed by the authority of a resolution of the Council in the presence of:

.....
MAYOR/SHIRE PRESIDENT

.....
CHIEF EXECUTIVE OFFICER

WAPC ENDORSEMENT (r.63)

.....
**DELEGATED UNDER S.16 OF
THE P&D ACT 2005**

DATE.....

FORM 6A - CONTINUED

APPROVAL GRANTED

.....

MINISTER FOR PLANNING

DATE.....

13.13 Dalkeith Road to Stanley Street Laneway

Council	23 February 2021
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	The author, reviewers and authoriser of this report declare they have no financial or impartiality interest with this matter. There is no financial or personal relationship between City staff and the proponents or their consultants. Whilst parties may be known to each other professionally, this relationship is consistent with the limitations placed on such relationships by the Codes of Conduct of the City and the Planning Institute of Australia.
Director	Tony Free – Director Planning & Development
CEO	Mark Goodlet
Attachments	<ol style="list-style-type: none"> 1. McDowell Affleck - Preliminary Laneway and Drainage Plans (December 2020) 2. McDowell Affleck – Opinion of Probable Costs (October 2020) 3. Cul-de-sac Traffic Volume Redistribution Diagram
Confidential Attachments	<ol style="list-style-type: none"> 1. City of Nedlands Cost Summary 2. Fabcot Pty Ltd - Draft Dalkeith Road to Stanley Street Laneway Agreement (18 January 2021) 3. Legal Advice – 27 January 2021 (By Email) 4. Legal Advice – 5 February 2021 (By Letter)

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Youngman

Seconded – Councillor Wetherall

That the Recommendation to Council be adopted.

(Printed below for ease of reference)

CARRIED UNANIMOUSLY 12/-

Council Resolution / Recommendation to Council

Council:

1. does not consent to the proposed Dalkeith Road to Stanley Street Laneway Agreement prepared for Fabcot Pty Ltd and dated 18 January 2021.
2. authorises that the City's position with respect to the Dalkeith Road to Stanley Street Laneway Agreement dated 18 January 2021 be communicated to the Metro Inner-North Joint Development Assessment Panel, the State Administrative Tribunal and to the proponents/landowners of the Nedlands Square and ALDI developments.

- 3. authorises the CEO to continue negotiations with the proponents/landowners of the Nedlands Square development application and ALDI on a possible future Legal Agreement to cover the implementation, funding and timing of Dalkeith Road to Stanley Street Laneway.**
- 4. instructs the CEO to provide a further report/s to Council should negotiations progress positively.**

Executive Summary

This report provides further information and seeks Council's direction in respect of the creation of the Dalkeith Road to Stanley Street Laneway within the terms presented in the 'Dalkeith Road to Stanley Street Laneway Agreement' (the Laneway Agreement).

The Laneway Agreement was prepared for Fabcot Pty Ltd (Fabcot) for Woolworths, the lessee and proponent of the Nedlands Square development application at 80 Stirling Highway, Nedlands. The Laneway Agreement supersedes the City's proposed draft Memorandum of Understanding (MOU) issued to Woolworths and ALDI in October 2020.

Administration and the parties generally agree that the Dalkeith Road to Stanley Street Laneway is the preferred strategic and traffic access solution for the Nedlands Town Centre and the Nedlands Square development.

Based on preliminary concept drawings and an opinion of probable cost, the Dalkeith Road to Stanley Street Laneway has a total projected cost estimate ranging between approx. \$3.327 million and \$4.91 million.

Without adequate financial allocations though the City's capital works budget, adequate financial contributions from Fabcot and or ALDI, access to grants or agreement on alternative rating or prefunding mechanism, Administration considers the project to be cost prohibitive. Accordingly, Administration recommends against Council consenting to the proposed Laneway Agreement.

Discussion/Overview

Background

Development Application and SAT Proceedings

On 29 June 2020, the Metro Inner-North JDAP (the JDAP) unanimously deferred its consideration of the Nedlands Square Development Application (Reference DA19/38512, DAP19/01651) for 90 days for the following reasons:

1. To provide greater certainty on the traffic, transport and access issues;
2. To provide further information on heritage issues; and

3. To address the integration of the project in the Nedlands Town Centre.

The JDAP considered that there was insufficient information on the three key items to make a decision on the proposal and deferred the matter to allow time for further information to be provided. The JDAP intended the matter would be re-presented to it no later than 29 September 2020, however the applicant (Urbis on behalf of Fabcot) advised on 21 July 2020 that it had sought a review of the application at the State Administrative Tribunal (SAT). The matter has since remained in mediation at the SAT, with mediations occurring in mid-October and mid-December 2020. The next mediation is scheduled for 18 February 2021.

Whilst the City of Nedlands is not a party to the SAT proceedings, the City undertook further work in order to provide advice back to the SAT and parties in respect of:

- The Dalkeith Road to Stanley Street Laneway
- The urban design treatment of Florence Road between the proposed Nedlands Square development and approved ALDI development (consistent with the draft Nedlands Town Centre Precinct Plan).

The Dalkeith Road to Stanley Street Laneway

The laneway comprises two (2) segments; Dalkeith Road to Florence Road (Laneway 1) and Florence Road to Stanley Street (Laneway 2).

Laneway 1 consists of:

- Lot 50 and 51 (No. 56) Dalkeith Road. The two parcels of land together form one drainage sump (the sump). Lot 50 was recently acquired by the City of Nedlands from Water Corporation to provide access to and from nearby lots (known as the Captain Stirling shops) as a future development consideration.
- Lot 4 and 5 (No. 90 Stirling Highway) owned by ALDI and approved by MWJDAP for retail (supermarket) and restaurant purposes in mid-November 2018.

Condition 5 of the JDAP approval requires:

“Prior to occupation of the development, the applicant is to enter into a Deed of Agreement with the City of Nedlands to ensure that, should access be made available to Dalkeith Road in the future, the proposed development is able to facilitate public through access from Dalkeith Road to Florence Road. The Deed of Agreement is to be prepared at the applicant’s cost”.

Laneway 2 consists of Lot 23 (No. 6) and Lot 32 (No.9) Stanley Street and is owned by Grey Owl Pty Ltd and Rain Cloud Pty Ltd. These properties form the southern boundary of the Nedlands Square development, over which Fabcot holds a long-term ground lease.

Under the City's adopted *LPP - Dalkeith Road to Stanley Street Laneway and Built Form Requirements*, the laneway was indicatively envisaged as a 7m wide carriageway with 2.5m shared use path and 0.5m landscape/services buffer. The 10m strip of land would be ceded to the Crown and vested in the City pursuant to clause 32.3 of LPS 3.

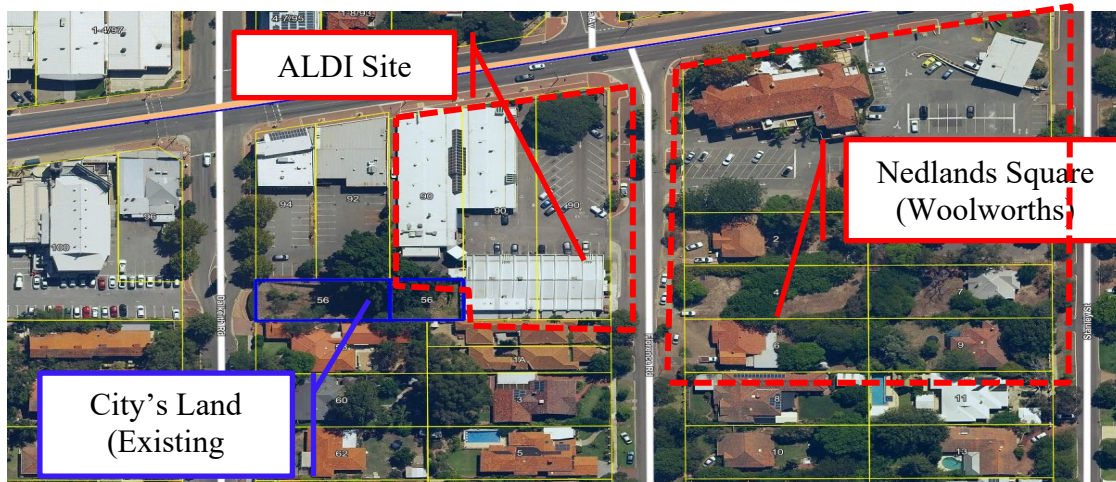


Figure 2 – Landholdings involved in the future Dalkeith Road to Stanley Street Laneway

Administration considers the laneway is the preferred and most effective traffic solution for the Nedlands Square development, and future town centre generally. The laneway connection is identified in the draft LPP – Nedlands Town Centre Precinct Plan.

Cost Estimate for the Dalkeith Road to Stanley Street Laneway

In order to progress valid planning conditions and to support the abovementioned LPPs, the City instructed McDowell Affleck consulting engineers to prepare a concept design for the laneway and an opinion of probable cost based on this design, appended as Attachment 1 and Attachment 2, respectively. In summary, the preliminary plans propose:

- The construction/installation of underground stormwater storage located in the Dalkeith Road, road reserve.
- The construction of the laneway carriageway (including pedestrian pathway, lighting, drainage and landscaping) on the City's land (Lots 50 and 51) – No. 56 Dalkeith Road (note this laneway will continue through to Florence Road through the rear of the ALDI site and a similarly designed laneway over the Nedlands Square development site).
- The modification and tie in works to Dalkeith Road including removal of the current traffic island and carriageway tie in with the new laneway; and

- The modification and tie in works to the boundary of the ALDI site including drainage and carriage way tie ins.

Following continued detailed design and internal project management review, the overall project cost estimate ranges between \$3.327million and \$4.491million. The upper range cost estimate includes a cost contingency of 35% and consulting and approval fees. The cost contingency reflects the fact that the preliminary concept design was based preliminary 'dial before you dig' data, rather than surveyed service locations.

Approximately \$2.8 million of the total construction costs relates to works in Laneway 1 and Dalkeith Road. However, the lion share of this cost, \$2.2million, is attributed to drainage costs rather than road construction.

In order to construct the laneway, the existing open-air sump must be converted to a subterranean drainage facility. The subterranean solution will result in high excavation and retaining costs and given the constrained location (10m laneway), it will also have a lower retention and infiltration capacity as compared to the existing open-air sump. Therefore, additional drainage retention infrastructure is required in the Dalkeith Road reserve to maintain the current drainage capacity.

The cost estimate indicates that future redevelopment of the sump land for a laneway (or otherwise) is significantly impacted by need for costly replacement drainage services onsite or elsewhere.

Dalkeith Road to Stanley Street Laneway Cost – Summary of Overall Costs

Project Area	Works component		Cost
Dalkeith Road	Underground drainage and road reinstatement		\$ 1,324,219
Laneway 1	Drainage construction	\$ 889,900	
	Laneway road construction	\$ 540,975	
Total Laneway 1			\$ 1,430,875
Florence Road	TBC		\$ 110,062
Laneway 2	Laneway road construction		\$ 236,519
Total sub construction			\$ 3,101,675
Authority charges			\$ 25,437
Professional fees			\$ 200,000
Total			\$ 3,327,112
Contingency +/- 35%			\$ 1,164,489
Total Cost Estimate excl overhead recovery			\$ 4,491,601

A detailed summary of costs prepared by the City is appended as Confidential Attachment 1.

The laneway between Florence Road and Dalkeith Road is required to service the Woolworths and ALDI developments (customer carparking, truck deliveries and waste management), as well as providing local access to this part of the Nedlands Town Centre. In September 2020, Administration proposed to seek contributions from Woolworths and ALDI for the laneway and drainage construction cost.

Given there is also a community benefit to the construction the laneway (including construction/installation of underground stormwater storage) the City would be required to make a funding contribution. In September 2020, Administration reported to Council that the City's funding contribution could be recouped as the Nedlands Town Centre develops through a Development Contributions Plan. In October 2020, Council resolved, amongst other things, to commence preparation of an Infrastructure Contributions Framework under Local Planning Scheme 3 and allocated funds between 2020-2022 to prepare an Infrastructure Contributions Framework.

Under Fabcot's Laneway Agreement (Confidential Attachment 2), Fabcot proposes that it would construct Laneway 2 on the Nedlands Square development site (in accordance with its development approval) and that it would make a relatively minor contribution to the replacement drainage works. Even accounting for the terms of the proposed agreement, the City of Nedlands would on the current estimate, be facing a cost of \$2.89 million to \$4.1 million.

Given the timing associated with development and the preparation of a development contributions framework, Administration expects the City would need to prefund the laneway construction project to enable delivery within the short term (2-4 years).

Administration is aware that the City has no capital works budget allowance for this work and a limited borrowing capacity given its prioritisation and financial commitment to undergrounding powerlines. Without grants from any other third parties, a suitable agreement for significant contributions or alternative property rating or prefunding mechanisms to reduce the City's overall financial burden, Administration considers the project to be cost prohibitive. This is largely due to the cost of drainage works.

Laneway Agreement

In order to progress valid planning conditions and respond to the JDAP's deferral reasons relating to traffic and access, the City instructed Mcleods in September 2020 to prepare a Memorandum of Understanding (MOU) that would create a future legally enforceable Laneway Agreement.

The MOU was intended to be tripartite to allow for all landowners/lessee affected by the laneway project to be signatories; the owners of the Nedlands Square Development Site and the lessee, ALDI and the City.

It required the laneway segments to be consistently designed based on the preliminary engineering concept designs and generally in accordance with the parameters of the adopted *LPP - Dalkeith Road to Stanley Street Laneway and*

Built Form Requirements. It also required that the laneway segments be ceded to the crown and vested in the City for care and maintenance as a local road.

With regard to cost sharing, the MOU proposed that:

- the owners of the Nedlands Square development site undertake and complete the laneway works on Laneway 2.
- ALDI reimburse the City for undertaking and completing the laneway works between Florence Road and Stanley Street on the ALDI site.
- The City to undertake and complete laneway works between Dalkeith Road and Florence Road.
- All parties shared the costs of the Florence Road Plaza works.
- The City to undertake the drainage works and other associated works between Florence Road and Dalkeith Road but that the costs be shared equally between the parties.

The City's proposed MOU was rejected by Fabcot and replaced by its own Laneway Agreement to construct Laneway 2 and make a relatively small contribution to drainage costs.

Administration also sought a legal review of Fabcot's Laneway Agreement (Confidential Attachment 3) which highlighted the following additional concerns:

- The laneway is only a viable solution if there is continuity in its design and delivery.
- No due regard is given to the delivery of the laneway between Florence Road and Dalkeith Road, particularly if ALDI do not proceed with their current approval.
- The piecemeal approach which omits ALDI's landholding, risks the laneway only being partly constructed.
- The agreement imposes financial obligations on the City, which have not been agreed to by the City and for which the City does not have funds.
- The owners of the Nedlands Square development site are not party to the Laneway Agreement and Fabcot does not have a registered interest in the land.
- The Laneway Agreement does not require the ceding of the road land, which is inconsistent with the Local Planning Policy.

In light of absent alternative funding or budgetary arrangements and the legal deficiencies of Fabcot's proposed agreement, Administration does not recommend Council agree to Fabcot's Laneway Agreement.

The Urban Design Treatment - Florence Road

As reported to Council in September 2020, the City commissioned Place Laboratory (urban and landscape designers) to prepare a detailed concept for the urban design enhancements to Florence Road (between the proposed Nedlands Square development and approved ALDI development). This detailed concept is known as the Florence Road Plaza Plan and was

undertaken to assist the parties in responding to the third of JDAP's June 2020 deferral reasons.

Key features of the Florence Road Plaza plan include:

- A street with a focus on creating a vibrant place for people with a plaza space (with flush surfaces) and community multiple gathering nodes suitable for many types of organised (markets and food stalls), play spaces, seating, bike parking and places for casual community activities and meeting points;
- Extensive landscaping reinforcing the leafy character of Nedlands and providing shade to the public spaces;
- A safe crossing point between Captain Stirling/Woolworths and ALDI developments with a low-speed one-way vehicle environment;
- Integration with the Captain Stirling/Woolworths development including integrating stairs and street furniture treatments;
- Integration with the ALDI development – including the gathering nodes proposed opposite the ALDI commercial development fronting Florence Road, and the existing significant tree on the ALDI site (corner Florence Road and Stirling Highway);
- Opportunities for a future Florence Road street kiosk and space for temporary activation (e.g., festive food vans, markets and events); and
- Bays for commercial servicing and short-term car parking have also been provided, but not to dominate the street as car parking is provided on the development sites.

The design concept was heavily informed by detailed local traffic review and modelling undertaken for the City by engineers, Cardno. The modelling concluded the preferred option to create a shared Florence Road Town Centre Plaza was a one-way (southbound) option, consistent with the initial concept plan that formed part of the draft Nedlands Town Centre Precinct Plan.

From the Florence Road residential area located to the south of the commercial precinct, a one-way northbound lane is proposed. The northbound lane terminates at the southern edge of the commercial precinct eliminating direct through traffic to the residential streets but allowing residents to exit the precinct and access the town centre.

The design concept is consistent with the draft Nedlands Town Centre Precinct Plan and had an opinion of probable cost for the Florence Road Plaza component of the project is \$3.96 million (excluding GST).

In September 2020, Administration proposed that Woolworths and ALDI would undertake, or fund, streetscape interface works associated within the pedestrian footpath zone of the road reserve, while the City would be responsible for the road carriageway and drainage/service modifications. This cost sharing arrangement was proposed in the City's draft October 2020 MOU but was omitted in Fabcot's proposal.

Prior to and following Council's resolution of 29 September community feedback was received in relation to the Florence Road Plaza Plan. Some members of the community requested the construction of cul-de-sacs to the south of the proposed Nedlands Square development on Stanley Street and Florence Road. The majority of the respondents indicated they preferred no changes to Florence Road.

Woolworths and ALDI indicated their informal support for two-way access along Florence Road, with Woolworths preparing an alternative two-way traffic Florence Road Plaza design. This option has not yet been presented to Administration.

Fabcot Pty Ltd.'s proposed agreement does not propose the sharing of costs relating to urban design works along Florence Road. That notwithstanding, it remains possible to achieve a short to medium term integrated urban design solution for Florence Plaza that would not prejudice the long-term realisation of the Florence Road Plaza Plan.

One such solution includes a condition being imposed on a future JDAP approval (assuming a future SAT s31 reconsideration order is made) that requires the owner of the Nedlands Square development site to upgrade the public realm between the site's property boundary to the centreline of Florence Road to an agreed specification of finishes and materials. Equally, in the event that a laneway is constructed, and ALDI applies to amend its JDAP approval, a similar condition could be imposed on an amended development approval. The realisation of the Florence Road Plaza Concept Plan, or parts thereof, may be realised in the future, particularly when a Development Contributions Plan or other contributions mechanisms are in place. The possible planning condition would be an interim solution for Florence Road.

Traffic Movement Considerations – Cul-de-Sacs

Following Council's Special Council Meeting resolution of 29 September 2020, the City's Technical Services Department investigated a series of traffic solutions for the town centre. These included Council's proposed scenarios 11 to 13 as per its resolution of 29 September 2020 and specifically the installation of full and half cul-de-sacs to the south of the Nedlands Square and ALDI development sites on Florence Road and Stanley Street.

Council was provided advice in memos dated 7 October 2020 and 22 November 2020. In summary the advice was:

Testing of these scenarios demonstrate that any additional access restrictions on Stanley Street (Scenario 11 and 12) will cause access failures along the town centre road network. Where southbound traffic is restricted on both Florence Road and Stanley Street, all traffic travelling south or east of the town centre must exit via the laneway and Dalkeith Road. This will cause congestion on the laneway and delays for traffic exiting onto Dalkeith Road. It will also exacerbate the level of expected congestion on Dalkeith Road caused by traffic waiting to turn right at the Dalkeith Road traffic lights. There is a significant need

to manage the intersection between the laneway and Florence Road and preserve the pedestrian focus of the town square. Therefore, restrictions in some form are avoidable on Florence Road.

In addition, Administration has also considered the impact of cul-de-sacs on the local road network in the event that the laneway solution is not achieved. The City's Technical Services department has advised that:

- Cul-de-sacs will have significant impacts on the developments along Stirling Highway. Attachment 3 shows the anticipated re-distribution of the surrounding traffic with the consideration of cul-de-sacs, approved ALDI development and proposed WW development with 'no Dalkeith-Stanley' laneway and no change to the Stirling Highway intersection. The analysis indicates that the total daily volume on Florence Road will increase from 1,550 Vehicles Per Day (VPD) to 4,840 VPD, while traffic on Stanley Street will increase from 900 VPD to 2,760 VPD.
- With the Cul-de-sacs in place, any traffic accessing the developments need to travel to/from Stirling Highway. In addition to this, the Florence Road approach onto Stirling Highway has a limited width of approximately 4 meters. This lane width cannot accommodate left-turning vehicles to travel past queued vehicles doing right-turns, and with all vehicles gaining sole access from Stirling Highway, it can be anticipated that all vehicles will experience significant delays on roads due to the increased volume and limited route choices.
- Increased traffic volume with limited route choices for vehicles due to the cul-de-sacs will have negative road safety impacts at both the Stirling Highway – Florence Road Intersection and the Stirling Highway – Stanley Street intersection.
- Negative road safety impacts are linked to a limited ability to execute a right turn onto Stirling Highway, which is exacerbated by the restricted sight distances towards the east. The restricted sight distances significantly impact right turns onto Stirling Highway and make right turns harder at Stanley Street and Florence Road than at other intersections along Stirling Highway.
- Due to the expected long delays, vehicles may choose to accept unsuitable gaps between traffic to make turns at the intersections. The insufficient gap acceptance with the increased turn demands from both Florence Road and Stanley Street could result in an increased number of crashes.
- Crash history obtained from the Main Roads website indicates that there were 9 recorded crashes at the Stirling Highway – Florence Road Intersection, while there were 6 recorded crashes at the Stirling Highway – Stanley Street intersection over the five years to the end of Dec 2019.

- In June 2020, the City engaged Cardno to provide a review of traffic impacts of the area without completion of the laneway network. The memo indicates that without the laneway, the crash rates at the Stirling Highway – Florence Road Intersection would increase to 14.8 crashes over a similar 5-year period, while the crash rates at the Stirling Highway – Florence Road intersection would increase to 17 crashes over a similar 5-year period.
- With the implementation of cul-de-sacs and without the laneway, Administration predicts that traffic crash numbers could further increase up to 28 crashes at the Stirling Highway - Florence Road intersection and 18 crashes at the Stirling Highway - Stanley Street intersection over a similar 5-year period, based on the estimated increased daily traffic volume.

Main Roads advised the City in writing on 23 October 2020 that it would not object to blocking the 'Right Out' movements at these intersections.

Administration also sought legal advice (Confidential Attachment 4) to understand what if any legal implications would apply in the event the City installed the aforementioned cul-de-sacs.

