



City of Nedlands

Minutes

Council Meeting

28 April 2020

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 online and via livestream on Tuesday 28 April 2020 at 7 pm.

Declaration of Opening

The Presiding Member declared the meeting open at 7.03 pm and drew attention to the disclaimer below.

Present and Apologies and Leave of Absence (Previously Approved)

Councillors	Her Worship the Mayor, C M de Lacy	(Presiding Member)
	Councillor F J O Bennett	Dalkeith Ward
	Councillor W R B Hassell	Dalkeith Ward
	Councillor A W Mangano	Dalkeith Ward
	Councillor B G Hodsdon (from 7.09 pm)	Hollywood Ward
	Councillor P N Poliwka	Hollywood Ward
	Councillor J D Wetherall	Hollywood Ward
	Councillor R A Coghlan	Melvista Ward
	Councillor G A R Hay	Melvista Ward
	Councillor R Senathirajah	Melvista Ward
	Councillor N B J Horley	Coastal Districts Ward
	Councillor L J McManus	Coastal Districts Ward
	Councillor K A Smyth	Coastal Districts Ward

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

Public A maximum of 34 persons logged into the live stream of the proceedings.

Leave of Absence (Previously Approved) Nil.

Apologies Nil.

Disclaimer

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

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1. Public Question Time

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

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

1.1 Mr Peter Robins, 10 Edward Street, Nedlands

In the RAR for 135 Broadway the City Administration stated the required number of visitor car parking bays was 1 per 10 dwellings, while the RDC SPP 7.3 Vol 2 in fact requires 1 per 4 dwellings. This was presumably an error and confused with the number of required visitor bicycle parking bays which was 1 per 10 dwellings. Also, according to the developer's application, the City Administration waived the requirement for 5m² of bulk rubbish storage, as they agreed that instead the one visitor car parking bay could be used for bulk rubbish or a skip bin.

Question: Was Nedlands Council aware that the RAR on the development application for 135 Broadway, prepared by the City Administration, effectively required zero (0) visitor car parking bays for a development of 29 dwellings for it to be deemed to comply?

Answer

The proposed development for 135 Broadway consists of 20 serviced apartments and 8 residential apartments. The Residential Design Codes SPP7.3 Volume 2 Apartments only applies to the 8 residential dwellings in so far as car parking is concerned. This Code requires 1 visitor bay per 4 dwellings up to 12 dwellings. Therefore, for 135 Broadway, 2 Visitor Bays would be required for the 8 residential dwellings. The serviced apartments car parking requirement is covered by the City's Draft LPP Parking, and it has no requirement for visitor parking for serviced apartments.

The RAR states that the basement has 2 visitor bays which meets the requirement. The use of these bays for bulk rubbish collection is not proposed, it is the ground floor where bulk rubbish storage is proposed according to the RAR and here there are 5 car parking bays for café patrons. It was not my understanding as Mayor, that on reading the RAR that this proposal did not provide any visitor car parking bays.

1.2 Mrs Mather Dagmar, 35 Florence Road, Nedlands

Question 1

During these times we risk leaving behind and isolating those who are not technologically savvy. What solutions has the council considered to ensure those who are not techno- savvy can review submissions?

Answer 1

In the very few instances where this may occur those persons should contact the City to discuss alternative options (e.g. making a hard copy available, setting up a screen to view at the Administration office etc).

Question 2

Has the Council considered adopting an approach like that used for open houses where people can book a slot? This could allow the administration to manage the number of people at any point in time but allow them to run information sessions.

Answer 2

Yes, this was the process previously used (pre COVID-19) however most people would not RSVP as requested and just turn up swamping the available resources.

Question 3

What would be the triggers to relax these proposals and return to having information in some forms?

Answer 3

The trigger for relaxing restrictions will be put in place as the Department of Health provides advice on easing contact limitations. This weekend's announcement of easing restrictions is the first in what is hoped to be a series of steps taken to get back to normal. The City reviews its practices each week to align with the Department of Health's guidance.

Question 4

Given that the community is now restricted to how it can access information on development applications, will the administration consider providing additional time to comment on applications?

Answer 4

Administration do not determine the timeframe. The State Government sets the statutory minimum timeframe and it is up to the applicant whether this is extended.

Councillor Hodsdon joined the meeting at 7.09 pm.

1.3 Mr Tom & Mrs Lin McVee, 24 Kingsway, Nedlands

Question

At what stage of completion is the “Local Planning Policy: Interim Built Form Design Guidelines – Broadway Mixed Use Zone” at (i.e. as a percentage)? When (i.e. which month in 2020) does the City of Nedlands expect this LPP to be completed?

Answer

The work to date cannot be quantified in percentage terms as it involves considerable research and data gathering e.g. 90% of the data gathering may be complete but 5% of the final report developed. The initial report is scheduled to be presented to Council at the end of June 2020.

2. Addresses by Members of the Public

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

Mr Ian Phipps, 21-23 Louise Street, Nedlands PD13.20
(spoke in opposition of the recommendation)

Miss Kate Bainbridge PD12.20 & PD13.20
Element, Level 18, 191 St Georges Terrace Perth
(spoke in relation to these items)

Mr Rohan Hocking, 6 Alexander Road, Dalkeith PD16.20
(spoke in support of the application)

Mr David Lord, 21 Alexander Road, Dalkeith PD16.20
(spoke in opposition to the recommendation)

Mr Danny Meneghello, 31 Philip Road, Dalkeith PD16.20
(spoke in opposition to the recommendation)

Mrs Elizabeth Gibson, 41 Louise Street, Nedlands PD17.20 & 13.5
(spoke in support of the recommendation)

Mr & Mrs Clark, 36 Louise Street, Nedlands PD17.20
(spoke in support the recommendation)

Ms Marieka Van Den Bergh, Urbis, Level 14, 1 William Street, Perth Item 13.6
(spoke in opposition to the recommendation)

Dr Peter Robins, 10 Edward Street, Nedlands 14.9
(spoke in support the recommendation)

Mr Jim Hancock, 66 Kingsway, Nedlands 14.9
(spoke in support the recommendation)

Dr Peter Unsworth, 1 Grainger Drive, Mt Claremont 14.11
(spoke in support of the motion)

Moved – Councillor Bennett
Seconded – Councillor Horley

That Council suspend standing order local law 3.4 (4) to allow the following public addresses.

**CARRIED 7/6
(Against: Crs. McManus Hassell Poliwka
Wetherall Hay & Senathirajah)**

Mr Philip & Mrs Sandra Oates, 28 Philip Road, Dalkeith PD16.20
(spoke in support of the recommendation)

Mrs Paula Meling, 32 Philip Road, Dalkeith PD16.20
(spoke in support of the recommendation)

Mr Geoffery Cahif, 8b Alexander Road, Dalkeith PD16.20
(spoke in support of the recommendation)

Mrs Robin Chinnery 24 Philip Road, Dalkeith PD16.20
(spoke in support of the recommendation)

Councillor Mangano left the meeting at 8.02 pm.

Mrs Zoe Tole, 35 Philip Road, Dalkeith PD16.20
(spoke in support of the recommendation)

Councillor Mangano returned to the meeting at 8.04 pm.

Mr William Foster, 33 Philip Road, Dalkeith PD16.20
(spoke in support of the recommendation)

Mrs Dianne Allan, 4b Alexander Road, Dalkeith PD16.20
(spoke in support of the recommendation)

Procedural Motion

Moved – Councillor Wetherall

Seconded – Councillor McManus

That Council proceed to the next item of business.

CARRIED 8/5

(Against: Mayor de Lacy Crs. Horley Bennett Mangano & Hodsdon)

3. Requests for Leave of Absence

Moved – Councillor Wetherall

Seconded – Councillor McManus

Councillor Hassell be granted leave of absence for May & June 2020.

CARRIED UNANIMOUSLY 13/-

4. Petitions

Nil.

5. Disclosures of Financial and/or Proximity Interest

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

5.1 Councillor Bennett – PD15.20 - Scheme Amendment No. 7 – Amendment to Density Coding on Broadway, Hillway, Kingsway and Edward Street & Item 14.9 Councillor Mangano – Judicial Review Metro-West Joint Development Assessment Panel Decision – 135 Broadway, Nedlands

Councillor Bennett disclosed a financial interest in Item PD15.20 – Scheme Amendment No. 7 – Amendment to Density Coding on Broadway, Hillway, Kingsway and Edward Street, & 14.9 – Councillor Mangano - Judicial Review Metro-West Joint Development Assessment Panel Decision – 135 Broadway, Nedlands his interest being that he lives at 133 Broadway and this is his primary residence as he holds a 1/3 interest in the property. Councillor Bennett declared that he has obtained approval from the Minister for Local Government, allowing him to remain in the room, participate in the debate and vote subject to the following conditions:

1. The approval is only valid for the 28 & 30 April 2020 Ordinary Council Meeting when agenda items 12.2 and 14.9 are considered;
2. The abovementioned Councillor must declare the nature and extent of their interests at the abovementioned meeting when the matter is considered, together with the approval provided;
3. The CEO is to provide a copy of the Department's letter of approval to the abovementioned Councillor;
4. The CEO is to ensure that the declarations, including the approval given and any conditions imposed, are recorded in the minutes of the abovementioned meeting, when the item is considered;
5. The CEO is to provide a copy of the confirmed minutes of the abovementioned meeting to the Department, to allow the Department to verify compliance with the conditions of this approval; and
6. The approval granted is based solely on the interests disclosed by the abovementioned Councillor, made in accordance with the application. Should other interests be identified, these interests will not be included in this approval and the financial interest provisions of the Act will apply.

5.2 Councillor Hodsdon – PD17.20 - Local Planning Scheme 3 – Local Planning Policy: Rose Garden Transition Area and Stirling Highway West Precincts

Councillor Hodsdon disclosed a financial interest in Item PD17.20– Local Planning Scheme 3 – Local Planning Policy: Rose Garden Transition Area and Stirling Highway West Precincts, his interest being that he owns property that abuts the Rose Garden. Councillor Hodsdon declared that he would leave the room during discussion on this item.

5.3 Councillor Smyth – Item 14.9 Judicial Review Metro West Joint Development Panel Decision - 135 Broadway, Nedlands

Councillor Smyth disclosed an impartiality interest in Item 14.9 - Judicial Review Metro West Joint Development Panel Decision - 135 Broadway, Nedlands. Councillor Smyth disclosed that this matter relates to the Metro West JDAP Decision for which she was a voting member, as appointed by Council, and as a consequence, there may be a perception that her impartiality on the matter may be affected. Councillor Smyth declared that she would consider this matter on its merits and vote accordingly.

6. Disclosures of Interests Affecting Impartiality

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

There were no disclosures affecting impartiality.

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

Nil.

8. Confirmation of Minutes

8.1 Ordinary Council Meeting 31 March 2020

Moved – Councillor Coghlan
Seconded – Councillor Mangano

The Minutes of the Ordinary Council Meeting held 31 March 2020 be confirmed.

CARRIED UNANIMOUSLY 13/-

8.2 Special Council Meeting 5 March 2020

8.3 Special Council Meeting 14 April 2020

Moved – Councillor McManus
Seconded – Councillor Mangano

The Minutes of the Special Council Meeting held 5 March 2020 and Special Council Meeting held 14 April 2020 be confirmed.

CARRIED UNANIMOUSLY 13/-

9. Announcements of the Presiding Member without discussion

At 5.30am on Saturday morning our family awoke to a cold, wet and dark start to a day in which we paid respect to others who have endured much greater hardship than any of us are now enduring under the COVID lockdown. Standing at the end of our driveway in the rain, candles alight, radio on and tuned to the Last Post, we tried to imagine how hard it was for our servicemen and women in wars gone by. We gave thanks for the freedoms they assured us and continue to assure us to this day. It was heartening to see others out that morning doing the same thing. While it was not the usual way of remembering on ANZAC Day, there was something very special and communal about it.

As we continue to bear as best, we can the changes to our daily lives as a result of the lockdown, it's been heartening to see a real return of civic mindedness in our community. We have been receiving notices in our mailbox from neighbours who have set up volunteer groups that can be called upon if help is needed. Many more have been out walking our streets, riding on our paths, and getting back to basics like cooking, gardening, and home renovations. I do not think Bunnings has ever been so busy.

And while many events have been cancelled or postponed, City and Council life goes on. I appreciate the effort my fellow Councillors, the Administration and the community have made to adapt to our virtual way of working. I hope that from next month we can start to return to some normality with our Council meetings. Our planning workload continues to increase, the COVID lockdown appears to have had the opposite effect there, and we are now processing the City's largest ever development application for a multi storey apartment complex on the existing Chellingworth site. With over 300 apartments proposed this development is unprecedented. We hope to hear from as many as possible in our community about their thoughts regarding this development so please have your say.

Council is also now working on its budget for 2020/21 with a view to keeping a lid on rate rises and to identifying capital projects with community benefit that could be ready for any State or Federal government economic stimulus program. We hope to deliver the fairest budget we can in these difficult circumstances.

Finally, I hope to meet with the Minister Transport; Planning in the coming weeks to discuss the Woolworths development proposed for the Captain Stirling site and the resolution of traffic impacts on Stirling Highway. With the closing down of the Captain Stirling IGA, our City has lost an essential supermarket during the COVID pandemic. It's important we work through the issues associated with the Woolworths development to fill this gap, bring our Captain Stirling Hotel back to its grand old self, and improve upon what has been a derelict site for too long.

10. Members announcements without discussion

10.1 Councillor Wetherall

Councillor Wetherall reported that four independent families in Hollywood Ward had expressed their appreciation for the City's effort to keep the Library services open during the COVID-19 shutdown - "it was a life saver".

Councillor Wetherall also noted that residents from a clear majority of homes along Dalkeith Road North were on the verge at 6.00 am on ANZAC Day listening to radios playing the last post.

10.2 Councillor Smyth

Councillor Smyth advised she had attended the following events and meeting during April 2020:

Metro West JDAP meeting #264 – 3 April 2020 at 9:00am at the Department of Planning, Lands and Heritage, 140 William Street, Perth to determine the following applications:

Lot 684 (135) Broadway, Nedlands
Mixed Use Development (26 Serviced Apartments and Café)
Attended online.

Metro West JDAP meeting #265 – 6 April 2020 at 9:00am at the Department of Planning, Lands and Heritage, 140 William Street, Perth to determine the following applications:

Lots 65 & 66 (14-16) Webster Street, Nedlands
Construction of 10 Residential Townhouses

All were attended online.

11. Matters for Which the Meeting May Be Closed

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

Nil.

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

12.1 Minutes of Council Committees

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

Moved – Councillor Hassell
Seconded – Councillor McManus

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

CEO Performance Review Committee	10 March 2020
Circulated to Councillors on 3 April 2020	
CEO Performance Review Committee	7 April 2020
Circulated to Councillors on 16 April 2020	
Council Committee	14 April 2020
Circulated to Councillors on 16 April 2020	

CARRIED UNANIMOUSLY 13/-

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

En Bloc

Moved - Councillor McManus
Seconded – Councillor Senathirajah

That all Committee Recommendations relating to Reports under items 12.2, 12.3, 12.4 and 12.5 with the exception of Report Nos. PD11.20, PD12.20, PD13.20, PD15.20, PD16.20 & PD17.20 are adopted en bloc.

CARRIED UNANIMOUSLY 13/-

12.2 Planning & Development Report No's PD09.20 to PD17.20 (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.

PD09.20	Memorandum of Understanding Remnant Bushland Cottesloe Golf Club
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Committee	14 April 2020
Council	28 April 2020
Applicant	City of Nedlands
Director	Peter Mickleson – Director Planning & Development
Employee Disclosure under section 5.70 Local Government Act 1995	Nil
Reference	Nil
Previous Item	Nil
Attachments	1. Memorandum of Understanding - Contribution to Remnant Bushland Management within Reserve 9299

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor McManus
 Seconded – Councillor Senathirajah

That the Recommendation to Council be adopted.

(Printed below for ease of reference)

CARRIED UNANIMOUSLY EN BLOC 13/-

Council Resolution / Committee Recommendation / Recommendation to Committee
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Council authorises the Chief Executive Officer to sign the Memorandum of Understanding for the contribution to remnant bushland management within Reserve 9299 between the City of Nedlands and the Cottesloe Golf Club (Inc).

