**AGENDA**

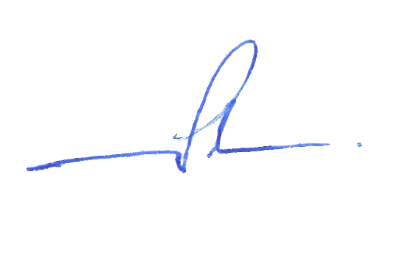
**Council Meeting Agenda**

**26 July 2022**

**Notice of Meeting**

**To Mayor & Councillors**

A Council Meeting Forum of the City of Nedlands is to be held on Tuesday, 26 July 2022 in the Council chambers at 71 Stirling Highway Nedlands commencing at 6pm.



Bill Parker

Chief Executive Officer

21 July 2022

**Information**

Council Meetings are run in accordance with the City of Nedlands Standing Orders Local Law. If you have any questions in relation to items on the agenda, procedural matters, public question time, addressing Council or attending meetings please contact the Executive Officer on 9273 3500 or [council@nedlands.wa.gov.au](mailto:council@nedlands.wa.gov.au)

**Public Question Time**

Public question time at a Council Meeting is available for members of the public to ask a question about items on the agenda. Questions asked by members of the public are not to be accompanied by any statement reflecting adversely upon any Council Member or Employee.

Questions should be submitted as early as possible via the online form available on the City’s website: [Public question time | City of Nedlands](https://www.nedlands.wa.gov.au/public-question-time)

Questions may be taken on notice to allow adequate time to prepare a response and all answers will be published in the minutes of the meeting.

**Addresses by Members of the Public**

Members of the public wishing to address Council in relation to an item on the agenda must complete the online registration form available on the City’s website: [Public Address Registration Form | City of Nedlands](https://www.nedlands.wa.gov.au/public-address-registration-form)

The Presiding Member will determine the order of speakers to address the Council and the number of speakers is to be limited to 2 in support and 2 against any particular item on a Special Council Meeting Agenda. The Public address session will be restricted to 15 minutes unless the Council, by resolution decides otherwise.

**Disclaimer**

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

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

**Table of Contents**

[1. Declaration of Opening 4](#_Toc109311673)

[2. Present and Apologies and Leave of Absence (Previously Approved) 4](#_Toc109311674)

[3. Public Question Time 4](#_Toc109311675)

[4. Addresses by Members of the Public 4](#_Toc109311676)

[5. Requests for Leave of Absence 4](#_Toc109311677)

[6. Petitions 4](#_Toc109311678)

[7. Disclosures of Financial / Proximity Interest 4](#_Toc109311679)

[8. Disclosures of Interests Affecting Impartiality 5](#_Toc109311680)

[9. Declarations by Members That They Have Not Given Due Consideration to Papers 5](#_Toc109311681)

[10. Confirmation of Minutes 5](#_Toc109311682)

[11. Announcements of the Presiding Member without discussion. 5](#_Toc109311683)

[12. Members Announcements without discussion. 6](#_Toc109311684)

[13. Matters for Which the Meeting May Be Closed 6](#_Toc109311685)

[14. En Bloc Items 6](#_Toc109311686)

[15. Minutes of Council Committees and Administrative Liaison Working Groups 6](#_Toc109311687)

[15.1 Minutes of the following Committee Meetings (in date order) are to be received: 6](#_Toc109311688)

[16. Divisional Reports - Planning & Development Report No’s PD35.06.22 to PD41.06.22 7](#_Toc109311689)

[16.1 PD43.07.22 Consideration of Development Application – Additions to a Single House at No. 7 Watkins Rd, Dalkeith 7](#_Toc109311691)

[16.2 P44.07.22 Wood Heater Education Brochure 13](#_Toc109311692)

[17. Divisional Reports – Technical Services Report No’s TS10.07.22 to TS13.07.22 17](#_Toc109311693)

[17.1 TS10.07.22 RFT 21-22.06 Provision of Stormwater Construction and Maintenance Works 17](#_Toc109311694)

[17.2 TS11.07.22 Lawler Park Draft Master Plan 21](#_Toc109311695)

[17.3 TS12.07.22 Adoption of Asset Management Plans 2023 – 2025 30](#_Toc109311696)

[17.4 TS13.07.22 Integrated Transport Strategy Steering Committee – Establishment and Appointment of Members 38](#_Toc109311697)

[18. Divisional Reports - Corporate & Strategy Report No’s CPS27.06.22 to CPS29.06.22 45](#_Toc109311698)

[18.1 CPS27.07.22 Monthly Financial Report – June 2022 45](#_Toc109311701)

[18.2 CPS28.07.22 Monthly Investment Report – June 2022 51](#_Toc109311702)

[18.3 CPS29.07.22 List of Account Paid – June 2022 54](#_Toc109311703)

[19. Reports by the Chief Executive Officer CEO05.06.22 56](#_Toc109311704)

[19.1 ORC01.06.22 Draft Organisational Review and Workforce Plan 56](#_Toc109311706)

[20. Council Members Notice of Motions of Which Previous Notice Has Been Given 64](#_Toc109311707)

[20.1 Councillor Mangano – Press Release for Hospice 64](#_Toc109311709)

[20.2 Councillor Mangano – Standing Orders Local Law Amendment 65](#_Toc109311710)

[20.3 Councillor Coghlan – Costs of Processing Planning Approvals that go to JDAP and the SDAU 66](#_Toc109311711)

[21. Urgent Business Approved by the Presiding Member or by Decision 68](#_Toc109311712)

[21.1 TS14.07.22 Waratah Avenue Contract Variation 68](#_Toc109311713)

[21.2 TS15.07.22 Variation to the Waste Management Service Contract 2020.21.02 72](#_Toc109311714)

[22. Confidential Items 76](#_Toc109311715)

[23.1 CEO05.07.22 Confidential Final Determination Report (036201v-01) 76](#_Toc109311719)

[23.2 CEO06.07.22 Confidential Final Determination Report (03621Iv-01) 77](#_Toc109311720)

[23.3 CEO07.07.22 Confidential Final Determination Report (03617IV-01) 78](#_Toc109311721)

[23. Declaration of Closure 79](#_Toc109311722)

# Declaration of Opening

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

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

**Leave of Absence** Mayor F E M Argyle

**(Previously Approved)**

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

# Public Question Time

Questions received from members of the public will be read at this point.

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

# Addresses by Members of the Public

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

# Requests for Leave of Absence

Any requests from Council Members for leave of absence will be dealt with at this point.

# Petitions

Petitions to be tabled at this point.

# Disclosures of Financial / Proximity Interest

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

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

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

# Disclosures of Interests Affecting Impartiality

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

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

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

"With regard to the matter in item x ….. I disclose that I have an association with the applicant (or person seeking a decision). This association is ….. (nature of the interest).

As a consequence, there may be a perception that my impartiality on the matter may be affected. I declare that I will consider this matter on its merits and vote accordingly."

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

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

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

# Confirmation of Minutes

**10.1 Ordinary Council Meeting Minutes – 28 June 2022**

The minutes of the Ordinary Council Meeting held 28 June 2022 are to be confirmed.

**10.2 Special Council Meeting Minutes – 27 June 2022**

The minutes of the Special Council Meeting held 27 June 2022 are to be confirmed.

# Announcements of the Presiding Member without discussion.

Any written or verbal announcements by the Presiding Member to be tabled at this point.

# Members Announcements without discussion.

Written announcements by Council Members to be tabled at this point. Council Members may wish to make verbal announcements at their discretion.

# Matters for Which the Meeting May Be Closed

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

# En Bloc Items

That the officer recommendations for Items 15.1, 16.1, 16.2, 17.1, 17.2, 17.3, 17.4 and 18.1, 18.2, 18.3 and 19.1 be adopted en bloc and the remaining items be dealt with separately.

# Minutes of Council Committees and Administrative Liaison Working Groups

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

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

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

**WALGA Central Metropolitan Zone Meeting Minutes 23 June 2022**

Unconfirmed, circulated to Councillors on 30 June 2022

# Divisional Reports - Planning & Development Report No’s PD35.06.22 to PD41.06.22



# PD43.07.22 Consideration of Development Application – Additions to a Single House at No. 7 Watkins Rd, Dalkeith

|  |  |
| --- | --- |
| **Meeting & Date** | Council Meeting – 26 July 2022 |
| **Applicant** | D4 Designs |
| **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 involved in the preparation of this report and the proponents or their consultants. |
| **Report Author** | Roy Winslow – Manager Urban Planning |
| **Director** | Tony Free – Director Planning and Development |
| **Attachments** | 1. Aerial Image and Zoning Map 2. Development Plans 3. Prevailing Streetscape Setback (9.0m) |

**Purpose**

The purpose of this report is for Council to consider a development application for ground and upper floor additions to a single house at 7 Watkins Rd, Dalkeith.

**Recommendation**

**That Council:**

**In accordance with Clause 68(2)(c) of the Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015, refuses the development application as shown on the plans date stamped 26 April 2022 for additions to a single house at 7 Watkins Road, Dalkeith, for the following reasons:**

1. **The development proposal does not satisfy Clause 26(a) (Modification of R-Codes) of City of Nedlands Local Planning Scheme No. 3, proposing a 3.7m primary street setback in lieu of 9.0m.**
2. **The development proposal fails to satisfy the design principles of Clause 5.1.2 of the Residential Design Codes Volume 1, with the ground floor and first floor additions (facing south) being inconsistent with the prevailing streetscape of Watkins Road.**
3. **The first-floor addition is inconsistent with the objectives of the City of Nedlands Residential Development Local Planning Policy and clause 67(m) of the Deemed Provisions, as it will present adverse building bulk to Watkins Road and is inconsistent with the prevailing and desired streetscape.**

**Voting Requirement**

Simple Majority

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

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

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

**Background**

**Land Details**

|  |  |
| --- | --- |
| Metropolitan Region Scheme Zone | Urban |
| Local Planning Scheme Zone | Residential |
| R-Code | R12.5 |
| Land area | 1,314m2 |
| Land Use | Residential Single House |
| Use Class | ‘P’ Permitted Use |

The site is located at 7 Watkins Road, Dalkeith, 170m south of Mason Gardens. The site has three street frontages to Garland Road, Hackett Road and Watkins Road. The lot is currently occupied by an existing two-storey single house, which is to be retained. The lot is rectangular in shape and is sunken relative to the southern road (primary street frontage) Watkins Road with a ground level sitting between 1m to 2m below the street level.

The application seeks development approval for the following additions and alterations:

* Ground floor extension and alterations to the kitchen, lounge, alfresco and porch;
* Upper floor extension including new guest bed 5 and stairs; and
* Basement car park with entrance off Garland Road.

Of particular interest to the assessment is the proposed setbacks to Watkins Road, which acts as the primary street frontage for the dwelling. The current setback of the dwelling is 4.5m to the ground floor and 9.0m to the upper floor. It is proposed to reduce this setback to 3.8m to the ground floor porch and 5.4m to the upper floor. The prevailing setback along Watkins Road is approximately 9.0m. The impact of the development upon the streetscape is the primary area of concern.

**Discussion**

**Assessment of Statutory Provisions**

If a proposal does not satisfy the deemed to-comply provisions of the State Planning Policy 7.3: Residential Design Codes (R-Codes), Council is required to exercise a judgement of merit to determine the proposal against the design principles of the R-Codes. The R-Codes require the assessment to consider the relevant design principle only and to not apply the corresponding deemed-to-comply provisions.

It is recommended that the application be refused by Council as it does not satisfy the design principles of the R-Codes. Further, the development will have a significant adverse impact on the local amenity and character of the streetscape.

**Local Planning Scheme No.3**

Schedule 2, Clause 67(2) (Consideration of application by Local Government) of LPS3 – identifies those matters that are required to be given due regard to the extent relevant to the application.  Where relevant, these matters are discussed in the following sections. Overall, the development does not meet these objectives, particularly in regard to height, scale, bulk, appearance, and the potential impact it will have on the local amenity.

**State Planning Policy 7.3 - Residential Design Codes – Volume 1**

State Planning Policy 7.3 Residential Design Codes Volume 1 (R-Codes) applies to all single and grouped dwelling developments. An approval under the R-Codes can be obtained in one of two ways. This is by either meeting the deemed-to-comply provisions or via a design principle assessment pathway.

The proposed development is seeking a design principle assessment pathway for parts of this proposal. Council is asked to consider the design principles relating to primary street setback. As required by the R-Codes, Council, in assessing the proposal against the design principles, should not apply the corresponding deemed-to-comply provisions.

**Clause 5.1.2 – Street Setback**

The prevailing street setback along Watkins Road is approximately 9.0m. The current dwelling is setback 4.5m and 9.0m for the ground and upper floors respectively. The proposed setbacks are 3.8m and 5.4m for the ground and upper floors respectively.

The design principles for street setback contained in section 5.1.2 of the R-Codes provide for two main criteria to be considered that are relevant to this application:

* 1. Provision of adequate setbacks to contribute to and be consistent with an established streetscape; and
  2. Provision of building mass and form that positively contributes to the prevailing or future development context and streetscape.