In short, the legal advice indicated the City has the legal authority to install traffic treatments, including partial or whole cul-de-sacs, on roads under its care, control and management, subject to compliance with any applicable legislative requirements. Any decision to close the roads can be subject to judicial review on the grounds of an error of law but that would depend on the nature and grounds of the City's decision. There is no statutory right to compensation for the closure of a road, but claims could be made under common law grounds. Whilst unlikely that a common law action would be upheld against the City in respect of its installation of cul-de-sacs on Florence Road and Stanley Street it would depend on the nature of the decision ultimately made by the City, the grounds on which it was made and the potential impact on road users.

Key Relevant Previous Council Decisions:

At the 28 July 2020 Council meeting, Council last considered the Nedlands Town Centre – Florence Road Precinct and resolved that Council:

"Council

1. authorises the CEO to investigate and prepare costed concepts for:
 - a) development of the laneway connection between Dalkeith Road and Florence Road, Nedlands;
 - b) future use and development of the Lots 50 and 51 (Number 56) Dalkeith Road and resolution of the drainage function;
 - c) traffic, engineering and urban design works associated with the proposed Florence Road 'main street'; and

2. requests the concepts and costings for Dalkeith - Florence Road laneway, future use of lots 50 and 51 Dalkeith Road, drainage, and Florence Road 'main street' be presented to Council in September.
3. allocates funds of \$70,000 to enable concepts and costings to be prepared, with the budget adjustment to be made in the 2020-21 mid-year budget review; and
4. instructs the CEO to provide a further report to Council on the development of a contribution framework/plan for public and community infrastructure associated with Local Planning Scheme No 3 by October 2020."

At the 29 September 2020 Special Council meeting, Council considered the Florence Road Plaza Concept Plan and laneway solution and resolved that Council:

"Council

1. authorises the CEO to commence negotiations with the owner of Lots 3 & 4 (Number 90) Stirling Highway, adjoining Lot 51 (Number 56) Dalkeith Road, regarding the future ownership/lease/use of the remnant portion of this City owned lot;
2. adopts 'in-principle' the Laneway design (Florence Road to Dalkeith Road) including drainage, carriageway and tie-in works (as prepared by McDowell Affleck);
3. adopts 'in-principle' the Florence Road Plaza (as prepared by Place Laboratory) and that this concept design be incorporated into the draft Nedlands Town Centre Precinct Plan to enable community consultation when the Precinct Plan is re-advertised;
4. authorises that the City's position with respect to the Laneway Design (Florence Road to Dalkeith Road) and the Florence Road Town Centre Plaza be communicated to the Metro Inner-North Joint Development Assessment Panel, the State Administrative Tribunal and to the proponents/landowners of the Captain Stirling/Woolworths and Aldi developments;
5. authorises the CEO to commence negotiations with the proponents/landowners of the Captain Stirling/Woolworths and Aldi development for a Memorandum of Understanding (and possible future Legal Agreement) to cover the implementation, funding and timing of the public works for the Nedlands Town Centre – Florence Road Plaza and associated Laneways including:
 - a) The laneway, drainage and tie-in works from Stanley Street to Florence Road (Captain Stirling/Woolworths);
 - b) The laneway, drainage and tie-in works from Florence Road to Dalkeith Road (Aldi/City of Nedlands);
 - c) Florence Road Plaza urban design and landscape works; and
6. instructs the CEO to provide a further progress report/s on clauses 1 to 5 above, to Council; and
7. notes that a further report will be presented to Council in October 2020 addressing the development of a contributions framework/plan for public and community infrastructure associated with Local Planning Scheme No 3.

8. authorises the CEO to commence negotiations with the proponents/landowners of the Captain Stirling/Woolworths and Aldi development for the following additional options:
 - a) New Scenario 11 that uses the same features as Scenario 9 but includes a southbound lane closure on Stanley Street at Laneway 02 (southern border of house number 10). Also, the intersection of Stanley Street and Stirling Highway needs to be LEFT IN and LEFT OUT;
 - b) New Scenario 12 includes a cul-de-sac in Florence Road and Stanley Street at the south end of the development; and
 - c) New scenario 13 to include vehicular access and entry to the two sites from Stirling Highway.
9. resolves that the Stanley Street and Dalkeith Road laneway to be made straight between Stanley Street and Dalkeith Road.”

At the 27 October 2020 Council meeting, Council considered an infrastructure contributions framework and resolved that Council:

“Council

1. instructs the CEO to commence preparation of an Infrastructure Contributions Framework under Local Planning Scheme 3;
2. allocates funds of \$40,000 to enable work to commence on the Infrastructure Contributions Framework under Local Planning Scheme 3, with a budget adjustment to be made in the 2020-21 mid-year budget review;
3. considers allocating \$50,000 in the 2021-22 budget for the completion of the Infrastructure Contributions Framework under Local Planning Scheme 3; and
4. instructs the CEO to arrange a Councillor workshop prior to Council’s consideration of the report to formally initiate the Local Planning Scheme amendment to introduce the Infrastructure Contributions Framework.”

This report responds to various items identified above in relation to the Dalkeith Road to Stanley Street Laneway, MOU/Laneway Agreement, Florence Road Plaza works and costings and infrastructure contributions as a mechanism to deliver large infrastructure projects in the City.

Consultation

Consultation with Woolworths and ALDI has been ongoing since August 2020 in respect to the development of concept plans for the laneway, Florence Road Town Centre Plaza urban design and a possible Memorandum of Understanding.

Both Woolworths and ALDI indicated a desire to maintain two-way traffic in Florence Road, and Woolworths has indicated it will prepare an alternative two-way design option, Option 2, for Florence Road. As reported in September 2020, two-way access is considered inconsistent with the Draft LPP - Nedlands

Town Centre Precinct Plan. The key objective of the Town Square under the LPP is to create a community plaza focused on activity and people and traffic analysis that indicates this precinct, including Florence Road and the proposed laneways, will function effectively with one-way vehicle traffic (southbound) in this section of Florence Road.

Following Council's resolution of 29 September 2020 in which Council resolved to support the Florence Road Plaza Concept Plan in principle, Administration conducted targeted consultation with 239 residents on Stanley Street, Florence Road, Dalkeith Road (between Stirling Highway and Edward Street) and Boronia Avenue (between Stirling Highway and Karella Street). The City asked the residents most likely to be affected about four possible changes to access on Florence Road and the surrounding road network.

The possible options for Florence Road were:

- Option A: two-way access on Florence Road
- Option B: full cul-de-sac on Florence Road
- Option C: Partial closure allowing southbound traffic
- Option D: Partial closure allowing northbound traffic

In all, 107 responses were received. The results of consultation indicated that most respondents do not support any of the options presented (52%). Notwithstanding the 26 respondents in favour of Option B, an approximately comparable number (23 respondents) preferred Option A (effectively 'do nothing'). When Option A (23 respondents) is taken together with the number of residents who did not support any of the options, it can be deduced that approximately 74% of respondents preferred no changes to Florence Road.

The consultation undertaken to date is able to inform negotiations with the proponents of the Nedlands Square development and ALDI.

Further community consultation is anticipated in the event of a future SAT s31 reconsideration request for the Nedlands Square development. Further consultation may be required to progress the detailed urban design of the Florence Road Plaza as part of the re-advertising of the draft Nedlands Town Centre Precinct Plan following the outcomes of the built form modelling. This consultation is likely to occur after the Nedlands Square development application has been determined.

Strategic Implications

The development of the Dalkeith Road to Stanley Street Laneway connection is consistent with the City's adopted LPP Dalkeith Road to Stanley Street Laneway and Built Form Requirements and the Draft Nedlands Town Centre Precinct Plan. The Florence Road Plaza urban design is also consistent with the LPP - Draft Nedlands Town Centre Precinct Plan.

However, agreement must still be reached in respect of the timing, cost sharing or funding of these works. There may be opportunity to resolve interim Florence Road urban design upgrades through a future condition of approval imposed on the Nedlands Square development and a future amended ALDI development. The funding and cost sharing of Laneway 1 and replacement drainage works still needs resolution, along with the coordinated delivery of these works to align with the development of the ALDI and Nedlands Square proposals.

This report provides the basis for the City to respond to the issues of concern provided by the JDAP and the basis for contributions to be negotiated from adjoining developments towards essential public infrastructure associated with these proposals (Woolworths and ALDI).

Without an agreed multi-party strategy on the cost sharing / funding of the laneway, drainage and urban design works, the preferred development and traffic solution for the Nedlands Town Centre is likely to be impeded. This may then leave the City to undertake and fund these works alone and without significant contributions that may be possible as part of a development approval.

Budget/Financial Implications

In September 2020, Administrated report that the estimated cost of the public works (as detailed earlier in the report) was:

- Laneway & Drainage Works (on City Land 56 Dalkeith Road and in the Dalkeith Road road reserve) - \$2.944 million
- Florence Road Urban Plaza Works - \$3.96 million (excluding GST).

Following continued detailed design and internal project management review and allowing for a cost contingency of 35%, the total project cost estimate ranges between \$3.327million and \$4.45million.

Approximately \$2.8 million of the total construction costs relates to Laneway 1 and Dalkeith Road works. However, the lion share of this cost, \$2.2million, is attributed to drainage costs rather than road construction.

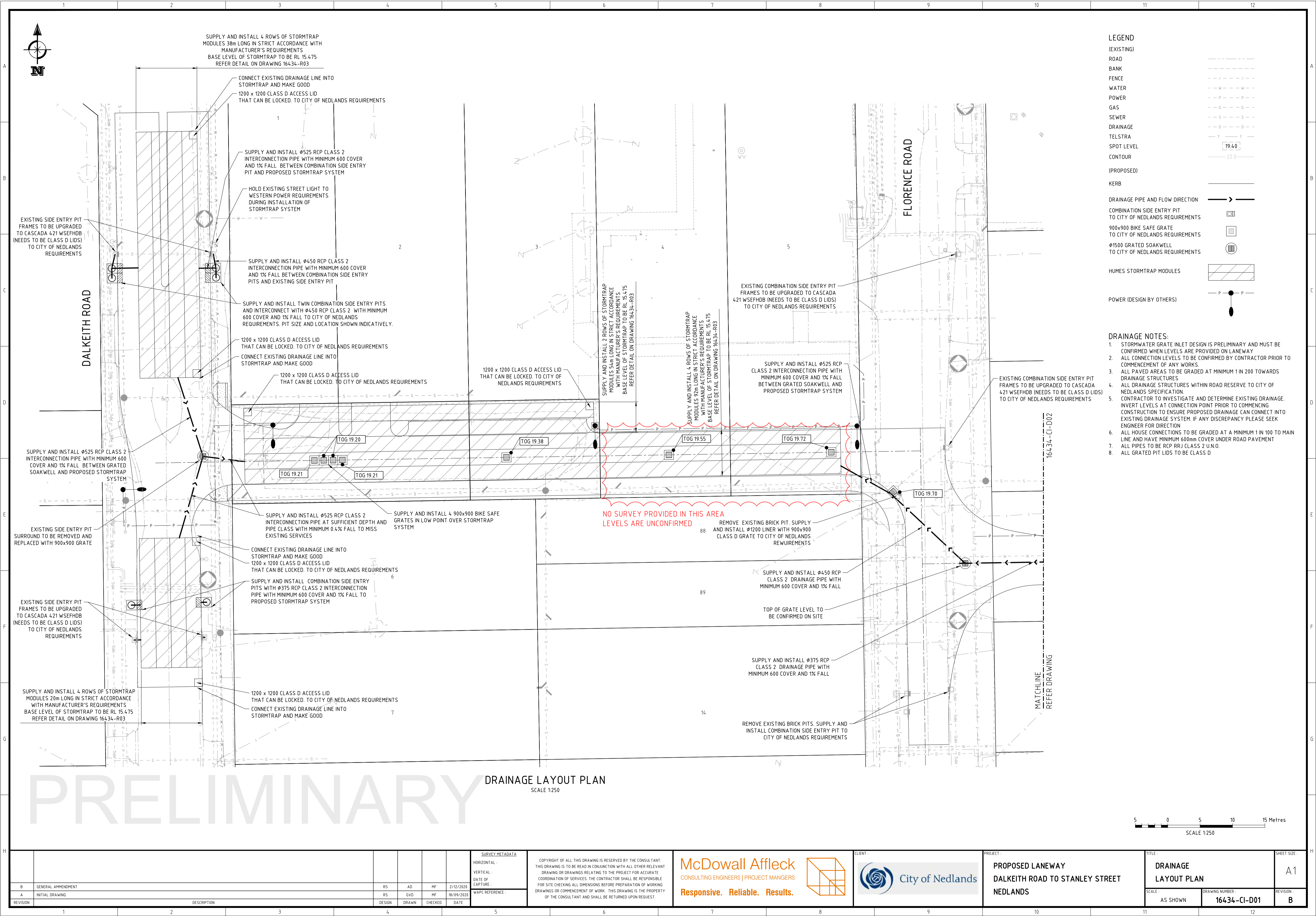
Under Fabcot's proposed Laneway Agreement, it would construct Laneway 2 on its development site and make a relatively minor contribution to the drainage works. The City has received no response from ALDI in respect of its proposed October 2020 MOU.

Even accounting for the terms of the proposed agreement, the City of Nedlands would face an estimated cost of \$2.89 million to \$4.1 million.

Administration is aware that the City has not yet budgeted for these works and has limited borrowing capacity given its prioritization and financial commitment to undergrounding powerlines. It is anticipated the infrastructure works would

need to occur during the next two financial years (2022/23-2023/24) and be timed to align with the construction of the ALDI and Nedlands Square developments. This is subject to confirmation from ALDI and Woolworths on their development timing, and approvals being in place. If the City was to commit to this project, the City's funding contributions would likely need to be from normal annual capital budget expenditure allocations.

At this point however, Administration considers the laneway project to be cost prohibitive without an allocated budget, adequate borrowing capacity, or a suitable agreement for significant contributions or alternative property rating or prefunding mechanisms. This position would not be altered even in light of the proposal to proceed with an Infrastructure Development Contributions Plan, due to the need to prefund the works in the anticipated short term delivery timeframe. Consequently, Administration does not recommend that Council consents to Fabcot's Agreement dated 18 January 2021.





9

G

(EXISTING)

CONTOUR

DRAINAGE CATCHMENT 1

DRAINAGE CATCHMENT 2

DRAINAGE CATCHMENT 3

DRAINAGE CATCHMENT 4

DRAINAGE CATCHMENT 5

DRAINAGE CATCHMENT 6

DRAINAGE CATCHMENT 7

DRAINAGE CATCHMENT 8

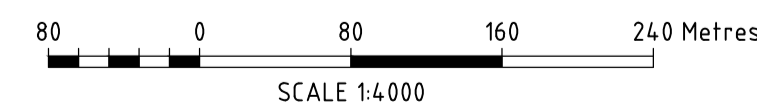
DRAINAGE CATCHMENT 9

DRAINAGE CATCHMENT 1

DRAINAGE CATCHMENT 1

DRAINAGE CATCHMENT 1

CATCHMENT NUMBER	AREA (Ha)	FRACTION IMPERVIOUS (%)
1	0.1630	55
2	0.3497	55
3	2.536	55
4	0.6213	55
5	0.3260	55
6	0.4054	55
7	0.6970	55
8	0.6000	55
9	0.6076	55
10	1.3312	55
11	0.2800	55
12	2.0947	55

II



C

3

F

G

II

1

1

II

(EXISTING)

ROAD

BANK

FENCE

CONTOUR

(PROPOSED)

STAGE BOUNDARY

KERB

FOOTPATH

EDGE OF SEAL

ASPHALT

GENERAL NOTES

1. ALL DIMENSIONS IN METRES U.N.O
2. ALL DETAIL DIMENSIONS IN MILLIMETRES U.N.O

CONSTRUCTION NOTES:

1. TOP SOIL IS TO BE STOCK PILED ON SITE AND RESPREAD AROUND THE VERGES ON COMPLETION OF LANEWAY CONSTRUCTION
2. CONTRACTOR TO MAINTAIN ACCESS TO EXISTING LOTS AT ALL TIMES DURING CONSTRUCTION
3. PROVIDE STREET NAME SIGNS TO ALL INTERSECTIONS TO LOCAL AUTHORITY STANDARDS.

SERVICES AND RESTORATION:

1. EXISTING SERVICES MARKED ON THIS DRAWING ARE APPROXIMATE FROM DIAL BEFORE YOU DIG AND WATER CORPORATION ESNET DATA AND ARE UNCONFIRMED.
2. THE CONTRACTOR SHALL BE SOLELY AND ENTIRELY RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING SERVICES AND STRUCTURES WITHIN AND ADJOINING THE SITE WHICH ARE OR MAY BE INTERFERED WITH DURING THE PROPOSED WORKS.
3. THE CONTRACTOR SHALL TAKE WHATEVER MEANS NECESSARY TO DETERMINE AND CONFIRM THE LOCATIONS AND LEVEL OF ANY AND ALL UNDERGROUND SERVICES PRIOR TO COMMENCEMENT OF CONSTRUCTION IN ORDER TO DETERMINE IF CLASHES WITH THE PROPOSED WORKS WILL OCCUR. DIAL 1100.
4. THE INVESTIGATION OF THE EXISTING SERVICES SHALL BE COMPLETED IN A TIMELY MANNER SUCH THAT THE PROGRAM OF THE WORKS IS NOT DELAYED SHOULD A CLASH OCCUR.
5. IF THERE ARE CLASHES WITH PROPOSED SERVICES THEN THE SUPERINTENDENT SHALL BE IMMEDIATELY NOTIFIED SO THAT A COURSE OF ACTION CAN BE DETERMINED WITH THE CONTRACTOR AND THE RELEVANT SERVICE AUTHORITIES.
6. IF THE CONTRACTOR DOES NOT FOLLOW THIS PROCESS THEN NO EXTENSION OF TIMES WILL BE GRANTED FOR ANY DELAYS ARISING OUT OF THE CLASH.

SITE CLEARING:

1. CLEAR LANEWAYS AND SERVICE ALIGNMENTS AS REQUIRED. ALL VEGETATION LOCATED OUTSIDE THESE ZONES SHALL BE PROTECTED.

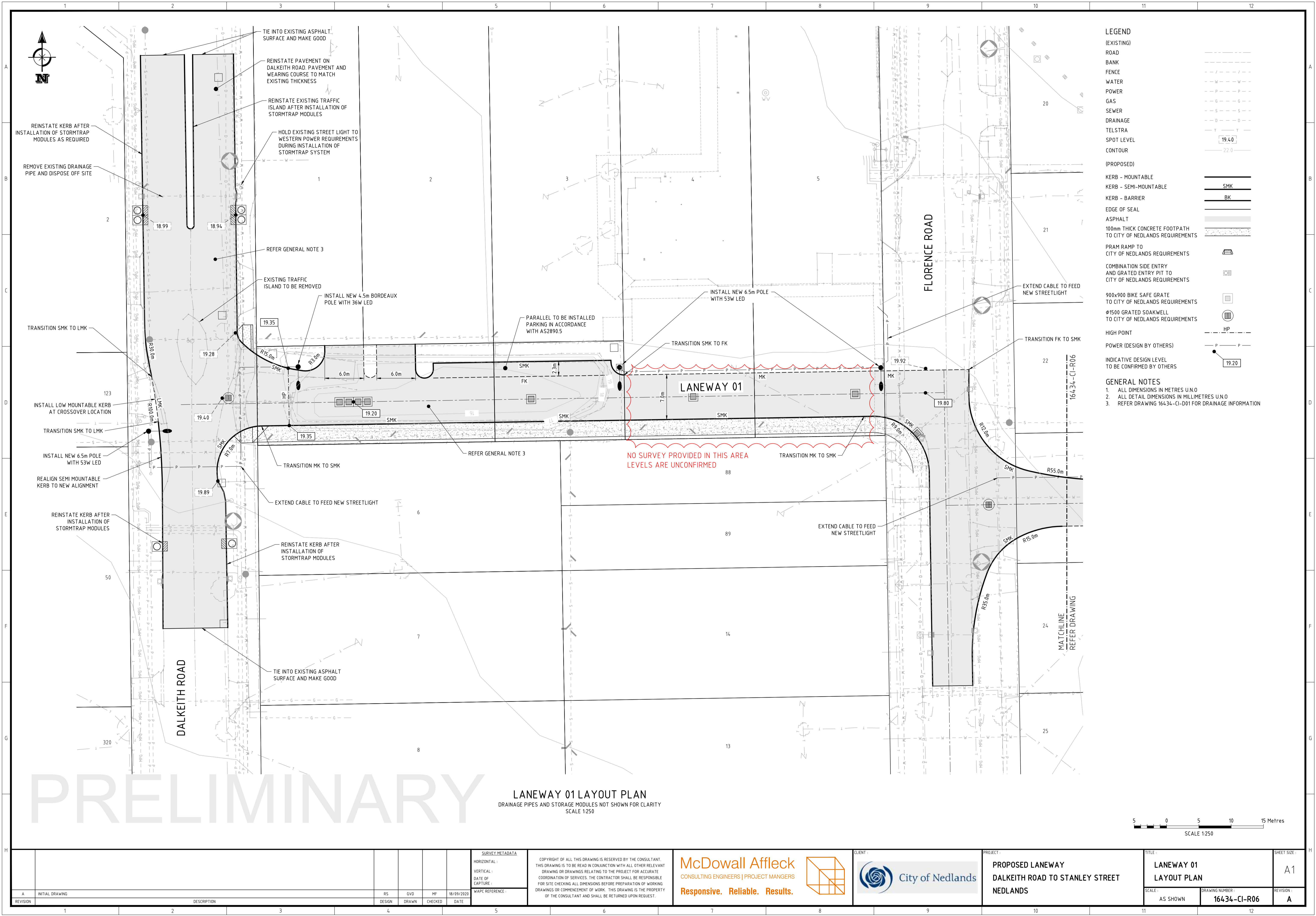
LIST OF DRAWINGS

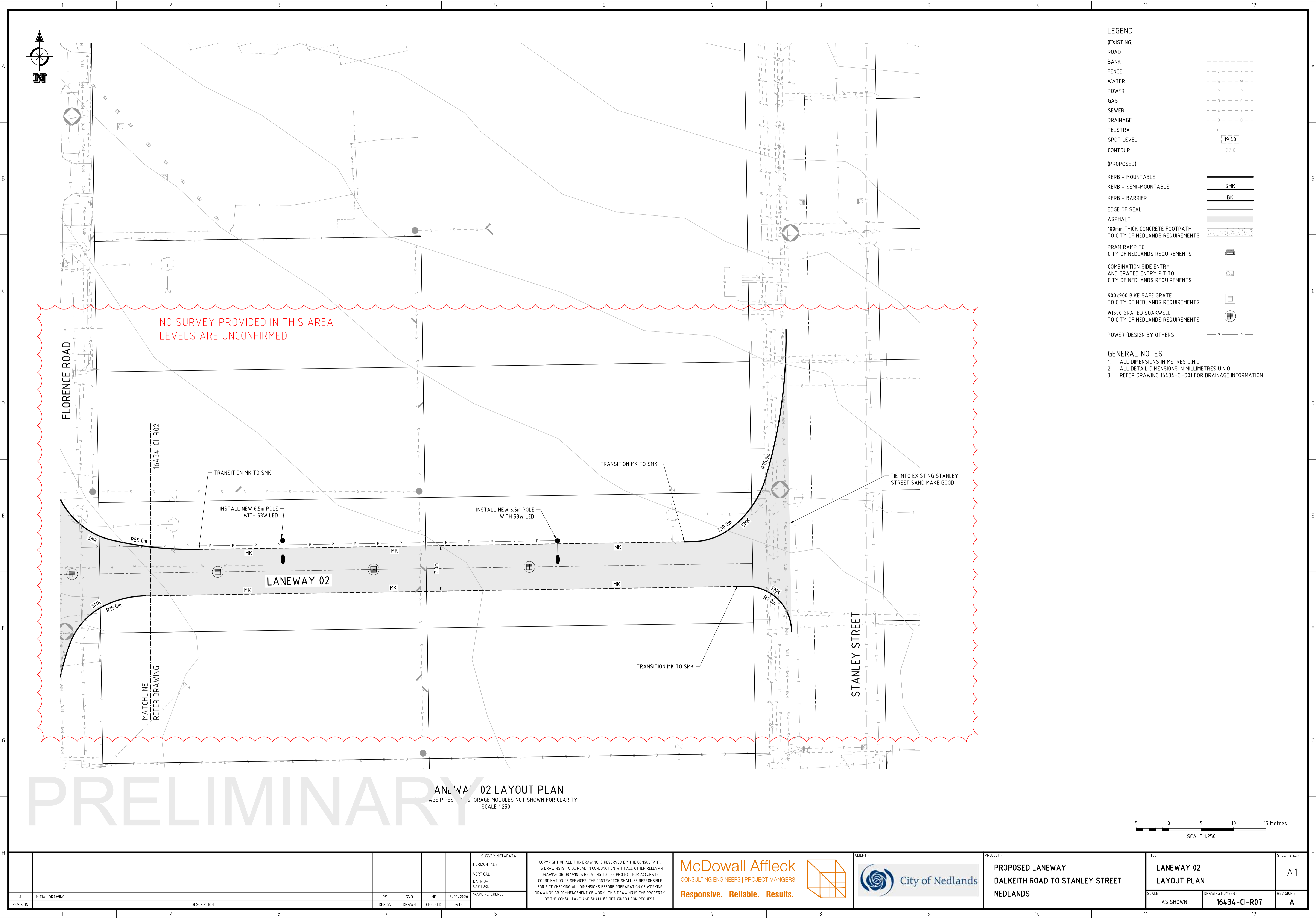
- | | |
|--------------|-----------------------------------|
| 16434-CI-G01 | LOCALITY PLAN |
| 16434-CI-D01 | DRAINAGE LAYOUT PLAN SHEET 1 OF 2 |
| 16434-CI-D02 | DRAINAGE LAYOUT PLAN SHEET 2 OF 2 |
| 16434-CI-D03 | DRAINAGE CATCHMENT PLAN |
| 16434-CI-R06 | LANEWAY 01 LAYOUT PLAN |
| 16434-CI-R07 | LANEWAY 02 LAYOUT PLAN |
| 16434-CI-R08 | ROAD AND DRAINAGE DETAILS |

