



City of Nedlands

Minutes

Council Meeting

27 April 2021

Attention

These Minutes are subject to confirmation.

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

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City of Nedlands

Minutes of an Ordinary Meeting of Council held in the Council Chamber, 71 Stirling Highway, Nedlands (Council Members & Staff Only), and livestreamed for members of the public on Tuesday 27 April 2021 at 7 pm.

Declaration of Opening

The Presiding Member declared the meeting open at 7.07 pm and drew attention to the disclaimer below.

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

Present and Apologies and Leave of Absence (Previously Approved)

Councillors	Deputy Mayor L J McManus	(Presiding Member)
	Councillor F J O Bennett	Dalkeith Ward
	Councillor A W Mangano	Dalkeith Ward
	Councillor N R Youngman	Dalkeith Ward
	Councillor B G Hodsdon	Hollywood Ward
	Councillor P N Poliwka (online from 7.25 pm)	Hollywood Ward
	Councillor J D Wetherall	Hollywood Ward
	Councillor R Senathirajah	Melvista Ward
	Councillor B Tyson	Melvista Ward
	Councillor N B J Horley (online)	Coastal Districts Ward
	Councillor K A Smyth	Coastal Districts Ward

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

Public There were 4 members of the public present online.

Press Nil.

Leave of Absence Nil.
(Previously Approved)

Apologies Councillor R A Coghlan Melvista Ward

Disclaimer

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

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

1. Public Question Time

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

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

Nil.

2. Addresses by Members of the Public

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

Due to COVID Restrictions on room capacity the Public Addresses were submitted in writing and the Presiding Member read the addresses aloud.

Mr Stuart Reside, 23 Lynton Street, Swanbourne PD12.21
(spoke in support of the recommendation)

Mr Petar Mrdja, Urbanista Town Planning, PD12.21
231 Bulwer Street, Perth
(spoke in support of the recommendation)

Councillor Bennett left the meeting at 7.11 pm.

Mr Ian Long, 28 Quintilian Road, Mt Claremont TS03.21
(spoke in support of the recommendation)

Councillor Bennett returned to the meeting at 7.12 pm.

Captain Richard Hodge, 36 Quintilian Road, Mt Claremont TS03.21
(spoke in support of the recommendation)

Mr Cedric Bell, 31 Bruce Street, Nedlands 14.4
(spoke in support of the Notice of Motion)

3. Requests for Leave of Absence

Moved – Councillor Wetherall
Seconded – Councillor Hodsdon

That Deputy Mayor McManus be granted leave of absence from the 6 – 13 May 2021.

CARRIED UNANIMOUSLY 10/-

4. Petitions

4.1 Mr Gordon Duzevich, Ord Street, Nedlands – Carrington Street Verge

The Acting CEO will table a petition received containing 25 signatures from residents of Nedlands, regarding the upkeep (mowing of the grass/ weeds etc) of the long verge of Carrington Street, between Carrington Park and Loch Street.

The petition requests Council:

1. Mow the verge at least 4 times per year; and
2. Clear the weeds and over burden and plant low native flora with bark chips so that the verge will not require as much maintenance.

Moved – Councillor Hodsdon
Seconded – Councillor Wetherall

That Council receive the petition.

CARRIED UNANIMOUSLY 10/-

5. Disclosures of Financial / Proximity Interest

The Presiding Member reminded 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.

There were no disclosures of financial interest.

6. Disclosures of Interests Affecting Impartiality

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

6.1 Councillor Smyth – PD15.21 - Consideration of Legal Advice – Possibility of Challenge to JDAP Decision on 97-105 Stirling Highway, Nedlands

Councillor Smyth disclosed an impartiality interest in Item PD15.21 - Consideration of Legal Advice – Possibility of Challenge to JDAP Decision on 97-105 Stirling Highway, Nedlands. Councillor Smyth disclosed that she is a Ministerial appointee and paid member of the MINJDAP that considered this item at a meeting on 16th February 2021. Councillor Smyth advised she is bound by the DAP Code of Conduct 2017, in particular 'Clause 2.1.7 A DAP member must not make any statement that is critical, or that could be understood as being critical, of the Minister, the Director General, a local government, a local government employee, departmental employee, a DAP or another DAP member.' As a consequence, there may be a perception that her impartiality on the matter may be affected. Councillor Smyth advised she would leave the meeting during this item.

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

6.2 Councillor Bennett – PD15.21 - Consideration of Legal Advice – Possibility of Challenge to JDAP Decision on 97-105 Stirling Highway, Nedlands

Councillor Bennett disclosed an impartiality interest in Item PD15.21 - Consideration of Legal Advice – Possibility of Challenge to JDAP Decision on 97-105 Stirling Highway, Nedlands. Councillor Bennett disclosed that he is a Ministerial appointee and paid member of the MINJDAP that considered this item at a meeting on 16th February 2021. Councillor Bennett advised he is bound by the DAP Code of Conduct 2017, in particular 'Clause 2.1.7 A DAP member must not make any statement that is critical, or that could be understood as being critical, of the Minister, the Director General, a local government, a local government employee, departmental employee, a DAP or another DAP member.' As a consequence, there may be a perception that his impartiality on the matter may be affected. Councillor Bennett advised he would leave the meeting during this item.

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

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

Nil.

8. Confirmation of Minutes

8.1 Ordinary Council Meeting 23 March 2021

Moved – Councillor Hodsdon
Seconded – Councillor Youngman

The Minutes of the Ordinary Council Meeting held 23 March 2021 be confirmed.

CARRIED UNANIMOUSLY 10/-

8.2 Confidential Special Council Meeting 9 February 2021

Moved – Councillor Youngman
Seconded – Councillor Tyson

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

CARRIED UNANIMOUSLY 10/-

8.3 Confidential Special Council Meeting 11 February 2021

Moved – Councillor Tyson
Seconded – Councillor Wetherall

The Minutes of the Confidential Special Council Meeting held 11 February 2021 be confirmed.

**CARRIED 9/1
(Against: Cr. Smyth)**

Councillor Poliwka joined the meeting at 7.25 pm.

8.4 Confidential Special Council Meeting 8 April 2021

Moved – Councillor Youngman
Seconded – Councillor Hodsdon

The Minutes of the Confidential Special Council Meeting held 8 April 2021 be confirmed.

**CARRIED 10/1
(Against: Cr. Smyth)**

9. Announcements of the Presiding Member without discussion

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

Deputy Mayor McManus advised he had attended the following meetings in March and April 2021:

22 March 2021 – Meeting with Mr Barry Jones of Tawarri Hot Springs along with the Acting CEO, Jim Duff and the Department of Planning.

31 March 2021 – Project Control Meeting – Children’s Hospice along with Acting CEO, Jim Duff.

12 April 2021 – Meeting with State Member for Nedlands, Dr Katrina Stratton MLA along with the Acting CEO, Ed Herne.

20 April 2021 – Meeting with Member for Curtin Ms Celia Hammond.

21 April 2021 – Officiated at Tree Planting Ceremony on the Esplanade for Rotary’s 100th Anniversary in Australia.

22 April 2021 – Attended WALGA Central Metropolitan Zone Meeting hosted by the Shire of Peppermint Grove.

10. 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.

Nil.

11. Matters for Which the Meeting May Be Closed

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

17.1 Tawarri Site Redevelopment

17.2 Request for Legal Representation & Legal Fees

12. Divisional reports and minutes of Council committees

12.1 Minutes of Council Committees

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

Moved – Councillor Hodsdon

Seconded – Councillor Youngman

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

Confidential CEO Performance Review Committee 8 February 2021
Unconfirmed, Circulated to Council Members on 23 February 2021

Confidential CEO Performance Review Committee 23 February 2021
Unconfirmed, Circulated to Council Members on 11 March 2021

Public Art Committee 15 March 2020
Unconfirmed, Circulated to Council Members on 25 March 2021

Confidential CEO Recruitment & Selection Committee 30 March 2021
Unconfirmed, Circulated to Council Members on 6 April 2021

Council Committee 13 April 2021
Unconfirmed, Circulated to Council Members on 19 April 2021

Confidential CEO Recruitment & Selection Committee 20 April 2021
Unconfirmed, Circulated to Council Members on 23 April 2021

CARRIED UNANIMOUSLY 11/-

Note: As far as possible all the following reports under items 12.2, 12.3 12.4, 12.5 and 17.1 will be moved en-bloc and only the exceptions (items which Council Members wish to amend) will be discussed.

En Bloc

Moved - Councillor Smyth

Seconded – Councillor Wetherall

That all Committee Recommendations relating to Reports under items 12.2, 12.3, 12.4 and 12.5 with the exception of Report Nos. PD13.21, PD15.21, TS03.21, TS06.21, CSD03.21 & 17.1 are adopted en bloc.

CARRIED UNANIMOUSLY 11/-

12.2 Planning & Development Report No's PD11.21 to PD15.21 (copy attached)

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

PD11.21	No. 23 Lynton Street, Swanbourne - Residential – Single House
Committee	13 April 2021
Council	27 April 2021
Applicant	CF Town Planning & Development
Landowner	Vanessa Reside
Director	Tony Free – Director Planning & Development
Employee Disclosure under section 5.70 Local Government Act 1995	<p>The author, reviewers and authoriser of this report declare they have no financial or impartiality interest with this matter.</p> <p>There is no financial or personal relationship between City staff and the proponents or their consultants.</p> <p>Whilst parties may be known to each other professionally, this relationship is consistent with the limitations placed on such relationships by the Codes of Conduct of the City and the Planning Institute of Australia.</p>
Report Type	When Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications and other decisions that may be appealable to the State Administrative Tribunal.
Quasi-Judicial	
Reference	DA20/56128
Previous Item	Nil
Delegation	In accordance with the City's Instrument of Delegation, Council is required to determine the application due to an objection being received.
Attachments	1. Applicant's Justification Report
Confidential Attachments	<ol style="list-style-type: none"> 1. Plans 2. Submissions 3. Assessment 4. Site photos

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Smyth
Seconded – Councillor Wetherall

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

CARRIED UNANIMOUSLY EN BLOC 11/-

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

In accordance with Clause 68(2)(a) of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*, Council approves the development application received on 26 October 2020 in accordance with plans date stamped 12 February 2021 for a Single House at Lot 12 (No. 23) Lynton Street, Swanbourne, subject to the following conditions:

1. The development shall at all times comply with the application and the approved plans, subject to any modifications required as a consequence of any condition(s) of this approval.
2. This development approval only pertains to a Residential – Single House as indicated on the determination plans.
3. All footings and structures to retaining walls, fences and parapet walls, shall be constructed wholly inside the site boundaries of the property's Certificate of Title.
4. Prior to occupation of the development, all major openings and unenclosed outdoor active habitable spaces, which have a floor level of more than 0.5m above natural ground level and overlook any part of any other residential property behind its street setback line shall be setback, in direct line of sight within the cone of vision from the lot boundary, a minimum distance as prescribed in C1.1 of Clause 5.4.1 – Visual Privacy of the Residential Design Codes. Alternatively, the major openings and unenclosed outdoor active habitable spaces are screened in accordance with the Residential Design Codes by either;
 - a) fixed obscured glazing or translucent glass to a height of 1.60 metres above finished floor level, or
 - b) Timber screens, external blinds, window hoods and shutters to a height of 1.6m above finished floor level that are at least 75% obscure.

- c) a minimum sill height of 1.60 metres as determined from the internal floor level, or
- d) an alternative method of screening approved by the City of Nedlands.

The required screening shall be thereafter maintained to the satisfaction of the City of Nedlands.

5. Prior to occupation of the development the finish of the parapet wall is to be finished externally to the same standard as the rest of the development in:
 - Face brick,
 - Painted render,
 - Painted brickwork; or
 - Other clean material as specified on the approved plans, and maintained thereafter to the satisfaction of the City of Nedlands.
6. All stormwater from the development, which includes permeable and non-permeable areas shall be contained onsite.
7. Prior to occupation of the development, all external fixtures including, but not limited to TV and radio antennae, satellite dishes, plumbing vents and pipes, solar panels, air conditioners and hot water systems shall be integrated into the design of the building and not be visible from the primary street to the satisfaction of the City of Nedlands.
8. Prior to occupation of the development, all air-conditioning plant, satellite dishes, antennae and any other plant and equipment to the roof of the building shall be located or screened so as not to be highly visible from beyond the boundaries of the development site to the satisfaction of the City of Nedlands.
9. Retaining walls, fences or other structures are to be truncated or reduced to no higher than 0.75m within 1.5m of where the wall, fences, other structures adjoining vehicle access points where a driveway meets a public street to the satisfaction of the City of Nedlands.

PD12.21	No. 78 Waratah Avenue, Dalkeith - Amendments to approved plans for 5 Grouped Dwellings
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Committee	13 April 2021
Council	27 April 2021
Applicant	Urbanista Town Planning
Landowner	Emerald Development Alliance Pty Ltd
Director	Tony Free – Director Planning & Development
Employee Disclosure under section 5.70 Local Government Act 1995	<p>The author, reviewers and authoriser of this report declare they have no financial or impartiality interest with this matter.</p> <p>There is no financial or personal relationship between City staff and the proponents or their consultants.</p> <p>Whilst parties may be known to each other professionally, this relationship is consistent with the limitations placed on such relationships by the Codes of Conduct of the City and the Planning Institute of Australia</p>
Report Type Quasi-Judicial	When Council determines an application/matter that directly affects a person’s right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications and other decisions that may be appealable to the State Administrative Tribunal.
Reference	DA21-60926
Previous Item	DA19-42171 and SAT20-1285
Delegation	In accordance with the City’s Instrument of Delegation, Council is required to determine the application due to the application proposing five dwellings.
Attachments	<ol style="list-style-type: none"> 1. Applicant’s Cover Letter 2. Landscape Plan
Confidential Attachments	<ol style="list-style-type: none"> 1. Plans 2. Assessment

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Smyth
 Seconded – Councillor Wetherall

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

CARRIED UNANIMOUSLY EN BLOC 11/-

Council Resolution / Committee Recommendation

In accordance with Clause 77 of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*, Council grants approval to the amendment of the development approval dated 27 October 2020 (DA19/42471) for 5 grouped dwellings at 78 Waratah Avenue, Dalkeith in accordance with the amended plans dated 23 February 2021 and subject to the following conditions:

1. This application is limited to amendments to the finished floor levels, site works and retaining as indicated on the plan date stamped 23 February 2021.
2. This development shall at all times comply with the application and the approved plans, subject to any modifications required as a consequence of any condition(s) of this approval.
3. The previous development approval DA19/42171 dated 27 October 2020 and conditions (with the exception of Condition 4) there-in, remain in effect. This excludes the plans approved as part of the previous development application.
4. The plans dated 22 May 2020 and 29 September 2020 which form part of the approval for DA19/42171 are cancelled and replaced with plans dated stamped 23 February 2021.
5. Condition 4 of the previous development approval DA19/42171 dated 27 October 2020 is replaced with the following condition:
 - The Landscape Plan (Attachment 2) forms part of this approval. Landscaping shall be installed and maintained in accordance with the approved landscaping plan prepared by Kelsie Davies Landscape Architecture dated 2 March 2021, or any modifications approved thereto, for the lifetime of the development thereafter, to the satisfaction of the City.
6. That the building height of unit 1 will not be increased by more than the lesser amount of 500mm or the amount required to comply with the Australian Standard.

Recommendation to Committee

In accordance with Clause 77 of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*, Council grants approval to the amendment of the development approval dated 27 October 2020 (DA19/42471) for 5 grouped dwellings at 78 Waratah Avenue, Dalkeith in accordance with the amended plans dated 23 February 2021 and subject to the following conditions:

1. This application is limited to amendments to the finished floor levels, site works and retaining as indicated on the plan date stamped 23 February 2021.
2. This development shall at all times comply with the application and the approved plans, subject to any modifications required as a consequence of any condition(s) of this approval.
3. The previous development approval DA19/42171 dated 27 October 2020 and conditions (with the exception of Condition 4) there-in, remain in effect. This excludes the plans approved as part of the previous development application.
4. The plans dated 22 May 2020 and 29 September 2020 which form part of the approval for DA19/42171 are cancelled and replaced with plans dated stamped 23 February 2021.
5. Condition 4 of the previous development approval DA19/42171 dated 27 October 2020 is replaced with the following condition:
 - The Landscape Plan (Attachment 2) forms part of this approval. Landscaping shall be installed and maintained in accordance with the approved landscaping plan prepared by Kelsie Davies Landscape Architecture dated 2 March 2021, or any modifications approved thereto, for the lifetime of the development thereafter, to the satisfaction of the City.

PD13.21	No. 17 Doonan Road, Nedlands – Residential - 5 Single Houses
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Committee	13 April 2021
Council	27 April 2021
Applicant	Summit Developments
Landowner	Elberton Property 9 Pty Ltd
Director	Tony Free – Director Planning & Development
Employee Disclosure under section 5.70 Local Government Act 1995	Nil - The author, reviewers and authoriser of this report declare they have no financial or impartiality interest with this matter. There is no financial or personal relationship between City staff and the proponents or their consultants. Whilst parties may be known to each other professionally, this relationship is consistent with the limitations placed on such relationships by the Codes of Conduct of the City and the Planning Institute of Australia.
Report Type Quasi-Judicial	When Council determines an application/matter that directly affects a person’s right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications and other decisions that may be appealable to the State Administrative Tribunal.
Reference	DA/20-58509
Previous Item	Nil
Delegation	In accordance with the City’s Instrument of Delegation, Council is required to determine the application due to objections being received.
Attachments	1. Site photographs 2. Applicant report
Confidential Attachments	1. Development Plans 2. Landscape Plan 3. Planning Assessment 4. Overview of key lot boundary variations

Regulation 11(da) – Council agreed to approve the development application due to new plans being received.

Moved – Councillor Smyth
Seconded – Councillor Wetherall

That Council approves the development application dated 15 December 2020, as amended 20 April 2021, for the development of five (5) Single houses at 17 Doonan Road, Nedlands, subject to the following approval conditions and advice notes:

- 1. The development shall at all times comply with the application and the approved plans, subject to any modifications required as a consequence of any condition(s) of this approval.**

2. This development approval authorises the use of 5 single houses only.
3. Prior to occupation, the lots subject to the subdivision approval dated 16 July 2020, are to be created as green title lots, with Titles being issued.
4. All boundary walls shown on the approved plans are to be constructed simultaneously.
5. Prior to the lodgement of an application for a Building Permit, an amended landscaping plan, prepared by a suitably qualified landscape designer, shall be submitted to and approved by the City. Landscaping shall be installed and maintained in accordance with the approved landscaping plan, or any modifications approved thereto, for the lifetime of the development thereafter, to the satisfaction of the City.
6. All footings and structures shall be constructed wholly inside the site boundaries of the property's Certificate of Title.
7. Prior to occupation of the development the finish of the parapet walls is to be finished externally to the same standard as the rest of the development in:
 - a. Face brick
 - b. Painted render
 - c. Painted brickwork
 - d. Other clean material as specified on the approved plans and maintained thereafter to the satisfaction of the City of Nedlands
8. All stormwater from the development, which includes permeable and non-permeable areas shall be contained onsite.

Amendment

Moved - Councillor Youngman

Seconded - Councillor Tyson

That an additional condition 9e. be added as follows:

- a. That all crossovers be a maximum width of 4 metres.

The AMENDMENT was PUT and was

CARRIED 9/2
(Against: Deputy Mayor McManus Cr. Wetherall)

The Substantive was PUT and was

CARRIED 6/5

(Against: Crs. Bennett Mangano Youngman Senathirajah & Tyson)

Council Resolution

That Council approves the development application dated 15 December 2020, as amended 20 April 2021, for the development of five (5) Single houses at 17 Doonan Road, Nedlands, subject to the following approval conditions and advice notes:

1. The development shall at all times comply with the application and the approved plans, subject to any modifications required as a consequence of any condition(s) of this approval.
2. This development approval authorises the use of 5 single houses only.
3. Prior to occupation, the lots subject to the subdivision approval dated 16 July 2020, are to be created as green title lots, with Titles being issued.
4. All boundary walls shown on the approved plans are to be constructed simultaneously.
5. Prior to the lodgement of an application for a Building Permit, an amended landscaping plan, prepared by a suitably qualified landscape designer, shall be submitted to and approved by the City. Landscaping shall be installed and maintained in accordance with the approved landscaping plan, or any modifications approved thereto, for the lifetime of the development thereafter, to the satisfaction of the City.
6. All footings and structures shall be constructed wholly inside the site boundaries of the property's Certificate of Title.
7. Prior to occupation of the development the finish of the parapet walls is to be finished externally to the same standard as the rest of the development in:
 - a. Face brick
 - b. Painted render
 - c. Painted brickwork
 - d. Other clean material as specified on the approved plans and maintained thereafter to the satisfaction of the City of Nedlands
 - e. That all crossovers be a maximum width of 4 metres.
8. All stormwater from the development, which includes permeable and non-permeable areas shall be contained onsite.

Committee Recommendation

That Council request the CEO to provide an alternate recommendation for approval of this Development Application after discussions with the applicant with conditions to be provided for the Council Meeting.

Recommendation to Committee

Council, in accordance with clause 68(2)(c) of the Deemed Provisions refuses to grant development approval for five (5) two-storey single houses at No. 17 (Lot 77) Doonan Road, Nedlands, for the following reasons:

1. Non-compliance with the deemed-to-comply requirements and inconsistency with the Design Principles of R-Codes Vol. 1 in relation to the following design elements:
 - a. Clause 5.1 Context objectives
 - b. Clause 5.1.2 Street setback deemed-to-comply requirements C2.1 and C2.4 buildings setback from the primary street and Design Principles P2.1 and P2.2 in respect of Lot 206, 207, 208, 209 and 210.
 - c. Clause 5.1.3 Lot boundary setback deemed-to-comply requirements C3.1(i) for buildings setback from lot boundaries and Design Principle P3.1 with respect to Lots
 - d. Clause 5.1.4 Open space deemed-to-comply requirement C4 and Design Principle P4 with respect to all lots.
 - e. Clause 5.4.2 Solar access for adjoining sites deemed-to-comply requirement C2.1 and Design Principle P2.1 and P2.2 with respect to development on Lot 206 and its on development on Lot 207
2. Inconsistency with aims (a), (c) and (l) of the Scheme and SPP7.0 Design of the Built Environment with respect to Design Principle 2 – Landscaping and Design Principle 3 – Built form and Scale and Design Principle 6 – Amenity.
3. Does not satisfy clause 67(2)(m) with respect to the compatibility of the development with the desired future character outlined in the draft Melvista West Transition Zone LPP, and the consequent bulk impact on the large upper floors on the streetscape and adjoining land.

PD14.21	Proposed Amendments to the Local Planning Policy – Exempt Development
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Committee	13 April 2021
Council	27 April 2021
Applicant	City of Nedlands
Director	Tony Free – Director Planning & Development
Employee Disclosure under section 5.70 Local Government Act 1995	Nil - The author, reviewers and authoriser of this report declare they have no financial or impartiality interest with this matter. There is no financial or personal relationship between City staff and the proponents or their consultants. Whilst parties may be known to each other professionally, this relationship is consistent with the limitations placed on such relationships by the Codes of Conduct of the City and the Planning Institute of Australia.
Previous Item	Nil
Attachments	<ol style="list-style-type: none"> 1. Draft amended Local Planning Policy – Exempt Development 2. Planning Exemptions – Exempt Development LPP vs. 2015 Regulations 3. Local Planning Policy – Exempt Development with tracked changes

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Smyth
 Seconded – Councillor Wetherall

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

CARRIED UNANIMOUSLY EN BLOC 11/-

Council Resolution / Committee Recommendation

Council:

- 1. proceeds to adopt the draft amended Local Planning Policy – Exempt Development, as set out in Attachment 1, in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 2, Part 2, Clause 4(3)(b)(i); and**
- 2. request the CEO to undertake a further review of the Exempt Development Policy in conjunction with the Planning Regulations and Local Planning Scheme No 3, in order to identify other opportunities to exempt further uses or development from the need to obtain planning approval, with the outcomes reported to Council.**

Recommendation to Committee

Council proceeds to adopt the draft amended Local Planning Policy – Exempt Development, as set out in Attachment 1, in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 2, Part 2, Clause 4(3)(b)(i).

PD15.21	Consideration of Legal Advice – Possibility of Challenge to JDAP Decision on 97-105 Stirling Highway, Nedlands
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Committee	13 April 2021
Council	27 April 2021
Applicant	City of Nedlands
Director	Tony Free – Director Planning & Development
Employee Disclosure under section 5.70 Local Government Act 1995	<p>The author, reviewers and authoriser of this report declare they have no financial or impartiality interest with this matter.</p> <p>There is no financial or personal relationship between City staff and the proponents or their consultants.</p> <p>Whilst parties may be known to each other professionally, this relationship is consistent with the limitations placed on such relationships by the Codes of Conduct of the City and the Planning Institute of Australia.</p>
Reference	DA20/56259
Previous Item	Nil
Attachments	Nil
Confidential Attachments	1. Legal Opinion dated 17 March 2021

Councillor Smyth – Impartiality Interest

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

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

Councillor Bennett – Impartiality Interest

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

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

Councillor Smyth & Councillor Bennett left the meeting at 7.54 pm.

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Senathirajah

Seconded – Councillor Tyson

That the Recommendation to Council be adopted.

(Printed below for ease of reference)

CARRIED 7/2
(Against: Crs. Horley & Mangano)

Council Resolution / Committee Recommendation

Council:

- 1. notes the legal opinion provided by Mr Ken Pettit SC in relation to the decision of the Metro Inner-North Joint Development Assessment Panel for the mixed use development at 97-105 Stirling Highway, Nedlands; and**
- 2. requests the Metro Inner-North Joint Development Assessment Panel provides proper reasons for its decision of 8 February 2021 to grant approval to the mixed use development at 97-105 Stirling Highway, Nedlands by 26 April 2021.**

Recommendation to Committee

Council:

1. notes the legal opinion provided by Mr Ken Pettit SC in relation to the decision of the Metro Inner-North Joint Development Assessment Panel for the mixed use development at 97-105 Stirling Highway, Nedlands; and
2. requests the Metro Inner-North Joint Development Assessment Panel provides proper reasons for its decision of 8 February 2021 to grant approval to the mixed use development at 97-105 Stirling Highway, Nedlands.

Councillor Smyth & Councillor Bennett returned to the meeting at 8.03 pm.

12.3 Technical Services Report No’s TS03.21 to TS08.21 (copy attached)

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

TS03.21	Quintilian Road Traffic Calming, Parking and Shared Path – Community Consultation Results
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Committee	13 April 2021
Council	27 April 2021
Applicant	City of Nedlands
Employee Disclosure under section 5.70 of the Local Government Act 1995 and section 10 of the City of Nedlands Code of Conduct for Impartiality.	Nil.
Director	Jim Duff – Director Technical Services
Attachments	1. Quintilian Shared Path Concept Plan (Option 1) 2. Engagement Report
Confidential Attachments	Nil.

Regulation 11(da) - To provided openness about the funding proposed. To save trees that will be lost by the proposed ‘shared path’ alignment. To help nearby residents with noise problem and avoid creating problems with traffic being re-routed elsewhere. The impact of removing parking currently used by commuters has not been properly canvassed.

Moved – Councillor Smyth
Seconded – Councillor Hodsdon

Council endorses the concept design (refer Attachment 1) for consideration in the 10 Year Capital Works Program with the following modifications:

- a. **greater scrutiny and detail breakdown of the proposed \$810,000 cost estimate;**
- b. **shared path to be re-aligned to avoid removal of jarrah and other significant trees;**
- c. **traffic calming options be further reviewed to alleviate acute disturbance on residents;**

- d. **parking arrangements be further investigated for ways to achieve a ‘park and ride’ facility, funded by the Public Transport Authority, for the benefit of the City’s residents, and in accord with the City’s strategic planning policies.**

Amendment

Moved - Councillor Youngman

Seconded - Councillor Mangano

Clause e be added as follows:

- e. **consideration of a one way exit from Quintilian Road onto Stubbs Terrace.**

The AMENDMENT was PUT and was

CARRIED 7/4

(Against: Deputy Mayor McManus Crs. Horley Smyth Poliwka)

The Substantive was PUT and was

CARRIED UNANIMOUSLY 11/-

Council Resolution

Council endorses the concept design (refer Attachment 1) for consideration in the 10 Year Capital Works Program with the following modifications:

- a. **greater scrutiny and detail breakdown of the proposed \$810,000 cost estimate;**
- b. **shared path to be re-aligned to avoid removal of jarrah and other significant trees;**
- c. **traffic calming options be further reviewed to alleviate acute disturbance on residents;**
- d. **parking arrangements be further investigated for ways to achieve a ‘park and ride’ facility, funded by the Public Transport Authority, for the benefit of the City’s residents, and in accord with the City’s strategic planning policies.**
- e. **consideration of a one way exit from Quintilian Road onto Stubbs Terrace.**

Please note there was no recommendation from the Committee.

Recommendation to Committee

Council endorses the concept design (refer Attachment 1) for inclusion in the 10 Year Capital Works Program.

TS04.21	Local Roads and Community Infrastructure Grant Funding
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Committee	13 April 2021
Council	27 April 2021
Applicant	City of Nedlands
Employee Disclosure under section 5.70 of the Local Government Act 1995 and section 10 of the City of Nedlands Code of Conduct for Impartiality.	Nil.
Director	Jim Duff – Director Technical Services
Attachments	Nil.
Confidential Attachments	Nil.

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Smyth
 Seconded – Councillor Wetherall

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

CARRIED UNANIMOUSLY EN BLOC 11/-

Council Resolution / Committee Recommendation

Council:

- 1. approves the LRCI submission of the project list presented in this report as Table 1 to the Department of Infrastructure, Transport, Regional Development and Communications; and**
- 2. approves the additional projects list presented in this report as Table 2, to be considered for inclusion in the 2021/22 Capital Works Program.**

Recommendation to Committee

Council:

1. approves the LRCI submission of the project list presented in this report as Table 1 to the Department of Infrastructure, Transport, Regional Development and Communications; and
2. approves the additional projects list presented in this report as Table 2, to be included in the 2021/22 Capital Works Program.

TS05.21	Whitfeld Street Footpath – Community Consultation Results
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Committee	13 April 2021
Council	27 April 2021
Applicant	City of Nedlands
Employee Disclosure under section 5.70 of the Local Government Act 1995 and section 10 of the City of Nedlands Code of Conduct for Impartiality.	Nil.
Director	Jim Duff – Director Technical Services
Attachments	1. Whitfeld Street Footpath Concept Plan
Confidential Attachments	Nil.

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Smyth
 Seconded – Councillor Wetherall

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

CARRIED UNANIMOUSLY EN BLOC 11/-

Council Resolution / Committee Recommendation / Recommendation to Committee

Council approves the construction of the new footpath on Whitfeld Street, Floreat, between Birkdale Street and Selby Street, as per the Concept Plan presented in Attachment 1.

TS06.21	Waratah Avenue Placemaking Strategy
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Committee	13 April 2021
Council	27 April 2021
Applicant	City of Nedlands
Employee Disclosure under section 5.70 of the Local Government Act 1995 and section 10 of the City of Nedlands Code of Conduct for Impartiality.	Nil.
Director	Jim Duff – Director Technical Services
Attachments	1. Concept Plan 2. Engagement Report
Confidential Attachments	Nil.

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Wetherall
Seconded – Councillor Hodsdon

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

CARRIED UNANIMOUSLY 11/-

Council Resolution / Committee Recommendation

That this item be deferred to the May 2021 Council Meeting.

Recommendation to Committee

Council

1. endorses the Concept Plan for the Waratah Avenue Placemaking Strategy presented in Attachment 1; and
2. endorses the medium quality finish option for inclusion in the 2021/22 Capital Works Program.

TS07.21	Waratah Avenue Precinct Parking Prohibitions
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Committee	13 April 2021
Council	27 April 2021
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995 and section 10 of the City of Nedlands Code of Conduct for Impartiality.	Nil.
Director	Jim Duff – Director Technical Services
Attachments	1. Parking Survey Results 2. Existing Parking Prohibition Plan 3. Proposed Parking Prohibition Plan
Confidential Attachments	Nil.

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Smyth
Seconded – Councillor Wetherall

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

CARRIED UNANIMOUSLY EN BLOC 11/-

Council Resolution / Committee Recommendation

That this item be deferred to the May 2021 Council Meeting.

Recommendation to Committee

Council:

1. approves the parking prohibitions shown on Attachment 3 – Proposed Parking Prohibition Plan be implemented in May 2021; and
2. instructs the CEO to arrange for a parking survey to be undertaken two years following implementation of the parking prohibition to determine if any modifications to the parking prohibitions are required.

TS08.21	RFT 2020-21.07 Provision of Tree Surgery Services
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Committee	13 April 2021
Council	27 April 2021
Applicant	City of Nedlands
Employee Disclosure under section 5.70 of the Local Government Act 1995 and section 10 of the City of Nedlands Code of Conduct for Impartiality.	Nil.
Director	Jim Duff – Director Technical Services
Attachments	Nil.
Confidential Attachments	1. Tender Evaluation and Recommendation Report

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Smyth

Seconded – Councillor Wetherall

That the Recommendation to Council be adopted.

(Printed below for ease of reference)

CARRIED UNANIMOUSLY EN BLOC 11/-

Council Resolution / Committee Recommendation / Recommendation to Committee

Council:

- 1. accepts the Administration recommendation to award the contract for RFT 2020-21.07 – Provision of Tree Surgery Services for the initial term of 12 months with the option of four (4) further 12 month extensions to be awarded at the sole discretion of the City; and**
- 2. authorises the Chief Executive Officer to enter into a contract with the accepted tenderer.**

12.4 Community Services & Development Report No's CSD03.21 to CSD04.21 (copy attached)

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

CSD03.21	Replacement Committee	Member	Public	Art
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Committee	13 April 2021
Council	27 April 2021
Applicant	City of Nedlands
Employee Disclosure under section 5.70 of the Local Government Act 1995 and section 10 of the City of Nedlands Code of Conduct for Impartiality.	Nil.
Executive Manager	Pat Panayotou – Executive Manager Community
Attachments	Nil.
Confidential Attachments	Nil.

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Hodsdon
 Seconded – Councillor Senathirajah

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

CARRIED BY ABSOLUTE MAJORITY 11/-

Council Resolution / Committee Recommendation

Council appoints Councillor Tyson, as the Councillor for the Melvista Ward, to the Public Art Committee.

Recommendation to Committee

Council appoints Councillor (insert name), as the Councillor for the Melvista Ward, to the Public Art Committee.

ABSOLUTE MAJORITY REQUIRED

CSD04.21	Mt Claremont Playgroup Fee Reduction Request
-----------------	---

Committee	13 April 2021
Council	27 April 2021
Applicant	City of Nedlands
Employee Disclosure under section 5.70 of the Local Government Act 1995 and section 10 of the City of Nedlands Code of Conduct for Impartiality.	Nil.
Director	Pat Panayotou – Executive Manager Community
Attachments	Nil.
Confidential Attachments	Nil.

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Smyth
 Seconded – Councillor Wetherall

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

CARRIED UNANIMOUSLY EN BLOC 11/-

Council Resolution / Committee Recommendation / Recommendation to Committee

Council reduces Mt Claremont Playgroup’s 2020/2021 annual building usage fee from \$3,000 to \$1,500.

12.5 Corporate & Strategy Report No’s CPS09.21 to CPS10.21 (copy attached)

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

CPS09.21 List of Accounts Paid – February 2021	
Committee	13 April 2021
Council	27 April 2021
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	Nil.
Director	Ed Herne – Director Corporate & Strategy
Attachments	1. Creditor Payment Listing – February 2021; and 2. Credit Card and Purchasing Card Payments – February 2021 (28 January – ## February 2021).
Confidential Attachments	Nil.

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Smyth
Seconded – Councillor Wetherall

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

CARRIED UNANIMOUSLY EN BLOC 11/-

Council Resolution / Committee Recommendation / Recommendation to Committee

Council receives the List of Accounts Paid for the month of February 2021 as per attachments.

CPS10.21	New Lease to Fellowship of Australian Writers (WA) – Tom Collins House
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Committee	13 April 2021
Council	27 April 2021
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	Nil.
Director	Ed Herne – Director Corporate & Strategy
Attachments	Nil.
Confidential Attachments	Nil.