The existing dwelling is located within the 9.0m prevailing street setback for Watkins Road. The existing encroachment is limited to the ground floor, with the upper floor setback 9.0m. The impact of the reduced ground floor setback is reduced by the street level being higher than the dwelling floor level and the location of landscaping and front fencing. The bulk of the existing dwelling that can be seen from the street is predominantly the upper floor, which is consistent with the Watkin Road prevailing building line.

The proposed alterations to the dwelling will bring the bulk of the building closer to Watkins Road. The upper floor will be located closer to the street and a new double storey portico will provide an interface to Watkins Road that is unique to this property. The existing landscaping, level changes and fencing will not have the same ability to reduce the building mass and form when viewed from Watkins Road.

It is noted that 3 corner lots with frontage to Watkins Road have reduced setbacks to this street. However, each of these properties utilise Watkins Roads as their secondary frontage. The property immediately to the east (14 Garland Road) has a minimum 2.0m setback to Watkins Road consistent with the deemed-to-comply secondary street setback provisions of the R-Codes. The effect of this setback onto Watkins Road is reduced by the presence of a high masonry fence that screens the single storey dwelling which sits lower than street level.

The proposal will reinforce Watkins Road as the primary frontage to the property through the construction of a new entry portico. This will reinforce the primacy of the Watkins Road setback in creating the streetscape interface between the dwelling, the street and the surrounding properties.

Officers have considered the proposal in the context of the prevailing Watkins Road streetscape. As a low-density residential area, there are no planning changes proposed that will reduce the primary street setback settings. Whilst redevelopment of older housing is likely, the existing streetscape pattern is expected to continue. It is for this reason that the proposed changes to the dwelling are not supported.

**Street Tree Removal**

The development proposes the removal of a street tree to allow for a new crossover onto Garland Road. City officers have assessed the street tree and determined that it is of poor health and has limited canopy size. Removal of the street tree is supported, subject to replacement in accordance with Council’s Street Tree Policy.

**Consultation**

The application is seeking assessment under the design principles of the R-Codes and the City’s Local Planning Policy for the ground and upper floor primary street setback.

The development application was advertised in accordance with the City’s Local Planning Policy - Consultation of Planning Proposals to 10 adjoining properties. The application was advertised for a period of 14 days from 7 February 2022 to 21 February 2022. No submissions were received during or outside of the consultation period.

**Strategic Implications**

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

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

**Values** **Great Natural and Built Environment**

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

**Reflects Identities**

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

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

**Budget/Financial Implications**

N/A

**Legislative and Policy Implications**

Council is requested to make a decision in accordance with clause 68(2) of the [Deemed Provisions](https://www.wa.gov.au/system/files/2022-01/PD-Act-Regulations-Deemed-Provisions.pdf). Council may determine to approve the development without conditions (cl.68(2)(a)), approve with development with conditions (cl.68(2)(b)), or refuse the development (cl.68(2)(c)).

**Decision Implications**

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

In the event of a refusal, the applicant will have a right of review to the State Administrative Tribunal. The Tribunal will have regard to the R-Codes as a State Planning Policy and give due regard to City’s Local Planning Scheme and Policies. Similarly, should an applicant be aggrieved by one or more conditions of approval, this can be reviewed by the Tribunal.

**Conclusion**

The application for additions to a single house has been presented to Council consideration for refusal. However, discretion exists for Council to approve the development under the City’s Local Planning Scheme No. 3, policies and the Residential Design Codes.

Refusal is recommended because the development:

* is inconsistent with the existing streetscape;
* does not reflect the desired future streetscape character of Watkins Road; and
* results in detrimental bulk and scale impacts to the streetscape.

Accordingly, it is recommended that the application be refused by Council.

**Further Information**

N/A

# P44.07.22 Wood Heater Education Brochure

|  |  |
| --- | --- |
| **Meeting & Date** | Council Meeting – 26 July 2022 |
| **Applicant** | City of Nedlands |
| **Employee Disclosure under section 5.70 Local Government Act 1995** | Nil |
| **Report Author** | Jessica Bruce – A/Manager Health and Compliance |
| **Director** | Tony Free – Director Planning and Development |
| **Attachment** | 1. Wood Heater and Appliance Education Brochure |

**Purpose**

The purpose of this report is for Council to endorse an educational brochure in relation to wood heaters following the Council resolution of 22 March 2022.

**Recommendation**

**That Council endorses the wood heater and appliance education brochure in Attachment 1.**

**Voting Requirement**

Simple Majority.

**Background**

On 22 March 2022, the Council resolved for the administration to create a new document / colour flyer using Burnwise information about how to generate less smoke and include topics on substances presence in wood smoke, the associated health concerns, and environmental impacts.

**Discussion**

Pertaining to the Council resolution on 22 March 2022, a new wood heater and appliance education brochure has been created (refer to Attachment 1). The document aims to empower City’s residents to make informed decisions when operating a wood fire heater by providing general knowledge and useful information associated with these appliances. The topics covered in the brochure include:

* Wood smoke characteristics and associated health effects,
* Legislative framework that governs wood fire heaters,
* Firewood and wood smoke issues,
* How to efficiently operate appliances, and
* Steps to take in respond to wood smoke.

The first part of the flyer sets the scene that wood smoke, when breathed in, is harmful to human. It covers examples of vulnerable groups and short and long-term health effects. It follows with a breakdown of common wood smoke composition with a focus on two of the key substances PM10 and PM2.5 and a QR code to the Department of Agriculture, Water and the Environment’s National Pollutant Inventory substance fact sheets.

Western Australia’s legislative framework that governs wood heaters, firewood, wood smoke issues, and their intended scope of coverage is outlined in the second section of the flyer. It includes State and local legislation being *Environmental Protection (Solid Fuel Heater and Firewood) Regulations 2018* and *City of Nedlands Health Local Laws 2000*.

The next part has steps that can be taken to generate less smoke from wood fire appliances. This includes important heater model information featuring an example from the Department of Water and Environmental Regulation (DWER) Burnwise brochure.

Information on steps to take if wood smoke effects is apparent is in the last section of the brochure. This includes contacting various state departments for information about smoke as a result of possible bushfires or prescribed burns as well as tips on reducing smoke exposure. This section also states the wood smoke reporting method.

It should be noted that the quality of air can be influenced by a variety of emission sources including motor vehicles, industrial activities, and bushfires; not just wood fire heaters. DWER has an air quality monitoring system established in Western Australia where substances such as nitrogen dioxide, PM10 and PM2.5 etc, are being monitored and updated on an hourly basis at various locations, including Swanbourne. These results can be accessed online on the DWER website. Currently City officers do not have the necessary equipment and adequate technical knowledge in conducting air quality monitoring in the community. However, the feasibility and viability of monitoring of this kind in a form of public health program could be further explored as part of the City’s preparation and planning works for a local public health plan that is required under the *Public Health Act 2016*.

**Consultation**

The Administration consulted with the following during the development of the new colour brochure:

* Department of Water and Environmental Regulation
* Department of Agriculture, Water and the Environment
* WA Department of Health
* Department of Biodiversity, Conservation and Attractions
* Emergency WA
* Australian Home Heating Association

**Strategic Implications**

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

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

**Values** **Healthy and Safe**

Our City has clean, safe neighbourhoods where public health is protected and promoted.

**Priority Area**

* Urban form - protecting our quality living environment

**Budget/Financial Implications**

No financial implications have been identified associated with the recommendations.

**Legislative and Policy Implications**

Matters relating to wood heaters and firewood are currently governed under the [*Environmental Protection (Solid Fuel Heater and Firewood) Regulations 2018*](https://www.legislation.wa.gov.au/legislation/prod/filestore.nsf/FileURL/mrdoc_41256.pdf/$FILE/Environmental%20Protection%20(Solid%20Fuel%20Heater%20and%20Firewood)%20Regulations%202018%20-%20%5B00-a0-03%5D.pdf?OpenElement)(Regulations) which is administered by the Department of Water and Environmental Regulation.

The [*City of Nedlands Health Local Laws 2000*](https://www.nedlands.wa.gov.au/sites/default/files/Gazette%20Copy%20-%20City%20of%20Nedlands%20Health%20Local%20Law%202017.pdf) legislates requirements for issues around the escape of smoke and burning of rubbish or refuse which is administered by City authorised officers.

**Decision Implications**

Should the recommendations be endorsed the Administration will distribute the brochure document to each resident via the City’s rates notice and have flyers available on City’s website, administration office, community centres and library.

**Conclusion**

Following Council resolution on 22 March 2022, the Administration has developed a wood heater and appliance education brochure. It raises awareness of impacts wood smoke can have to health, provide legislation information on wood heater and smoke, guidance on generating less wood smoke and response for wood smoke.

Opportunities for implementing an air quality monitoring program within the City’s district could also be explored as part of City’s local public health planning under the *Public Health Act 2016* in the near future.

**Further Information**

**Question**

Councillor Youngman – Consideration of consequences of being in breach of the local law being included in brochure?

**Officer Response**

This has now been included in the brochure.

**Question**

Can the document clarify that the PM2.5 is the particle size that can be adsorbed directly into the blood?

**Officer Response**

The statement in the brochure “PM10 and PM2.5, being two of the key substances in wood smoke, are particulate matters less than 10 and 2.5 micrometers in diameters. These airborne particles can enter the body through the mouth, throat or nose. Once they are breathed into the lungs, they can have direct physical effect and be absorbed into the blood.” This information can be found on the National Pollutant Inventory website.

**Question**

Councillor Bennett – Pictures of inappropriate fuel for fires to be included?

**Officer Response**

A picture has been included in the brochure.

# Divisional Reports – Technical Services Report No’s TS10.07.22 to TS13.07.22

# TS10.07.22 RFT 21-22.06 Provision of Stormwater Construction and Maintenance Works

|  |  |
| --- | --- |
| **Meeting & Date** | Council Meeting – 26 July 2022 |
| **Applicant** | City of Nedlands |
| **Employee Disclosure under section 5.70 Local Government Act 1995** | Nil. |
| **Report Author** | Jason Spyker – Coordinator Civil Maintenance |
| **Director** | Andrew Melville – Acting Director Technical Services |
| **Attachments** | 1. CONFIDENTIAL Evaluation and Recommendation Report – Tender Award RFT 2021-22.06 Provision of Stormwater Construction and Maintenance Works |

**Purpose**

The purpose of the report is for Council to accept the evaluation and recommendation for the award of RFT 2021-22.06 Provision of Stormwater Construction and Maintenance Works to Comex Civil Pty Ltd.

**Recommendation**

**That Council:**

1. **approves the award of the contract for Provision of Stormwater Construction and Maintenance Works in accordance with the City’s Request for Tender number RFT 21-22.06 and comprising of that request, the City’s Conditions of Contract and the Comex Civil Pty Ltd tender submission;**
2. **instructs the CEO to arrange for a Letter of Acceptance and a Contract document be sent to Comex Civil Pty Ltd for execution; and**
3. **instructs the CEO to arrange for all other tender respondents to be advised of the tender outcome.**

**Voting Requirement**

Simple Majority.

**Background**

The City has a requirement to maintain and upgrade stormwater drainage infrastructure within the public realm. Typical works include:

* Replacement/repair of damaged drainage infrastructure including pit lids and frames.
* Replacement of drainage pipes.
* Upgrade of drainage infrastructure including pits and pipes.
* Clearing and maintenance of open drains.

Due to the specialised skill set and equipment requirements the City is required to engage the services of an experienced contractor to undertake such works.

The City does not have the internal resources or expertise to undertake these types of works.

To ensure that the City can continue to undertake these vital works, a Request for Tender was publicly advertised on Tenderlink during the period 27 May – 10 June 2022. The City received a total of four submissions.

**Discussion**

After the closure of the tender period, the evaluation panel completed the analysis and evaluation of the four submissions.  At the conclusion of the process Comex Civil Pty Ltd was nominated as the preferred supplier for this package of works. The submissions were rated against the following criteria:

* Organisational capabilities (35%),
* Key personnel skills and experience (35%), and
* Performance (30%).

Comex Civil Pty Ltd provided information on similar works that they have recently undertaken, successfully demonstrating an ability to complete the requirements of this request.

Key personnel listed were experienced, suitably skilled and have experience delivering similar works.

Organisational capabilities were detailed and provided good information on how the construction and maintenance works would be delivered.

Performance was addressed in the submission along with detailed preconstruction activities and construction methodologies.

Following the due diligence processes that the City has undertaken, the City is confident that Comex Civil Pty Ltd can complete the scope of work to the required standards, and that their offer represents good value for money to the City within the market.

**Consultation**

Not Required.

**Strategic Implications**

There award of this tender will assist in achieving in the aims of the City’s Asset Management Strategy 2019-2029. By awarding this tender the City will be able to ensure that drainage infrastructure is adequately maintained and where necessary upgraded.

The works undertaken under this tender will assist in delivering the to the following objectives and areas of the Asset Management Strategy:

* Maintain investment in roads, footpaths, cycleways and drainage and high priority sports and community facilities.
* Operation and maintenance of the drainage network is critical in ensuring the drainage network functions at maximum efficiency by removing stormwater from road reserves and thereby reducing the risk of flooding to public and private property.