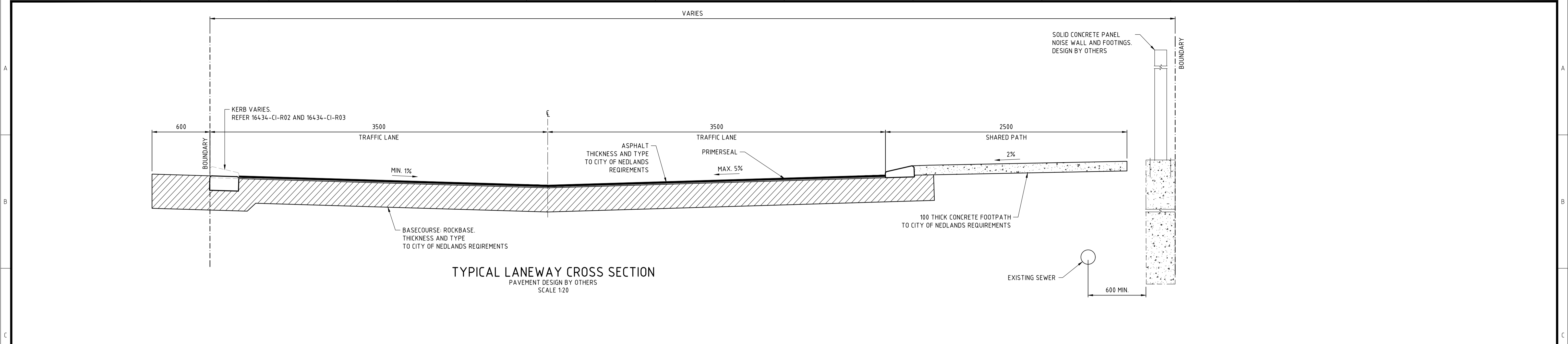
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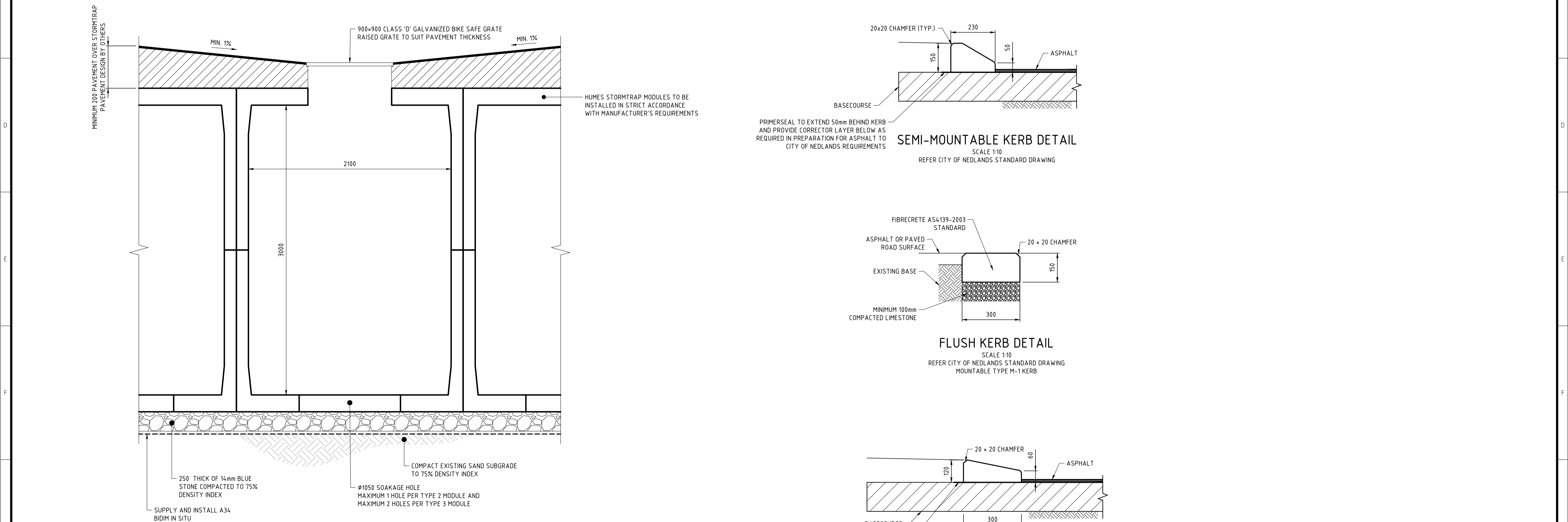
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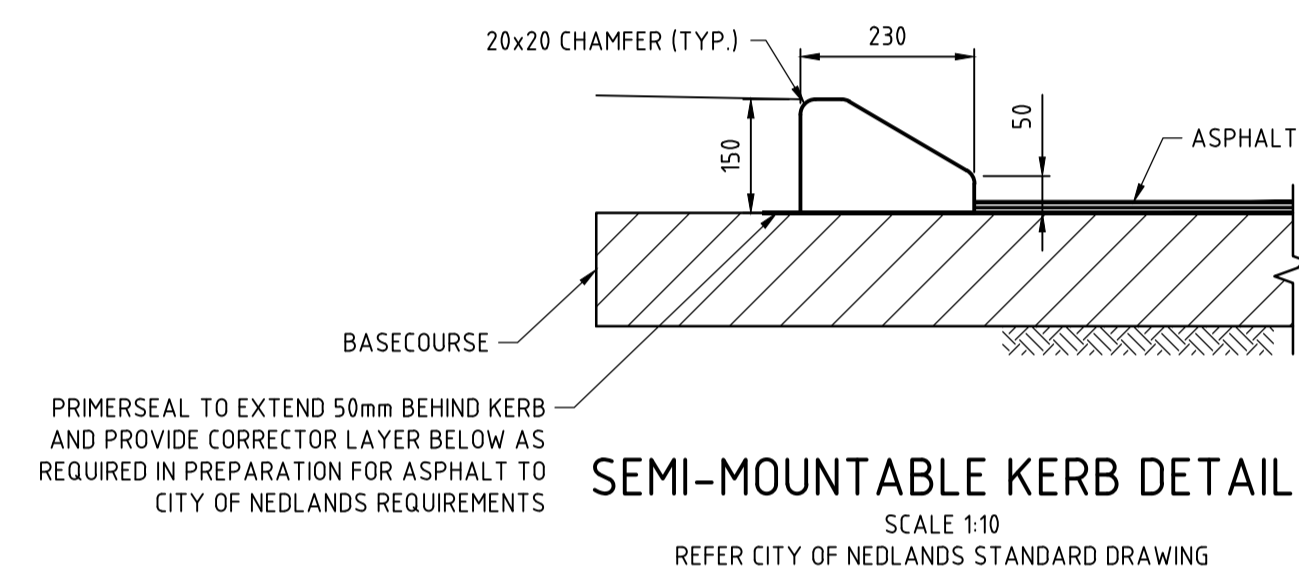




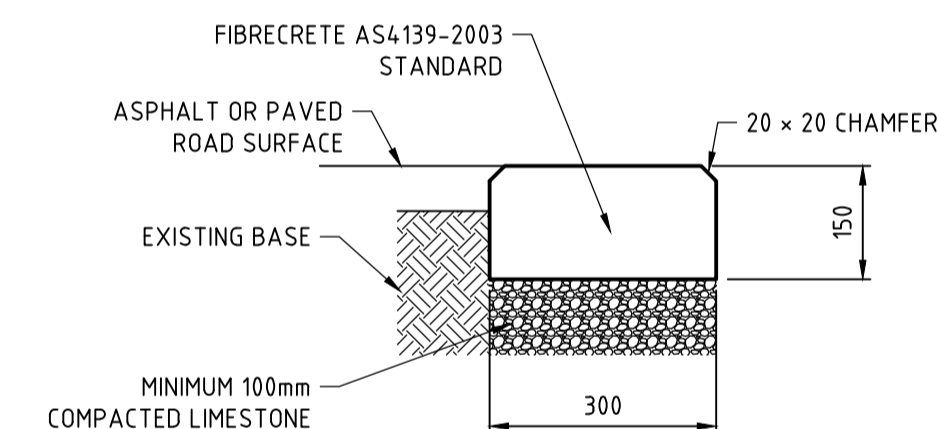
TYPICAL LANEWAY CROSS SECTION



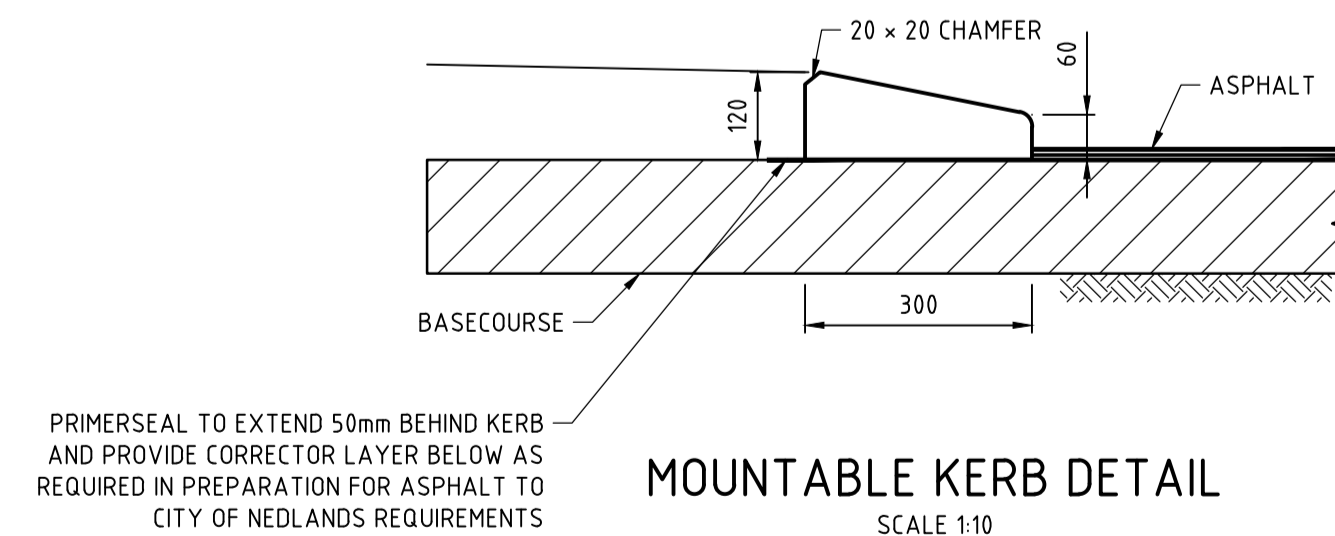
TYPICAL STORMTRAP UNDER PAVEMENT DETAIL



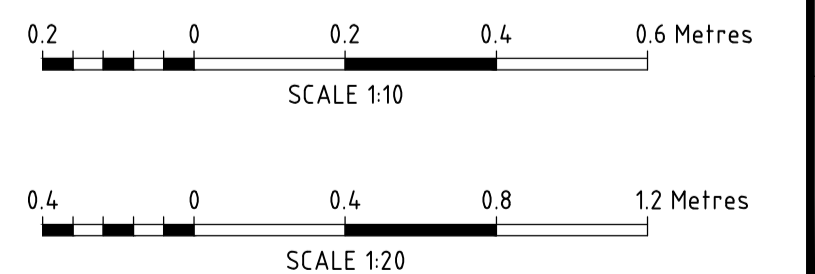
SEMI-MOUNTABLE KERB DETAIL
SCALE 1:10
REFER CITY OF NEDLANDS STANDARD DRAWING





FLUSH KERB DETAIL
SCALE 1:10
REFER CITY OF NEDLANDS STANDARD DRAWING
MOUNTABLE TYPE M-1 KERB



MOUNTABLE KERB DETAIL
SCALE 1:10
REFER CITY OF NEDLANDS STANDARD DRAWING



						SURVEY METADATA		COPYRIGHT OF ALL THIS DRAWING IS RESERVED BY THE CONSULTANT. THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL OTHER RELEVANT DRAWING OR DRAWINGS RELATING TO THE PROJECT FOR ACCURATE COORDINATION OF SERVICES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR SITE CHECKING ALL DIMENSIONS BEFORE PREPARATION OF WORKING DRAWINGS OR COMMENCEMENT OF WORK. THIS DRAWING IS THE PROPERTY OF THE CONSULTANT AND SHALL BE RETURNED UPON REQUEST.		McDowall Affleck CONSULTING ENGINEERS PROJECT MANAGERS				CLIENT : 		PROJECT : PROPOSED LANEWAY DALKEITH ROAD TO STANLEY STREET NEDLANDS		TITLE : ROADS AND DRAINAGE DETAILS		SHEET SIZE : A1			
B	GENERAL AMENDMENT	RS	AD	MF	2/12/2020	HORIZONTAL : VERTICAL : DATE OF CAPTURE																	
A	INITIAL DRAWING	RS	GVD	MF	18/09/2020	WAPC REFERENCE :																	
REVISION	DESCRIPTION	DESIGN	DRAWN	CHECKED	DATE													SCALE : SCALE		DRAWING NUMBER : 16434-CI-R08		REVISION : B	



City of Nedlands
PO Box 9
Nedlands WA 6909

Attention: James Cresswell

Dear James,

OPINION OF PROBABLE COSTS - PROPOSED LANEWAY – DALKEITH ROAD – STANLEY STREET, NEDLANDS

Thank you for engaging us as your Engineering Consultants for this project.

Further to your request we submit our Opinion of Probable Cost (OPC) for the proposed laneway from Dalkeith Road to Stanley Street, Nedlands.

As no WAPC approval is available, we have based our OPC on our experience from similar projects, being earthworks, roads, drainage, sewer, water, gas, underground power and telecommunications.

We have obtained some information pertaining to the requirements for the earthworks, roadworks and road drainage from the City of Nedlands.

ALLOWANCES

Preliminaries

We have allowed for Contractors preliminaries for the contract and construction to cover items such as mobilisation/demobilisation, supervision, insurances, survey, site facilities, dust management etc.

Earthworks

Based on the Geological Survey Maps of Perth the site consists of Sand “pale and olive yellow, medium to coarse grained, sub-angular to sub-rounded quartz, trace of feldspar, moderately sorted, of residual origin”.

The assumed soil conditions and final earthworks design will be subject to a Geotechnical Investigation and report for the site.

Roadwork's

We have allowed for the following:

- 7.0m wide kerbed and asphalt road for the laneway and upgraded intersections.
- 2.5m wide footpath along Laneway 1.
- Crossovers to City of Nedland's Standards.
- New intersections with Dalkeith Road, Florence Road and Stanley Street.
- We have allowed constructing the roads to more or less follow the existing topography and tie into the existing road and boundary levels at either end of the sites.



Drainage

We have allowed for the following:

- All the internal roads to be drained by way of drainage structures with the outlet into proposed Stormtraps or disposed of via infiltration.
- Soakwells.
- Underground storage.

Service Providers

We have allowed for the following:

- Provision of underground power to Western Power requirements and installation of street lighting to City/Shire requirements.

Authority Charges

We have allowed for the following:

- Local Authority Inspection Fees
- Western Power Design Information Package (DIP) and Conformance Review

Contingency

Please note that we have included a contingency of 10% of the construction costs for unknowns.

Consulting Fees

We have made an allowance for the following:

- Engineering fees (Tendering and Superintendence)
- Underground Power and Telecommunication Pit and Pipe Design fees
- Geotechnical Investigation and reports

Not allowed for

We have made no allowance for the following:

- Boundary/estate fencing other than that likely to be required under the conditions of subdivision. You may wish to investigate the merit of these issues and costs with your marketing people.
- Noise Wall (Outside of Scope).
- Design and construction of new sewer reticulation.
- Design and construction of new water reticulation.
- Provision for new telecommunication pit and pipe and cable installation to NBN or Telstra requirements.
- Provision for gas reticulation common trenching, with supply of pipe and installation by ATCO Gas Australia through their approved contractors.
- Water Corporation headworks for water, sewerage and drainage.
- Local Authority Scheme Costs.
- Department of Education Contributions.



- Surveying.
- Planning.
- Acid Sulphate Soils investigation and implementation of an Acid Sulphate Soils Management Plan.
- Asbestos removal and remediation.
- Landscaping Plans and implementation thereof.
- Legal fees for preparation of legal documents
- Traffic Study.
- Public Open Space contribution.
- Rock Excavation.
- Upgrading of existing infrastructure such as underground power, roads, drainage, water, sewer etc.
- Council 5% maintenance fees as these fees are refundable after 12 months
- GST

DEGREE OF ACCURACY

The rates used in our estimate are based on recent prices obtained from contractors for similar works and on current market conditions.

Please note that we currently only have DBYD service information its not known where services are actually located until service locating and potholing occurs. Depending on where existing services are located and available clearance to sheet piling to regulatory authority standards which could dramatically affect the service alterations cost.

Please note that as the development approval and WAPC conditions, development design and approvals and a feature survey for this development are not yet available, there is a degree of uncertainty associated with the estimate. Therefore, we advise that the actual development costs could be within $\pm 35\%$ of our estimated costs.

CLOSURE

We trust this is as you require.

If you have any questions, please call me on 9274 6444.

Yours faithfully

Rob Smith | Principal Civil Engineer | McDowall Affleck Pty Ltd | ABN: 23 009 033 345 |

T: +61 8 9274 6444 | F: +61 8 9250 3433 | E: rsmith@mapl.net.au | www.mcdowallaffleck.com.au |

13 October 2020

Enclosures: Opinion of Probable Costs

Item 13.13 - Attachment 2

OPINION OF PROBABLE COSTS

To be read in conjunction with Opinion of Probable Costs Report.

McDowall Affleck

CONSULTING ENGINEERS | PROJECT MANAGERS

Responsive. Reliable. Results.