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Smyth
 Seconded – Councillor Wetherall

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

CARRIED UNANIMOUSLY EN BLOC 11/-

Council Resolution / Committee Recommendation / Recommendation to Committee

Council:

- 1. approves an exclusive use lease between the City of Nedlands and The Fellowship of Australian Writers Western Australia Inc. for the Tom Collins House site consistent with the key terms as noted within this report. and;**
- 2. subject to the Minister for Lands Consent, authorises the CEO and Mayor to execute the agreement and apply the City’s Common Seal.**

13. Reports by the Chief Executive Officer

13.1 Common Seal Register – March 2021

Moved – Councillor Senathirajah
Seconded – Councillor Tyson

The following Common Seal Register Report for the month of March 2021 be received.

CARRIED UNANIMOUSLY 11/-

March 2021

SEAL NUMBER	DATE SEALED	DEPARTMENT	MEETING DATE / ITEM NO.	REASON FOR USE
958 959	23 March 2021	Planning & Development	Special Council Meeting 2 February 2021 Item 9	Seal Certification - Seal No. 958 & 959 - Justification report for Scheme Amendment No. 10 - Additional Use 9 additional built form requirements. (2 copies)
960	30 March 2021	Planning & Development	Ordinary Council Meeting 23 February 2021 Item No 13.11	Seal Certification - Seal No. 959 - Justification report for Scheme Amendment No. 11 - Residential Aged Care Facilities - Additional Requirement (2 copies)

Councillor Wetherall left the meeting at 8.26 pm.

13.2 List of Delegated Authorities – March 2021

Moved – Councillor Senathirajah
 Seconded – Councillor Tyson

The attached List of Delegated Authorities for the month of March 2021 be received.

CARRIED 9/1
(Against: Cr. Bennett)

March 2021

Date of use of delegation of authority	Title	Property	Position exercising delegated authority	Act	Section of Act	Applicant / CoN / Property Owner / Other
March 2021						
2/03/2021	(APP) - DA20-57944 - 55 Kirwan Street, Floreat - Residential Additions to Single House	55 Kirwan Street, FLOREAT, Lot 122, 5945, 105593	Principal Planner	Planning and Development (Local Planning Schemes)	Regulations 2015	Brett Chadband
2/03/2021	(APP) - DA20-55993 - 5 Thomas Street, Nedlands - Residential Addition - Outbuilding	5 Thomas Street, NEDLANDS, Lot 77, 61745, 159459	Principal Planner	Planning and Development (Local Planning Schemes)	Regulations 2015	Richard Buchanan

2/03/2021	(APP) - DA20-55114 - 58 Riley Road, Dalkeith - Residential - Single House	58 Riley Road, DALKEITH, Lot 227, 25852, 124990	Principal Planner	Planning and Development (Local Planning Schemes)	Regulations 2015	Palazzo Exclusive Homes Pty Ltd
2/03/2021	(APP) - Da21-60428 - 47 Stirling Highway, Nedlands - Change of use from Office to Medical Centre	47 Stirling Highway, NEDLANDS, Lot 11, 43157, 141671	Principal Planner	Planning and Development (Local Planning Schemes)	Regulations 2015	Lester Property Investments Pty Ltd
3/03/2021	3049617 - Withdrawn Parking Infringement Notice - Compassionate Grounds	7/34 Martin Avenue, NEDLANDS, Lot 7, 68462, 165621	A/Manager Health and Compliance	Local Government Act 1995	9.20/6.12(1)	Terence Peters
3/03/2021	BA139838 Certified building permit - Pool barrier	57 Adderley Street, MT CLAREMONT, Lot 67, 741, 100990	Manager Building Services	Building Act 2011	Section 20.1	Mr B B Thomas
3/03/2021	BA138365 Uncertified building permit - Deck	129 Rochdale Road, MT CLAREMONT, Lot 1, 70425, 167445	Manager Building Services	Building Act 2011	Section 20.1	Superior Landscaping & reticulation
4/03/2021	BA139781 Demolition permit - full site	86 Circe Circle South, DALKEITH, Lot 598, 17885, 117184	Manager Building Services	Building Act 2011	Section 21.1	Brajkovich Demolition & Salvage Pty Ltd
8/03/2021	BA139559 Certified building permit - Pool	40 Hillway ., NEDLANDS, Lot 712, 54106, 152181	Manager Building Services	Building Act 2011	Section 20.1	Aquatic Leisure Technologies Pty Ltd

8/03/2021	BA138676 Certified building permit - Ancillary Dwelling	37 Strickland Street, MT CLAREMONT, Lot 96, 12097, 111542	Manager Building Services	Building Act 2011	Section 20.1	Mr D K Joseph
8/03/2021	BA139429 Demolition permit - Full site	12 Taylor Road, NEDLANDS, Lot 56, 60723, 158444	Manager Building Services	Building Act 2011	Section 21.1	Civil Con Holdings Pty Ltd
8/03/2021	BA138709 Uncertified building permit - Fencing	15 Van Kleeft Circuit, MT CLAREMONT, Lot 97, 80703, 187443	Manager Building Services	Building Act 2011	Section 20.1	G J Delmotte
8/03/2021	BA139444 Certified building permit - Pergola	69 Vincent Street, NEDLANDS, Lot 44, 65058, 162743	Manager Building Services	Building Act 2011	Section 20.1	Escape Landscape Architecture
8/03/2021	BA136837 Certified building permit - Additions	79 Victoria Avenue, DALKEITH, Lot 2, 26507, 125617	Manager Building Services	Building Act 2011	Section 20.1	Mr G C Dunthorne
8/03/2021	(APP) - DA21-59603 - 4 Stirling Highway, Nedlands - Change of Use Office to Recreation-Private	4 Stirling Highway, NEDLANDS, Lot 12, 59457, 157461	Principal Planner	Planning and Development (Local Planning Schemes) Regulations 2015	Regulation 82	K Managh
10/03/2021	BA138997 Certified building permit - Additions	39 Napier Street, NEDLANDS, Lot 88, 40549, 139105	Manager Building Services	Building Act 2011	Section 20.1	Tangent Nominees Pty Ltd
10/03/2021	(APP) - DA21-61465 - 7 Hamilton Garden(s), Mt	7 Hamilton Garden(s), MT	Principal Planner	Planning and Development	Regulation 82	Bali by Design

	Claremont - Residential Single House Addition	CLAREMONT, Lot 411, 81587, 192815		(Local Planning Schemes) Regulations 2015		
10/03/2021	BA137560 Uncertified building permit - Pergola	8 Greenberry Close, MT CLAREMONT, Lot 351, 78660, 177162	Manager Building Services	Building Act 2011	Section 20.1	M K Rafferty
11/03/2021	BA134817 Demolition permit - Full site	15 Karella Street, NEDLANDS, Lot 103, 82489, 144345	Manager Building Services	Building Act 2011	Section 21.1	Brajkovich Demolition & Salvage Pty Ltd
11/03/2021	BA138172 Certified building permit - Patio	55 Viewway ., NEDLANDS, Lot 629, 64159, 161844	Manager Building Services	Building Act 2011	Section 20.1	Mr T Mayze
12/03/2021	BA138635 Certified building permit - Window	136 Dalkeith Road, NEDLANDS, Lot 742, 51213, 149328	Manager Building Services	Building Act 2011	Section 20.1	B M Meyer
12/03/2021	BA134901 Uncertified building permit - Patio	8/111 Stirling Highway, NEDLANDS, Lot 8, 43814, 142257	Manager Building Services	Building Act 2011	Section 20.1	Patio Perfect
12/03/2021	(APP) - DA20-54986 - 26 Hillway, Nedlands - Residential - Single House	26 Hillway ., NEDLANDS, Lot 719, 53964, 152058	Principal Planner	Planning and Development (Local Planning Schemes)	Regulations 2015	Averna Pty Ltd
12/03/2021	(APP) - DA21-61694 - 25 John XXIII Avenue, Mt	25 John XXIII Avenue, MT	Principal Planner	Planning and Development	Regulations 2015	Eamon Broderick

	Claremont - Temporary Buildings	CLAREMONT, Lot 10629, 80052, 181453		(Local Planning Schemes)		
12/03/2021	(APP) - DA20-54565 - 4 Finch Way, Mt Claremont - Residential - Single House	4 Finch Way, MT CLAREMONT, Lot 412, 4119, 103820	Principal Planner	Planning and Development (Local Planning Schemes)	Regulations 2015	Makin Homes
15/03/2021	BA138212 Certified building permit - Addition	141 Alfred Road, MT CLAREMONT, Lot 73, 2109, 101907	Manager Building Services	Building Act 2011	Section 20.1	Mr R Wells
15/03/2021	BA138894 Demolition permit - Full site	12 Leon Road, DALKEITH, Lot 199, 22749, 121962	Manager Building Services	Building Act 2011	Section 21.1	Allday Construction WA Pty Ltd
15/03/2021	(APP) - DA21-59433 - 18 Loftus Street, Nedlands - Residential Single House Alterations	18 Loftus Street, NEDLANDS, Lot 116, 38162, 136754	Principal Planner	Planning and Development (Local Planning Schemes) Regulations 2015	Regulation 82	Nuchange Building
15/03/2021	(APP) - DA21-61273 - Unit 8 111 Stirling Highway, Nedladns - Residential Patio Additions	8/111 Stirling Highway, NEDLANDS, Lot 8, 43814, 142257	Principal Planner	Planning and Development (Local Planning Schemes) Regulations 2015	Regulation 82	Patio Perfect

16/03/2021	(APP) - DA21-59137 - 125 North Street, Swanbourne - Residential Acoustic Screen Wall	125 North Street, SWANBOURNE, Lot 7, 9305, 108878	Principal Planner	Planning and Development (Local Planning Schemes) Regulations 2015	Regulation 82	S Klopper
16/03/2021	(APP) - DA21-59424 - 1 Betty Street, Nedlands - Residential Single House - Front Fence	1 Betty Street, NEDLANDS, Lot 1, 47119, 145458	Principal Planner	Planning and Development (Local Planning Schemes)	Regulations 2015	David Dawson
16/03/2021	3049688 - Nigel Dormer	14 Kitchener Street, NEDLANDS, Lot 7, 36429, 135095	A/Manager Health and Compliance	Local Government Act 1995	9.20/6.12(1)	Nigel Dormer
16/03/2021	(APP) - DA21-60315 - 15 Charles Lane, Mount Claremont - Residential Retaining and Site Works	15 Charles Lane, MT CLAREMONT, Lot 155, 72126, 169086	Principal Planner	Planning and Development (Local Planning Schemes) Regulations 2015	Regulation 82	J B Bourne & S D Tee
17/03/2021	BA138309 Certified building permit - front fence	55 Clifton Street, NEDLANDS, Lot 420, 81499, 193045	Manager Building Services	Building Act 2011	Section 20.1	D & J Paving and Landscaping
17/03/2021	BA138059 Certified building permit - Addition	67 Thomas Street, NEDLANDS, Lot 459, 62351, 160069	Manager Building Services	Building Act 2011	Section 20.1	H-Building Services WA Pty Ltd

17/03/2021	BA136672 Building permit amendment - Booster location	95A Waratah Avenue, DALKEITH, Lot 388, 29042, 128033	Manager Building Services	Building Act 2011	Section 20.1	Pyramid Constructions (WA) Pty Ltd
18/03/2021	BA138661 Demolition permit - Partial	67 Thomas Street, NEDLANDS, Lot 459, 62351, 160069	Manager Building Services	Building Act 2011	Section 21.1	H BUILDING SERVICES
18/03/2021	BA138763 Building approval certificate - Fence	50 Marita Road, NEDLANDS, Lot 314, 56491, 154534	Manager Building Services	Building Act 2011	Section 58.1	R Creighan
18/03/2021	BA137988 Certified building permit - Dwelling	11 Muecke Way, SHENTON PARK, Lot 27, 82592, 199901	Manager Building Services	Building Act 2011	Section 20.1	BGC Residential Pty Ltd
18/03/2021	BA129861 Certified building permit - Workshop	19 Broome Street, NEDLANDS, Lot 333, 32386, 131136	Manager Building Services	Building Act 2011	Section 20.1	Mr C Forte
18/03/2021	(APP) - DA21-59603 - 4 Stirling Highway, Nedlands - Change of Use from Office to Recreation-Private	4 Stirling Highway, NEDLANDS, Lot 12, 59457, 157461	Principal Planner	Planning and Development (Local Planning Schemes)	Regulations 2015	Kashmir Managh
18/03/2021	(APP) - DA21-59935 - 134C Stirling Highway, Nedlands - Change of Use from Office to Recreation-Private and Associated Signage	134C Stirling Highway, NEDLANDS, Lot 3, 81006, 189258	Principal Planner	Planning and Development (Local Planning Schemes)	Regulations 2015	Proekt

18/03/2021	3049387 - Withdrawn Parking Infringement Notice - Compassionate Grounds	25 Stirling Highway, NEDLANDS, Lot 620, 81431, 141556	A/Manager Health and Compliance	Local Government Act 1995	9.20/6.129!)	Cresswell Doherty
18/03/2021	BA138787 Certified building permit - Retaining wall	45 Browne Avenue, DALKEITH, Lot 126, 17039, 116343	Manager Building Services	Building Act 2011	Section 20.1	Coastview Australia Pty Ltd
18/03/2021	3049638 - Withdrawn Parking Infringement Notice - Compassionate Grounds	7/2 Quintilian Road, MT CLAREMONT, Lot 9, 80603, 186809	A/Manager Building Services	Local Government Act 1995	9.20/6.12/(1)	Matthew Pear
19/03/2021	BA138390 Extend Building Permit - BA41961	60 Goldsmith Road, DALKEITH, Lot 201, 20470, 119776	Manager Building Services	Building Act 2011	Section 32.1	P Groom
19/03/2021	(APP) - 129 Rochdale Road, Mount Claremont - Residential Single House -Additions	129 Rochdale Road, MT CLAREMONT, Lot 1, 70425, 167445	Principal Planner	Planning and Development (Local Planning Schemes) Regulations 2015	Regulation 82	E C Mikus & J I Mikus
19/03/2021	(APP) - DA21-59662 - 138 Rochdale Road, Mt Claremont - Residential Single House Carport Addition	138 Rochdale Road, MT CLAREMONT, Lot 128, 10304, 109801	Principal Planner	Planning and Development (Local Planning Schemes) Regulations 2015	Regulation 82	Russell Building Approvals

22/03/2021	(APP) - DA20-54021 - 22 Wattle Avenue, Dalkeith - Residential - Extension to existing house	22 Wattle Avenue, DALKEITH, Lot 14, 30562, 129502	Principal Planner	Planning and Development (Local Planning Schemes)	Regulations 2015	Darklight Design
22/03/2021	(APP) - DA20-58059 - 1 Viking, Dalkeith - Modifications to approved plans DA19-42481	1 Viking Road, DALKEITH, Lot 729, 27391, 126409	Principal Planner	Planning and Development (Local Planning Schemes)	Regulations 2015	Katrine Investments
22/03/2021	(APP) - DA20-58735 - 39 Napier Street, Nedlands - Residential Alfresco Addition	39 Napier Street, NEDLANDS, Lot 88, 40549, 139105	Principal Planner	Planning and Development (Local Planning Schemes)	Regulations 2015	Summit Renovations
22/03/2021	BA138596 Demolition permit - Full site	7 Wavell Road, DALKEITH, Lot 698, 30601, 129544	Manager Building Services	Building Act 2011	Section 21.1	Preferred Demolition
22/03/2021	(APP) - DA21-59712 - 45 Browne Avenue, Dalkeith - Residential - Front Retaining Wall	45 Browne Avenue, DALKEITH, Lot 126, 17039, 116343	Principal Planner	Planning and Development (Local Planning Schemes)	Regulations 2015	Coastview Australia Pty Ltd
22/03/2021	BA136719 Certified building permit - Stage 4 Data Centre	37 Lemnos Street, SHENTON PARK, Lot 15368, 80482, 185678	Manager Building Services	Building Act 2011	Section 20.1	Icon SI (Aust) Pty Ltd

22/03/2021	(APP) - Da20-57595 - 88 Stanley Street, Nedlands - Residential Additions (Carport and Ancillary Dwelling)	88 Stanley Street, NEDLANDS, Lot 686, 59318, 157321	Principal Planner	Planning and Development (Local Planning Schemes)	Regulations 2015	Mt Eyk Architects
22/03/2021	(APP) - DA21-60440 - 28 Besatrice Road, Dalkeith - Residential - Amendment to DA19-41051	28 Beatrice Road, DALKEITH, Lot 50, 15388, 114728	Principal Planner	Planning and Development (Local Planning Schemes)	Regulations 2015	Coastview Australia Pty Ltd
22/03/2021	(APP) - DA20-57198 - 86 Rodedale Street, Floreat - Residential Single House	86 Rosedale Street, FLOREAT, Lot 71, 10663, 110171	Principal Planner	Planning and Development (Local Planning Schemes) Regulations 2015	Regulation 82	L T Bauer & T A Bauer
22/03/2021	(APP) - DA20-57582 - 22a Alfred Road, Claremont - Residential Single House	22A Alfred Road, CLAREMONT, Lot 1, 80838, 188086	Principal Planner	Planning and Development (Local Planning Schemes)	Regulations 2015	iDevelop Real Estate WA Pty Ltd
23/03/2021	BA138146 Certified building permit - Patio	2 Wattle Avenue, DALKEITH, Lot 1, 30473, 129411	Manager Building Services	Building Act 2011	Section 20.1	Meraki Design Exteriors
24/03/2021	BA131390 Building approval certificate - Retaining wall	12 Lisle Street, MT CLAREMONT, Lot 332, 6878, 106468	Manager Building Services	Building Act 2011	Section 58.1	Mr C Harvey

24/03/2021	BA137845 Certified building permit - Dwelling	57 Edward Street, NEDLANDS, Lot 17, 82666, 200337	Manager Building Services	Building Act 2011	Section 20.1	Insideout Innovative Building
24/03/2021	BA138077 Demolition permit - Full site	23 Lynton Street, SWANBOURNE, Lot 12, 7646, 107201	Manager Building Services	Building Act 2011	Section 21.1	Brajkovich Demolition & Salvage Pty Ltd
25/03/2021	BA137889 Demolition permit - Full site	40 Hillway ., NEDLANDS, Lot 712, 54106, 152181	Manager Building Services	City of Nedlands LPS3	Section 21.1	Maxbay Pty Ltd
25/03/2021	(APP) - DA21-59914 - 11 Beecham Road, Mt Claremont - Residential Single House	11 Beecham Road, MT CLAREMONT, Lot 385, 14196, 113597	Principal Planner	Planning and Development (Local Planning Schemes) Regulations 2015	Regulation 82	Webb & Brown Neaves
25/03/2021	BA137934 Demolition permit - Full site	25 Mountjoy Road, NEDLANDS, Lot 225, 57170, 155200	Manager Building Services	Building Act 2011	Section 21.1	Vinsan Contracting Pty Ltd T/As Vinsan Home Demolitions
25/03/2021	BA137948 Uncertified building permit - Front fence	32 Leon Road, DALKEITH, Lot 177, 22969, 122176	Manager Building Services	Building Act 2011	Section 20.1	C K Chan
25/03/2021	BA136259 Certified building permit - pool	12 Napier Street, NEDLANDS, Lot 179, 40280, 138842	Manager Building Services	Building Act 2011	Section 20.1	BRPWA Factory Pools Perth Pty Ltd

25/03/2021	BA137671 Demolition permit - Full site	61 Aberdare Road, NEDLANDS, Lot 96, 30944, 129767	Manager Building Services	Building Act 2011	Section 21.1	AAA Demolition & Tree Service
26/03/2021	BA137610 Demolition permit - Full site	19 Edna Road, DALKEITH, Lot 661, 19455, 118752	Manager Building Services	Building Act 2011	Section 21.1	AAA Demolition & Tree Service
26/03/2021	(APP) - DA21-60706 - 49 Birdwood Parade, Dalkeith - Residential Single House	49 Birdwood Parade, DALKEITH, Lot 16, 16172, 115519	Principal Planner	Planning and Development (Local Planning Schemes)	Regulation 82	Q Yun Say
26/03/2021	(APP) - DA20-57225 - 1 Viewway, Nedlands - Residential - Single House	1 Viewway ., NEDLANDS, Lot 900, 82513, 161414	Senior Urban Planner	Planning and Development (Local Planning Schemes)	Regulations 2015	Katrine Investments
29/03/2021	(APP) - DA20-58570 - 10 Walba Way, Swanbourne - Amendment to DA20-51642	10 Walba Way, SWANBOURNE, Lot 1, 12869, 112300	Principal Planner	Planning and Development (Local Planning Schemes)	Regulations 2015	Element Advisory Pty Ltd
29/03/2021	(APP) - DA20-58763 - 60 Mayfair Street, Mt Claremont - Residential Single House	60 Mayfair Street, MT CLAREMONT, Lot 156, 8383, 108001	Principal Planner	Planning and development (Local Planning Schemes)	Regulation 82	Webb and Brown Neaves Pty Ltd
29/03/2021	(APP) - DA20-57887 - 19 Broome Street, Nedlands	19 Broome Street, NEDLANDS, Lot 333, 32386, 131136	Principal Planner	Planning and Development (Local	Regulation 82	Veejay Renovations

	- Residential - Additions Carport & Outbuilding			Planning Schemes) Regulations 2015		
29/03/2021	BA138123 Occupancy permit - S306 Hollywood Hopsital Medical Centre	306/91 Monash Avenue, NEDLANDS, Lot 6, 82677, 200410	Manager Building Services	Building Act 2011	Section 58.1	Certis WA Pty Ltd
29/03/2021	BA137807 Uncertified building permit - Verandah	5 Carrington Street, NEDLANDS, Lot 177, 33170, 131920	Manager Building Services	Building Act 2011	Section 20.1	R I Price
31/03/2021	BA137683 Demolition permit - Remove pool	7 Davies Road, DALKEITH, Lot 196, 19023, 118315	Manager Building Services	Building Act 2011	Section 21.1	S K Golding
31/03/2021	BA137419 Certified building permit - Dwelling	16 Viewway ., NEDLANDS, Lot 483, 63878, 161562	Manager Building Services	Building Act 2011	Section 20.1	Atrium Homes (WA) Pty Ltd
31/03/2021	BA135756 Certified building permit - Pool	1 Finchley Rise, MT CLAREMONT, Lot 118, 71748, 168716	Manager Building Services	Building Act 2011	Section 20.1	E M Callow
31/03/2021	BA136624 Uncertified building permit - Sign	5 Hillway ., NEDLANDS, Lot 689, 53752, 151845	Manager Building Services	Building Act 2011	Section 20.1	Compac Marketing Australia
31/03/2021	BA137277 Certified building permit - HPH Internal fitout of level 3 - South Block & ED	101 Monash Avenue, NEDLANDS, Lot 565, 82619, 181206	Manager Building Services	Building Act 2011	Section 20.1	Georgiou Group Pty Ltd

31/03/2021	BA137579 Demolition permit - Full site	16 Viewway ., NEDLANDS, Lot 483, 63878, 161562	Manager Building Services	Building Act 2011	Section 21.1	Swift Demolition
31/03/2021	BA136103 Certified building permit - Chapel	500 Railway Road, NEDLANDS, Lot 1, 9567, 109124	Manager Building Services	Building Act 2011	Section 20.1	Byte Construct Pty Ltd

Councillor Wetherall returned to the meeting at 8.27pm.

13.3 Monthly Financial Report – March 2021

Council	27 April 2021
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995 and section 10	Nil
Director	Andrew Melville – Acting Director Corporate & Strategy
Attachments	<ol style="list-style-type: none"> 1. Financial Summary (Operating) by Business Units – 31 March 2021 2. Capital Works & Acquisitions – 31 March 2021 3. Statement of Net Current Assets – 31 March 2021 4. Statement of Financial Activity – 31 March 2021 5. Borrowings – 31 March 2021 6. Statement of Financial Position – 31 March 2021 7. Operating Income & Expenditure by Reporting Activity – 31 March 2021 8. Operating Income by Reporting Nature & Type – 31 March 2021

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Senathirajah
 Seconded – Councillor Tyson

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

CARRIED 9/2
(Against: Crs. Smyth & Bennett)

Council Resolution / Recommendation to Council

Council receives the Monthly Financial Report for 31 March 2021.

Executive Summary

Administration is required to provide Council with a monthly financial report in accordance with *Regulation 34(1) of the Local Government (Financial Management) Regulations 1996*. The monthly financial variance from the budget of each business unit is reviewed with the respective manager and the Executive to identify the need for any remedial action. Significant variances are highlighted to Council in the attached Monthly Financial Report.

Voting Requirement

Simple Majority.

Discussion/Overview

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

This report gives an overview of the revenue and expenses of the City for the year to date 31 March 2021 together with a Statement of Net Current Assets as at 31 March 2021.

The operating revenue at the end of March 2021 was \$33.01m which represents \$853k favourable variance compared to the year-to-date budget.

The operating expense at the end of March 2021 was \$23.62m, which represents \$1.32m favourable variance compared to the year-to-date budget.

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

Governance

Expenditure:	Unfavourable variance of	\$ (77,890)
Revenue:	Unfavourable variance of	\$ (121,408)

The unfavourable revenue variance is due to contributions for WESROC services no longer being received as a result of these services now being managed by Town of Claremont. The budget for the revenue and expense has been adjusted at mid-year review and will be reflected in the April 2021 financials.

The favourable expenditure variance is mainly due to:

- WESROC expenses of \$269k not spent,
- Communications office expenses and special projects of \$58k not spent yet,
- HR other employee costs of \$28k not spent yet,
- Professional fees overspend by \$98k arising from additional legal advice,
- The salary reduction of \$442k as resolved by Council at the adoption of the budget has been shown as a reduction in salaries of approximately \$36k per month in Governance as a temporary budget item until the actual savings across the business units are identified and actioned. Thereafter the budget savings will be moved to the respective business units. The above list of savings of \$257k is offset against the \$324K salary savings yet to be realised, though underway.

Corporate and Strategy

Expenditure:	Favourable variance of	\$ 84,100
Revenue:	Favourable variance of	\$ 388,144

The favourable expenditure variances are mainly due to:

- Corporate services and shared services Professional fees of \$96k not spent yet,
- ICT expense of \$39k not expensed yet,
- Offset by corporate services ICT expenses of \$43k.

The favourable revenue variances are mainly due to:

- Increase in Rates income of \$525k.
- Offset by lower term deposit interest income of \$147k.

Community Development and Services

Expenditure:	Favourable variance of	\$ 302,909
Revenue:	Favourable variance of	\$ 294,726

The favourable expenditure variance is mainly due to:

- Community Special projects, donations of \$122k not expensed yet,
- Savings on PRCC salary of \$50k due to delay in filling up vacant position,
- Positive ageing other expenses of \$17k not expensed yet,
- Tresillian office and courses of \$51k not expensed yet.
- Nedlands library salary, office and other expenses of \$57k not expensed yet.

The favourable income variance is mainly due to:

- Increase fees and charges from Tresillian and PRCC of \$279k – at the time of setting the budget revenue estimates were based on the Covid 19 environment at that time (i.e. restrictions relating to public attendances at events), with restrictions easing these services have benefitted from higher attendances
- Increase on NCC grants income by \$30k,
- Offset by lower Grants from Volunteer services and from council properties of \$8k.

Planning and Development

Expenditure:	Favourable variance of	\$ 358,802
Revenue:	Favourable variance of	\$ 297,102

The Favourable expenditure variance is mainly due to:

- Urban Projects expenses of \$623k not expensed yet. YTD budget increased by \$280k.
- Operational activities of \$114k not spent yet.
- Underspent environmental salaries of \$54k due to delay in back-filling vacancies.
- Ranger service other expenses of \$67k not expensed yet.
- Urban planning and Building services salaries over spent by \$269k. Urban planning salaries are higher by \$237k due to increased applications, SAT appeals and unplanned policy work and re-work. Building services salaries is higher by \$31k due to additional works.
- Professional fees of \$273k have over expensed as a result of a Council approved un-budgeted expenditure on professional services related to the Woolworths DA appeal including traffic advice, public realm modelling and professional advice.

The favourable revenue variance is mainly due to:

- Increase Building services fees & charges income of \$224k.
- Increase fine & penalties from ranger services of 60k.

Technical Services

Expenditure:	Favourable variance of	\$	655,215
Revenue:	Unfavourable variance of	\$	(5,484)

The favourable expenditure variance is mainly due to:

- Infrastructure services other employee costs, insurance, and other expenses of \$115k not expensed yet,
- Building, road, and Park maintenance expense of \$983k not expensed yet,
- Plant expenses and waste minimisation expenses of \$728k not expensed yet,
- Utilities invoices of \$70k not received yet,
- Off-set against lower charge out of on-cost to projects by \$780k.

The small unfavourable revenue variance is mainly due to timing variances.

Borrowings

As at 31 March 2021, we have a balance of borrowings of \$4.53m.

Net Current Assets Statement

At 31 March 2021, net current assets were \$11.51m compared to \$10.76m as at 31 March 2020. Current assets are higher by \$3.98m offset by higher current liabilities of \$3.5m.

Outstanding rates debtors are \$1.5m as at 31 March 2021 compared to \$2.1m as at 31 March 2020. Breakdown as follows:

	31 March 2021 (\$000)	31 March 2020 (\$000)	Variance (\$000)
Rates	\$954	\$1,363	-\$409
Rubbish & Pool	\$76	\$88	-\$4
Pensioner Rebates	\$426	\$550	-\$124
ESL	\$44	\$198	-\$154

Capital Works Programme

As at 31 March, expenditure on capital works was \$3.36m with additional capital commitments of \$1.56k which is 56% of a total budget of \$8.7m.

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	179
Number of contract staff (temporary/agency staff) as of the last day of the previous month	4
*FTE (Full Time Equivalent) count as of the last day of the previous month	157.42
Number of unfilled staff positions at the end of each month	14

CEO, Director Corporate and Strategy, Director Planning & Development positions are substantively vacant – i.e., they are filled respectively with short-term acting cover (CEO) and two 12 month contracts (Director Corporate and Director Planning).

There has been internal temporary appointments upwards of people into roles which leaves shortfall behind them despite remedial efforts to backfill. Three (3) resignations of full-time staff were effective in March, including one in Planning and another in Community Engagement. There has been further resignation notices submitted in March that will be reflected in April terminations report. The Human Resources Department is currently involved in nineteen (19) recruitment exercises at various stages of recruitment and selection – as well as involvement in recruitment and selection of Interim CEO and Long-term CEO.

Conclusion

The statement of financial activity for the period ended 31 March 2021 indicates that operating expenses are under the year-to-date budget by 9.63% or \$1.32m, while revenue is above the Budget by 2.65% or \$853k.

Key Relevant Previous Council Decisions:

Nil.

Consultation

N/A

Strategic Implications

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

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

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

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

Budget/Financial Implications

As outlined in the Monthly Financial Report.