The works under this tender relate to the following items from the Strategic Community Plan:

* Great built and natural environments.

**Budget/Financial Implications**

Council provides funding for the operation and maintenance of the stormwater drainage network within the City’s annual operational budget. Currently, the annual operational budget provides for inspections, minor improvements, operating the existing drainage network, and funding to cover a basic level of service for maintaining the City’s existing drainage network. The works covered by this tender will be undertaken within the annual operational budget allocation for Drainage Maintenance.

The forecast annual expenditure under this contract is $85,000.

**Legislative and Policy Implications**

The award of this tender is governed by the City of Nedlands [Procurement of Goods and Services Council Policy](https://www.nedlands.wa.gov.au/documents/608/procurement-of-good-and-services-council-policy).

The works to be delivered under this contract are in line with the City of Nedlands [Asset Management Council Policy](https://www.nedlands.wa.gov.au/documents/251/asset-management-council-policy).

Works undertaken under this contract will comply with the City of Nedlands [Stormwater Council Policy](https://www.nedlands.wa.gov.au/documents/237/stormwater-council-policy).

**Decision Implications**

By endorsing the officer recommendation, a contractor will be appointed to provide the required service functions to enable the City to deliver the continuous improvements, along with the operational and maintenance activities required to ensure that the drainage network operates at maximum efficiency.

By not endorsing the recommendation, ongoing drainage assets will be unable to be upgraded or maintained, and the drainage network will remain at a substandard level, negatively impacting private property and business owners.

**Conclusion**

Comex Civil Pty Ltd have completed drainage improvement projects for other metropolitan local governments, have the required skills and experience necessary to complete the works, and are therefore the recommended tenderer for this contract of works.

Comex Civil Pty Ltd scored highly in a number of areas. The price schedule provided by Comex Civil Pty Ltd was the lowest of the assessed submissions. Their submission demonstrated excellent organisational capabilities, high quality outcomes from similar work backed up by references and an excellent understanding of the requirements of the contract. Assessment officers were in agreement that Comex Civil Pty Ltd offered the best overall value for money.

**Further Information**

**Question**

Councillor Senathirajah – clarify length of contract and expenditure per annum.

**Officer Response**

Initial contract period of 36 months with 2 x 12 month extensions available.

**Question**

Councillor Smyth – Is it possible to add the contract amount in the recommendation.

**Officer Response**

Annual contract spend is estimated to be approx. $85k and includes the following types of activities:

* Drainage construction including the installation of new pits.
* Drainage upgrade – including the upgrade of brick pits to full size soak wells when existing pits are damaged.
* Drainage Maintenance – including repair of drainage infrastructure and maintenance of sumps.

Works under this contract will be costed to the Council approved Drainage Maintenance and Drainage Capital budgets.

# TS11.07.22 Lawler Park Draft Master Plan

|  |  |
| --- | --- |
| **Meeting & Date** | Council Meeting – 26 July |
| **Applicant** | City of Nedlands |
| **Employee Disclosure under section 5.70 Local Government Act 1995** | Nil. |
| **Report Author** | Neil Brown – Coordinator City Projects |
| **Director/CEO** | Andrew Melville – Acting Director Technical Services |
| **Attachments** | 1. Attachment 1 – Lawler Park Draft Master Plan 2. Attachment 2 – Lawler Park Feedback Summary 3. Attachment 3 – Your Voice Report 4. Attachment 4 – Example of Flying Fox 5. Attachment 5 - Datasheet report for Sporobolus africanus |

**Purpose**

The purpose of this Report present the Lawler Park Draft Master Plan to Council and seek approval for the inclusion of additional items requested by residents during consultation.

**Recommendation**

**Council:**

1. **approves the Draft Master Plan, inclusive of the following additional items:**
   1. **Provision of an additional sheltered picnic table to be located near the existing BBQ;**
   2. **Provision of a 1200mm high fence and gates to be installed surrounding the existing and proposed playground;**
   3. **Adjustment of walking track to avoid interference with basketball court;**
   4. **Replacement of existing drinking fountain with a drinking fountain with a dog bowl;**
   5. **Allocation for additional tree planting on completion of underground power installation; and**
2. **instructs the CEO to finalise the design, including all revisions and modifications required to commence planning of future capital works for consideration within the 5 year plan.**

**Voting Requirement**

Simple Majority.

**Background**

At the Ordinary Council Meeting on 19 December 2017 Council resolved to accept the finding of a Community Needs Study (13.10) directing that a Master Plan be created for Lawler Park, Floreat.

The Community Needs Study requested that the following items be addressed as part of the Master Planning project:

1. Improvements to poor conditions of grass,
2. Provision of play equipment for teenagers,
3. Better Basketball and Court Facilities,
4. Repair of existing cricket pitch,
5. Installation of exercise equipment,
6. Installation of an open fire pit,
7. Installation of a shelter with table and seating, and
8. Improved tree planting opportunities.

Funding was allocated in the 2020/21Capital Works Program. The Administration engaged Emerge Landscape Architects to undertake the design work for this project. The proposed design can be found in Attachment 1 – Lawler Park Draft Master Plan.

On completion of the Draft Master Plan, Community Consultation was undertaken in September 2021 with feedback collated and reviewed for inclusion. The feedback received was largely positive with some additional items requested for consideration.

A summary of the community consultation results can be found in Attachment 2 – Lawler Park Feedback Summary. Of the additional items requested, some are already included within the design such as additional seating around the playground and a long table (twin picnic tables).

A Concept Forum was held on 12 May 22. The results of the community consultation were presented and feedback on the Master Plan sought from Councillors. The feedback received has been incorporated into the final Master Plan.

**Discussion**

The following items were raised during the Community Consultation and subsequent Council Briefing session.

1. **Improvements to poor conditions of grass**

The park has extensive growth of a non-native, fast growing, tufted grass called Parramatta Grass (*Sporobolus Africanus)*. Refer to Attachment 5 - Datasheet Report for Sporobolus Africanus. Due to its fast-growing nature the park may often appear to be unmown with trip hazards and uneven surface due to grasses tufting nature.

No targeted chemical treatments for this grass type are available, with only broadacre herbicides such as glyphosate being effective, however this type of treatment will affect all flora. Broadacre herbicides also have little effect on seeds contained within the topsoil meaning regrowth will occur soon after treatment. This type of control measure would require regular spraying for up to 5 years before a reduction population would be noticeable. With the social perspective of chemical treatments changing and the long duration of treatment required, chemical treatments are not recommended by the Administration.

The most effective treatment of Parramatta Grass is through mechanical removal of the grass stock including the roots and approximately 100mm of topsoil soil to reduce seed build up. After installation of a new turf, targeted spot spraying then becomes effective to control regrowth without wider application impacts.

Administration proposes to use mechanical removal of the in-situ grass, including 100mm of topsoil, to control the Paramatta grass and its seed bank. New turf, Kikuyu, would then be installed and chemical spot spraying employed to target localised regrowth of Paramatta grass. Whilst disruptive, requiring closure of the park, this methodology would see quick results with works expected to be completed within three weeks. During these works the Administration would also take opportunities to replace and upgrade the irrigation system.

1. **Provision of play equipment for teenagers**

Play spaces for late teens can involve thrill seeking and risk-taking behaviour, which may be unsuitable for and within vicinity of younger children. Late teens often utilise younger children play spaces when they are not in use, using the space as a gathering point. Preteen and young teen play spaces can provide areas for gathering separated from other users such as family members or younger children. The proposed Master Plan design incorporates design principles to address this aspect of the Community Needs Study.

To cater for young teens, the play equipment has been expanded to now include a climbing frame and a nature play area. The climbing frame allows for elevated and spatial separation whilst nature play provide balance, seating, and hiding opportunities. As young teens seek out separation from other family members the play space expansion will be beneficial to allow this to occur within a safe environment.

During Consultation a flying fox was requested from two residents. To accommodate a flying fox, an elevation change of 1.5m is desirable, with a clear area of approximately 35m by 8m to provide safe operation. Refer to Attachment 4 – Example of Flying Fox.

Due to the number of existing well-established trees within Lawler Park there are limited opportunities to provide a suitable space without the removal of the existing Cricket Pitch, noting repairs to the Cricket Pitch were requested in the Community Needs Study. Consideration would also be needed on the noise impacts of a flying fox on nearby residents.

The Administration proposes to continue addressing the Community Needs Study through repair of the existing cricket pitch. Refer to Item 4 below.

1. **Better Basketball and Court Facilities**

The existing basketball court located on the southwest corner of the park is a small concrete pad with a hoop and backboard. The Draft Master Plan proposes to remove the existing court and install full half court (9.5 x 9.5m) with new hoop and backboard with associated line marking. The Court must remain in its current location which is away from residents and outside of the ball strike area for the existing AFL goals to remain.

The walking track shown within the Draft Master Plan will be modified from that shown to avoid interference with the court (as requested during the Concept briefing). The plan will be updated to reflect this as design works progress.

1. **Repair of existing cricket pitch**

The existing cricket pitch has reached end of life and is unable to be used for social sports due to cracking and uneven surface. The Draft Master Plan proposes to remove the existing pitch and replace it like for like.

1. **Installation of exercise equipment**

The Community Needs Study did not provide further detail on what type of equipment was required, therefore during Community Consultation, residents and users were asked to provide information on the type of exercise equipment they would. On collation of feedback residents requested a mixture of equipment:

* body weight machines (fly/chest press),
* core training, and
* calisthenics (dip/chin-up bars).

The Draft Master Plan proposes to create a new fitness area on the north edge of the park. This area, within eyesight of the playground to allow supervision, is away from residents and is linked with the walking track providing opportunities for training.

1. **Installation of an open fire pit**

The Community Needs Study identified a desire for a fire pit to be included in the Master Plan. Administration does not support the installation of an open fire pit within a public open space and has not included this within the Draft Master Plan. This item is not recommended due to the inherent risks associated with the use of a fire in a public place and ongoing maintenance concerns.

1. **Installation of a shelter with table and seating**

A sheltered picnic area was installed in June 2021. The City delivered the works, which were partial funded by the Hackett Hall Association and the City.

Consultation responses requested a further sheltered table to be included near the BBQ which Administration is supportive of. There is sufficient space, at the requested location for this to be installed as part of future capital works. An additional sheltered table is proposed to be included in the Master Plan.

1. **Improved tree planting opportunities.**

The Draft Master Plan proposes new garden beds and low-level planting in areas where grass is difficult to grow under existing trees. This would allow for improved planting opportunities within the park for small plants and provide for additional areas for people and children to play and explore.

The eastern side of Lawler Park is currently occupied by overhead transmission lines. Upon completion of the underground power project an opportunity exists use this area for additional large trees. Administration proposes this future tree planting area to be included as part of its ongoing tree planting program on completion of the Underground Power Project.

1. **Additional Item – Playground Fencing**

During Communication Consultation Administration received several comments regarding dogs within the park. The feedback specific to fencing of the park included:

* that the park be promoted as an off-leash dog park and be fenced completely.
* that the playground be fenced to keep dogs away from playing children.

The play space is currently sign posted “no dogs” however this may not be adequate at instructing owners to control dogs within the park.

Administration is supportive of fencing the existing playground and proposes the inclusion of a fence surrounding the existing and proposed play spaces within the Master Plan. This would maintain the parks open visual nature and would be in line with other playgrounds currently within the City of Nedlands that use fencing as a control method. On approval the fence will be included within Master Plan.

**Consultation**

Detailed Community Consultation occurred with the Draft Master Plan being provided to users and residents for comment.

The Draft Master Plan was advertised within the post on 25 September 2021.

Physical A3 size signs showing the Draft Master Plan and providing instructions on how to provide feedback were erected on site on 27 September 2021,

Consultation closed on 25 October 2021 providing a 30-day period.

A Your Voice page for the works was provided and was visited 280 times during the consultation process. Refer to attachment 3 – Your Voice Report.

The City received 23 individual written submissions.

The feedback received during Consultation was largely positive with several compliments provided on the needs and urgency for this Master Plan.

A summary of all feedback provided is within Attachment 2. Individual feedback is available for review on request.

**Strategic Implications**

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

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

**Values** **Healthy and Safe**

Our City has clean, safe neighbourhoods where public health is protected and promoted.

**Great Natural and Built Environment**

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

**High standard of services**

We have local services delivered to a high standard that take the needs of our diverse community into account.

**Great Communities**

We enjoy places, events and facilities that bring people together. We are inclusive and connected, caring and support volunteers. We are strong for culture, arts, sport and recreation. We have protected amenity, respect our history and have strong community leadership.

**Reflects Identities**

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

**Priority Area**

* Urban form - protecting our quality living environment
* Renewal of community infrastructure such as roads, footpaths, community, and sports facilities
* Providing for sport and recreation

**Budget/Financial Implications**

The current budget has been expended to create the Master Plan and there are no further expenditure requirements within the 2021-2022 financial year. No further budgets have been allocated at this time for implementation of the Master Plan works to occur.