JOB TITLE	Proposed Laneway	JOB NUMBER	16434
JOB LOCATION	Dalkeith Rd to Stanley St, Nedlands	PROJECT MANAGER	MF
CLIENT	City of Nedlands	DATE	13/10/2020
		REVISION	1
		Overall	
COST SUMMARY		TOTAL COST	
A CONSTRUCTION			
Dalkeith Road			
Preliminaries		\$242,750	
Earthworks		\$312,075	
Roadworks		\$88,075	
Drainage		\$560,935	
Contingency (10%)		\$120,384	
Laneway 1			
Preliminaries	Included in Dalkeith Road		
Earthworks		\$337,510	
Roadworks		\$73,385	
Drainage		\$889,900	
Contingency (10%)		\$130,080	
Florence Road			
Preliminaries	Included in Dalkeith Road		
Earthworks		\$14,710	
Roadworks		\$67,260	
Drainage		\$18,086	
Contingency (10%)		\$10,006	
Laneway 2			
Preliminaries	Included in Dalkeith Road		
Earthworks		\$121,018	
Roadworks		\$69,795	
Drainage		\$24,204	
Contingency (10%)		\$21,502	
SUB TOTAL CONSTRUCTION		\$ 3,101,673	
B AUTHORITY CHARGES			
Local Authority Inspection Fees		\$10,437	
Western Power DIP and Conformance Review (allowance only)		\$15,000	
SUB TOTAL AUTHORITY CHARGES		\$ 25,437	
C PROFESSIONAL FEES			
Engineering Fees (Tendering and Superintendence)		\$90,000	
Electrical and Telecommunication Pit and Pipe Fees (Design and Inspection)		\$10,000	
Geotechnical Investigation and Report		\$10,000	
SUB TOTAL PROFESSIONAL FEES		\$ 110,000	
TOTAL COSTS (EXCLUSIVE OF GST)		\$ 3,237,111	



Proposed Laneway
Dalkeith Rd, Nedlands
Number of Lots

0

Item No.	Description	Units	Quantity	Rate	Amount
1	PRELIMINARIES				
	Preliminaries				
	Mobilisation	Item	1	\$10,000.00	\$10,000.00
	Demobilisation	Item	1	\$10,000.00	\$10,000.00
	Insurances	Item	1	\$18,000.00	\$18,000.00
	BCITF Levy	Item	1	\$2,500.00	\$2,500.00
	Survey and Set Out	Week	16	\$1,000.00	\$16,000.00
	Locate existing services	Item	1	\$15,000.00	\$15,000.00
	Supervision	Week	16	\$2,750.00	\$44,000.00
	Site facilities	Week	16	\$1,500.00	\$24,000.00
	Traffic Management	Item	4	\$12,500.00	\$50,000.00
	Site Management	Week	16	\$1,000.00	\$16,000.00
	Dust Management	Week	16	\$500.00	\$8,000.00
	Construction Water	Item	1	\$2,500.00	\$2,500.00
	Site Fencing	Item	1	\$4,000.00	\$4,000.00
	Dilapidation Surveys and Report	No	35	\$650.00	\$22,750.00
	Total Preliminaries				\$242,750.00
2	EARTHWORKS				
	Earthworks				
	Clearing of existing Dalkeith Road including asphalt and basecourse	sqm	1300	\$7.00	\$9,100.00
	Strip 100 topsoil to stockpile	sqm	710	\$3.50	\$2,485.00
	Proof Rolling	sqm	1300	\$0.20	\$260.00
	Cut to spoil and remove from site	cu m	1311	\$30.00	\$39,330.00
	Sheet Piling	Lm	160	\$1,350.00	\$216,000.00
	Respread 100 topsoil and final trim	sqm	600	\$2.00	\$1,200.00
	Miscellaneous				
	Protect existing structures in private property and/or road reserve	Item	1	\$5,000.00	\$5,000.00
	Restoration to existing road reserves and private property	Item	1	\$5,000.00	\$5,000.00



Item No.	Description	Units	Quantity	Rate	Amount
Provisional Items					
	Soil stabilisation	sqm	600	\$0.50	\$300.00
	Testing	Item	1	\$1,000.00	\$1,000.00
	Service alterations	Item	1	\$30,000.00	\$30,000.00
	Provide water cart complete (For out of hours work only as directed by superintendent)	hrs	40	\$60.00	\$2,400.00
Total Earthworks					\$312,075.00
3	ROADWORKS				
	Roadworks				
	Subgrade preparation	sqm	1400	\$4.00	\$5,600.00
	250 Gravel basecourse	sqm	1400	\$12.00	\$16,800.00
	Primerseal	sqm	1200	\$5.00	\$6,000.00
	40 thick Asphalt	sqm	1200	\$18.00	\$21,600.00
	Kerbing - Low Mountable	Lm	10	\$18.00	\$180.00
	Kerbing - Semi Mountable	Lm	220	\$22.00	\$4,840.00
	Extra over for keying	Lm	80	\$9.00	\$720.00
	Tie into existing roads	Item	2	\$1,650.00	\$3,300.00
	Median Islands				
	Reinstatement of Median Islands	sqm	35	\$75.00	\$2,625.00
	Removal of existing traffic island and tree	sqm	35	\$60.00	\$2,100.00
	Footpaths				
	Pedestrian Ramp Complete	No	2	\$975.00	\$1,950.00
	Tactile Markers	No	12	\$25.00	\$300.00
	Miscellaneous				
	Street name signs	No.	1	\$400.00	\$400.00
	Hazard Boards	No.	1	\$600.00	\$600.00
	Extension of Streetlight Cable	Lm	45	\$18.00	\$810.00
	6.5m Pole with 53W LED	No.	1	\$1,200.00	\$1,200.00
	4.5m Bordeaux Pole wit 36W LED	No.	1	\$1,000.00	\$1,000.00
	Protect existing structures in private property and/or road reserve	Item	1	\$1,250.00	\$1,250.00
	Restoration to existing road reserves and private property	Item	1	\$1,250.00	\$1,250.00
	Sweep all roads prior to end of 12 monthly defects and maintenance inspection	Item	1	\$550.00	\$550.00
	Provisional Items				
	Testing	Item	1	\$5,000.00	\$5,000.00
	Service alterations	Item	1	\$5,000.00	\$5,000.00
	As constructed roadwork's survey by Principals Surveyor	Item	1	\$2,500.00	\$2,500.00
	As constructed roadwork's drawing for Council by McDowall Affleck	Item	1	\$2,500.00	\$2,500.00
Total Roadworks					\$88,075.00
4	DRAINAGE				
	Drainage Pipes - Excavation				
	0-2 m deep	Lm	50	\$60.00	\$3,000.00
	Remove excess / unsuitable material from site	cum	5	\$22.00	\$110.00

Item 13.13 - Attachment 2



Item No.	Description	Units	Quantity	Rate	Amount
Drainage Pipes - Supply, bed, lay and backfill					
	300 dia class 2	Lm	5	\$65.00	\$325.00
	375 dia class 2	Lm	5	\$90.00	\$450.00
	450 dia class 2	Lm	15	\$120.00	\$1,800.00
	525 dia class 2	Lm	35	\$140.00	\$4,900.00
Drainage Structures - Excavate, Supply and Install					
	Side entry pits	No.	6	\$2,100.00	\$12,600.00
	Conversion of existing side entry pit to 1500 dia grated soakwell	No.	1	\$1,200.00	\$1,200.00
	Stormtrap	m3	1640	\$320.00	\$524,800.00
Miscellaneous					
	Connection into existing Council drainage system	No.	3	\$450.00	\$1,350.00
	Removal of existing drainage pipe and dispose offsite'	Lm	15	\$60.00	\$900.00
	Flush and clean out all drainage pipes and structures prior to end of 12 monthly defects and maintenance period inspection inspection	Item	1	\$2,000.00	\$2,000.00
	Protect existing structures in private property and/or road reserve	Item	1	\$1,250.00	\$1,250.00
	Restoration to existing road reserves and private property	Item	1	\$1,250.00	\$1,250.00
Provisional Items					
	As constructed drainage survey by Principals Surveyor	Item	1	\$2,500.00	\$2,500.00
	As constructed drainage drawing for Council by McDowall Affleck	Item	1	\$2,500.00	\$2,500.00
Total Drainage					\$560,935.00
Contingency 10% of construction Costs			Total	\$1,203,835.00	10%
					\$120,383.50
					\$1,324,218.50



Proposed Laneway
Laneway 01, Nedlands
Number of Lots

0

Item No.	Description	Units	Quantity	Rate	Amount
1	PRELIMINARIES				
	Preliminaries				
	Mobilisation	Item			Included in Dalkeith Rd
	Demobilisation	Item			Included in Dalkeith Rd
	Insurances	Item			Included in Dalkeith Rd
	BCITF Levy	Item			Included in Dalkeith Rd
	Survey and Set Out	Week			Included in Dalkeith Rd
	Supervision	Week			Included in Dalkeith Rd
	Site facilities	Week			Included in Dalkeith Rd
	Traffic Management	Item			Included in Dalkeith Rd
	Site Management	Week			Included in Dalkeith Rd
	Dust Management	Week			Included in Dalkeith Rd
	Construction Water	Item			Included in Dalkeith Rd
	Site Fencing	Item			Included in Dalkeith Rd
	Dilapidation Surveys and Report	No			Included in Dalkeith Rd
	Total Preliminaries				\$0.00
2	EARTHWORKS				
	Earthworks				
	Clearing	sqm	1300	\$7.00	\$9,100.00
	Dispose of unusable or unsuitable material offsite	sqm	1300	\$22.00	\$28,600.00
	Removal of existing buildings	Item	1	\$40,000.00	\$40,000.00
	Proof Rolling	sqm	1300	\$0.20	\$260.00
	Cut to spoil and remove from site	cu m	1360	\$30.00	\$40,800.00
	Respread 100 topsoil and final trim	sqm	140	\$2.00	\$280.00
	Sheet Piling	Lm	150	\$1,350.00	\$202,500.00
	Miscellaneous				
	Protect existing structures in private property and/or road reserve	Item	1	\$1,250.00	\$1,250.00
	Restoration to existing road reserves and private property	Item	1	\$1,250.00	\$1,250.00

Item 13.13 - Attachment 2



Item No.	Description	Units	Quantity	Rate	Amount
Provisional Items					
	Soil stabilisation	sqm	140	\$0.50	\$70.00
	Testing	Item	1	\$1,000.00	\$1,000.00
	Service alterations	Item	1	\$10,000.00	\$10,000.00
	Provide water cart complete (For out of hours work only as directed by superintendent)	hrs	40	\$60.00	\$2,400.00
Total Earthworks					\$337,510.00
3	ROADWORKS				
	Roadworks				
	Subgrade preparation	sqm	920	\$4.00	\$3,680.00
	250 Gravel basecourse	sqm	920	\$12.00	\$11,040.00
	Primerseal	sqm	830	\$5.00	\$4,150.00
	40 thick Asphalt	sqm	830	\$18.00	\$14,940.00
	Kerbing - Mountable	Lm	40	\$18.00	\$720.00
	Kerbing - Semi Mountable	Lm	150	\$22.00	\$3,300.00
	Extra over for keying	Lm	35	\$9.00	\$315.00
	Crossovers Complete	No	2	\$1,000.00	\$2,000.00
	Tie into existing roads	Item	2	\$1,650.00	\$3,300.00
	Footpaths				
	2.5m wide footpath	Lm	100	\$110.00	\$11,000.00
	Miscellaneous				
	Street name signs	No.	1	\$400.00	\$400.00
	Hazard Boards	No.	1	\$600.00	\$600.00
	Parking Signs and Lines	Item	1	\$1,500.00	\$1,500.00
	Streetlight Cable	Lm	55	\$18.00	\$990.00
	6.5m Pole with 53W LED	Item	2	\$1,200.00	\$2,400.00
	Protect existing structures in private property and/or road reserve	Item	1	\$1,250.00	\$1,250.00
	Restoration to existing road reserves and private property	Item	1	\$1,250.00	\$1,250.00
	Sweep all roads prior to end of 12 monthly defects and maintenance inspection	Item	1	\$550.00	\$550.00
	Provisional Items				
	Testing	Item	1	\$5,000.00	\$5,000.00
	As constructed roadwork's survey by Principals Surveyor	Item	1	\$2,500.00	\$2,500.00
	As constructed roadwork's drawing for Council by McDowall Affleck	Item	1	\$2,500.00	\$2,500.00
Total Roadworks					\$73,385.00
4	DRAINAGE				
	Drainage Structures - Excavate, Supply and Install				
	Gully grates	No.	7	\$1,600.00	\$11,200.00
	Stormtraps	m3	2715	\$320.00	\$868,800.00
	Miscellaneous				
	Connection into existing Council drainage system	No.	2	\$450.00	\$900.00
	Flush and clean out all drainage pipes and structures prior to end of 12 monthly defects and maintenance period inspection inspection	Item	1	\$1,500.00	\$1,500.00
	Protect existing structures in private property and/or road reserve	Item	1	\$1,250.00	\$1,250.00
	Restoration to existing road reserves and private property	Item	1	\$1,250.00	\$1,250.00
	Provisional Items				
	As constructed drainage survey by Principals Surveyor	Item	1	\$2,500.00	\$2,500.00
	As constructed drainage drawing for Council by McDowall Affleck	Item	1	\$2,500.00	\$2,500.00
Total Drainage					\$889,900.00
Contingency 10% of construction Costs			Total	\$1,300,795.00	10%
					\$130,079.50
					\$1,430,874.50



Proposed Laneway
Florence Rd, Nedlands
Number of Lots

0

Item No.	Description	Units	Quantity	Rate	Amount
1	PRELIMINARIES				
	Preliminaries				
	Mobilisation	Item			Included in Dalkeith Rd
	Demobilisation	Item			Included in Dalkeith Rd
	Insurances	Item			Included in Dalkeith Rd
	BCITF Levy	Item			Included in Dalkeith Rd
	Survey and Set Out	Week			Included in Dalkeith Rd
	Supervision	Week			Included in Dalkeith Rd
	Site facilities	Week			Included in Dalkeith Rd
	Traffic Management	Item			Included in Dalkeith Rd
	Site Management	Week			Included in Dalkeith Rd
	Dust Management	Week			Included in Dalkeith Rd
	Construction Water	Item			Included in Dalkeith Rd
	Site Fencing	Item			Included in Dalkeith Rd
	Dilapidation Surveys and Report	No			Included in Dalkeith Rd
	Total Preliminaries				\$0.00
2	EARTHWORKS				
	Earthworks				
	Clearing	sqm	300	\$7.00	\$2,100.00
	Dispose of unusable or unsuitable material offsite	sqm	300	\$22.00	\$6,600.00
	Proof Rolling	sqm	300	\$0.20	\$60.00
	Miscellaneous				
	Protect existing structures in private property and/or road reserve	Item	1	\$1,250.00	\$1,250.00
	Restoration to existing road reserves and private property	Item	1	\$1,250.00	\$1,250.00

Item 13.13 - Attachment 2



Item No.	Description	Units	Quantity	Rate	Amount
Provisional Items					
	Testing	Item	1	\$1,000.00	\$1,000.00
	Service alterations	Item	1	\$1,250.00	\$1,250.00
	Provide water cart complete (For out of hours work only as directed by superintendent)	hrs	20	\$60.00	\$1,200.00
Total Earthworks					\$14,710.00
3	ROADWORKS				
Roadworks					
	Subgrade preparation	sqm	500	\$4.00	\$2,000.00
	250 Gravel basecourse	sqm	500	\$12.00	\$6,000.00
	Primerseal	sqm	500	\$5.00	\$2,500.00
	40 thick Asphalt	sqm	500	\$18.00	\$9,000.00
	Kerbing - Mountable	Lm	15	\$18.00	\$270.00
	Kerbing - Semi Mountable	Lm	90	\$22.00	\$1,980.00
	Extra over for keying	Lm	40	\$9.00	\$360.00
	Tie into existing roads	Item	4	\$1,650.00	\$6,600.00
Footpaths					
	2.5m wide footpath	Lm	10	\$110.00	\$1,100.00
Miscellaneous					
	Street name signs	No.	2	\$400.00	\$800.00
	Hazard Boards	No.	1	\$600.00	\$600.00
	Protect existing structures in private property and/or road reserve	Item	1	\$1,250.00	\$1,250.00
	Restoration to existing road reserves and private property	Item	1	\$1,250.00	\$1,250.00
	Sweep all roads prior to end of 12 monthly defects and maintenance inspection	Item	1	\$550.00	\$550.00
Provisional Items					
	Testing	Item	1	\$3,000.00	\$3,000.00
	Service alterations	Item	1	\$25,000.00	\$25,000.00
	As constructed roadwork's survey by Principals Surveyor	Item	1	\$2,500.00	\$2,500.00
	As constructed roadwork's RSPEC and drawing for Council by McDowall Affleck	Item	1	\$2,500.00	\$2,500.00
Total Roadworks					\$67,260.00
4	DRAINAGE				
Drainage Pipes - Excavation					
	0-2 m deep	Lm	30	\$60.00	\$1,800.00
	Remove excess / unsuitable material from site	cum	3	\$22.00	\$66.00

Item 13.13 - Attachment 2



Item No.	Description	Units	Quantity	Rate	Amount
Drainage Pipes - Supply, bed, lay and backfill					
	375 dia class 2	Lm	5	\$90.00	\$450.00
	450 dia class 2	Lm	16	\$120.00	\$1,920.00
	525 dia class 2	Lm	10	\$140.00	\$1,400.00
Drainage Structures - Excavate, Supply and Install					
	Conversion of side entry pit to gully grate	No.	1	\$1,200.00	\$1,200.00
	Gully Grate Soakwells	No.	1	\$2,100.00	\$2,100.00
Miscellaneous					
	Connection into existing Council drainage system	No.	1	\$450.00	\$450.00
	Flush and clean out all drainage pipes and structures prior to end of 12 monthly defects and maintenance period inspection inspection	Item	1	\$1,200.00	\$1,200.00
	Protect existing structures in private property and/or road reserve	Item	1	\$1,250.00	\$1,250.00
	Restoration to existing road reserves and private property	Item	1	\$1,250.00	\$1,250.00
Provisional Items					
	As constructed drainage survey by Principals Surveyor	Item	1	\$2,500.00	\$2,500.00
	As constructed drainage drawing for Council by McDowall Affleck	Item	1	\$2,500.00	\$2,500.00
Total Drainage					\$18,086.00
Contingency 10% of construction Costs			Total	\$100,056.00	10%
					\$110,061.60



Proposed Laneway
Laneway 02, Nedlands
Number of Lots

0

Item No.	Description	Units	Quantity	Rate	Amount
1	PRELIMINARIES				
	Preliminaries				
	Mobilisation	Item			Included in Dalkeith Rd
	Demobilisation	Item			Included in Dalkeith Rd
	Insurances	Item			Included in Dalkeith Rd
	BCITF Levy	Item			Included in Dalkeith Rd
	Survey and Set Out	Week			Included in Dalkeith Rd
	Supervision	Week			Included in Dalkeith Rd
	Site facilities	Week			Included in Dalkeith Rd
	Traffic Management	Item			Included in Dalkeith Rd
	Site Management	Week			Included in Dalkeith Rd
	Dust Management	Week			Included in Dalkeith Rd
	Construction Water	Item			Included in Dalkeith Rd
	Site Fencing	Item			Included in Dalkeith Rd
	Dilapidation Surveys and Report	No			Included in Dalkeith Rd
	Total Preliminaries				\$0.00
2	EARTHWORKS				
	Earthworks				
	Clearing	sqm	2200	\$7.00	\$15,400.00
	Strip 100 topsoil to stockpile	sqm	2200	\$3.50	\$7,700.00
	Removal of existing buildings	Item	1	\$60,000.00	\$60,000.00
	Respread 100 topsoil and final trim	sqm	1360	\$22.00	\$29,920.00
	Dispose of unusable or unsuitable material offsite	cu m	84	\$2.00	\$168.00
	Miscellaneous				
	Protect existing structures in private property and/or road reserve	Item	1	\$1,250.00	\$1,250.00
	Restoration to existing road reserves and private property	Item	1	\$1,250.00	\$1,250.00

Item 13.13 - Attachment 2



Item No.	Description	Units	Quantity	Rate	Amount
Provisional Items					
	Soil stabilisation	sqm	1,360	\$0.50	\$680.00
	Testing	Item	1	\$1,000.00	\$1,000.00
	Service alterations	Item	1	\$1,250.00	\$1,250.00
	Provide water cart complete (For out of hours work only as directed by superintendent)	hrs	40	\$60.00	\$2,400.00
Total Earthworks					\$121,018.00
3	ROADWORKS				
	Roadworks				
	Subgrade preparation	sqm	1000	\$4.00	\$4,000.00
	250 Gravel basecourse	sqm	1000	\$12.00	\$12,000.00
	Primerseal	sqm	1000	\$5.00	\$5,000.00
	40 thick Asphalt	sqm	1000	\$18.00	\$18,000.00
	Kerbing - Mountable	Lm	165	\$18.00	\$2,970.00
	Kerbing - Semi Mountable	Lm	75	\$22.00	\$1,650.00
	Extra over for keying	Lm	75	\$9.00	\$675.00
	Tie into existing roads	Item	2	\$1,650.00	\$3,300.00
	Miscellaneous				
	Street name signs	No.	1	\$400.00	\$400.00
	Streetlight Cable	Lm	75	\$18.00	\$1,350.00
	6.5m Pole with 53W LED	Item	2	\$1,200.00	\$2,400.00
	Protect existing structures in private property and/or road reserve	Item	1	\$1,250.00	\$1,250.00
	Restoration to existing road reserves and private property	Item	1	\$1,250.00	\$1,250.00
	Sweep all roads prior to end of 12 monthly defects and maintenance inspection	Item	1	\$550.00	\$550.00
	Provisional Items				
	Testing	Item	1	\$5,000.00	\$5,000.00
	Service alterations	Item	1	\$5,000.00	\$5,000.00
	As constructed roadwork's survey by Principals Surveyor	Item	1	\$2,500.00	\$2,500.00
	As constructed roadwork's drawing for Council by McDowall Affleck	Item	1	\$2,500.00	\$2,500.00
Total Roadworks					\$69,795.00
4	DRAINAGE				
	Drainage Pipes - Excavation				
	0-2 m deep	Lm	70	\$60.00	\$4,200.00
	Remove excess / unsuitable material from site	cum	7	\$22.00	\$154.00

Item 13.13 - Attachment 2



Item No.	Description	Units	Quantity	Rate	Amount
Drainage Pipes - Supply, bed, lay and backfill					
	300 dia class 2	Lm	50	\$65.00	\$3,250.00
	375 dia class 2	Lm	20	\$90.00	\$1,800.00
Drainage Structures - Excavate, Supply and Install					
	Gully Grated Soakwells	No.	3	\$2,100.00	\$6,300.00
Miscellaneous					
	Connection into existing Council drainage system	No.	1	\$450.00	\$450.00
	Flush and clean out all drainage pipes and structures prior to end of 12 monthly defects and maintenance period inspection inspection	Item	1	\$550.00	\$550.00
	Protect existing structures in private property and/or road reserve	Item	1	\$1,250.00	\$1,250.00
	Restoration to existing road reserves and private property	Item	1	\$1,250.00	\$1,250.00
Provisional Items					
	As constructed drainage survey by Principals Surveyor	Item	1	\$2,500.00	\$2,500.00
	As constructed drainage drawing for Council by McDowall Affleck	Item	1	\$2,500.00	\$2,500.00
Total Drainage					\$24,204.00
Contingency 10% of construction Costs			Total	\$215,017.00	10%
					\$21,501.70
					\$236,518.70



Moved – Councillor McManus
Seconded – Councillor Hodsdon

That the meeting be adjourned to reconvene at 9.30am on Thursday 25 February 2021.

**CARRIED 11/1
(Against: Cr. Poliwka)**

The meeting adjourned at 11.16 pm and reconvened at 9.30 am Thursday 25 February 2021 with the following people in attendance:

The Presiding Member declared the meeting open at 9.30 am on Thursday 25 February 2021.

Present and Apologies and Leave of Absence (Previously Approved)

Councillors	Deputy Mayor L J McManus	(Presiding Member)
	Councillor F J O Bennett	Dalkeith Ward
	Councillor A W Mangano	Dalkeith Ward
	Councillor N R Youngman	Dalkeith Ward
	Councillor B G Hodsdon	Hollywood Ward
	Councillor P N Poliwka	Hollywood Ward
	Councillor J D Wetherall	Hollywood Ward
	Councillor R A Coghlan	Melvista Ward
	Vacant	Melvista Ward
	Councillor R Senathirajah	Melvista Ward
	Councillor N B J Horley	Coastal Districts Ward
	Councillor K A Smyth	Coastal Districts Ward

Staff	Mr J Duff	Acting Chief Executive Officer
	Mr A Melville	Director Technical Services
	Mr T G Free	Director Planning & Development
	Mr E K Herne	Director Corporate & Strategy
	Mrs N M Ceric	Executive Officer
	Ms P Panayotou	Executive Manager Community

Public There were 1 member of the public present and 0 online.

Press Nil.

Leave of Absence Nil.
(Previously Approved)

Apologies Nil.