PD10.20	Scheme Amendment No. 5 – 14 & 16 Napier Street, Nedlands
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Committee	14 April 2020
Council	28 April 2020
Director	Peter Mickleson – Director Planning & Development
Employee Disclosure under section 5.70 Local Government Act 1995	Nil
Reference	Nil
Previous Item	Nil
Attachments	1. Scheme Amendment No. 5 Report

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor McManus
 Seconded – Councillor Senathirajah

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

CARRIED UNANIMOUSLY EN BLOC 13/-

Council Resolution / Committee Recommendation / Recommendation to Committee

Council:

- 1. Pursuant to Section 75 of the Planning and Development Act 2005, adopts an Amendment to Local Planning Scheme 3 by:

 - a) Reclassifying 14 Napier Street, Nedlands from the Residential Zone to the ‘Drainage / Waterway’ Local Scheme Reserve;**
 - b) Removing the residential density code of R15 from 14 Napier Street, Nedlands;**
 - c) Rezoning 16 Napier Street, Nedlands from the ‘Drainage / Waterway’ Local Scheme Reserve to ‘Residential’; and**
 - d) Amending the LPS 3 Scheme Map to reserve 14 Napier Street, Nedlands for ‘Drainage / Waterway’ and zone 16 Napier Street, Nedlands to ‘Residential’ with an R15 residential density code.****

- 2. In accordance with Planning and Development (Local Planning Schemes) Regulations 2015 section 35(2), the City contends that the amendment is a Basic Amendment for the following reasons:
 - a) An amendment to correct an administrative error.****
- 3. Pursuant to Section 81 of the Planning and Development Act 2005 (P&D Act 2005), refers Scheme Amendment 5 to the Environmental Protection Authority.**

PD11.20	Local Planning Scheme 3 – Local Planning Policy: Residential Aged Care Facilities
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Committee	14 April 2020
Council	28 April 2020
Applicant	City of Nedlands
Director	Peter Mickleson – Director Planning & Development
Employee Disclosure under section 5.70 Local Government Act 1995	Nil
Reference	Nil
Previous Item	PD52.19 – OCM 17 December 2019
Attachments	<ol style="list-style-type: none"> 1. Tracked Changes Draft Residential Aged Care Facilities Local Planning Policy (LPP) 2. Draft Residential Aged Care Facilities Local Planning Policy (LPP)

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

Moved – Councillor Wetherall
 Seconded – Councillor McManus

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

Amendment

Moved - Councillor Mangano
 Seconded - Councillor Bennett

That the height limit be amended to 3 storeys.

The AMENDMENT was PUT and was

Lost 6/7
 (Against: Mayor de Lacy Crs. McManus Hassell Wetherall Hay Poliwka & Senathirajah)

The Original Motion was PUT and was

Councillor Hay left the meeting at 8.49 pm.

CARRIED 7/5
(Against: Crs. Horley Smyth Bennett Mangano & Coghlan)

Council Resolution / Committee Recommendation / Recommendation to Committee

Council proceeds to adopt the Residential Aged Care Facilities Local Planning Policy with modifications, as set out in Attachment 2, in accordance with the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2, Part 2, Clause 4(3)(b)(ii).

PD12.20	Local Planning Scheme 3 – Local Planning Policy: Doonan Road, Jenkins Avenue, Vincent Street, Laneway and Built Form Requirements
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Committee	14 April 2020
Council	28 April 2020
Applicant	City of Nedlands
Director	Peter Mickleson – Director Planning & Development
Employee Disclosure under section 5.70 Local Government Act 1995	Nil
Reference	Nil
Previous Item	SCM 30 January – Item 8
Attachments	<ol style="list-style-type: none"> 1. Tracked Changes Doonan Road, Jenkins Avenue, Vincent Street Laneway and Built Form Requirements Local Planning Policy (LPP) 2. Draft Doonan Road, Jenkins Avenue, Vincent Street Laneway and Built Form Requirements Local Planning Policy (LPP) 3. Summary of Submissions
Confidential Attachments	<ol style="list-style-type: none"> 1. Submissions (CONFIDENTIAL)

Procedural Motion

Moved – Councillor Wetherall

Seconded – Councillor Senathirajah

That the meeting proceed to the next item of business.

CARRIED UNANIMOUSLY 13/-

Please note: No Recommendation from Committee.

Recommendation to Committee

Council:

1. Proceeds to adopt the Doonan Road, Jenkins Avenue, Vincent Street, Laneway and Built Form Requirements Local Planning Policy, with modifications as set out in Attachment 2, including the following 9 modifications in accordance with the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2, Part 2, Clause 4(3)(b)(ii);

- a) modification be made to Paragraph 2.1: Clarification that the policy applies to subdivision applications and development applications for ALL new Dwellings;
 - b) modification be made to Paragraph 4.1.2: Clarification that land comprising the laneway will be ceded free of cost and as a condition of subdivision or development approval being granted pursuant to the provisions of Clause 32.3 of Local Planning Scheme No. 3;
 - c) modification be made to Paragraph 4.1.3: Deletion of redundant clause as it is covered in 4.1.2;
 - d) modification be made to Paragraph 4.1.5 and 4.1.6: Inclusion of discretion by inserting “to the satisfaction of the City”;
 - e) modification be made to Paragraph 4.1.8: Removal of specific reference to bollard lighting to enable more flexibility around the provision of the form of lighting;
 - f) modification be made to Paragraph 4.2.1: Inclusion of discretion by inserting “unless otherwise agreed to by the City”;
 - g) modification be made to Paragraph 4.2.3: Clarification of fencing requirements in accordance with relevant Residential Design Codes Vol. 1 or 2;
 - h) modification be made to Paragraph 4.2.7: Clarification of tree expectations and inclusion of discretion by inserting “to the satisfaction of the City.”; and
 - i) modification be made to Paragraph 5.1: Clarification of information to be provided on a Landscape Plan.
2. Refers the Doonan Road, Jenkins Avenue, Vincent Street, Laneway and Built Form Requirements. Local Planning Policy to the Western Australian Planning Commission for final approval in accordance with State Planning Policy SPP7.3, Residential Design Codes Volume 1 2019 Clause 7.3.2
2. Refers the Doonan Road, Jenkins Avenue, Vincent Street, Laneway and Built Form Requirements. Local Planning Policy to the Western Australian Planning Commission for final approval in accordance with State Planning Policy SPP7.3, Residential Design Codes Volume 1 2019 Clause 7.3.2.

PD13.20	Local Planning Scheme 3 – Local Planning Policy: Taylor Road – Dalkeith Road Laneway and Built Form Requirements
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Committee	14 April 2020
Council	28 April 2020
Director	Peter Mickleson – Director Planning & Development
Employee Disclosure under section 5.70 Local Government Act 1995	Nil
Reference	Nil
Previous Item	Nil.
Attachments	1. Draft Taylor Rd to Dalkeith Road and Built Form Requirements Local Planning Policy (LPP)
Confidential Attachments	1. Plans of Subdivision proposals addressing Jenkins Ave (CONFIDENTIAL)

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Mangano
 Seconded – Councillor Coghlan

That the Recommendation to Council be adopted.

(Printed below for ease of reference)

CARRIED 9/3
(Against: Crs. Smyth Poliwka & Wetherall)

Council Resolution / Committee Recommendation / Recommendation to Committee

Council prepares, and advertises for a period of 21 days, in accordance with the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2, Part 2, Clause 4, the Taylor Road – Dalkeith Road Laneway and Built Form Requirements Local Planning Policy.

PD14.20	Scheme Amendment No. 4 – Amendment to Table 3 – Zoning Table- Fast Food Outlet Prohibition
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Committee	14 April 2020
Council	28 April 2020
Director	Peter Mickleson – Director Planning & Development
Employee Disclosure under section 5.70 Local Government Act 1995	Nil
Reference	Nil
Previous Item	Nil
Attachments	1. Scheme Amendment No. 4 Report

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor McManus
Seconded – Councillor Senathirajah

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

CARRIED UNANIMOUSLY EN BLOC 13/-

Council Resolution / Committee Recommendation

That the motion be adjourned until the May 2020 Council Meeting.

Recommendation to Committee

Council:

1. Pursuant to Section 75 of the Planning and Development Act 2005, adopt an Amendment to Local Planning Scheme 3 by:

Amending Table 3 – Zoning Table so that Fast Food Outlet is an 'X' use (Not Permitted) in all zones within the City except for the Urban Development Zone. This will require modification of the permissibility of the use class for the Mixed Use and Neighbourhood Centre Zones.

2. In accordance with Planning and Development (Local Planning Schemes) Regulations 2015 section 35(2), the City contends that the amendment is a Standard Amendment for the following reasons:

It satisfies the following criteria of Regulation 34 of the Planning and Development (Local Planning Scheme) Regulations 2015:

- a) an amendment relating to a zone or reserve that is consistent with the objectives identified in the scheme for that zone or reserve;
 - b) an amendment that is consistent with a local planning strategy for the scheme that has been endorsed by the Commission;
 - c) an amendment that would have minimal impact on land in the scheme area that is not the subject of the amendment;
 - d) an amendment that does not result in any significant environmental, social, economic or governance impacts on land in the scheme area;
 - e) any other amendment that is not a complex or basic amendment.
3. Pursuant to Section 81 of the Planning and Development Act 2005, refers Scheme Amendment 4 to the Environmental Protection Authority.
 4. Subject to Section 84 of the Planning and Development Act 2005 advertises Scheme Amendment 4 – Fast Food Outlets in accordance with Regulation 47 of the Planning and Development (Local Planning Schemes) Regulations 2015 and Council Policy – Community Engagement.

PD15.20	Scheme Amendment No. 7 – Amendment to Density Coding on Broadway, Hillway, Kingsway, Edward Street and Elizabeth Street
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Committee	14 April 2020
Council	28 April 2020
Director	Peter Mickleson – Director Planning & Development
Employee Disclosure under section 5.70 Local Government Act 1995	Nil
Reference	Nil
Previous Item	Nil
Attachments	1. Scheme Amendment No. 7 Justification Report 2. Scheme Amendment No. 7 Maps of Proposed Density Changes

Councillor Bennett – Financial Interest

Councillor Bennett disclosed a financial interest, his interest being that he lives at 133 Broadway and this is his primary residence as he holds a 1/3 interest in the property. Councillor Bennett declared that he has obtained approval from the Minister for Local Government, allowing him to remain in the room, participate in the debate and vote subject to the following conditions:

1. The approval is only valid for the 28 & 30 April 2020 Ordinary Council Meeting when agenda items 12.2 and 14.9 are considered;
2. The abovementioned Councillor must declare the nature and extent of their interests at the abovementioned meeting when the matter is considered, together with the approval provided;
3. The CEO is to provide a copy of the Department's letter of approval to the abovementioned Councillor;
4. The CEO is to ensure that the declarations, including the approval given and any conditions imposed, are recorded in the minutes of the abovementioned meeting, when the item is considered;
5. The CEO is to provide a copy of the confirmed minutes of the abovementioned meeting to the Department, to allow the Department to verify compliance with the conditions of this approval; and
6. The approval granted is based solely on the interests disclosed by the abovementioned Councillor, made in accordance with the application. Should other interests be identified, these interests will not be included in this approval and the financial interest provisions of the Act will apply.

Regulation 11(da) - Based on further information made available to Council since the Council Committee Meeting Council determined to amend the resolution from Committee to incorporate this additional information.

Moved – Councillor Hassell

Seconded – Councillor Wetherall

Council Resolution

Council:

- 1. pursuant to Section 75 of the Planning and Development Act 2005, adopts an Amendment to Local Planning Scheme 3 by:**
 - a. Changing the residential density coding of subject properties as follows:**
 - Numbers 2 to 36 Kingsway and 42 to 96 Kingsway, Nedlands from R60 to R40;
 - Numbers 7 to 23 Hillway, Nedlands from R60 to R40 (northwest side of street);
 - Numbers 1 to 4 Hillway, Nedlands from R-AC3 to R-AC4 (northwest side of street);
 - Number 5 Hillway, Nedlands from R-AC3 to R40
 - Numbers 69 to 139 Broadway, Nedlands from R-AC3 to RAC4;
 - Number 2 Edward Street from R-AC3 to R-AC4; and
 - Numbers 1, 1A and 1B Elizabeth Street from R-AC3 to RAC4.
- 2. in accordance with Planning and Development (Local Planning Schemes) Regulations 2015 section 35(2), the City believes that the amendment is a Standard Amendment for the following reasons:**
 - a. The amendment proposes a modified density code that remains consistent with the objectives identified in the scheme for that zone;**
 - b. The amendment is consistent with a local planning strategy for the scheme that has been endorsed by the Commission;**
 - c. The amendment is consistent with the Metropolitan Region Scheme that applies to the scheme area.**
- 3. instructs the CEO to review and incorporate relevant content and justifications within the Rise Urban report “LPS 3 – Scheme Amendment No.7” into the Attachment 1 Scheme Amendment Justification Report to the satisfaction of the Mayor, noting that the Rise Urban report is based on the Feb 25 Council resolution and provides additional justification based on the Nedlands Local Planning Strategy endorsed by the WAPC in 2017;**

4. pursuant to Section 81 of the Planning and Development Act 2005, refers Scheme Amendment 7 to the Environmental Protection Authority; and
5. subject to Section 84 of the Planning and Development Act 2005 advertises Scheme Amendment 7 in accordance with Regulation 38 of the Planning and Development (Local Planning Schemes) Regulations 2015 and Council Policy – Community Engagement.

Amendment

Moved - Councillor Mangano

Seconded - Councillor Coghlan

Replace the existing clause 3. With the following instructs the CEO to use the Rise Urban report “LPS 3 – Scheme Amendment No.7” as its Scheme Amendment Justification Report, noting that the Rise Urban report is based on the Feb 25 Council resolution and provides additional justification based on the Nedlands Local Planning Strategy endorsed by the WAPC in 2017;

Councillor Hay returned to the meeting at 9.24 pm.

Councillor Horley left the meeting 9.26 pm.

The AMENDMENT was PUT and was

Lost 5/7
(Against: Mayor de Lacy Crs. McManus Hassell
Poliwka Wetherall Hay & Senathirajah)

Councillor Horley returned to the room at 9.29 pm.

The Original Motion was PUT and was

Councillor Hay left the meeting 9.30 pm.

CARRIED UNANIMOUSLY 12/-

Please note: There was no Recommendation from Committee.

2.0 Recommendation to Committee

Council:

1. Pursuant to Section 75 of the Planning and Development Act 2005, adopt an Amendment to Local Planning Scheme 3 by:
 - a. Changing the residential density coding of subject properties as follows:
 - Numbers 2 to 36 Kingsway and 42 to 96 Kingsway, Nedlands from R60 to R40;
 - Numbers 7 to 23 Hillway, Nedlands from R60 to R40 (northwest side of street);
 - Numbers 1 to 5 Hillway, Nedlands from R-AC3 to R-AC4 (northwest side of street);
 - Numbers 69 to 139 Broadway, Nedlands from R-AC3 to R-AC4;
 - Number 2 Edward Street from R-AC3 to R-AC4; and
 - Numbers 1, 1A and 1B Elizabeth Street from R-AC3 to R-AC4.
2. In accordance with Planning and Development (Local Planning Schemes) Regulations 2015 section 35(2), the City believes that the amendment is a Complex Amendment for the following reasons:
 - a. an amendment that is not consistent with a local planning strategy for the scheme that has been endorsed by the Commission;
 - b. an amendment that is not addressed by any local planning strategy; and
 - c. an amendment relating to development that is of a scale, or will have an impact, that is significant relative to development in the locality;
3. Pursuant to Section 81 of the Planning and Development Act 2005, refers Scheme Amendment 7 to the Environmental Protection Authority.
4. In accordance with Planning and Development (Local Planning Schemes) Regulations 2015 section 37(2) submit 2 copies of the proposed Scheme Amendment 7 to the West Australian Planning Commission for approval to advertise.

5. Subject to Section 84 of the Planning and Development Act 2005 advertises Scheme Amendment 7 in accordance with Regulation 38 of the Planning and Development (Local Planning Schemes) Regulations 2015 and Council Policy – Community Engagement.

1.0 Executive Summary

The purpose of this report is for Council to provide consent to prepare (adopt) the proposed Scheme Amendment No. 7 to Local Planning Scheme No. 3 (LPS3).

Local Planning Scheme No. 3 (LPS3) was gazetted on 16 April 2019. Modifications from the Minister for Planning introduced changes to the Scheme that increased the density coding along sections of Broadway and surrounding streets Kingsway, Hillway, Elizabeth Street and Edward Street, Nedlands as follows:

- Numbers 2 to 36 Kingsway and 42 to 96 Kingsway: increased from R12.5 to R60;
- Numbers 1 to 5 Hillway: increased from R12.5 to R-AC3 (northwest side of street);
- Numbers 7 to 23 Hillway: increased from R12.5 to R60 (northwest side of street);
- Numbers 69 to 131 Broadway: increased from R35 to R-AC3;
- Numbers 133 to 139 Broadway: increased from R12.5 to R-AC3;
- Number 2 Edward Street: increased from R12.5 to R60; and
- Numbers 1, 1A and 1B Elizabeth Street: increased from R35 to R-AC3.

At its Meeting held on the 25 February 2020, Council resolved to propose an amendment to lower the density code of the above properties. The City's resolution reads:

'Council resolves to prepare a scheme amendment to LPS3 to rezone:

- Numbers 2 to 96 Kingsway from R60 to R40
- Numbers 69 to 139 Broadway, and 1 and 3 Hillway from R-AC3 to R-AC4
- Numbers 5 to 23 Hillway from R60 to R40'

Administration have investigated this proposal, and recommends changes to the wording of this resolution to ensure consistency with the Scheme's existing density codes, correct planning terminology and to avoid the exclusion of adjoining properties in this proposed re-coding that could result in 'orphan' density codes along these streets. The recommended revised wording of the scheme amendment is:

Council resolves to prepare a scheme amendment to LPS3 to change the density coding of subject properties as follows:

- Numbers 2 to 36 Kingsway and 42 to 96 Kingsway from R60 to R40;
- Numbers 7 to 23 Hillway from R60 to R40 (northwest side of street);

- Numbers 1 to 5 Hillway from R-AC3 to R-AC4 (northwest side of street);
- Numbers 69 to 139 Broadway from R-AC3 to R-AC4;
- Number 2 Edward Street from R-AC3 to R-AC4; and
- Numbers 1, 1A and 1B Elizabeth Street from R-AC3 to R-AC4.