Should Council endorse the draft Master Plan, the Administration will create detailed cost estimates and propose the project/projects to be included for consideration on future capital works programs from 2023-2024 onwards. Council will have an opportunity to consider these projects as part of the Long Term Financial Plan that is yet to be finalised.

Estimated Cost of Works (±50%).

|  |  |  |  |
| --- | --- | --- | --- |
| **Item** | **Title** | **Estimated Cost** | **Total** |
| 1 | Improvements to poor conditions of grass,  Irrigation rectification and upgrade | $76,000  $40,000 |  |
| 2 | Provision of play equipment for teenagers,  Climbing Frame  Soft Fall ($500/m2)  Nature Play | $22,000  $45,000  $55,000 |  |
| 3 | Better Basketball and Court Facilities | $11,000 |  |
| 4 | Repair of existing cricket pitch | $6,000 |  |
| 5 | Installation of exercise equipment  Soft fall ($500/m2)  Walking track (370m) | $25,000  $80,000  $63,000 |  |
| 6 | Fire pit not recommended for inclusion. | - |  |
| 7 | Installation of a shelter with table and seating, | $33,000 |  |
| 8 | Improved tree planting opportunities | $5,500 |  |
|  |  |  | $461,500 |
|  | Escalation (3 years) | $35,500 | $497,000 |
|  | Project Management Costs (20%) | $99,400 |  |
|  | **Total** |  | **$596,400** |

Note: All costs above are estimated only and are based on previous works undertaken by the City.

**Legislative and Policy Implications**

Nil.

**Decision Implications**

Should Council endorse the proposed master plan, works can commence on finalising the Master Plan design and begin planning works to be include the project in future capital works programs.

Should Council not endorse the plan no further planning for future works can occur and the Community Needs Study will remain unresolved.

**Conclusion**

The Draft Master Plan proposed by Administration meets the objectives set out in the 2017 Community Needs Study resolved by Council. The proposed Master Plan received mostly positive feedback during public consultation with only a few additional items requested by residents and users, some of which are already included within the plan. Other items such as playground fencing, and inclusion of a flying fox require a Council decision as they are outside of the original scope of the Master Plan.

On endorsement of the Master Plan, administration will finalise the design, create detailed cost estimates and propose the project/projects for consideration in future Capital Works Programs.

**Further Information**

**Question**

Councillor Bennett – please remove the picture of the flying fox as this is not in the plan.

**Officer Response**

The Master Plan will be updated after the Council Meeting when Council decides on the final items to be included.

**Question**

Councillor Combes – pleases provide indicative cost of flying fox in place of the cricket pitch.

**Officer Response**

Approx. $55,000 for the install. Approx. $3k for removal of cricket pitch.

**Question**

Councillor Bennett – steps to limit contamination of weeds?

**Officer Response**

On completion of the project the mowing program will be adjusted so that Lawler Park is mowed as the first park of the day, with all equipment being washed down the afternoon prior. In the event of a small contamination occurring this can be treated by localised spot spraying. **Question**

Does the estimated cost of works of $596,400 include all the “additional items” listed in clause 1 of the recommendation?

**Officer Response**

Yes.

# TS12.07.22 Adoption of Asset Management Plans 2023 – 2025

|  |  |
| --- | --- |
| **Meeting & Date** | Council – 26 July 2022 |
| **Applicant** | City of Nedlands |
| **Employee Disclosure under section 5.70 Local Government Act 1995** | Nil. |
| **Report Author** | Renier De Beer – Acting Assets Coordinator |
| **Director/CEO** | Andrew Melville – Acting Director Technical Services |
| **Attachments** | 1. Nedlands AMP - Buildings 2. Nedlands AMP - Drainage 3. Nedlands AMP - Parks 4. Nedlands AMP - Paths 5. Nedlands AMP - Roads |

**Purpose**

The purpose of the report is for Council to receive the Asset Management Plans 2023 – 2025 (AMP).

**Recommendation**

**That Council:**

1. **receive the Asset Management Plans 2023 – 2025 (AMP); and**
2. **requests that the Administration provide an annual presentation to Councillors which provides an update on the state of the City’s Assets.**

**Voting Requirement**

Simple Majority.

**Background**

The Local Government Act 1995 requires all local governments to develop future planning objectives and methodologies. These integrate corporate business planning and objectives, which include matters relating to resources, such as asset management, workforce planning, and long-term financial planning.

Asset management rules and guidelines have been developed by the Department of Local Government, Sport, and Cultural Industries (DLGSCI) which describe asset management being critical to meeting local government strategic goals within an Integrated Planning and Reporting approach.

Asset Management Policies, Strategies and Plans are informed by, and in turn inform, community aspirations and service requirements in the Strategic Community Plan.

This City currently does not have any adopted Asset Management Plans which would provide strategic and operational objectives to effectively manage the organisation’s asset portfolio.

Council, in September 2021 (item 13.8) adopted the CEO KPI’s, where Council directed the CEO to develop Asset Management Plans for significant and critical asset classes including the identification of:

* Asset Consumption Ratio
* Asset Sustainability Ratio
* Asset Renewal Funding Ratio

The Asset Management Plans will inform Councillors of the current state of our assets and assist Councillors in determining affordable, realistic, and achievable priorities, while sustainably managing the City’s assets.

By making certain that Asset Management Plans are monitored and outcomes reported to the community, Council ensures that it is making progress towards meeting long term community needs.

It was resolved that Council will be required to adopt the final Asset Management Plans. In response, the CEO provides Asset Management Plans across each of the City’s primary asset classes (Buildings, Drainage, Parks, Paths, Roads). Their adoption will ensure the City’s alignment with the requirements of the Local Government Act 1995 and the City’s Corporate Business Planning requirements.

**Discussion**

The Administration has engaged and worked closely with an external consultant (Talis) to develop Asset Management Plans across each of the City’s primary asset classes (Buildings, Drainage, Parks, Paths, Roads).

The Asset Management Plans highlight some key elements and concerns regarding the management of the City’s asset portfolio which are sumarised as follows:

* There is a significant increase in asset portfolio value compared to previous financial years likely caused by undervaluing of assets in previous years,
* There are identified funding gaps that exist between current and required expenditure to meet asset renewal needs
* There is a considerable backlog of assets which require intervention, likely caused by delayed renewal of the assets when intervention was historically required
* The overall condition of assets has substantially deteriorated over time and adopted useful lives have been historically overestimated; and
* The absence of several strategic and guiding documents that would provide direction for each asset class including an Integrated Transport Strategy, Building Strategy, Path Network Strategy, Data Management Plans, etc.

To manage the key elements and concerns within the Asset Management Plans, possible approaches are as follows:

* Increase the funding / expenditure for asset renewal, ensuring that the assets remain within appropriate serviceable levels,
* To reduce levels of service (technical and customer) to sustainable levels
* Review and rationalisation of the City’s asset portfolio, to ensure sustainable and effective provision of services

The Administration has noted the above elements that will require action, and will be presented to Council in due course for consideration. It is noted that the Asset Management Plans have identified several areas of improvement that will require strategic decisions in the next three years to further develop the City’s long-term sustainably, and management of the City’s asset portfolio.

The Asset Management Plans are live documents and will be continually reviewed and updated on a regular basis as new data, knowledge and information is discovered, works are completed, and strategic decisions are made.

It is proposed that the Asset Management Plans will be updated and reviewed frequently on an ongoing basis as new information is received. The Administration expects that going forward the Councillors will receive an annual presentation through a Concept Forum, on the current state of the City’s Assets.

**Consultation**

Consultation with stakeholders was conducted and feedback sought to ensure that objectives within the Asset Management Plans reflect the current status quo, are consistent and achievable, which included but is not limited to:

* Elected Members of Council
* Directors and Managers
* External Consultants
* Other Local Governments

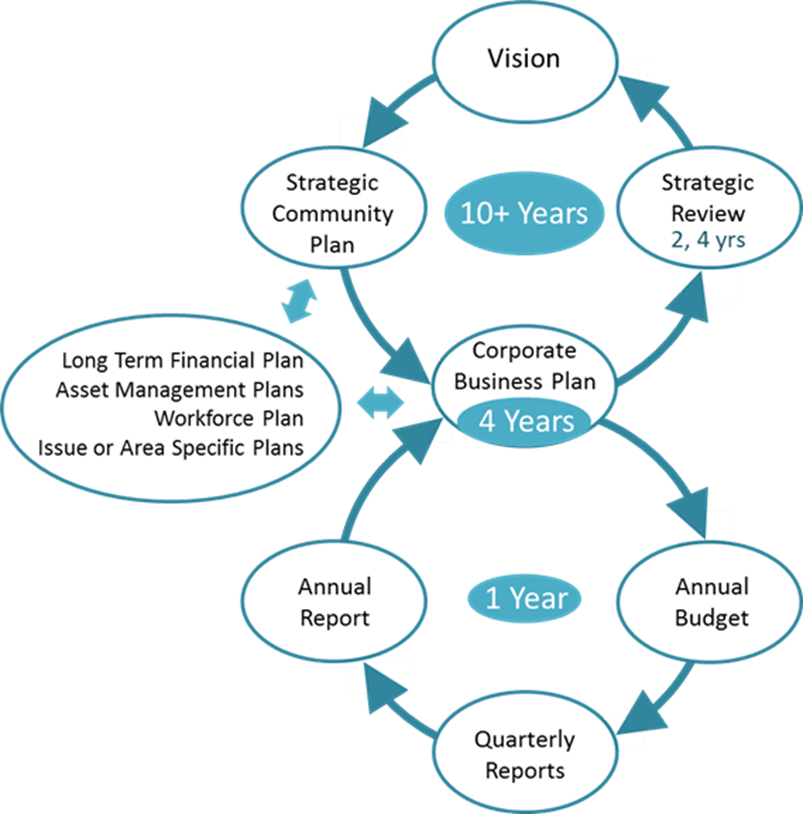
**Strategic Implications**

WA Local Governments are required to align strategic planning objectives and processes with the Integrated Planning and Reporting (IPR) Framework of the Department of Local Government, Sport, and Cultural Industries (DLGSCI).

The framework provided by the IPR sets out, amongst other things, a requirement for Local Governments to administer the assets they are responsible for effectively and efficiently.

The IPR requires that Local Governments develop and implement Asset Management Plans that are aligned, consistent, and support the objectives of the Local Government. The Objectives of the Local Government are set out in various other documents as shown in the figure below and principally include:

* The Strategic Community Plan
* The Corporate Business Plan
* The Long-Term Financial Plan
* The Annual Budget
* Asset Management Plans
* Other strategic planning documents



**Figure 1. DLGSCI Integrated Planning and Reporting (IPR) Framework**

The Asset Management Plans interlink and inform the strategic objectives and priorities of the Strategic Community Plan and vice versa, ensuring that proposed objectives are alignment.

**Budget/Financial Implications**

The key financial elements and concerns regarding the City’s asset portfolio are sumarised as follows:

* The City’s asset portfolio is in an overall Average condition and a considerable backlog of assets which require intervention exists, likely caused by delayed renewal of the assets when intervention was historically required.
* The backlog of works required is still being quantified and the Administration will continue to work with Council on the best approach to manage this through the Long-Term Financial Plan and Annual Budget processes.
* Historical capital expenditure (including new assets and renewal) has been approximately $7M over the last five years.
* The average annual unconstrained asset renewal investment need across the asset portfolio is approximately $11.5M (noting this excludes the Building Asset class due to limited valuation information which will be updated following the 30 June 2022 valuation and condition assessment).
* Given the City’s current trajectory it is forecasted that the asset management ratios will continue to change as follows:
  + Sustainability Ratio (indicates whether a local government is replacing or renewing existing non-financial assets at the same rate that its overall asset stock is wearing out)
    - Will decrease, indicating that the required expenditure on renewal or replacement of assets has not occurred at minimum acceptable levels to maintain the longevity of the assets
  + Consumption Ratio (measures the extent to which depreciable assets have been consumed by comparing their depreciated replacement cost to their current replacement cost)
    - Will decrease, indicating that the assets have not been renewed at the optimal time
  + Renewal Ratio (measure of the ability of a local government to fund its projected asset renewal / replacements in the future)
    - Will decrease as the City is likely unable to fund the capital expenditure required to renew or replace assets based on current levels of service into the future

The Administration will continue to work with Council to determine and set appropriate service levels that are sustainable and meet the City and community needs and objectives.

**Legislative and Policy Implications**

The recommendations and suggested actions in the Asset Management Plans are in alignment with the Local Government Act’s requirements for Corporate Business Planning including establishment and consistent evaluation of strategic documentation. The Plans also align with the Integrated Planning & Reporting Framework.

Meeting these requirements will assist the City to manage and administer our assets effectively and efficiently.

**Decision Implications**

The Officer recommendation is for Council to receive the Asset Management Plans 2023 – 2025 to ensure the City is brought into alignment with; the Local Government Act, Regulations, and the Integrated Planning and Reporting (IPR) Framework by Department of Local Government, Sport, and Cultural Industries.