13.14 Local Planning Scheme No. 3 - Local Planning Policy – Fast Food Outlets (Drive-Through)

Council	23 February 2021
Applicant	City of Nedlands
Employee Disclosure under section 5.70 of the Local Government Act 1995 and section 10 of the City of Nedlands Code of Conduct for Impartiality.	Nil. The author, reviewers and authoriser of this report declare they have no financial or impartiality interest with this matter. There is no financial or personal relationship between City staff and the proponents or their consultants. Whilst parties may be known to each other professionally, this relationship is consistent with the limitations placed on such relationships by the Codes of Conduct of the City and the Planning Institute of Australia.
Director	Tony Free – Director Planning and Development
Attachments	1. Draft – Local Planning Policy – Fast Food Outlets (Drive Through)

Regulation 11(da) - Council wished to consider the request from the Community Working Group of 24 February 2021 (as per below) prior to sending this draft LPP out for advertising.

Community Working Group Recommendation to Council:

Request Council consider the following issues when drafting the Fast Food Outlets (with drive through) Local Planning Policy:

- **Built form to fit in with amenity of surrounding area**
- **Landscaping and surface treatments for urban heat issues**
- **Restricted operating hours**
- **Waste Management (limit unpleasant odours)**
- **Distance to single house zoning (400 metres too much?)**
- **No significant increase to local traffic**
- **Distance from schools (400 metres or greater)**
- **Avoid excessive night time lighting.**

Moved – Councillor Youngman
Seconded – Councillor Coghlan

That this item be deferred to the March Meetings.

CARRIED UNANIMOUSLY 11/-

Recommendation to Council

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, Division 2, Clause 4 the Local Planning Policy – Fast-Food Outlets (Drive-Through) provided as Attachment 1.

Executive Summary

The purpose of this report is for Council to prepare (adopt for advertising) the Local Planning Policy – Fast-Food Outlets (Drive-Through) (LPP). The purpose of the LPP is to provide guidance and built form provisions for operators seeking to establish Fast-Food Outlets with a drive-through component within the City of Nedlands.

If Council choose to prepare the LPP, it will be advertised as per the requirements of the City's Local Planning Policy - Consultation of Planning Proposals and the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Discussion/Overview

Local Planning Scheme No. 3 (LPS 3) was gazetted on 16 April 2019. Modifications from the Minister for Planning changed the definition of Fast-Food Outlet that previously applied under former Town Planning Scheme No. 2 (TPS2), being:

“means land and buildings used for the preparation, sale and serving of food to customers in a form ready to be eaten without further preparation primarily off the premises,”

To the new definition in LPS3:

“means premises, including premises with a facility for drive-through service, used for the preparation, sale and serving of food to customers in a form ready to be eaten –

- a) Without further preparation; and
- b) Primarily off the premises.”

Modifications from the Minister for Planning also changed the land use permissibility of Fast Food Outlets from a non-permissible (X use) in all zones except for the Urban Development Zone where it was an AA use under TPS2.

In LPS3 Fast Food Outlet is now a non-permissible use (X use) in the Residential, Local Centre, Service Commercial and Private Community Purposes zones, and a discretionary use requiring advertising (A use) in the

Mixed Use and Neighbourhood Centre zones. In the Urban Development Zone, the permissibility of a Fast Food Outlet is subject to the approval of a structure plan, activity centre plan or local development plan, as per Clause 18(7) of LPS3. There is no land currently zoned Neighbourhood Centre Zone in the City of Nedlands.

At the April 2020 OCM, Administration presented Scheme Amendment No 4 to Council, proposing to prohibit Fast Food Outlets throughout the City. Council did not adopt Scheme Amendment No 4 as it was presented to them, instead modifying the conditions of the Amendment so that the floor space be limited to 200m² NLA and only be permitted on Stirling Highway. The history of this Scheme Amendment is discussed in the Key Relevant Previous Council Decisions section of this report. The City is now preparing Scheme Amendment No 16 at Council's request, which proposes to make Fast Food Outlets a non-permissible ('X') use in all zones except for the Urban Development Zone. Scheme Amendment No 16 is being presented to Council as a separate item at the 23 February 2021 OCM.

Scheme Amendments require the approval of the Western Australian Planning Commission (WAPC). Due to informal advice previously provided to the Council indicating that the Department of Planning, Lands and Heritage (DPLH) does not support the prohibition of an entire use class from a Scheme area within any Local Government Area in Western Australia, this amendment is not anticipated to be ultimately successful. Further to this, as the WAPC has advised the City that it should not progress its strategic programme until Council has endorsed the GAPS analysis plan in conjunction with Administration and DPLH. The GAPS analysis plan is being presented to Council as a separate item at the February 2021 OCM. It is therefore unlikely that Scheme Amendment No 16 will be regarded favorably in terms of its timing, and due to its lack of strategic backing provided by a formalised strategic planning program of works.

In light of this, an LPP may be utilised as an alternative or interim measure to establish the City's preferred position on the built form of Fast-Food Outlets with drive-through components. It must be noted that whilst a LPP may guide the exercise of discretion, its provisions are not mandatory or inflexible as compared to some sections of the Scheme text. However, an LPP is a viable option to formally establish the City's position on the most appropriate built form outcomes for these developments and it will be given due regard by the decision maker.

Local Planning Scheme No 3 – Definition of Fast-Food Outlet

It is important to note that the LPS3 definition of Fast-Food Outlets includes those establishments both with and without a drive through component. The proposed LPP, included as Attachment 1, specifically focuses on those Fast-Food Outlets with a drive-through component. The LPP places emphasis on quality design, built form and landscaping, and in doing so establishes the City's formal position on any future application for a Fast-Food Outlet with a drive-through component within the City.

Draft Local Planning Policy – Fast Food Outlets (Drive-Through) – Key Provisions

Given the October 2020 OCM Resolution which has resulted in the report for Scheme Amendment No. 16 also being presented to Council at the February 2021 OCM, it is acknowledged that it is Council's preference that no Fast-Food Outlets with a drive-through component be established within the City. However, Fast Food Outlets remain an 'A' use within the Mixed Use and Neighbourhood Centre Zones in Table 3 - Zoning Table of LPS3. While this remains the case, there is the potential for Development Applications concerning this Use Class to be approved within the City. An LPP provides a realistic format through which Council may guide the development of Fast-Food Outlets with a drive-through component within the City should such an application be submitted. It also ensures the City's planning framework is prepared for such an application regardless of the outcome of the Scheme Amendment No 16 process.

The LPP places emphasis on several design and amenity aspects including:

Location

The LPP includes locational criteria which stipulates that Fast Food Outlets with a drive-through component are discouraged on Broadway, Hampden Road and Waratah Avenue. The LPP also designates corner sites as the preferred location, to allow for one way vehicle access and egress to the sites.

Built Form

- Streetscape Character

Fast-Food Outlets may be considered in the Mixed-Use Zone, and the objectives of this Zone determine the built form that a Fast-Food Outlet should be permitted to take within the City. Any Fast-Food Outlet is required to be part of a development that includes a significant residential land use component. The land uses within this development must be compatible with each other, and therefore high-quality design will be required to ensure that this can be achieved where a Fast-Food Outlet is proposed.

- Building typology, height and setbacks

Considering the objectives of the Mixed-Use Zone, a standalone Fast-Food Outlet with a drive-through component is not supported by the City unless it is incorporated into a larger development providing a significant residential land use component.

However, if a standalone Fast-Food Outlet with a drive-through component is proposed, the LPP requires it to be no more than two storeys in height and be in keeping with the character of the surrounding streetscape through elements including building and roof form, setbacks, design details and colours and materials. A Clause concerning a stand-alone building have been included in

the LPP as several Development Applications that the City has received in the Mixed-Use zones have been of a format that does not include a residential component. This fact has not prevented the development from being capable of approval by the Joint Development Assessment Panel. The LPP seeks to provide formal comment on the preferred style of development of a stand-alone development format to ensure that all potential outcomes are considered, and a standard is established.

- Landscaping

The LPP includes landscaping requirements that are intended to soften the built form of a potential Fast Food Outlet development, assisting in mitigating the impacts of such a development on the amenity of the surrounding area. Landscaping will be used as a buffer between the vehicle access ways of the development and the neighbouring lots, with a minimum of a 2.0m wide landscaping strip required between drive-through facilities and the neighbouring lot boundaries.

Development should be designed to retain significant trees and mature trees on site.

The LPP includes a definition for significant trees which is as per the National Trust of Australia's definition. Significant trees are those that have a particular horticultural, social, historic or aesthetic significance. A definition of mature trees has also been provided. This definition is in accordance with that used by the City of Stirling and defines mature trees as those which require at least a 90 litre container, is at least 2 metres in height and at least 2 years old.

At least one medium tree is to be provided per every four car parking bays, with the definition of medium trees being as per SPP 7.3 - R-Codes Volume 2. Landscaping will be a key component in contributing to the beautification of a Fast-Food Outlet and will contribute to the capacity of this style of development being consistent with the future desired character of the Nedlands portion of Stirling Highway.

- Car and Bicycle Parking

The LPP stipulates that car parking requirements will be as per the City's LPP-Parking. This is a requirement of 1 per 2.6m² of restaurant seating area or 1 per 2 persons (whichever is greater). The proposed development will also be required to provide bicycle parking and end-of-trip facilities at a rate of 0.1 spaces per 1 seat for patrons and long-term bicycle parking bays at 0.1 spaces per 1 staff member in accordance with the standards set by AS 2890.3 Bicycle Parking Facilities and Austroads Part 14 – Bicycles.

Amenity

The overarching intent of the LPP is to mitigate the impact that a Fast-Food Outlet with a drive-through may have on the amenity of the established surrounding area. The LPP seeks to preserve amenity through the application

of State and Local Planning Policies. It also requires the submission of relevant technical reports with Development Applications, which include those that consider pollution from light, noise, fumes, odours, dust, vibration, electrical interference, wastewater, or any other form of pollution which may be undesirable in or abutting residential areas.

As well as the built form aspects discussed above, the LPP also seeks to manage aspects of development that are of particular concern in terms of amenity impact, such as advertising signage, waste management and traffic impact. These aspects of development will be dealt with as per standard large scale Development Applications, but some clauses of particular note are:

- Clause 6.7.2 – Where a drive-through facility is provided, the on-site queue accessway shall be sufficient to accommodate a minimum of 10 vehicles (measured from the pick-up-point). This accessway must not obstruct access to car parking spaces and must not extend onto the external roadway.

This Clause ensures that limited vehicle overflow shall occur onto the public road when vehicles are queuing at the drive-through windows of the Fast-Food Outlet.

- Clause 6.9.2 - Advertising Signage should where possible be incorporated into the building design and not cause unreasonable adverse amenity impacts including visually and via light spill to adjoining residential properties.

This Clause deal with the potential for signage to be proposed that is freestanding and visually obtrusive. The LPP indicates that the City's preference is for advertising signage to be integrated with the overall building design to mitigate impact on the amenity of the surrounding area.

Key Relevant Previous Council Decisions

Scheme Amendment No 4

At the 28 April 2020 OCM, Administration presented Scheme Amendment No. 4 to Council, seeking their consent to initiate advertising. The report proposed that all Fast Food Outlets be a non-permissible ('X' use) in all zones within the City except the Urban Development Zone. This would require modification of Table 3 – Zoning Table, which lists the permissibility of Fast-Food Outlets for the Mixed Use and Neighbourhood Centre Zones as an 'A' use. Council unanimously moved that the motion for this item be adjourned until the May 2020 OCM.

At the 26 May 2020 OCM Council considered the item. Council chose not to endorse Administration's recommendation, instead supporting an alternate Resolution proposed by Council. Through this motion, Council sought to constrain the permissible size of a Fast-Food Outlet and prohibit Fast Food Outlets on Hampden Road, Broadway or Waratah Avenue via Clause 32

Additional site and development requirements. In keeping with this intent, Council resolved to adopt the following modifications which were subsequently advertised as Scheme Amendment No 4:

“Council:

1. Pursuant to Section 75 of the Planning and Development Act 2005, adopt an Amendment to Local Planning Scheme 3 by:

An addition of text to Clause 32.4 Mixed use, Local Centre and Neighbourhood zones to be added:

- (6) Fast Food Outlets where applied for in the Mixed-Use or Neighbourhood Centre Zone shall be limited to a maximum NLA of 200sqm.
- (7) Fast Food Outlets where applied for in the Mixed-Use or Neighbourhood Centre Zone and located on Broadway, Hampden Road or Waratah Avenue will not be permitted.”

Scheme Amendment No 4 was presented to Council post advertising at the 23 October 2020 OCM. Administration recommended that the Scheme Amendment not proceed as it presented inconsistencies between Table 3 – Zoning Table and the proposed Scheme text. Inconsistencies within the Scheme text provide potential for confusion during the development application process and weakens the position of the Scheme within a judicial setting.

It is also noted that the provisions of Clause 32 ‘Additional site and development requirements’ are discretionary as these can be varied pursuant to Clause 34 of LPS3.

It was further recommended that Council instruct the CEO to prepare a new Scheme Amendment and Local Planning Policy that will achieve Council’s intent with the correct use of the planning instruments and processes available. Administration recommended that the new Scheme Amendment propose that Fast Food Outlets become an ‘X’ use within the Mixed Use Zones, and that further research be undertaken and specify particular sites on Stirling Highway where Fast Food Outlets should be included as an Additional Use.

Council chose not to endorse this recommendation at its October 2020 OCM and, while they did not proceed with the current Amendment, it also resolved to prepare a Scheme Amendment that proposed Fast Food Outlets be an ‘X’ use in all zones except the Urban Development Zone, which is the subject of this Council report. This Amendment is being presented to Council as Scheme Amendment No 16 at the February 2021 OCM.

Consultation

If Council resolves to prepare the LPP it will be advertised for 21 days in accordance with Schedule 2, Part 2, Division 2, Clause 4 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. This will include a notice being published in the newspaper and details being included on the City's website, YourVoice page and social media pages, in accordance with the City's Local Planning Policy - Consultation of Planning Proposals.

Following the advertising period, the LPP will be presented back to Council for it to consider any submissions received and to proceed with one of the following courses of action:

- Proceed with the policy without modification;
- Proceed with the policy with modification; or
- Not to proceed with the policy.

Strategic Implications

How well does it fit with our strategic direction?

The LPP does not seek to ban any form of development from Nedlands, but rather seeks to provide guidance on the built form for a specific use class. It therefore fits within the City's vision for growth in a manner that is appropriate to the context of the City's future desired character.

Who benefits?

The community, City and applicants will all benefit from having the City's expectations around the built form of Fast-Food Outlets with a drive-through component formalized in an LPP.

Does it involve a tolerable risk?

The LPP is considered to reduce the risk associated with the development of a Fast-Food Outlet with a drive-through component by providing a guiding LPP.

Do we have the information we need?

Desktop analysis of similar LPP's from other Local Governments, and review by staff from the Planning and Environmental Health Services have ensured the LPP has a sound technical basis.

Budget/Financial Implications

Can we afford it?

Costs associated with this LPP are only those related to advertising.

How does the option impact upon rates?

The LPP will have no direct impact on rates.

Conclusion

The LPP – Fast-Food Outlets (Drive-Through) provides the City with an operative local planning framework in place under LPS3 to adequately address the built form and management requirements associated with Fast Food Outlets with a drive-through component.

This LPP is considered a suitable instrument through which the City may seek to formalise their position and control suitable built form outcomes of Fast-Food Outlets with a drive-through component. It is recommended that Council endorses Administration's recommendation as set out in the resolution.



LOCAL PLANNING POLICY – FAST FOOD OUTLETS (DRIVE THROUGH)

1.0 PURPOSE

The purpose of this policy is to provide guidance and development requirements applicable to Development Applications for Fast Food Outlets with a drive through component, within the City of Nedlands.

2.0 APPLICATION OF POLICY

1.1

This policy applies to all applications for Fast Food Outlets with a drive through component, in Mixed Use and Neighbourhood Centre zones. Fast Food Outlets are defined by Local Planning Scheme No 3 (LPS3) as

2.1

'Means premises, including premises with a facility for drive-through service, used for the preparation, sale and serving of food to customers in a form ready to be eaten –

(a) Without further preparation; and

(b) Primarily off the premises.'

2.2

Where this Policy is inconsistent with a Local Development Plan, Local Planning Policy, Structure Plan or Precinct Structure Plan that applies to a specific site, area or R-Code, the provisions of that specific Local Development Plan, Local Planning Policy or Precinct Structure Plan shall prevail to the extent of the inconsistency.

3.0 OBJECTIVES

3.1

3.2

To promote the orderly and proper development of land by making suitable provisions relating to the location and design of Fast Food Outlets with a drive through component.

3.3

To ensure that Fast Food Outlet uses with a drive through component are compatible with the surrounding area and do not have an undue impact on the amenity of the area by way of noise, traffic, odour, or parking.

3.4

3.5

To maintain the amenity of the surrounding neighbourhood through required management controls and due regard to Clause 67 (Schedule 2, Planning and Development (Local Planning Schemes) Regulations 2015).

To establish a clear framework for the assessment and determination of applications for Fast Food Outlets with a drive through component.

To encourage Fast Food Outlets with a drive through component to be located away from vulnerable land uses such as Educational Establishments.



To ensure that Fast Food Outlets with a drive through component do not compromise the strategic planning objectives, in particular the opportunity cost relating to provision of new dwellings in high density corridors and activity centres within the City of Nedlands.

4.0 POLICY MEASURES

3.6

Applications for Fast Food Outlets are an 'A' use within the Mixed Use and Neighbourhood Centre zones. An 'A' use is defined in LPS 3 as

'a use which is not permitted unless the local government has exercised its discretion by granting development approval after giving notice in accordance with clause 64 of the deemed provisions'.

An 'A' use will be advertised in accordance with the City's Local Planning Policy – Consultation of Planning Proposals and may be considered by the City where the following requirements of this policy are met.

Applications for Fast Food Outlets in the urban development zone are subject to Clause 18(7) of LPS 3 whereby in consideration of an application for a fast-food outlet in this zone, have due regard to any of the following plans that may apply to that land including;

- a) a Structure Plan (which includes a Precinct Structure Plan)
- b) an Activity Centre Plan
- c) a Local Development Plan.

4.1

The permissibility of a Fast Food Outlet with a drive through component in LPS3 can be summarised as follows:

- a) The use is not permitted in the Residential, Local Centre, Service Commercial or Private Community Purposes Zone.
- b) The use is not permitted in the Mixed Use or Neighbourhood Centre Zone unless the local government has exercised its discretion by granting development approval.

4.2

In accordance with Clause 32.4(5) of LPS 3, where developments are not subject to the R-Codes and development standards are not specified in an approved structure plan, local development plan, local planning policy and/or activity centre plan, the development standards are subject to the applicable R-Code.

4.3

A Statement of Compliance with the required R Code Element Objectives shall form part of the information to be submitted as part of any Development Application for a Fast Food Outlet with a drive through component.

Where a Fast Food Outlet with a drive through component is proposed within a designated Precinct area, the applicant is to prepare a Statement of Assessment and Compliance with State Planning Policy 7.2 – Precinct Design.



5.0 LOCATION

Fast Food Outlets with a drive through component may be considered within the Mixed Use and Neighbourhood Centre Zones but are discouraged in the Mixed Use Zone on Broadway, Hampden Road and Waratah Avenue.

5.2 Corner sites are the preferred location for Fast Food Outlets with a drive through component. One way access and egress from the site is preferred, to ensure

5.1 that traffic impacts are adequately managed.

6.0 DESIGN REQUIREMENTS

Streetscape Character

6.1.1 The design and siting of Fast-Food Outlets with a drive through component shall have regard to the existing and desired future streetscape and character of the surrounding area.

6.1.2 Where located in a Mixed Use Zone, the development must be incorporate a mix of land uses whilst complying with the objectives of that zone with emphasis on the following:

(a) Any redevelopment in the Mixed Use Zone is to provide for a significant residential component.

(b) The land uses within the development must be compatible with one another being that they do not cause nuisances detrimental to the amenity of the district or the health, welfare and safety of its residents.

6.2

Building Typology

6.2.1 Standalone Fast Food Outlet Buildings with a drive through component in the Mixed Use Zone will not be supported by the City unless that Outlet is incorporated into a larger development providing a significant residential component in accordance with the Mixed Use Zone objectives of LPS 3.

6.2.2 In accordance with clause 6.2.1, applicants are required to demonstrate that where a Fast Food Outlet with a drive through is proposed as a standalone building, it shall not exceed two storeys and shall be of a bulk, scale and mass which is consistent with the local character and context.

6.2.3 Clause 4.2 of this policy applies in relation to the requirements of compliance with State Planning Policy 7.3 and subsequent assessment requirements of that policy.



Building Height and Setbacks

6.3.1 In addition to the requirements of Clause 4.2 of this policy, the design and siting of Fast Food Outlets should have regard to the existing neighbourhood character and reflect a residential scale and appearance, particularly with regard to the following elements:

6.3

- a) Building and roof form;
- b) Building height and setback.
- c) Design detail, including façade articulation, verandahs, window and door style and placement; and
- d) Building materials, colours and finishes.

Landscaping

6.4

In addition to the requirements of Clause 4.2 of this policy the following applies:

6.4.1 All vehicle access ways adjacent to a side lot boundary shall be set back 1.0 metre to allow for a planted perimeter strip between the vehicular access way and the lot boundary.

6.4.2 All vehicle drive through facilities that abut a lot boundary shared with development containing residential dwellings shall be set back at least 2.0m to allow for a planted perimeter strip between the drive through vehicle access route and lot boundary. The planted perimeter strip should extend along the entire length of the boundary. (see Diagram 1).

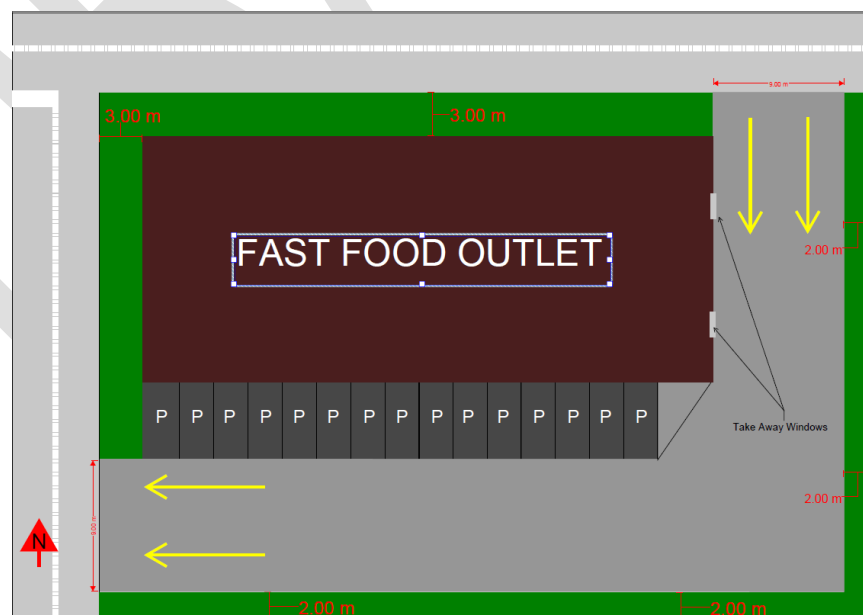


Diagram 1: example of 2m perimeter landscaping strip. Note - this diagram is not to scale.