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

Row Labels	Master Account (desc)	March Actual YTD	March Budget YTD	Variance	Committed Balance	Annual Budget
Governance						
CEO's Office						
Governance						
Expense						
20420	Salaries - Governance	655,248	297,618	(357,630)	0	404,959
20421	Other Employee Costs - Governance	20,487	12,100	(8,387)	0	13,700
20423	Office - Governance	30,590	29,445	(1,145)	993	32,860
20425	Depreciation - Governance	75,600	75,600	0	0	100,800
20427	Finance - Governance	118,800	118,800	0	0	158,400
20428	Insurance - Governance	0	0	0	0	0
20430	Other Expense - Governance	21,300	10,080	(11,220)	2,253	15,000
20434	Professional Fees - Governance	335,006	236,259	(98,747)	30,827	315,000
20450	Special Projects - Governance / PC93	10,442	280,193	269,751	0	289,393
Expense Total		1,267,472	1,060,095	(207,377)	34,073	1,330,112
Income						
50410	Sundry Income - Governance/PC 93	(10,752)	(120,210)	(109,458)	0	(160,281)
50416	Contributions & Reimbursements	(3,049)	0	3,049	0	0
Income Total		(13,802)	(120,210)	(106,408)	0	(160,281)
Governance Total		1,253,670	939,885	(313,785)	34,073	1,169,831
Communications						
Expense						
28320	Salaries - Communications	220,897	217,385	(3,512)	0	292,786
28321	Other Employee Costs - Communications	1,779	14,245	12,466	0	14,245
28322	Staff Recruitment - Communications	0	1,500	1,500	0	1,500
28323	Office - Communications	29,079	68,755	39,676	8,524	90,960
28327	Finance - Communications	65,700	65,700	0	0	87,600
28330	Other Expense - Communications	3,758	2,122	(1,636)	0	2,800
28335	ICT Expenses - Communications	32,015	31,230	(785)	0	41,640
28350	Special Projects - Communications / PC 90	7,023	26,250	19,228	(7,012)	33,000
Expense Total		360,251	427,187	66,936	1,512	564,531
Communications Total		360,251	427,187	66,936	1,512	564,531
Human Resources						
Expense						
20520	Salaries - HR	311,339	314,954	3,615	0	424,183
20521	Other Employee Costs - HR	97,307	125,819	28,512	21,476	174,100
20522	Staff Recruitment - HR	12,273	9,747	(2,526)	257	13,000
20523	Office - HR	599	8,611	8,012	0	8,900
20527	Finance - HR	(538,425)	(538,425)	0	0	(717,900)
20528	Insurance - HR	92,527	107,740	15,213	0	107,740
20534	Professional Fees - HR	8,984	7,500	(1,484)	0	10,000
Expense Total		(15,395)	35,946	51,341	21,733	20,023
Income						
50510	Contributions & Reimbursements - HR	0	(15,000)	(15,000)	0	(20,000)
Income Total		0	(15,000)	(15,000)	0	(20,000)
Human Resources Total		(15,395)	20,946	36,341	21,733	23
Members Of Council						
Expense						
20325	Depreciation - MOC	675	675	0	0	900
20329	Members of Council - MOC	350,247	362,703	12,456	0	477,601
20330	Other Expense - MOC	1,256	0	(1,256)	0	0
20327	Finance - MOC	16,794	16,803	9	0	22,400
Expense Total		368,972	380,181	11,209	0	500,901
Members Of Council Total		368,972	380,181	11,209	0	500,901
CEO's Office Total		1,967,497	1,768,199	(199,298)	57,318	2,235,286
Governance Total		1,967,497	1,768,199	(199,298)	57,318	2,235,286
Corporate & Strategy						
Corporate Strategy & Systems						
Corporate Services						
Expense						
20323	Office - MOC	12,541	13,878	1,337	1,717	18,500
21220	Salaries - Corporate Services	495,870	474,675	(21,195)	0	639,288
21221	Other Employee Costs - Corporate Services	10,626	22,860	12,234	0	27,110
21224	Motor Vehicles - Corporate Services	14,529	15,003	474	0	20,000
21227	Finance - Corporate Services	(180,675)	(180,675)	0	0	(240,900)
21230	Other Expense - Corporate Services	8,253	9,000	747	1,372	12,000
21234	Professional Fees - Corporate Services	0	37,500	37,500	0	50,000

Item 13.3 - Attachment 1

Row Labels	Master Account (desc)	March Actual YTD	March Budget YTD	Variance	Committed Balance	Annual Budget
21235	ICT Expenses - Corporate Services	80,685	37,503	(43,182)	5,227	50,000
21250	Special Projects - Corporate Services / PC68	11,300	11,250	(50)	3,700	15,000
Expense Total		453,129	440,994	(12,135)	12,015	590,998
Corporate Services Total		453,129	440,994	(12,135)	12,015	590,998
Customer Services						
Expense						
21320	Salaries - Customer Service	229,727	250,850	21,123	0	337,365
21321	Other Employee Costs - Customer Service	2,266	6,120	3,854	0	6,120
21323	Office - Customer Service	3,646	4,600	954	3,205	6,200
21327	Finance - Customer Service	(261,972)	(261,975)	(3)	0	(349,300)
21330	Other Expense - Customer Service	0	153	153	0	200
21350	Special Projects - Customer Service	0	0	0	0	0
Expense Total		(26,333)	(252)	26,081	3,205	585
Income						
51310	Sundry Income - Customer Service	0	(450)	(450)	0	(600)
51301	Fees & Charges - Customer Services	(320)	0	320	0	0
Income Total		(320)	(450)	(130)	0	(600)
Customer Services Total		(26,653)	(702)	25,951	3,205	(15)
ICT						
Expense						
21720	Salaries - ICT	305,854	271,833	(34,021)	0	365,958
21721	Other Employee Costs - ICT	1,573	3,420	1,847	0	3,420
21723	Office - ICT	62,585	25,368	(37,217)	14,976	33,365
21724	Motor Vehicles - ICT	0	0	0	0	0
21725	Depreciation - ICT	124,350	154,647	30,297	0	206,200
21727	Finance - ICT	(910,575)	(910,578)	(3)	0	(1,214,100)
21728	Insurance - ICT	6,652	6,370	(282)	0	6,370
21730	Other Expense - ICT	3,284	7,497	4,213	10	10,000
21734	Professional Fees - ICT	27,177	29,997	2,820	31,781	40,000
21735	ICT Expenses - ICT	545,085	584,997	39,912	70,060	755,000
Expense Total		165,984	173,551	7,567	116,827	206,213
ICT Total		165,984	173,551	7,567	116,827	206,213
Corporate Strategy & Systems Total		592,460	613,843	21,383	132,048	797,196
Finance						
Rates						
Expense						
21920	Salaries - Rates	95,278	90,357	(4,921)	0	121,698
21921	Other Employee Costs - Rates	698	1,520	822	0	1,520
21923	Office - Rates	13,575	15,150	1,575	560	15,200
21927	Finance - Rates	100,329	117,272	16,943	2,177	144,700
21930	Other Expense - Rates	10,338	11,500	1,162	2,360	11,500
21934	Professional Fees - Rates	63,344	65,000	1,656	9,614	65,000
Expense Total		283,562	300,799	17,237	14,711	359,618
Income						
51908	Rates - Rates	(24,985,602)	(24,460,492)	525,110	0	(24,533,233)
Income Total		(24,985,602)	(24,460,492)	525,110	0	(24,533,233)
Rates Total		(24,702,040)	(24,159,693)	542,347	14,711	(24,173,615)
General Finance						
Expense						
21420	Salaries - Finance	536,667	512,987	(23,680)	51,636	690,741
21421	Other Employee Costs - Finance	4,832	10,030	5,198	0	10,030
21423	Office - Finance	744	522	(222)	350	700
21424	Motor Vehicles - Finance	0	0	0	0	0
21425	Depreciation - Finance	675	675	0	0	900
21427	Finance - Finance	(522,289)	(513,750)	8,539	0	(685,000)
21430	Other Expense - Finance	0	500	500	0	500
21434	Professional Fees - Finance	380	11,753	11,373	36,166	58,000
Expense Total		21,008	22,717	1,709	88,152	75,871
Income						
51401	Fees & Charges - Finance	(54,366)	(40,500)	13,866	0	(54,000)
51410	Sundry Income - Finance	(21,590)	(21,000)	590	0	(21,000)
Income Total		(75,956)	(61,500)	14,456	0	(75,000)
General Finance Total		(54,949)	(38,783)	16,166	88,152	871
General Purpose						
Expense						
21623	Office - General Purpose	154	0	(154)	0	0
21627	Finance - General Purpose	20,258	27,747	7,489	0	37,000
21631	Interest - General Purpose	133,636	129,087	(4,549)	0	172,115
Expense Total		154,048	156,834	2,786	0	209,115
Income						
51604	Grants Operating - General Purpose	(268,224)	(272,250)	(4,026)	0	(363,000)

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Row Labels	Master Account (desc)	March Actual YTD	March Budget YTD	Variance	Committed Balance	Annual Budget
51607	Interest - General Purpose	(78,711)	(226,000)	(147,289)	0	(275,000)
51610	Sundry Income - General Purpose	(23)	0	23	0	0
Income Total		(346,958)	(498,250)	(151,292)	0	(638,000)
General Purpose Total		(192,911)	(341,416)	(148,505)	0	(428,885)
Shared Services						
Expense						
21523	Office - Shared Services	82,806	80,253	(2,553)	8,935	107,000
21527	Finance - Shared Services	(177,372)	(177,372)	0	0	(236,500)
21528	Insurance - Shared Services	5,625	0	(5,625)	0	0
21534	Professional Fees - Shared Services	36,842	85,875	49,033	9,593	129,500
Expense Total		(52,099)	(11,244)	40,855	18,528	0
Shared Services Total		(52,099)	(11,244)	40,855	18,528	0
Finance Total		(25,001,998)	(24,551,136)	450,862	121,390	(24,601,629)
Corporate & Strategy Total		(24,409,538)	(23,937,293)	472,245	253,438	(23,804,433)
Community Development						
Community Development						
Community Development						
Expense						
28120	Salaries - Community Development	366,464	358,385	(8,079)	0	482,586
28121	Other Employee Costs - Community Development	4,325	8,385	4,060	0	9,210
28123	Office - Community Development	944	747	(197)	0	1,000
28124	Motor Vehicles - Community Development	6,270	6,750	480	0	9,000
28125	Depreciation - Community Development	825	828	3	0	1,100
28127	Finance - Community Development	101,925	101,925	0	0	135,900
28128	Insurance - Community Development	0	0	0	0	0
28130	Other Expense - Community Development	4,774	5,634	860	0	7,500
28134	Professional Fees - Community Development	0	378	378	0	500
28137	Donations - Community Development	76,356	130,400	54,044	0	186,000
28150	Special Projects - Community Development	8,982	77,000	68,018	5,328	77,000
28151	OPRL Activities - Community Development / PC82-87	47,948	41,647	(6,301)	22,582	86,100
Expense Total		618,813	732,079	113,266	27,910	995,896
Income						
58101	Fees & Charges - Community Development	(9,046)	(10,494)	(1,448)	0	(14,000)
58104	Grants Operating - Community Development	0	(747)	(747)	0	(1,000)
58106	Contributions & Reimburse - Community Development	0	(3,753)	(3,753)	0	(5,000)
Income Total		(9,046)	(14,994)	(5,948)	0	(20,000)
Community Development Total		609,767	717,085	107,318	27,910	975,896
Community Facilities						
Expense						
28252	Finance - Community Facilities	6,750	6,750	0	0	9,000
28220	Salaries - Community Facilities	32,297	32,664	367	0	44,000
28253	Communiy Insurance- Community Facilities	1,563	6,367	4,805	0	6,367
Expense Total		40,610	45,781	5,171	0	59,367
Income						
58201	Fees & Charges - Community Facilities	(1,030)	(378)	652	0	(500)
58209	Council Property - Community Facilities	(137,425)	(147,294)	(9,869)	0	(209,900)
Income Total		(138,456)	(147,672)	(9,216)	0	(210,400)
Community Facilities Total		(97,846)	(101,891)	(4,045)	0	(151,033)
Volunteer Services VRC						
Expense						
29320	Salaries - Volunteer Services VRC	80,553	68,487	(12,066)	0	92,243
29321	Other Employee Cost - Volunteer Services VRC	809	1,160	351	0	1,160
29323	Office - Volunteer Services VRC	1,117	1,975	858	0	2,700
29327	Finance - Volunteer Services VRC	31,203	31,203	0	0	41,600
29328	Insurance - Volunteer Services VRC	0	0	0	0	0
29330	Other Expense - Volunteer Services VRC	3	1,650	1,647	0	4,150
Expense Total		113,686	104,475	(9,211)	0	141,853
Income						
59304	Grants Operating - Volunteer Services VRC	(14,608)	(23,250)	(8,642)	0	(31,000)
Income Total		(14,608)	(23,250)	(8,642)	0	(31,000)
Volunteer Services VRC Total		99,078	81,225	(17,853)	0	110,853
Volunteer Services NVS						
Expense						
29220	Salaries - Volunteer Services NVS	24,677	22,340	(2,337)	0	30,077
29221	Other Employee Costs - Volunteer Services NVS	177	380	203	0	380
29223	Office - Volunteer Services NVS	264	500	236	0	500
29227	Finance - Volunteer Services NVS	28,350	28,350	0	0	37,800
29230	Other Expense - Volunteer Services NVS	497	1,577	1,080	567	2,100
29250	Special Projects - Volunteer Services NVS	2,312	3,000	688	0	3,000
Expense Total		56,276	56,147	(129)	567	73,857
Volunteer Services NVS Total		56,276	56,147	(129)	567	73,857

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Row Labels	Master Account (desc)	March Actual YTD	March Budget YTD	Variance	Committed Balance	Annual Budget
Tresillian Community Centre						
Expense						
29120	Salaries - Tresillian CC	179,526	181,463	1,937	0	244,056
29121	Other Employee Costs - Tresillian CC	1,212	2,630	1,418	0	2,630
29123	Office - Tresillian CC	10,844	19,165	8,321	4,447	25,000
29125	Depreciation - Tresillian CC	1,875	1,872	(3)	0	2,500
29127	Finance - Tresillian CC	46,422	46,422	0	0	61,900
29130	Other Expense - Tresillian CC	4,468	5,915	1,447	240	7,500
29136	Courses - Tresillian CC	140,914	184,350	43,436	30,222	245,800
29150	Exhibition - Tresillian CC	19,290	7,950	(11,340)	0	10,600
Expense Total		404,552	449,767	45,215	34,909	599,986
Income						
59101	Fees & Charges - Tresillian CC	(439,438)	(336,128)	103,310	0	(381,500)
59109	Council Property - Tresillian CC	(27,663)	(27,000)	663	0	(36,000)
51906	Contributions & Reimbursement - Tresillian CC	(500)	0	500	0	0
Income Total		(467,601)	(363,128)	104,473	0	(417,500)
Tresillian Community Centre Total		(63,050)	86,639	149,689	34,909	182,486
Community Development Total		604,225	839,205	234,980	63,386	1,192,059
Community Services Centres						
Nedlands Community Care						
Expense						
28620	Salaries - NCC	564,596	558,668	(5,928)	0	752,427
28621	Other Employee Costs - NCC	5,593	12,420	6,827	0	13,170
28623	Office - NCC	3,730	6,835	3,105	1,026	9,000
28624	Motor Vehicles - NCC	53,195	71,249	18,054	0	95,000
28625	Depreciation - NCC	0	3,447	3,447	0	4,600
28626	Utility - NCC	5,147	10,125	4,978	0	13,500
28627	Finance - NCC	126,900	126,900	0	0	169,200
28628	Insurance - NCC	2,031	5,280	3,249	0	5,280
28630	Other Expense - NCC	53,247	31,203	(22,044)	8,255	41,600
28635	ICT Expenses - NCC	5,414	0	(5,414)	0	6,000
28664	Hacc Unit Cost - NCC / PC66	30,471	0	(30,471)	0	0
Expense Total		850,323	826,127	(24,196)	9,281	1,109,777
Income						
58601	Fees & Charges - NCC/PC 66	(95,948)	(90,000)	5,948	0	(120,000)
58604	Grants Operating - NCC/PC 66	(784,554)	(753,600)	30,954	0	(1,004,800)
58610	Sundry Income - NCC	0	0	0	0	(2,000)
Income Total		(880,502)	(843,600)	36,902	0	(1,126,800)
Nedlands Community Care Total		(30,178)	(17,473)	12,705	9,281	(17,023)
Positive Ageing						
Expense						
27420	Salaries - Positive Ageing	119,072	118,237	(835)	0	159,193
27421	Other Employee Costs - Positive Ageing	884	0	(884)	0	0
27427	Finance - Positive Ageing	25,722	25,722	0	0	34,300
28437	Donations - Positive Ageing	995	3,753	2,758	0	5,000
28450	Other Expense - Positive Ageing	22,868	39,997	17,129	2,281	54,000
28451	Insurance	214	2,160	1,946	0	2,160
Expense Total		169,754	189,869	20,115	2,281	254,653
Income						
58420	Fees & Charges - Positive Ageing	(30,820)	(36,050)	(5,230)	0	(52,500)
58423	Grants Operating - Positive Ageing	0	(1,500)	(1,500)	0	(2,000)
Income Total		(30,820)	(37,550)	(6,730)	0	(54,500)
Positive Ageing Total		138,934	152,319	13,385	2,281	200,153
Point Resolution Child Care						
Expense						
28820	Salaries - PRCC	374,047	424,270	50,223	0	571,062
28821	Other Employee Costs - PRCC	3,722	8,470	4,748	0	8,870
28823	Office - PRCC	3,931	7,065	3,134	423	9,200
28824	Motor Vehicles - PRCC	6,165	5,625	(540)	0	7,500
28825	Depreciation - PRCC	675	675	0	0	900
28826	Utility - PRCC	2,908	6,975	4,067	0	9,300
28827	Finance - PRCC	70,722	70,722	0	0	94,300
28828	Insurance - PRCC	138	1,080	942	0	1,080
28830	Other Expense - PRCC	12,072	17,994	5,922	2,083	24,000
28835	ICT Expenses - PRCC	713	0	(713)	1,857	1,600
Expense Total		475,095	542,876	67,781	4,362	727,812
Income						
58801	Fees & Charges - PRCC	(592,373)	(416,000)	176,373	0	(586,000)
Income Total		(592,373)	(416,000)	176,373	0	(586,000)
Point Resolution Child Care Total		(117,279)	126,876	244,155	4,362	141,812
Mt Claremont Library						

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Row Labels	Master Account (desc)	March Actual YTD	March Budget YTD	Variance	Committed Balance	Annual Budget
Expense						
28523	Office - Mt Claremont Library	3,847	7,875	4,028	1,187	10,500
28527	Finance - Mt Claremont Library	55,953	55,953	0	0	74,600
28530	Other Expense - Mt Claremont Library	21,917	27,506	5,589	5,875	37,200
28535	ICT Expenses - Mt Claremont Library	9,778	10,550	772	0	12,000
Expense Total		91,496	101,884	10,388	7,062	134,300
Income						
58501	Fees & Charges - Mt Claremont Library	(545)	(675)	(130)	0	(900)
58510	Sundry Income - Mt Claremont Library	(499)	(378)	121	0	(500)
58511	Fines & Penalties - Mt Claremont Library	(329)	(414)	(85)	0	(550)
Income Total		(1,372)	(1,467)	(95)	0	(1,950)
Mt Claremont Library Total		90,123	100,417	10,294	7,062	132,350
Nedlands Library						
Expense						
28720	Salaries - Library Services	705,873	722,436	16,563	0	971,456
28721	Other Employee Costs - Library Services	11,652	21,632	9,980	0	25,240
28723	Office - Nedlands Library	13,373	35,879	22,506	1,170	45,500
28724	Motor Vehicles - Nedlands Library	13,563	13,914	351	0	18,550
28725	Depreciation - Nedlands Library	10,125	10,125	0	0	13,500
28727	Finance - Nedlands Library	284,778	284,778	0	0	379,700
28728	Insurance - Nedlands Library	1,687	4,680	2,993	0	4,680
28730	Other Expense - Nedlands Library	59,214	77,787	18,573	13,760	103,700
28731	Grants Expenditure - Nedlands Library	1,100	1,300	200	0	1,300
28734	Professional Fees - Nedlands Library	0	500	500	0	1,000
28735	ICT Expenses - Nedlands Library	27,033	27,550	517	0	32,600
28750	Special Projects - Nedlands Library	0	2,325	2,325	0	3,100
Expense Total		1,128,398	1,202,906	74,508	14,930	1,600,326
Income						
58701	Fees & Charges - Nedland Library	(4,493)	(378)	4,115	0	(500)
58704	Grants Operating - Nedlands Library	(1,000)	(1,300)	(300)	0	(1,300)
58710	Sundry Income - Nedlands Library	(5,413)	(3,753)	1,660	0	(5,000)
58711	Fines & Penalties - Nedlands Library	(3,331)	(1,197)	2,134	0	(1,600)
Income Total		(14,236)	(6,628)	7,608	0	(8,400)
Nedlands Library Total		1,114,161	1,196,278	82,117	14,930	1,591,926
Community Services Centres Total		1,195,762	1,558,417	362,655	37,916	2,049,218
Community Development Total		1,799,987	2,397,622	597,635	101,302	3,241,277
Planning & Development Services						
Planning Services						
Statutory Planning						
Expense						
24320	Salaries - Statutory Planning	0	0	0	0	0
24334	Professional Fees - Statutory Planning	0	0	0	20,960	0
Expense Total		0	0	0	20,960	0
Statutory Planning Total		0	0	0	20,960	0
Strategic Planning						
Expense						
24857	Strategic Projects - Strategic Planning/PC 61	0	0	0	0	0
24920	Salaries - Strategic Planning	0	0	0	0	0
24934	Professional Fees - Strategic Planning	0	0	0	0	0
Expense Total		0	0	0	0	0
Strategic Planning Total		0	0	0	0	0
Urban Planning						
Expense						
24820	Salaries - Town Planning Admin	1,288,223	1,050,523	(237,700)	0	1,414,758
24821	Other Employee Costs - Town Planning Admin	16,454	34,330	17,876	0	39,580
24823	Office - Town Planning Admin	23,762	11,236	(12,526)	1,987	15,500
24824	Motor Vehicles - Town Planning Admin	26,242	23,997	(2,245)	0	32,000
24825	Depreciation - Town Planning Admin	150	153	3	0	200
24827	Finance - Town Planning Admin	273,600	273,600	0	0	364,800
24830	Other Expense - Town Planning Admin	8,739	2,025	(6,714)	0	2,700
24834	Professional Fees - Town Planning Admin	273,880	0	(273,880)	86,299	0
24858	Projects - PC61	120,098	743,791	623,693	105,979	845,458
Expense Total		2,031,149	2,139,655	108,506	194,264	2,714,996
Income						
54801	Fees & Charges - Town Planning Admin	(516,459)	(526,500)	(10,041)	0	(702,000)
54810	Sundry Income - Town Planning Admin	(146)	0	146	0	0
54811	Fines & Penalties - Town Planning	0	(750)	(750)	0	(1,500)
Income Total		(516,605)	(527,250)	(10,645)	0	(703,500)
Urban Planning Total		1,514,544	1,612,405	97,861	194,264	2,011,496
Planning Services Total		1,514,544	1,612,405	97,861	215,225	2,011,496
Health & Compliance						

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Row Labels	Master Account (desc)	March Actual YTD	March Budget YTD	Variance	Committed Balance	Annual Budget
Sustainability						
Expense						
24620	Salaries - Sustainability	25,337	23,794	(1,543)	0	32,044
24621	Other Employee Costs - Sustainability	186	400	214	0	400
24624	Motor Vehicles - Sustainability	14,262	14,249	(13)	0	19,000
24625	Depreciation - Sustainability	1,200	1,197	(3)	0	1,600
24627	Finance - Sustainability	3,150	3,150	0	0	4,200
24638	Operational Activities - Sustainability / PC79	8,900	16,158	7,258	6,500	24,000
Expense Total		53,035	58,948	5,913	6,500	81,244
Sustainability Total		53,035	58,948	5,913	6,500	81,244
Environmental Health						
Expense						
24720	Salaries - Environmental Health	386,613	440,724	54,111	0	593,503
24721	Other Employee Costs - Environmental Health	8,606	16,270	7,664	0	19,720
24723	Office - Environmental Health	567	1,347	780	0	1,800
24725	Depreciation - Environmental Health	4,875	4,878	3	0	6,500
24727	Finance - Environmental Health	84,853	74,853	(10,000)	0	99,800
24730	Other Expense - Environmental Health	5,352	10,125	4,773	380	13,500
24751	OPRL Activities - Environmental Health PC76,77,78	6,870	16,272	9,402	2,577	21,700
Expense Total		497,736	564,469	66,733	2,957	756,523
Income						
54701	Fees & Charges - Environmental Health	(51,483)	(33,750)	17,733	0	(45,000)
54710	Sundry Income - Environmental Health	(2,124)	(1,503)	621	0	(2,000)
54711	Fines & Penalties - Environmental Health	(845)	(30,744)	(29,899)	0	(41,000)
Income Total		(54,452)	(65,997)	(11,545)	0	(88,000)
Environmental Health Total		443,284	498,472	55,188	2,957	668,523
Environmental Conservation						
Expense						
24220	Salaries - Environmental Conservation	11,046	0	(11,046)	0	0
24221	Other Employee Costs - Environmental Conservation	1,081	2,850	1,769	0	3,350
24223	Office - Environmental Conservation	529	727	198	0	900
24227	Finance - Environmental Conservation	47,475	47,475	0	0	63,300
24230	Other Expense - Environmental Conservation	443	675	232	0	1,350
24237	Donations - Environmental Conservation	0	0	0	0	2,250
24251	OPRL Activities - Environ Conservation / PC80	493,303	607,566	114,263	154,476	827,400
Expense Total		553,876	659,293	105,417	154,476	898,550
Income						
54204	Grants Operating - Environmental Conservation	(6,785)	(22,335)	(15,550)	0	(30,000)
54210	Sundry Income - Environmental Conservation	(6,356)	(8,800)	(2,444)	0	(8,800)
Income Total		(13,142)	(31,135)	(17,993)	0	(38,800)
Environmental Conservation Total		540,734	628,158	87,424	154,476	859,750
Ranger Services						
Expense						
21120	Salaries - Ranger Services	473,655	467,561	(6,094)	0	629,274
21121	Other Employee Costs - Ranger Services	7,152	14,483	7,331	11	16,875
21123	Office - Ranger Services	5,523	4,797	(726)	0	6,200
21124	Motor Vehicles - Ranger Services	35,112	47,250	12,138	0	63,000
21125	Depreciation - Ranger Services	4,500	4,500	0	0	6,000
21127	Finance - Ranger Services	134,047	132,706	(1,341)	0	178,100
21130	Other Expense - Ranger Services	6,786	74,668	67,882	11,542	82,950
21137	Donations - Ranger Services	0	1,000	1,000	0	1,000
Expense Total		666,775	746,965	80,190	11,553	983,399
Income						
51101	Fees & Charges - Ranger Services	(54,274)	(61,335)	(7,061)	0	(70,000)
51106	Contributions & Reimbursements- Rangers Services	(31,844)	0	31,844	0	0
51111	Fines & Penalties - Rangers Services	(216,199)	(155,460)	60,739	0	(212,500)
Income Total		(302,317)	(216,795)	85,522	0	(282,500)
Ranger Services Total		364,459	530,170	165,712	11,553	700,899
Health & Compliance Total		1,401,512	1,715,748	314,236	175,485	2,310,416
Building Services						
Expense						
24420	Salaries - Building Services	576,134	544,666	(31,468)	0	733,576
24421	Other Employee Costs - Building Services	13,150	28,020	14,870	164	33,520
24423	Office - Building Services	656	3,535	2,879	337	3,780
24424	Motor Vehicles - Building Services	20,283	21,749	1,466	0	29,000
24425	Depreciation - Building Services	225	225	0	0	300
24427	Finance - Building Services	139,572	139,572	0	0	186,100
24430	Other Expense - Building Services	92	1,014	922	0	1,350
24434	Professional Fees - Building Services	0	3,375	3,375	0	4,500
Expense Total		750,112	742,156	(7,956)	501	992,126

Item 13.3 - Attachment 1

Row Labels	Master Account (desc)	March Actual YTD	March Budget YTD	Variance	Committed Balance	Annual Budget
Income						
54401	Fees & Charges - Building Services	(680,779)	(456,006)	224,773	0	(554,000)
54410	Sundry Income - Building Services	(7,131)	(18,747)	(11,616)	0	(25,000)
54411	Fines & Penalties - Building Services	(48,731)	(10,125)	38,606	0	(13,500)
Income Total		(736,641)	(484,878)	251,763	0	(592,500)
Building Services Total		13,471	257,278	243,807	501	399,626
Building Services Total		13,471	257,278	243,807	501	399,626
Planning & Development Services Total		2,929,527	3,585,431	655,904	391,211	4,721,538
Technical Services						
Engineering						
Infrastructure Services						
Expense						
26220	Salaries - Infrastructure Svs	1,725,387	1,706,394	(18,993)	43,718	2,295,796
26221	Other Employee Costs - Infrastructure Svs	55,625	103,557	47,932	846	119,850
26223	Office - Infrastructure Svs	9,664	25,131	15,467	2,574	31,500
26224	Motor Vehicles - Infrastructure Svs	20,714	39,749	19,035	0	53,000
26225	Depreciation - Infrastructure Svs	8,775	8,775	0	0	11,700
26227	Finance - Infrastructure Svs	(1,146,535)	(1,927,503)	(780,968)	0	(2,570,000)
26228	Insurance - Infrastructure Svs	133,496	169,490	35,994	0	169,490
26230	Other Expense - Infrastructure Svs	19,206	51,250	32,044	740	65,000
26234	Professional Fees - Infrastructure Svs	64,915	62,250	(2,665)	13,753	83,000
36101	Project Contribution - Infrastructure	782,474	737,446	(45,028)	0	983,260
Expense Total		1,673,721	976,539	(697,182)	61,631	1,242,596
Income						
56206	Contributions & Reimbursement - Infrastructure Svs	(110)	0	110	0	0
50202	Service Charges - Infrastructure Svs	(19,003)	0	19,003	0	0
56201	Fees & Charges - Infrastructure Svs	(65)	(3,750)	(3,685)	0	(5,000)
Income Total		(19,177)	(3,750)	15,427	0	(5,000)
Infrastructure Services Total		1,654,544	972,789	(681,755)	61,631	1,237,596
Plant Operating						
Expense						
26521	Other Employee Costs - Plant Operating	1,652	3,590	1,938	0	3,590
26525	Depreciation - Plant Operating	246,000	246,000	0	0	328,000
26527	Finance - Plant Operating	(722,462)	(898,131)	(175,669)	0	(1,197,500)
26532	Plant - Plant Operating	301,195	523,650	222,455	41,655	677,900
26533	Minor Parts & Workshop Tools - Plant Operating	15,430	55,580	40,150	15,149	66,700
26549	Loss Sale of Assets - Plant Operating	0	25,265	25,265	0	30,316
Expense Total		(158,186)	(44,046)	114,140	56,804	(90,994)
Income						
56501	Fees & Charges - Plant Operating	0	0	0	0	0
56515	Profit Sale of Assets - Plant Operating	0	(150)	(150)	0	(182)
56506	Contributions & Reimbursements - Plant Operating	(42,142)	(39,447)	2,695	0	(52,600)
Income Total		(42,142)	(39,597)	2,545	0	(52,782)
Plant Operating Total		(200,327)	(83,643)	116,684	56,804	(143,776)
Streets Roads and Depots						
Expense						
26625	Depreciation - Streets Roads & Depots	1,702,050	1,702,047	(3)	0	2,269,400
26626	Utility - Streets Roads & Depots	366,477	437,250	70,773	0	583,000
26630	Other Expense - Streets Roads & Depots	12,376	41,250	28,874	3,526	55,000
26640	Reinstatement - Streets Roads & Depot	1,111	5,250	4,139	0	7,000
26667	Maintenance - Road Maintenance / PC51	407,163	567,083	159,920	104,767	680,500
26668	Maintenance - Drainage Maintenance / PC52	361,533	416,665	55,132	23,327	500,000
26669	Maintenance - Footpath Maintenance / PC53	183,687	162,500	(21,187)	15,850	195,000
26670	Maintenance - Parking Signs / PC54	76,966	72,915	(4,051)	0	87,500
26671	Maintenance - Right of Way Maintenance / PC55	56,114	66,665	10,551	0	80,000
26672	Maintenance - Bus Shelter Maintenance / PC56	6,068	9,665	3,597	0	11,600
26673	Maintenance - Graffiti Control / PC57	2,931	11,250	8,319	3,835	15,000
26674	Maintenance - Streets Roads & Depot / PC89	62,608	86,247	23,639	11,334	115,000
Expense Total		3,239,085	3,578,787	339,702	162,640	4,599,000
Income						
56601	Fees & Charges - Streets Roads & Depots	(46,350)	(60,000)	(13,650)	0	(80,000)
56604	Grants Operating - Streets Roads & Depots	(71,250)	(52,500)	18,750	0	(70,000)
56606	Contributions & Reimburse - Streets Roads & Depots	(21,781)	(7,500)	14,281	0	(10,000)
56610	Sundry Income - Streets Roads & Depots	(403)	0	403	0	0
56611	Fines & Penalties - Streets Roads & Depots	(500)	0	500	0	0
Income Total		(140,284)	(120,000)	20,284	0	(160,000)
Streets Roads and Depots Total		3,098,801	3,458,787	359,986	162,640	4,439,000
Waste Minimisation						
Expense						
24520	Salaries - Waste Minimisation	186,996	184,073	(2,923)	0	247,908
24521	Other Employee Costs - Waste Minimisation	2,587	5,824	3,237	0	6,730

Item 13.3 - Attachment 1

Row Labels	Master Account (desc)	March Actual YTD	March Budget YTD	Variance	Committed Balance	Annual Budget
24524	Motor Vehicles - Waste Minimisation	6,905	7,497	592	0	10,000
24527	Finance - Waste Minimisation	135,893	135,522	(371)	0	180,700
24538	Purchase of Product - Waste Minimisation	449	0	(449)	0	0
24552	Residential Kerbside - Waste Minimisation / PC71	1,248,447	1,566,528	318,081	567,457	2,088,700
24553	Residential Bulk - Waste Minimisation / PC72	193,133	343,056	149,923	23,937	457,400
24554	Commercial - Waste Minimisation / PC73	85,298	82,647	(2,651)	105,119	110,200
24555	Public Waste - Waste Minimisation / PC74	73,529	69,003	(4,526)	9,072	92,000
24556	Waste Strategy - Waste Minimisation / PC75	10,020	48,222	38,202	2,158	64,300
Expense Total		1,943,256	2,442,372	499,116	707,742	3,257,938
Income						
54501	Fees & Charges - Waste Minimisation	(3,264,996)	(3,299,454)	(34,458)	0	(3,299,454)
Income Total		(3,264,996)	(3,299,454)	(34,458)	0	(3,299,454)
Waste Minimisation Total		(1,321,740)	(857,082)	464,658	707,742	(41,516)
Building Maintenance						
Expense						
24120	Salaries - Building Maintenance	292,942	295,105	2,163	0	397,202
24121	Other Employee Costs - Building Maintenance	3,616	7,340	3,724	0	8,140
24123	Office - Building Maintenance	530	459	(71)	0	613
24124	Motor Vehicles - Building Maintenance	26,592	27,000	408	0	36,000
24125	Depreciation - Building Maintenance	560,475	560,475	0	0	747,300
24126	Utility - Building Maintenance PC41,42,43	139,009	216,750	77,741	0	289,000
24127	Finance - Building Maintenance	(172,272)	(97,272)	75,000	0	(129,700)
24128	Insurance - Building Maintenance PC40	79,396	90,700	11,304	0	90,700
24130	Other Expense - Building Maintenance	6,759	18,750	11,991	436	25,000
24133	Building - Building Maintenance PC58	968,148	1,059,381	91,233	142,150	1,412,500
24135	ICT Expenses - Building Maintenance	0	1,500	1,500	0	2,000
Expense Total		1,905,194	2,180,188	274,994	142,587	2,878,755
Income						
54106	Contributions & Reimbursement - Building Maintenance	(53,287)	(82,503)	(29,216)	0	(110,000)
54109	Council Property - Building Maintenance	(207,685)	(214,398)	(6,713)	0	(285,884)
Income Total		(260,972)	(296,901)	(35,929)	0	(395,884)
Building Maintenance Total		1,644,222	1,883,287	239,065	142,587	2,482,871
Engineering Total		4,875,500	5,374,138	498,638	1,131,404	7,974,175
Parks Services						
Expense						
26360	Depreciation - Parks Services	557,925	557,922	(3)	0	743,900
26365	Maintenance - Parks Services / PC59	2,979,909	3,104,358	124,449	323,797	4,087,240
Expense Total		3,537,834	3,662,280	124,446	323,797	4,831,140
Income						
56301	Fees & Charges - Parks & Ovals	(306)	0	306	0	0
56306	Contributions & Reimbursements - Parks Services	(22,666)	(15,000)	7,666	0	(20,000)
56309	Council Property - Parks Services	(47,899)	(35,100)	12,799	0	(35,100)
56310	Sundry Income - Parks Services	(21,373)	(15,750)	5,623	0	(21,000)
56312	Fines & Penalties - Parks & Ovals	(1,005)	(750)	255	0	(1,000)
Income Total		(93,248)	(66,600)	26,648	0	(77,100)
Parks Services Total		3,444,586	3,595,680	151,094	323,797	4,754,040
Parks Services Total		3,444,586	3,595,680	151,094	323,797	4,754,040
Technical Services Total		8,320,087	8,969,818	649,731	1,455,201	12,728,215
City of Nedlands Total		(9,392,440)	(7,216,223)	2,176,217	2,258,470	(878,117)



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

L1	L1 Desc / Num	L2 - Desc	March Actual YTD	Committed Bal: Annual Budget YTD	Budget Available
2	Footpath Rehabilitation				
	2006	Stubbs Terrace	13,666	0	14,332
	2011	Victoria Avenue	27,226	0	35,900
	2012	Waratah Avenue	51,172	20,266	286,000
	2023	Bruce Street	69,037	1	34,051
	2097	Whitfield St	0	0	38,828
	2452	School Sports Facility	0	0	30,211
	2147	Nandina Avenue	0	29,442	25,000
	200	Monash Avn-Paving of Verge(infrn of Sch)	113,713	0	68,202
	609	Stirling Highway-Kinninmont to smyth	9,104	0	9,213
	643	Bruce st Hillway to The Avenue	0	946	41,267
	644	Bruce street 26 Stirling Highway	26,839	0	27,484
	645	Victoria Avenue Riverview crt to Waratah	13,639	0	15,716
	646	Victoria Ave Waratah place to Bishop Rd	27,553	0	31,740
	798	Stirling Hwy- Weld to Broome	0	0	5,124
	796	Viewway	0	46,825	46,000
		Footpath Rehabilitation Total	351,950	97,481	709,068
3	Road Rehabilitation				
	2003	Alfred Road	0	0	10,847
	2015	Birdwood Parade	0	0	20,664
	2202	Mooro Drive	0	0	18,818
	2176	Walba Way	0	0	5,130
	2027	The Avenue	0	0	12,896
	2319	Laneways	0	0	25,377
	647	Karella Street(East)	162,223	1,659	163,240
	648	Lissadel st - Kirwan to Alderbury st	89,853	15,040	103,000
	649	Melvista Avevue - Bay Rd to Stone St	0	0	96,774
	667	Nameless Lane (Nth of Haldane)	0	87,608	146,961
	790	Kingston St	0	0	3,456
	797	Mengler Av road Resurfacing	1,745	0	173,250
	799	Jacaranda Av	0	0	6,237
	800	Lobelia Street	0	0	7,088
	801	Wood Street	0	0	5,538
		Road Rehabilitation Total	253,821	104,307	799,276
4	Drainage Rehabilitation				
	638	Drainage Risk Review Dalkeith & Nedlands	0	0	28,197
	2002	Government road and Loch Street	0	0	20,141
	642	56 Dalkeith Rd Drainage & Laneway Design	0	1,500	14,300
	668	Government Road & Loch Street Sumps	0	0	57,200
		Drainage Rehabilitation Total	0	1,500	119,838
5	Street Furniture / Bus Shelter				
6	Grant Funded Projects				
	2001	Railway Road	44,529	1,250	42,910
	2003	Alfred Road	27,277	0	342,475
	2012	Waratah Avenue	4,304	0	0
	2015	Birdwood Parade	9,007	0	7,000
	2037	Elizabeth Street	948,870	59,890	1,108,550
	2198	Hampden Road	460,021	0	114,377
	2097	Whitfield St	532	0	78,000
	2041	Elizabeth St-Broadwy to Bay Rd(Drainage)	182,704	203,137	250,000
	657	North street (Boundary Road)	22,937	0	22,570
	658	School Sports Circuit Mt Claremont	1,184	0	120,100
	659	Quintilian Road Shared Path - Stage 3	666	0	24,300
	660	Quintilian Road - Additional Traffic	0	0	71,500
	661	Asquith Street Medium Treatment	29,475	0	20,390
	683	Brockway Rd - Alfred to Lemnos St	5,939	687,090	657,325
	684	Brockway Rd - Lemnos to Underwood	96,730	324,029	422,331
	790	Kingston St	0	0	180,000
	793	Lemnos St-Bedbrook Pl to Selby St	0	0	25,000
	794	Lemnos St-Brockway Rd to Bedbrook Pl	0	0	25,000
	802	Rochdale Rd- Alfrd rd to Town of Cambrid	7,990	4,640	25,000
		Grant Funded Projects Total	1,842,163	1,280,036	3,536,828
11	Building Construction				
	4003	Broome St - Council Depot	7,047	264	0
	4012	19 Haldane St - MTC Community Centre	21,534	0	0
	4020	71 Stirling Hwy - Administration Bldg	2,393	0	0
	4159	8 Draper St - Hackett Hall	7,886	0	10,010
	620	Mt Claremont Library-Re roof	29,527	0	0
	650	Hearing Loop	56,872	0	85,800
	651	Dalketh Hall - Floor	1,740	0	64,350
	652	Allen Park Cottage - Alternate Facility	0	10,500	150,000
	653	Nedlands Golf Club Greenkeepers Shed	0	0	50,000
	682	71 Stirling Hwy - Renovate roof, Air con	131,491	42,551	214,500