The City considers the amendment to be a Complex Amendment as it satisfies the following criteria of the Regulation 34 of the Planning and Development (Local Planning Scheme) Regulations 2015:

- a. an amendment that is not consistent with a local planning strategy for the scheme that has been endorsed by the Commission;
- b. an amendment that is not addressed by any local planning strategy;
- c. an amendment relating to development that is of a scale, or will have an impact, that is significant relative to development in the locality;

3.0 Amendment Details

Should the City's Council resolve to proceed with Administration's recommended scheme amendment, the wording will be:

To prepare a scheme amendment to LPS to change the residential density coding of subject properties as follows:

- Numbers 2 to 36 Kingsway and 42 to 96 Kingsway, Nedlands from R60 to R40;
- Numbers 7 to 23 Hillway, Nedlands from R60 to R40 (northwest side of street);
- Numbers 1 to 5 Hillway, Nedlands from R-AC3 to R-AC4 (northwest side of street);
- Numbers 69 to 139 Broadway, Nedlands from R-AC3 to R-AC4;
- Number 2 Edward Street, Nedlands from R-AC3 to R-AC4; and
- Numbers 1, 1A and 1B Elizabeth Street from R-AC3 to R-AC4.

If approved by the Western Australian Planning Commission (WAPC) the proposal will result in decreases in height and plot ratio, and in some instances increases in rear setbacks, as per the indicative built form measures of State Planning Policy 7.3 – Residential Design Codes Volume 2.

4.0 Consultation

In accordance with the requirements of the Regulations, should Council resolve to advertise this amendment, the City is required to send two copies of the proposed amendment to the WAPC seeking approval to advertise it to the public. The request for approval to advertise the amendment must be sent to the WAPC within 21 days of the Council resolution.

If the WAPC do not consent to the amendment being advertised, the processing of the scheme amendment will cease at this point.

5.0 Strategic Implications

This Scheme Amendment is consistent with discussions that Administration has had with Council in relation to zoning in the subject area. Provision exists within the Planning and Development (Local Planning Schemes) Regulations 2015 for the City to seek amendments to zoning through a Scheme Amendment process.

6.0 Budget / Financial Implications

Nil.

PD16.20	No. 6 Alexander Road, Dalkeith – 4 x Multiple Dwellings
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Committee	14 April 2020
Council	28 April 2020
Applicant	Dr Bay Yeo
Landowner	BHY Holdings Pty Ltd
Director	Peter Mickleson – Director Planning & Development
Employee Disclosure under section 5.70 Local Government Act 1995	Nil
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	DA19/40779
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	<ol style="list-style-type: none"> 1. Site photographs 2. Location plan 3. Aerial 4. Development plans dated 18 February 2020 5. Applicant planning report 6. Schedule of submissions 7. Architect and landscape peer review 8. Acoustic report 9. Waste management plan 10. Sustainability report 11. Landscape plan 12. Administration's Assessment of SPP 7.3 – R-Codes Vol 2
Confidential Attachments	<ol style="list-style-type: none"> 1. Submissions (CONFIDENTIAL)

Councillor Coghlan left the room at 9.31 pm.

Moved – Councillor Mangano

Seconded – Mayor de Lacy

Regulation 11(da) - Council determined that it wished to amend the reasons for refusal given at the Committee meeting.

Council Resolution

Council refuses the development application dated 15 October 2019 with amended plans being received on 18 February 2020, to construct four (4) multiple dwellings on Lot 381 on Plan 3395 at 6 Alexander Road, Dalkeith, for the following reasons:

- 1. The proposal does not meet the element objective of O2.5.1 of the Residential Design Codes Volume 2 in that the overall bulk and scale of the development is not consistent with the existing character of the area. The proposal does not meet the element objective O3.2.2 of the Residential Design Codes Volume 2 in that the development will have a significant impact on the amenity of the neighbour to the immediate south at 8A Alexander Road due to the existence of a relatively new dwelling at 8A, and overshadowing of approximately 90% of the home's roof space in May, June and July compromising solar access with little ability to adapt (e.g. roof skylights are unlikely to make much difference).**
- 2. Approval of the development would not be consistent with Clause 67(m) of the matters to be considered under the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* in that the development is not compatible within its setting due to the bulk and scale of the development being incongruous with the existing buildings in the immediate locality.**
- 3. Approval of the development would not be consistent with Clause 67(n) of the matters to be considered under the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* in that the development adversely impacts upon the amenity of the locality due to the size and scale of the development, including the impact of overshadowing on the southern neighbouring property.**
- 4. Approval of the application would not be consistent with the aims of the City of Nedlands Local Planning Scheme No. 3, particularly aim (a) which is to protect and enhance local character and amenity. The proposal is of greater bulk and scale than the existing buildings in the immediate locality and has the potential to adversely impact upon the amenity of the locality, particularly the southern neighbouring property due to overshadowing.**

Councillor Hassell left the meeting at 9.32 pm.

Councillor Hay returned to the meeting at 9.33 pm.

Councillor Coghlan & Councillor Hassell returned to the meeting at 9.35 pm.

CARRIED UNANIMOUSLY 13/-

Committee Recommendation

That Council refuses the development application dated 15 October 2019 for the following reasons:

1. Inconsistent with the draft LPP approved by Council (McLeod's advice is LPP does not have to match zone building heights);
2. Inconsistent with proposed scheme amendment to R35;
3. Over height (4 ½ storeys in lieu of 4 storeys);
4. Exceeds plot ratio of 1. (1.15); and
5. Severe impact on the present and future amenity of the area (denies solar access to two southern neighbours, and will result in increased traffic issues in an already busy short and narrow street).

Comment: in regard to the planning recommendation I believe it is deficient in that it does not give due regard or sufficient weight to the amenity of the neighbourhood, in particular the impact on the two southern neighbours, which is a due regard item (matters to be considered) in Clause 67 of the Local Planning Schemes regulation 2015.

Recommendation to Committee

Council approves the development application dated 15 October 2019 with amended plans being received on 18 February 2020, to construct four (4) multiple dwellings on Lot 381 on Plan 3395 at 6 Alexander Road, Dalkeith, subject to the following conditions and advice:

1. At Building permit stage, the hereby approved development shall not exceed 15m in height.
2. This decision constitutes planning approval only and is valid for a period of two (2) years from the date of approval. If the subject development is not substantially commenced within the two (2) year period, the approval shall lapse and be of no further effect.
3. 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.

4. This approval is for Multiple dwellings. Development shall be in accordance with this land use as defined within Local Planning Scheme No. 3, the approved plan(s), any other supporting information and conditions of approval.
5. Prior to occupation of the development the finish of the parapet walls is to be finished in accordance with the hereby approved plans.
6. All stormwater generated on site is to be retained on site. An onsite storage/infiltration system is to be provided within the site for a 1 in 100-year storm event. No stormwater will be permitted to enter the City of Nedlands' stormwater drainage system unless otherwise approved.
7. A Demolition and Construction Management Plan being provided to the City which addresses the control of; vibration, dust, noise, waste, sand, sediment, temporary fencing, hoardings, gantries, site access / egress, site deliveries, heavy construction machinery, traffic control shall be provided to the City with or before the demolition permit and building permit approval applications are submitted and shall be implemented to the satisfaction of the City.
8. Prior to the lodgement of a Building Permit, an arborist report shall be submitted to the City, demonstrating that the construction and built development will not adversely affect the health of any tree located on the verge.
9. The Acoustic report prepared Herring Storer Acoustics forms part of this approval. The recommendations contained within the acoustic report shall be implemented and adhered to for the lifetime of the development to the satisfaction of the City.
10. Prior to occupation of the development any new or modified crossover associated with the hereby approved development must receive separate approval from the City.
11. Prior to the application of a building permit, the proposed car parking and vehicle access areas shall be sealed, drained, paved and line marked in accordance with the approved plans and are to comply with the requirements of AS2890.1 to the satisfaction of the City.
12. The waste management plan forms part of this development approval and shall be complied with at all times to the satisfaction of the City.
13. Prior to commencement of development, a detailed landscaping plan prepared by a competent landscape designer shall be submitted to and approved by the City. Landscaping shall be installed and maintained in accordance with that plan, or any modifications approved thereto, for the lifetime of the development thereafter, to the satisfaction of the City.

14. Prior to occupation, the applicant shall arrange a suitably qualified consultant to prepare a lighting plan which demonstrates that the proposed development will not cause adverse amenity impacts on the surrounding locality and comply with the relevant Australian Standard;
 - i. A full site plan indicating the proposed siting of lighting columns including details of their proposed height;
 - ii. Times of operation;
 - iii. A Management Plan to detail the methods that will be employed to mitigate the impacts of light penetration and glare to the occupiers of adjacent property, including the use of an automatic timing device;
 - iv. Details of orientation and hooding and/or other measures to minimise their impact in the interests of pedestrian and/or vehicular safety and amenity; and
 - v. Details where the proposed floodlighting is sited in close proximity to residential property, the spread of lighting from the lighting installation must be restricted in accordance with the relevant Australian Standard.

15. All major openings, balconies, and private open space are to comply with the visual privacy setbacks to adjoining properties in accordance with Table 3.5 of State Planning Policy Residential Design Codes Volume 2 - Apartments or shall be screened by either:
 - a) fixed obscured or translucent glass to a height of 1.60 metres above finished floor level;
 - 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.

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

16. At Building Permit Stage, one (1) multiple dwelling on the hereby approved development plans shall meet 'Silver Level' requirements as defined in the Liveable Housing Design Guidelines.

Advice Notes

1. The applicant is advised that the development is subject to a Building Permit.

2. In relation to condition (7), the applicant is advised that the landscaping plan is to address the recommendations outlined in the Landscape peer review.
3. In relation to condition (9), the applicant is advised that as part the Building Permit, a long section of the car park driveway is to be submitted to Technical Services to ensure the vehicle access and circulation areas comply with the AS2890.1.
4. The applicant is advised that where a pool is removed, it shall be filled with clean free draining fill and compacted in 300mm layers. A passing compaction test from a suitable qualified structural engineer is required prior to new structures being built in the location of the old pool.
5. Where parts of the existing dwelling/building and structures are to be demolished, a demolition permit is required prior to demolition works occurring. All works are required to comply with relevant statutory provisions.
6. Where building works are proposed to the building/tenancy a building permit shall be applied for prior to works commencing. Where required an Occupancy Permit shall be obtained prior to occupying the premises.
7. As per the recommendations contained within the acoustic report prepared by Herring Storer Acoustics - Acoustic assessment (by a suitably qualified acoustic consultant) is to be carried out for all mechanical equipment/plant once designed (including the use of the waste compactor, exhaust fans, air conditioners and any other plant) demonstrating compliance with the Environmental Protection (Noise) Regulations 1997.
8. The enclosure for the storage and cleaning of waste receptacles to be provided on the premises, and managed, as per the requirements of the City's Health Local Laws 2017:
 - a) Constructed of brick, concrete, corrugated compressed fibre cement sheet or other material of suitable thickness approved by the City;
 - b) Walls not less than 1.8m in height and access of not less than 1.0 metre in width fitted with a self-closing gate;
 - c) Smooth and impervious floor not less than 75mm thick and evenly graded to an approved liquid refuse disposal system;
 - d) Easily accessible to allow for the removal of the receptacles;
 - e) Provided with a ramp into the enclosure having a gradient of no steeper than 1:8 unless otherwise approved by the City;
 - f) Provided with a tap connected to an adequate supply of water; and

- g) Adequately ventilated, such that they do not create a nuisance to residences (odour).
9. The applicant is advised that the development is to comply with the requirements of the Health Act (Laundries and Bathrooms) Regulations and Health Local Laws 1017;
- a) Laundries are not to be situated in a room where food is prepared, stored or consumed. Where situated adjacent to a kitchen or room where food is stored, prepared or consumed, the facilities are to be separated by a wall, or other approved partition which shall be at least 1.8 metres high (i.e. extending from the floor to the roof or ceiling), and where an opening permitting communication between the laundry and kitchen is provided, the opening shall not extend for more than half the width of the room and it shall not be more than 1.2 metres wide. The door which when closed shall completely fill the opening.
10. The applicant is advised that in relation to the demolition works;
- a) All septic sewer systems including all tanks and pipes and associated drainage systems (soak wells or leach drains) and any stormwater disposal systems are to be decommissioned, in accordance with the Health (Treatment of Sewerage and Disposal of Effluent and Liquid Waste) Regulations 1974, removed, filled with clean sand and compacted. Proof of decommissioning is to be provided in the form of either certification from a licensed plumber or a statutory declaration from the landowner/ applicant, confirming that the site has been inspected and all septic tanks, soak wells, leach drains and any associated pipework have been removed.
11. The applicant is advised that in order for the pool to be demolished - swimming pool waste Water is to be appropriately disposed of and is not to be discharged into the Water Corporation Sewerage System, City Stormwater drainage system or discharged freely off the residential lot.
12. The applicant/landowner is advised that all mechanical equipment (e.g. air-conditioner, swimming pool or spa) is required to comply with the Environmental Protection (Noise) Regulations 1997, in relation to noise.
13. The applicant is advised that prior to the commencement of any demolition works, any Asbestos Containing Material (ACM) in the structure to be demolished, shall be identified, safely removed and conveyed to an appropriate landfill which accepts ACM.

14. Removal and disposal of ACM shall be in accordance with Health (Asbestos) Regulations 1992, Regulations 5.43 - 5.53 of the Occupational Safety and Health Regulations 1996, Code of Practice for the Safe Removal of Asbestos 2nd Edition, Code of Practice for the Management and Control of Asbestos in a Workplace, and any Department of Commerce Worksafe requirements.
15. Where there is over 10m² of ACM or any amount of friable ACM to be removed, it shall be removed by a Worksafe licensed and trained individual or business.
16. The applicant is advised that the development is to be provided with suitable enclosures for the storage and cleaning of waste receptacles on the premises per the following requirements:
 - a) Constructed of brick, concrete, corrugated compressed fibre cement sheet or other material of suitable thickness approved by the City;
 - b) Walls not less than 1.8m in height and access of not less than 1m in width fitted with a self-closing gate;
 - c) Smooth and impervious floor not less than 75mm thick and evenly graded to an approved liquid refuse disposal system;
 - d) Easily accessible to allow for the removal of the receptacles;
 - e) Provided with a ramp into the enclosure having a gradient of no steeper than 1:8 unless otherwise approved by the City;
 - f) Provided with a tap connected to an adequate supply of water; and
 - g) Adequately ventilated to mitigate odour.
17. The applicant is advised to consult the City's Acoustic Advisory Information in relation to locating any mechanical equipment (e.g. air-conditioner, swimming pool or spa) such that noise, vibration impacts on neighbours are mitigated. The City does not recommend installing any equipment near a property boundary where it is likely that noise will intrude upon neighbours.
18. The applicant is advised that where floodlighting is proposed, the applicant shall seek independent expert advice from a suitably qualified consultant detailing the particulars of the application, specifications of the type of floodlight proposed and certifying that the proposed lighting will not cause adverse amenity impacts on the surrounding locality and comply with the relevant Australian Standard;
 - a) A full site plan indicating the proposed siting of lighting columns including details of their proposed height;

- b) Times of operation;
 - c) A Management Plan to detail the
 - d) methods that will be employed to mitigate the impacts of light penetration and glare to the occupiers of adjacent property, including the use of an automatic timing device;
 - e) Details of orientation and hooding and/or other measures to minimise their impact in the interests of pedestrian and/or vehicular safety and amenity; and
 - f) Details where the proposed floodlighting is sited in close proximity to residential property, the spread of lighting from the lighting installation must be restricted in accordance with the relevant Australian Standard.
19. The applicant is advised that developers are responsible for providing telecommunications infrastructure in their developments. To provide this infrastructure, they need to contract a carrier to install telecommunications infrastructure in their new development. If you choose National Broadband Network (NBN) to service your development, you will need to enter into a developer agreement with NBN. The first step is to register the development via
- <http://www.NBNco.com.au/develop-or-plan-with-the-NBN/new-developments.html>
- Once registered NBN will be in contact to discuss the specific requirements for the development. NBN requires you to apply at least six months before the required service date. All telecommunications infrastructure should be built to NBN guidelines found at
- <http://www.NBNco.com.au/develop-or-plan-with-the-NBN/new-developments/builders-designers.html>
20. The applicant is advised that all works within the adjacent thoroughfare, i.e. road, kerbs, footpath, verge, crossover or right of way, also require a separate approval from the City prior to construction commencing.
21. The applicant is advised that a new crossover or modification to an existing crossover will require a separate approval from the City prior to construction commencing.
22. The applicant is advised that the contractor/developer shall protect the City's street trees from any damage that may be caused by the scope of works covered by this contract for the duration of the contract. All work carried out under this contract is to comply with the City's policies, guidelines and Australian Standards relating to the protection of trees on or adjacent to development sites (AS 4870-2009).