6.4.3 The development is to be designed to maximise the retention of existing mature trees or significant trees on the site as well as



existing Council verge trees. An Arborist report is required to be submitted substantiating the species, health of the tree and how the tree will be protected and retained during construction AND shall also be provided where any existing mature trees or significant trees are proposed for removal.

- 6.4.4 Landscaping areas at grade must include at least 1 medium tree per 4 car parking bays provided as well as the associated rootable soil zone and deep soil areas. The tree species and location are to be approved by the City's Parks Department.

Tree size	Indicative canopy diameter at maturity	Nominal height at maturity	Required DSA per tree	Recommended minimum DSA width	Minimum DSA width where additional rootable soil zone (RSZ) width provided ¹ (min 1m depth)	Indicative pot size at planting
Small	4-6m	4-8m	9m ²	2m	1m (DSA) + 1m (RSZ)	100L
Medium	6-9m	8-12m	36m ²	3m	2m (DSA) + 1m (RSZ)	200L
Large	>9m	>12m	64m ²	6m	4.5m (DSA) + 1.5m (RSZ)	500L

¹ Rootable areas are for the purposes of determining minimum width only and do not have the effect of reducing the required DSA.

Source – SPP7.2 R Codes Volume 2 WAPC

Bicycle Parking and End-of-trip facilities

6.5

- 6.5.1 Applications for Development Approval will be required to provide bicycle parking and end-of-trip facilities at a rate of 0.1 spaces per 1 seat for patrons and long-term bicycle parking bays at 0.1 spaces per 1 staff member.
- 6.5.2 All bicycle parking facilities shall comply with the following:
- Bicycle parking facilities shall be in a convenient and safe location and not require access via steps; and Bicycle parking facilities shall be located as close as possible to the main entrance of the premises.
- 6.5.3 All bicycle parking devices should be designed in accordance with AS 2890.3 Bicycle Parking Facilities and Austroads Part 14 - Bicycles, must be convenient and secure, and should comply with the following criteria:
- enable wheels and frame to be locked to the device without damaging the bicycle; -
 - be placed in public view (i.e., where they can be viewed by passers-by,
 - be located outside pedestrian movement paths;
 - be easily accessible from the road;
 - be arranged so that parking and vehicle manoeuvring will not damage adjacent bicycles; -



- f) be protected from manoeuvring motor vehicles and opening car doors;
- g) be as close as possible to the cyclist's ultimate destination;
- h) be well lit by appropriate existing or new lighting;
- i) be protected from the weather; - be sympathetic in design, material and colour to compliment the surrounding environment; and - secure devices to protect from theft.

6.5.4 Provision of End-of-Trip Facilities

Where long term bicycle parking spaces are provided, showers must be provided at the following rate:

Number of Showers	Change Rooms
One shower following the first five (5) long-term parking spaces, plus an additional shower for each four (4) bicycle parking spaces thereafter	One change room or direct access to a communal change room per shower

Note: in instances where more than one shower/facility is required, there must be provision for separate male and female facilities.

Where it can be demonstrated that staff of a development work predominately part-time, casual, or varied hours, the requirement to provide for shower facilities may be reduced where shower facilities are used at different hours.

Clothing lockers encourage cycling by providing secure storage for cycling clothes, footwear, and towels. Clothing lockers should be:

- a) provided at a minimum rate of one clothing locker for each long-term bicycle parking space;
- b) of suitable volume and dimensions to allow storage of clothing, towels, cycling helmets and footwear;
- c) well ventilated, secure, and lockable; and
- d) located close to shower and change facilities.

6.6

- e) Where possible, showers and clothing lockers should be located close to long-term bicycle parking facilities. Where bicycle parking lockers are provided, clothing may be stored within the bicycle parking locker provided there is adequate space and hangers.

Vehicle Parking



- 6.6.1 Vehicle parking shall be contained on-site to avoid street and verge parking associated with the use.
- 6.6.2 Vehicle parking areas shall be located underground (basement parking) or at grade to the rear of the site and screened from view of the neighbouring residential and commercial properties.
- 6.6.3 At grade car parking areas shall be setback from all property boundaries behind a soft landscaping strip of a minimum 1.0 metre in width.
- 6.6.4 Parking ratios shall be in accordance with the City's Local Planning Policy Parking.

Traffic Impact

- 6.7 6.7.1 A Transport Impact Assessment (TIA) prepared by a suitably qualified independent traffic consultant is required to be submitted as part of a development application. This is to assess the likely traffic impact associated with the proposed Fast Food Outlet development in accordance with WAPC Guidelines.
- 6.7.2 Where a drive through facility is provided, the on-site queue accessway shall be sufficient to accommodate a minimum of 10 vehicles (measured from the pick-up-point). This accessway must not obstruct access to car parking spaces and must not extend onto the external roadway.
- 6.8 6.7.3 The TIA shall include a queuing analysis to demonstrate that the proposed queuing area can accommodate the expected demand of 10 vehicles.

Waste Management

- 6.8.1 Delivery, loading and building service areas are to be screened or located so that they are not visible from the street or adjoining residential properties.
- 6.8.2 Bin storage areas are to be appropriately screened and located so that they do not negatively impact the amenity of surrounding properties by way of visual nuisance, odours or other impacts, as per the refuse enclosure requirements of the City's Health Local Law 2017.
- 6.8.3 A waste management plan, detailing the management and removal of waste from the site, is required to be submitted as part of a development application in accordance with the City's Local Planning Policy Waste Management and Guidelines.

6.9 Advertising Signage



- 6.9.1 All signage associated with a fast-food outlet shall be in accordance with the requirements of the City's Local Planning Policy - Signs and shall be included in of the development application. Where final specifications are unknown, a Signage Details Form identifying the location, size and type of external signage to be installed on the building/site is to be submitted to Council as part of the development application.
- 6.9.2 Advertising Signage should where possible be incorporated into the building design and not cause unreasonable adverse amenity impacts including visually and via light spill to adjoining residential properties.

7.0 PRESERVATION OF AMENITY

- 7.1 In the City's consideration of an application for a Fast Food Outlet with a drive through component, it will seek to control and minimise the impact of the land use on the amenity of the locality in particular where it is proposed adjacent to or adjoining residential zones through the following measures.
 - 7.1.1 The proposed development will be assessed against the 10 Design Principles of State Planning Policy SPP7.0 with a strong emphasis on local context and character.
 - 7.1.2 The proposed development will be assessed against Clause 67 'Matters to be considered' of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015.
 - 7.1.3 The City will seek to protect the amenity of the neighbourhood from the emission of light, noise, fumes, odours, dust, vibration, electrical interference, wastewater, or any other form of pollution which may be undesirable in residential areas. Development Applications for a Fast-Food Outlet land use are to be accompanied by a statement and/or specialist reports outlining if and how any impacts arising from the activities proposed to be conducted on the site will be prevented or appropriately managed to ensure that the amenity of surrounding residential properties is maintained (e.g., Acoustic Report).

8.0 CONSULTATION

- 8.1 Where applications for Fast Food Outlet uses are listed as 'A' in the Zoning Table of the Scheme or where a variation is proposed to this Policy, applications are to be advertised in accordance with the requirements of the Local Planning Policy- Consultation of Planning Proposals as a Complex application.

9.0 OTHER CONSIDERATIONS – HEALTH AND BUILDING APPROVAL

- 9.1 The applicant is advised to consult with the City's Building Services, Environmental Health Services & Environmental Health Approval to determine if a Building or Health approval is required.



10.0 ADDITIONAL DEVELOPMENT APPLICATION REQUIREMENTS

- 10.1 In addition to the general requirements for an application for development approval, a Traffic Impact Statement or Assessment is required in accordance with Clause 5.6.1 of this policy.
- 10.2 The following matters are to be addressed in the applicants supporting report:
- Hours of operation;
 - Staff numbers;
 - Customer numbers;
 - Seating plan; and
 - Parking management plan
 - Landscaping plan
 - Acoustic report.

11.0 VARIATIONS TO POLICY

- 11.1 Where a variation to this policy is sought, consideration shall be given to the objectives of the policy.

12.0 RELATED LEGISLATION

- 12.1 This policy has been prepared in accordance with Schedule 2 Part 2 Clause 4 of the Planning and Development (Local Planning Schemes) Regulations 2015.
- 12.2 This policy should be read in conjunction with the following additional planning instruments and its requirements apply unless specifically stipulated elsewhere in any of the below:
- Planning and Development (Local Planning Schemes) Regulations 2015
 - Local Planning Scheme No 3
 - Parking Local Planning Policy
 - Consultation of Planning Proposals Local Planning Policy
 - Signs Local Planning Policy
 - Any Draft or approved Precinct Structure Plan
- 13.1 • Any Draft or approval Local Area Planning Policy or Development Plan

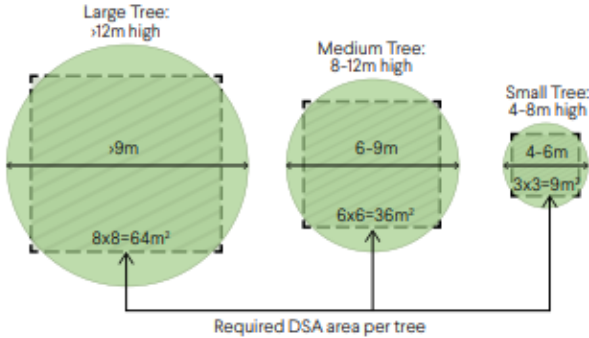
13.0 DEFINITIONS

For this policy, the following definitions apply:



Definition	Meaning
Fast Food Outlet	Means premises, including premises with a facility for drive-through service, used for the preparation, sale and serving of food to customers in a form ready to be eaten – a) Without further preparation; and b) Primarily off the premises.
Staff	Means a person who is employed by the fast-food outlet.
Predominant Compliance	Meaning meeting 80% or more of the requirements of that provision.
At Grade Parking	At the same level as the fast-food outlet.
Long Term Bicycle Parking	As defined in AS2890.3:2015.
• Significant Tree	<p>This policy, in accordance with the definition of the National Trust of Australia, defines a tree as being significant where it meets at least <u>ONE</u> of the following criteria under any of the four headings:</p> <p>Horticultural</p> <ul style="list-style-type: none"> • Horticultural or genetic value • Important source of seed or propagating stock • Particularly resistant to disease or exposure • Species or variety that is rare or of a very localised distribution • Particularly old or venerable • Remnant native vegetation • Outstanding for its height, trunk circumference or canopy spread • An outstanding example of the species <p>Social</p> <ul style="list-style-type: none"> • Unique location or context • Contribution to landscape • Associated with Aboriginal activities • Important landmark • Spiritual and religious associations • Contemporary association with the community <p>Historic</p> <ul style="list-style-type: none"> • Forms part of an historic park, garden or town • Commemorates an occasion e.g. memorial or ceremonial plantings such as Avenue of Honour • Associated with an important event • Associated with an important person, group or institution



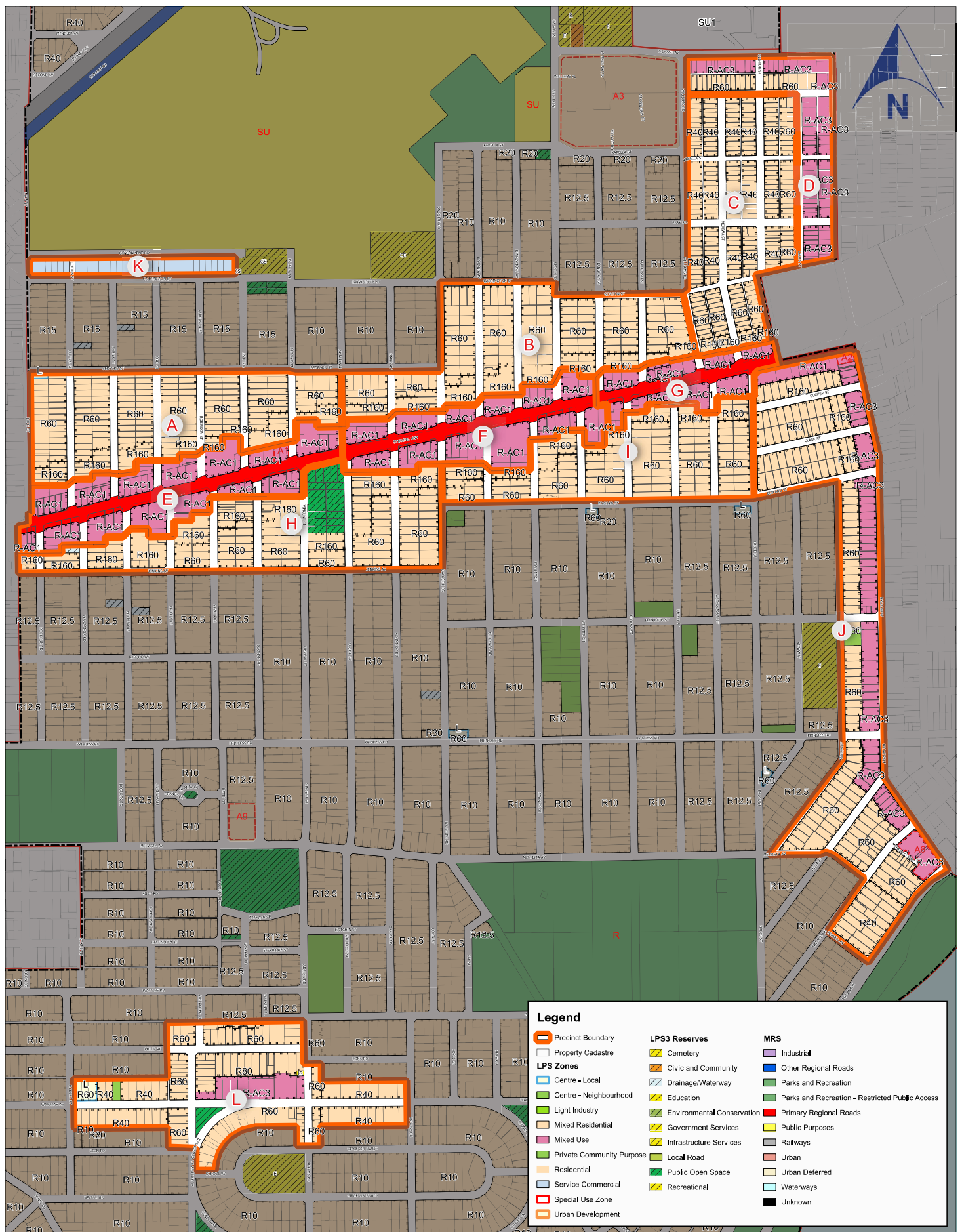
	<p>Aesthetic</p> <ul style="list-style-type: none"> • A really great looking tree • Exhibits curious growth form or unusual physical features whether naturally occurring, resulting from natural events or human intervention Is a better than an average example of its species, or in its particular location. <p><i>Source – National Trust of Australia: Significant Tree Protection – Understanding Significance and the Law.</i></p>
Mature Tree	Means a tree which requires planting in at least a 90-litre container or greater size and which is at least 2 metres in height and at least 2 years of age.
Tree Size: Medium Tree, Large Tree or Small Tree	 <p><i>Source – SPP7.2 R Codes Volume 2 WAPC</i></p>
Landscaping	Land developed with garden beds, shrubs or trees, or by the planting of lawns and includes such features as rockeries, ornamental ponds, swimming pools, barbecue areas or playgrounds and any other such area approved of by the decision maker as a landscaped area.
Soft Landscaping	Soft Landscaping is defined as the process of working with landscape elements that do not involve construction. These elements include turf, trees and shrubs.
Mixed Use Zone	As defined in LPS3.
Neighbourhood Centre Zone	As defined in LPS3

Council Resolution Number	PDXX.X
Adoption Date	
Date Reviewed/Modified	



APPENDIX 1 – PRECINCT AREA MAPS

DRAFT



- A - Hollywood West Transition Area
- B - Hollywood Central Transition Area
- C - Hollywood East Transition Area
- D - Hampden Road Activity and Transition Area
- E - Stirling Highway Activity West
- F - Nedlands Town Centre
- G - Stirling Highway Activity East
- H - Rose Garden Transition Area
- I - Melvista Transition Area
- J - Broadway Activity and Transition Area
- K - Carrington Road Service Commercial Area
- L - Waratah Village Activity and Transition Area



0 100 200 300 400 500 m

Scale 1:4500 @ A1
Created By: Ashley Tran, 11.06.2020

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14. Elected Members Notices of Motions of Which Previous Notice Has Been Given

Disclaimer: Where administration has provided any assistance with the framing and/or wording of any motion/amendment to a Councillor who has advised their intention to move it, the assistance has been provided on an impartial basis. The principle and intention expressed in any motion/amendment is solely that of the intended mover and not that of the officer/officers providing the assistance. Under no circumstances is it to be expressed to any party that administration or any Council officer holds a view on this motion other than that expressed in an official written or verbal report by Administration to the Council meeting considering the motion.

14.1 Mayor de Lacy – Street Tree Council Policy

Due to the resignation of Mayor de Lacy this item lapsed.

At the Council meeting on 15 December 2020 Mayor de Lacy gave notice of her intention to move the following at this meeting.

Council instructs the CEO to:

1. review and update the Council's Street Trees Policy (last updated in October 2015);
2. take into consideration the draft revised Street Trees Policy (Attachment 1) prepared by a volunteer community working group, as part of the update; and
3. present the updated Street Trees Policy to Council in May 2021 for approval to advertise for public comment.

Justification

1. The City of Nedlands street trees are a valuable asset to our community.
2. Increasing development in our City as a result of LPS3 is putting significant pressure on our urban tree canopy. It is proving difficult to obtain adequate deep soil planting in some proposed developments to match Nedlands existing urban tree canopy. Of particular concern is the subdivisions approved by WAPC and the grouped dwellings approved under delegated authority where grey surfaces significantly increase to the detriment of green surfaces (Figure 1).
3. As a comparison, the City of Bayswater has experienced this type of medium density development resulting in a recent report finding that in urban areas across Australia the City of Bayswater has experienced the largest increase in grey surfaces between 2016 and 2020 (Figure 2).
4. The greatest influence the City can have over increasing the urban tree canopy is on land that it either owns freehold (eg Peace Memorial Rose Gardens) or which is Crown land vested in the City (eg verges). The right street trees can make a significant difference to urban tree canopy cover

- in urban, spacious and low rainfall areas like Nedlands serving to reduce the heat island effect, as illustrated in Figure 3 and Figure 4.
- The environmental and property value cost benefits alone have been calculated at \$3.81 for every \$1.00 spent on street tree planting and management.

Figure 1



Figure 2

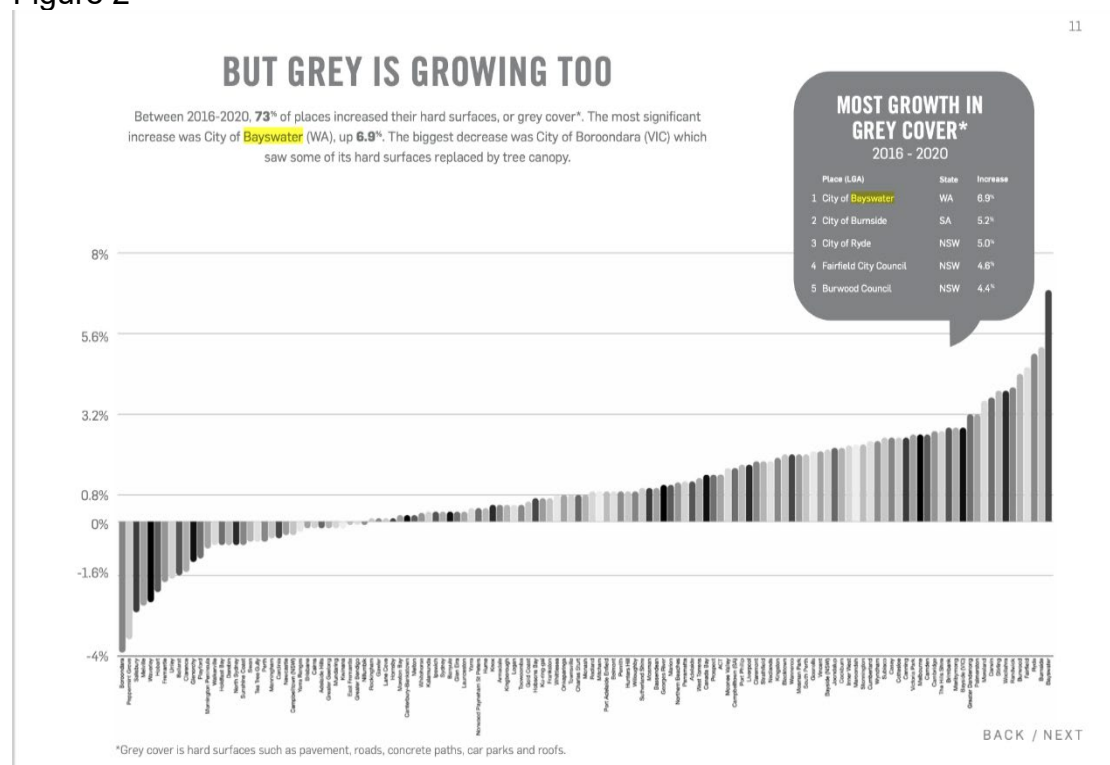


Figure 3



Figure 4



Figure 3. Thermal image of shaded Victoria Avenue in the City of Perth. Ambient air temperature is 31° Celsius. Temperatures range from 14.4° C in the shade to 33° C in unshaded areas. The temperature in shaded areas was an average 6° C cooler.⁹

Street Trees

KFA	Natural and Built Environment
Status	Council
Responsible Division	Technical Services
Objective	To define Council's approach to the provision and management of street trees within the City of Nedlands.

Context

The City's community obtains tremendous benefits from its urban forest, of which street trees are an important component. Evident benefits include the beautifying of streetscapes and suburbs, providing a sense of place, improved community wellbeing, increased property values, shade, significant evaporative cooling and providing habitat and food for fauna. Though there is an inherent understanding that having trees in the City's urban environment is beneficial, to some extent many of the benefits derived are imperceptible to the community.

Street trees are increasingly being recognised and managed throughout Australia as important community assets as the benefits they deliver are progressively identified, understood and quantified. The extent of benefit provided, in most circumstances, is directly linked to the combined area of canopy cover, which in turn is linked to the number, type and size of street trees.

With the accelerating densification and development of the City, and the associated impacts on the urban forest, there is likely an emerging significance attached to the City's street trees. Council intends to work to secure the benefits of the City's street trees to ensure they remain accessible into the future.

For the purpose of this policy, a 'street tree' is defined as a tree that has the centreline of its trunk on Council managed land.