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

L1	L1 Desc / Num	L2 - Desc	March Actual YTD	Committed Bal: Annual Budget YTD	Budget Available
	Building Construction Total		258,489	53,315	574,660
13	Major Projects - Roads				
	662	Foreshore Workshop	0	0	25,000
	663	Riverwall-170 Waratah Place Asset SRDaIO	0	8,540	27,910
	664	Riverwall - PFSYC Boat Slipway Temporary	0	3,600	20,700
	Major Projects - Roads Total		0	12,140	85,750
14	Parks & Reserves Construction				
	4052	Allen Park	16,849	8,373	12,890
	4061	Bishop Road Reserve	163	0	41,685
	4072	College Park	0	8,373	12,890
	4079	David Cruickshank Reserve	22,157	0	21,450
	4089	Hamilton Park	325	1,000	72,748
	4096	Lawler Park	302	0	60,000
	4115	New Court Gardens	67,223	0	21,148
	4131	Street Gardens and Verges	26,960	0	25,740
	4137	Swanbourne Beach Reserve	9,354	0	5,035
	4141	WA Bridge Club Surrounds	3,120	0	0
	4192	College Green Mt Claremont	22,568	6,211	22,357
	4173	Cottesloe Golf Club	2,889	3,622	120,141
	732	Allen Park (LO) - INST floodlight	24,848	5,686	0
	734	Asquith Reserve - Redevelopment	6,544	0	0
	737	Bishop Rd Rsv - Enviro-scape manster pln	100,173	0	19,033
	752	Hamilton Park - UG irrigation system	6,549	0	24,395
	771	Jones Park - Bushfence Bollards Gate&Eco	4,265	0	0
	631	Peace Memo Gardens-Renew Bore(38m)	72,514	26	12,689
	633	Swanbourne Greenway Project	1,707	15,834	15,614
	636	Bains Harris and Jones Parks	31,960	0	8,449
	637	Daran Park	40,027	0	12,843
	641	Montario Quarter	0	0	30,211
	654	River Foreshore Protection and Acss Man	0	7,015	4,300
	655	Mt Claremont Oval Bushland Fencing	0	0	5,000
	656	Lawler Park seats and Exercise Equipment	0	11,100	11,683
	687	Charles Court R - Replace Weldmesh Fenci	6,519	0	7,955
	690	Charles Court R - Replace Flat Bench	6,885	0	17,120
	694	Cruickshank Verge repair,Passive Recreat	13,267	6,840	25,000
	695	Allen Park - Upgrade Bore and Pump	12,021	0	13,365
	696	College Green Walkway - Upgrade Irrigati	0	0	12,688
	699	Hamilton Park - Renew Garden Beds	10	0	29,754
	772	Daran Park - Construct Noise Attention	0	0	45,820
	775	College Park - Tennis court Lighting	0	8,408	12,780
	773	Bishop Rd Reseve - Reconstruct Bore	0	0	43,450
	774	College Park - Lower Oval AFL goals	43	8,915	11,930
	776	Allen park - Play Ground Fencing	170	0	16,330
	777	Annie Dorrington Park - Informal Pathway	85	5,517	6,390
	778	Street gardens and Verges - Install LED	0	8,908	15,620
	779	Tresi Arts Cntr - Restr of retaining wal	85	7,235	17,040
	780	Allen park - Upgrade floodl 2 game stand	85	0	80,000
	Parks & Reserves Construction Total		499,665	113,064	915,543
15	Plant & Equipment				
	7500	Technical Svs - Engineering	0	0	33,000
	7502	Development Svs - Building Svs	0	0	34,000
	7505	Planning & Development Svs - Ranger Svs	0	0	102,000
	7508	Corporate & Strategy - Finance	0	14	0
	7509	Technical Svs - Parks Svs	110,048	-101,818	120,000
	Plant & Equipment Total		110,048	-101,805	289,000
16	ICT Capital Projects				
	6063	Replace SSD on VDI nodes	9,944	0	0
	6065	Administration Booking Softwate	0	0	40,000
	6066	Administration Comms Rack Cleanup Aups R	24,999	0	0
	670	Adobe Acrobat	0	0	25,000
	671	Azure Migration	0	0	50,000
	672	IP Phone System Collaboration	0	0	40,000
	673	Visitor Management System	0	0	10,000
	674	Cyber Security Review	0	7,800	15,000
	675	Video Collaboration	0	0	15,000
	676	CCTV Management System	0	0	15,000
	677	Meeting Minutes & Agenda	0	0	40,000
	678	Website Review	0	0	60,000
	679	Printers	0	0	130,000
	680	Finance System	0	0	1,250,000
	6070	Field GO Client Application	0	2,325	0
	ICT Capital Projects Total		34,943	10,125	1,690,000
18	Furniture & Fixture				



City of Nedlands

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

L1	L1 Desc / Num	L2 - Desc	March Actual YTD	Committed Bal:	Annual Budget YTD	Budget Available
	669	71 Stirling Hwy Admin - Desks & Shelving	0	0	10,000	10,000
	Furniture & Fixture Total		0	0	10,000	10,000
19	Public Art					
	9000	City Wide	353	0	0	-353
	9001	Public Arts Work	0	0	50,000	50,000
	Public Art Total		353	0	50,000	49,647
20	Major Projects - Parks					
	904	Swanbourne Beach Oval - rehabilitation	16,187	6,386	0	-22,573
	Major Projects - Parks Total		16,187	6,386	0	-22,573
City of Nedlands Total			3,367,619	1,576,548	8,779,963	3,835,796



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

	2020/21 YTD 31 MARCH 2021	2019/20 YTD 31 MARCH 2020	2019/20 YEAR END 30 June 2020
Current Assets			
Cash & Cash Equivalents	23,235,790	18,418,299	16,493,227
Receivable - Rates Outstanding (inc Rebates)	1,563,620	2,102,538	1,004,314
Receivable - Sundry Debtors	767,871	803,404	895,852
Receivable - Self Supporting Loan	(3,527)	3,447	3,447
Receivable - UGP	5,042	28,162	105,251
GST Receivable	76,641	185,951	220,871
Prepayments	95,060	197,094	290,591
Less: Provision for Doubtful Debts	(9,282)	(9,282)	(9,282)
Inventories	21,169	8,053	22,816
	25,752,384	21,737,666	19,027,086
Current Liabilities			
Payable - Sundry Creditors	(5,207,907)	(2,018,643)	(6,716,486)
Payable - ESL	(421,749)	(443,004)	(7,622)
Payable Lease Liability	(52,999)	(80,474)	(52,999)
Accrued Salaries and Wages	(162,035)	(89,943)	(411,724)
Employee Provisions	(2,478,810)	(2,160,152)	(2,652,371)
Borrowings	(423,176)	(410,441)	(1,750,166)
Deferred Income	0	0	(72,952)
	(8,746,676)	(5,202,657)	(11,664,320)
Unadjusted Net Current Assets	17,005,708	16,535,009	7,362,766
Less: Restricted Reserves	(5,919,828)	(6,181,082)	(5,895,847)
Less: Current Self Supporting Loan Liability	3,527	(3,447)	(3,447)
Add Back: Borrowings	423,176	410,441	1,750,166
Net Current Assets	11,512,583	10,760,921	3,213,639



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

Note	2020-21 Annual Budget \$	March 21 YTD Budget \$	March 21 YTD Actual \$	March 21 YTD Variance \$	Variance %
Operating Income					
Governance	180,281	135,210	13,802	(121,408)	-89.79%
Corporate & Strategy	25,246,833	25,020,692	25,408,836	388,144	1.55%
Community Development & Services	2,456,550	1,854,289	2,149,015	294,726	15.89%
Planning & Development Services	1,705,300	1,326,055	1,623,157	297,102	22.40%
Technical Services	3,990,220	3,826,302	3,820,818	(5,484)	-0.14%
	33,579,184	32,162,548	33,015,628	853,080	2.65%
Operating Expense					
Governance	(2,434,067)	(1,903,409)	(1,981,299)	(77,890)	-4.09%
Corporate & Strategy	(1,423,900)	(1,083,399)	(999,299)	84,100	7.76%
Community Development & Services	(5,697,827)	(4,251,911)	(3,949,002)	302,909	7.12%
Planning & Development Services	(6,426,838)	(4,911,486)	(4,552,684)	358,802	7.31%
Technical Services	(16,718,435)	(12,796,120)	(12,140,905)	655,215	5.12%
	(32,701,067)	(24,946,325)	(23,623,188)	1,323,137	5.30%
Capital Income					
Grants Capital	2,180,879		0		
Capital Contribution	0		279,607		
Proceeds from Disposal of Assets	3,411,163		34,504		
New Borrowings	0		0		
Self Supporting Loan Principal Repayments	17,500		6,973		
Transfer from Reserve	2,299,388		0		
	7,908,930		321,084		
Capital Expenditure					
Land & Buildings	(574,660)		(258,489)		
Infrastructure - Road	(4,856,796)		(2,447,933)		
Infrastructure - Parks	(947,122)		(515,852)		
Plant & Equipment	(289,000)		(110,048)		
Furniture & Equipment	(1,700,000)		(35,296)		
Principal elements of finance lease payments	(38,987)		0		
Repayment of Debentures	(1,750,166)		(1,326,990)		
Transfer to Reserves	(4,524,113)		(23,981)		
	(14,680,844)		(4,718,590)		
Total Operating and Non-Operating	(5,893,797)		4,994,934		
Adjustment - Non Cash Items					
Depreciation	4,446,300		3,304,425		
Receivables/Provisions/Other Accruals	0		(415)		
Change in accounting policy	0		0		
(Profit) on Sale of Assets	(182)		0		
Loss on Sale of Assets	30,316		0		
ADD - Surplus/(Deficit) 1 July b/f	997,619		3,213,639		
LESS - Surplus/(Deficit) 30 June c/f	(419,744)		11,512,583		
	5,893,797		(4,994,934)		



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

Purpose

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

Self Supporting Loans

Loan 186 - Dalkeith Bowling Club

Total

	Actual YTD 31 MARCH 2021					
	Interest Rate Per Annum	Principal 01-Jul-20 \$	New loans \$	Principal Repayment \$	Principal 31-Mar-21 \$	Interest(YTD) \$
Loan 179 - Road Infrastructures	6.04%	539,212	0	(91,506)	447,706	22,598
Loan 181 - Building and Road Infrastructures	5.91%	256,766	0	(191,155)	65,611	7,320
Loan 182 - Building	4.67%	398,479	0	(195,771)	202,708	11,689
Loan 183 - Building	2.78%	871,357	0	(123,135)	748,222	17,031
Loan 184 - Building	3.12%	791,285	0	(100,105)	691,180	17,219
Loan 185 - Building	3.12%	374,498	0	(47,378)	327,120	8,109
Loan 187 - Underground Power (CON)	2.64%	1,831,084	0	(486,319)	1,344,765	33,060
Loan 188 - Underground Power (W.Hollywood Res)	3.07%	578,626	0	(64,909)	513,717	11,903
Loan 189 - Underground Power (Alfred & MTC Res)	3.07%	84,512	0	(9,480)	75,031	1,738
Loan 190 - Underground Power (Alderbury Res)	3.07%	60,019	0	(6,733)	53,287	1,235
		5,785,837	0	(1,316,491)	4,469,346	131,901
Loan 186 - Dalkeith Bowling Club	3.07%	78,815	0	(10,499)	68,316	1,735
					0	
Total		5,864,652	0	(1,326,990)	4,537,662	133,636

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



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

	2020/2021 YTD 31 MARCH 2021 \$	2019/2020 YTD 31 MARCH 2020 \$	2019/2020 YEAR END 30 June 2020 \$
Current Assets			
Cash & Cash Equivalents	23,235,790	18,418,299	16,493,227
Trade & Other Receivables	2,400,365	3,114,220	2,220,453
Inventories	21,169	8,053	22,816
Other - Prepayments & Accruals	95,060	197,094	290,591
Total Current Assets	25,752,384	21,737,666	19,027,086
Non Current Assets			
Other Receivables	1,295,496	1,386,505	1,295,496
Other Financial Assets	142,442	140,137	142,442
Property, Plant & Equipment	149,366,971	345,713,178	152,267,563
Infrastructure	93,266,165	88,787,474	90,302,379
Total Non Current Assets	244,071,074	436,027,294	244,007,880
Total Assets	269,823,458	457,764,959	263,034,968
Current Liabilities			
Trade & Other Payables	5,844,690	2,632,064	7,261,783
Current Borrowings	423,176	410,441	1,750,166
Employee Provisions	2,478,810	2,160,152	2,652,371
Total Current Liabilities	8,746,676	5,202,657	11,664,320
Non Current Liabilities			
Long Term Borrowings	4,114,484	5,861,752	4,114,485
Deferred Liability	47,251	92,988	47,251
Employee Provisions	264,987	474,196	264,987
Total Non Current Liabilities	4,426,722	6,428,936	4,426,723
Total Liabilities	13,173,398	11,631,593	16,091,043
Net Assets	256,650,060	446,133,366	246,943,924
Equity			
Retained Surplus	90,772,583	86,405,635	81,090,427
Reserves - Cash Backed	5,919,828	6,181,082	5,895,847
Revaluation Surplus	159,957,650	353,546,650	159,957,650
Total Equity	256,650,060	446,133,366	246,943,924



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

Reporting Activity	March 21 YTD Budget	March 21 YTD Actual	Variance Indicators				2020-21 Annual Budget	Var. Scale	Comment Ref
			\$	%	Flag	F/U			
Income:									
Community Leadership	120,210	13,802	(106,408)	(89%)	▶	U	160,281	● Lower income from Wesroc project	
Corporate Administration	575,200	423,235	(151,965)	(26%)	▶	U	733,600	● Lower interest income	
Community Capacity Building	549,044	629,711	80,667	15%	▶	F	678,900	●	
Community Care	1,297,150	1,503,696	206,546	16%	▶	F	1,767,300	●	
Libraries	8,095	15,609	7,514	93%	▶	F	10,350	●	
Building & Development Control	1,012,128	1,253,246	241,118	24%	▶	F	1,296,000	●	
Environmental Health Services	65,997	54,452	(11,545)	(17%)	▶	U	88,000	● Less fines & Penalties	
Rangers & Public Safety	216,795	302,317	85,522	39%	▶	F	282,500	●	
Engineering & Asset Management	3,750	19,177	15,427	411%	▶	F	5,000	●	
Parks & Natural Areas	97,735	106,389	8,654	9%	▶	F	115,900	●	
Roads, Paths & Drains	159,597	182,425	22,828	14%	▶	F	212,782	●	
Community Building Management	296,901	260,972	(35,929)	(12%)	▶	U	395,884	● Lower income from council property	
Waste Management	3,299,454	3,264,996	(34,458)	(1%)	▶	U	3,299,454	●	
Rates & Property Services	24,460,492	24,985,602	525,110	2%	▶	F	24,533,233	●	
Total Income	32,162,548	33,015,628		3%	▶	F	33,579,184		

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

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



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

Reporting Activity	March 21 YTD Budget	March 21 YTD Actual	Variance Indicators				2020-21 Annual Budget	Var. Scale	Comment Ref
			\$	%	Flag	F/U			
Expenditure:									
Community Leadership	1,440,276	1,636,444	(196,168)	14%	▶	U	1,831,013	● Increase professional fees	
Corporate Administration	1,245,733	1,060,592	185,141	15%	▶	F	1,667,336	●	
Community Capacity Building	1,388,249	1,233,935	154,314	11%	▶	F	1,870,959	●	
Community Care	1,558,872	1,495,173	63,699	4%	▶	F	2,092,242	●	
Libraries	1,304,790	1,219,894	84,896	7%	▶	F	1,734,626	●	
Building & Development Control	2,909,045	2,824,604	65,747	2%	▶	F	3,788,366	●	
Environmental Health Services	564,469	497,736	66,733	12%	▶	F	756,523	●	
Rangers & Public Safety	746,965	666,775	80,190	11%	▶	F	983,399	●	
Engineering & Asset Management	976,539	1,673,721	(697,182)	71%	▶	U	1,242,596	● Lower oncost charged out due to lower capital and maintenance work completed	
Parks & Natural Areas	4,321,573	4,091,710	229,863	5%	▶	F	5,729,690	●	
Roads, Paths & Drains	3,534,741	3,080,899	453,842	13%	▶	F	4,508,006	●	
Community Building Management	2,180,188	1,905,194	274,994	13%	▶	F	2,878,755	●	
Waste Management	2,442,372	1,943,256	499,116	20%	▶	F	3,257,938	●	
Rates & Property Services	300,799	283,562	17,237	6%	▶	F	359,618	●	
Total Operating Expenditure	24,946,325	23,623,188		5%	▶	F	32,701,067		
Net Operating Result	7,216,223	9,392,440					878,117		

Legend

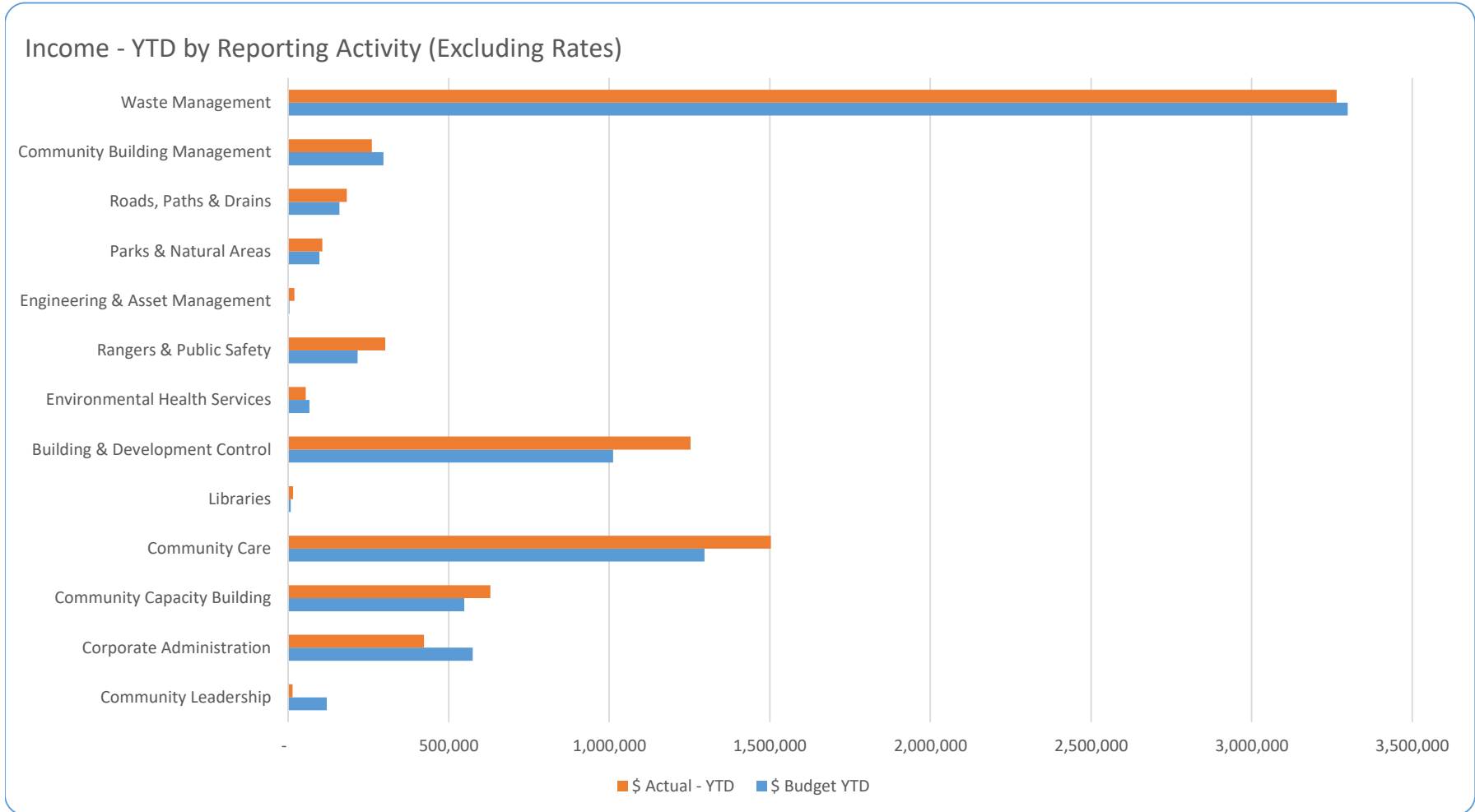
Favourable Variance to Budget F ▶
Unfavourable Variance to Budget U ▶

Legend

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

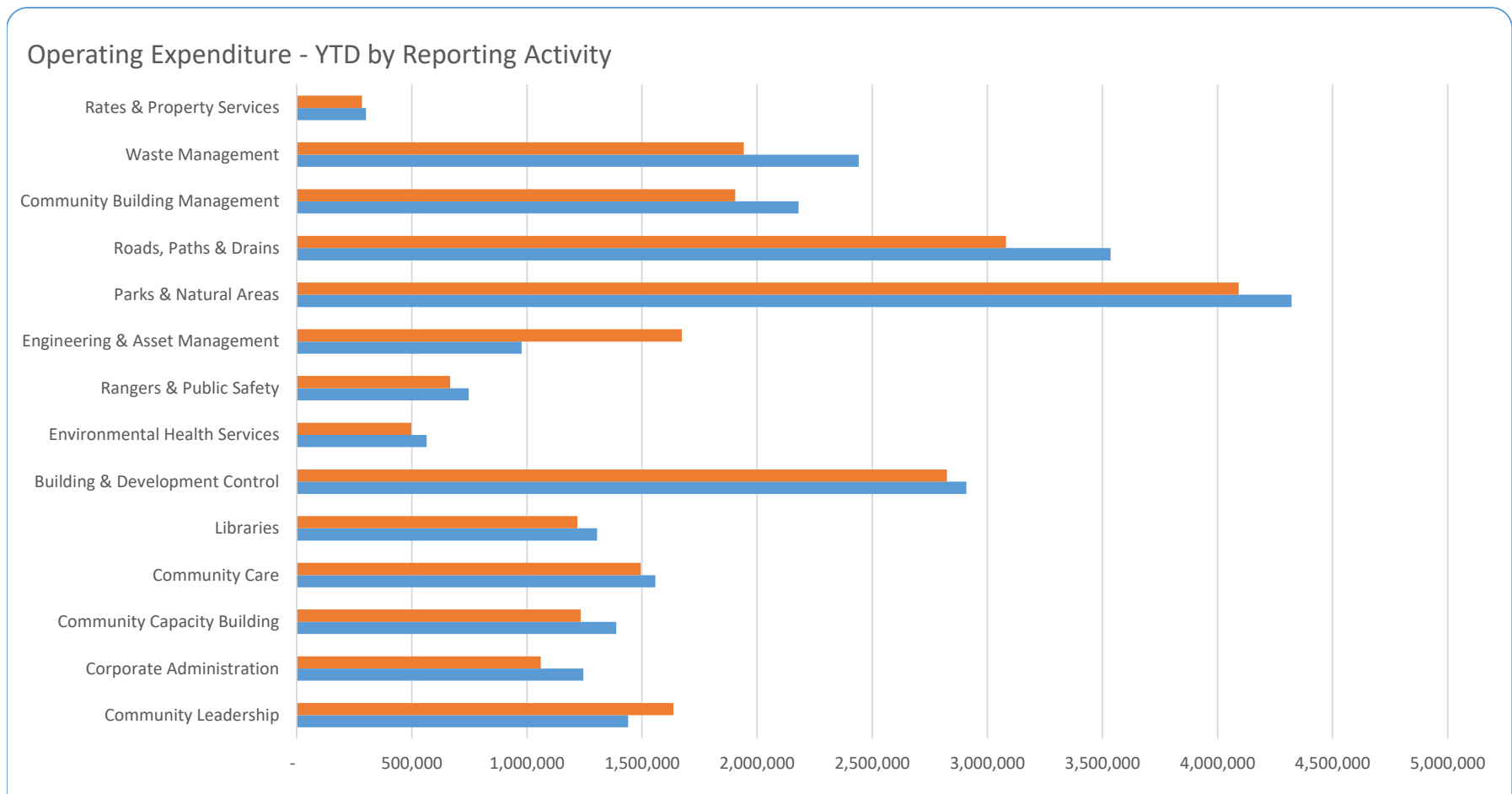


**GRAPHICAL SUMMARY OF FINANCIAL ACTIVITY - OPERATING
BY REPORTING ACTIVITY
FOR THE PERIOD ENDING 31 MARCH 2021**





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





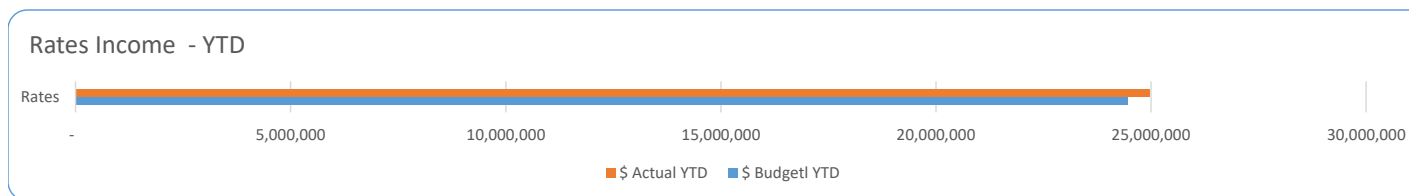
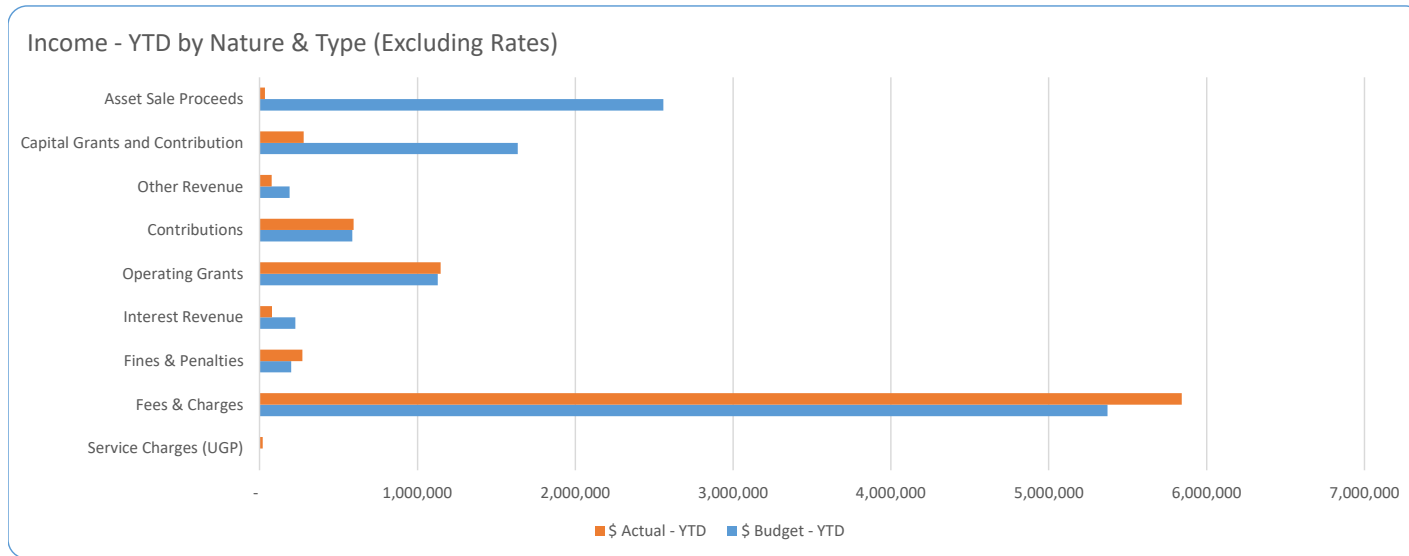
**CITY OF NEDLANDS
SUMMARY STATEMENT OF FINANCIAL ACTIVITY - INCOME
BY REPORTING NATURE & TYPE
FOR THE PERIOD ENDING 31 MARCH 2021**

Reporting Activity	March 21 YTD Budget	March 21 YTD Actual	Variance Indicators			F/U	2020-21 Annual Budget	Var. Scale
			\$	%	Flag			
Income:								
Operating Income								
Rates	24,460,492	24,985,602	525,110	2%	▶	F	24,533,233	●
Service Charges (UGP)	-	19,003	19,003	0	▶	F	-	●
Fees & Charges	5,371,398	5,843,092	471,694	9%	▶	F	5,965,354	●
Fines & Penalties	199,440	270,940	71,500	36%	▶	F	271,650	●
Interest Revenue	226,000	78,711	(147,289)	(65%)	▶	U	275,000	● Lower interest rate
Operating Grants	1,127,482	1,146,421	18,939	2%	▶	F	1,503,100	●
Contributions	586,995	596,051	9,056	2%	▶	F	784,484	●
Other Revenue	190,741	75,810	(114,931)	(60%)	▶	U	246,363	● Wesroc and Park services lower income
Operating Income	32,162,548	33,015,628					33,579,184	
Capital Income								
Capital Grants and Contribution	1,635,659	279,607	(1,356,053)	(83%)	▶	U	2,180,879	● Difference due to profiling and refund of grants received due to projects not under-taken
Asset Sale Proceeds	2,558,372	34,504	(2,523,868)	(99%)	▶	U	3,411,163	● Difference due to profiling and sale of property not undertaken yet
Sub Total - Capital Income	4,194,032	314,111					5,592,042	
Total Income	36,356,580	33,329,739		(8%)	▶	U	39,171,226	

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



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



13.4 Monthly Investment Report – March 2021

Council	27 April 2021
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	Nil.
Director	Andrew Melville – Acting Director Corporate & Strategy
Attachments	1. Investment Report for the period ended 31 March 2021

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Wetherall
 Seconded – Councillor Hodsdon

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

CARRIED UNANIMOUSLY 11/-

Council Resolution / Recommendation to Council

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

Executive Summary

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

Voting Requirement

Simple Majority.

Discussion/Overview

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

The Investment Policy is structured to minimise any risks associated with the City's cash investments. The officers adhere to this Policy, and continuously monitor market conditions to ensure that the City obtains attractive and optimum yields without compromising on risk management.

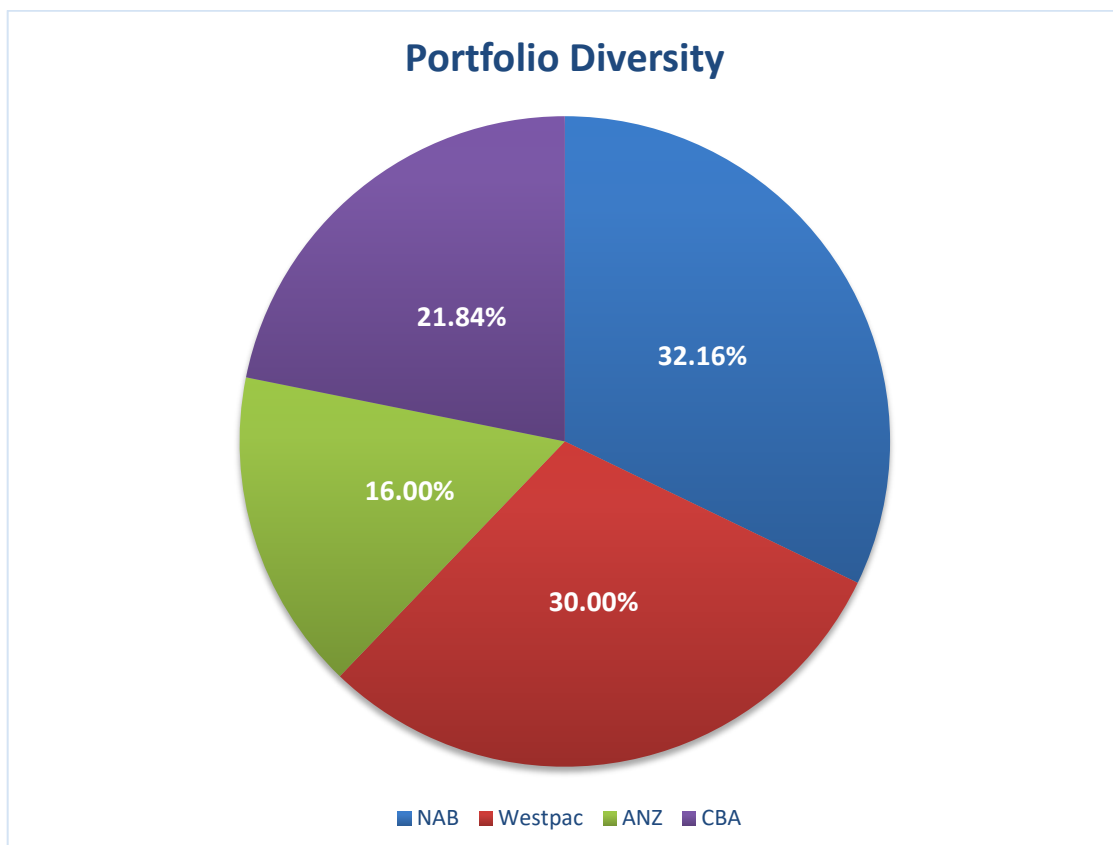
The Investment Summary shows that as at 31 March 2021 and 31 March 2020 the City held the following funds in investments:

	31-Mar-2021	31-Mar-2020
Municipal Funds	\$ 7,560,781	\$ 6,596,388
Reserve Funds	\$ 6,111,878	\$ 7,058,323
Total investments	\$ 13,672,659	\$ 13,654,711

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

The total interest earned from investments as at 31 March 2021 was \$61,508. The Investment Portfolio comprises holdings in the following institutions:

Financial Institution	Funds Invested	Interest Rate	Proportion of Portfolio
NAB	\$4,397,129	0.18% - 0.45%	32.16%
Westpac	\$4,102,063	0.21% - 1.05%	30.00%
ANZ	\$2,187,229	0.10% - 0.20%	16.00%
CBA	\$2,986,238	0.12% - 0.31%	21.84%
Total	\$13,672,659		100.00%



Conclusion

The Investment Report is presented to Council.

Key Relevant Previous Council Decisions:

Nil.

Consultation

Required by legislation:

Yes

No

Required by City of Redlands policy:

Yes

No

Strategic Implications

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

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

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

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

Budget/Financial Implications

The March YTD Actual interest income from investments is \$61,508 compared to the March YTD Budget of \$202,500.