23. The applicant is advised that all street tree assets in the nature-strip (verge) shall not be removed. Any approved street tree removals shall be undertaken by the City and paid for by the owner of the property where the development is proposed, unless otherwise approved by the City.

PD17.20	Local Planning Scheme 3 – Local Planning Policy: Rose Garden Transition Area and Stirling Highway West Precincts
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Committee	14 April 2020
Council	28 April 2020
Applicant	City of Nedlands
Director	Peter Mickleson – Director Planning & Development
Employee Disclosure under section 5.70 Local Government Act 1995	Nil
Reference	Nil
Previous Item	NoM Item 14.6 OCM 25 February 2020
Attachments	<ol style="list-style-type: none"> 1. 'Draft Local Planning Policy – Peace Memorial Rose Gardens Precinct, Nedlands' document prepared by the community 2. Plan of precinct areas within the City 3. Draft Community Working Groups – Terms of Reference 4. Administration comments on 'Draft Local Planning Policy – Peace Memorial Rose Gardens Precinct, Nedlands' document prepared by the community 5. Administration's alternate recommendation to Council

Councillor Hodsdon – Financial Interest

Councillor Hodsdon disclosed a financial interest in Item PD17.20– Local Planning Scheme 3 – Local Planning Policy: Rose Garden Transition Area and Stirling Highway West Precincts, his interest being that he owns property that abuts the Rose Garden. Councillor Hodsdon declared that he/she would leave the room during discussion on this item.

Councillor Hodsdon left the meeting at 9.43 pm.

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Coghlan
Seconded – Councillor Smyth

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

Ms Driscoll, Director Corporate & Strategy retired from the meeting at 9.49 pm.

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

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

Council:

- 1. prepares and advertises for a period of 21 days, in accordance with the Planning and Development (Local Planning Scheme) Regulations 2015 Schedule 2, Part 2, Clause 4, the Local Planning Policy - Rose Garden Transition Area (Attachment 1);**
- 2. adopts the Rose Garden Precinct Community Working Group – Terms of Reference (Attachment 3); and**
- 3. instructs the Chief Executive Officer to establish the Rose Garden Precinct Community Working Group in accordance with the Community Working Group Terms of Reference (Attachment 3).**

Councillor Hodsdon returned to the meeting at 9.52 pm.

12.3 Technical Services Report No's TS06.20 to TS08.20 (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.

TS06.20	Boundary Roads Agreement – City of Subiaco
Committee	14 April 2020
Council	28 April 2020
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	Nil.
Director	Jim Duff – Director Technical Services
Attachments	1. Draft Boundary Roads Agreement – City of Nedlands and City of Subiaco

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor McManus
Seconded – Councillor Senathirajah

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

CARRIED UNANIMOUSLY EN BLOC 13/-

Council Resolution / Committee Recommendation / Recommendation to Committee

That Council authorises the Mayor and Chief Executive Officer to sign the Memorandum of Understanding for the Boundary Road Agreement between the City of Nedlands and the City of Subiaco as detailed in Attachment 1 of this report.

TS07.20	Hollywood Hospital Bus Service Improvement
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Committee	14 April 2020
Council	28 April 2020
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	Nil.
Director	Jim Duff – Director Technical Services
Attachments	1. Drawings – Monash Avenue Proposed Bus Embayment's 2. Supporting Letter from Hollywood Hospital

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor McManus
Seconded – Councillor Senathirajah

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

CARRIED UNANIMOUSLY EN BLOC 13/-

Council Resolution / Committee Recommendation / Recommendation to Committee

Council:

- 1. supports the provision of increased bus services as proposed in this report to service Monash Avenue, Nedlands; and**
- 2. approves the proposed bus stops as per Attachment 1 including changes to signage and line marking.**

TS08.20	City of Nedlands 2020 Annual Waste Report
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Committee	14 April 2020
Council	28 April 2020
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	Nil
Director	Jim Duff – Director Technical Services
Attachments	Nil.

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor McManus
 Seconded – Councillor Senathirajah

That the Recommendation to Council be adopted.

(Printed below for ease of reference)

CARRIED UNANIMOUSLY EN BLOC 13/-

Council Resolution / Committee Recommendation / Recommendation to Committee

Council notes the City of Nedlands 2020 Annual Waste Report.

12.4 Community & Organisational Development Report No's CM03.20 (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.

CM03.20	Proposed Changes to Arts Committee's Terms of Reference
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Committee	14 April 2020
Council	28 April 2020
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	Nil.
Director	Lorraine Driscoll – Director Corporate and Strategy
Attachments	Attachment 1 – Proposed Amended Terms of Reference for Public Art Committee

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor McManus
 Seconded – Councillor Senathirajah

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

CARRIED UNANIMOUSLY EN BLOC 13/-

Council Resolution / Committee Recommendation / Recommendation to Committee

That Council amends the Arts Committee Terms of Reference to:

- 1. change its name to the Public Art Committee and;**
- 2. specify the process for appointing the Committee's chairperson.**

12.5 Corporate & Strategy Report No's CPS06.20 to CPS08.20 (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.

CPS06.20 List of Accounts Paid – April 2020	
Committee	14 April 2020
Council	28 April 2020
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	Nil.
Director	Lorraine Driscoll – Director Corporate & Strategy
Attachments	2. Creditor Payment Listing February 2020 3. Credit Card and Purchasing Card Payments – February 2020 (28 th January – 27 th February 2020)

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor McManus
Seconded – Councillor Senathirajah

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

CARRIED UNANIMOUSLY EN BLOC 13/-

Council Resolution / Committee Recommendation / Recommendation to Committee

Council receives the List of Accounts Paid for the month of February 2020 (refer to attachments).

CPS07.20	Audit & Risk Committee Member
Committee	14 April 2020
Council	28 April 2020
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	Nil.
Director	Lorraine Driscoll – Director Corporate & Strategy
Attachments	1. Councillor Ben Hodsdon's formal resignation letter

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor McManus
 Seconded – Councillor Senathirajah

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

CARRIED UNANIMOUSLY EN BLOC 13/-

Council Resolution / Committee Recommendation / Recommendation to Council

Council appoints Councillor Paul Poliwka to the Audit and Risk Committee for the period ending immediately prior to the next Local Government elections in 2021.

CPS08.20	Deed of Variation – Local Government House Trust
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Committee	14 April 2020
Council	28 April 2020
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	Nil.
Director	Lorraine Driscoll – Director Corporate & Strategy
Attachments	1. Confidential Attachment - Draft Deed of Variation – Local Government House Trust 2. Confidential Attachment – Deed of Trust – Local Government House Trust

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor McManus
Seconded – Councillor Senathirajah

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

CARRIED UNANIMOUSLY EN BLOC 13/-

Council Resolution / Committee Recommendation / Recommendation to Committee

Council:

- 1. approves the Local Government House Trust Deed of Variation as shown in attachment 1; and**
- 2. authorises the CEO and Mayor to execute relevant documentation notifying WALGA of Council’s decision on this matter.**

13. Reports by the Chief Executive Officer

13.1 Common Seal Register Report – March 2020

Moved – Councillor Hassell
 Seconded – Councillor Mangano

The attached Common Seal Register Report for the month of March 2020 be received.

CARRIED UNANIMOUSLY 13/-

March 2020

SEAL NUMBER	DATE SEALED	DEPARTMENT	MEETING DATE / ITEM NO.	REASON FOR USE
940	3 March 2020	Planning & Development	Delegated Authority	Seal Certification - Seal No. 940 - Revoke Section 70A - Notification on Title between City of Nedlands and Independent Cinemas Pty Ltd Lot 123 (No. 100) Stirling Highway, Nedlands at the Windsor Cinema
941	10 March 2020	Technical Services	Council Resolution – TS01.20 – 25 February 2020	Seal Certification - Seal No. 941 - Transfer of Land Document for Lot 50 on Deposited Plan 6902 - Dalkeith Road
942	10 March 2020	Technical Services	Council Resolution – TS01.20 – 25 February 2020	Seal Certification - Seal No. 942 - Transfer of Land Document for Lot 355 on Deposited Plan 182579 - Sayer Street

13.2 List of Delegated Authorities – March 2020

Moved – Councillor Hassell
 Seconded – Councillor Mangano

The attached List of Delegated Authorities for the month of March 2020 be received.

CARRIED UNANIMOUSLY 13/-

Date of use of delegation of authority	Title	Position exercising delegated authority	Act	Section of Act	Applicant / CoN / Property Owner / Other
Month Year					
3/03/2020	3044294 - Withdrawn Parking Infringement Notice - Compassionate Grounds	Manager Health & Compliance	Local Government Act 1995	9.20/6.12(1)	Annabel Falkner
3/03/2020	3044274 - Withdrawn Parking Infringement Notice - Compassionate Grounds	Manager Health & Compliance	Local Government Act 1995	9.20/6.12(1)	Ian Anderton
5/03/2020	BA57338 Uncertified building permit - Pool Barrier	Manager Building Services	Building Act 2011	S20.1	P Martin
5/03/2020	BA57953 Certified building permit - Dwelling	Manager Building Services	Building Act 2011	S20.1	Highbury Homes (WA) Pty Ltd
6/03/2020	BA58116 Certified building permit - Pool	Manager Building Services	Building Act 2011	S20.1	Aquatic Leisure Technologies Pty Ltd

6/03/2020	BA58020 Occupancy Permit - Commercial tenancies, carpark and medical premises	Manager Building Services	Building Act 2011	s58.1	JMG Building Surveyors
9/03/2020	(APP) - DA19-43050 - 78 Louise ST, N - Single House	Principal Planner	Planning and Development (Local Planning Schemes) Regulations 2015	Regulation 82	Mercedes Group
9/03/2020	BA58081 Occupancy Permit - Retail 'Steves Hotel'	Manager Building Services	Building Act 2011	s58.1	Resolve Group Pty Ltd
9/03/2020	BA58086 Certified building permit - Dwelling	Manager Building Services	Building Act 2011	S20.1	Coast Homes WA Pty Ltd
10/03/2020	(APP) - DA19-43393 - 20 Jameson St, S - Amendment to DA19-34225	Principal Planner	Planning and Development (Local Planning Schemes) Regulations 2015	Regulation 82	Webb & Brown Neaves
10/03/2020	(APP) - DA19-45715 - 51 Taylor Rd, N - Carport	Principal Planner	Planning and Development (Local Planning Schemes) Regulations 2015	Regulation 82	Russell Building Approvals
10/03/2020	3044389 - Withdrawn Parking Infringement Notice - Compassionate Grounds	Manager Health & Compliance	Local Government Act 1995	9.20/6.12(1)	Lachlan Montgomery
10/03/2020	3042659 and 3042669 - Withdrawn Parking Infringement Notice - Compassionate Grounds	Manager Health & Compliance	Local Government Act 1995	9.20/6.12(1)	Priscilla Lee
10/03/2020	3042611- Withdrawn Parking Infringement Notice - Compassionate Grounds	Manager Health & Compliance	Local Government Act 1995	9.20/6.12(1)	Liam Anderson

10/03/2020	3042355 - Withdrawn Parking Infringement Notice - Compassionate Grounds	Manager Health & Compliance	Local Government Act 1995	9.20/6.12(1)	Max R Harris
10/03/2020	3044332 - Withdrawn Parking Infringement Notice - Compassionate Grounds	Manager Health & Compliance	Local Government Act 1995	9.20/6.12(1)	Chris Andrew
11/03/2020	BA58353 Certified building permit - Screen	Manager Building Services	Building Act 2011	s20.1	Classic Aluminium Pty Ltd
11/03/2020	BA57991 Demolition Permit - Full Site	Manager Building Services	Building Act 2011	s21.1	Prime Contracting & Hire Pty Ltd
11/03/2020	BA58291 Certified building permit - Alteration (School)	Manager Building Services	Building Act 2011	s20.1	Hawkins Building Co Pty Ltd
11/03/2020	BA58270 Certified building permit - Two storey dwelling	Manager Building Services	Building Act 2011	s20.1	Emmertton Pty Ltd
11/03/2020	BA58134 Certified building permit - Carport	Manager Building Services	Building Act 2011	s20.1	The Carport Company
11/03/2020	BA58164 Demolition Permit - Full site	Manager Building Services	Building Act 2011	s21.1	Brajkovich Demolitions and Salvage Pty Ltd
12/03/2020	BA58408 Certified building permit - Alterations	Manager Building Services	Building Act 2011	s20.1	Vogue Constructions (WA) Pty Ltd
12/03/2020	BA58299 Demolition Permit - Full Site	Manager Building Services	Building Act 2011	s21.1	Civil Con Holdings Pty Ltd
12/03/2020	BA54061 Uncertified building permit - Pool Barrier	Manager Building Services	Building Act 2011	s20.1	P D Drain

13/03/2020	BA59023 Certified building permit - Shed	Manager Building Services	Building Act 2011	s20.1	Profounder Factory Direct Pty Ltd
13/03/2020	BA58151 Uncertified building permit - Alterations	Manager Building Services	Building Act 2011	s20.1	P J Armstrong-Sebbes
13/03/2020	BA58429 Certified building permit - Additions	Manager Building Services	Building Act 2011	s20.1	Springate Constructions Pty Ltd
16/03/2020	(APP) - DA19-43480 - 70 Williams Rd, Nedlands	Principal Planner	Planning and Development (Local Planning Schemes) Regulations 2015	Regulation 82	Addstyle Constructions
16/03/2020	3030906 - Withdrawn Parking Infringement Notice - Medical Emergency	Manager Health & Compliance	Local Government Act 1995	9.20/6.12(1)	Janette Keating
16/03/2020	3042868 - Withdrawn Parking Infringement Notice - Medical Emergency	Manager Health & Compliance	Local Government Act 1995	9.20/6.12(1)	Tiziana Chiera
17/03/2020	(APP) - DA19-43467 - 2 Granby Cr, Nedlands - Single House	Principal Planner	Planning and Development (Local Planning Schemes) Regulations 2015	Regulation 82	Averna Homes
17/03/2020	(APP) - DA20-45402 - 90 Adelma Road - Addition (Fence) to Single House	Principal Planner	Planning and Development (Local Planning Schemes) Regulations 2015	Regulation 82	Felix Yao & Magdalele Ting
17/03/2020	BA58686 Certified building permit - View tower	Manager Building Services	Building Act 2011	s20.1	Paragon Scaffolding Services Pty Ltd

18/03/2020	BA58950 Demolition Permit - Fill Site	Manager Building Services	Building Act 2011	s20.1	JSA Contracting Pty Ltd
20/03/2020	BA57124 Occupancy Permit - Yoga Studio	Manager Building Services	Building Act 2011	s58.1	Resolve Group Pty Ltd
20/03/2020	BA55824 Demolition Permit - Partitial Removal	Manager Building Services	Building Act 2011	s21.1	Di Trento Demolition Pty Ltd
20/03/2020	BA46004 Building Approval Certificate - Garage	Manager Building Services	Building Act 2011	s58.1	Green Start Consulting Pty Ltd
20/03/2020	BA58624 Occupancy Permit Strata - Hospital and Carpark	Manager Building Services	Building Act 2011	s58.1	Georgiou Group Pty Ltd
20/03/2020	BA59129 Certified building permit - Dwelling	Manager Building Services	Building Act 2011	s20.1	Create Homes Pty Ltd
20/03/2020	BA59054 Certified building permit - Radiology Fitout	Manager Building Services	Building Act 2011	s20.1	Kwikfit Building Solutions
20/03/2020	BA59171 Demolition Permit - Full Site	Manager Building Services	Building Act 2011	s21.1	AAA Demolition & Tree Service
20/03/2020	BA58390 Demolition Permit - Full Site	Manager Building Services	Building Act 2011	s21.1	Brajkovich Demolition and Salvage Pty Ltd
20/03/2020	BA57582 Certified building permit - Dwelling	Manager Building Services	Building Act 2011	s20.1	
23/03/2020	(APP) - DA19-43193 - 20B Dalkeith Road, Nedlands - Single House	Principal Planner	Planning and Development (Local Planning Schemes) Regulations 2015	Regulation 82	Lane and Tracy Bauer