Statement

To ensure the City of Nedlands preserves its recognised green and leafy character, the City will develop and implement street tree management based on the following principles:

1. Increasing tree canopy cover through establishing street trees where planting opportunities are identified.
2. Preserving the City's existing street trees.
3. Cultivating a diverse and resilient street tree population through identification and planting of a variety of tree species, which are assessed as suitable for the district having consideration of:

- biodiversity;
 - habitat needs;
 - shade requirements and temperature moderation;
 - amenity (including local conformity);
 - lines of sight;
 - climate and soil conditions; and
 - maintenance requirements (including watering).
4. Recognising street trees as assets that will be maintained and renewed with regard to each tree's life cycle to achieve a high level of aesthetic, environmental and social benefits.
 5. Planning on a street by street, ward and district basis for the improvement of streetscapes and localities for the short, medium and long term.
 6. Minimising conflicts with the built environment and providing protection to and from tree growth through assessment of site attributes and appropriate tree selection.
 7. Acknowledging the active partnership between the City and the community in enhancing the maintenance, appearance and utility of streetscapes and of the need to work cooperatively with members of the community in the selection, establishment and preservation of street trees.
 8. Scheduled monitoring to allow management of canopy cover percentage, collective tree health and species performance over time.
 9. Accepting that for reasons of safety and practicality there may be a need to manage existing street trees, that are proven as hazardous, through a range of arboricultural practices, which may include pruning limbs that are hazardous.

Planting

The City will develop and implement a street tree management plan in which the following principles apply:

1. The City will maintain and make available a diverse schedule of preferred street tree species, assessed as being suitable for the district.
2. The City will consult with adjoining property owners about which trees will be planted on their adjoining Council verge, but the City may mandate restrictions on selection in order to comply with the Statement of this policy.
3. The City is to maintain a schedule of tree species considered unsuitable for nature strips and a register of individual street trees considered to pose a heightened risk to public safety and/or property damage.
4. The three preferred default street tree species are

- the Tuart (*Eucalyptus gomphocephala*);
- Marri (*Corymbia calophylla*); and
- Jarrah (*Eucalyptus marginata*),

unless the available space makes such a planting impractical, in which case the preferred default street trees are the saltwater paperbark (*Melaleuca cuticularis*); or Peppermint (*Agonis flexuosa*) and a number of mallee eucalypts.

5. The City will bear the cost to supply and plant street trees of bag sizes up to 45 litres. Property owners who request the City to plant larger trees shall pay the difference in cost, in respect of the specified maximum size, to supply and plant the trees.
6. Preference shall be given to planting large tree species that are native to the City of Nedlands on undeveloped nature strips that are not irrigated and not adjoining residential and commercial property frontages. Such nature strips should be subject to multiple level tree canopy design, with smaller native trees and bushes between large natives.
7. Street trees will be planted following consultation with the owners of adjoining land. However, it is acknowledged that street trees are not optional for adjoining property owners and an objection may only be raised to the planting of a second street tree in accordance with paragraph 5 above.
8. Property owners are to be encouraged to water all street trees during and after establishment. Communication of watering requirements is incumbent on the City upon planting of every street tree. Included in this communication shall be education information about the harm posed to some trees, for example Jarrah and Banksia, by watering with alkaline bore water.
9. All new developments that do not have a street tree on the verge will attempt to have a tree planted in the next available planting season or as soon as possible thereafter, as deemed appropriate by the City, and included as a condition of development along with a contribution payment by the applicant towards the cost of the tree/s planted.

Locating and Spacing

The following definitions shall be used in interpreting this section of the Policy:

Tree Height Potential means the average height that a tree of that species (and variant) will attain after twenty years of moderate growth.

Aggregate Tree Height means the sum of the Tree Height Potentials for every tree on a particular verge (save for trees that have a Tree Height Potential of less than four metres).

Verge Width means the dimension of the verge that spans the width of the adjoining lot.



1. The City shall fill all street tree planting opportunities so as to have as near a continuous street tree canopy as is practicable in all areas of the City. This will be achieved through planting trees at appropriate intervals for the selected species, which is defined to ensure an **Aggregate Tree Height** of at least twice the **Verge Width**. For example, a 20m verge must have an Aggregate Tree Height of at least 40 meters.
2. An installation of paving or synthetic turf shall not affect the requirement in paragraph 5 for all verges to have street trees.
3. A resident shall not be permitted to install synthetic turf under the drip line of street trees.
4. Council considers uniform avenues of street trees as desirable in certain situations and may designate locations to introduce this. Though desirable, Council considers the concept of uniform avenues less important than the direct objective of increasing canopy cover and species diversity through planting suitable street trees in suitable locations.
5. Council will consider proposals for uniform tree species within a street, provided the proposed species is included on the preferred species list and is suitable to plant in the particular location. Council may delegate approval of uniform tree species to the CEO.
6. To facilitate introduction of new street trees, inter-tree planting will occur in conjunction with tree replacement, resulting from natural attrition and other causes, to allow for staged removal of existing declining trees.
7. When new trees are planted on the south side of an east/west street, the adjoining property owner is entitled to request that a new street tree shall not be taller than 20 meters.

Pruning

In relation to street tree pruning Council's primary objectives are to:

- Promote tree health, structural integrity and form;
- Maintain statutory clearances for the various infrastructure located in the road reserve;
- Maximise the benefits delivered by street trees; and

- Support public safety and minimise the risk of damage to property and injury to people.

In the interests of public safety, of the health of street trees and of managing the City's exposure to liability, the following requirements and tree management standards apply to the pruning of street trees:

- All pruning of street trees will be in accordance with Australian Standard AS 4373 *Pruning of Amenity Trees* or as otherwise instructed by a suitably competent and qualified arborist approved by the City.
All pruning of street trees requires Council approval and pruning is only to be undertaken by persons authorised by the City of Nedlands. Penalties apply for non-compliance.
- If a resident requests pruning of a street tree abutting their property, and in the opinion of the CEO the pruning is not associated with matters of safety, tree health or boundary encroachment, the ratepayer shall bear 100% of the cost to prune the tree if approved.

Preservation

It is Council's objective to ensure development and building activity considers and accommodates established street trees to the extent practicable. The following requirements apply:

- All development applications shall indicate the location of street trees on adjoining verges on surveys and site plans.
- Prior to planning approval Council promotes consultation between the City and developers in order that plans are adjusted to accommodate existing street trees. The City prioritises tree retention on City-managed land adjoining development sites, and will only consider removal when no other practicable design alternative exists.
- All street trees are to be protected from damage by fencing as a condition of development and demolition approval, prior to the commencement of adjacent works.
- Approval for developers to conduct building-related activities on the adjoining nature strip, including the storing of materials, shall be conditional on establishment of a Tree Protection Zone to a minimum of 2 metres from the base of street trees. Council may also require developers deposit a bond of sufficient amount to cover the cost of remediating damage to a street tree resulting from building activities.
- Council weed control activities using non-selective herbicides shall ensure no herbicide application within two meters from the base of newly planted street trees (defined as street trees not being more than 2 years old).

Removal

Street trees will not be authorised to be removed unless one or more of the following circumstances applies:

- The tree is dead or in decline, and no further remedial techniques are appropriate;
- The tree is listed on the City's unsuitable tree species list.
- The tree poses an unavoidable hazard to persons or property and pruning or other techniques cannot effectively remedy that hazard. For the avoidance of doubt, public property (such as vehicles) located on Council managed land underneath trees shall not be considered to constitute an "unavoidable hazard" ;
- The tree is diseased or damaged to an extent that remedial techniques are unlikely to restore it;
- To facilitate private development where, following consultation between the City and the developer, no practicable design alternative exists which allows retention of the tree and that tree has not been identified by the City as a tree of significance;
- Where a development is approved that necessitates the removal of a street tree the developer shall replace the tree and bear 100% of the cost for the City to remove the tree, and:
 - The developer must plant a minimum of two suitable replacement trees from the preferred species list.
 - Where a number of frontages are created due to subdivision, then a minimum of one tree shall be planted on each frontage.
 - Replacement trees shall be a species that is designated as "large" on the preferred species list, unless such a tree is impracticable, in which case the species will be nominated by the City;
- To facilitate a Council-approved works program (i.e. road works, drainage, utilities etc.);
- Council may consider requests for removal and replacement of a street tree that is considered unsuitable for nature strips on the basis of:
 - it being of a species which causes an elevated risk to public safety and/or property damage without there being an alternative to remedying the risk;
 - it being of a species having an association with an elevated risk of establishing as an environmental weed;
 - a tree posing unacceptable risk due to a history of significant branch failures;
 - and
 - each request being considered individually.

- Other than where a tree is considered to be unsuitable in accordance with the preceding provisions, removal and replacement of street trees shall not occur and penalties will be imposed for any damage, modification or removal of street trees without Council approval..
- All resident requests/proposals for street tree removal, irrespective of the reasons, shall be lodged in writing.
- Other than where there are immediate safety risks, Administration shall notify ward Councillors of all proposed street tree removals at least two weeks prior to removal and the reasons why in accordance with the preceding provisions.
- Removal of street trees that are higher than 4m requires notification to the three closest neighbours to that street tree, no less than 1 week prior to its removal.

Council considers some inconvenience arising from street trees as a necessary consequence of living in an urban environment where trees deliver significant community benefits. Council will only consider an issue with street trees when the proprietor and Administration cannot agree and the issue concerns safety and well-being, significant inconvenience or changes that would result in significant alteration of the streetscape.

Council will not be asked to decide requests for street tree removals that rely solely on the following reasons:

- Leaf, flower, nut or bark falling or accumulating or being blown by the wind;
- Enhancement or protection of views;
- Reduction or eradication of shading to gardens, lawns, pools or dwellings; or
- Requests for the planting of alternative species on the basis of individual preference or a desire to re-landscape.
- Installation of an area for vehicle parking.

In the interests of public safety, removal is only to be undertaken by personnel authorised by the City of Nedlands.

Public Awareness

Council will promote the importance of the City's street tree assets and the benefits they deliver. Regular communication including information about planting, streetscape improvement and maintenance activities, will be published in the local media and via other appropriate sources.

Tree Health and Public Safety

In the interest of street tree health, public safety and potential liability issues, structures such as, but not limited to, swings, cubby houses, ladders etc. are not permitted to be constructed in street trees.

Related Documentation

Strategic Community Plan
Corporate Business Plan
Nature Strip Development Policy
Street Trees Procedure
Street Tree Management Plan

Related Local Law / Legislation

Local Government Act 1995
Occupational Safety and Health Act 1984
Energy Operators (Powers) Act 1976
Thoroughfares Local Law

Related Delegation

Nil.

Review History

27 October 2015 (Report CPS24.15)
24 July 2012 (Report CP31.12)
27 July 2010 (Report CM18.10)

14.2 Councillor Senathirajah – Leaked Confidential Information

At the Council meeting on 15 December 2021 Councillor Senathirajah gave notice of his intention to move the following at this meeting.

Moved – Councillor Senathirajah

Seconded – Councillor Wetherall

Council being made aware that documents clearly marked confidential and addressed to Councillors were leaked to the Post Newspaper:

- 1. condemns this breach of trust by the individual who leaked the confidential documents; and**
- 2. reaffirms that Councillors will maintain a high standard of integrity and ethics in their behaviour in relation to all Council matters.**

Amendment

Moved - Councillor Youngman

Seconded - Councillor Hodsdon

That the words “Post Newspaper” be replaced with the word “community”.

The AMENDMENT was PUT and was

CARRIED 6/5

(Against: Deputy Mayor Crs. Smyth Poliwka Wetherall & Senathirajah)

The Substantive Motion was PUT and was

CARRIED 7/4

(Against: Crs. Bennett Mangano Youngman & Coghlan)

Council Resolution

Council being made aware that documents clearly marked confidential and addressed to Councillors were leaked to the community:

- 1. condemns this breach of trust by the individual who leaked the confidential documents; and**
- 2. reaffirms that Councillors will maintain a high standard of integrity and ethics in their behaviour in relation to all Council matters.**

Justification:

Leakage of confidential documents addressed to Councillors is unlawful, places the City in disrepute and creates an atmosphere of distrust. This notice of motion is supported.

14.3 Councillor Smyth – Care and Management Program for the Marlows Park

At the Council meeting on 15 December 2021 Councillor Smyth gave notice of her intention to move the following at this meeting.

Moved – Councillor Smyth

Seconded – Councillor Horley

Council instructs the CEO to provide an update on the care and management program for The Marlows Park R45965 being 2,509m2 of Public Open Space within the St John's Wood subdivisional allocation. This should include but not be limited to: Public Access options, Tree Planting potential and fire management of garden escaped bougainvillea.

Councillor Mangano left the meeting at 10.17 am and returned at 10.19 am.

Councillor Bennett left the meeting at 10.25 am and returned at 10.26 am.

Councillor Coghlan left the meeting at 10.27am and returned at 10.31 am.

Put Motion

Moved - Councillor Poliwka

Seconded - Councillor Hodsdon

That the Motion be put.

**CARRIED 10/1
(Against: Cr. Horley)**

The Motion was PUT and was

CARRIED UNANIMOUSLY 11/-

Council Resolution

Council instructs the CEO to provide an update on the care and management program for The Marlows Park R45965 being 2,509m2 of Public Open Space within the St John's Wood subdivisional allocation. This should include but not be limited to: Public Access options, Tree Planting potential and fire management of garden escaped bougainvillea.

Justification

1. Provides a focus on an area of difficult terrain that is poorly delineated as a portion of land under the care and maintenance of the City.
2. Provides a site for the of the City's tree planting quota program.
3. Provides habitat and protection for birds and other native wildlife.

4. Provides relief to wind and dust issues in the area.
5. Addresses bushfire and vegetation management issues in the area.
6. Provides opportunity for re-vegetation and weed control.
7. Reduces the risk of land slippage due to unstable sandy slopes.
8. Improves the amenity and natural aesthetic of the parkland.
9. Facilitates forward planning and future budget allocations.
10. Provides direction for collaboration with JTC regarding joint landscape projects along the boundary interface.

The Marlow's Park R45965 is 2,509m² of Public Open Space (POS) in the central north of the City. It abuts a road reserve and a special control area – environmental. The park forms part of the Land Corp subdivision of St John's Wood where much of the 10% public open space requirement was allocated to strips of difficult terrain straddling the steep, sandy escarpments.

The Marlow's Park is located:

- opposite residential housing on the Marlow's,
- at the rear of housing on Prince Albert Court, and
- spans the escarpment above the John XXIII School tennis and basketball courts.

At a recent onsite meeting with the Director Technical Service and Project manager, triggered by the recommended re-allocation of funding in the mid-year review, the need for re-vegetation was identified as a challenge that needed attention. A subsequent meeting with JTC ground management and City officers has proved fruitful, especially in light of the upcoming JTC development application upon which Councillors were recently briefed.



MAP: The Marlow's Park R45965 is 2,509m² of (POS)



Example of combined dust control and slope re-generation

14.4 Councillor Smyth – Dust Control

At the Council meeting on 15 December 2021 Councillor Smyth gave notice of her intention to move the following at this meeting.

Councillor Hodsdon – Financial Interest

Councillor Hodsdon disclosed a financial interest his interest being that he will be employed by Christ Church Grammar School in 1 months' time. Councillor Hodsdon declared that he would leave the room during discussion on this item.

Councillor Hodsdon left the meeting at 10.37 am.

Moved – Councillor Smyth
Seconded – Councillor Horley

Council Resolution

Council instructs the CEO to investigate the adherence to dust control measures on Reserve 41504, the land immediately adjoining the City's Mt Claremont depot to the west. Dust has been an ongoing problem in this area, the concern of residents to the west is on two accounts (1) the dust generated from the bulk vegetation dumping and mulching and (2) the likely impact of heavy earthworks with the upcoming construction of new CCGS playing fields in a known contaminated area.

CARRIED UNANIMOUSLY 10/-

Justification

1. The airborne dust load in this area has been an ongoing problem for residents, affecting health and property amenity.
2. This mulch operation does not appear to be well monitored, with action taken on individual complaints basis. Residents are complaint weary because over the years there have been various sources of dust during heavy earthworks.
3. It is not known how the facility will be managed during the transition of ownership from the State Government to CCGS.
4. If the lessees seek to find an alternative location, the City could once again be imposed upon to provide a site.
5. Facilitates forward planning and future budget allocations.

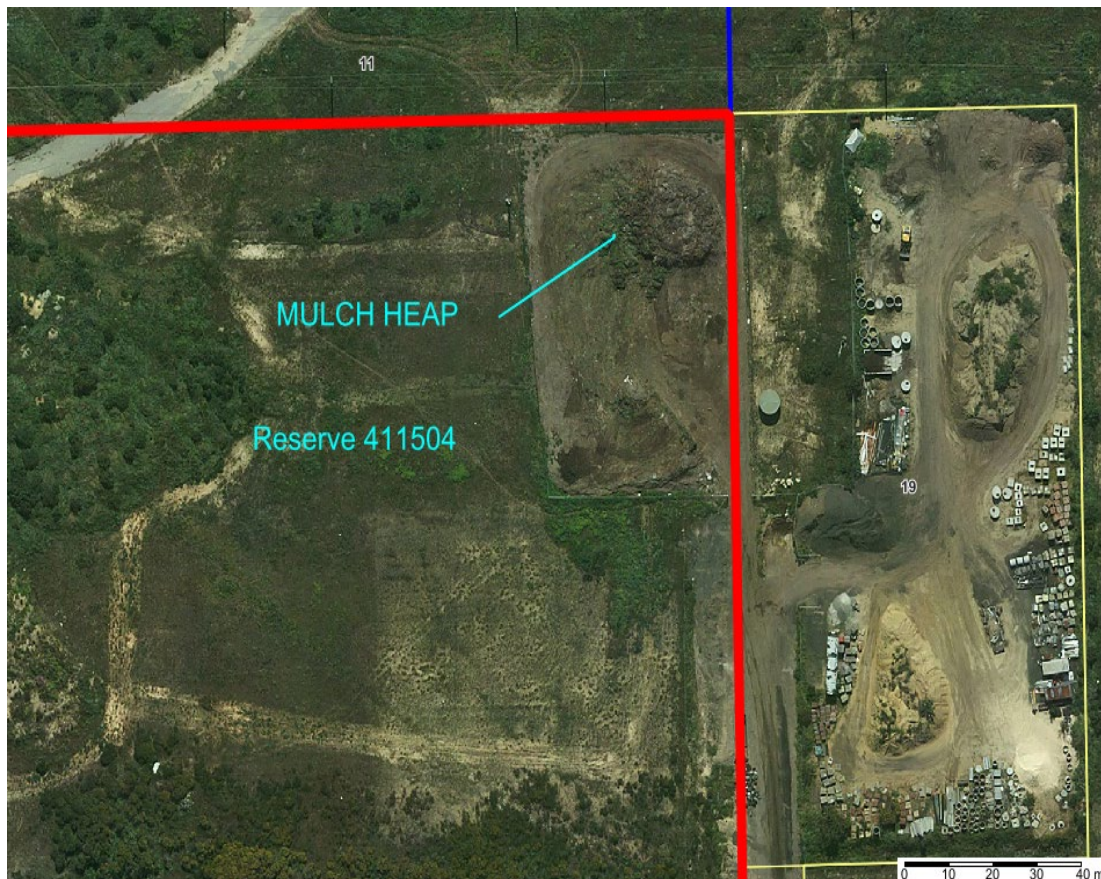
The City's depot in Mt Claremont is adjacent to Reserve 41504 which has recently been acquired from the State Government by Christ Church Grammar School to develop as playing fields.

There has been a green waste mulch facility operating in the north-east corner of reserve R41504 since mid-2012, as can be seen on the aerial photo map. Previously it was operated from the railway land adjacent to the Town of Claremont depot. (refer to 2009 Aerial Photo Map). This was relocated to WRMC Shenton Park in 2009 then Mt Claremont in 2012.

Dust has been an ongoing problem in this area, the concern of residents to the west is on two accounts (1) the dust generated from the bulk vegetation dumping and mulching and (2) the likely impact of heavy earthworks with the upcoming construction of new CCGS playing fields in a known contaminated area.



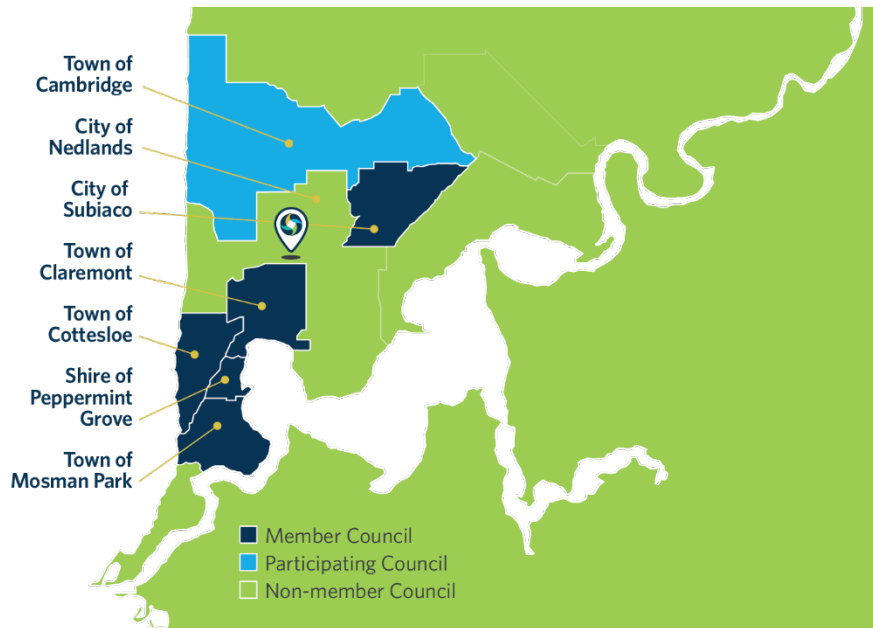
MAP: Municipal Mulch Heap R45632 is 4,111m² (C class reserve) - August 2020 Aerial Photography



MAP: Municipal Mulch Heap – First appears on September 2012 Aerial Photography



Mulch Heap at Town of Claremont depot – Aerial Photography January 2009



MAP: WMRC Facility in City of Nedlands August 2020



MAP: No Mulch Heap at WMRC Facility – Aerial Photography 2008



MAP: Mulch Heap at WMRC Facility – Aerial Photography January 2009



Example of dust control in municipal heaps

Administration Comment

Located on lot 12970 located on Reserve 451504 is the Western Metropolitan Regional Council (WMRC) Green Waste Storage Facility. This facility was approved by the City via a Development Approval in December 2017.

The Approval required that the applicant provide a dust management plan to the City. Condition 6 of the Approval states 'The applicant complying with the approved acoustical assessment (dated 7 December 2017) and dust management plan (dated 6 October 2017) to the City's satisfaction. In addition, condition 3 states 'no processing of the green waste material to produce mulch, compost or other products is to occur on the property.'

The approved dust management in Part 19 states:

'This Plan is to be reviewed by the Person in Control at least every 3 years or more regularly if circumstances warrant.

In the event of there being excessive dust emissions observed on site or dust complaints received from the surrounding community, the Plan is to be reviewed by the Person in Control to assess if there is a need to amend any of the processes described in the Plan.'