The impact on the community with the receipt of the asset management plans is yet to be quantified as service levels have not been established and adopted. The Administration will continue to work with Council to determine and set appropriate service levels that are sustainable and meet the City and community needs and objectives. The receipt of the Asset Management Plans 2023 – 2025 demonstrates Council’s support for and collaboration with Administration to sustainably manage the City’s asset portfolio.

**Conclusion**

Council has directed the CEO to execute and deliver Asset Management Plans across each of the City’s primary asset classes (Buildings, Drainage Parks, Paths, Roads) as a Key Performance Indicator. The Administration has reviewed the outcomes and developed Asset Management Plans to be received by Council.

It is noted the Asset Management Plans have several areas of improvement and strategic decisions over the next three years to further develop the City’s long-term sustainably and management of the City’s asset portfolio.

**Further Information**

**Question**

Councillor Mangano – estimates to be included that reflect what is needed not available.

**Officer Response**

The forward planned expenditure estimates should be based on works that are planned and achievable within the Long Term Financial Plan (LTFP). While placeholder values can be placed within future years to give a more accurate indication of funds that will be budgeted, it is not appropriate to fill these values with the required expenditure from the AMP, as this is likely not an achievable funding position for the City. Using the required expenditure values will also artificially lift the Asset Renewal Ratio closer to 100%, when this is likely not achievable.

Future years of the planned expenditure table should be updated following the completion of the LTFP and in consultation with councillors to understand the planned allocation of funds by asset class in future years.

**Question**

Councillor Smyth – within the future expansion of the path network consideration needs to be given to Council endorsed plans e.g. School sports circuit.

**Officer Response**

The plan has been updated to include the School Sports Circuit, within section 6.2 and Appendix B as shown below.

Text, letter

Description automatically generated

Table

Description automatically generated

**Question**

What is Lot 38 Reserve 48361

**Officer Response**

Reserve 48361 is currently listed as a drainage asset, not a park asset, so does not appear within the parks asset management plan. Staff will review this to confirm if it is best suited to remain within the drainage plan or should move across to the parks plan.

**Question**

Underground power - Value of asset – what are we contributing to this asset? Impact of underground power on other assets?

**Officer Response**

As underground power is not the City’s asset, we do not undertake valuation of existing underground power. If the City was to value underground power, the City’s standard valuation methodology for new assets is by acquisition cost, which would value the proposed 3 stages of underground power at $23 Million excluding property connections.

The extent of the impact of underground power on our assets cannot be completely determined until the Long Term Financial Plan is complete, however it is highly likely that implementation of underground power will come at the expense of required asset renewal.

# TS13.07.22 Integrated Transport Strategy Steering Committee – Establishment and Appointment of Members

|  |  |
| --- | --- |
| **Meeting & Date** | Council Meeting – 26 July |
| **Applicant** | City of Nedlands |
| **Employee Disclosure under section 5.70 Local Government Act 1995** | Nil. |
| **Report Author** | Daniel Kennedy-Stiff - Manager City Programs and Projects |
| **Director** | Andrew Melville - Acting Director Technical Services |
| **Attachments** | Nil. |

**Purpose**

The purpose of this report is for Council to consider for adoption, the Terms of Reference for the Integrated Transport Strategy (ITS) Steering Committee and confirm the appointment of its members.

**Recommendation**

**Council:**

1. **adopts the Terms of Reference for the Integrated Transport Strategy Steering Committee as per the below;**
2. **appoints the Mayor and four Councillors (one Councillor from each ward) as Committee Members:**

**Councillor (insert name) - Coastal Ward:**

**Councillor (insert name)- Hollywood Ward:**

**Councillor (insert name) - Dalkeith Ward:**

**Councillor (insert name) - Melvista Ward:**

1. **appoints the Deputy Mayor and four Councillors (one Councillor from each ward) as Deputy Members of the Committee:**

**Councillor (insert name) - Coastal Ward:**

**Councillor (insert name)- Hollywood Ward:**

**Councillor (insert name) - Dalkeith Ward:**

**Councillor (insert name) - Melvista Ward:**

**Terms of Reference**

**Purpose**

**This Committee is established by Council in accordance with section 5.8 of the Local Government Act 1995, to oversee and provide guidance to the Administration on the City of Nedlands Integrated Transport Strategy Project.**

**Scope**

1. **Provide guidance to the Consultant on the Community Consultation Plan and process;**
2. **Approve the Community Consultation Plan;**
3. **Provide guidance to the Consultant on the Community Consultation results.**
4. **Provide guidance and input to each iteration of the draft Integrated Transport Strategy; and**
5. **Consider the draft Integrated Transport Strategy and make a recommendation to Council on the adoption of the Integrated Transport Strategy.**

**Membership**

1. **The membership of the Committee shall comprise the Mayor and one Councillor from each ward with the Councillors being determined by nomination and if necessary, a ballot conducted at a Council Meeting.**
2. **Council will appoint one Councillor from each ward as deputy members of the Committee.**
3. **If a vacancy on the Committee occurs for whatever reason, then Council shall appoint a replacement in accordance with the same arrangements as for the original appointment.**
4. **Deputy members are only required to attend and vote if the primary member is absent, an apology or on leave or has resigned.**
5. **The term of the Presiding Member and Committee Members will expire immediately prior to the next ordinary Council election.**
6. **The Presiding Member shall be determined by election amongst the Members of the Committee at the first meeting of the Committee.**
7. **The election of the Presiding Member will take place at the first meeting following the reconstitution of the Committee after each Ordinary Council election.**
8. **Should the elected Presiding Member not be present during a meeting of the Committee then a temporary Presiding Member shall be elected in accordance with 7 above.**

**Staff**

**The Project Management Team, including the City’s Project Managers and the appointed Consultant team will work closely with the Committee throughout the Project.**

**Meetings**

1. **This Committee operates under the Council’s Standing Orders Local Law.**
2. **The committee shall have flexibility in relation to when it needs to meet, but as a minimum shall meet monthly. It is the responsibility of the Presiding Member to call the meetings of the Committee.**

**Reporting**

**The Committee shall report quarterly to the Council summarising its activities during the previous financial year.**

**Voting Requirement**

Absolute Majority.

**Background**

The City of Nedlands 2018-2028 Strategic Community Plan (SCP) clearly articulates the community's vision and aspirations for the future of the City. It demonstrates the City's bold vision to perform a critical economic, social and cultural role within Perth Metropolitan Area. To support the future growth, the City intends to develop an Integrated Transport Strategy (ITS) to address the transport challenges by developing a clear framework for the future planning and upgrade of the City’s transport system. The ITS will guide future works as the City seeks to make it safe, easy, environmentally friendly and enjoyable to get around Nedlands.

In addition to the SCP, the City's Local Planning Scheme No. 3 (LPS3) was approved in 2019 and provides the basis for a significant increase to the City's population through changes to the zoning, land use permissions, density codes and development standards.

It is essential that the City's transport network effectively accommodate the transport needs of this increase in population. This planned growth will generate significant travel demand, placing greater stress on transport infrastructure and services. The City is seeking to have an integrated and holistic approach to transport initiatives and advocacy, by developing a transport strategy to manage the community's existing and future sustainable transportation needs.

Further to this, the State Government is responsible for planning and delivering public transport and major road infrastructure. The City needs to have a comprehensive understanding of various transport modes requirements to inform advocacy and collaboration with relevant State Government agencies on these matters.

At the Ordinary Council Meeting held on 23 February 2021, Council resolved to:

1. Commence the development of the Integrated Transport Strategy and Transport Impact Assessments for the Broadway, Waratah Avenue and Town Centre Precinct Plans; and
2. Approve a budget allocation of $145,000 in the 2020/21 and $50,000 in the 2021/22 financial years 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.

In response to these matters and the Council Resolution, the City has sought quotes from experienced engineering consultants to prepare an Integrated Transport Strategy. Arup were selected as the preferred consultant, have been awarded this package of works, and have commenced the data gathering phase of the project.

Due to delays in the procurement process and contract negotiations, a contract for this project was not signed until April 2022. As such a budget allocation will be made as part of the 2022/23 Annual Budget process to complete this project.

The ITS will consider relevant stakeholders’ transport strategies/initiatives/plans. Those stakeholders will include neighbouring Local Governments, Department of Transport, Main Roads WA, those undertaking large infrastructure projects, and other stakeholders that will impact on the City of Nedlands’ transport network.  The final report will be submitted to the City of Nedlands and will be sole property of the City with full rights on its subsequent use.

**Discussion**

Due to the strategic importance of the ITS, the Administration is seeking to establish an Steering Committee, to provide guidance and input into the process of developing a comprehensive ITS.

The proposed project timeline is shown below:

|  |  |
| --- | --- |
| **Activity** | **Indicative timeline** |
| Appoint ITS Steering Committee | 26 July 2022 |
| Community Consultation Plan approved by Steering Committee | 04 Aug 2022 |
| Key stakeholder and Community Consultation commences | August 2022 |
| Draft ITS presented to Council | December 2022 |
| ITS approved by Council | February 2023 |

**Consultation**

A Stakeholder Engagement Plan will be developed as part of this project, and consultation with the Community, the Steering Committee and key stakeholders will be undertaken throughout the project.

**Strategic Implications**

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

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

**Values** **Healthy and Safe**

Our City has clean, safe neighborhoods where public health is protected and promoted.

**Great Natural and Built Environment**

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

**Great Governance and Civic Leadership**

We value our Council’s quality decision-making, effective and innovative leadership, transparency, accountability, equity, integrity and wise stewardship of the community’s assets and resources. We have an involved community and collaborate with others, valuing respectful debate and deliberation.

**Great Communities**

We enjoy places, events and facilities that bring people together. We are inclusive and connected, caring and support volunteers. We are strong for culture, arts, sport and recreation. We have protected amenity, respect our history and have strong community leadership.

**Reflects Identities**

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

**Easy to Get Around**

We strive for our City to be easy to get around by preferred mode of travel, whether by car, public transport, cycle or foot.

**Priority Area**

* Urban form - protecting our quality living environment
* Renewal of community infrastructure such as roads, footpaths, community and sports facilities
* Managing parking
* Working with neighboring Councils to achieve the best outcomes for the western suburbs as a whole

**Budget/Financial Implications**

A budget allocation of $130,000 has been proposed as part of the 2022/23 Annual Budget Process to complete this project.

**Legislative and Policy Implications**

Section 5.8 of the [Local Government Act 1995](https://www.legislation.wa.gov.au/legislation/prod/filestore.nsf/FileURL/mrdoc_43454.pdf/$FILE/Local%20Government%20Act%201995%20-%20%5B07-t0-00%5D.pdf?OpenElement) allows Council to establish Committees to assist the Council to exercise the power and discharge the duties of the Local Government.

**Decision Implications**

If Council endorse the recommended Terms of Reference for the establishment of this Committee, the Project will be able to proceed with Councillor input and guidance throughout the project.

If Council does not endorse recommended Terms of Reference for the establishment of this Committee, the Project will have limited Councillor involvement. This will significantly increase the risk of changes to the Plan, or the Plan not being endorse when presented to Council.

Without an endorsed ITS, the Administration will not have Strategic guidance on how to effectively plan and manage the transport issues the City will facing in the coming years, which will result in a poor outcome for this key area of the City.

An ITS that has been endorsed by Council will enable the City to apply for state and federal grant funding opportunities that will assist to deliver future capital works.

**Conclusion**

The City of Nedlands Integrated Transport Strategy Project presents a unique opportunity for the City of Nedlands to undertake community consultation that will inform the City as to how its residents will move about the City over the coming decades, and then to develop a long-term strategic plan to manage and improve transport modes throughout the City.

The establishment of the ITS Steering Committee will ensure Council has the opportunity to provide strategic guidance to the project and is involved in the development process.

**Further Information**

Nil.

# Divisional Reports - Corporate & Strategy Report No’s CPS27.06.22 to CPS29.06.22



# CPS27.07.22 Monthly Financial Report – June 2022

|  |  |
| --- | --- |
| **Meeting & Date** | Council Meeting – 26 July 2022 |
| **Applicant** | City of Nedlands |
| **Employee Disclosure under section 5.70 Local Government Act 1995** | Nil. |
| **Report Author** | Hassan Shiblee – Coordinator Financial Accounting |
| **Director/CEO** | Michael Cole – Director Corporate Services |
| **Attachments** | 1. Financial Summary (Operating) by Business Units – 30 June 2022 2. Capital Works & Acquisitions – 30 June 2022 3. Statement of Net Current Assets – 30 June 2022 4. Statement of Financial Activity – 30 June 2022 5. Borrowings – 30 June 2022 6. Statement of Financial Position – 30 June 2022 7. Operating Income & Expenditure by Reporting Activity – 30 June 2022 8. Operating Income by Reporting Nature & Type – 30 June 2022 |

**Purpose**

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.

**Recommendation**

**That Council receive the Monthly Financial Report for 30 June 2022.**

**Voting Requirement**

Simple Majority.

**Background**

Nil.

**Discussion**

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

This report gives an overview of the revenue and expenses of the City for the year ended 30 June 2022 together with a Statement of Net Current Assets as at 30 June 2022. Please note that these are subject to year end audit.