23/03/2020	(APP) - DA20-43629 - 33 Viking Road, Dalkeith - Two Storey Dwelling	Principal Planner	Planning and Development (Local Planning Schemes) Regulations 2015	Regulation 82	Peter Stannard Homes Pty Ltd
23/03/2020	(APP) - DA20-44118 - 20 Dalkeith Road, Nedlands - Single Dwelling	Principal Planner	Planning and Development (Local Planning Schemes) Regulations 2015	Regulation 82	Lane and Tracy Bauer
23/03/2020	BA58809 Demolition Permit - Storage Buildings	Manager Building Services	Building Act 2011	s21.1	Hazelton Property Group Pty Ltd
24/03/2020	(APP) - DA20-43731 - 76 Thomas Street, Nedlands - Two storey dwelling	Manager Urban Planning	Planning and Development Act - regulations 2015	Regulation 82	DP Bailey
24/03/2020	BA59015 Certified building permit - Alterations	Manager Building Services	Building Act 2011	s20.1	Minchin & Sims Pty Ltd
24/03/2020	BA58968 Certified building permit - Consulting Rooms	Manager Building Services	Building Act 2011	s20.1	Mr S Procter
24/03/2020	BA59192 Certified building permit - Dwelling	Manager Building Services	Building Act 2011	s20.1	Atrium Homes (WA) Pty Ltd
24/03/2020	BA57402 Demolition permit - Full site	Manager Building Services	Building Act 2011	s21.1	Mr J Atkinson
25/03/2020	BA55516 Building Approval Certificate - Alterations	Manager Building Services	Building Act 2011	s58.1	Resolve Group Pty Ltd
25/03/2020	BA59038 Uncertified building permit - Boundary Wall	Manager Building Services	Building Act 2011	s20.1	E L Graham
26/03/2020	BA59341 Certified building permit - Dwelling	Manager Building Services	Building Act 2011	s20.1	Stannard Group Pty Ltd

26/03/2020	BA58938 Certified building permit - Patio	Manager Building Services	Building Act 2011	s20.1	Abel Patio's and Roofing
26/03/2020	BA58674 Certified building permit - Amendment	Manager Building Services	Building Act 2011	s20.1	Coast Homes WA Pty Ltd
26/03/2020	BA58701 Certified building permit - Forward works	Manager Building Services	Building Act 2011	s20.1	Georgiou Group Pty Ltd
26/03/2020	BA58694 Demolition Permit - Omera Ward	Manager Building Services	Building Act 2011	s21.1	Focus Demolition and Asbestos Removal Pty Ltd
26/03/2020	BA59500 Certified building permit - Wall	Manager Building Services	Building Act 2011	s20.1	Landscape Elements
26/03/2020	BA59534 Demolition Permit - Full site	Manager Building Services	Building Act 2011	s21.1	Brajkovich Demolition and Salvage Pty Ltd
26/03/2020	BA59256 Certified building permit - Dwelling and Pool	Manager Building Services	Building Act 2011	s20.1	Coastview Australia Pty Ltd
26/03/2020	BA58523 Certified building permit - Dwelling	Manager Building Services	Building Act 2011	s20.1	Oswald Homes (1972) Pty Ltd
27/03/2020	3045477 - Withdrawn Parking Infringement Notice - Compassionate Grounds	Manager Health and Compliance	Local Government Act 1995	9.20\6.12(1)	Louisa Dodos
27/03/2020	BA59215 Certified building permit - Carport	Manager Building Services	Building Act 2011	s20.1	Custom Construction
27/03/2020	BA59891 Certified building permit - Theatre Fitout	Manager Building Services	Building Act 2011	s20.1	Symmons Nominees Pty Ltd
30/03/2020	(APP) - DA20-45123- 6 Colin St, Dalkeith - Retaining Walls	Principal Planner	Planning and Development (Local Planning Schemes) Regulations 2015	Regulation 82	Honest Holdings

30/03/2020	(APP) - DA20-37369 - 6 Colin Street, Dalkeith - Retaining Walls	Principal Planner	Planning and Development (Local Planning Schemes) Regulations 2015	Regulation 82	Honest Holdings Pty Ltd T/As Atrium Homes
30/03/2020	3030902 - 3042828 - 3044281 - Withdrawn Parking Infringement Notice - Compassionate Grounds		Local Government Act 1995	9.20/6.12(1)	Felicity Barich
30/03/2020	BA59550 Certified building permit - Dwelling	Manager Building Services	Building Act 2011	s20.1	Webb and Brown Neaves
30/03/2020	BA59561 Certified building permit - Addition	Manager Building Services	Building Act 2011	s20.1	Addstyle Constructions Pty Ltd
30/03/2020	BA59824 Certified building permit - Pergola	Manager Building Services	Building Act 2011	s20.1	Rokbuild Pty Ltd
30/03/2020	BA58370 Certified building permit - Dwelling and Pool	Manager Building Services	Building Act 2011	s20.1	AMG Homes Builders Pty Ltd
30/03/2020	BA59302 Certified building permit - Pool	Manager Building Services	Building Act 2011	s20.1	Factory Pools Perth
31/03/2020	(APP) - DA20-44442 - Addition (Patio) to Single House	Principal Planner	Planning and Development (Local Planning Schemes) Regulations 2015	Regulation 82	Min Lee and Thi Phu
31/03/2020	(APP) - DA20-44750 - 103A Rochdale Road, Mt Claremont - Single House	Principal Planner	Planning and Development (Local Planning Schemes) Regulations 2015	Regulation 82	Summit Homes Group

31/03/2020	(APP) - DA19-42124 - 35 Mayfair Street, Mt Claremont - Additional Grouped Dwelling	Principal Planner	Planning and Development (Local Planning Schemes) Regulations 2015	Regulation 82	Tascone Design Team
31/03/2020	BA60199 Certified building permit - Additions	Manager Building Services	Building Act 2011	s20.1	Dale Alcock Homes Pty Ltd
31/03/2020	BA60228 Demolition Permit - Full site	Manager Building Services	Building Act 2011	s21.1	Brajkovich Demolition and Salvage Pty Ltd
31/03/2020	BA59997 Certified building permit - Pool and Barrier	Manager Building Services	Building Act 2011	s20.1	Select Pools
31/03/2020	3045474 - Withdrawn Parking Infringement Notice - Compassionate Grounds		Local Government Act 1995	9,20\6.12(1)	Brenda Foster

13.3 Monthly Financial Report – March 2020

Council	28 April 2020
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act	Nil
Director	Lorraine Driscoll – Director Corporate & Strategy
Attachments	<ol style="list-style-type: none"> 1. Financial Summary (Operating) by Business Units – 31 March 2020 2. Capital Works & Acquisitions – 31 March 2020 3. Statement of Net Current Assets – 31 March 2020 4. Statement of Financial Activity – 31 March 2020 5. Borrowings – 31 March 2020 6. Statement of Financial Position – 31 March 2020 7. Operating Income & Expenditure by Reporting Activity – 31 March 2020 8. Operating Income by Reporting Nature & Type – 31 March 2020

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Mangano

Seconded – Councillor McManus

That the Recommendation to Council be adopted.

(Printed below for ease of reference)

Councillor Hodsdon left the room at 10.01 pm and returned at 10.03 pm.

CARRIED UNANIMOUSLY 13/-

Council Resolution / Recommendation to Council

Council receives the Monthly Financial Report for the period ended 31 March 2020.

Executive Summary

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

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

Discussion/Overview

The financial impact of COVID-19 is not reflected in the March figures however, the Hardship policy endorsed at the Special Council Meeting of 14 April 2020 introduced measures to support the City's many stakeholders which are likely to impact upon the finances from April onwards.

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

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

This report gives an overview of the revenue and expenses of the City for the year to date March 2020 together with a Statement of Net Current Assets as at 31 March 2020.

The operating revenue at the end of March 2020 was \$32.72 M which represents \$55k favourable variance compared to the year-to-date budget.

The operating expense at the end of March 2020 was \$22.41 M, which represents \$215k unfavourable variance compared to the year-to-date budget.

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

Governance

Expenditure:	Favourable variance of	\$ 333,349
Revenue:	Unfavourable variance of	\$(123,137)

The favourable expenditure variance is mainly due to:

- professional fees of \$228k and WESROC cost of \$99k not incurred yet.

The unfavourable revenue variance is due to:

- timing difference of WESROC Invoice to other Western Suburbs and reduced scope of work.

Corporate and Strategy

Expenditure:	Favourable variance of	\$ 395,799
Revenue:	Favourable variance of	\$ 78,026

The favourable expenditure variance is mainly due to:

- timing differences in the use of ICT expenses of \$167k; and
- salaries of ICT and customer service expenses are lower by \$188k due to delay in filling vacant positions off-set by use of agency staff.

Favourable revenue variance is due to:

- timing difference of rates income of \$158k mainly arising from higher instalment interest and late payment interest of \$50k, administration charges of \$20k and rates of \$106k;
- higher Finance fees and charges and sundry income of \$20k; and
- off-set by lower interest rates income of \$107k due to lower interest rates.

Community Development and Services

Expenditure:	Favourable variance of	\$152,964
Revenue:	Favourable variance of	\$230,656

The favourable expenditure variance is mainly due to:

- expenses not expended yet for community donations and special projects and operational activities of \$91k;
- lower Tresillian courses fee and Library other expenses of \$26k; and
- salaries of PRCC and Library services are lower by \$29k due to timing differences which will even out by end of year.

The Favourable revenue variance is due to:

- increase fees & charges income from Positive ageing, Tresillian courses, NCC and PRCC of \$170k; and
- higher grants of \$55k.

Planning and Development

Expenditure:	Favourable variance of	\$ 251,297
Revenue:	Favourable variance of	\$ 158,502

The favourable expenditure variance is mainly due to:

- expenses not expended yet for operational activities and strategic projects of \$136k; and
- salaries of building services are lower by \$97k due to delay in filling vacant positions.

Favourable revenue variance is mainly from planning fees & charges of \$136k due to fees and charges arising from new town planning scheme amendments.

Technical Services

Expenditure:	Unfavourable variance of	\$ (918,616)
Revenue:	Unfavourable variance of	\$ (288,617)

The unfavourable expenditure variance mainly due to:

- UGP refund from Western Power of \$842k budgeted in 2019/20. However, the refund has since been accrued in 2018/19 as the refund was confirmed in June 2019 and relates to expenses incurred in 2017/18 and 2018/19 and has been adjusted during the midyear budget review;
- due to a lower level of capital works completed than budgeted year to-date, on-costs of \$1 M have not been costed to projects. This will even out as the level of completed capital works increases and offset by;
- lower depreciation and plant operating cost in Plant Operations by \$346k due to lower cost of plant and timing differences;
- lower waste minimisation expenses by \$387k due to timing difference; and
- lower parks and building maintenance cost by \$147k due to timing difference.

The unfavourable revenue variance is due to:

- lower Underground power Service Charges of \$233k which have been accounted for in the 2018/19 income; and
- the waste minimisation fees and charges are lower by \$44k due to timing differences.

Borrowings

As at 31 March 2020, we have a balance of borrowings of \$6.3 M. There were no additional borrowings for the year in 2019/20 budget and the estimated loan balance as at 30 June 2020 is \$5.9 M.

Net Current Assets Statement

As at 31 March 2020, net current assets was \$11.01 M compared to \$10.55 M as at 31 March 2019. Current assets are higher by \$4 M offset by higher liabilities \$3.5 M.

Capital Works Programme

At the end of March, the expenditure on capital works were \$4.4M with further commitments of \$1.5 M which is 47% of a total budget of \$12.7 M.

Employee Data

Description	Number
Number of employees (total of full-time, part-time and casual employees) as of the last day of the previous month	183
Number of contract staff (temporary/agency staff) as of the last day of the previous month	3
*FTE (Full Time Equivalent) count as of the last day of the previous month	158.26
Number of unfilled staff positions at the end of each month	16

* FTE - Vacant positions have reduced and been replaced by a small increase in substantive occupancy. COVID-19 did not impact March figures but is trending with cessation of temporary and short-term contract staff which will be reflected in subsequent monthly reports.

Conclusion

The statement of financial activity for the period ended 31 March 2020 indicates that operating expenses are under the year-to-date budget by 0.9% or \$214k, while revenue is above the Budget by 0.2% or \$55k.

Key Relevant Previous Council Decisions:

Nil.

Consultation

N/A

Strategic Implications

The 2019/20 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 2019/20 approved budget ensured that there is an equitable distribution of benefits in the community

The 2019/20 budget was prepared in line with the City's level of tolerance of risk and it is managed through budgetary review and control.

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

Budget/Financial Implications

As outlined in the Monthly Financial Report.

The approved budget is prepared taking into consideration the Long-Term Financial Plan and current economic situation. The approved budget was in a small surplus position and the City is able to manage the cost.

The approved budget had an increase of 2.95% increase on the rates.



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

Row Labels	Master Account (desc)	Mar Actual YTD	Mar Budget YTD	Variance	Committed Balance	Annual Budget
Governance						
CEO's Office						
Governance						
Expense						
20420	Salaries - Governance	649,568	620,949	(28,619)	0	827,930
20421	Other Employee Costs - Governance	8,407	9,425	1,018	0	11,310
20423	Office - Governance	17,685	9,745	(7,940)	4,927	11,700
20425	Depreciation - Governance	72,870	96,147	23,277	0	128,200
20427	Finance - Governance	199,773	199,773	0	0	266,360
20428	Insurance - Governance	31,317	0	(31,317)	0	0
20430	Other Expense - Governance	10,882	8,335	(2,547)	1,586	10,000
20434	Professional Fees - Governance	122,199	350,250	228,051	19,480	420,300
20450	Special Projects - Governance / PC93	120,906	219,906	99,000	46,803	293,200
Expense Total		1,233,607	1,514,530	280,923	72,796	1,969,000
Income						
50410	Sundry Income - Governance	(74,298)	(180,765)	(106,467)	0	(241,020)
Income Total		(74,298)	(180,765)	(106,467)	0	(241,020)
Governance Total		1,159,309	1,333,765	174,456	72,796	1,727,980
Communications						
Expense						
28320	Salaries - Communications	231,619	244,704	13,085	591	326,268
28321	Other Employee Costs - Communications	1,327	2,840	1,513	0	3,360
28322	Staff Recruitment - Communications	0	500	500	0	500
28323	Office - Communications	35,195	69,700	34,505	8,549	78,800
28327	Finance - Communications	62,406	62,406	0	0	83,210
28330	Other Expense - Communications	920	1,500	580	0	1,500
28335	ICT Expenses - Communications	26,130	28,620	2,490	4,380	31,020
28350	Special Projects - Communications / PC 90	3,590	7,497	3,907	0	10,000
Expense Total		361,188	417,767	56,579	13,521	534,658
Communications Total		361,188	417,767	56,579	13,521	534,658
Human Resources						
Expense						
20520	Salaries - HR	315,735	321,294	5,559	0	428,397
20521	Other Employee Costs - HR	164,042	194,216	30,174	14,625	279,470
20522	Staff Recruitment - HR	8,646	27,253	18,607	274	37,000
20523	Office - HR	1,754	5,156	3,402	0	5,500
20525	Depreciation - HR	0	378	378	0	500
20527	Finance - HR	(641,322)	(641,325)	(3)	0	(855,097)
20528	Insurance - HR	112,947	61,360	(51,587)	0	73,630
20530	Other Expense - HR	0	1,000	1,000	0	1,000
20534	Professional Fees - HR	6,200	15,000	8,800	0	15,000
20535	ICT Expenses - HR	13,068	26,250	13,182	0	35,000
Expense Total		(18,930)	10,582	29,512	14,898	20,400
Income						
50510	Contributions & Reimbursements - HR	0	(16,670)	(16,670)	0	(20,000)
Income Total		0	(16,670)	(16,670)	0	(20,000)
Human Resources Total		(18,930)	(6,088)	12,842	14,898	400
Members Of Council						
Expense						
20323	Office - MOC	28,295	29,165	870	6,671	35,000
20325	Depreciation - MOC	616	675	59	0	900
20329	Members of Council - MOC	420,187	388,206	(31,981)	2,500	517,601
20330	Other Expense - MOC	2,613	0	(2,613)	3,681	0
Expense Total		451,711	418,046	(33,665)	12,853	553,501
Members Of Council Total		451,711	418,046	(33,665)	12,853	553,501
CEO's Office Total		1,953,277	2,163,490	210,213	114,068	2,816,539