Further to the above, the City's Environmental Health Service has received, investigated and resolved complaints in regard to dust from maintenance activities at the:

- Christ Church Grammar School (concerns regarding dethatching and storage of thatch prior to removal – November 2019); and
- John 23rd College (storage of green waste (thatch) on the old tennis court – April 2019).

The City has no complaints on record having been received regarding dust emissions from this WMRC Green Waste Storage Facility site.

Administration Recommendation

1. Write to the WMRC to advise of Council's concerns regarding poor dust management effectiveness at the site,
2. request that the Dust Management Plan be reviewed by the WMRC in accordance with the provisions of the approved Plan,
3. request that the WMRC immediately initiate and undertake mitigating actions to reduce the dust impacts on surrounding areas, and advise the City of these actions; and
4. request that the WMRC report further to the City of Nedlands in February, March and April 2021 on the ongoing effectiveness of the dust mitigation measures and the progress being made on the Dust Management Plan's review.

Councillor Hodsdon returned to the meeting at 10.48 am.

14.5 Councillor Smyth – Public Road Connecting John 23rd Ave with Brockway Road

At the Council meeting on 15 December 2021 Councillor Smyth gave notice of her intention to move the following at this meeting.

Councillor Hodsdon – Financial Interest

Councillor Hodsdon disclosed a financial interest his interest being that he will be employed by Christ Church Grammar School in 1 months' time. Councillor Hodsdon declared that he would leave the room during discussion on this item.

Councillor Hodsdon left the meeting at 10.49 am.

Moved – Councillor Smyth
Seconded – Councillor Horley

Council Resolution

Council instructs the CEO to investigate the process for the creation of a Public Road connecting John 23rd Ave with Brockway Road. The proposed road would follow the eastern boundary of JTC and extend north to the boundary between the City's depot (R45054) and the proposed extension to the CCGS playing fields. This would incorporate R45632 this being 4,111m² of reserve land currently providing driveway access to the otherwise landlocked City depot and land leased to Cambridge and Subiaco. This should include but not be limited to: Traffic modelling, school and sports precinct access and egress requirements, impact on any local structure plans and zoning within the LPS3.

CARRIED UNANIMOUSLY 10/-

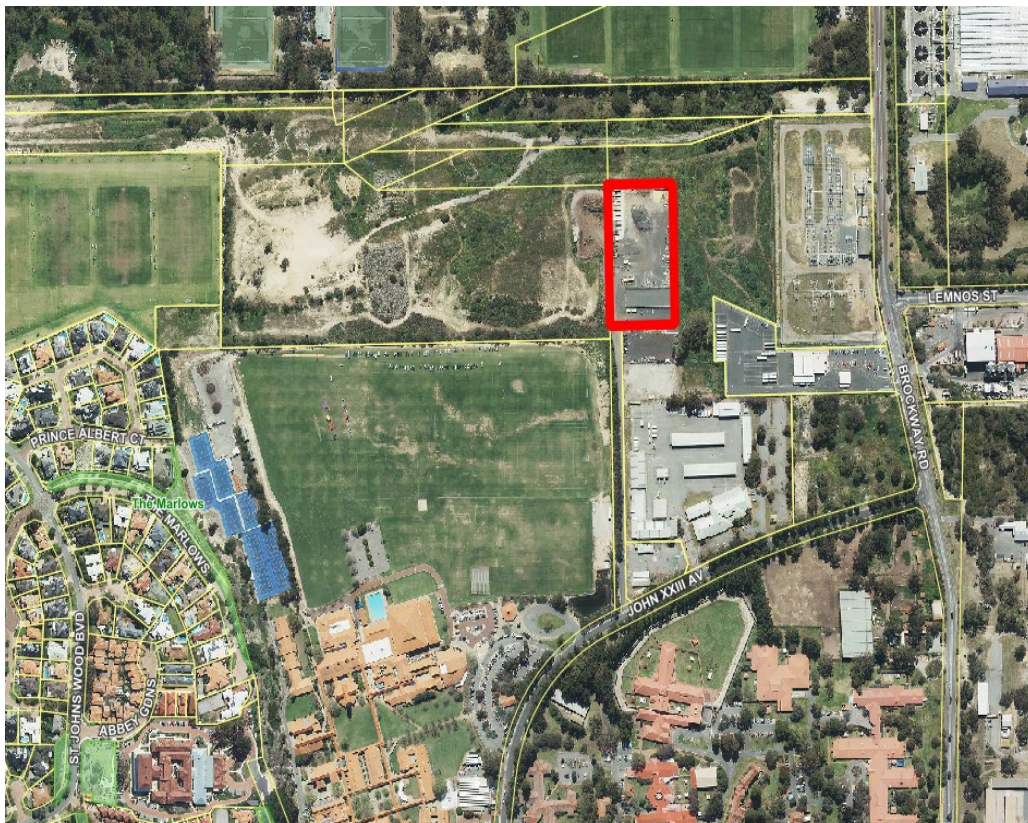
Justification

Reasons:

1. Provides a much-needed public thoroughfare that will relieve traffic congestion by providing an alternate northern access route to the schools and sports precinct.
2. Provides public road access to the otherwise landlocked City depot and land leased to Cambridge and Subiaco.
3. In the case of emergency evacuation and disaster management provides better road penetration of the area for emergency vehicle access.
4. Projects the City as the responsible authority for decisions about the local road network before it is taken out of our hands by adjacent landholders creating private roads.

5. Addresses the issue of JTC using this existing “non-road” as a slipway into their newly constructed car park and bus precinct.
6. Addresses the issue of JTC connection to its newly acquired property and workshops precinct on the eastern corner at Lot 12241.
7. Provides the opportunity for the City to develop an enhanced parkway verge for the City’s tree planting quota program. It could be similar in character to Montgomery Ave and Brockway Road.
8. Facilitates forward planning and future budget allocations.
9. Provides direction for collaboration with JTC and CCGS regarding joint landscape projects along the boundary interface.

The City’s depot in Mt Claremont is accessed by a Driveway on Lot 503, a long thin parcel of land that is classified as C class reserve R45632. The land is not currently a dedicated public road. The road network in this area has been static for the last 30 years since the closing of the Brockway Landfill Site, and its subsequent repurposing. Redevelopment of this area into a schools and sports precinct, alongside more than one thousand new dwellings presents the urgent need for a re-think of the road and pathway networks. The area has been in a holding pattern for more than 30 years, the time has come to plan and act.



MAP: The Depot Driveway R45632 is 4,111m² of (C class reserve)

Administration Comment

This can be done however it is a low priority issue and current capacity issues prevent any action soon.

Councillor Hodsdon returned to the meeting at 11.00 am.

Councillor Mangano left the meeting at 11.00 am.

14.7 Councillor Wetherall – Recission Motion – 28 Beatrice Road, Dalkeith Retrospective Amendment

Please note this item was brought forward see page 20.

14.6 Councillor Mangano – Legal Advice – Supreme Court Challenge to JDAP Approval – 97-105 Stirling Highway, Nedlands

Please note this item was brought forward see page 28.

14.8 Councillor Coghlan – Amendment to Local Planning Policy – Residential Aged Care Facility

Councillor Mangano returned to the meeting at 11.01 am.

Councillor Senathirajah left the meeting at 11.01 am.

Councillor Holey left 11.07 am

On 12 February 2021 Councillor Coghlan gave notice of her intention to move the following at this meeting.

Council:

- 1. instructs the CEO to prepare a revision to Local Planning Policy, Residential Aged Care Facilities, in accordance with Schedule 2 Part 2 Clause 5 of the Planning and Development (Local Planning Schemes) Regulations 2015, including the following amendment:**

Delete 4.3.4 2) b)(i) and replace with the following

“(i) A minimum 9 m street set back applies; and”
- 2. advertise the proposed amendments for a period of not less than 21 days in accordance with Clause 4(2) of the Deemed Provisions; and**
- 3. acknowledges that once submissions have been received, that the revised Local Planning Policy, Residential Aged Care Facilities be brought back to the next available Council meeting for determination.**

CARRIED 8/2

(Against: Deputy Mayor McManus Cr. Wetherall)

Justification

- This is a minor modification to the version of Local Planning Policy Residential Aged Care endorsed by Council on 3 September 2020.
- This amendment is one of clarification and not change. Given the history of this LPP it is clear that what the Council voted for in Sept was a change from 6m to 9m for R12.5 zoned land and all we are doing is correcting an inconsistency.
- Council had to move quickly after the RACF – LPP (adopted in April 2020) was revoked. The haste in preparing policies was necessary due to the RACF –LPP and Scheme Amendments 10 and 11 being prepared, presented and then sent out for advertising promptly. (There could not be a 5-day RACF policy vacuum between our OCM and the SCM. The previous Director of Planning explained this was necessary in case a

development application arrived during that time. The staff worked quickly to ameliorate this risk).

- This meant any amendments were then considered post advertising (following our standard processes).
- With a solid workload and the complexities of planning, mistakes can occur and in preparing for the SCM last year, which dealt with these, the 9 metre setback in this clause was unfortunately omitted.
- In the comments following advertising the administration acknowledges, “it is considered that a 9 metre setback would only be in keeping with some residential areas in Nedlands. In locations that are not coded R10, R12.5 and R15 an increased front setback of 9 metres is likely to be viewed as overly onerous in a judicial setting”. The amendment is as per the Administration’s comment that a 9m setback is in keeping with some residential settings including Betty St/ Doonan Road (the “A9” site).
- Clause 4.3.3 correctly captures the primary controls for land coded R10 to R35 where there is no approved Structure Plan, LDP, Precinct Plan and/or Activity Centre Plan, or specific local planning policy to the site.
- Clause 4.3.4 2) a) applies an R-Code of 12.5 on land zoned Residential but with no R coding shown on the Scheme Map and for which there is no approved LDP, Structure Plan and/or Activity Centre Plan.
- To be consistent with Clause 4.3.3 2) b) (i), a site that is governed by Clause 4.3.4 2) has an R-Code of 12.5 and must have a minimum street setback of 9m.
- Thank you to Director Free for working on this minor amendment. The need for this was realised prior to Christmas last year. Consequently, this NOM was first submitted on 18.12.20.
- For in-depth understanding or to refresh memories re the journey of these policies, they are clearly laid out in the Agenda for the City of Nedlands OCM 15.12.20. Agenda Item 13.12 State Development Assessment Referral Aged Care Facilities, Medical Centre Shop and Recreation – Private.
- It has already been demonstrated at the December 2020 OCM by a member of the public that a 60-bed RACF can readily fit within the built-form controls required under clause 4.3.4 and hence this amendment does not present an impediment to the development of the A9 site for RACF.

Administration Comment

The existing 6 metre front setback provision, as outlined in clause 4.3.4 2) b) (i) is suitable. A 9 metre front setback may restrict the ultimate form of development on this site for which the Residential Aged Care Facility is a permitted use under the Scheme. The 9 metre front setback control may result in a smaller site coverage, but greater building height.

15 Elected members notices of motion given at the meeting for consideration at the following ordinary meeting on 23 March 2021

Disclaimer: Where administration has provided any assistance with the framing and/or wording of any motion/amendment to a Councillor who has advised their intention to move it, the assistance has been provided on an impartial basis. The principle and intention expressed in any motion/amendment is solely that of the intended mover and not that of the officer/officers providing the assistance. Under no circumstances is it to be expressed to any party that administration or any Council officer holds a view on this motion other than that expressed in an official written or verbal report by Administration to the Council meeting considering the motion.

Notices of motion for consideration at the Council Meeting to be held on 23 March 2021 to be tabled at this point in accordance with Clause 3.9(2) of Council's Local Law Relating to Standing Orders.

15.1 Councillor Bennett - Cruikshank Reserve Verge Restoration

On the 15 February 2021 Councillor Bennett gave notice of his intention to raise the following at the 23 March 2021 Council Meeting:

Council instructs the CEO to restore the Cruikshank Reserve verges that have been damaged by prolonged construction vehicle parking, which will include the following works;

1. Aeration of compacted verges with resurfacing and returfing of verge grass.
2. Restoring the ecozone on the corner of Iris Avenue and Jutland parade to turf.
3. Completion of poinciana tree boulevard in Jutland parade by planting missing trees.
4. Drip irrigation to support establishment of new tree plantings.
5. No parking signs erected for eastern verge in Iris Avenue.
6. Replacement of removed verge trees in Iris Avenue.

Justification

The Cruikshank Reserve verges in Jutland parade and Iris Avenue have been damage through ongoing construction vehicle parking from a large, prolonged development which has caused parking and traffic nuisances while impacting local residents' amenity. Additional large developments have commenced in the nearby vicinity, so the verges need to be protected and a plan to ensure construction vehicles park in formal parking areas designated by the City.

15.2 Councillor Poliwka – Street Tree Council Policy

At the Council meeting on 23 February 2021 Councillor Poliwka gave notice of his intention to move the following at this meeting.

Council instructs the CEO to:

1. review and update the Council's Street Trees Policy (last updated in October 2015);
2. take into consideration the draft revised Street Trees Policy (Attachment 1) prepared by a volunteer community working group, as part of the update; and
3. present the updated Street Trees Policy to Council in May 2021 for approval to advertise for public comment.

Justification

1. The City of Nedlands street trees are a valuable asset to our community.
2. Increasing development in our City as a result of LPS3 is putting significant pressure on our urban tree canopy. It is proving difficult to obtain adequate deep soil planting in some proposed developments to match Nedlands existing urban tree canopy. Of particular concern is the subdivisions approved by WAPC and the grouped dwellings approved under delegated authority where grey surfaces significantly increase to the detriment of green surfaces (Figure 1).
3. As a comparison, the City of Bayswater has experienced this type of medium density development resulting in a recent report finding that in urban areas across Australia the City of Bayswater has experienced the largest increase in grey surfaces between 2016 and 2020 (Figure 2).
4. The greatest influence the City can have over increasing the urban tree canopy is on land that it either owns freehold (eg Peace Memorial Rose Gardens) or which is Crown land vested in the City (eg verges). The right street trees can make a significant difference to urban tree canopy cover in urban, spacious and low rainfall areas like Nedlands serving to reduce the heat island effect, as illustrated in Figure 3 and Figure 4.
5. The environmental and property value cost benefits alone have been calculated at \$3.81 for every \$1.00 spent on street tree planting and management.

Figure 1



Figure 2

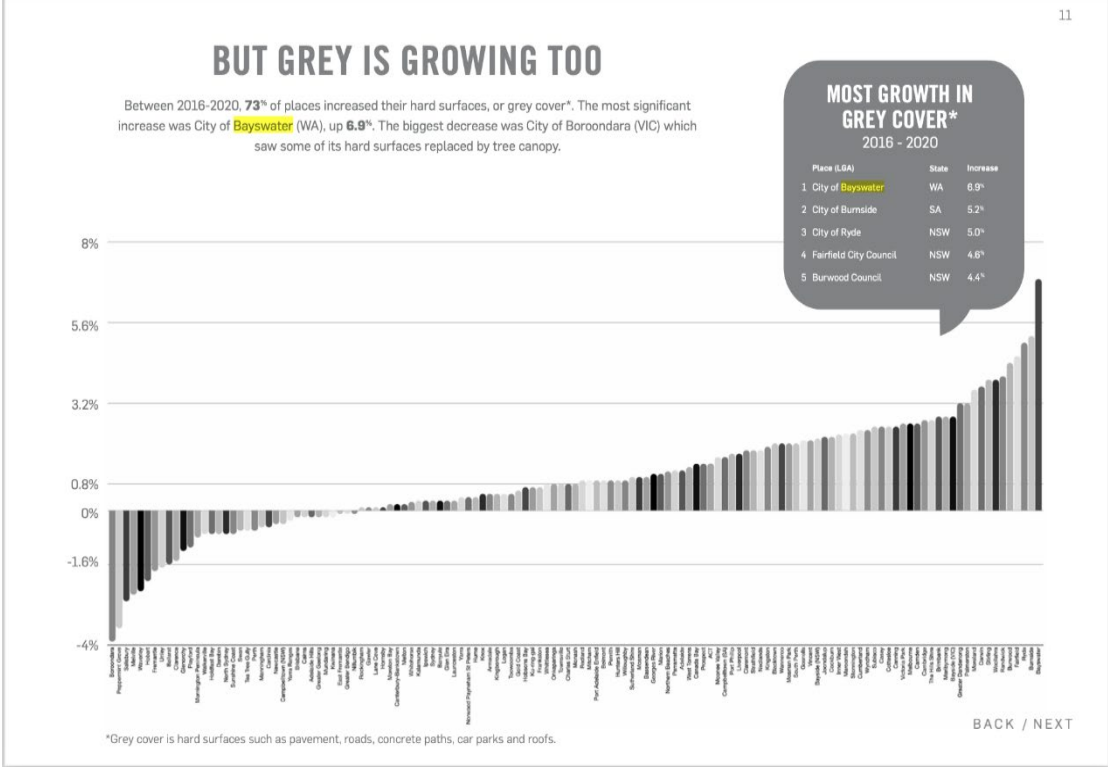


Figure 3



Figure 4



Figure 3. Thermal image of shaded Victoria Avenue in the City of Perth. Ambient air temperature is 31° Celsius. Temperatures range from 14.4° C in the shade to 33° C in unshaded areas. The temperature in shaded areas was an average 6° C cooler.⁹

The Deputy Mayor granted a recess for the purposes of a refreshment break.

The meeting adjourned at 11.11 am and reconvened at 11.21 am with the following people in attendance:

Present and Apologies and Leave of Absence (Previously Approved)

Councillors	Deputy Mayor L J McManus	(Presiding Member)
	Councillor F J O Bennett	Dalkeith Ward
	Councillor A W Mangano	Dalkeith Ward
	Councillor N R Youngman	Dalkeith Ward
	Councillor B G Hodsdon	Hollywood Ward
	Councillor P N Poliwka	Hollywood Ward
	Councillor J D Wetherall	Hollywood Ward
	Councillor R A Coghlan	Melvista Ward
	Vacant	Melvista Ward
	Councillor R Senathirajah	Melvista Ward
	Councillor N B J Horley	Coastal Districts Ward
	Councillor K A Smyth	Coastal Districts Ward

Staff	Mr M A Goodlet	Chief Executive Officer
	Mr J Duff	Director Technical Services
	Mr T G Free	Director Planning & Development
	Mr E K Herne	Director Corporate & Strategy
	Mrs N M Ceric	Executive Officer
	Ms P Panayotou	Executive Manager Community

Public There were 1 members of the public present.

Leave of Absence Nil.
(Previously Approved)

Apologies Nil.

16 Urgent Business Approved By the Presiding Member or By Decision

Any urgent business to be considered at this point.

17 Confidential Items

17.1 Council Risk and Reporting

Confidential report circulated separately to Councillors.

Councillor Bennett – 17.1 - Council Risk and Reporting

Councillor Bennett disclosed an impartiality interest in item 17.1 - Council Risk and Reporting. Councillor Bennett disclosed that his name appears in the papers, and as a consequence, there may be a perception that his impartiality on the matter may be affected. Councillor Bennett declared that he would consider this matter on its merits and vote accordingly.

Councillor Mangano – 17.1 – Council Risk & Reporting

Councillor Mangano disclosed an impartiality interest in item 17.1 - Council Risk and Reporting. Councillor Mangano disclosed that his name appears in the papers, and as a consequence, there may be a perception that his impartiality on the matter may be affected. Councillor Mangano declared that he would consider this matter on its merits and vote accordingly.

Councillor Coghlan – 17.1 – Council Risk & Reporting

Councillor Coghlan disclosed an impartiality interest in item 17.1 - Council Risk and Reporting. Councillor Coghlan disclosed that an email from herself appears in the papers, and as a consequence, there may be a perception that her impartiality on the matter may be affected. Councillor Coghlan declared that she would consider this matter on its merits and vote accordingly.

Councillor Hodsdon – 17.1 – Council Risk & Reporting

Councillor Hodsdon disclosed an impartiality interest in item 17.1 - Council Risk and Reporting. Councillor Hodsdon disclosed that his name appears in the papers, and as a consequence, there may be a perception that his impartiality on the matter may be affected. Councillor Hodsdon declared that he would consider this matter on its merits and vote accordingly.

Councillor Smyth – 17.1 – Council Risk & Reporting

Councillor Smyth disclosed an impartiality interest in item 17.1 - Council Risk and Reporting. Councillor Smyth disclosed that her name appears in the papers and she was copied into the emails, and as a consequence, there may be a perception that her impartiality on the matter may be affected. Councillor Smyth declared that she would consider this matter on its merits and vote accordingly.

Councillor Senathirajah – 17.1 – Council Risk & Reporting

Councillor Senathirajah disclosed an impartiality interest in Item 17.1 – Council Risk & Reporting. Councillor Senathirajah disclosed that his name appears in the papers, and as a consequence, there may be a perception that his impartiality on the matter may be affected. Councillor Senathirajah declared that he would consider this matter on its merits and vote accordingly.

Councillor Horley – 17.1 – Council Risk & Reporting

Councillor Horley disclosed an impartiality interest in item 17.1 - Council Risk and Reporting. Councillor Horley disclosed that her name appears in the papers and she was copied into the emails, and as a consequence, there may be a perception that her impartiality on the matter may be affected. Councillor Horley declared that she would consider this matter on its merits and vote accordingly.

Deputy Mayor McManus – 17.1 – Council Risk & Reporting

Deputy Mayor McManus disclosed an impartiality interest in Item 17.1 – Council Risk & Reporting. Deputy Mayor McManus disclosed that his name appears in the papers, and as a consequence, there may be a perception that his impartiality on the matter may be affected. Deputy Mayor McManus declared that he would consider this matter on its merits and vote accordingly.

Closure of Meeting to the Public

Moved – Councillor Hodsdon

Seconded - Councillor Poliwka

That the meeting be closed to the public in accordance with Section 5.23 (a) (b) and (d) of the Local Government Act 1995 to allow confidential discussion on the following Items.

CARRIED 8/3

(Against: Crs. Bennett Youngman & Coghlan)

The meeting was closed to the public at 11.26 pm.

Moved - Councillor Hodsdon
Seconded - Councillor Wetherall

That the meeting be reopened to members of the public and the press.

CARRIED UNANIMOUSLY 11/-

The meeting was reopened to members of the public and the press at 12.34 pm.

In accordance with Standing Orders 12.7(3) the Presiding Member read out the motions passed by the Council whilst it was proceeding behind closed doors and the vote of the members to be recorded in the minutes under section 5.21 of the Local Government Act 1995.

Moved – Deputy Mayor McManus
Seconded – Councillor Hodsdon

That Mr Lance Sgro be permitted to remain in the room during discussion on this item as an observer.

CARRIED UNANIMOUSLY 11/-

Moved – Councillor Wetherall
Seconded – Councillor Poliwka

Council Resolution / Recommendation to Council

Council:

- 1. notes the content of confidential Attachment 1 of this report; and**
- 2. agrees to the recommended actions in confidential Attachment 1 of this report.**

CARRIED 7/4

(Against: Crs. Bennett Mangano Youngman & Coghlan)

Declaration of Closure

There being no further business, the Presiding Member will declare the meeting closed
12.35 pm