The operating revenue at the end of June 2022 was $35.8m which represents $1.16m favourable variance compared to the annual budget.

The operating expense at the end of June 2022 was $35.4m, which represents $3.02m favourable variance compared to the annual 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 $ 445,919

Revenue: Favourable Variance of $ 909

The favourable expenditure variances are mainly due to savings on:

* Governance professional fees of $199k.
* Communication salary and HR other employee cost of $208k.

The small favourable revenue variance due to profiling.

**Corporate and Strategy**

Expenditure: Favourable variance of $ 1,258,429

Revenue: Favourable variance of $ 837,412

The favourable expenditure variances are mainly due to savings on:

* Corporate services, ICT and rates salary of $242k. Also partly because June salaries not accrued yet.
* Professional fees of $574k in corporate services, ICT and shared services.
* ICT expenses of $112k in corporate services.
* Office of $44k in shared services.
* Special projects of $270k in ICT services.

The favourable revenue variance is mainly due to:

* Higher income from interim rates collected of $161k.
* General purpose grants operating of $708k due to the advance payment of financial assistant grant.
* Offset by lower general purpose interest of $48k.

**Community Development and Services**

Expenditure: Favourable variance of $ 365,619

Revenue: Favourable variance of $ 295,368

The favourable expenditure variances are mainly due to:

* Savings in salary of $258k in Library services and NCC due to June salaries not accrued yet as stated above.
* Savings on community donations $100k.

The favourable income variance are mainly due to:

* Increased Tresillian and PRCC fees & charges of $342k.
* Offset by Community facilities council property Income being less by $49k.

**Planning and Development**

Expenditure: Favourable variance of $ 896,139

Revenue: Unfavourable variance of $ (291,644)

The favourable expenditure variances are mainly due to:

* Savings on Town planning salaries, office, professional fees and projects of $629k.
* Savings on Environmental salaries, other expenses and operational activities of $211k
* Operational activities of $53k in Environmental health.

The unfavourable revenue variance is mainly due to:

* Lower fees & charges income from building services and Town Planning of $244k.

**Technical Services**

Expenditure: Favourable variance of $ 60,767

Revenue: Favourable variance of $ 315,711

The favourable expenditure variance is mainly due to:

* Roads, waste, parks maintenance cost of $649k not expensed yet.
* Offset by less plant on cost recovery of $364k and over expenses of Infrastructure salary of $352k,
* Loss on sale of Plants of $125k not expensed yet.

The favourable revenue variance is mainly due to:

* Income from Street roads & depots of $119k
* Income from Waste of $96k.
* Income from building of $66k

**Borrowings**

At 30 June 2022, we have a balance of borrowings of $2.7 M as budgeted. There were no additional borrowings for the year in 2021/22 budget.

**Net Current Assets Statement**

At 30 June 2022, net current assets were $6.1m compared to $5.7m as at 30 June 2021.Current assets increased by $325k compared to 30 June 2021 offset by decreased current liabilities of $519k.

Outstanding rates debtors are $176k as at 30 June 2022 compared to $606k as at 30 June 2021. Breakdown as follows:

|  |  |  |  |
| --- | --- | --- | --- |
|  | **30 June 2022**  **($000)** | **30 June 2021**  **($000)** | **Variance**  **($000)** |
| **Rates** | $95 | $492 | ($397) |
| **Rubbish & Pool** | $33 | $41 | ($8) |
| **Pensioner Rebates** | $14 | $31 | ($17) |
| **ESL** | $30 | $38 | ($8) |
| **Other Service Charges** | $4 | $4 | $0 |
| **Debtors Other** | $0 | $0 | $0 |
| **Total** | $176 | $606 | ($430) |

**Capital Works Program**

As at 30 June, expenditure on capital works was $2.9m with additional capital commitments of $3.5m which represents 73% of a total budget of $8.91m.

**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 | 188 |
| Number of contract employees (temporary/agency) as of the last day  of the previous month | 4 |
| \*Occupied FTE (Full Time Equivalent) count as of the last day of the previous month | 161.61 |
| Number of unfilled employee positions at the end of each month | 23 |

There were 7 resignations in June **(**Full Time Employee: 3; Part Time Employee: 1; Casual Employee: 3).

 Number of unfilled positions increased by 2 to 23. Occupied FTE reduced from 163.72 to 161.61. Total employee headcount reduced by 1 to 188.

**Consultation**

N/A

**Strategic Implications**

The 2021/22 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 2021/22 approved budget ensures that there is an equitable distribution of benefits in the community.

The 2021/22 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.

**Legislative and Policy Implications**

*Local Government Act 1995*

**Decision Implications**

Nil.

**Conclusion**

The statement of financial activity for the period ended 30 June 2022 indicates that operating expenses are under the annual budget by 7.86% or $3.02m, and revenue is over the budget by 3.33% or $1.15m.

**Further Information**

Nil.

# CPS28.07.22 Monthly Investment Report – June 2022

|  |  |
| --- | --- |
| **Meeting & Date** | Council Meeting – 26 July 2022 |
| **Applicant** | City of Nedlands |
| **Employee Disclosure under section 5.70 Local Government Act 1995** | Nil. |
| **Report Author** | Hassan Shiblee – Coordinator Financial Accounting |
| **Director/CEO** | Michael Cole – Director Corporate Services |
| **Attachments** | 1. Investment Report for the period ended 30 June 2022. |

**Purpose**

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

**Recommendation**

**That Council receive the Investment Report for the period ended 30 June 2022.**

**Voting Requirement**

Simple Majority.

**Background**

Nil.

**Discussion**

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 30 June 2022 and 30 June 2021 the City held the following funds in investments:

|  |  |  |
| --- | --- | --- |
|  | **30-June-2022** | **30-June-2021** |
| **Municipal Funds** | $9,09,548 | $3,574,828 |
| **Reserve Funds** | $5,096,418 | $5,343,648 |
| **Total Investments** | **$14,186,966** | **$8,918,476** |

The City has $2.3m in a 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 May, the surplus cash is maintained in the Westpac online saver account.

The total interest earned from investments as at 30 June 2022 was $53,141.

The Investment Portfolio comprises holdings in the following institutions:

|  |  |  |  |
| --- | --- | --- | --- |
| **Financial**  **Institution** | **Funds Invested** | **Interest Rate** | **Proportion of**  **Portfolio** |
| NAB | $4,242,523 | 0.35% - 2.85% | 29.90% |
| Westpac | $4,007,855 | 1.68% - 1.88% | 28.25% |
| ANZ | $2,189,660 | 0.10% - 0.15% | 15.43% |
| CBA | $3,746,928 | 0.18% - 2.60% | 26.42% |
| **Total** | **$14,186,966** |  | **100%** |

**Consultation**

N/A

**Strategic Implications**

The investment of surplus funds in the 2021/22 approved budget is in line with the City’s strategic direction.

The 2021/22 approved budget ensured that there is an equitable distribution of benefits in the community.

The 2021/22 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 2021/22 approved budget was based on economic and financial data available at the time of preparation of the budget.

**Budget/Financial Implications**

The June 2022 YTD Actual interest income from investments is $53,141 compared to the YTD May 2022 Budget of $42,500.

**Legislative and Policy Implications**

N/A

**Decision Implications**

N/A

**Conclusion**

The Investment Report is presented to Council.

**Further Information**

N/A

# CPS29.07.22 List of Account Paid – June 2022

|  |  |
| --- | --- |
| **Meeting & Date** | Council Meeting – 26 July 2022 |
| **Applicant** | City of Nedlands |
| **Employee Disclosure under section 5.70 Local Government Act 1995** | Nil |
| **Report Author** | Purvi Chudasama – Finance Officer (Accounts Payable) |
| **Director/CEO** | Michael Cole - Director Corporate Services |
| **Attachments** | 1. Creditor Payment Listing – June 2022; and 2. Credit Card and Purchasing Card Payments June 2022 |

**Purpose**

The purpose of this report is to present list of accounts paid for the month of June 2022

**Recommendation**

Council receives the List of Accounts Paid for the month of June 2022 as per attachments.

**Voting Requirement**

Simple Majority

**Background**

*Regulation 13* of the *Local Government (Financial Management) Regulations 1996* requires a list of accounts paid to be prepared each month, showing each account paid since the last list was prepared. This list is to include the following information:

1. the payee’s name;
2. the amount of the payment:
3. the date of the payment; and
4. sufficient information to identify the transaction.

**Discussion**

The accounts payable procedures ensure that risk is managed, and no fraudulent payments are made by the city, and these procedures are strictly adhered to by the officers. These include the final vetting of approved invoices by the Coordinator Financial Accounting and the Manager Financial Services (or designated alternative officers).

**Consultation**

Not applicable.

**Strategic Implications**

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

**Values** **High standard of services**

We have local services delivered to a high standard that take the needs of our diverse community into account. The 2021/22 budget was prepared in line with the City’s level of tolerance of risk and it is managed through budgetary review and control. All relevant information has been provided in this report and through the attachments.

**Priority Area**

Not applicable

**Budget/Financial Implications**

The payments are made in accordance with the approved budget.

**Legislative and Policy Implications**

In accordance with *Regulation 13* of the *Local Government (Financial Management) Regulations 1996* Administration is required to present the List of Accounts Paid for the month of May 2022 to Council.

**Decision Implications**

This does not have any impact upon the rates.

**Conclusion**

The List of Accounts Paid for the months of June 2022 complies with the relevant legislation and can be received by Council (see attachments).

**Further Information**

N/A

# Reports by the Chief Executive Officer CEO05.06.22



# ORC01.06.22 Draft Organisational Review and Workforce Plan

|  |  |
| --- | --- |
| **Meeting & Date** | Organisational Review Committee – 7 June 2022  Council Meeting 26 July 2022 |
| **Applicant** | City of Nedlands |
| **Employee Disclosure**  **under section 5.70 Local Government**  **Act 1995** | Nil |
| **Report Author** | Bill Parker – Chief Executive Officer |
| **CEO** | Bill Parker |
| **Attachments** | 1. Draft Organisational Review Report 2. Draft Workforce Plan |

**Purpose**

The purpose of this report is for the Council to consider the Committee’s recommendation of 7 June 2022 to Council regarding the Organisational Review and Workforce Plan.

**Recommendation**

**That Council:**

1. **receives the Organisational Review;**
2. **adopts the Workforce Plan;**
3. **establishes a Workforce Plan Implementation Committee with an initial focus on Customer & Community Services.**
4. **appoints the Mayor and four Councillors (one Councillor from each ward) as Workforce Plan Implementation Committee Members:**

**Councillor (insert name) - Coastal Ward:**

**Councillor (insert name)- Hollywood Ward:**

**Councillor (insert name) - Dalkeith Ward:**

**Councillor (insert name) - Melvista Ward:**

1. **appoints the Deputy Mayor and four Councillors (one Councillor from each ward) as Deputy Members of the Workforce Plan Implementation Committee:**

**Councillor (insert name) - Coastal Ward:**

**Councillor (insert name)- Hollywood Ward:**

**Councillor (insert name) - Dalkeith Ward:**

**Councillor (insert name) - Melvista Ward:**

Committee Recommendation to Council

That the Organisational Review Committee recommends that Council:

1. receives the Organisational Review;
2. adopts the Workforce Plan; and
3. establishes a Workforce Plan Implementation Committee with an initial focus on Customer & Community Services.

Recommendation to Committee

That the Organisational Review Committee recommends that Council:

1. receives the Organisational Review; and
2. adopts the Workforce Plan.

**Voting Requirement**

Absolute Majority.

**Background**

In February 2022, the Organisational Review Committee endorsed the Project Brief including the methodology and timeline of activities for the organisational review.

In response, the consultants have finalised the Organisational Review and Workforce Plan. Both documents are now presented to the Council for consideration.

**Discussion**

The Organisational Review comprised 4 Phases:

**Phase 1: Stakeholder Consultations (Complete)**

The awarded Consultant was required to undertake stakeholder consultations with Councillors and Executive staff to ascertain their expectations in relation to the Organisational Review exercise including views on the organisation, and its service delivery.

**Phase 2: Development of a Project Brief (Complete)**

Following the consultation period, the consultant developed a comprehensive Project Brief. The Project Brief included:

* Methodology to undertake the Organisational Review
* Timeline of activities

**Phase 3: Organisational Review (Current phase)**

On approval of the Project Brief, the consultant undertook the Organisational Review.

**Phase 4: Workforce Plan (Current phase)**

To ensure that the final review is implemented, the final deliverable for the consultant was to embed the Organisational Review into a new Workforce Plan.

This report seeks to endorse both the Organisational Review and Workforce Plan.

It is important to note that the Workforce Plan has undergone minor amendments since the Committee endorsed the document. These changes include:

1. An update of key statistics given the availability of recently released census data
2. Grammatical changes
3. Graphic design

**Consultation**

The consultant has met with elected members and the City’s Executive to ascertain their

expectations in relation to the Organisational Review, including views on the organisation and its service delivery.

The feedback received from the consultation process has informed both the Organisational Review and Workforce Plan.