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

Row Labels	Master Account (desc)	Mar Actual YTD	Mar Budget YTD	Variance	Committed Balance	Annual Budget
Governance Total		1,953,277	2,163,490	210,213	114,068	2,816,539
Corporate & Strategy						
Corporate Strategy & Systems						
Customer Services						
Expense						
21320	Salaries - Customer Service	293,009	389,685	96,676	0	519,578
21321	Other Employee Costs - Customer Service	5,025	5,675	650	0	6,570
21323	Office - Customer Service	4,747	4,878	131	2,620	6,500
21327	Finance - Customer Service	(412,983)	(412,986)	(3)	0	(550,648)
21330	Other Expense - Customer Service	8,017	9,000	983	1,410	12,000
21350	Special Projects - Customer Service	2,400	0	(2,400)	11,455	0
Expense Total		(99,785)	(3,748)	96,037	15,485	(6,000)
Income						
51301	Fees & Charges - Customer Services	(878)	(450)	428	0	(600)
Income Total		(878)	(450)	428	0	(600)
Customer Services Total		(100,663)	(4,198)	96,465	15,485	(6,600)
ICT						
Expense						
21720	Salaries - ICT	272,573	364,299	91,726	0	485,233
21721	Other Employee Costs - ICT	6,805	13,118	6,313	0	16,875
21723	Office - ICT	70,970	27,747	(43,223)	21,264	37,000
21724	Motor Vehicles - ICT	5,487	14,415	8,928	0	17,300
21725	Depreciation - ICT	49,080	40,950	(8,130)	0	54,600
21727	Finance - ICT	(1,167,084)	(1,167,081)	3	0	(1,556,108)
21730	Other Expense - ICT	2,467	5,247	2,780	3,357	7,000
21734	Professional Fees - ICT	19,070	74,997	55,927	4,200	100,000
21735	ICT Expenses - ICT	535,593	702,997	167,404	59,500	844,000
Expense Total		(205,039)	76,689	281,728	88,320	5,900
ICT Total		(205,039)	76,689	281,728	88,320	5,900
Corporate Strategy & Systems Total		(305,702)	72,491	378,193	103,805	(700)
Finance						
Rates						
Expense						
21920	Salaries - Rates	71,602	68,691	(2,911)	0	91,584
21921	Other Employee Costs - Rates	(797)	810	1,607	0	970
21923	Office - Rates	15,047	11,325	(3,722)	0	15,100
21927	Finance - Rates	124,298	132,780	8,482	2,727	177,044
21930	Other Expense - Rates	13,705	11,250	(2,455)	200	15,000
21934	Professional Fees - Rates	8,257	45,000	36,743	11,121	60,000
Expense Total		232,111	269,856	37,745	14,049	359,698
Income						
51908	Rates - Rates	(24,532,556)	(24,374,486)	158,070	0	(24,477,574)
Income Total		(24,532,556)	(24,374,486)	158,070	0	(24,477,574)
Rates Total		(24,300,445)	(24,104,630)	195,815	14,049	(24,117,876)
General Finance						
Expense						
21420	Salaries - Finance	751,388	645,237	(106,151)	1,822	860,308
21421	Other Employee Costs - Finance	13,725	16,377	2,652	0	20,904
21423	Office - Finance	38,292	38,414	122	0	51,150
21424	Motor Vehicles - Finance	9,255	9,000	(255)	0	10,800
21425	Depreciation - Finance	638	378	(260)	0	500
21427	Finance - Finance	(714,550)	(716,220)	(1,670)	1,809	(954,962)
21430	Other Expense - Finance	1,293	750	(543)	0	1,000
21434	Professional Fees - Finance	51,749	39,000	(12,749)	17,544	52,000
21449	Loss Sale of Assets - Finance	653	0	(653)	0	0
21450	Special Projects - Finance	4,957	1,875	(3,082)	0	2,500



CITY OF NEDLANDS
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Row Labels	Master Account (desc)	Mar Actual YTD	Mar Budget YTD	Variance	Committed Balance	Annual Budget
Expense Total		157,401	34,811	(122,590)	21,175	44,200
Income						
51401	Fees & Charges - Finance	(50,913)	(41,400)	9,513	0	(55,200)
51410	Sundry Income - Finance	(27,474)	(16,497)	10,977	0	(22,000)
Income Total		(78,387)	(57,897)	20,490	0	(77,200)
General Finance Total		79,014	(23,086)	(102,100)	21,175	(33,000)
General Purpose						
Expense						
21627	Finance - General Purpose	25,891	32,922	7,031	0	43,892
21631	Interest - General Purpose	182,262	178,965	(3,297)	0	238,615
Expense Total		208,153	211,887	3,734	0	282,507
Income						
51604	Grants Operating - General Purpose	(278,462)	(272,250)	6,212	0	(363,000)
51607	Interest - General Purpose	(226,583)	(333,756)	(107,173)	0	(445,000)
Income Total		(505,045)	(606,006)	(100,961)	0	(808,000)
General Purpose Total		(296,891)	(394,119)	(97,228)	0	(525,493)
Shared Services						
Expense						
21523	Office - Shared Services	46,744	92,960	46,216	29,945	118,000
21527	Finance - Shared Services	(146,250)	(146,250)	0	0	(195,000)
21534	Professional Fees - Shared Services	11,242	64,170	52,928	2,466	77,000
Expense Total		(88,264)	10,880	99,144	32,411	0
Shared Services Total		(88,264)	10,880	99,144	32,411	0
Finance Total		(24,606,587)	(24,510,955)	95,632	67,635	(24,676,369)
Corporate & Strategy Total		(24,912,289)	(24,438,464)	473,825	171,440	(24,677,069)
Community Development						
Community Development						
Community Development						
Expense						
28120	Salaries - Community Development	361,986	356,475	(5,511)	0	475,297
28121	Other Employee Costs - Community Development	5,106	6,697	1,591	0	8,390
28123	Office - Community Development	1,134	819	(315)	0	1,100
28124	Motor Vehicles - Community Development	6,188	10,422	4,235	0	13,900
28125	Depreciation - Community Development	1,026	1,350	324	0	1,800
28127	Finance - Community Development	140,094	140,094	0	0	186,793
28128	Insurance - Community Development	6,181	5,230	(951)	0	6,275
28130	Other Expense - Community Development	1,436	5,634	4,198	1,080	7,500
28134	Professional Fees - Community Development	0	1,125	1,125	0	1,500
28137	Donations - Community Development	109,961	120,272	10,311	0	162,900
28150	Special Projects - Community Development	18,637	60,000	41,363	22,550	80,000
28151	OPRL Activities - Community Development / PC82-87	87,409	127,422	40,013	13,176	148,200
Expense Total		739,159	835,540	96,381	36,806	1,093,655
Income						
58101	Fees & Charges - Community Development	(9,504)	(10,494)	(990)	0	(14,000)
58104	Grants Operating - Community Development	(21,000)	(2,998)	18,002	0	(24,000)
58106	Contributions & Reimburse - Community Development	(3,313)	(3,753)	(440)	0	(5,000)
Income Total		(33,817)	(17,245)	16,572	0	(43,000)
Community Development Total		705,342	818,295	112,953	36,806	1,050,655
Community Facilities						
Income						
58201	Fees & Charges - Community Facilities	(545)	(747)	(202)	0	(1,000)
58209	Council Property - Community Facilities	(134,793)	(134,514)	279	0	(179,350)
Income Total		(135,338)	(135,261)	77	0	(180,350)
Community Facilities Total		(135,338)	(135,261)	77	0	(180,350)
Volunteer Services VRC						
Expense						



CITY OF NEDLANDS
FINANCIAL SUMMARY - OPERATING - BY BUSINESS UNIT
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Row Labels	Master Account (desc)	Mar Actual YTD	Mar Budget YTD	Variance	Committed Balance	Annual Budget
29320	Salaries - Volunteer Services VRC	70,836	69,237	(1,599)	0	92,309
29321	Other Employee Cost - Volunteer Services VRC	(789)	815	1,604	0	980
29323	Office - Volunteer Services VRC	630	1,664	1,034	0	2,150
29327	Finance - Volunteer Services VRC	14,265	14,265	0	0	19,025
29328	Insurance - Volunteer Services VRC	642	0	(642)	0	0
29330	Other Expense - Volunteer Services VRC	667	3,464	2,797	0	4,650
Expense Total		86,250	89,445	3,195	0	119,114
Income						
59304	Grants Operating - Volunteer Services VRC	(30,756)	(22,731)	8,025	0	(30,310)
Income Total		(30,756)	(22,731)	8,025	0	(30,310)
Volunteer Services VRC Total		55,494	66,714	11,220	0	88,804
Volunteer Services NVS						
Expense						
29220	Salaries - Volunteer Services NVS	23,522	22,347	(1,175)	0	29,794
29221	Other Employee Costs - Volunteer Services NVS	(1,328)	265	1,593	0	320
29223	Office - Volunteer Services NVS	0	50	50	0	100
29227	Finance - Volunteer Services NVS	12,249	12,249	0	0	16,334
29230	Other Expense - Volunteer Services NVS	384	2,300	1,916	328	2,600
29250	Special Projects - Volunteer Services NVS	2,709	3,000	291	0	3,000
Expense Total		37,537	40,211	2,674	328	52,148
Volunteer Services NVS Total		37,537	40,211	2,674	328	52,148
Tresillian Community Centre						
Expense						
29120	Salaries - Tresillian CC	191,605	178,587	(13,018)	0	238,118
29121	Other Employee Costs - Tresillian CC	1,593	2,860	1,267	0	3,460
29123	Office - Tresillian CC	14,089	18,750	4,661	0	25,000
29125	Depreciation - Tresillian CC	1,590	522	(1,068)	0	700
29127	Finance - Tresillian CC	60,873	60,867	(6)	0	81,152
29130	Other Expense - Tresillian CC	3,614	5,710	2,096	163	7,500
29136	Courses - Tresillian CC	168,774	180,600	11,826	3,299	240,800
29150	Exhibition - Tresillian CC	17,786	5,900	(11,886)	0	6,200
Expense Total		459,926	453,796	(6,130)	3,462	602,930
Income						
59101	Fees & Charges - Tresillian CC	(316,821)	(282,225)	34,596	0	(376,300)
59109	Council Property - Tresillian CC	(30,844)	(27,000)	3,844	0	(36,000)
51906	Contributions & Reimbursement - Tresillian CC	497	(500)	(997)	0	(500)
Income Total		(347,168)	(309,725)	37,443	0	(412,800)
Tresillian Community Centre Total		112,757	144,071	31,314	3,462	190,130
Community Development Total		775,792	934,030	158,238	40,596	1,201,387
Community Services Centres						
Nedlands Community Care						
Expense						
28620	Salaries - NCC	666,844	644,961	(21,883)	0	859,939
28621	Other Employee Costs - NCC	12,764	12,015	(749)	0	15,020
28623	Office - NCC	3,409	9,750	6,341	1,198	13,000
28624	Motor Vehicles - NCC	70,675	80,253	9,578	0	107,000
28625	Depreciation - NCC	15,438	20,025	4,587	0	26,700
28626	Utility - NCC	8,149	7,128	(1,021)	0	9,500
28627	Finance - NCC	187,344	187,344	0	0	249,793
28628	Insurance - NCC	2,718	0	(2,718)	0	0
28630	Other Expense - NCC	34,348	31,581	(2,767)	8,966	42,100
28635	ICT Expenses - NCC	0	0	0	0	10,000
28664	Hacc Unit Cost - NCC / PC66	8,979	0	(8,979)	0	0
Expense Total		1,010,668	993,057	(17,611)	10,164	1,333,052
Income						
58601	Fees & Charges - NCC	(95,596)	(64,494)	31,102	0	(86,000)



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Row Labels	Master Account (desc)	Mar Actual YTD	Mar Budget YTD	Variance	Committed Balance	Annual Budget
58604	Grants Operating - NCC	(804,590)	(774,675)	29,915	0	(1,032,900)
58610	Sundry Income - NCC	0	0	0	0	(2,000)
Income Total		(900,187)	(839,169)	61,018	0	(1,120,900)
Nedlands Community Care Total		110,482	153,888	43,406	10,164	212,152
Positive Ageing						
Expense						
27420	Salaries - Positive Ageing	57,949	57,240	(709)	0	76,312
27421	Other Employee Costs - Positive Ageing	(936)	665	1,601	0	800
27427	Finance - Positive Ageing	22,095	22,095	0	0	29,460
28437	Donations - Positive Ageing	2,607	3,753	1,146	2,527	5,000
28450	Other Expense - Positive Ageing	31,202	23,994	(7,208)	2,290	32,000
Expense Total		112,918	107,747	(5,171)	4,817	143,572
Income						
58420	Fees & Charges - Positive Ageing	(51,403)	(35,253)	16,150	0	(47,000)
Income Total		(51,403)	(35,253)	16,150	0	(47,000)
Positive Ageing Total		61,515	72,494	10,979	4,817	96,572
Point Resolution Child Care						
Expense						
28820	Salaries - PRCC	384,911	401,025	16,114	0	534,690
28821	Other Employee Costs - PRCC	6,050	6,085	35	0	7,450
28823	Office - PRCC	3,290	6,930	3,640	410	9,200
28824	Motor Vehicles - PRCC	6,188	5,247	(941)	0	7,000
28825	Depreciation - PRCC	654	675	21	0	900
28826	Utility - PRCC	4,129	7,750	3,621	0	9,300
28827	Finance - PRCC	76,173	76,077	(96)	0	101,433
28828	Insurance - PRCC	415	0	(415)	0	0
28830	Other Expense - PRCC	22,156	10,918	(11,238)	5,210	14,000
28835	ICT Expenses - PRCC	0	2,672	2,672	0	4,100
Expense Total		503,967	517,379	13,412	5,620	688,073
Income						
58801	Fees & Charges - PRCC	(545,869)	(457,500)	88,369	0	(610,000)
Income Total		(545,869)	(457,500)	88,369	0	(610,000)
Point Resolution Child Care Total		(41,902)	59,879	101,781	5,620	78,073
Mt Claremont Library						
Expense						
28523	Office - Mt Claremont Library	4,137	8,175	4,038	495	10,500
28527	Finance - Mt Claremont Library	75,771	75,771	0	0	101,029
28530	Other Expense - Mt Claremont Library	20,066	27,211	7,145	9,657	37,200
28535	ICT Expenses - Mt Claremont Library	8,652	11,747	3,095	0	13,000
Expense Total		108,626	122,904	14,278	10,152	161,729
Income						
58501	Fees & Charges - Mt Claremont Library	(1,035)	(450)	585	0	(600)
58510	Sundry Income - Mt Claremont Library	(546)	(297)	249	0	(400)
58511	Fines & Penalties - Mt Claremont Library	(562)	(378)	184	0	(500)
Income Total		(2,143)	(1,125)	1,018	0	(1,500)
Mt Claremont Library Total		106,483	121,779	15,296	10,152	160,229
Nedlands Library						
Expense						
28720	Salaries - Library Services	756,648	770,538	13,890	0	1,027,372
28721	Other Employee Costs - Library Services	17,575	18,692	1,117	0	23,870
28723	Office - Nedlands Library	20,720	34,950	14,230	2,169	45,500
28724	Motor Vehicles - Nedlands Library	13,613	13,725	113	0	18,300
28725	Depreciation - Nedlands Library	10,119	9,900	(219)	0	13,200
28727	Finance - Nedlands Library	406,053	406,047	(6)	0	541,399
28730	Other Expense - Nedlands Library	60,899	76,884	15,985	21,958	103,700
28731	Grants Expenditure - Nedlands Library	1,000	1,300	300	0	1,300



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Row Labels	Master Account (desc)	Mar Actual YTD	Mar Budget YTD	Variance	Committed Balance	Annual Budget
28734	Professional Fees - Nedlands Library	0	500	500	0	1,000
28735	ICT Expenses - Nedlands Library	23,948	26,872	2,925	0	35,100
28750	Special Projects - Nedlands Library	0	3,100	3,100	0	3,100
Expense Total		1,310,574	1,362,508	51,934	24,127	1,813,841
Income						
58701	Fees & Charges - Nedland Library	(5,793)	(4,122)	1,671	0	(5,500)
58704	Grants Operating - Nedlands Library	(1,000)	(1,300)	(300)	0	(1,300)
58710	Sundry Income - Nedlands Library	(3,789)	(4,122)	(333)	0	(5,500)
58711	Fines & Penalties - Nedlands Library	(2,819)	(1,872)	947	0	(2,500)
Income Total		(13,400)	(11,416)	1,984	0	(14,800)
Nedlands Library Total		1,297,173	1,351,092	53,919	24,127	1,799,041
Community Services Centres Total		1,533,751	1,759,132	225,381	54,880	2,346,067
Community Development Total		2,309,543	2,693,162	383,619	95,476	3,547,454
Planning & Development Services						
Planning Services						
Town Planning - Administration						
Expense						
24820	Salaries - Town Planning Admin	86,762	85,797	(965)	0	114,398
24821	Other Employee Costs - Town Planning Admin	19,122	30,060	10,938	0	38,880
24823	Office - Town Planning Admin	12,937	5,564	(7,373)	2,642	7,250
24824	Motor Vehicles - Town Planning Admin	27,219	30,753	3,534	0	41,000
24825	Depreciation - Town Planning Admin	147	153	6	0	200
24827	Finance - Town Planning Admin	260,397	260,400	3	0	347,200
24830	Other Expense - Town Planning Admin	0	3,000	3,000	0	5,000
Expense Total		406,584	415,727	9,143	2,642	553,928
Income						
54801	Fees & Charges - Town Planning Admin	(531,352)	(395,253)	136,099	0	(527,000)
54811	Fines & Penalties - Town Planning	0	(750)	(750)	0	(1,500)
Income Total		(531,352)	(396,003)	135,349	0	(528,500)
Town Planning - Administration Total		(124,769)	19,724	144,493	2,642	25,428
Statutory Planning						
Expense						
24320	Salaries - Statutory Planning	465,722	388,191	(77,531)	0	517,588
24321	Other Employee Costs - Statutory Planning	755	0	(755)	0	0
24334	Professional Fees - Statutory Planning	41,415	0	(41,415)	7,946	0
Expense Total		507,892	388,191	(119,701)	7,946	517,588
Statutory Planning Total		507,892	388,191	(119,701)	7,946	517,588
Strategic Planning						
Expense						
24857	Strategic Projects - Strategic Planning	56,214	94,835	38,621	0	150,000
24920	Salaries - Strategic Planning	326,889	387,408	60,519	0	516,544
24921	Other Employee Costs - Strategic Planning	755	0	(755)	0	0
24934	Professional Fees - Strategic Planning	0	15,003	15,003	0	20,000
Expense Total		383,858	497,246	113,388	0	686,544
Strategic Planning Total		383,858	497,246	113,388	0	686,544
Planning Services Total		766,982	905,161	138,179	10,588	1,229,560
Health & Compliance						
Sustainability						
Expense						
24620	Salaries - Sustainability	24,919	24,075	(844)	0	32,101
24621	Other Employee Costs - Sustainability	(1,271)	285	1,556	0	340
24624	Motor Vehicles - Sustainability	14,445	14,250	(195)	0	19,000
24625	Depreciation - Sustainability	1,127	1,197	70	0	1,600
24627	Finance - Sustainability	18,018	18,018	0	0	24,025
24634	Professional Fees - Sustainability	0	0	0	1,265	0
24638	Operational Activities - Sustainability / PC79	12,418	36,738	24,320	6,137	49,000