**INVESTMENTS REPORT
FOR THE PERIOD ENDED 31 MARCH 2021**

Particulars	Interest	Invest.	Maturity	Period	NAB	Westpac	ANZ	CBA	Total	Interest
	Rate	Date	Date	Days	*AA-/Stable/A-1+	*AA-/Stable/A-1+	*AA-/Stable/A-1+	*AA-/Stable/A-1+		YTD Accumulated
RESERVE INVESTMENTS										
Plant Replacement	0.18%	22-Feb-21	23-Jun-21	121				34,665.94	34,665.94	\$118.73
City Development - Western Zone	0.18%	22-Feb-21	23-Jun-21	121				174,973.26	174,973.26	\$599.56
City Development - Western Zone	0.24%	21-Dec-20	21-May-21	151				66,117.16	66,117.16	\$263.16
Business system reserve	0.18%	22-Feb-21	23-Jun-21	121				142,559.71	142,559.71	\$488.23
All abilities play space	0.18%	22-Feb-21	23-Jun-21	121				97,754.92	97,754.92	\$334.49
North Street	0.23%	23-Mar-21	23-Jun-21	92		375,294.14			375,294.14	\$1,688.49
Welfare - General	0.31%	16-Aug-20	15-Apr-21	242				319,700.98	319,700.98	\$991.05
Welfare - NCC	0.22%	30-Dec-20	4-May-21	125				360,653.95	360,653.95	\$1,125.59
Welfare - PRCC	0.24%	21-Dec-20	21-May-21	151				15,753.57	15,753.57	\$61.45
Services - Tawarri 1	0.23%	23-Mar-21	23-Jun-21	92		68,789.27			68,789.27	\$309.49
Services General	0.45%	26-Feb-21	27-May-21	90	25,887.02				25,887.02	\$119.37
Services - Tawarri 2	0.10%	11-Mar-21	11-Jun-21	92			117,487.96		117,487.96	\$418.16
Insurance	0.10%	11-Mar-21	11-Jun-21	92			65,380.65		65,380.65	\$232.69
Undrground power	0.35%	20-Jan-21	20-Apr-21	90	773,643.19				773,643.19	\$3,563.05
Waste Management	0.18%	22-Feb-21	23-Jun-21	121				612,708.46	612,708.46	\$1,774.11
City Development - Swanbourne	0.31%	16-Aug-20	15-Apr-21	242				134,918.19	134,918.19	\$418.36
City Building - General	0.23%	23-Mar-21	23-Jun-21	92		503,951.93			503,951.93	\$1,875.17
City Building - PRCC	0.24%	21-Dec-20	21-May-21	151				26,185.63	26,185.63	\$104.23
Business system Reserve	0.35%	18-Jan-21	19-Apr-21	91	410,881.59				410,881.59	\$2,007.32
Public Art Reserves	0.35%	18-Jan-21	19-Apr-21	91	97,854.49				97,854.49	\$461.72
Waste Management Reserve	0.35%	18-Jan-21	19-Apr-21	91	574,617.08				574,617.08	\$2,711.31
City Development Reserve	0.35%	18-Jan-21	19-Apr-21	91	33,937.03				33,937.03	\$160.13
Building Replacement Reserve	0.35%	18-Jan-21	19-Apr-21	91	306,798.88				306,798.88	\$1,447.62
All ability play space	0.35%	20-Jan-21	24-Apr-21	94	184,096.54				184,096.54	\$845.92
Major projects	0.31%	4-Jan-21	4-May-21	120		587,266.98			587,266.98	\$2,691.57
TOTAL RESERVE INVESTMENTS					\$2,407,715.82	\$1,535,302.32	\$182,868.61	\$1,985,991.77	\$6,111,878.53	\$24,810.96
MUNICIPAL INVESTMENTS										
Muni Investment NS60	1.05%	31-Jan-21	28-Feb-21	28		1,060,124.79			1,060,124.79	\$5,783.81
									0.00	\$2,761.79
Muni Investment #6 - WBC	0.21%	15-Feb-21	15-May-21	89		1,506,635.70			1,506,635.70	\$6,635.70
Muni Investment #1 - CBA	0.12%	19-Mar-21	18-Jun-21	91				1,000,246.59	1,000,246.59	\$4,323.30
Muni Investment #2 - CBA								0.00	0.00	\$199.36
Muni Investment #7 - NAB	0.40%	17-Dec-20	17-Mar-21	90	1,508,159.01				1,508,159.01	\$8,159.01
Muni Investment #150 - ANZ	0.20%	7-Dec-21	7-Mar-21	91			2,004,360.77		2,004,360.77	\$4,360.77
Muni Investment #8 - ANZ								0.00	0.00	\$100.47
Muni Investment #12 - NAB									0.00	\$1,444.91
Muni Investment #13 - NAB-	0.35%	20-Jan-21	30-Apr-21	100	481,254				481,254.21	\$2,928.76
TOTAL MUNICIPAL INVESTMENTS					1,989,413.22	2,566,760.49	2,004,360.77	1,000,246.59	\$7,560,781.08	\$36,697.89
TOTAL					\$4,397,129.04	\$4,102,062.82	\$2,187,229.38	\$2,986,238.37	\$13,672,659.61	\$61,508.85

13.5 CEO Standards 2021

Council	23 April 2021
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995 and section 10 of the City of Nedlands Code of Conduct for Impartiality.	The Acting CEO declares no interest in this matter due to the CEO Standards dealing with matters in relation to the engagement, performance management and dismissal/termination of the CEO and as such the Acting CEO is unaffected by same.
Officer	Nicole Ceric, Executive Officer
CEO	Ed Herne, Acting Chief Executive Officer
Attachments	1. City of Nedlands CEO Standards
Confidential Attachments	Nil.

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Wetherall
 Seconded – Councillor Senathirajah

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

CARRIED BY ABSOLUTE MAJORITY 11/-

Council Resolution / Recommendation to Council

That Council, by absolute majority, adopt the City of Nedlands CEO Standards, as per attachment 1.

Executive Summary

On 3 February 2021 changes to the Local Government Act 1995 and Local Government (Administration) Amendment Regulations 2021 commenced.

Local Governments must adopt CEO Standards that incorporate the Model Standards within three months (that is by 3 May 2021), under the new s.5.39B(2) of the Act. Until this time, the Model Standards are taken to be the adopted standards (new s.5.39B(5)).

The Council may add to the CEO Standards any other matters if they are not inconsistent with the provisions of the Model CEO Standards.

At this stage, no such matters have been identified for inclusion, but if subsequently determined then Council is able to amend the CEO Standards.

Once adopted, s.5.39B(6) requires the CEO to publish an up-to-date version of the Standards on the Local Government's official website.

Voting Requirement

Absolute majority.

Discussion/Overview

Background

In October 2020, the DLGSCI published draft regulations that would introduce mandatory minimum standards covering the recruitment, selection, performance review and early termination of local government Chief Executive Officers.

The model Standards became operative 3 February 2021, and prescribe model standards for the recruitment, selection, performance review and termination of Local Government CEOs.

The model Standards are therefore now the Standards of the City of Nedlands but by 3 May 2021 the City must adopt its own CEO Standards (consistent with the Model CEO Standards, but may be varied as long as not inconsistent).

In addition to prescribing minimum requirements for these processes, the CEO Standards will also require Local Governments to advertise the position of CEO if a period of 10 or more years has elapsed since a recruitment process has been carried out.

The Council may, in due course vary them to reflect localised circumstances, by adding additional provisions.

The Standards deal with such matters as:

- Recruitment of CEOs - selection criteria, job description, advertising the vacancy, selection panel,
- Contract of employment, mandatory advertising after 10 years of incumbency,
- Performance review of CEO
- Termination of CEO

There are additional requirements in the Regulations dealing with the employment or termination of the CEO and which require the Council to "certify" certain matters (in such an event) by way of resolution and to provide same to the DLGSCI.

There are also matters in the new Regulations regarding the performance review of the CEO which need to accord with those in the current CEO contract.

WALGA has recommended that the Mayor and CEO should initiate discussions to determine whether any inconsistencies exist between the CEO Standards and the CEO's employment contract and previously agreed Performance Review arrangements. In the case of the City of Nedlands (currently recruiting a CEO) the incoming CEO's contract will be in accord with the CEO Standards, and therefore such matters will be consistent.

The City's recruitment processes for a new CEO are being undertaken consistent with the Model Standards.

Key Relevant Previous Council Decisions:

Nil.

Consultation

Advice provided by Department of Local Government, WALGA and LG Professionals.

Strategic Implications

The adoption of the CEO Standards is good governance and procedure.

Budget/Financial Implications

No specific financial implications arise from the adoption of the CEO Standards.

Conclusion

The Model CEO Standards applied, as the City's Standards since 3 February 2021, and until 3 May 2021, by which time the Council must adopt its own CEO Standards.

It is proposed that the Model CEO Standards be adopted, unaltered as the City's Standards.

City of Nedlands

Standards for CEO Recruitment, Performance and Termination

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Policy Purpose:

This Policy is adopted in accordance with section 5.39B of the *Local Government Act 1995*.

Division 1 — Preliminary provisions

1. Citation

These are the *City of Nedlands* Standards for CEO Recruitment, Performance and Termination.

2. Terms used

(1) In these standards —

Act means the Local Government Act 1995;

additional performance criteria means performance criteria agreed by the local government and the CEO under clause 16(1)(b);

applicant means a person who submits an application to the local government for the position of CEO;

contract of employment means the written contract, as referred to in section 5.39 of the Act, that governs the employment of the CEO;

contractual performance criteria means the performance criteria specified in the CEO's contract of employment as referred to in section 5.39(3)(b) of the Act;

job description form means the job description form for the position of CEO approved by the local government under clause 5(2);

local government means the *City of Nedlands*;

selection criteria means the selection criteria for the position of CEO determined by the local government under clause 5(1) and set out in the job description form;

selection panel means the selection panel established by the local government under clause 8 for the employment of a person in the position of CEO.

(2) Other terms used in these standards that are also used in the Act have the same meaning as they have in the Act, unless the contrary intention appears.

Division 2 — Standards for recruitment of CEOs

3. Overview of Division

This Division sets out standards to be observed by the local government in relation to the recruitment of CEOs.

4. Application of Division

- (1) Except as provided in subclause (2), this Division applies to any recruitment and selection process carried out by the local government for the employment of a person in the position of CEO.
- (2) This Division does not apply —
 - (a) if it is proposed that the position of CEO be filled by a person in a class prescribed for the purposes of section 5.36(5A) of the Act; or
 - (b) in relation to a renewal of the CEO's contract of employment, except in the circumstances referred to in clause 13(2).

5. Determination of selection criteria and approval of job description form

- (1) The local government must determine the selection criteria for the position of CEO, based on the local government's consideration of the knowledge, experience, qualifications and skills necessary to effectively perform the duties and responsibilities of the position of CEO of the local government.
- (2) The local government must, by resolution of an absolute majority of the council, approve a job description form for the position of CEO which sets out —
 - (a) the duties and responsibilities of the position; and
 - (b) the selection criteria for the position determined in accordance with subclause (1).

6. Advertising requirements

- (1) If the position of CEO is vacant, the local government must ensure it complies with section 5.36(4) of the Act and the *Local Government (Administration) Regulations 1996* regulation 18A.
- (2) If clause 13 applies, the local government must advertise the position of CEO in the manner referred to in the *Local Government (Administration) Regulations 1996* regulation 18A as if the position was vacant.

7. Job description form to be made available by local government

If a person requests the local government to provide to the person a copy of the job description form, the local government must —

- (a) inform the person of the website address referred to in the Local Government (Administration) Regulations 1996 regulation 18A(2)(da); or
- (b) if the person advises the local government that the person is unable to access that website address —
 - (i) email a copy of the job description form to an email address provided by the person; or
 - (ii) mail a copy of the job description form to a postal address provided by the person.

8. Establishment of selection panel for employment of CEO

- (1) In this clause —
independent person means a person other than any of the following —
 - (a) a council member;
 - (b) an employee of the local government;
 - (c) a human resources consultant engaged by the local government.
- (2) The local government must establish a selection panel to conduct the recruitment and selection process for the employment of a person in the position of CEO.
- (3) The selection panel must comprise —
 - (a) council members (the number of which must be determined by the local government); and
 - (b) at least 1 independent person.

9. Recommendation by selection panel

- (1) Each applicant's knowledge, experience, qualifications and skills must be assessed against the selection criteria by or on behalf of the selection panel.
- (2) Following the assessment referred to in subclause (1), the selection panel must provide to the local government —
 - (a) a summary of the selection panel's assessment of each applicant; and
 - (b) unless subclause (3) applies, the selection panel's recommendation as to which applicant or applicants are suitable to be employed in the position of CEO.
- (3) If the selection panel considers that none of the applicants are suitable to be employed in the position of CEO, the selection panel must recommend to the local government —
 - (a) that a new recruitment and selection process for the position be carried out in accordance with these standards; and
 - (b) the changes (if any) that the selection panel considers should be made to the duties and responsibilities of the position or the selection criteria.
- (4) The selection panel must act under subclauses (1), (2) and (3) —
 - (a) in an impartial and transparent manner; and
 - (b) in accordance with the principles set out in section 5.40 of the Act.
- (5) The selection panel must not recommend an applicant to the local government under subclause (2)(b) unless the selection panel has —
 - (a) assessed the applicant as having demonstrated that the applicant's knowledge, experience, qualifications and skills meet the selection criteria; and

- (b) verified any academic, or other tertiary level, qualifications the applicant claims to hold; and
 - (c) whether by contacting referees provided by the applicant or making any other inquiries the selection panel considers appropriate, verified the applicant's character, work history, skills, performance and any other claims made by the applicant.
- (6) The local government must have regard to, but is not bound to accept, a recommendation made by the selection panel under this clause.

10. Application of cl. 5 where new process carried out

- (1) This clause applies if the local government accepts a recommendation by the selection panel under clause 9(3)(a) that a new recruitment and selection process for the position of CEO be carried out in accordance with these standards.
- (2) Unless the local government considers that changes should be made to the duties and responsibilities of the position or the selection criteria —
- (a) clause 5 does not apply to the new recruitment and selection process; and
 - (b) the job description form previously approved by the local government under clause 5(2) is the job description form for the purposes of the new recruitment and selection process.

11. Offer of employment in position of CEO

Before making an applicant an offer of employment in the position of CEO, the local government must, by resolution of an absolute majority of the council, approve —

- (a) the making of the offer of employment to the applicant; and
- (b) the proposed terms of the contract of employment to be entered into by the local government and the applicant.

12. Variations to proposed terms of contract of employment

- (1) This clause applies if an applicant who is made an offer of employment in the position of CEO under clause 11 negotiates with the local government a contract of employment (the negotiated contract) containing terms different to the proposed terms approved by the local government under clause 11(b).
- (2) Before entering into the negotiated contract with the applicant, the local government must, by resolution of an absolute majority of the council, approve the terms of the negotiated contract.

13. Recruitment to be undertaken on expiry of certain CEO contracts

- (1) In this clause —
- commencement day** means the day on which the *Local Government (Administration) Amendment Regulations 2021* regulation 6 comes into operation.
- (2) This clause applies if —

- (a) upon the expiry of the contract of employment of the person (the incumbent CEO) who holds the position of CEO —
 - (i) the incumbent CEO will have held the position for a period of 10 or more consecutive years, whether that period commenced before, on or after commencement day; and
 - (ii) a period of 10 or more consecutive years has elapsed since a recruitment and selection process for the position was carried out, whether that process was carried out before, on or after commencement day;
- and
- (b) the incumbent CEO has notified the local government that they wish to have their contract of employment renewed upon its expiry.
- (3) Before the expiry of the incumbent CEO's contract of employment, the local government must carry out a recruitment and selection process in accordance with these standards to select a person to be employed in the position of CEO after the expiry of the incumbent CEO's contract of employment.
- (4) This clause does not prevent the incumbent CEO's contract of employment from being renewed upon its expiry if the incumbent CEO is selected in the recruitment and selection process referred to in subclause (3) to be employed in the position of CEO.

14. Confidentiality of information

The local government must ensure that information provided to, or obtained by, the local government in the course of a recruitment and selection process for the position of CEO is not disclosed, or made use of, except for the purpose of, or in connection with, that recruitment and selection process.

Division 3 — Standards for review of performance of CEOs

15. Overview of Division

This Division sets out standards to be observed by the local government in relation to the review of the performance of CEOs.

16. Performance review process to be agreed between local government and CEO

- (1) The local government and the CEO must agree on —
 - (a) the process by which the CEO's performance will be reviewed; and
 - (b) any performance criteria to be met by the CEO that are in addition to the contractual performance criteria.
- (2) Without limiting subclause (1), the process agreed under subclause (1)(a) must be consistent with clauses 17, 18 and 19.

- (3) The matters referred to in subclause (1) must be set out in a written document.

17. Carrying out a performance review

- (1) A review of the performance of the CEO by the local government must be carried out in an impartial and transparent manner.
- (2) The local government must —
 - (a) collect evidence regarding the CEO's performance in respect of the contractual performance criteria and any additional performance criteria in a thorough and comprehensive manner; and
 - (b) review the CEO's performance against the contractual performance criteria and any additional performance criteria, based on that evidence.

18. Endorsement of performance review by local government

Following a review of the performance of the CEO, the local government must, by resolution of an absolute majority of the council, endorse the review.

19. CEO to be notified of results of performance review

After the local government has endorsed a review of the performance of the CEO under clause 18, the local government must inform the CEO in writing of —

- (a) the results of the review; and
- (b) if the review identifies any issues about the performance of the CEO — how the local government proposes to address and manage those issues.

Division 4 — Standards for termination of employment of CEOs

20. Overview of Division

This Division sets out standards to be observed by the local government in relation to the termination of the employment of CEOs.

21. General principles applying to any termination

- (1) The local government must make decisions relating to the termination of the employment of a CEO in an impartial and transparent manner.
- (2) The local government must accord a CEO procedural fairness in relation to the process for the termination of the CEO's employment, including —
 - (a) informing the CEO of the CEO's rights, entitlements and responsibilities in relation to the termination process; and
 - (b) notifying the CEO of any allegations against the CEO; and
 - (c) giving the CEO a reasonable opportunity to respond to the allegations; and
 - (d) genuinely considering any response given by the CEO in response to the allegations.

22. Additional principles applying to termination for performance related reasons

- (1) This clause applies if the local government proposes to terminate the employment of a CEO for reasons related to the CEO's performance.
- (2) The local government must not terminate the CEO's employment unless the local government has —
 - (a) in the course of carrying out the review of the CEO's performance referred to in subclause (3) or any other review of the CEO's performance, identified any issues (the performance issues) related to the performance of the CEO; and
 - (b) informed the CEO of the performance issues; and
 - (c) given the CEO a reasonable opportunity to address, and implement a plan to remedy, the performance issues; and
 - (d) determined that the CEO has not remedied the performance issues to the satisfaction of the local government.
- (3) The local government must not terminate the CEO's employment unless the local government has, within the preceding 12 month period, reviewed the performance of the CEO under section 5.38(1) of the Act.

23. Decision to terminate

Any decision by the local government to terminate the employment of a CEO must be made by resolution of an absolute majority of the council.

24. Notice of termination of employment

- (1) If the local government terminates the employment of a CEO, the local government must give the CEO notice in writing of the termination.
- (2) The notice must set out the local government's reasons for terminating the employment of the CEO.

13.6 Code of Conduct for Council Members, Committee Members and Candidates - Revocation of Previous Decisions and Making of New Decisions

Council	27 April 2021
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	Nil.
Officer	Nicole Ceric, Executive Officer
CEO	Ed Herne, Acting Chief Executive Officer
Attachments	<ol style="list-style-type: none"> 1. City of Nedlands Code of Conduct for Council Members, Committee Members and Candidates for local government elections 2. Complaint – Alleged Breach Form - Code of Conduct for Council Members Committee Members and Candidates 3. Draft Council Code of Conduct Division 3 Complaint Handling Policy
Confidential Attachments	Nil.

Regulation 11(da) – Council agreed that a Council Member should have the option to request their complaint be referred to an external consultant for investigation.

Moved – Councillor Smyth
 Seconded – Councillor Youngman

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

Amendment
 Moved - Councillor Horley
 Seconded - Councillor Mangano

That a clause b vii be added as follows:

A Council Member making a complaint may request that the complaint is referred to an external consultant for investigation.

The AMENDMENT was PUT and was

CARRIED 8/3
(Against: Crs. Poliwka Senathirajah & Tyson)

The Substantive Motion was PUT and

CARRIED UNANIMOUSLY 11/-

Council Resolution

That Council, by absolute majority revoke all parts of Resolution 13.8 made on 23 February 2021 Ordinary Council Meeting,

and

That Council,

- 1. by absolute majority, repeals its Code of Conduct for Council Members, Committee Members and Employees of 23 August 2016;**
- 2. by absolute majority, pursuant to s5.104 of the Local Government Act 1995, adopts the new Code of Conduct for Council Members, Committee Members and Candidates for local government elections for the City of Nedlands, listed as Attachment 1;**
- 3. by absolute majority, pursuant to s5.42 of the Local Government Act 1995, delegate authority to the CEO to authorise an independent external complaints officer for the purposes of Division 3 of the City's Code of Conduct;**
- 4. by simple majority, adopts the Council Code of Conduct Division 3 Complaint Handling Policy listed as Attachment 3; and**
- 5. by simple majority, pursuant to the Local Government (Model Code of Conduct) Regulations 2021:**
 - a. adopts the form for lodging complaints, listed as Attachment 2;**
 - b. authorises the following persons to receive Division 3 complaints and withdrawals of same, relating to Council Members, Committee Members and Candidates:**
 - i. Complaints about Council Members or candidates for elections that become Council Members, excluding those made by the Mayor – the Mayor,**
 - ii. Complaints made by the Mayor excluding those made about the Deputy Mayor – the Deputy Mayor,**
 - iii. Complaints about the Mayor – the Deputy Mayor, unless the complaint is made by the Deputy Mayor, then the CEO**
 - iv. Complaints about the Deputy Mayor made by the Mayor – the CEO,**

- v. **Complaints made jointly by the Mayor and Deputy Mayor, or made jointly against the Mayor and Deputy Mayor – the CEO,**
 - vi. **A Complaints Officer may refer a complaint for further inquiry and report to an external consultant, in accordance with the policy adopted; and**
 - vii. **A Council Member making a complaint may request that the complaint is referred to an external consultant for investigation.**
- 6. notes that pursuant to s5.104 (7) of the Local Government Act 1995, that the Chief Executive Officer will ensure the Code of Conduct is published on the City’s official website, as soon as practical.**

Recommendation to Council

That Council, by absolute majority revoke all parts of Resolution 13.8 made on 23 February 2021 Ordinary Council Meeting,

and

That Council,

1. by absolute majority, repeals its Code of Conduct for Council Members, Committee Members and Employees of 23 August 2016;
2. by absolute majority, pursuant to s5.104 of the Local Government Act 1995, adopts the new Code of Conduct for Council Members, Committee Members and Candidates for local government elections for the City of Nedlands, listed as Attachment 1;
3. by absolute majority, pursuant to s5.42 of the Local Government Act 1995, delegate authority to the CEO to authorise any person as a Complaints Officer for the purposes of Division 3 of the City’s Code of Conduct;
4. by simple majority, adopts the Council Code of Conduct Division 3 Complaint Handling Policy listed as Attachment 3; and
5. by simple majority, pursuant to the Local Government (Model Code of Conduct) Regulations 2021:
 - a. adopts the form for lodging complaints, listed as Attachment 2;
 - b. authorises the following persons to receive Division 3 complaints and withdrawals of same, relating to Council Members, Committee Members and Candidates:

- i. Complaints about Council Members or candidates for elections that become Council Members, excluding those made by the Mayor – the Mayor,
 - ii. Complaints made by the Mayor excluding those made about the Deputy Mayor – the Deputy Mayor,
 - iii. Complaints about the Mayor – the Deputy Mayor, unless the complaint is made by the Deputy Mayor, then the CEO
 - iv. Complaints about the Deputy Mayor made by the Mayor – the CEO,
 - v. Complaints made jointly by the Mayor and Deputy Mayor, or made jointly against the Mayor and Deputy Mayor – the CEO,
 - vi. A Complaints Officer may refer a complaint for further inquiry and report to an external consultant, in accordance with the policy adopted; and
6. notes that pursuant to s5.104 (7) of the Local Government Act 1995, that the Chief Executive Officer will ensure the Code of Conduct is published on the City's official website, as soon as practical.

Executive Summary

Council, at the Ordinary Council Meeting of 23 February 2021 resolved upon several matters in relation to the Code of Conduct for Council Members, Committee Members and Candidates for election.

Further assessment of some of the decisions indicate a need for further clarification and expansion of the resolutions.

It is therefore proposed to revoke the decisions, and to make new decisions which embody much of the 23 February 2021 Council resolutions, but with the additional clarity and qualifications.

In addition, it is recommended that the CEO be delegated authority to authorise other Complaints Officers, if circumstances warrant.

For Council to consider the revocation and make new, or varied resolutions, at least one third of Council Members must support consideration of the propose to revoke.

On the basis that at least one third of Council Members support consideration of the propose to revoke, as evidenced in writing, then the recommendations below may be considered.

Discussion/Overview

Background

At the February 2021 OCM Council resolved on a number of matters and comments are inserted below in blue for assistance in explaining the reasons for the need to change the decision:

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

1. repeals its Code of Conduct of 23 August 2016;
2. pursuant to section 5.104 of the Local Government Act 1995, adopts the new Code of Conduct for Council Members, Committee Members and Candidates for local government elections for the City of Nedlands, listed as Attachment 2;
3. Pursuant to the Local Government (Model Code of Conduct) Regulations 2021;
 - a. regulation 11 (2), adopts the form for lodging complaints, listed as Attachment 3;
 - b. regulation 11 (3), authorises the following persons to receive Division 3 complaints and withdrawals of same, relating to Council Members, Committee Members and Candidates:
 - i. Complaints about Council Members or candidates for elections that become Council Members, excluding those made by the Mayor – the Mayor;
[Comment – This provision effectively means that the Mayor is the Complaints Officer for Division 3 Complaints from any person, in relation to all Council Members, Committee Members and Candidates for Election, except where the Mayor is the complainant, or where the Mayor is the subject of the complaint \(see b. iii below\).](#)

[This decision seems to be in order.](#)

- ii. Complaints made by the Mayor excluding those made by the Deputy Mayor – the Deputy Mayor;
[Comment – This should read – “Complaints made by the Mayor excluding those made about the Deputy Mayor – the Deputy Mayor;”](#)

[This decision needs to be revoked and a fresh decision made.](#)

- iii. Complaints about the Mayor – the Deputy Mayor; and
Comment – This should read – “Complaints about the Mayor – the Deputy Mayor, unless the complaint is made by the Deputy Mayor”

This decision needs to be revoked and a fresh decision made.

- iv. Complaints about the Deputy Mayor made by the Mayor – the CEO for referral to Council; and
Comment – This should read – “Complaints about the Deputy Mayor made by the Mayor – the CEO”
In all cases, no matter who is appointed the Complaints Officer, the latter must report to Council which determines the finding and any action plan.

Thus, the Council itself cannot be the Complaints Officer, a person must be authorised.

This decision needs to be revoked and a fresh decision made.

- v. Or any complaint can be referred to an external consultant.
Comment – It is not clear what Council’s intention was with this resolution – either to appoint an external consultant as a Complaints Officer (in which case the person needs to be named) or to “authorise” any Complaints Officer to be able to engage an “external consultant” to investigate the complaint and report to the Complaints Officer, and Council?

If Council intended that “another person” (in addition to those already authorised) be authorised as a Complaints Officer, to deal with certain matters, or even generally, then either Council needs to authorise that person as a Complaints Officer, or delegate authority to the CEO to authorise such a person.

4. Pursuant to sections 5.104 (7) of the Local Government Act 1995, request the Chief Executive Officer to ensure the Code of Conduct is published on the City’s official website, as soon as practical.
Comment – this resolution is sound, although it is not required, to ensure that the CEO give effect to the provisions of the Act, since there is no discretion to do otherwise.

To revoke a Council decision requires compliance with Reg 10 Local Government (Administration) Regulations 1996:

- at least one third of Council Members must either sign a notice, supporting Council’s consideration of a revocation
- the revocation motion must be carried by an absolute majority
- Council may then resolve the new resolutions

Key Relevant Previous Council Decisions:

2016 OCM resolution to adopt Code of Conduct for Council Members, Committee Members and Employees

February 2021 OCM 13.8, Council resolved:

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

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

Consultation

Consideration given to approaches taken by other local governments as well as advice from WALGA and DLG.

Strategic Implications

How well does it fit with our strategic direction?

This assists in good governance.

How well does it fit with our strategic direction?

This assists in good governance.

Does it involve a tolerable risk?

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

Do we have the information we need?

Yes.

Does this affect any CEO Key Result Areas?

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

Budget/Financial Implications

There will be some associated costs if an external person is contracted to be a complaints officer.

Conclusion

It is preferable for Council to be clear about its intention in relation to several matters arising from the 23 February 2021 Ordinary Council Meeting and adopt the recommendation presented to Council to fulfil the City's new obligations under the Local Government Act 1995.

Code of Conduct

Council Members, Committee Members & Candidates for Local Government Election

Division 1 — Preliminary provisions

1. Citation

This is the City of Nedlands Code of Conduct for Council Members, Committee Members and Candidates.

2. Terms used

(1) In this code —

Act means the *Local Government Act 1995*;

candidate means a candidate for election as a council member;

complaint means a complaint made under clause 11(1);

publish includes to publish on a social media platform.

(2) Other terms used in this code that are also used in the Act have the same meaning as they have in the Act unless the contrary intention appears.

Division 2 — General principles

3. Overview of Division

This Division sets out general principles to guide the behaviour of council members, committee members and candidates.

4. Personal integrity

(1) A council member, committee member or candidate should —

- (a) act with reasonable care and diligence; and
- (b) act with honesty and integrity; and
- (c) act lawfully; and
- (d) identify and appropriately manage any conflict of interest; and

(e) avoid damage to the reputation of the local government.

(2) A council member or committee member should —

- (a) act in accordance with the trust placed in council members and committee members; and
- (b) participate in decision-making in an honest, fair, impartial and timely manner; and
- (c) actively seek out and engage in training and development opportunities to improve the performance of their role; and
- (d) attend and participate in briefings, workshops and training sessions provided or arranged by the local government in relation to the performance of their role.

5. Relationship with others

(1) A council member, committee member or candidate should —

- (a) treat others with respect, courtesy and fairness; and
- (b) respect and value diversity in the community.

(2) A council member or committee member should maintain and contribute to a harmonious, safe and productive work environment.

6. Accountability

A council member or committee member should —

- (a) base decisions on relevant and factually correct information; and
- (b) make decisions on merit, in the public interest and in accordance with statutory obligations and principles of good governance and procedural fairness; and
- (c) read all agenda papers given to them in relation to council or committee meetings; and
- (d) be open and accountable to, and represent, the community in the district.

Division 3 — Behaviour

7. Overview of Division

This Division sets out —

- (a) requirements relating to the behaviour of council members, committee members and candidates; and
- (b) the mechanism for dealing with alleged breaches of those requirements.

8. Personal integrity

(1) A council member, committee member or candidate —

- (a) must ensure that their use of social media and other forms of communication complies with this code; and
- (b) must only publish material that is factually correct.

(2) A council member or committee member —

- (a) must not be impaired by alcohol or drugs in the performance of their official duties; and
- (b) must comply with all policies, procedures and resolutions of the local government.

9. Relationship with others

A council member, committee member or candidate —

- (a) must not bully or harass another person in any way; and
- (b) must deal with the media in a positive and appropriate manner and in accordance with any relevant policy of the local government; and
- (c) must not use offensive or derogatory language when referring to another person; and
- (d) must not disparage the character of another council member, committee member or candidate or a local government employee in connection with the performance of their official duties; and
- (e) must not impute dishonest or unethical motives to another council member, committee member or candidate or a local government employee in connection with the performance of their official duties.

10. Council or committee meetings

When attending a council or committee meeting, a council member, committee member or candidate —

- (a) must not act in an abusive or threatening manner towards another person; and
- (b) must not make a statement that the member or candidate knows, or could reasonably be expected to know, is false or misleading; and
- (c) must not repeatedly disrupt the meeting; and
- (d) must comply with any requirements of a local law of the local government relating to the procedures and conduct of council or committee meetings; and
- (e) must comply with any direction given by the person presiding at the meeting; and
- (f) must immediately cease to engage in any conduct that has been ruled out of order by the person presiding at the meeting.

11. Complaint about alleged breach

- (1) A person may make a complaint, in accordance with subclause (2), alleging a breach of a requirement set out in this Division.
- (2) A complaint must be made —
 - (a) in writing in the form approved by the local government; and
 - (b) to a person authorised under subclause (3); and
 - (c) within 1 month after the occurrence of the alleged breach.
- (3) The local government must, in writing, authorise 1 or more persons to receive complaints and withdrawals of complaints.

12. Dealing with complaint

- (1) After considering a complaint, the local government must, unless it dismisses the complaint under clause 13 or the complaint is withdrawn under clause 14(1), make a finding as to whether the alleged breach the subject of the complaint has occurred.
- (2) Before making a finding in relation to the complaint, the local government must give the person to whom the complaint relates a reasonable opportunity to be heard.
- (3) A finding that the alleged breach has occurred must be based on evidence from which it may be concluded that it is more likely that the breach occurred than that it did not occur.

- (4) If the local government makes a finding that the alleged breach has occurred, the local government may —
 - (a) take no further action; or
 - (b) prepare and implement a plan to address the behaviour of the person to whom the complaint relates.
- (5) When preparing a plan under subclause (4)(b), the local government must consult with the person to whom the complaint relates.
- (6) A plan under subclause (4)(b) may include a requirement for the person to whom the complaint relates to do 1 or more of the following —
 - (a) engage in mediation;
 - (b) undertake counselling;
 - (c) undertake training;
 - (d) take other action the local government considers appropriate.
- (7) If the local government makes a finding in relation to the complaint, the local government must give the complainant, and the person to whom the complaint relates, written notice of —
 - (a) its finding and the reasons for its finding; and
 - (b) (b) if its finding is that the alleged breach has occurred — its decision under subclause (4).

13. Dismissal of complaint

- (1) The local government must dismiss a complaint if it is satisfied that —
 - (a) the behaviour to which the complaint relates occurred at a council or committee meeting; and
 - (b) either —
 - (i) the behaviour was dealt with by the person presiding at the meeting; or
 - (ii) the person responsible for the behaviour has taken remedial action in accordance with a local law of the local government that deals with meeting procedures.
- (2) If the local government dismisses a complaint, the local government must give the complainant, and the person to whom the complaint relates, written notice of its decision and the reasons for its decision.

- (3) If the local government dismisses a complaint, the local government must give the complainant, and the person to whom the complaint relates, written notice of its decision and the reasons for its decision.
- (4) If the local government dismisses a complaint, the local government must give the complainant, and the person to whom the complaint relates, written notice of its decision and the reasons for its decision.

14. Withdrawal of complaint

- (1) A complainant may withdraw their complaint at any time before the local government makes a finding in relation to the complaint.
- (2) The withdrawal of a complaint must be —
 - (a) in writing; and
 - (b) given to a person authorised under clause 11(3).

15. Other provisions about complaints

- (1) A complaint about an alleged breach by a candidate cannot be dealt with by the local government unless the candidate has been elected as a council member.
- (2) The procedure for dealing with complaints may be determined by the local government to the extent that it is not provided for in this Division.

Division 4 — Rules of conduct

Notes for this Division:

1. Under section 5.105(1) of the Act a council member commits a minor breach if the council member contravenes a rule of conduct. This extends to the contravention of a rule of conduct that occurred when the council member was a candidate.
2. A minor breach is dealt with by a standards panel under section 5.110 of the Act.

16. Overview of Division

- (1) This Division sets out rules of conduct for council members and candidates.
- (2) A reference in this Division to a council member includes a council member when acting as a committee member.

17. Misuse of local government resources

- (1) In this clause —

electoral purpose means the purpose of persuading electors to vote in a particular way at an election, referendum or other poll held under the Act, the *Electoral Act 1907* or the *Commonwealth Electoral Act 1918*;

resources of a local government includes —

- (a) local government property; and
 - (b) services provided, or paid for, by a local government.
- (2) A council member must not, directly or indirectly, use the resources of a local government for an electoral purpose or other purpose unless authorised under the Act, or by the local government or the CEO, to use the resources for that purpose.

18. Securing personal advantage or disadvantaging others

- (1) A council member must not make improper use of their office —

- (a) to gain, directly or indirectly, an advantage for the council member or any other person; or
- (b) to cause detriment to the local government or any other person.