**Strategic Implications**

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

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

**Values** **Great Governance and Civic Leadership**

We value our Council’s quality decision-making, effective and innovative leadership, transparency, accountability, equity, integrity and wise stewardship of the community’s assets and resources. We have an involved community and collaborate with others, valuing respectful debate and deliberation.

**Budget/Financial Implications**

The Organisational Review concludes that the current workforce levels are not sustainable. In simple terms, the costs of employment are consuming a proportion of the budget which does not leave sufficient funding for the renewal of assets and capital works.

As a result, the Workforce Plan has been focused on the need to rebalance services. The Workforce Plan recommends a reduction in Full Time Equivalent of 23.4 by the end of 2024/25. This would equate to a saving of approximately $2.0m - $2.5m annually by the end of 2024/25 or $12.0 million - $15.0 million over the life of the Long-Term Financial Plan (assuming approx. 6 years of full savings).

**Legislative and Policy Implications**

Regulation 19DA of the *Local Government (Administration) Regulations 1996* requires the City of Nedlands to have a Corporate Business Plan. One of the key inputs in developing a Corporate Business Plan is a Workforce Plan.

**Decision Implications**

If the Committee endorses the Organisational Review and Workforce Plan, both documents will be presented to Council for consideration.

If the Committee does not endorse the Organisational Review and Workforce Plan, further changes and amendments can be incorporated prior to the documents being considered by Council.

**Conclusion**

This report recommends endorsing both the Organisational Review and Workforce Plan for consideration by Council.

**Further Information**

The following administration corrections were made to the Work Force Plan:

* Pg. 6 – Incorrect year: “2036” deleted and “2050” added.
* Pg. 9 – Month year to date added: “The 2021/22 year to date turnover is 26%” amended to “Turnover to May 2022 is 26%”.
* Pd. 13 – Incorrect percentage: “From a budget perspective, the 2021/22 employee costs as a percentage of operating expenses has increased to 48% …” amended to “From a budget perspective, the 2021/22 employee costs as a percentage of operating expenses has decreased slightly to 42% …”
* Pg.18 – Incorrect percentage: “The current turnover of more than 31% …” amended to “The current turnover of just under 30% …”.

**Question**

Councillor Amiry – matrix for Rangers after hour call outs.

**Officer Response**

The City offers Ranger Services from 7am-7pm Monday to Friday including Saturday patrols twice a month for additional compliance activities relating to parking and public spaces. Two Rangers are usually on patrol from 0900-1200 on Saturdays to focus on established hot spots including parking concerns raised at Mt Claremont Farmers Markets, local community events, sporting games, and other areas of particular concern to residents. Parking enforcement is comparatively low in response to the limited timed weekend parking restrictions around the City. There are generally no university classes, specialists at the hospital are closed, majority of commercial businesses closed on the weekend, and residential streets have low occupancy level with high compliance rates.

Parking infringement notices issued on the weekend are low in comparison to those issued during the week. There is generally good parking compliance on the weekend across the City. Table below outlines the number of infringement notices issued during the week verses the weekend.

|  |  |  |  |
| --- | --- | --- | --- |
| **Calendar**  **Year** | **Parking Infringement Notices issued**  **Mon -Fri** | **Parking Infringement Notices issued**  **Sat-Sun** | **Number of Weekends worked** |
| **2020** | 2591 | 123 | 25 |
| **2021** | 2648 | 160 | 20 |
| **2022** | 1264 | 25 | 10 |

The 2021 numbers for parking infringement notices issued on Saturday and Sunday is higher in response to the Royal Show event at Claremont Showgrounds. The 2020 event was cancelled and the 2022 is expected to be held from the 24 September to 1 October 2022. Ranger Services will be rostered on during these two weekends of the Royal Show to ensure safe and convenient parking within the area.

There is limited weekend timed parking restrictions implemented around the City. Some of these include Hampden Road, Monash Avenue, Kitchener Street, sections of Princess Road and most recently Broadway Precinct which are selectively chalked when the Rangers are rostered on Saturdays. Other applicable parking restrictions include ‘No-Parking’ at all times which are implemented across the City.

The City also offers a 24/7 call service through the main number 9273 3500. Outside business hours, calls are automatically directed to the City’s out of hours’ service provider ‘Insight’. Insight is commonly contracted by other local governments to provide this type of service and respond according to each local government’s requests.

As part of this service, Insight receives all calls out of hours and forwards them to the appropriate ‘on-call’ officer. Depending on the nature of the call, Insight will determine if the matter is required to be escalated to a Ranger for action, whether it can be directed to another business/agency, or can wait until business hours. Insight refers to an Afterhours Call Matrix which lists 83 possible scenarios and how they are required to be responded to. The escalation of 30 scenarios for actioning requires the Ranger to attend immediately to deal with a variety of issues. Scenarios including a wandering dog being found, dog attack, building security or access issues, road infrastructure damages, trees blocking the road, and vehicles obstructing a driveway are escalated for a Ranger to action immediately as they are considered high risk activities which may impact the health and safety of the community.

Some scenario responses are outside the Rangers ordinary duties. Rangers are equipped and trained to address the call as best as possible with the available resources at hand and are usually resolved effectively. For example: Rangers are equipped to action a tree branch that has fallen onto the road obstructing vehicular traffic. This requires deployment of traffic management, chainsaw/saw activities or contacting the City’s contractor. If the call could not be completely resolved, the on-call Ranger will make the area as safe as possible and request a more appropriate officer to action the call on the next business day.

Table below outlines the number of complaints received by the Ranger Services during the week in comparison to all calls afterhours.

|  |  |  |
| --- | --- | --- |
| **Year** | **Number of Ranger complaints Mon-Fri 8:30am-5pm** | **Number of complaints Afterhours (includes all types of complaints)** |
| **2020** | 1859 | 408 |
| **2021** | 1784 | 368 |
| **2022** | 733 | 186 |

Nedlands Rangers can deal with wide range of calls and situations that are not normally within the normal scope of Ranger duties. This service largely negates the need for other works related services to employ the services of an on-call staff member which ultimately reduces expenditure.

**Question**

Councillor Smyth – Terms of Reference in the recommendation.

**Officer Response**

It is anticipated that the Committee will formulate the Terms of Reference at the first meeting.

**Question**

Councillor Senathirajah – Recommendations in the report – clarification re ERP Implementation Plan.

**Officer Response**

The City is working to a project management/implementation plan. The table within the recommendations makes reference to this.

**Question**

Councillor Coghlan – Provide a clear table with:

1. the expected numbers in 2022/23 with the NCC number removed i.e. the 6.8 staff.
2. FTE per 1000 residents for each year
3. Operating cost ratios for each year

**Officer Response**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Directorate | Service | 2022/23 | 2023/24 | 2024/25 | Comments |
| CEO | Governance  Strategic Planning  Graphic Design | +1  +1  -0.6 | -  -  - | -  -  - | Elected Member Support  City Strategy Development  Unfilled Vacancy |
| Corporate Services | IT  Finance  Records  IT – Customer Service | -1  -  -1  -5 | -  -  -  - | -4  -2  -1  - | BAU / OneCouncil  OneCouncil  Review after OneCouncil  Trf to Customer and Community Service Directorate |
| Customer and Community Services | Executive  Community Services  Library  NCC  Customer Service | +1  -  -2  -  +5 | -  -1  -  -6.8  - | -  -  -  -  - | New Director  Rationalise Manager positions  Defunded from 30/6/2023  Transfer from IT |
| Planning and Development | Urban Planning  Health and Compliance – Rangers  Health and Compliance – Environment | -1  -  -1 | -  -  - | -2  -2  - | Post framework refurbishment  Based on opportunity for work change  Transfer to Technical Services |
| Technical Services | Assets  City Projects  Parks  Fleet and workshop | +1  +1  -2  - | -  -  -  -1 | -  -  -  - | Asset Maintenance and Renewal Program  Better project planning  Service level adjustment  Review – possible 1 or 2 FTE |
|  | FTE Prior to Review = 172.83 | -3.6 | -8.8 | -11 | Reduction of 23.4 overall proposed |
|  | FTE | 169.23 | 160.43 | 149.43 |  |

It is very difficult to arrive at a ratio per 1000 each year given the absence of a population forecasting tool. The City is hesitant to produce a straight line increase given our infill targets and volume of development applications resulting in increased density. The City’s population increases will be highly variable over the coming years.

In terms of an operating cost ratio, this can be calculated once the City has completed the long-term financial plan.

**Question**

Councillor Mangano – Exact employee cost saving over the 5 years.

**Officer Response**

At this point in time, the City is only in a position to roughly estimate the savings that will be achieved. The reason for this is that the City has not identified the exact positions that will be removed from the organisational structure.

# Council Members Notice of Motions of Which Previous Notice Has Been Given

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



# Councillor Mangano – Press Release for Hospice

On the 7 July 2022, Councillor Mangano gave notice of his intention to move the following motion.

**That Council directs the CEO to send out a media release explaining the reasons for the Council and City’s opposition to the Hospice in its current location to be released immediately prior to the SDAU meeting.**

Justification

* 1. Mainstream media has selectively reported the reasons for the Council’s refusal to deliberately cast the Council in a bad light.
  2. Council needs to make public all its reasons for refusal to the general public and particularly to our ratepayers.
  3. Individual councillors have been targeted by people concerned about what they have read and cannot defend themselves as they are not permitted to speak on behalf of Council.

Administration Comment

The following media outlets were provided with the full Council decision following the meeting:

* 1. Perth Now / West Australian
  2. Post Newspapers
  3. Business News
  4. ABC Radio news
  5. ABC Drive-time
  6. 9 News
  7. ABC News
  8. 7 News

# Councillor Mangano – Standing Orders Local Law Amendment

On the 14 July 2022, Councillor Mangano gave notice of his intention to move the following motion.

**That Council amend the Standing Orders Local Law to include the following clause under section 3.9:**

**No Notice of Motion is to be ruled out of order if it is legal.**

Justification

The CEO or Mayor should not be able to rule a legal motion out of order because they do not support the motion. Currently if the CEO and the Mayor do not support a legal motion, they can rule it out of order for any reason (see 3.9.4 (a)). This denies elected members the opportunity to put up legal notices of motion which is their right.

Administration Comment

Amending a local law is a statutory process that firstly requires a decision by Council to amend the local law and then an advertising period.  Council is then required to consider any submissions received before making the amendment local law.  This then goes to the State Parliament Joint Committee on delegated legislation who review and may allow or disallow the amendment.

Council has, at its 28 June 2022 OCM, already endorsed a review of the local laws, including the Standing Orders local law.  This allows a period of six weeks for public comments on any of the local laws. A notice of that appeared in the local press last week.

# Councillor Coghlan – Costs of Processing Planning Approvals that go to JDAP and the SDAU

On the 15 July 2022, Councillor Coghlan gave notice of his intention to move the following motion.

**That Council instructs the CEO to include in the CEO Weekly Update a table of the total cost to the City of processing Joint Development Assessment Panel Development Applications and the State Development Assessment Panel Development Applications.**

Justification

1. The fees for many of the JDAP DAs are low compared to the time taken to process them.   They are some very complex DAs received by the City of Nedlands. They require processing in the allocated 90-day time frame.
2. The cost of the DAs was previously included in the CEO update after questions were asked by Councillors about how much it actually cost to process eg 135 Broadway, 17-19 Louise St.  In the case of both 135 Broadway and Cooper St new owners purchased the properties after JDAP approval and then submitted new DAs.
3. Many DAs have been resubmitted as a Form 2 and not a Form 1.  The current example of this is Chillingworth worth.
4. We need to be able to quantify the cost to the City of Nedlands
5. The JDAP fees could be revised by the DPLH and the cost to the city could be used as evidence of what it actually cost to process these DAs
6. This was done before and it was extremely helpful to the Council.
7. it also emphasises just how hard the administration is working on all these very complex DAs.
8. The City of Nedlands portion of Stirling Highway has been included in the Special matters DAPs that were part of the planning reforms announced earlier this year. This won’t happen until the end of 2023 and until then they will be JDAP or SDAU applications however, the City still has to process these DAs and once the SMDAPS are up and running there will not be a local Councillor on the Panel.
9. It is imperative that we collect all this information ion concise tables included in the CEO Update.  It is a powerful source of DATA on planning and local government, and it may ultimately assist us further.
10. While economic arguments aren’t planning arguments cost of processing these DAs is currently met by the relevant LG authority.

Administration Comment

The Western Australian Local Government Association has a program of advocating on behalf of Local Government to increase the Local Government planning fees, which are almost exclusively set by the State Government. Since 2013, the State Government subdivision fees have increased by approximately 41 per cent, and DAP fees over the same period have increased by approximately 45 per cent, while the Local Government planning fees have not increased.

It would be appropriate for the City of Nedlands to lend its support to the WALGA campaign.

The calculation of the cost of the City of Nedlands dealing with the applications proposed would either be very labour intensive to ensure that the figures arrived at were reliable, noting that multiple people across the organization are involved in assessing, providing input to assessments, writing, collating and reviewing planning reports. Or be such a board estimate as to not be a creditable figure to be relied upon.