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Expense Total		69,657	94,563	24,906	7,402	126,066
Sustainability Total		69,657	94,563	24,906	7,402	126,066
Environmental Health						
Expense						
24720	Salaries - Environmental Health	364,298	333,639	(30,659)	0	444,857
24721	Other Employee Costs - Environmental Health	7,904	15,690	7,786	0	20,410
24723	Office - Environmental Health	1,697	3,753	2,056	0	5,000
24725	Depreciation - Environmental Health	4,853	4,878	25	0	6,500
24727	Finance - Environmental Health	87,678	87,678	0	0	116,899
24730	Other Expense - Environmental Health	1,352	24,903	23,551	182	33,200
24751	OPRL Activities - Environmental Health PC76,77,78	13,127	50,625	37,498	0	67,500
Expense Total		480,909	521,166	40,257	182	694,366
Income						
54701	Fees & Charges - Environmental Health	(73,185)	(34,497)	38,688	0	(46,000)
54710	Sundry Income - Environmental Health	(2,221)	(747)	1,474	0	(1,000)
54711	Fines & Penalties - Environmental Health	(18,029)	(68,247)	(50,218)	0	(91,000)
Income Total		(93,435)	(103,491)	(10,056)	0	(138,000)
Environmental Health Total		387,475	417,675	30,200	182	556,366
Environmental Conservation						
Expense						
24220	Salaries - Environmental Conservation	15,326	0	(15,326)	0	0
24221	Other Employee Costs - Environmental Conservation	2,238	1,700	(538)	0	2,800
24223	Office - Environmental Conservation	797	750	(47)	0	1,000
24227	Finance - Environmental Conservation	47,592	47,586	(6)	0	63,450
24230	Other Expense - Environmental Conservation	0	1,125	1,125	0	1,500
24237	Donations - Environmental Conservation	0	0	0	0	2,250
24251	OPRL Activities - Environ Conservation / PC80	570,323	606,434	36,111	128,446	799,400
Expense Total		636,275	657,595	21,320	128,446	870,400
Income						
54204	Grants Operating - Environmental Conservation	(24,643)	(22,500)	2,143	0	(30,000)
54210	Sundry Income - Environmental Conservation	(15,144)	(8,800)	6,344	0	(8,800)
Income Total		(39,787)	(31,300)	8,487	0	(38,800)
Environmental Conservation Total		596,488	626,295	29,807	128,446	831,600
Ranger Services						
Expense						
21120	Salaries - Ranger Services	476,733	470,217	(6,516)	0	626,952
21121	Other Employee Costs - Ranger Services	11,115	10,330	(785)	497	12,750
21123	Office - Ranger Services	8,473	8,300	(173)	1,512	9,300
21124	Motor Vehicles - Ranger Services	45,900	47,250	1,350	0	63,000
21125	Depreciation - Ranger Services	4,485	4,653	168	0	6,200
21127	Finance - Ranger Services	120,739	146,993	26,254	0	192,102
21130	Other Expense - Ranger Services	15,312	63,118	47,806	3,036	81,450
21135	ICT Expenses - Ranger Services	0	0	0	0	10,000
21137	Donations - Ranger Services	1,000	1,000	0	0	1,000
Expense Total		683,757	751,861	68,104	5,045	1,002,754
Income						
51101	Fees & Charges - Ranger Services	(48,905)	(54,253)	(5,348)	0	(72,000)
51106	Contributions & Reimbursements- Rangers Services	(31,116)	(25,000)	6,116	0	(30,000)
51111	Fines & Penalties - Rangers Services	(234,536)	(269,960)	(35,424)	0	(402,500)
Income Total		(314,558)	(349,213)	(34,655)	0	(504,500)
Ranger Services Total		369,198	402,648	33,450	5,045	498,254
Health & Compliance Total		1,422,818	1,541,181	118,363	141,075	2,012,286
Building Services						
Building Services						
Expense						
24420	Salaries - Building Services	541,049	638,643	97,594	0	851,516



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24421	Other Employee Costs - Building Services	23,613	21,664	(1,949)	0	27,170
24423	Office - Building Services	4,253	3,178	(1,075)	0	3,400
24424	Motor Vehicles - Building Services	22,269	20,097	(2,172)	0	26,800
24425	Depreciation - Building Services	182	225	43	0	300
24427	Finance - Building Services	192,384	192,387	3	0	256,516
24430	Other Expense - Building Services	2,366	3,500	1,134	200	3,700
24434	Professional Fees - Building Services	3,450	3,753	303	0	5,000
Expense Total		789,567	883,447	93,880	200	1,174,402
Income						
54401	Fees & Charges - Building Services	(467,941)	(418,588)	49,353	0	(504,800)
54410	Sundry Income - Building Services	(21,473)	(15,003)	6,470	0	(20,000)
54411	Fines & Penalties - Building Services	(13,300)	(9,747)	3,553	0	(13,000)
Income Total		(502,715)	(443,338)	59,377	0	(537,800)
Building Services Total		286,852	440,109	153,257	200	636,602
Building Services Total		286,852	440,109	153,257	200	636,602
Planning & Development Services Total		2,476,652	2,886,451	409,799	151,862	3,878,448
Technical Services						
Engineering						
Infrastructure Services						
Expense						
26220	Salaries - Infrastructure Svs	1,728,362	1,826,325	97,963	0	2,435,099
26221	Other Employee Costs - Infrastructure Svs	88,476	94,110	5,634	2,020	117,440
26223	Office - Infrastructure Svs	17,245	23,625	6,380	1,873	31,500
26224	Motor Vehicles - Infrastructure Svs	26,687	39,753	13,066	0	53,000
26225	Depreciation - Infrastructure Svs	9,217	11,772	2,555	0	15,700
26227	Finance - Infrastructure Svs	(1,492,528)	(2,503,763)	(1,011,235)	0	(2,893,913)
26228	Insurance - Infrastructure Svs	134,130	122,560	(11,570)	0	147,070
26230	Other Expense - Infrastructure Svs	35,424	48,335	12,911	15,087	63,000
26234	Professional Fees - Infrastructure Svs	50,724	8,328	(42,396)	34,549	11,100
26235	ICT Expenses - Infrastructure Svs	1,530	13,275	11,745	0	15,900
36101	Project Contribution - Infrastructure	10,500	(677,003)	(687,503)	30,000	(622,000)
Expense Total		609,766	(992,683)	(1,602,449)	83,529	(626,104)
Income						
56206	Contributions & Reimbursement - Infrastructure Svs	0	(91,665)	(91,665)	0	(110,000)
50202	Service Charges - Infrastructure Svs	(23,727)	(257,291)	(233,564)	0	(280,747)
56201	Fees & Charges - Infrastructure Svs	(3,658)	(8,335)	(4,677)	0	(10,000)
Income Total		(27,386)	(357,291)	(329,905)	0	(400,747)
Infrastructure Services Total		582,381	(1,349,974)	(1,932,355)	83,529	(1,026,851)
Plant Operating						
Expense						
26521	Other Employee Costs - Plant Operating	1,628	1,085	(543)	0	1,300
26525	Depreciation - Plant Operating	225,548	445,725	220,177	0	594,300
26527	Finance - Plant Operating	(720,483)	(996,998)	(276,515)	0	(1,196,000)
26532	Plant - Plant Operating	418,174	545,165	126,991	14,742	704,500
26533	Minor Parts & Workshop Tools - Plant Operating	19,121	76,509	57,388	1,440	102,000
26549	Loss Sale of Assets - Plant Operating	23,565	81,378	57,813	0	108,507
Expense Total		(32,447)	152,864	185,311	16,182	314,607
Income						
56501	Fees & Charges - Plant Operating	(38,436)	(45,000)	(6,564)	0	(60,000)
56510	Sundry Income - Plant operating	(3,191)	(2,250)	941	0	(3,000)
56515	Profit Sale of Assets - Plant Operating	(77,691)	(32,418)	45,273	0	(43,228)
Income Total		(119,318)	(79,668)	39,650	0	(106,228)
Plant Operating Total		(151,765)	73,196	224,961	16,182	208,379
Streets Roads and Depots						
Expense						
26625	Depreciation - Streets Roads & Depots	1,594,808	1,538,439	(56,369)	0	2,051,240



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26626	Utility - Streets Roads & Depots	361,991	485,833	123,842	0	583,000
26630	Other Expense - Streets Roads & Depots	48,122	54,170	6,048	0	65,000
26640	Reinstatement - Streets Roads & Depot	1,502	5,830	4,328	0	7,000
26667	Maintenance - Road Maintenance / PC51	568,121	567,083	(1,038)	80,467	680,500
26668	Maintenance - Drainage Maintenance / PC52	389,668	429,418	39,750	52,140	515,300
26669	Maintenance - Footpath Maintenance / PC53	176,591	137,665	(38,926)	8,012	165,200
26670	Maintenance - Parking Signs / PC54	93,719	72,915	(20,804)	3,343	87,500
26671	Maintenance - Right of Way Maintenance / PC55	81,019	72,915	(8,104)	3,374	87,500
26672	Maintenance - Bus Shelter Maintenance / PC56	7,920	9,665	1,745	1,395	11,600
26673	Maintenance - Graffiti Control / PC57	4,359	16,250	11,891	1,619	19,500
26674	Maintenance - Streets Roads & Depot / PC89	90,578	113,625	23,047	1,910	151,500
Expense Total		3,418,398	3,503,808	85,410	152,259	4,424,840
Income						
56601	Fees & Charges - Streets Roads & Depots	(45,136)	(66,670)	(21,534)	0	(80,000)
56604	Grants Operating - Streets Roads & Depots	(70,251)	(58,500)	11,751	0	(70,200)
56606	Contributions & Reimburse - Streets Roads & Depots	(140)	(12,500)	(12,361)	0	(15,000)
56610	Sundry Income - Streets Roads & Depots	(95)	0	95	0	0
Income Total		(115,621)	(137,670)	(22,049)	0	(165,200)
Streets Roads and Depots Total		3,302,777	3,366,138	63,361	152,259	4,259,640
Waste Minimisation						
Expense						
24520	Salaries - Waste Minimisation	182,264	185,688	3,424	0	247,589
24521	Other Employee Costs - Waste Minimisation	2,554	5,224	2,670	0	6,670
24524	Motor Vehicles - Waste Minimisation	9,072	6,900	(2,172)	0	9,200
24527	Finance - Waste Minimisation	134,342	134,328	(14)	0	179,106
24538	Purchase of Product - Waste Minimisation	1,796	2,250	454	225	3,000
24552	Residential Kerbside - Waste Minimisation / PC71	1,229,408	1,411,653	182,245	573,315	1,882,200
24553	Residential Bulk - Waste Minimisation / PC72	109,714	236,000	126,286	3,322	472,000
24554	Commercial - Waste Minimisation / PC73	69,525	77,103	7,578	90,277	102,800
24555	Public Waste - Waste Minimisation / PC74	63,336	78,219	14,883	28,358	104,300
24556	Waste Strategy - Waste Minimisation / PC75	6,346	63,225	56,879	0	84,300
Expense Total		1,808,357	2,200,590	392,233	695,496	3,091,165
Income						
54501	Fees & Charges - Waste Minimisation	(3,294,206)	(3,338,675)	(44,469)	0	(3,354,547)
Income Total		(3,294,206)	(3,338,675)	(44,469)	0	(3,354,547)
Waste Minimisation Total		(1,485,848)	(1,138,085)	347,763	695,496	(263,382)
Building Maintenance						
Expense						
24120	Salaries - Building Maintenance	295,356	300,258	4,903	0	400,345
24121	Other Employee Costs - Building Maintenance	4,527	5,910	1,384	0	7,410
24123	Office - Building Maintenance	431	0	(431)	0	0
24124	Motor Vehicles - Building Maintenance	26,689	27,378	689	0	36,500
24125	Depreciation - Building Maintenance	549,077	573,447	24,370	0	764,600
24126	Utility - Building Maintenance PC41,42,43	155,351	240,708	85,357	0	288,850
24127	Finance - Building Maintenance	114,147	(135,853)	(250,000)	0	(147,804)
24128	Insurance - Building Maintenance PC40	74,006	65,835	(8,171)	0	79,000
24130	Other Expense - Building Maintenance	19,674	22,500	2,826	3,073	30,000
24133	Building - Building Maintenance PC58	953,729	1,039,338	85,609	260,268	1,410,500
24135	ICT Expenses - Building Maintenance	0	1,875	1,875	0	2,500
Expense Total		2,192,987	2,141,396	(51,591)	263,341	2,871,901
Income						
54106	Contributions & Reimbursement - Building Maintenance	(89,073)	(71,253)	17,820	0	(95,000)
54109	Council Property - Building Maintenance	(207,120)	(204,033)	3,087	0	(272,050)
54110	Sundry Income - Building Maintenance	(480)	0	480	0	0
Income Total		(296,673)	(275,286)	21,387	0	(367,050)
Building Maintenance Total		1,896,314	1,866,110	(30,204)	263,341	2,504,851



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Row Labels	Master Account (desc)	Mar Actual YTD	Mar Budget YTD	Variance	Committed Balance	Annual Budget
Engineering Total		4,143,858	2,817,385	(1,326,473)	1,210,807	5,682,637
Parks Services						
Parks Services						
Expense						
26360	Depreciation - Parks Services	521,198	531,975	10,777	0	709,300
26365	Maintenance - Parks Services / PC59	3,335,807	3,397,501	61,694	249,402	4,416,350
Expense Total		3,857,005	3,929,476	72,471	249,402	5,125,650
Income						
56301	Fees & Charges - Parks & Ovals	(669)	(1,500)	(831)	0	(1,500)
56306	Contributions & Reimbursements - Parks Services	(63,892)	(18,500)	45,392	0	(18,500)
56309	Council Property - Parks Services	(53,225)	(51,000)	2,225	0	(68,000)
56310	Sundry Income - Parks Services	(15,934)	(16,000)	(67)	0	(16,000)
56312	Fines & Penalties - Parks & Ovals	(1,050)	(1,000)	50	0	(1,000)
Income Total		(134,769)	(88,000)	46,769	0	(105,000)
Parks Services Total		3,722,236	3,841,476	119,240	249,402	5,020,650
Parks Services Total		3,722,236	3,841,476	119,240	249,402	5,020,650
Technical Services Total		7,866,094	6,658,861	(1,207,233)	1,460,209	10,703,287
City of Nedlands Total		(10,306,722)	(10,036,500)	270,222	1,993,055	(3,731,341)