- (2) Subclause (1) does not apply to conduct that contravenes section 5.93 of the Act or *The Criminal Code* section 83.

19. Prohibition against involvement in administration

- (1) A council member must not undertake a task that contributes to the administration of the local government unless authorised by the local government or the CEO to undertake that task.
- (2) Subclause (1) does not apply to anything that a council member does as part of the deliberations at a council or committee meeting.

20. Relationship with local government employees

(1) In this clause —

local government employee means a person —

- (a) employed by a local government under section 5.36(1) of the Act; or
- (b) engaged by a local government under a contract for services.

(2) A council member or candidate must not —

- (a) direct or attempt to direct a local government employee to do or not to do anything in their capacity as a local government employee; or
- (b) attempt to influence, by means of a threat or the promise of a reward, the conduct of a local government employee in their capacity as a local government employee; or
- (c) act in an abusive or threatening manner towards a local government employee.

(3) Subclause (2)(a) does not apply to anything that a council member does as part of the deliberations at a council or committee meeting.

(4) If a council member or candidate, in their capacity as a council member or candidate, is attending a council or committee meeting or other organised event (for example, a briefing or workshop), the council member or candidate must not orally, in writing or by any other means —

- (a) make a statement that a local government employee is incompetent or dishonest; or
- (b) use an offensive or objectionable expression when referring to a local government employee.

(5) Subclause (4)(a) does not apply to conduct that is unlawful under *The Criminal Code* Chapter XXXV.

21. Disclosure of information

(1) In this clause —

closed meeting means a council or committee meeting, or a part of a council or committee meeting, that is closed to members of the public under section 5.23(2) of the Act;

confidential document means a document marked by the CEO, or by a person authorised by the CEO, to clearly show that the information in the document is not to be disclosed;

document includes a part of a document;

non-confidential document means a document that is not a confidential document.

- (2) A council member must not disclose information that the council member —
 - (a) derived from a confidential document; or
 - (b) acquired at a closed meeting other than information derived from a non-confidential document.

- (3) Subclause (2) does not prevent a council member from disclosing information —
 - (a) at a closed meeting; or
 - (b) to the extent specified by the council and subject to such other conditions as the council determines; or
 - (c) that is already in the public domain; or
 - (d) to an officer of the Department; or
 - (e) to the Minister; or
 - (f) to a legal practitioner for the purpose of obtaining legal advice; or
 - (g) if the disclosure is required or permitted by law.

22. Disclosure of interests

- (1) In this clause —

interest —

- (a) means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest; and
 - (b) includes an interest arising from kinship, friendship or membership of an association.

- (2) A council member who has an interest in any matter to be discussed at a council or committee meeting attended by the council member must disclose the nature of the interest —
 - (a) in a written notice given to the CEO before the meeting; or
 - (b) at the meeting immediately before the matter is discussed.

- (3) Subclause (2) does not apply to an interest referred to in section 5.60 of the Act.

- (4) Subclause (2) does not apply if a council member fails to disclose an interest because the council member did not know —
 - (a) that they had an interest in the matter; or
 - (b) that the matter in which they had an interest would be discussed at the meeting and the council member disclosed the interest as soon as possible after the discussion began.
- (5) If, under subclause (2)(a), a council member discloses an interest in a written notice given to the CEO before a meeting, then —
 - (a) before the meeting the CEO must cause the notice to be given to the person who is to preside at the meeting; and
 - (b) at the meeting the person presiding must bring the notice and its contents to the attention of the persons present immediately before any matter to which the disclosure relates is discussed.
- (6) Subclause (7) applies in relation to an interest if —
 - (a) under subclause (2)(b) or (4)(b) the interest is disclosed at a meeting; or
 - (b) under subclause (5)(b) notice of the interest is brought to the attention of the persons present at a meeting.
- (7) The nature of the interest must be recorded in the minutes of the meeting.

23. Compliance with plan requirement

If a plan under clause 12(4)(b) in relation to a council member includes a requirement referred to in clause 12(6), the council member must comply with the requirement.

Complaint About Alleged Breach Form Code of conduct for council members, committee members and candidates

Schedule 1, Division 3 of the *Local Government (Model Code of Conduct) Regulations 2021*

- NOTE:** A complaint about an alleged breach must be made —
- (a) in writing in the form approved by the local government
 - (b) to an authorised person
 - (c) within one month after the occurrence of the alleged breach.

Name of person who is making the complaint:
Name: _____ _____

Given Name(s)

Family Name

Contact details of person making the complaint:
Address: _____ Email: _____ Contact number: _____

Name of the local government (city, town, shire) concerned:

Name of council member, committee member, candidate alleged to have committed the breach:

State the full details of the alleged breach. Attach any supporting evidence to your complaint form.

Date of alleged breach:

_____ / _____ / 20_____

SIGNED:

Complainant's signature:

Date of signing: _____ / _____ / 20_____

Received by Authorised Officer

Authorised Officer's Name:

Authorised Officer's Signature:

Date received: _____ / _____ / 20_____

NOTE TO PERSON MAKING THE COMPLAINT:

This form should be completed, dated and signed by the person making a complaint of an alleged breach of the Code of Conduct. The complaint is to be specific about the alleged breach and include the relevant section/subsection of the alleged breach.

The complaint must be made to the authorised officer within one month after the occurrence of the alleged breach.

Please contact the Executive Officer on 9273 3500 for the appropriate email address to lodge this complaint form.

Council Code of Conduct Division 3 Complaint Handling Policy

Status	Council
Responsible Division	Office of the Chief Executive Officer
Objective	This Policy is made to give effect to clause 15(2) of the Local Government (Model Code of Conduct) Regulations 2021 and to determine the procedure for dealing with complaints.
Context	The objective of this Policy is to set out the processes for the management of complaints involving Council Members, Committee Members, and candidates for election in matters relating to breaches of the behaviour requirements in Division 3 of the City's Code of Conduct.

Statement

This Policy is limited to complaints about behaviour breaches by Council Members, Committee Members, and candidates that are matters for consideration under Division 3 of the City's Code of Conduct.

A person may make a complaint, in accordance with the Code of Conduct, and this Policy alleging a behaviour breach.

Definitions

Behaviour Breach means a breach of a behaviour requirement in Division 3 of the Code of Conduct.

Candidate an individual is considered a candidate when their nomination for election is accepted by a Returning Officer under s4.49 of the LG Act. The Code of Conduct applies to the candidate from that point. Any alleged behaviour breach may only be dealt with if the candidate is elected as a Council Member.

Code of Conduct means the Code of Conduct for Council Members, Committee Members and Candidates adopted by the City of Nedlands.

Committee Member includes any Council Member, local government employee or unelected member of the community, in any of those cases, who has been appointed by the council to be a member of a council committee.

Complainant means a person complaining of a behaviour breach by a Council or Committee Member of the City or a candidate.

Complaint means a complaint made under clause 11(1) of the Code of Conduct.

Complaints Officer for the purposes of Division 3 of the Code, means:

- **New Council resolution on complaints officer to be inserted here once resolved 27 April 2021**

Note: The Chief Executive Officer is also the Complaints Officer for the purposes of s5.120 of the Local Government Act 1995, and thus for Division 4 of the Code.

Council Member means an individual who has been elected as a Council Member under the LG Act. This Policy also applies to a Council Member who is a Committee Member on a Council committee.

Evidence means the available facts or information which go to indicate whether or not an allegation of a breach is true or valid. Local governments must use evidence provided by the complainant and by the person to whom the complaint relates, as well as any other available evidence, to decide whether a breach has occurred.

Investigator means a person appointed as Investigator under Part 3 of this Policy.

Report means the report for the council of the outcome of the investigation of a Complaint dealing with the following:

- (1) whether or not the Investigator considers that the behaviour the subject of the Complaint has occurred,
- (2) the evidence relied on by the Investigator under clause 12(3) of the Code for that conclusion; and
- (3) a recommendation as to whether no further action should be taken on the Complaint, or as to the terms of a plan under clause 12(4)(b) of the Code.

Other terms used in this Policy that are also used in the LG Act have the same meanings as they have in the Act unless the contrary intention appears.

Part 1 Making a complaint

1.1 Initiating a Complaint

- Any person may make a Complaint alleging a behaviour breach.
- A Complaint must be in writing on the City's approved form – 'Complaint About Alleged Behaviour Breach form'.
- The complainant must lodge the Complaint with the City's Complaints Officer.
- The complainant must provide with the Complaint, details of the alleged behaviour breach together with any supporting evidence.
- The Complaint must be lodged within one month of the occurrence of the alleged behaviour breach.
- A Complaint must be submitted by the complainant.

- 1.2 A Complaint cannot be submitted anonymously.
- 1.3 The Complaints Officer is to provide all Complaints to the Investigator in accordance with the following clause.
- 1.4 The Complaints Officer within 14 days of receiving a Complaint:
 - must contact the complainant acknowledging that the Complaint has been received,
 - as part of the acknowledgment process, must provide the complainant with a copy of the City's Complaints Policy,
 - must provide the Council or Committee Member to whom the Complaint relates with a copy of the Complaints Policy and a copy of the Complaint (including the name of the complainant); and
 - must send to the Investigator the Complaint together with details of the alleged breach and any supporting evidence provided by the complainant.
- 1.5 Complaints are to be dealt with and considered in an order based on the order in which they are received by the Complaints Officer.
- 1.6 A Complaint relating to a candidate is only to be referred to an Investigator if the candidate is elected as a Council Member, but in any event the Complaint must be lodged within one month of the occurrence of the alleged behaviour breach.

Part 2 Fees and Costs in the complaints process

- 2.1 No fee is payable to lodge a Complaint under this Policy.
- 2.2 The Investigator or a mediator, appointed pursuant to the Policy may charge the City a fee to cover the costs of dealing with the Complaint whether a breach is ultimately found.
- 2.3 Any fee charged by an Investigator or a mediator, is to be based on the time spent in connection with the Complaint and may be established in advance on a quotation or otherwise in accordance with the City's procurement/purchasing policies.

Part 3 Dealing with Complaints

- 3.1 The CEO may appoint a person with relevant legal, or other expertise and knowledge who is not an employee of the City, to review and consider one or more Complaints of behaviour breach and to report on the outcome of any investigation to the CEO for provision to the council.
- 3.2 The CEO is to deal with the remuneration of an Investigator or a complaints mediator, in accordance with Part 2.

Part 4 Mediation

- 4.1 The Investigator must offer mediation to both parties as the first option for dealing with a Complaint and before progressing with the consideration or determination of the Complaint.
- 4.2 If issues raised in the Complaint are resolved to the satisfaction of both parties in mediation and otherwise before the determination of the Complaint, the complainant must lodge a Withdrawal of Complaint in writing with the Complaints Officer.

Part 5 Investigator making a determination

- 5.1 Before making a determination in relation to a Complaint, the Investigator must provide the Council Member or Committee Member to whom the Complaint relates with an opportunity to respond to the allegations in the Complaint and to provide their own comments and evidence for consideration within 14 days of the notification of the Complaint to them by the Complaints Officer.
- 5.2 After considering a Complaint, the Investigator must make a determination as to whether the alleged behaviour breach has occurred.
- 5.3 The determination must be made within 21 days:
 - (a) from receiving a Complaint from the Complaints Officer; or
 - (b) from receiving a copy of the response to the allegations by the person to whom the Complaint relates,whichever is the later.
- 5.4 A determination by the Investigator that the alleged behaviour breach has occurred must be based on evidence from which it may be concluded that it is more likely that the breach occurred than that it did not occur.
- 5.5 Having made a determination on the alleged behaviour breach, the Investigator must inform the Complaints Officer by providing a determination and reasons for it in a Determination and Reasons Report (Report).
- 5.6 The Report must be provided to the Complaints Officer within 14 days of making the determination.
- 5.7 If the Investigator makes a determination that the alleged breach has occurred, the Report must make a recommendation if further action is required and make a recommendation on the plan to address the behaviour of the person to whom the Complaint relates (action plan).

- 5.8 The Investigator may recommend to the Complaints Officer to recommend that Council dismiss a Complaint in accordance with clause 13 of the Code, and if the Investigator concludes that the behaviour the subject of the Complaint is an offence under a local law that deals with meeting procedures, the Complaint should not be dealt with further as a behaviour breach but should be referred to the Complaints Officer.
- 5.9 The Investigator's deliberations and determination are to be confidential and reported only to the Complaints Officer, but subject to any consultation with the person to whom the Complaint relates under the following clause.

Part 6 Action plans

- 6.1 When preparing an action plan under this Policy, the Investigator must consult with the person to whom the Complaint relates. The Council or Committee Member must be provided with the opportunity to be involved in matters such as the timing of meetings or training.
- 6.2 An action plan may include a requirement for the person to whom the Complaint relates to do one or more of the following –
- (a) Engage in mediation,
 - (b) Undertake counselling,
 - (c) Undertake training; or
 - (d) Take other action the local government considers appropriate.
- 6.3 An action plan should be designed to provide the Council or Committee Member with the opportunity and support to demonstrate the professional and ethical behaviour expected of elected representatives. The plan should outline:
- (a) the behaviour(s) of concern,
 - (b) the actions to be taken to address the behaviour(s),
 - (c) who is responsible for the actions; and
 - (d) an agreed timeframe for the actions to be completed.

Part 7 Report provided to council

- 7.1 The Complaints Officer must provide a confidential report to council including:
- (a) a copy of the Complaint,
 - (b) the Report of the Investigator together with the evidence received by the Investigator and any submissions or other communications from the parties,
 - (c) a recommendation on the question whether a behaviour breach has occurred,

- (d) a recommendation as to whether any and if so, what further action is required; and
- (e) if further action is required, a recommendation must be provided to the council on an action plan to address the behaviour of the person to whom the Complaint relates.

Part 8 Council finding

- 8.1 The council must not make a finding that a behaviour breach has occurred without first having given the person to whom the Complaint relates a reasonable opportunity to be heard.
- 8.2 A finding that the alleged behaviour breach has occurred must be based on evidence from which it may be concluded that it is more likely that the breach occurred than that it did not occur.
- 8.3 If the council makes a finding that the alleged breach has occurred, it may resolve to –
- (a) take no further action; or
 - (b) prepare and implement an action plan recommended by the Investigator with or without modifications as it thinks fit.
- 8.4 Based on the Investigator's Report, the evidence and any further comments or submissions by the parties, the council may:
- (a) dismiss the Complaint in accordance with clause 13 of this Policy; or
 - (b) find that the alleged breach has occurred; or
 - (c) find that the alleged breach has not occurred; or
 - (d) if the finding is that the breach has occurred, decide that no further action is required; or
 - (e) if the finding is that a breach has occurred, decide that further action is required and consider the adoption of an action plan; or
 - (f) adopt an action plan to address the behaviour of the person to whom the Complaint relates.
- 8.5 If the council makes a finding that the alleged breach has occurred, it must give reasons for that finding.

Part 9 Complaints Officer acting on council finding

When the council makes a finding in relation to a Complaint, the Complaints Officer must give the complainant and the person to whom the Complaint relates written notice of –

- (a) the finding and the reasons for the finding; and

- (b) if the finding is that the alleged breach has occurred, council's decision on the course of action to be taken including the options in clause 8.2 above.

Part 10 Confidentiality of Complaints

The fact of a Complaint having been made and the details of a Complaint and the processes undertaken in connection with a Complaint including the referral to an Investigator are confidential matters and should not be disclosed unless and until the council has made a formal finding of breach in respect of the Complaint.

Part 11 Dismissal of Complaint

11.1 The council must dismiss a Complaint where:

- (a) the behaviour occurred at a council or committee meeting and the behaviour was dealt with at that meeting; and
- (b) either:
 - (i) the behaviour was dealt with by the person presiding at the meeting; or
 - (ii) the person responsible for the behaviour has taken remedial action in accordance with the local law of the local government that deals with meeting procedures.

11.2 In any event behaviour that is an offence under a local law that deals with meeting procedures cannot be dealt with as a behaviour breach.

Part 12 Withdrawal of Complaint

12.1 A complainant may withdraw their Complaint any time before it is considered by the council.

12.2 The withdrawal of a Complaint must be –

- (a) in writing; and
- (b) given to the Complaints Officer.

Part 13 Compliance with Plan requirement

13.1 The Complaints Officer is to monitor the actions in timeframes set out in an action plan.

13.2 If an action plan includes any of the requirements in clause 8.2 above (i.e., in clause 12.6 of the Code), failure to comply with that requirement is a breach of clause 23 of the Code and as a breach of the Rules of Conduct is a minor breach under s5.105(1) of the LG Act.

Part 14 Complaints that are inappropriate under this Policy

The purpose of the City's Code of Conduct is to guide the decisions, actions and behaviours of Council Members, Committee Members, and candidates for election as a Council Member.

A breach of the Rules of Conduct (as per Division 4 of the Code of Conduct) is a minor breach under s5.105(1) of the LG Act, and is not the intended subject of this Policy.

The objective of this Policy is to deal with matters relating to breaches of the behaviour requirements in Division 3 of the Code of Conduct, and all Complaints under this Policy should be made with that objective in mind.

Consequently, Complaints such as the following are inappropriate to be dealt with under this Policy:

- (a) Complaints made with the intent of addressing personal grievances or disagreements,
- (b) Complaints made to express dissatisfaction with a Council or Committee Member's lawfully made decisions or performance of their role,
- (c) Minor breaches under s5.105(1) of the LG Act,
- (d) Serious breaches under s5.114 of the LG Act; and
- (e) Allegations of corruption.

Part 15 Vexatious or unreasonable persistence complaints

Some complainants may persist in disagreeing with the action or decision taken in relation to their complaint or they may contact Council or the Chief Executive Officer persistently about the same issue.

Where a complaint has been considered by the Complaints Officer and the Council in accordance with this Policy, but the complainant refuses to accept the decisions and actions, as outcomes of the complaint, the Chief Executive Officer (or Complaints Officer) may advise the complainant, in writing that no further consideration will be given to complaints of any kind, that is the same, or substantially the same, and raises no new matters for consideration, when compared with previous communications. In considering application of this processes the Chief Executive Officer must have regard for Guidelines on Complaint Handling (Ombudsman Western Australia Jan 2017).

Related documentation

Guidelines on Complaint Handling (Ombudsman Western Australia) January 2017
AS/NZS 10002-2014 Guidelines for Complaint Management in Organizations

Related local law and legislation

Local Government Act 1995, Part 5, and others
Local Government (Model Code of Conduct) Regulations 2021
City of Nedlands Code of Conduct for Council Members, Committee Members and
Candidates for election

Related delegation

Delegation to CEO to be inserted following Council Resolution

Review History

Adopted by Council xxx

13.7 No. 65 Dalkeith Road, Nedlands – 5 Grouped Dwellings

Council	27 April 2021
Applicant	Sandro Venafro
Landowner	Canute Australia Pty Ltd
Director	Tony Free – Director Planning & Development
Employee Disclosure under section 5.70 Local Government Act 1995	<p>The author, reviewers and authoriser of this report declare they have no financial or impartiality interest with this matter.</p> <p>There is no financial or personal relationship between City staff and the proponents or their consultants.</p> <p>Whilst parties may be known to each other professionally, this relationship is consistent with the limitations placed on such relationships by the Codes of Conduct of the City and the Planning Institute of Australia.</p>
Report Type Quasi-Judicial	When Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications and other decisions that may be appealable to the State Administrative Tribunal.
Reference	DA20-58038
Previous Item	Nil
Delegation	In accordance with the City's Instrument of Delegation, Council is required to determine the application due to objections being received.
Attachments	1. Site Photographs
Confidential Attachments	<ol style="list-style-type: none"> 1. Development Plans (CONFIDENTIAL) 2. Development Perspective (CONFIDENTIAL) 3. Applicant Justification (CONFIDENTIAL) 4. Assessment (CONFIDENTIAL)

Moved – Councillor Youngman

Seconded – Councillor Senathirajah

That the Recommendation to Council be adopted subject to the removal of clause 4.

Lost 1/10

(Against: Deputy Mayor McManus Crs. Horley Smyth Bennett Mangano Poliwka Hodsdon Wetherall Senathirajah & Tyson)

Regulation 11(da) – Not Applicable – Adopted Amended Administration Recommendation

Moved – Councillor Poliwka

Seconded – Councillor Hodsdon

Council Resolution

In accordance with clause 68(2) of the Deemed Provisions, Council approves the development application dated 3 December 2020, with amended plans received on 4 March 2021 and 14 April 2021 for five (5) Grouped Dwellings at Lot 318 (No. 65) Dalkeith Road, Nedlands, subject to the following conditions:

1. This approval is for a 'Residential' land use as defined under the City of Nedlands Local Planning Scheme No.3 and the subject land may not be used for any other use without prior approval of the City.
2. The development shall at all times comply with the application and the approved plans, subject to any modifications required as a consequence of any condition(s) of this approval.
3. Prior to the issue of a Building Permit, a Construction Management Plan shall be submitted to the satisfaction of the City. The approved construction shall be observed at all times throughout the construction process to the satisfaction of the City.
4. The proposed Site Plan shall be amended in the following manner:
 - a. The proposed visitor parking bay as marked in red on the approved plan to be deleted and the area replaced with soft landscaping which will include a minimum of one (1) medium (200L) tree.
 - b. The proposed Landscape Plan is to be updated to accommodate the additional landscape area required as part of this condition, to the satisfaction of the City of Nedlands.
5. Prior to the issue of a Building Permit, the applicant shall provide an updated Landscape Plan which shall be implemented and thereafter complied with by the landowner(s) for the life of the development to the satisfaction of the City of Nedlands.
6. The Acoustic Assessment Report dated 4 December 2020 prepared by ND Engineering Consulting Engineers forms part of this development approval and shall be complied with at all times to the satisfaction of the City. Recommendations contained within the Acoustic Assessment Report to achieve compliance with the *Environmental Protection (Noise) Regulations 1997* are to be carried

out and maintained for the lifetime of the development to the satisfaction of the City of Nedlands.

7. Waste management for the development shall comply with the approved Waste Management Plan prepared by CF Town Planning & Development dated 4 March 2021. The Waste Management Plan shall be implemented and thereafter complied with by the landowner(s) for the life of the development to the satisfaction of the City of Nedlands.
8. Prior to occupation of the development all fencing/visual privacy screens and obscure glass panels to major openings and unenclosed active habitable areas as annotated on the development plans dated 4 March 2021, shall be screened in accordance with the Residential Design Codes. Screening referred to in c1.1(ii) of the Residential Design Codes Volume 1 is to be in the form of;
 - a. Fixed obscured or translucent glass to a height of 1.60 metres above finished floor level, or
 - b. Timber screens, external blinds, window hoods and shutters to a height of 1.6m above finished floor level that are at least 75% obscure.
 - c. A minimum sill height of 1.60 metres as determined from the internal floor level; or
 - d. An alternative method of screening approved by the City of Nedlands.

The required setbacks and/or screening shall be thereafter maintained to the satisfaction of the City of Nedlands.

9. Prior to occupation of the development the finish of the parapet walls is to be finished externally to the same standard as the rest of the development in:
 - a. Face brick;
 - b. Painted render
 - c. Painted brickwork; or
 - d. Other clean material as specified on the approved plans.

And maintained thereafter to the satisfaction of the City of Nedlands.

10. In accordance with the Australian Standard AS2890.1 (as amended), all car parking and vehicle manoeuvring areas are to maintain adequate circulation space, free of intrusions such as doors and storage areas which do not compromise the minimum parking dimensions required under AS2890.1.
11. The parking bays and vehicle access areas shall be drained, paved and constructed in accordance with the approved plans and are to comply with the requirements of AS/NZS 2890.1:2004 prior to the occupation or use of the development.

- 12. All footings and structures shall be constructed wholly inside the site boundaries of the property's Certificate of Title.**
- 13. The location of any bin stores shall be located behind the street alignment, screened so as not to be highly visible from the street or public place and constructed to the City's satisfaction.**
- 14. All stormwater from the development, which includes permeable and impermeable areas shall be contained onsite.**
- 15. Prior to occupation of the development, all external fixtures including, but not limited to, TV and radio antennae, satellite dishes, plumbing vents and pipes, solar panels, air conditioners, hot water systems and utilities shall be integrated into the design of the building and not be visible from the primary street to the satisfaction of the City.**

CARRIED 7/4

(Against: Crs. Horley Bennett Mangano & Youngman)

Recommendation to Council

In accordance with clause 68(2) of the Deemed Provisions, Council approves the development application dated 3 December 2020, with amended plans received on 4 March 2021 and 14 April 2021 for five (5) Grouped Dwellings at Lot 318 (No. 65) Dalkeith Road, Nedlands, subject to the following conditions:

1. This approval is for a 'Residential' land use as defined under the City of Nedlands Local Planning Scheme No.3 and the subject land may not be used for any other use without prior approval of the City.
2. The development shall at all times comply with the application and the approved plans, subject to any modifications required as a consequence of any condition(s) of this approval.
3. Prior to the issue of a Building Permit, a Construction Management Plan shall be submitted to the satisfaction of the City. The approved construction shall be observed at all times throughout the construction process to the satisfaction of the City.
4. The proposed Site Plan shall be amended in the following manner:
 - a. The proposed visitor parking bay as marked in red on the approved plan to be deleted and the area replaced with soft landscaping which will include a minimum of one (1) medium (200L) tree.
 - b. The proposed Landscape Plan is to be updated to accommodate the additional landscape area required as part of this condition, to the satisfaction of the City of Nedlands.

5. Prior to the issue of a Building Permit, the applicant shall provide an updated Landscape Plan which shall be implemented and thereafter complied with by the landowner(s) for the life of the development to the satisfaction of the City of Nedlands.
6. The Acoustic Assessment Report dated 4 December 2020 prepared by ND Engineering Consulting Engineers forms part of this development approval and shall be complied with at all times to the satisfaction of the City. Recommendations contained within the Acoustic Assessment Report to achieve compliance with the *Environmental Protection (Noise) Regulations 1997* are to be carried out and maintained for the lifetime of the development to the satisfaction of the City of Nedlands.
7. Waste management for the development shall comply with the approved Waste Management Plan prepared by CF Town Planning & Development dated 4 March 2021. The Waste Management Plan shall be implemented and thereafter complied with by the landowner(s) for the life of the development to the satisfaction of the City of Nedlands.
8. Prior to occupation of the development all fencing/visual privacy screens and obscure glass panels to major openings and unenclosed active habitable areas as annotated on the development plans dated 4 March 2021, shall be screened in accordance with the Residential Design Codes. Screening referred to in c1.1(ii) of the Residential Design Codes Volume 1 is to be in the form of;
 - a. Fixed obscured or translucent glass to a height of 1.60 metres above finished floor level, or
 - b. Timber screens, external blinds, window hoods and shutters to a height of 1.6m above finished floor level that are at least 75% obscure.
 - c. A minimum sill height of 1.60 metres as determined from the internal floor level; or
 - d. An alternative method of screening approved by the City of Nedlands.

The required setbacks and/or screening shall be thereafter maintained to the satisfaction of the City of Nedlands.

9. Prior to occupation of the development the finish of the parapet walls is to be finished externally to the same standard as the rest of the development in:
 - a. Face brick;
 - b. Painted render
 - c. Painted brickwork; or
 - d. Other clean material as specified on the approved plans.

And maintained thereafter to the satisfaction of the City of Nedlands.

10. Prior to occupation of any part of the development, the one (1) visitor car parking bay shown on the approved plans shall be surface marked "visitors only" and sign posted accordingly and thereafter maintained by the responsible entity (strata/corporate body) for the life of the development to the satisfaction of the City of Nedlands.
11. In accordance with the Australian Standard AS2890.1 (as amended), all car parking and vehicle manoeuvring areas are to maintain adequate circulation space, free of intrusions such as doors and storage areas which do not compromise the minimum parking dimensions required under AS2890.1.
12. The parking bays and vehicle access areas shall be drained, paved and constructed in accordance with the approved plans and are to comply with the requirements of AS/NZS 2890.1:2004 prior to the occupation or use of the development.
13. All footings and structures shall be constructed wholly inside the site boundaries of the property's Certificate of Title.
14. The location of any bin stores shall be located behind the street alignment, screened so as not to be highly visible from the street or public place and constructed to the City's satisfaction.
15. All stormwater from the development, which includes permeable and impermeable areas shall be contained onsite.
16. Prior to occupation of the development, all external fixtures including, but not limited to, TV and radio antennae, satellite dishes, plumbing vents and pipes, solar panels, air conditioners, hot water systems and utilities shall be integrated into the design of the building and not be visible from the primary street to the satisfaction of the City.

Executive Summary

The purpose of this report is for Council to determine a Development Application received from the applicant on the 3 December 2020, for proposed five (5) two-storey grouped dwellings located at Lot 318 (No. 65) Dalkeith Road, Nedlands.

A demolition permit was issued on 17 September 2020 by the City of Nedlands (the City). A site inspection to the site on 23 March 2021 revealed that the site has been cleared and the existing single house and significant trees removed.

Amended plans were received on 4 March 2021, in response to the officers planning assessment. No public consultation for the proposed development was undertaken in accordance with the City's Local Planning Policy – Consultation of Planning Proposals, as the proposed variations sought by the proposal were assessed as not having adverse impact on adjoining properties.

This application is presented to Council for determination in accordance City’s Instrument of Delegation, due to the application proposing five grouped dwellings. It is recommended that the application be approved by Council as it is considered to satisfy the design principles of the Residential Design Codes (R-Codes) Volume 1 and is unlikely to have a significant adverse impact on the local amenity and character subject to conditions.

Background

Land Details

Metropolitan Region Scheme Zone	Urban
Local Planning Scheme Zone	Residential
R-Code	R60
Land area	1011.7m ²
Additional Use	No
Special Use	No
Local Development Plan	No
Structure Plan	No
Land Use	Existing – Residential (Single House) Proposed – Residential (Grouped Dwelling)
Use Class	P – Permitted

Locality Plan

The subject site currently comprises one lot at No. 65 Dalkeith Road, Nedlands (the subject site) which is currently vacant. The site previously contained a Single House and significant trees which have recently been removed.

The subject site is located on the west side of Dalkeith Road and is surrounded by predominately single residential houses which have a current density coding of R60 to the northern, western, and southern boundaries. The subject site abuts one property with a higher density coding of R160 on the north-western corner (10A and 10B Mountjoy Road, Nedlands).

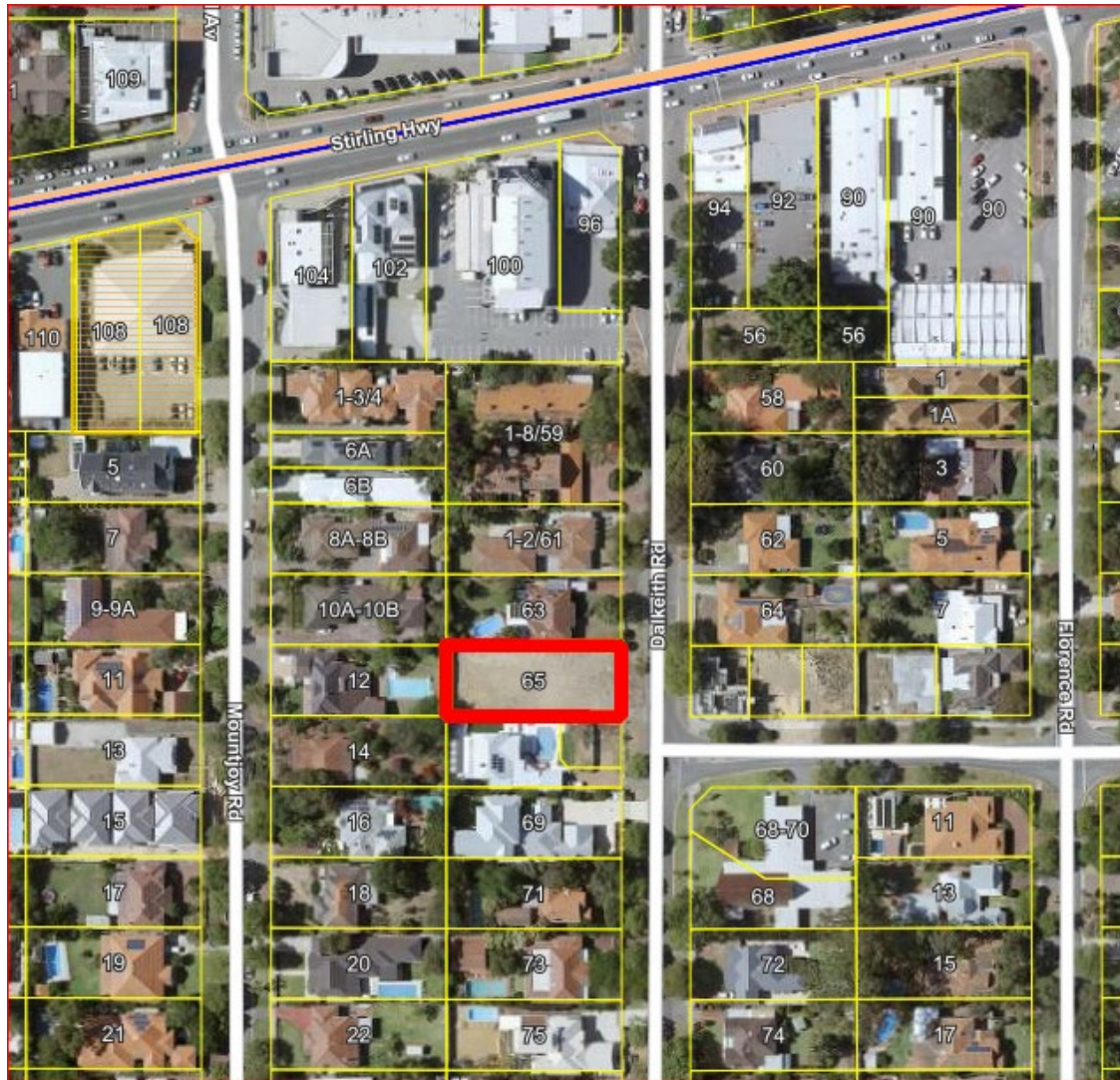


Figure 1 – Aerial Map

The subject site is located within a block bounded by Stirling Highway to the north, Dalkeith Road to the east, Jenkins Avenue to the south and Mountjoy Road to the west. The densities within the street block transition from R-AC1 along Stirling Highway intended for Mixed Use and Multiple Dwelling developments to R160 for lots located in the middle of the block and then to a density coding of R60. Lots south of Jenkins Avenue have a retained density coding of R10.

The topography of the subject site includes a slight level change of approximately 1.5m and falls from rear western lot boundary to Dalkeith Road.



Figure 2 – Zoning Map

Application Details

The applicant seeks development approval, for the construction of five (5) two storey grouped dwellings, details of which are as follows:

- Two-storey grouped dwellings each of which comprise three (3) bedrooms, two (2) bathrooms and living areas;
- A total of seven (7) x 200L medium sized *Corymbia Ficifolia* (red flowering gum) trees to be planted on site;
- The vehicle access driveway located along the southern lot boundary will service all five of the grouped dwellings, reducing the number of crossovers to one on Dalkeith Road, whilst being able to retain the one (1) existing street tree on the verge;
- Each grouped dwelling will have access to a double garage;
- One (1) visitor parking bay is located within the front setback area;

- The visitor bay will be paved with a water permeable/pervious paving that will allow water to filter through and grass to grow through;
- A bulk waste storage area is located to the rear of the subject site adjacent to Unit 5.;
- A bin storage area will accommodate five (5) 240L recycle waste bins, three (3) 240L general waste bins and two (2) 240L Food Organics Garden Organics (FOGO) bins located to the west of Unit 5.

An alternative to the proposed permeable paving is to remove the visitor parking space in favour of additional landscaping. The inclusion of additional trees in the street setback area will provide a softer interface between the street and the development, consistent with the character of the area. This is included as a condition of approval and further discussed in the report.

By way of justification in support of the development application the applicant has provided a justification which is attached to this report.

Consultation

The applicant is seeking variations to the Deemed-to-Comply provisions and assessment under the Design Principles of the R-Codes for the following:

- Element 5.3.1 – Outdoor living areas
Unit 1 outdoor living areas is located within the primary street setback area.
- Element 5.3.2 – Landscaping
Landscaped areas within the front setback area is proposed to be 35% in lieu of 50% minimum.
- Element 5.4.5 – Utilities and facilities
Units 2, 3, 4 and 5 store widths are proposed to be 1.0m in width in lieu of 1.5m minimum.