Administration suggests that the wording of the Notice of Motion be modified to;

That Council:

1. instructs the Mayor write to the Minister for Planning supporting the WALGA position of increasing the Local Government planning fees; and
2. request officers through the CEO work with the Western Australian Local Government Association in an advocacy program of seeking to have the State Government increase the Local Government planning fees.

# Urgent Business Approved by the Presiding Member or by Decision

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

The following items were approved by the Presiding Member as Urgent Business.

# 21.1 TS14.07.22 Waratah Avenue Contract Variation

|  |  |
| --- | --- |
| **Meeting & Date** | Council Meeting – 26 July 2022 |
| **Applicant** | City of Nedlands |
| **Employee Disclosure under section 5.70 Local Government Act 1995** | Nil. |
| **Report Author** | Daniel Kennedy-Stiff – Manager City Projects and Programs |
| **Director/CEO** | Andrew Melville – Acting Director Technical Services |
| **Attachments** | 1. Nil |

**Purpose**

The purpose of the report is for Council to approve Contract Variations to the Waratah Avenue Rehabilitation contract.

**Recommendation**

**That Council:**

1. **approves the negative variation of up to -$180,567.08 for the installation of the median island tree wells; and**
2. **approves the variation of up to $150,379.99 for the installation drainage upgrades along Waratah Avenue.**

**Voting Requirement**

Simple Majority.

**Background**

The City awarded the contract for the Waratah Avenue Rehabilitation Works to Civcon Civil and Project Management Pty Ltd (Civcon) at the OCM on 26 April 2022. This contract was awarded for a value of $1,409,918.00, and included the following key scope of work items:

* + 1. to resurface the roadway;
    2. repave all sections of damaged paving;
    3. construct a loading bay situated outside Dalkeith Hall;
    4. no raised plateaus be constructed;
    5. repair all kerbing that is damaged;
    6. installation of tree wells and trees within a new median strip.

The Council resolution was as follows:

“That Council:

1. approves the award of the contract for Civil Rehabilitation of Waratah Avenue including the additional package of works, to Civcon Civil & Project Management Pty Ltd in accordance with the City’s Request for Tender number RFT 21-22.04 and comprising of that request, the City’s Conditions of Contract, the Civcon Civil & Project Management Pty Ltd tender submission inclusive of the Schedule of Rates, and all post tender clarifications and negotiations;
2. instructs the CEO to arrange for a Letter of Acceptance and a Contract document be sent to Civcon Civil & Project Management Pty Ltd for execution; and
3. instructs the CEO to arrange for all other tender respondents to be advised of the tender outcome.”

**Discussion**

A Contract Variation is a change, addition, omission, inclusion, exclusion, modification, alteration, increase, decrease or deletion from the Works under the Contract. In this instance Administration are seeking approval to both reduce and increase the Works under Contract as detailed below.

As part of the planning process prior to works commencing, the Administration has worked with the contractor to investigate cost saving measures that could be implemented within the project, including changes to construction methodology and refinements to the design.

As a result of this work by the Administration, it has been identified that a cost saving on the original tender submission can be made. It is proposed to issue a Contract Variation for (negative) -$180,567.08. The original quoted design included the planting of 30 trees and following the detailed design process, it was found the median strip area could only cater for 16 trees. This, coupled with a reduction in the price received for tree cells, and refinement in the installation methodology, has resulted in the cost reduction to the City.

Due to the savings realised from these cost reductions, the Administration investigated the inclusion of additional drainage upgrades into the project. These works include the upgrade of the older and smaller brick drainage pits, to full size soak wells. These have been valued at $150,379.99. The inclusion of these upgrade works will provide significant additional stormwater storage and infiltration capacity within Waratah Avenue and assist with the wider drainage issues in the catchment.

The City has reviewed the offer from the Contractor regarding the proposed contract variation and considers that the costs are fair and reasonable with current market rates and conditions and are of material benefit to the City. Accordingly, the Contract Variation proposed can be approved as part of the Contract Administration process.

**Consultation**

Community engagement for this project has been previously undertaken and incorporated into the existing design.

**Strategic Implications**

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

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

**Values Great Natural and Built Environment**

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

**High standard of services**

We have local services delivered to a high standard that take the needs of our diverse community into account.

**Easy to Get Around**

We strive for our City to be easy to get around by preferred mode of travel, whether by car, public transport, cycle or foot.

**Budget/Financial Implications**

If Council approve both Contract Variations, the overall contract value will be as follows:

|  |  |
| --- | --- |
| Original Contract value | $1,409,918.00 |
| Negative variation | ($180,567.08) |
| Drainage Upgrade | $150,379.99 |
| Revised contract value | $1,379,730.91 |

If Council does not approve the Contract Variations as outlined, the contract value will remain the same as at the time the contract was previously awarded by Council.

**Legislative and Policy Implications**

The approval of the variation is governed by the City of Nedlands Procurement Policy and the City’s Delegations Authority. The City’s Register of delegations currently restricts the CEO to approve variations to the lesser of $50,000 or 20% of the contract value. As this variation is in excess of $50,000 (albeit a saving), it must be approved by council.

The works to be delivered under this contract are in line with the City of Nedlands Asset Management Policy.

Works undertaken under this contract will comply with the City of Nedlands Stormwater Council Policy.

**Decision Implications**

By endorsing the officer recommendation, an overall cost saving to the project of -$30,187.09 will be realised, whilst allowing for important drainage upgrades to be undertaken.

By not endorsing the recommendation, no variation to the contract will be approved, resulting in works being undertaken at the original (higher) contract value and no additional drainage upgrades being included in the project.

**Conclusion**

These Contract Variations represent both a cost reduction and increase in works undertaken as part of the Waratah Avenue Rehabilitation project and their approval will result in a benefit to the project and by extension the Community.

**Further Information**

N/A

# 21.2 TS15.07.22 Variation to the Waste Management Service Contract 2020.21.02

|  |  |
| --- | --- |
| **Meeting & Date** | Council Meeting– 26 July 2022 |
| **Applicant** | City of Nedlands |
| **Employee Disclosure under section 5.70 Local Government Act 1995** | Nil. |
| **Report Author** | Chaminda Mendis – Waste Minimisation Coordinator |
| **Director/CEO** | Andrew Melville – Acting Director Technical Services |
| **Attachments** | 1. Veolia FOGO implementation proposal – Revised Version 3 (dated 14 July 2022) |

**Purpose**

The purpose of the report is for Council to approve a Contract Variation to the Waste Management Service contract RFT 2020-21.02.

**Recommendation**

**That Council:**

1. **approves the negative variation from $30.90 to $21.50 per bin lid changeover for residential waste bins to comply with the State Government’s Better Bins Plus funding grant condition; and**
2. **approves a variation for the delivery of a kitchen caddy, compostable caddy liners and an education pack at a cost of $3.00 per dwelling.**

**Voting Requirement**

Simple Majority.

**Background**

The City has awarded the Waste Management Services Contract 2020-21.02 to Veolia (SUEZ Recycling & Recovery Pty Ltd) at the OCM on 27 October 2020. This contract was awarded for a total value of (approximately) $11.64million dollars for period of five (5) years with two (2) options for extension, each of one (1) year duration at the sole discretion of the City. The contract included the following key scope of work items:

1. Collection, Transport and Processing of Recyclables and Greenwaste / FOGO
2. Supply and delivery of new bins and the supply, delivery and installation of all required bin parts
3. Provide customer service provisions
4. Collection, transport and disposal of Waste

The Council resolution was as follows:

“That Council:

1. approves the award of the contract for Waste Management Services to Suez Pty Ltd in accordance with the City’s Request for Tender number RFT 2020-21.02 and comprising of that request, the City’s Conditions of Contract, the Suez tender submissions inclusive of the Schedule of Rates and all post tender clarifications and negotiations;
2. instructs the CEO to arrange for a Letter of Acceptance and a Contract document to be sent to Suez Pty Ltd to be executed; and
3. instructs the CEO to arrange for all other tender respondents to be advised of the tender outcome.”

**Discussion**

The City is moving to a new residential waste sorting steam, Food Organics Garden Organics (FOGO), from 7 November 2022. The change allows the disposal of food scraps into residents existing greenwaste bin.

The City is expecting to receive a contribution of $176,547 to the implementation of FOGO through the Better Bins Plus Grant. A condition of this grant is aligning the colour of the bin lids with Australian Standard 4123.7-2006. The change of bin lids is a component of the existing contract with Veolia, however, staff have negotiated a lower rate for FOGO implementation due to the efficiency’s in changing all of the City’s bin stock simultaneously.

Veolia (SUEZ Pty Ltd) has submitted a proposal which decreases the rate per bin lid change from $30.90 to $21.50 per bin. Under this proposal the City anticipates to replace approximately 8000 residential waste bin lids (Dark green and White) with a red bin lid. The saving of this change when compared to the existing contract rate is approximately $75,000.

Veolia has also provided the City with a proposal to further vary the contract to include the delivery of kitchen caddy’s, kitchen caddy liners and an education pack to the front door (where possible) of dwellings in conjunction with the replacement of bin lids. The proposed price is $3.00, per dwelling, with an anticipated total value of $24,000.

Officers have spoken to potential suppliers of kitchen caddy’s who have indicated a reluctance to deliver caddy’s to individual dwellings, with the preference to deliver in bulk to the City. The City would then be required to manually pack education packs and liners into the caddy’s and enter into a separate delivery contract. Given the expected cost of a secondary delivery contract and significant resourcing required to pack education packs and liners, staff believe the delivery proposal provided by Veolia represents good value for money.

The City has reviewed the offer from the contractor regarding the proposed contract variation. The Administration considers that the costs are fair and reasonable and are of material benefit to the City.

**Consultation**

Nil.

**Strategic Implications**

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

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

**Values** **Healthy and Safe**

Our City has clean, safe neighbourhoods where public health is protected and promoted.

**High standard of services**

We have local services delivered to a high standard that take the needs of our diverse community into account.

**Budget/Financial Implications**

The cost to implement the lid changeover is shown in Table 1 below. The costs are determined from the Waste Management Contract 2020-21.02 Price schedule (which commenced in December 2020) and Veolia FOGO implementation – Revised Version 3 (dated 14 July 2022)

|  |  |  |  |
| --- | --- | --- | --- |
| **Bin Lid Replacement Rate** | **Rate** | **Expected Number** | **Expected Implementation Cost** |
| Current Rate | $30.90 | 8000 | $247,200.00 |
| Proposed Variation for FOGO Implementation | $21.50 | 8000 | $172,000.00 |
| **Expected Bin Lid Replacement Savings** | | | **$ 75,200.00** |

|  |  |  |  |
| --- | --- | --- | --- |
| **Item** | **Rate** | **Expected Number** | **Expected Implementation Cost** |
| Expected Bin Lid Replacement Savings | - $ 9.40 | 8000 | - $75,200 |
| Proposed Variation kitchen caddy, liner and education pack delivery | $ 3.00 | 8000 | $24,000 |
| **Expected Total Savings** | | | **$51,200** |

Please note: All the numbers of services identified in the above table are estimated quantities. Actual numbers will vary.

Acceptance of this variation will result in a saving of approximately $51,200 over the existing contract rate and include delivery of kitchen Caddy’s, liners and an education pack in addition to Veolia’s current scope.

**Legislative and Policy Implications**

The approval of the variation is governed by the City of Nedlands Procurement Policy and the City’s Delegations Authority. The City’s Register of delegations currently restricts the CEO to approve variations to the lesser of $50,000 or 20% of the contract value. As this variation is in excess of $50,000 (albeit a saving), it must be approved by council.

The works to be delivered under this contract are in line with the City of Nedlands Waste Plan Frameworks and Strategic Community Plan 2018-2028.

**Decision Implications**

By endorsing the officer recommendation, an overall cost saving to the project will be realised, whilst allowing for caddy delivery and important bin lid changeover for residential waste bins to comply with the State Government’s Better Bins Plus funding grant condition.

By not endorsing the recommendation, no variation to the contract will be approved, resulting acceptance of the original Waste Management Contract 2020-21.02 Price Schedule which will result in a higher cost to the City for this service.

**Conclusion**

The changing of bin lids to align with the States Better Bins Plus program and delivery of kitchen caddy’s to residents are important steps in the FOGO implementation project, necessary to receive grant funding and to align bin lid colours across the state. Council approval of this variation will allow the City to implement the change at a reduced cost due to the efficiency of scale realised in the FOGO implementation. This variation is beneficial to the Nedlands Community.

**Further Information**

Nil.

# Confidential Items

Confidential items to be discussed at this point.



# CEO05.07.22 Confidential Final Determination Report (036201v-01)

Confidential report circulated separately to Council Members.

# CEO06.07.22 Confidential Final Determination Report (03621Iv-01)

Confidential report circulated separately to Council Members.

# CEO07.07.22 Confidential Final Determination Report (03617IV-01)

Confidential report circulated separately to Council Members.

# Declaration of Closure

There being no further business, the Presiding Member will declare the meeting closed.