The development application was not required to be advertised given the proposed variations did not result in an adverse impact to adjoining properties. This is consistent with the City's Local Planning Policy - Consultation of Planning Proposals.

Assessment of Statutory Provisions

Planning and Development (Local Planning Schemes) Regulations 2015

Schedule 2, Part 9, clause 67(2) (Matters to be considered by local government) stipulates 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.

In accordance with provisions (m) and (n) of the Regulations clause 67(2), due regard is to be given to the likely effect of the proposed development's height, scale, bulk and appearance, and the potential impact it will have on the local amenity.

Provisions	Proposal	Satisfies
<p>m) the compatibility of the development with its setting, including —</p> <p>i. the compatibility of the development with the desired future character of its setting; and</p> <p>ii. the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;</p>	<p>The surrounding area is varied in terms of built form but predominated by single dwellings with several examples of grouped closer to Stirling Highway. The area's housing stock is similarly varied in terms of roof forms, height, and setbacks. The City acknowledges that over time, the existing built form character within the locality will change and a new built form will emerge.</p> <p>The proposed development for five (5) grouped dwellings is a departure from the majority of existing single houses along Dalkeith Road. However, the proposed built form is still consistent with the R60 coding that is expected to shape the future character of the locality.</p> <p>As viewed from surrounding streets, the development is considered to have architectural merit which uses design references such as concealed roofs, rendered walls, light colour scheme for walls, darker coloured roofing, Colorbond roofing material and inclusion of windows overlooking the street which will transition well with some of the existing examples along Dalkeith Road for example:</p> <ul style="list-style-type: none"> • 66 Dalkeith Road- A new two storey render, light coloured walls and Colorbond build on the corner of Dalkeith Road and Edward Street. • 69 Dalkeith Road- A two storey red brick and Colorbond build. • 75 Dalkeith Road- A two storey painted white house with Colorbond roofing. • 80 and 87 Dalkeith Road- A dwelling with light rendered walls and darker coloured roof schemes. 	<p>Partially</p>

	<p>It should be noted that there has been a number of recent subdivisions and development proposed along Dalkeith Road which will shape the future character of the streetscape for instance:</p> <ul style="list-style-type: none"> • Approved subdivision for three (3) green title lots at 66 Dalkeith Road. Currently a two storey Single House on the corner of Dalkeith Road and Edward street is under construction. • Approved subdivision for two (2) survey strata lots at 67 Dalkeith Road. <p>Based on the above, the proposal is considered compatible with nearby lots (based on the proposed height, bulk, orientation and contemporary design) when having regard to the desired future setting of Dalkeith Road.</p>	
<p>n) the amenity of the locality including the following —</p> <ol style="list-style-type: none"> i. environmental impacts of the development; ii. the character of the locality; iii. social impacts of the development; 	<p>The proposal incorporates a number of new vegetation within the proposed development such as:</p> <ul style="list-style-type: none"> • A total of seven (7) x 200L medium sized <i>Corymbia Ficifolia</i> (red flowering gum) trees are to be planted on site which includes two within the front setback area. The proposed trees will have a minimum of 6.0m tree canopy diameter at maturity; and • A variety of vegetation such as Emu Bush, Red Bottlebrush shrub, fan flowers and <i>Grenvillia</i> flowers throughout the development. <p>It is recommended that the proposed landscaping should be improved by removing the visitor car parking space and landscaping of this area. The inclusion of additional trees in the street setback area will provide a softer interface between the street and the development, consistent with the</p>	<p>Partially</p>

	<p>character of the area. This is included as a condition of approval.</p> <p>Given the scale of the residential development, there are no social impacts as a direct result of the proposed development.</p>	
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Local Planning Scheme No. 3

Clause 9: Aims of Scheme

Requirement	Proposal	Satisfies
a) Protect and enhance local character and amenity	<p>The surrounding area is characterised by commercial tenancies along Stirling Highway which is within 160m of the subject site. A number of grouped dwelling developments exist adjacent to the commercial tenancies within the R160 density coding.</p> <p>Surrounding the subject site there are still a number of residential single houses characterised by one or two storeys with a mix of original and contemporary dwellings styles.</p> <p>The City acknowledges that the proposed built form, which responds to the Residential R60 code is a departure from the existing built form in that it is proposing grouped dwellings. However, the development is limited to two storeys in height rendering it relatively consistent and sympathetic with the existing streetscape. This is considered more appropriate than multiple dwellings which could be developed.</p>	Yes
b) Respect the community vision for the development of the district;	<p>The development is not considered to adversely affect the community vision for the development of the district in that it reflects the endorsed Local Planning Strategy.</p> <p>The Draft Local Planning Policy – Melvista West Transition Zone seeks to establish a localised planning response for the Melvista West Transition Zone. The subject site is located within this precinct. A discussion of the policy is provided later in the report.</p>	Yes
c) Achieve quality residential	<p>The built form of the development has been assessed and is considered to achieve or can be made to achieve all relevant design</p>	Yes

built form outcomes for the growing population;	principles of the R-Codes Vol. 1 and is consistent with the expectations of the Residential R60 density coding.	
d) To develop and support a hierarchy of activity centres;	The development is consistent with the intent of the R60 density code identified by Local Planning Scheme No. 3.	Yes
e) To integrate land use and transport systems;	The development is located approximately 160m from Stirling Highway, which is serviced by several buses including Bus 102, 103, 107 and high frequency Bus 998.	Yes
f) Facilitate improved multi-modal access into and around the district;	The site is well located to walking networks including a pedestrian footpath which is located directly on the other side of Dalkeith Road.	Yes
g) Maintain and enhance the network of open space;	The development does not impact the City's network of open space.	Yes
h) Facilitate good public health outcomes;	The development is not considered to adversely affect the desired public health outcomes.	Yes
i) Facilitate a high-quality provision of community services and facilities;	The development is not considered to adversely affect the community services or facilities and will contribute to ensuring their viability.	Yes
j) Encourage local economic development and employment opportunities;	The development is considered to positively contribute to the support of local businesses, during and post-construction.	Yes
k) To maintain and enhance natural resources;	The development retains one (1) street tree, which is considered a positive outcome for this type of application.	Yes
l) Respond to the physical and climatic conditions;	The development maintains solar access to adjoining properties by having appropriate setbacks. The dwelling design encompasses cross ventilation and adequate ceilings to allow for effective air circulation.	Yes

m) Facilitate efficient supply and use of essential infrastructure;	The development does not negatively impact this objective.	Yes
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Clause 16: Residential Zone Objectives

Requirement	Proposal	Satisfies
To provide for a range of housing and a choice of residential densities to meet the needs of the community;	The proposal is considered to provide a type of housing that will contribute to the City's housing diversity.	Yes
To facilitate and encourage high quality design, built form and streetscapes throughout residential areas;	The development has achieved an acceptable design, with an appropriate built form and streetscape presentation. It is noted that a multiple dwelling outcome may have achieved a smaller footprint at the subject site.	Yes
To provide for a range of non-residential uses, which are compatible with and complementary to residential development;	This objective is not applicable to the subject application.	N/A
To ensure development maintains compatibility with the desired streetscape in terms of bulk, scale, height, street alignment and setbacks;	<p>The development is considered to strike the balance between the existing streetscape character and the future character of this area subject to compliance with condition requiring the removal of the visitor's car parking bay and planting of at least an additional tree in the front setback area.</p> <p>The City considers that the proposal, subject to compliance with conditions will complement the local character and amenity of the site, with the two-storey height provision being consistent with the surrounding area.</p>	Partially

Policy/Local Development Plan Consideration

Design of the Built Environment (State Planning Policy 7.0)

The applicant has prepared a submission in response to State Planning Policy 7.0 (refer to **Attachment 1**). Administration considers that the proposed development adequately responds to the variations proposed and on balance is considered appropriate in its context.

Design Principle	Officer Comment
<p>1. Context and Character</p> <p>Good design responds to and enhances the distinctive characteristics of a local area, contributing to a sense of place.</p>	<p>The built form is sympathetic to its surrounding development and is developing to the higher density coding potential.</p> <p>Being proximate to the edge of the transitional area, it is entirely appropriate for a two-storey grouped dwelling development to be located on this site. It successfully negotiates the need for infill and to transition the built form down from the intended heights on Stirling Highway to the lower density area south of Jenkins Avenue which is zoned R10.</p> <p>The development is a contemporary build, reinforcing its unique distinctiveness and responding sympathetically to local building forms and patterns such as the use of white rendered walls, Colorbond roofs and square framed windows. The proposal fits within the characteristics of the local area as developments of a similar finish and contemporary design have been built along Dalkeith Road such as:</p> <ul style="list-style-type: none"> • 66 Dalkeith Road- A new two storey render and Colorbond build on the corner of Dalkeith Road and Edward Street. • 69 Dalkeith Road- A two storey red brick and Colorbond build. • 75 Dalkeith Road- A two storey painted white house with Colorbond roofing. • 80 and 87 Dalkeith Road- A dwelling with light rendered walls and darker coloured roof schemes. <p>Furthermore, Unit 1 is oriented to the primary street, by virtue of the high number of street-facing windows, an outdoor living area and ground and upper floor windows is considered consistent with the prevailing residential character of Dalkeith Road.</p> <p>The provision of a variety of landscaping vegetation and addition of two medium sized trees within in the front setback area and removal of the visitor’s car</p>

	<p>parking bay resulting in additional landscaping, as conditioned, will help contribute to the existing leafy-green streetscape of Dalkeith Road. It is noted that the development only has one driveway, allowing the retention of a street tree and maintaining verge space. The street setback area can be further improved by removal of the visitor car parking space with a resultant increase in landscaping area and tree planting.</p> <p>This principle is considered to have been met as the design positively contributes to the identity of an area including adjacent sites, streetscapes and the surrounding neighbourhood subject to compliance with conditions.</p>
<p>2. Landscape Quality</p> <p>Good design recognises that together landscape and buildings operate as an integrated and sustainable system, within a broader ecological context.</p>	<p>The proposed development plans show landscaped areas for each unit and within the front setback area. This can be improved through application of condition to remove the visitor car parking bay and replace with landscaped area with additional tree and vegetation. A condition is also recommended to amend the Landscape Plan to reflect the removal of the visitor car parking bay.</p> <p>Proposed vegetation within the development includes:</p> <ul style="list-style-type: none"> • A total of seven (7) x 200L medium sized <i>Corymbia Ficifolia</i> (red flowering gum) trees are to be planted on site which includes two within the front setback area. The proposed trees will have a minimum of 6.0m tree canopy diameter at maturity; and • A variety of vegetation such as Emu Bush, Red Bottlebrush shrub, fan flowers and <i>Grenvillia</i> flowers throughout the development. <p>The proposal of a variety of native vegetation is considered to provide a positive outcome for the benefit of the environment, the climate, the future residents of the grouped dwelling and the amenity of the City of Nedlands.</p> <p>It is noted that all existing vegetation on the site has been removed to accommodate this development. In order to adequately address the principle, it will be necessary to create a completely new landscape for the site. In order to achieve this, the proposed landscape plan is recommended to be augmented by removal of the visitor parking space within the street setback area. Instead of parking, this area can be</p>

	<p>utilised for landscaping, including the provision of a minimum of one additional medium-sized tree. This will ensure the development better integrates with the surrounding environment, which is considered to be 'leafy green'.</p>
<p>3. Built form and scale</p> <p>Good design ensures that the massing and height of development is appropriate to its setting and successfully negotiates between existing built form and the intended future character of the local area.</p>	<p>The two storey grouped dwellings are considered sympathetic and characteristic of the existing and emerging dwellings within the locality and is not considered to negatively impact the surrounding properties by way of building height, setbacks, or overshadowing.</p> <p>This principle is considered to have been met as the new development positively responds to the built form and topography of the surrounding buildings. The orientation and articulation of the built form delivers an outcome which is suited to the character of the adjacent streetscape and positively contributes to the amenity of the future development, the adjoining sites, and the locality.</p>
<p>4. Functionality and build quality</p> <p>Good design meets the needs of users efficiently and effectively, balancing functional requirements to perform well and deliver optimum benefit over the full life cycle.</p>	<p>The proposal includes sizable bedrooms and open plan living areas making the dwellings functional and accessible dwelling for all demographics.</p> <p>The site is accommodated with building utilities and services in an integrated manner so as not to negatively detriment the amenity of the site.</p> <p>All rooms are of an appropriately size and the layout is straight-forward so as to provide functional environments and spaces that are suited to their intended purpose and arranged to facilitate ease of use.</p> <p>The principle is considered to have been met as the design provides functionality and build quality without detriment to the appearance, functionality and serviceability of the dwellings.</p>
<p>5. Sustainability</p> <p>Good design optimises the sustainability of the built environment, delivering positive environmental, social, and economic outcomes.</p>	<p>Predominately north facing outdoor living areas are provided for the proposed dwellings where possible and design is supported as it maximises the northern aspect of the site.</p> <p>This principle is considered to have been met as the design responds to site conditions by providing appropriate orientation and natural ventilation.</p>

<p>6. Amenity</p> <p>Good design provides successful places that offer a variety of uses and activities while optimising internal and external amenity for occupants, visitors, and neighbours, providing environments that are comfortable, productive, and healthy.</p>	<p>The proposed design provides an appropriate amount of indoor and outdoor activity space, with reasonably sized bedrooms, living spaces and an outdoor living area which is orientated north. The site planning considers the impact of overshadowing and bulk by limiting boundary walls to the rear and locates the common property driveway along the southern lot boundary to minimise overshadowing.</p> <p>This principle is considered to have been met as the design delivers internal amenity with rooms and spaces that are adequately sized, comfortable, and easy to use, with good levels of daylight, natural ventilation, and outlook. This principle is considered to have been met as the site is afforded with good external amenities within proximity.</p>
<p>7. Legibility</p> <p>Good design results in buildings and places that are legible, with clear connections and easily identifiable elements to help people find their way around.</p>	<p>The design provides for a clear and definable pedestrian and vehicle entrances which provides for a clear delineation of spaces from the public and private realm.</p> <p>This principle is considered to have been met as the design makes the site easy to navigate, with recognisable entry and exit points and being well-connected to existing movement network to Dalkeith Road. The sight lines are well-considered and the movement through the development is logical and intuitive.</p>
<p>8. Safety</p> <p>Good design optimises safety and security, minimising the risk of personal harm and supporting safe behaviour and use.</p>	<p>Each dwelling has a major opening facing the driveway or street, providing adequate passive surveillance. Furthermore, there are no areas capable of being used for concealment.</p> <p>All public areas are to be provided with lighting to improve visibility. The lighting is operated by sensor where appropriate to reduce energy consumption and light spill.</p> <p>This principle is considered to have been met as safety and security is promoted by maximising opportunities for passive surveillance of public and communal areas and minimising areas of concealment. The design provides a positive, clearly defined relationship between public and private spaces and addresses the need to provide optimal safety and security both within a development and to the adjacent public realm.</p>

<p>9. Community</p> <p>Good design responds to local community needs as well as the wider social context, providing environments that support a diverse range of people and facilitate social interaction.</p>	<p>The development provides a degree of medium density dwelling diversity within the City by improving the range of housing availability in the area and accommodating for a wider range of demographics.</p> <p>This principle is considered to have been met as the new development has the capacity to adapt to changing demographics, an ageing population where applicable, new uses, and people with disability. The design provides a housing choice for different demographics and accommodating all ages and abilities.</p>
<p>10. Aesthetics</p> <p>Good design is the product of a skilled, judicious design process that results in attractive and inviting buildings and places that engage the senses.</p>	<p>The proposed materials are considered high-quality, and the development is consistent with the contemporary homes and buildings within the surrounding area.</p> <p>The design incorporates a mixture of materials and colours including contrasting textured render, dark coloured metallic framing elements and glass.</p> <p>This principle is considered to have been met as the design delivers outcomes that are logical and guided by a consideration of the experiential qualities that it will provide. The proposal is a well-conceived design which addresses scale, the articulation of building form with detailing of materials and building elements which enables an integrated response to the character of the locality.</p>

5.3.2 Precinct Design Assessment (State Planning Policy 7.2)

State Planning Policy 7.2 (SPP 7.2) and its associated guidelines have been recently introduced by the State Government. Whilst the Policy relates primarily to the creation of precinct plans, it does require subdivision and development to apply the Policy and Guidelines where a precinct plan is not in place, in particular to areas which are within a precinct boundary.

The City's comments on the extent the development addresses the design elements is outlined below.

Design Element 1: Urban Ecology

<p>O1.1 To protect, enhance and respond to the ecological systems of the precinct.</p>	<p>The site has recently been demolished and is currently vacant. The development is proposing landscaped areas, which will be beneficial to the precinct ecology with the addition of native vegetation such as Emu Bush, Red Bottlebrush</p>
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	shrub, fan flowers, Grenvillia flowers and seven (7) medium sized red flowering gum trees throughout the development.
O1.2 To enhance sense of place by recognising and response to Aboriginal, cultural and built heritage.	There is no known Aboriginal heritage on or near the site in accordance with the City's Municipal Heritage Inventory 2012.
O1.3 To reduce the environmental and climate change impacts of the precinct development.	The development is orientated to benefit from the northern exposure of the site.

Design Element 2: Urban Structure

O2.1 To ensure the pattern of blocks, streets, buildings and open space responds and contributes to distinct, legible precinct character.	The development fronts onto the existing street layout.
O2.2 To promote an urban structure that supports accessibility and connectivity within and outside the precinct.	The development is designed to be accessible.
O2.3 To ensure the urban structure supports the built form, public realm and activity intended for the precinct.	No precinct plan has been developed at this time.
O2.4 To ensure an adaptable urban structure that can respond to and facilitate change within a precinct.	The development is unlikely to be adaptable in terms of the residential land use.

Design Element 3: Public Realm

O3.1 To ensure the public realm is designed to promote community health and wellbeing.	Not applicable
O3.2 To enable local character and identity to be expressed in public realm to enhance a sense of place.	Not applicable
O3.3 To ensure than key environmental attributes are protected and enhanced within the public realm.	Not applicable
O3.4 To ensure the public realm is designed to be inclusive, safe and accessible for different users and people of all ages and abilities.	Not applicable
O3.5 To ensure public realm design is integrated with the built form, movement network and landscape of the precinct.	Not applicable

Design Element 4: Movement

O4.1 To ensure the movement network supports the function and ongoing development of the precinct.	The development utilises the existing movement network.
O4.2 To ensure a resilient movement network that prioritises affordable, efficient, sustainable, and healthy modes of transport.	The development is located approximately 160m from Stirling Highway, which is serviced by several buses including Bus 102, 103, 107 and high frequency Bus 998.
O4.3 To enable a range of transport choices that meet the needs of residents, workers and visitors.	The site is in an area that provides transport choice from walking, cycling and public transport.
O4.4 To ensure the quantity, location, management, and design of parking supports the vision of the precinct.	There is currently no precinct vision. Overall, the proposed parking provision is appropriate to support the development.

Design Element 5: Land Use

O5.1 To ensure current and planned land uses respond to the needs and expectations of the community.	The proposed residential land use in the development is permissible by the Scheme. This objective would be more appropriate when considering land uses over an entire precinct rather than a single site.
O5.2 To ensure the planned land use types contribute positively to the precinct character and amenity.	The precinct character and level of amenity has not been determined. However, the proposal is generally consistent with the development expectations attributable to the R60 higher density code.
O5.3 To achieve a mix of land uses and activity that supports the precinct vision.	Not applicable

Design Element 6: Built Form

O6.1 To ensure that the built form is responsive to the purpose, context and intended character of the precinct.	1.0 The bulk and scale of the development is consistent with the intent of an R60 coded lot.
O6.2 To ensure building placement, scale and massing is appropriate for the intended precinct and streetscape character.	The scale of the development is appropriate as a transition from lots coded R160 to the north and lots coded R10 to the south. The development features a dwelling to Unit 1 that is oriented to the street which contributes to the existing streetscape of Dalkeith Road.

<p>O6.3 To ensure that built form design reduces energy demand across the precinct by facilitating climate-responsive design.</p>	<p>The development seeks to maximise the northern aspect of the site. The design responds to site conditions by providing appropriate orientation and natural ventilation.</p>
<p>O6.4 To ensure that built form design is responsive to the streetscape and contributes to a safe and comfortable public realm.</p>	<p>The proposal is seen to provide an appropriate built form design for an R60 density which will contribute to a safe and comfortable public realm.</p> <p>The development proposes a mix of materials and textures such as white render, dark window frames and a modern contemporary design to create an aesthetic streetscape appeal.</p> <p>The orientation and articulation of the built form delivers an outcome which is suited to the character of the adjacent streetscape and positively contributes to the amenity site.</p>

Residential Design Codes – Volume 1 (State Planning Policy 7.3)

The applicant is seeking assessment under the Design Principles of the R-Codes for Outdoor Living Areas, Landscaping, Utilities, and facilities as addressed in the below tables:

Element 5.3.1 – Outdoor living areas

Design Principles
<p><i>P1.1 Outdoor living areas which provide spaces:</i></p> <ul style="list-style-type: none"> • <i>capable of use in conjunction with a habitable room of the dwelling;</i> • <i>open to winter sun and ventilation; and</i> • <i>optimise use of the northern aspect of the site.</i> <p><i>P1.2 Balconies or equivalent outdoor living areas capable of use in conjunction with a habitable room of each dwelling, and if possible, open to winter sun.</i></p>
Deemed-to-Comply Requirement
<p>The deemed to comply requirement for outdoor living areas is to be located behind the primary street setback area.</p>
Proposed
<p>Unit 1 outdoor living areas is located within the primary street setback area.</p>
Administration Assessment
<p>Administration consider that the development meets the Design Principles as follows:</p>

As the outdoor living area connects to the kitchen/meals and main living area (habitable rooms), it is considered capable of use in conjunction with these rooms.

The outdoor living area for Unit 1 is located to the north-eastern corner of the site and takes advantage of the northern sun, the sizable length of these outdoor areas exceeds 4.0m and are usable and open to winter sun and assist in good ventilation.

All outdoor living areas in the development meet the minimum 16m² requirement and it is considered large enough to be functional and usable whilst also maintaining privacy between each dwelling and the adjoining southern lot. All outdoor living areas are considered to be highly accessible and provide adequate shade during the summer period.

Element 5.3.2 – Landscaping

Design Principles

P2 Landscaping of grouped and multiple dwelling common property and communal open spaces that:

- *contribute to the appearance and amenity of the development for the residents;*
- *contribute to the streetscape;*
- *enhance security and safety for residents;*
- *provide for microclimate; and*
- *retain existing trees to maintain a local sense of place.*

Deemed-to-Comply Requirement

The deemed to comply requirement for landscaping for grouped dwellings within the street setback area is to be developed within car parking, except for visitor bay and a maximum of 50% hard surface.

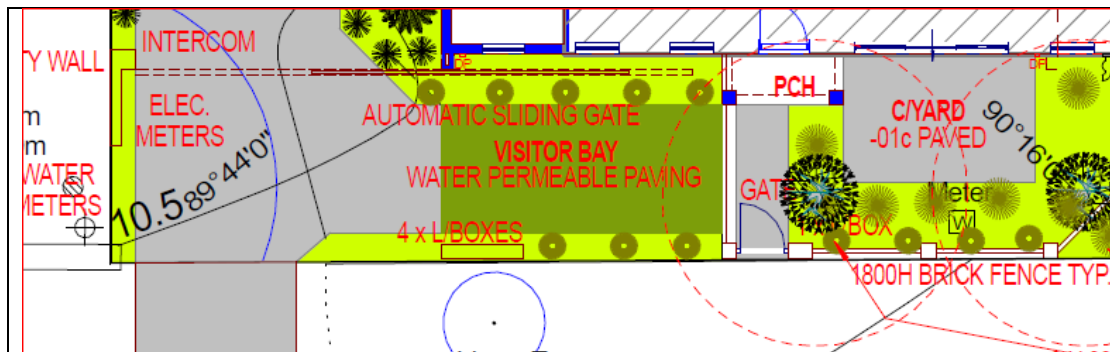
Proposed

Landscaped areas within the front setback area are proposed to be 35% in lieu of 50% minimum. With the removal of the visitors bay, the amount of landscaped area in the front setback area increases to 58.7% which is above the deemed to comply requirement.

Administration Assessment

Administration consider that the development meets the Design Principles as follows:

It is acknowledged that the proposed visitor bay located within the front setback results reduces the provision of landscaped areas. As seen the in the diagram below.



The applicant has proposed that the visitor bay will be paved with a water permeable/pervious paving that will allow water to filter through and grass/vegetation to grow through.

The City recommends that the appropriate position is to require compliance with the deemed to comply provision for landscaping within the front setback area to substantiate and support the desired future character of the area by requiring at least 50% of the area within the front setback area be landscaped, and that area being capable of substantiating a deep soil area for a medium or large tree. This is important as this site has seen the removal of a large existing tree as part of site clearing and any replacement development should enhance the streetscape with newly planted vegetation in compliance with the deemed to comply requirement for landscaping.

The area occupied by the currently proposed visitor parking space is required to be repurposed to accommodate a medium-large tree. This would result in additional landscaped space space in the streetscape. It will also improve the interface between the street and development. The removal of visitor parking to accommodate a greater landscaped area within the street setback has been previously applied to the proposed multiple dwelling development at 40 Portland Street, Nedlands. Whilst in that case, it allowed for retention of an existing large tree, the additional 'soft' area would positively contribute to the desired future character of ther locality.

In the event of approval, Administration has included a condition which required a revised plan be submitted which includes the deletion of the visitor parking space, with the area to be soft landscaping including a minimum of one (1) medium (200lt) tree. It is acknowledged that the development will not provide a visitor parking space. However, this is seen as appropriate given the desire to ensure the development is keeping with the character of the area.

Element 5.4.5 – Utilities and facilities

Design Principles

P4.2 External location of storeroom, rubbish collection/bin areas, and clothes drying areas where these are:

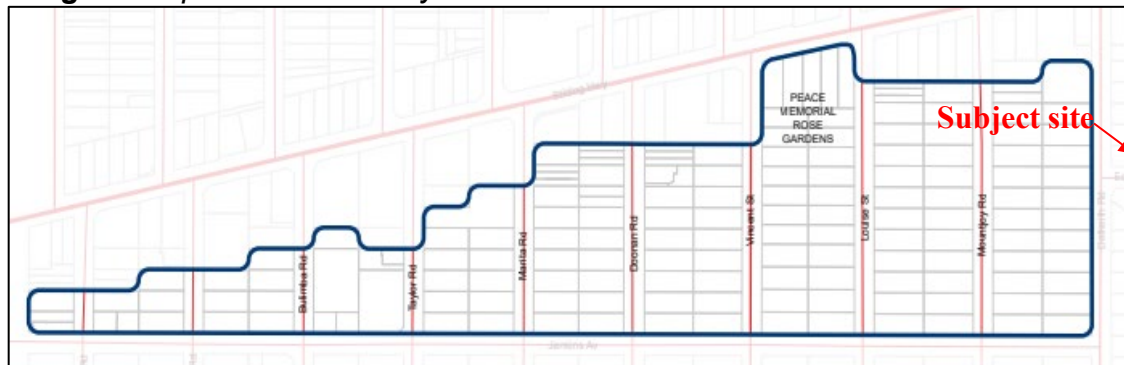
- *convenient for residents;*
- *rubbish collection areas which can be accessed by service vehicles;*
- *screened from view; and*

<ul style="list-style-type: none"> • <i>able to be secured and managed.</i>
Deemed-to-Comply Requirement
The deemed to comply requirements for storerooms is to be a minimum dimension of 1.5m when provided external to a garage and 1.0m when provided within a garage and an internal area of at least 4m ² , for each grouped dwelling
Proposed
Units 2, 3, 4 and 5 store widths are proposed to be less than 1.5m.
Administration Assessment
Administration consider that the development meets the Design Principles as follows: Whilst Units 2, 3, 4 and 5 stores have a proposed width to be less than 1.5m, it is considered the storerooms are still usable and convenient for residents. All stores meet the minimum 4m ² area. All stores are screened from the primary street, secure and individually managed by each resident.

Melvista West Transition Zone Draft Local Planning Policy

The Draft Local Planning Policy – Melvista West Transition Zone (draft Melvista West Policy) seeks to establish a localised planning response for the Melvista West Transition Zone. The subject site is within this precinct.

Image: The precinct boundary of the Melvista West Transition Zone



The draft Melvista West Policy was adopted for advertising by Council at its 3rd September 2020 Special Council Meeting. Advertising of this policy has now closed. In its report for this item, Administration noted that the draft policy will form a “starting point” for development guidance in the precinct and will be subject to further revisions through built form modelling, legal and architectural review, external referrals, horticultural and heritage advice, as well as community engagement.

The draft Melvista West Policy seeks to augment provisions of both R-Codes Vol. 1 and Vol. 2, as outlined below.

R-Codes Vol. 1 – proposed changes to deemed-to-comply provisions for:

- Street setback
- Lot boundary setback
- Building height
- Setback of garages and carports
- Landscaping
- Design of car parking spaces
- Vehicle access

Pursuant to clause 67(b) of the deemed provisions, in considering an application for development approval, due regard is to be given by the decision-maker to the requirements of any planning instrument that the local government is seriously considering adopting or approving.

‘Due regard’ requires the decision maker to give proper, genuine, and realistic consideration to the draft policy, however, the weight which is given to that consideration is a matter for the decision-maker.

The legal principles that are applied when assessing the weight afforded to a draft instrument, such as a local planning policy, are explained in the SAT’s decision in ***Nicholls and Western Australian Planning Commission [2005] WASAT 40***. Those principles require four factors to be given consideration to, which are:

- i. the degree to which the draft assesses the specific application;
- ii. the degree to which the draft is based on sound town planning principles;
- iii. the degree to which the ultimate approval of the draft could be regarded as ‘certain’; and
- iv. the degree to which the ultimate approval of the draft could be regarded as ‘imminent’.

With respect to the above factors, the City will only comment on the third and fourth matters. As noted above, the provisions of the draft Melvista West Policy are still subject to change because of rigorous testing, peer review and community engagement. Given that this policy is a “starting point” for development guidance in the precinct the degree of certainty and imminence of the policy is questionable. Therefore, the City’s position is that the weight given to the draft Melvista West Policy should not prevail over the weight afforded to the relevant Deemed-to-Comply provisions of the R-Codes (Vol 1) in determining whether the application has met the element objective(s) as the draft policy is neither certain in its final form nor is it imminent in terms of adoption. For this reason, the proposal has not been assessed against the draft Melvista West Draft Policy.

Setting aside the specific development criteria, draft Melvista West Policy contains a desired future character statement, which is less likely to change as it is based on the rigorous character and context analysis undertaken by the City. Additionally, following changes to the deemed provisions, specifically in respect to the additional consideration of the desired future character of an area, the City has considered the draft statement in the following table:

Desired Future Character Element	Officer Response
<p>Built form will respond to the streetscape and changes in development density within an appropriate building envelope, using innovative design treatments and providing appropriate massing</p>	<p>The built form is considered to be sympathetic to its surrounding development and is developing to the higher density coding potential.</p> <p>Being proximate to the edge of the transitional area, it is entirely appropriate for a two storey grouped dwelling development to be located on this site. It successfully negotiates the need for infill and to transition the built form down from the intended heights on Stirling Highway to the lower density area south of Jenkins Avenue which is zoned R10.</p> <p>The development is a contemporary build, reinforcing its unique distinctiveness and responding sympathetically to local building forms and patterns such as the use of white rendered walls, black Colorbond roofs and square framed windows. The proposal fits within the characteristics of the local area as developments of a similar finish and contemporary design have been built along Dalkeith Road such as:</p> <ul style="list-style-type: none"> • 66 Dalkeith Road- A new two storey render and Colorbond build on the corner of Dalkeith Road and Edward Street. • 69 Dalkeith Road- A two storey red brick and Colorbond build. • 75 Dalkeith Road- A two storey painted white house with Colorbond roofing. <p>The City acknowledges that the proposed built form, which responds to the Residential R60 code is a departure from the existing built form in that it is proposing grouped dwellings. However, the</p>

	<p>development is limited to two storeys in height rendering it relatively consistent and sympathetic with the existing streetscape. This is considered more appropriate than multiple dwellings which could be developed.</p>
<p>Appropriately dimensioned setbacks will support the retention and consolidation of canopy trees and vegetation.</p>	<p>The site has been cleared including that of at least one significant tree. There are no trees retained on-site. The proposed landscape plan is recommended to be augmented by removal of the visitor parking space within the street setback area. Instead of parking, this area can be utilised for landscaping, including the provision of a minimum of one additional medium-sized tree. This will ensure the development better integrates with the surrounding environment vegetation by increasing the number of trees on site from seven (7) to eight (8) x 200L medium sized red flowering gum trees.</p> <p>The proposed location of the driveway and crossover will still allow the existing street tree on the verge to be retained.</p>
<p>Development will reference the traditional built form character of the area through the integration of design elements and a high-quality palette of materials and finishes.</p>	<p>The proposed grouped dwellings all include pitched Colorbond roofs, render and a modern contemporary design are considered sympathetic and characteristic of the existing and new dwellings within the locality.</p>
<p>Open, legible and attractive streetscapes.</p>	<p>The design provides for a clear and definable pedestrian and vehicle entrances which provides for a clear delineation of spaces from the public and private realm.</p> <p>The design makes the site easy to navigate, with recognisable entry and exit points and being well-connected to existing movement network to Dalkeith Road. The sight lines are well-considered and the movement through the development is logical and intuitive.</p>
<p>Vegetated interface to the lot boundary and street.</p>	<p>The proposal incorporates a number of new vegetation within the proposed development such as:</p> <ul style="list-style-type: none"> • A total of seven (7) x 200L medium sized <i>Corymbia Ficifolia</i> (red flowering gum) trees are to be planted on site

	<p>which includes two within the front setback area. The proposed trees will have a minimum of 6.0m tree canopy diameter at maturity; and</p> <ul style="list-style-type: none"> • A variety of vegetation such as Emu Bush, Red Bottlebrush shrub, fan flowers and Grenvillia flowers throughout the development. <p>The proposed landscaping will be improved by compliance with Condition 4 by removing the visitor car parking space and landscaping of this area. The inclusion of additional trees in the street setback area will provide a softer interface between the street and the development, consistent with the character of the area.</p>
<p>Aesthetic of the current architectural style and form being reinterpreted in a contemporary manner.</p>	<p>The development is broadly consistent with this desired element.</p>

Acoustic and Traffic Noise Management

An Acoustic Assessment Report has been prepared by ND Engineering Consulting Engineers dated 4 December 2020 for the development to achieve compliance with the *Environmental Protection (Noise) Regulations* are to be adopted.

Recommendations contained within the Traffic Noise Assessment section of the Acoustic Assessment Report to achieve compliance with the requirements of State Planning Policy 5.4 are to be implemented. Noise levels are indicated to exceed the noise targets outlined within State Planning Policy 5.4. The following is recommendations within the report are to be implemented:

- Quiet house construction requirements outlined within the report are to be incorporated into the design and construction.
- A Notification for 70A is required for the courtyard area in Unit 1, as noise levels exceed noise targets outlined within State Planning Policy 5.4, and the design does not comply with quiet house requirements as an acceptable solution.

A condition to ensure acoustic and traffic noise assessment recommendations for the development shall comply with the Acoustic Assessment Report prepared by ND Engineering Consulting Engineers dated 4 December 2020, is recommend ensuring that noise will be managed appropriately within the proposed development.

A copy of the Acoustic Assessment Report can be provided upon request by Councillors.

Local Planning Policy – Waste Management Plan

A Waste Management Plan (WMP) has been prepared by CF Town Planning & Development dated 4 March 2021 which proposes a communal bin storage area to be located on the subject site, in line with the City's Local Planning Policy – Waste Management Plan (WMP Policy). The proposed waste bins comprise of the following:

- Five (5) 240L recycling bins, collected fortnightly;
- Three (3) 240L general waste bins, collected once each week;
- Two (2) 240L FOGO bins, collected once each week;
- A total of ten (10) 240L bins is proposed in the bin storage area; and
- A tap is also located in the bin storage area for washing down bins if necessary.

Clause 3.1.5 of the Waste Management Guidelines recommends a maximum of 4 x 240L waste bins and 4 x 240L recycling bins to be placed on the verge for kerbside collection, in which more than 8 bins would require internal service arrangements. The intent of this provision is to preserve the amenity of the streetscape and avoid a proliferation of bins on collection day. The number of bins proposed on the verge will be a maximum of 8 bins at any given time to ensure sufficient capacity on the verge to accommodate the maximum number of bins and on alternative weeks.

The City's Waste Services Unit have reviewed the WMP and development plans and are satisfied with the location of bin storage area and collection on Dalkeith Road.

A condition to ensure waste management for the development shall comply with the Waste Management Plan prepared by CF Town Planning & Development dated 4 March 2021, is recommend to ensure waste will be managed appropriately within the proposed development.

A copy of the WMP can be provided upon request by Councillors.

Conclusion

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

Whilst the proposal is a more intense form of development than what currently exists, it is compatible with the built form and scale of the redeveloped homes that predominate Dalkeith Road and is consistent with the emerging streetscape character. The proposal is seen to be an appropriate type of

development in a transitional zone between high density on Stirling Highway and lower density in south of Jenkins Avenue.

The proposal meets the key amenity related elements of R-Codes Volume 1, subject to conditions requiring additional landscaping in the front setback area, and as such is unlikely to have a significant adverse impact on the local amenity of the area. The five two-storey grouped dwellings proposed at the subject site are consistent with the Residential R60 density code and has been designed to complement the existing streetscape. The proposal has been assessed and satisfies the design principles of the Residential Design Codes and does not prejudice the intent of the zone or objectives of the Scheme.

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

65 Dalkeith Road, Nedlands- Site Photographs
Taken 23 March 2021



Aerial image of site (Intramaps 2021)



65 Dalkeith Road- Front Elevation



65 Dalkeith Road and 1 x Street Tree on verge



65 Dalkeith Road (LHS) and 63 Dalkeith Road (RHS)



67 Dalkeith Road (RHS) and 65 Dalkeith Road (LHS)

13.8 Future Use of Haldane House, 109 Montgomery Avenue, Mt Claremont

Council	27 April 2021
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	Nil.
Executive Manager Community	Patricia Panayotou. Executive Managers Community
CEO	Ed Herne, Acting Chief Executive Officer
Attachments	Nil.
Confidential Attachments	Nil.

Councillor Mangano left the meeting at 9.33 pm.

Moved – Councillor Senathirajah
 Seconded – Councillor Smyth

Council:

1. notes the options available for future use of Haldane House as detailed within this report;
2. instructs the CEO to commence arrangements for the operations of the Nedlands Community Care Service to be transferred from the 97-99 Waratah Avenue, Dalkeith site, to Haldane House, and;
3. authorises expenditure of \$15,000 from the Welfare Reserve, to assist with the costs of moving from 97 Waratah Avenue to Haldane House, setting up Haldane House for the clients with the purchase of some new furniture and resources, to be reconciled in the budget process.

Councillor Mangano returned to the meeting at 9.35 pm.

Moved – Councillor Tyson
Seconded – Councillor Youngman

That Council proceed to the next item of business.

Lost 5/6
(Against: Horley Crs. Smyth Hodsdon Wetherall
Poliwka & Senathirajah)

Moved – Councillor Hodsdon
Seconded – Deputy Mayor McManus

That Council proceed to the next item of business.

**CARRIED 8/3
(Against: Crs. Smyth Horley & Poliwka)**

Recommendation to Council

Council:

1. rejects Administration's proposal to relocate Social Support – Group services currently provided through Nedlands Community Care at 97 Waratah Avenue, Dalkeith, to Haldane House at 109 Montgomery Avenue, Mt Claremont;
2. directs the CEO to continue to provide on-site Social Support – Group services currently provided through Nedlands Community Care at 97 Waratah Avenue, Dalkeith; and
3. directs the CEO to explore opportunities for a Civic/Community specific service, or services, to lease Haldane House in accordance with the requirements of the Crown Grant in Trust in place for that site.

Executive Summary

At the Ordinary Meeting of Council 23 March 2021, the Council resolution for report CSD02.21 Future use of Haldane House, 109 Montgomery Avenue, Mt Claremont was:

Council defers this item to the April 2021 Council Meeting to allow administration to provide further clarification and information on the items discussed at the Councillor Briefing on 18 March 2021 as follows:

1. investigate the use of both NCC and Haldane House;
2. the current users of Nedlands Community Care be shown Haldane House and then given a questionnaire asking which facility they prefer Haldane House or Nedlands Community Care;

3. understanding of why expressions of interest for extension of aged care activities were not done; and
4. clarifications on comments regarding asset sales and remove it from the report.

This report is the response to the Council resolution.

Voting Requirement

Simple Majority

Discussion/Overview

Haldane House is a purpose-built respite facility constructed in 1996 utilising funding from Home and Community Care ('HACC') capital funding. The facility is located on a portion of Lot 6987 on Deposited Plan 167276, being part of the land contained in Certificate of Title Volume 2115 Folio 135. Lot 6987 was transferred to the City in fee simple by way of Crown Grant Trust in 1992 for the specific purpose of providing Civic/Community Services.

Up to 31 August 2020, Haldane House was leased by The Bethanie Group Inc to provide adult day services to seniors. When the building became vacant, Administration identified an opportunity to transition Social Support – Group services, provided by Nedlands Community Care (NCC), under the Commonwealth Home Support Programme (CHSP) to Haldane House. There are currently 45 clients receiving services and activities on-site at NCC.

All activities provided through the Positive Ageing programme in Dalkeith Hall are not connected to the NCC services and would continue as usual.

Council received the following Council Reports, briefing and information session in-line with the opportunity to transition the Seniors Support – Group clients to Haldane House:

- CPS25.20 Future use of Haldane House, 109 Montgomery Avenue, Mt Claremont
Ordinary Meeting of Council 27 October 2020
- Future use of Haldane House
Councillor Briefing on 2 March 2021
- NCC/Haldane House Council Information/Question Session
Councillor Session 18 March 2021
- CSD02.21 Future use of Haldane House, 109 Montgomery Avenue, Mt Claremont
Ordinary Meeting of Council 23 March 2021

On the last report presented to Committee –

CSD02.21 Future use of Haldane House, 109 Montgomery Avenue, Mt Claremont, on 9 March 2021, Administration's recommendation to Committee was:

Council:

1. notes the options available for future use of Haldane House as detailed within this report;
2. instructs the CEO to commence arrangements for the operations of the Nedlands Community Care Service to be transferred from the 97-99 Waratah Avenue, Dalkeith site, to Haldane House, and;
3. Council authorises expenditure of \$15,000 from the Welfare Reserve, to assist with the costs of moving from 97 Waratah Avenue to Haldane House, setting up Haldane House for the clients with the purchase of some new furniture and resources, to be reconciled in the budget process.

The recommendation to Committee was adopted 7/5.

At the Council Meeting on 23 March 2021, the Council Resolution to that report was:

Council defers this item to the April 2021 Council Meeting to allow administration to provide further clarification and information on the items discussed at the Councillor Briefing on 18 March 2021 as follows:

1. investigate the use of both NCC and Haldane House;
2. the current users of Nedlands Community Care be shown Haldane House and then given a questionnaire asking which facility they prefer Haldane House or Nedlands Community Care;
3. understanding of why expressions of interest for extension of aged care activities were not done; and
4. clarifications on comments regarding asset sales and remove it from the report.

The above Council Resolution was carried 11/1.

The Administration response to these items is as follows:

1. investigate the use of both NCC and Haldane House.

In order to conduct an appropriate and long-term investigation of the use of these two sites, Administration would require approximately 6 months to do so and the assistance of a consultant. This would require Council approval for an amount of up to \$30,000 in the 2021/22 budget for the consultant fee and other research costs.

2. the current users of Nedlands Community Care be shown Haldane House and then given a questionnaire asking which facility they prefer Haldane House or Nedlands Community Care.

A second survey was conducted by NCC staff of the current 44 Social Support-Group clients who receive services/activities on-site at NCC.

The survey results showed a strong preference from the clients for Haldane House.

A summary of the results is in the Consultation part of this report.

3. understanding of why expressions of interest for extension of aged care activities were not done.

The NCC team have been aware of Haldane House for many years and that it is purpose built for providing services like those at NCC. Haldane House becoming vacant was an opportunity for the City to investigate the benefits and opportunities to provide Social Support – Group services and activities at that site for clients.

Seeking Expressions of Interest (EOI) for aged care activities before exploring opportunities for the City provided services, would have been a conflict, as the outcome may prevent the City from being able to provide services at Haldane House.

The EOI would be done if Council resolved not to move NCC services.

4. clarifications on comments regarding asset sales and remove it from the report.

This report does not contain any reference to asset sales of any City property. The references made in earlier reports were in-line with previous Council discussions around the Land Investment Strategy and long-term plans for City sites.

Key Relevant Previous Council Decisions:

CSD02.21 - On 23 March 2021, Council deferred the report to the April 2021 Council Meeting to allow administration to provide further clarification and information on the items discussed at the Councillor Briefing on 18 March 2021 as follows:

1. investigate the use of both NCC and Haldane House;
2. the current users of Nedlands Community Care be shown Haldane House and then given a questionnaire asking which facility they prefer Haldane House or Nedlands Community Care;
3. understanding of why expressions of interest for extension of aged care activities were not done;

4. clarifications on comments regarding asset sales and remove it from the report.

CPS25.20 - On 27 October 2020, Council instructed the CEO to commence an investigation into the future use of Haldane House and requested a further report to Council outlining the results of that investigation.

D27.10 – On 25 May 2010, Council agreed to enter into a new Lease Arrangement with The Bethanie Group Inc commencing 1 January 2010 for a period of 10-years with an additional 5-year option.

C35.04 – On 22 June 2004, Council agreed to enter into a new Lease Arrangement with The Bethanie Group Inc (formally known as the 'Churches of Christ Homes and Community Services Inc') commencing 1 January 2000 for a period of 10-years.

Consultation

The Nedlands Community Care team, who are responsible for the management and administration of the NCC services, surveyed 37 of the 45 clients who are currently attending activities at the Nedlands Community Care building on Waratah Avenue.

A PowerPoint presentation was shown to the 37 clients which included photos of the Waratah Avenue centre and Haldane House. Following the presentation, the clients were given a survey, with different questions to the first survey given earlier this year.

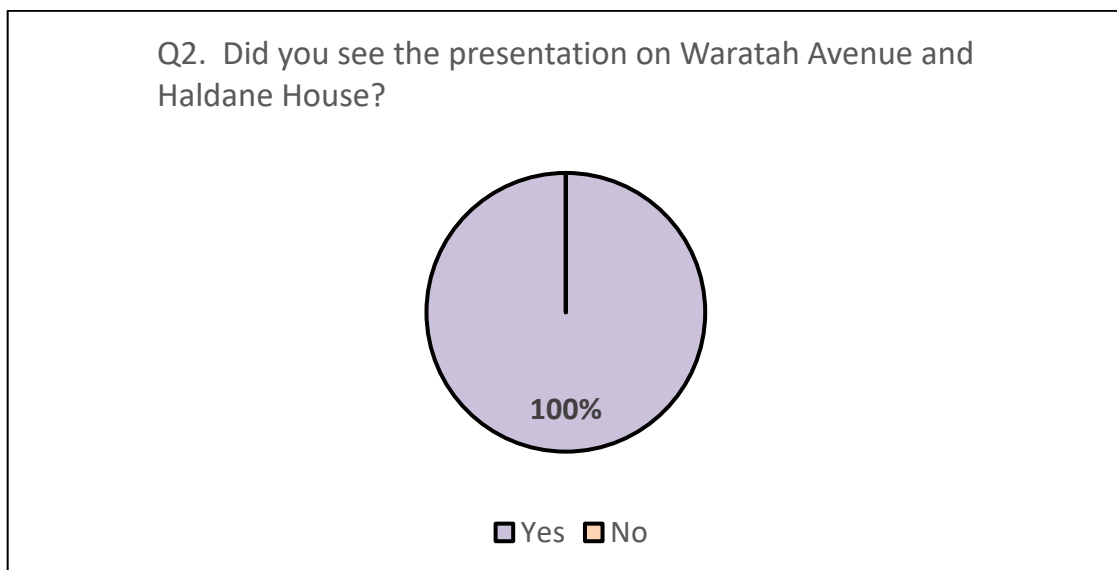
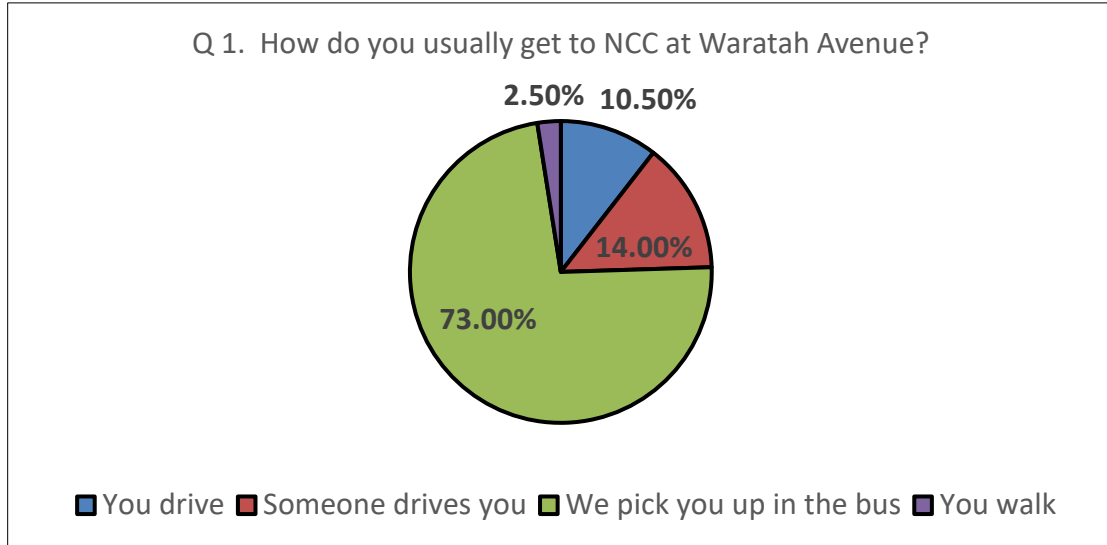
Following the site visits, 37 surveys were completed by clients, representing 82% of Social Support – Group clients.

The survey questions, with the responses are –

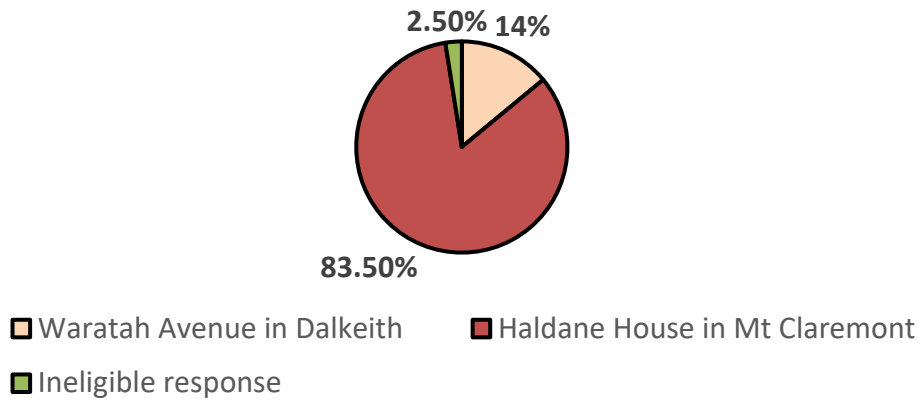
1. How do you usually get to NCC at Waratah Avenue?
 - You drive (4 clients representing 10.5%)
 - Someone drives you (5 clients representing 14%)
 - We pick you up in the bus (27 clients representing 73 %)
 - You walk(1 client representing 2.5%)
2. Did you see the presentation on Waratah Avenue and Haldane House?
 - Yes (37 clients representing 100% of those surveyed)
 - No (0 clients representing 0% of those surveyed)
3. Would you prefer to have your Waratah Club activities here at Waratah Avenue, or at Haldane House in Mt Claremont?
 - Waratah Avenue in Dalkeith (5 clients representing 14%)
 - Haldane House in Mt Claremont (31 clients representing 83.5%)
 - Ineligible response (1 client representing 2.5%)

The above 'ineligible' response was a client who ticked both Waratah Avenue and Haldane House as their preference.

Below are pie charts to present a graphic representation of responses of the survey results.



Q.3 Would you prefer to have your Waratah Club activities here at Waratah Avenue, or at Haldane House in Mt Claremont?



Strategic Implications

How well does it fit with our strategic direction?

This report meets both the Community's Vision and the Council's vision – ".....active, safe, inclusive community enjoying a high standard of local services and facilities".

It also meets the following strategic priorities:

- High Standard of Services
- Great Communities
- Great Governance and Civic Leadership

Who benefits?

The NCC Social Support – Group clients benefit at whichever location they receive their services and activities. There is no change to the level of service provided, but there is a change to the opportunities to engage seniors living in a different location.

Does it involve a tolerable risk?

There is a tolerable level of risk as all NCC clients will still receive their services, whether on-site at NCC or in their homes.

Do we have the information we need?

Administration has responded to Council's resolution with as much information as available at this time.

In reference to Council's request for further clarification and information on item 1.

'Investigate the use of both NCC and Haldane House', this will require a review and business case which will cover many facets of the current and future needs of services at either site including operational costs, etc.

If this investigation proceeds, Administration requests Council approves an amount of up to \$30,000 to cover resourcing to provide the report.

Does this affect any CEO Key Result Areas?

Not at this time.

Budget/Financial Implications

If the recommended investigation proceeds, Administration requests Council approves an amount of up to \$30,000 to cover resourcing to provide the report, to be allocated in the 2021/22 budget.

Can we afford it?

There is no request or recommendation in this report for significant financial changes that need to be considered as part of the Long Term Financial Plan.

How does the option impact upon rates?

There will be minimal impact on rates due to the low level of change that has been recommended.

Conclusion

Administration has recommended to Council through previous reports, that the Social Support – Group services and activities provided to an average of 45 senior clients be transitioned from 97 Waratah Avenue, Dalkeith to Haldane House at 109 Montgomery Drive, Mt Claremont.

At the Ordinary Meeting of Council 23 March 2021, the Council resolution to report CSD02.21 Future use of Haldane House, 109 Montgomery Avenue, Mt Claremont, was:

Council defers this item to the April 2021 Council Meeting to allow administration to provide further clarification and information on the items discussed at the Councillor Briefing on 18 March 2021 as follows:

1. investigate the use of both NCC and Haldane House;
2. the current users of Nedlands Community Care be shown Haldane House and then given a questionnaire asking which facility they prefer Haldane House or Nedlands Community Care;
3. understanding of why expressions of interest for extension of aged care activities were not done; and
4. clarifications on comments regarding asset sales and remove it from the report.

This report has provided information in response to items 2, 3, and 4.

Item 1 – “investigate the use of both NCC and Haldane House”, is a complicated request and requires more time for research and consideration before providing a suitable report to Council. Administration has also requested an amount of \$30,000 to cover consultant fees and other costs to conduct this investigation accordingly.

Two separate surveys have been conducted with the clients currently receiving the services at NCC, to seek their feedback on moving services from 97 Waratah Avenue, Dalkeith to Haldane House in Mt Claremont. Of the 45 clients, 37 were surveyed, representing 82% response. There was a strong preference (83.5%), from the clients surveyed, to move the NCC Social Support – Group services to Haldane House.

In response to Council’s resolution as shown above and the complexity that has developed from the first report in October 2020, Administration recommends that NCC services stay at NCC to end client uncertainty of where services will be provided. Administration can then look at a Civic/Community specific service, or services, to lease Haldane House in accordance with the requirements of the Crown Grant in Trust in place for that site.

14. Council Members Notices of Motions of Which Previous Notice Has Been Given

Disclaimer: Where administration has provided any assistance with the framing and/or wording of any motion/amendment to a Council Member who has advised their intention to move it, the assistance has been provided on an impartial basis. The principle and intention expressed in any motion/amendment is solely that of the intended mover and not that of the officer/officers providing the assistance. Under no circumstances is it to be expressed to any party that administration or any Council officer holds a view on this motion other than that expressed in an official written or verbal report by Administration to the Council meeting considering the motion.

14.1 Councillor Mangano – Residential Building Heights Policy

On the 31 March 2021 Councillor Mangano gave notice of his intention to move the following at this meeting.

Moved – Councillor Mangano
Seconded – Councillor Bennett

Council requests the CEO to provide a report back to Council on the proposed Residential Building Heights Policy as per below:

RESIDENTIAL BUILDING HEIGHTS POLICY

1.0 Introduction

Where this Policy is inconsistent with the provisions of a specific Local Planning Policy, Local Development Plan, Activity Centre Plan or Structure Plan applying to a particular site or area (e.g., Character Retention Guidelines), the provisions of that specific planning instrument shall prevail.

2.0 Objectives

Single Houses and Grouped Dwellings

Single Houses and Grouped Dwelling development is to achieve the following objectives:

- To ensure that the height of buildings are consistent with the desired scale in a given locality; and
- To ensure that the height of a building does not overly impact on the streetscape or on neighbouring properties.

Multiple Dwellings (Apartments) Apartment development is to achieve the following objectives:

- The height of development responds to the desired future scale and character of the street and local area, including existing buildings that are unlikely to change;

- The height of buildings within a development responds to changes in topography;
- Development incorporates articulated roof design; and
- The height of development recognises the need for daylight and solar access to adjoining and nearby residential development, communal open space and in some cases, public spaces.

3.0 Applications

Subject of this Policy

This Policy applies to all development within a Residential Zone and Apartment development (multiple dwellings) within a non-residential zone.

Councillor Hodsdon left the meeting at 10.26 pm and returned at 10.31 pm.

CARRIED UNANIMOUSLY 11/-

Justification

Council's role is to provide policy direction to Administration. This Residential Building Heights Policy is identical to the one developed and in use by the City of Stirling.

The intent of this policy is to provide a default policy on heights for planning staff.

It can also be used in Responsible Authority Reports to justify why a particular development is too high in respect to neighbouring properties.

Administration Comment

It is recommended that the Notice of Motion be modified to include the following words:

“That officers present to Council a report outlining an assessment of the following proposed policy, including its impact on existing local planning policies, State Government policies and the planning framework more broadly, in addition to detailing the approval process for the policy, in order to ensure that the policy will be effective.”

The current wording of the Notice of Motion is such that it is unlikely that the policy will have any effect in planning decisions. Planning policies need to be advertised and adopted under the Local Planning Scheme. Some planning policies need to be approved by the WAPC. The City currently has a local

planning policy relating to Residential Development which includes provisions in relation to height. Prior to Council adopting this policy, consideration should be given to the existing City policies, the State Planning Policies, the advertising and approval process required to be followed to give effect to the policy. This could be all addressed in an officer report to Council, which could be presented to the Committee meeting in August. Without such an approach, it is unlikely that the policy will be given any significant weight by the State Administration Tribunal, the MINJDAP in their decision-making process, nor by City planning officers in their planning assessment of proposals.

14.2 Councillor Bennett – Significant Tree Register

On the 16 April 2021 Councillor Bennett gave notice of his intention to move the following at this meeting.

Moved – Councillor Bennett

Seconded – Councillor Poliwka

That Council:

- 1. instructs the CEO to establish a Register of Significant Trees on Crown Reserves and City owned land using the criteria outlined below:**
 - a. reasons that a tree may be considered significant may include; tree size in excess of 12m height, tree age in excess of 60 years, or any tree with aesthetic, heritage, cultural or ecological importance;**
 - b. trees on this register may be nominated by the City, or by a resident/ratepayer of the City, and will be identified on the City's Intramaps database;**
 - c. residents/ratepayers who assist the City in maintaining leaves and tree debris from a significant tree will be eligible for assistance by the City, initially as an offer to provide an additional green waste bin as the most cost-effective regular way for recycling bulk green waste; and**

CARRIED UNANIMOUSLY 11/-

- d. also, to be included on the above-mentioned Register of Significant Trees will be trees on private land nominated by the owner of that private land, with information provided to owners to properly protect private trees through registration on their certificate of title. The owner can remove their own tree from this register.**

CARRIED 6/5

**(Against: Deputy Mayor McManus Crs. Horley
Mangano Youngman & Senathirajah)**

Council Resolution

That Council:

- 1. instructs the CEO to establish a Register of Significant Trees on Crown Reserves and City owned land using the criteria outlined below:**
 - a. reasons that a tree may be considered significant may include; tree size in excess of 12m height, tree age in excess of 60 years, or any tree with aesthetic, heritage, cultural or ecological importance;**
 - b. trees on this register may be nominated by the City, or by a resident/ratepayer of the City, and will be identified on the City's Intramaps database;**
 - c. residents/ratepayers who assist the City in maintaining leaves and tree debris from a significant tree will be eligible for assistance by the City, initially as an offer to provide an additional green waste bin as the most cost-effective regular way for recycling bulk green waste; and**
 - d. also, to be included on the above-mentioned Register of Significant Trees will be trees on private land nominated by the owner of that private land, with information provided to owners to properly protect private trees through registration on their certificate of title. The owner can remove their own tree from this register.**

Justification

The City of Nedlands has had a register of significant trees in the past but it has fallen into disuse.

Some significant trees, six or so, were included in the City's initial municipal Heritage Inventory, adopted in 2001. A review of the Heritage Inventory completed by Palassis Architects in 2012 recommended that trees be excluded and that a separate Inventory of Significant Trees be established. A revised Heritage Inventory was adopted in 2019, without trees. No decision was made on an Inventory of Significant Trees.

In recent years there has been growing appreciation of the contribution made by trees in relation to property values, urban heat and ecological and human health. Many Councils in the Perth metropolitan area now have registers of significant trees.

With LPS3 and the imposition of higher densities, the community is more aware of the need to maintain tree canopy on public land. The City has a tree database included in its Intramaps Online Mapping System, but it gives no indication of how important these trees are.

A Register of Significant Trees on parks, road reserves and other Council-owned property would identify special trees requiring protection and management, such as old-growth remnants, or particularly large trees in need of regular inspection for safety or other reasons.

Creation of the register would demonstrate that the Council supports and promotes tree retention and the maintenance of canopy cover.

Where possible the City should assist residents and ratepayers who help the City maintain Significant Trees. The increasing cost of taking leaves and debris to the local waste transfer station has made managing the debris from significant trees a financial burden. The City already provides fortnightly green waste collection for households. This green waste contributes to the City's waste recycling targets. Providing an additional bin to deal with the additional green waste produced by maintaining a significant tree is the most appropriate service to provide both tangible and economical support to these residents and ratepayers.

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Administration Comment

Administration acknowledges receipt of the proposed NOM and will prepare further information for Council's consideration as part of the budgetary process detailing the potential cost, timeframe and resource implications associated the proposed adoption of a Significant Tree Register.

Preliminary list of actions include:

1. Consult and collate Council's feedback on the proposed scope of work used to guide the research, community consultation and preparation of a Significant Tree Register.
2. Provide Council with an indication of potential timeframe associated with research, preparation, community consultation and adoption of a Significant Tree Register.
3. Seek appropriate legal guidance on the head of power required to ensure appropriate management and enforcement of the proposed Significant Tree Register.
4. Prepare Community Consultation Information seeking community feedback on the proposal as part of the City's Community Consultation Process.

5. Seek Council endorsement of cost and resources required to prepare and maintain the City's Significant Tree Register.
6. Research and prepare a Significant Tree Register using the criteria outlined below:
 - establishes a Register of Significant Trees on Crown Reserves and City owned land;
 - reasons that a tree may be considered significant may include; tree size in excess of 12m height, tree age in excess of 60 years, or any tree with aesthetic, heritage, cultural or ecological importance;
 - trees on this register may be nominated by the City, or by a resident/ratepayer of the City, and will be identified on the City's Intramaps database;
 - residents/ratepayers who assist the City in maintaining leaves and tree debris a significant tree will be eligible for assistance by the City, initially as an offer to provide an additional green waste bin as the most cost-effective regular way for recycling bulk green waste;
 - also, to be included on the above-mentioned Register of Significant Trees will be trees on private land nominated by the owner of that private land, with information provided to owners to properly protect private trees through registration on their certificate of title. The owner may also request to remove their own tree from this register.
7. Prepare a further report to Council detailing the above information.

14.3 Councillor Senathirajah – Developer Contribution Scheme

On the 15 April 2021 Councillor Senathirajah gave notice of his intention to move the following at this meeting.

Moved – Councillor Senathirajah

Seconded – Councillor Tyson

Council instructs the Acting CEO to provide to Councillors a written update within one month on the progress in implementing the Council resolution of October 2020 with respect to establishing a Framework to facilitate Developer Contributions; and that the written update is to include the Scope of Work for the Consultant to assist Administration with developing the Framework and Procedures, and subsequent implementation of the Scheme, as well as a Project Time Frame and estimated costs.

CARRIED UNANIMOUSLY 11/-

Justification

1. LPS 3 envisages a substantial increase in Nedlands population, which will require upgrading of parking, recreation, transport and other infrastructure facilities to maintain the quality of life for residents.
2. It is fair that new developments taking advantage of LPS 3 contribute to the upgrading/construction of the necessary infrastructure facilities.
3. Recognising the need for a Framework to facilitate the collection of the contributions, in October 2020 Council requested the CEO to such a Framework and approved a budget for necessary consultancy assistance.
4. The October resolution did not set a time frame for implementing the resolution.
5. The purpose of this Motion is for Council to be informed of progress to date, and to impress the urgency to have the Developer Contribution Scheme operational.

Administration Comment

A written update can be provided on the progress made to date. This issue is complex, developer contributions have traditionally been associated with greenfield subdivision developments. Slightly different approaches have been taken by inner city Council's dealing with infill developments. Discussions will occur with Councillors in relation to the proposed method and the purpose for which funds will be collected (i.e., car parking and / or other infrastructure) early on in the process.

14.4 Councillor Coghlan – Bruce Street Review

On the 19 April 2021 Councillor Coghlan gave notice of her intention to move the following at this meeting.

In accordance with Standing Orders Local Law 3.9 (6)(a) Councillor Coghlan gave written permission to Councillor Tyson or Councillor Senathirajah to move this motion at this meeting.

Moved – Councillor Tyson

Seconded – Councillor Senathirajah

Council instructs the CEO to undertake a review of Bruce Street and is to include:

- 1. volume of traffic using the street;**
- 2. monitoring evidence of the speed of vehicles;**
- 3. line markings on the street; and**
- 4. review of current parking restrictions on the street.**

Councillor Bennett left the meeting at 11.07 pm and returned at 11.08 pm.

**CARRIED 9/2
(Against: Crs. Poliwka & Wetherall)**

Justification

1. An evidence-based approach is needed so data is required. Highlighting these concerns in a formal way as required by Council is a way of formally flagging these issues. Traffic and parking concerns on this street have been raised with me whilst door knocking as a candidate for Melvista Ward in September and October 2019.
2. These issues persist and are increasing. I have had emails and calls from many residents and ratepayers, and they are very concerned about their safety.
3. Traffic is using Edward Street in greater numbers due to the Elizabeth St Save Active Street.
4. The MINJDAP for the Woolworths Development discussed traffic. The appointed technical member on the panel when asked about traffic flow, stated that traffic would use Edward Street in both east and west directions. In the case of the east flow, it would use Edward St to move onto Bruce St and also move through the side street and onto Broadway.
5. The current parking restrictions may require reviewing as they are heavily used by the cafe and business users. Ratepayers and residents also use the street and university students park their cars there.

6. There are reports of speeding as motor bikes slide around the corner of Stirling Highway and then some riders drive very fast down the wide, open street. This particularly occurs before and after business hours and is a persistent problem.
7. Line markings might be required as the street is wide. Without uniform parking restrictions on the street drivers can speed along the street. As it is a residential zone it is 50 Kms per hour (unless marked 60 Kms as are the road rules in WA.). The local residents have noted that there are no reminders of the speed limit on this street.
8. It is a local distributor street and has always been one. However due to density changes we need figures now. Then, we can better monitor the situation in the future.
9. This is a persistent problem that will not go away and some residents don't feel safe backing out of their driveways.
10. We are reviewing traffic within the city and this street requires a review.
11. I have sat on this for four months. I discussed the issues with some other Councillors and the Director of Technical Services and asked the residents to consider the break and the workload of the Council. It is now time to consider prioritising this street.

15. Council Members notices of motion given at the meeting for consideration at the following ordinary meeting on 25 May 2021

Disclaimer: Where administration has provided any assistance with the framing and/or wording of any motion/amendment to a Council Member who has advised their intention to move it, the assistance has been provided on an impartial basis. The principle and intention expressed in any motion/amendment is solely that of the intended mover and not that of the officer/officers providing the assistance. Under no circumstances is it to be expressed to any party that administration or any Council officer holds a view on this motion other than that expressed in an official written or verbal report by Administration to the Council meeting considering the motion.

Notices of motion for consideration at the Council Meeting to be held on 25 May 2021 to be tabled at this point in accordance with Clause 3.9(2) of Council's Local Law Relating to Standing Orders.

Nil.

16. Urgent Business Approved By the Presiding Member or By Decision

Any urgent business to be considered at this point.

17. Confidential Items

Closure of Meeting to the Public

Moved – Councillor Hodsdon

Seconded - Councillor Youngman

That the meeting be closed to the public in accordance with Section 5.23 (d) of the Local Government Act 1995 to allow confidential discussion on items 17.1 & 17.2.

CARRIED

(Against: Crs. Bennett Mangano & Tyson)

The meeting was closed to the public at 11.11 pm.

Councillor Mangano left the meeting at 11.44 pm.

Councillor Wetherall retired from the meeting at 11.44 pm.

Moved - Councillor Tyson

Seconded - Councillor Bennett

That the meeting be reopened to members of the public and the press.

CARRIED UNANIMOUSLY 9/-

The meeting was reopened to members of the public and the press at 11.56 pm.

In accordance with Standing Orders 12.7(3) the Presiding Member read out the motions passed by the Council whilst it was proceeding behind closed doors and the vote of the members to be recorded in the minutes under section 5.21 of the Local Government Act 1995.

17.1 Tawarri Site Redevelopment

Confidential report circulated separately to Council Members.

Moved – Councillor Wetherall

Seconded – Councillor Youngman

Council Resolution Committee Recommendation / Recommendation to Council

Council:

- 1. notes the updated Financial Due Diligence findings and recommendations as per confidential attachment 1 and requests the CEO secure the financial guarantee from the Directors and the City obtain personal guarantees from the Directors of the Sub Lessee in relation to the sub lessee's performance of its obligations under the sub lease; and**
- 2. approves the key terms and conditions of the Draft Head Lease Agreement and Draft Sublease Agreement and requests the CEO to commence the necessary advertising of the transaction in accordance with the *Local Government Act 1995*. and;**
- 3. following the completion of the advertisement period, requests the CEO to prepare a further report to Council requesting the final endorsement of the Draft Head Lease Agreement and Draft Sublease Agreements.**

CARRIED 6/5

(Against: Crs. Smyth Horley Bennett Mangano & Tyson)

17.2 Request for Legal Representation & Legal Fees

Confidential report circulated separately to Council Members.

Moved – Councillor Senathirajah

Seconded – Councillor Tyson

Council Resolution / Recommendation to Council

Council:

- 1. approves the applications for legal representation from Councillor Mangano, Councillor Wetherall and Mr Ross Jutras-Minett, Manager Urban Planning; and**
- 2. approves by absolute majority and in accordance with section 6.8(1)(b) of the Local Government Act 1995 the unbudgeted expenditure of \$20,000 per application listed in clause 1 to fund the requested legal representation subject to possible repayment in full, or part, if subsequently directed by the City in accordance with Council Policy Legal Representation for Elected Members and Employees.**

CARRIED BY ABSOLUTE MAJORITY 9/-

Declaration of Closure

There being no further business, the Presiding Member declared the meeting closed at 11.58 pm.