**CITY OF NEDLANDS
CAPITAL WORKS & ACQUISITIONS
AS AT 31 MARCH 2020**

L1	L1 Desc / N L2 - Desc	March Actual YTD	Committed Balance	Annual Budget	Budget Available
2	Footpath Rehabilitation				
	2452 School Sports Facility	0	0	30,000	30,000
	200 Monash Avn-Paving of Verge(infrn of Sch)	0	0	14,200	14,200
	609 Stirling Highway-Kinninmont to smyth	12,749	5,712	72,846	54,385
	610 Stirling Highway-Portland to Williams	69,636	513	64,220	-5,928
	611 Stirling Highway-Robinson to Weld	98,253	2,569	90,099	-10,723
	612 Campsie St-Verdun Street to cul-de-sac	0	0	0	0
	Footpath Rehabilitation Total	180,637	8,794	271,365	81,934
3	Road Rehabilitation				
	2004 Rochdale Road	11,718	0	42,600	30,882
	2190 Riverview Ct	0	0	0	0
	2143 Brockway Road	3,923	0	0	-3,923
	2070 Waroonga Road	21,991	2,793	147,396	122,612
	2071 Rockton Road	13,601	1,349	147,396	132,446
	2115 Leura Street	0	0	0	0
	2318 Gerygone Lane	0	0	206,058	206,058
	612 Campsie St-Verdun Street to cul-de-sac	44,832	112,573	348,184	190,779
	613 Leopold St-Melvista Ave to Princess Rd	173,030	0	316,325	143,295
	614 Riley Road-Stone Road to Hackett Road	193,399	0	343,910	150,511
	615 Micrantha Lane-Williams Rd to Clifton St	0	18,619	74,060	55,441
	616 Ringneck Ln drainage-Brick Paving and in	118,370	5,258	113,600	-10,027
	Road Rehabilitation Total	580,862	140,592	1,739,529	1,018,075
4	Drainage Rehabilitation				
	2001 Railway Road	32,189	0	56,800	24,611
	2024 Carrington Street	0	0	0	0
	Drainage Rehabilitation Total	32,189	0	56,800	24,611
5	Street Furniture / Bus Shelter				
	9000 City Wide	0	0	0	0
	500 City Wide Bus Shelters - Replace	0	0	0	0
	501 City Wide Street Lights - INSTL LED	54,447	55	45,000	-9,502
	502 West Hollywood - LED smart control	2,982	0	0	-2,982
	Street Furniture / Bus Shelter Total	57,429	55	45,000	-12,484
6	Grant Funded Projects				
	2001 Railway Road	0	2,700	64,000	61,300
	2003 Alfred Road	0	0	194,700	194,700
	2010 Broadway	0	0	90,000	90,000
	2012 Waratah Avenue	13,541	17,725	330,000	298,734
	2015 Birdwood Parade	996	0	172,000	171,004
	2017 Loch Street	0	14,545	286,000	271,455
	2018 Underwood Avenue	0	0	0	0
	2037 Elizabeth Street	859,189	959,681	1,900,000	81,130
	2038 Jenkins Ave	0	0	700,000	700,000
	2198 Hampden Road	0	0	253,400	253,400
	2200 John XXII Avenue	0	0	0	0
	2225 Stephenson Avenue	0	0	30,000	30,000
	2014 Aberdare Rd	0	0	46,000	46,000
	2143 Brockway Road	0	21,376	280,000	258,624
	2070 Waroonga Road	0	1,000	0	-1,000
	2071 Rockton Road	0	1,221	0	-1,221
	2262 Iris Avenue (South)	0	0	37,500	37,500
	2410 INTXN - Smyth RD/Monash Av	0	2,273	0	-2,273
	617 Narla Rd-Swanway Cres to Servetus St	123,262	3,826	120,300	-6,788
	618 Rosedale St-Gunn St to Alderbury St	117,776	0	230,400	112,624
	635 Alfred Road-Brockway to Mimosa	0	0	57,150	57,150
	2041 Elizabeth St-Broadway to Bay Rd(Drainage)	19,600	142,249	700,000	538,150
	Grant Funded Projects Total	1,134,364	1,166,597	5,491,450	3,190,488
11	Building Construction				
	4003 Broome St - Council Depot	50,780	2,185	106,500	53,535



**CITY OF NEDLANDS
CAPITAL WORKS & ACQUISITIONS
AS AT 31 MARCH 2020**

L1	L1 Desc / N/ L2 - Desc	March Actual	Committed		Budget
		YTD	Balance	Annual Budget	Available
	4004 Webster St - Drabble House	113,275	10,906	269,800	145,618
	4005 Drabble House Flat - 8A Webster St	593	0	0	-593
	4007 140 Melvista Ave - JC Smith Pavilion	19,102	1,518	28,400	7,780
	4008 60 Stirling Hwy - Nedlands Library	0	1,620	0	-1,620
	4009 53 Jutland Pde - PRCC	890	4,473	0	-5,363
	4011 105 Montgomery Ave - MTC Library	18,091	91	0	-18,182
	4012 19 Haldane St - MTC Community Centre	0	97	0	-97
	4014 91 Wood St - Allen Park Heritage Precinct	0	0	0	0
	4015 118 Wood St - Friends of Allen Park	1,650	0	0	-1,650
	4016 67 Stirling Highway - Maisonettes	74,690	0	51,162	-23,528
	4019 84 Beatrice Rd - Adam A. Pavilion (Collegians AFC)	0	0	0	0
	4020 71 Stirling Hwy - Administration Bldg	0	0	0	0
	4021 110 Smyth Road - Cottage Bldg	25,658	643	0	-26,300
	4052 Allen Park (Master Plan)	15,620	0	397,600	381,980
	4096 Lawler Park	0	0	80,000	80,000
	4159 8 Draper St - Hackett Hall	5,680	0	56,800	51,120
	4164 100A Princess Rd - College Park Family Centre	587	1,901	0	-2,488
	4201 John XXIII Ave - Council Depot	1,095	0	0	-1,095
	9000 City Wide	0	0	0	0
	619 Charles Court Reserve Toilets-Renovation	31,888	7,273	35,500	-3,660
	620 Mt Claremont Library-Re roof	0	0	383,400	383,400
	Building Construction Total	359,599	30,706	1,409,162	1,018,857
12	Off Street Parking				
	405 Broadway Foreshore Carpark - Resurface	0	0	0	0
	406 Maisonettes Carpark - Resurface	50,776	0	45,440	-5,336
	Off Street Parking Total	50,776	0	45,440	-5,336
14	Parks & Reserves Construction				
	4052 Allen Park	0	0	44,872	44,872
	4059 Beatrice Road Reserve	6,198	0	6,390	192
	4061 Bishop Road Reserve	0	0	0	0
	4062 Blain Park	0	0	23,572	23,572
	4069 Carrington Park	6,908	9,200	26,128	10,020
	4072 College Park	44,943	0	140,580	95,637
	4085 Genesta Park	0	0	0	0
	4089 Hamilton Park	1,268	0	30,814	29,546
	4092 Hollywood Tennis Court Reserve	3,791	0	5,680	1,889
	4094 Jones Park	24,629	0	31,240	6,611
	4098 Laura Park	5,357	0	6,674	1,317
	4108 Alfred Rd/Montgomery Ave - MTC Oval	0	0	0	0
	4115 New Court Gardens	0	0	71,000	71,000
	4118 Peace Memorial Rose Garden	6,082	300	9,088	2,706
	4122 Point Resolution Reserve	99,153	0	106,500	7,347
	4139 Tresillian Community Centre Surrounds	0	0	0	0
	4173 Cottesloe Golf Club	0	0	20,000	20,000
	707 College Park - UG irrigation system	0	0	0	0
	724 Pt Res Rsv - DVPT Greenway buffer S1	30,635	0	52,206	21,571
	728 St John Wood Bv POS - DVLP park	0	0	0	0
	732 Allen Park (LO) - INST floodlight	169,600	14,998	217,176	32,578
	734 Asquith Reserve - Redevelopment	77,762	7,061	90,500	5,677
	735 Birdwood Pde Rsv-R carpark lightpole x2	14,019	0	0	-14,019
	737 Bishop Rd Rsv - Enviro-scape manster pln	3,324	2,925	0	-6,249
	739 Brockman Rsv - UG playground	73,114	0	0	-73,114
	745 Charles Crt Rsv - R fitness equipment	43,310	0	0	-43,310
	752 Hamilton Park - UG irrigation system	0	0	24,224	24,224
	754 Hollywood Rsv - UG pathway	23,816	0	33,600	9,784
	767 Pt Res Rsv - UG irrigation system	139,745	0	140,000	255
	768 Railway Rd - Complete greenway	54,299	0	0	-54,299
	769 St Johns Wood Blv POS - INST playground	5,128	93,620	137,245	38,497



**CITY OF NEDLANDS
CAPITAL WORKS & ACQUISITIONS
AS AT 31 MARCH 2020**

L1	L1 Desc / N/ L2 - Desc	March Actual YTD	Committed Balance	Annual Budget	Budget Available
	770 Jones Park - Install Drinking Fountain	6,192	0	0	-6,192
	771 Jones Park - Bushfence Bollards Gate&Eco	17,207	16,970	43,736	9,559
	621 Blain Park-Replace Drinking Fountain	5,805	0	6,674	869
	622 College Park-Replace Gates toTennis Cour	2,457	0	5,680	3,223
	623 College Park-Relocated Easter Turf Wicke	0	0	0	0
	624 Hollywood Tennis Crt Rsv-Replace floodli	7,745	5,643	23,004	9,616
	625 Iris Ave Gardens-Install 90m recycled pl	0	5,808	9,230	3,422
	626 Melvista Oval-Replace Park Benches(2)	6,088	0	6,816	728
	627 Melvista Oval-Replace Fitness Equipment	12,070	0	12,354	284
	628 Melvista Oval-Replace Basketball Backwar	3,514	0	9,372	5,858
	629 Mt Claremont-R existing Floodlights wth	14,725	0	23,004	8,279
	630 Mt Claremont R-Replace Security Light	13,617	0	42,032	28,415
	631 Peace Memo Gardens-Renew Bore(38m)	0	0	41,606	41,606
	632 Point Resolution Reserve-Upgrade of fina	0	0	28,400	28,400
	633 Swanbourne Greenway Project	-3,056	17,009	48,280	34,327
	634 Tresillian Gardens-Upgrade old Playgroun	38,401	0	28,400	-10,001
	5108 Mt Claremont Oval	12,368	0	29,820	17,452
	Parks & Reserves Construction Total	970,214	173,534	1,575,897	432,150
15	Plant & Equipment				
	7500 Technical Svs - Engineering	355,937	-58	283,000	-72,879
	7501 Development Svs - Town Planning	42,322	0	0	-42,322
	7502 Development Svs - Building Svs	19,303	0	23,000	3,697
	7505 Planning & Development Svs - Ranger Svs	129,419	0	132,000	2,581
	7507 Development Svs - Environmental Health	67,554	0	66,000	-1,554
	7508 Corporate & Strategy - Finance	436	14	45,000	44,550
	7509 Technical Svs - Parks Svs	76,977	0	389,000	312,023
	7512 Community Svs - Community Development	0	0	0	0
	7515 Corporate & Strategy - ICT	61,068	0	33,000	-28,068
	Plant & Equipment Total	753,016	-44	971,000	218,028
16	ICT Capital Projects				
	6054 Software	15,794	0	0	-15,794
	6060 Software - IP Phone	-577	0	0	577
	6061 Software - Business Improvement System	0	0	150,000	150,000
	6062 Firewall at Administration	36,052	4,555	40,000	-607
	6063 Replace SSD on VDI nodes	0	0	20,000	20,000
	6064 Ipads for councillors	7,924	1,679	15,000	5,397
	6065 Administration Booking Softwate	0	0	40,000	40,000
	6066 Administration Comms Rack Cleanup Aups R	733	0	30,000	29,267
	6067 Printers & Copiers	0	0	109,514	109,514
	6068 Noise Monitoring Equipment-Environmntl H	0	0	10,000	10,000
	ICT Capital Projects Total	59,927	6,234	414,514	348,354
18	Furniture & Fixture				
	4008 60 Stirling Hwy - Nedlands Library	119	0	10,000	9,881
	Furniture & Fixture Total	119	0	10,000	9,881
19	Public Art				
	9000 City Wide	61,108	0	0	-61,108
	9001 Public Arts Work	0	0	50,000	50,000
	Public Art Total	61,108	0	50,000	-11,108
20	Major Projects - Parks				
	4071 Charles Ct Reserve	13,524	0	400,000	386,476
	900 Beaton Park - AAPS Stage 1	0	0	0	0
	901 Beaton Park - AAPS Stage 2	159	0	0	-159
	903 Charles Crt Rsv - CNST riverwall S4-1	36,634	0	22,898	-13,736
	904 Swanbourne Beach Oval - rehabilitation	194,921	59,068	270,000	16,012
	Major Projects - Parks Total	245,237	59,068	692,898	388,593
	City of Nedlands Total	4,485,476	1,585,535	12,773,055	6,702,044



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

	2019/20 YTD 31 March 2020	2018/19 YTD 31 March 2019	2018/19 YEAR END 30 June 2019
Current Assets			
Cash & Cash Equivalents	20,572,853	17,087,802	13,030,919
Receivable - Rates Outstanding (inc Rebates)	2,083,291	1,751,762	440,333
Receivable - Sundry Debtors	770,072	403,883	1,319,548
Receivable - Self Supporting Loan	3,447	3,343	13,630
Receivable - UGP	28,162	147,991	138,453
GST Receivable	183,620	278,786	539,456
Prepayments	197,094	141,307	170,828
Less: Provision for Doubtful Debts	(9,282)	(5,186)	(9,282)
Inventories	8,053	228	15,724
	<u>23,837,308</u>	<u>19,809,916</u>	<u>15,659,609</u>
Current Liabilities			
Payable - Sundry Creditors	(4,013,691)	(460,485)	(4,405,159)
Payable - ESL	(383,148)	(455,808)	(35,256)
Accrued Salaries and Wages	(89,959)	(26,551)	(341,845)
Employee Provisions	(2,160,136)	(2,180,988)	(2,274,759)
Borrowings	(415,640)	(392,555)	(1,693,964)
	<u>(7,062,573)</u>	<u>(3,516,387)</u>	<u>(8,750,984)</u>
Unadjusted Net Current Assets	<u>16,774,735</u>	<u>16,293,529</u>	<u>6,908,625</u>
Less: Restricted Reserves	(6,170,890)	(6,128,957)	(6,095,372)
Less: Current Self Supporting Loan Liability	(3,447)	(3,343)	(13,630)
Add Back: Borrowings	415,640	392,555	1,693,964
Net Current Assets	<u>11,016,038</u>	<u>10,553,784</u>	<u>2,493,587</u>



City of Nedlands

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

	2019-20 Annual Budget \$	March 20 YTD Budget \$	March 20 YTD Actual \$	March 20 YTD Variance \$	Variance %
Operating Income					
Governance	261,020	197,435	74,298	(123,137)	-62.4%
Corporate & Strategy	25,363,374	25,038,839	25,116,865	78,026	0.3%
Community Development & Services	2,460,660	1,829,425	2,060,081	230,656	12.6%
Planning & Development Services	1,747,600	1,323,345	1,481,847	158,502	12.0%
Technical Services	4,498,772	4,276,590	3,987,973	(288,617)	-6.7%
	34,331,426	32,665,634	32,721,064	55,430	0.2%
Operating Expense					
Governance	(3,077,559)	(2,360,925)	(2,027,576)	333,349	14.1%
Corporate & Strategy	(686,305)	(600,375)	(204,576)	395,799	65.9%
Community Development & Services	(6,008,114)	(4,522,587)	(4,369,623)	152,964	3.4%
Planning & Development Services	(5,626,048)	(4,209,796)	(3,958,499)	251,297	6.0%
Technical Services	(15,202,059)	(10,935,451)	(11,854,067)	(918,616)	-8.4%
	(30,600,085)	(22,629,134)	(22,414,341)	214,793	0.9%
Capital Income					
Grants Capital	4,640,042		1,150,790		
Capital Contribution	0		305,671		
Proceeds from Disposal of Assets	491,636		513,626		
New Borrowings	0		0		
Self Supporting Loan Principal Repayments	13,630		10,183		
Transfer from Reserve	1,856,862		0		
	7,002,170		1,980,270		
Capital Expenditure					
Land & Buildings	(1,409,162)		(359,599)		
Infrastructure - Road	(7,604,584)		(2,036,258)		
Infrastructure - Parks	(2,313,795)		(1,214,874)		
Plant & Equipment	(971,000)		(753,016)		
Furniture & Equipment	(474,514)		(121,730)		
Repayment of Debentures	(1,691,065)		(1,278,324)		
Transfer to Reserves	(1,768,566)		(75,517)		
	(16,232,686)		(5,839,317)		
Total Operating and Non-Operating	(5,499,175)		6,447,676		
Adjustment - Non Cash Items					
Depreciation	4,378,000		3,062,674		
Receivables/Provisions/Other Accruals	853		24,377		
Change in accounting policy	(594,247)		(958,802)		
(Profit) on Sale of Assets	(43,228)		(77,691)		
Loss on Sale of Assets	108,448		24,217		
ADD - Surplus/(Deficit) 1 July b/f	1,703,203		2,493,587		
LESS - Surplus/(Deficit) 30 June c/f	53,854		11,016,038		
	5,499,175		(6,447,676)		



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

Purpose

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

Self Supporting Loans

Loan 186 - Dalkeith Bowling Club

Total

	Actual YTD 31 MARCH 2020				
Interest Rate Per Annum	Principal 01-Jul-19 \$	New loans \$	Principal Repayment \$	Principal 31-Mar-20 \$	Interest(YTD) \$
6.04%	654,992	0	(86,182)	568,810	27,949
5.91%	498,901	0	(180,263)	318,638	18,589
4.67%	649,125	0	(186,889)	462,236	20,571
2.78%	1,031,607	0	(118,672)	912,935	20,403
3.12%	921,181	0	(97,042)	824,139	20,298
3.12%	435,974	0	(45,927)	390,047	9,607
2.64%	2,464,759	0	(469,589)	1,995,170	45,690
3.07%	645,499	0	(66,873)	578,626	13,689
3.07%	94,279	0	(9,767)	84,512	1,992
3.07%	66,956	0	(6,937)	60,019	1,425
	7,463,273	0	(1,268,141)	6,195,132	180,211
3.07%	92,445	0	(10,183)	82,262	2,051
				0	
	7,555,718	0	(1,278,324)	6,277,394	182,262

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



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

	2019/2020 YTD 31 March 2020 \$	2018/2019 YTD 31 March 2019 \$	2018/2019 YEAR END 30 June 2019 \$
Current Assets			
Cash & Cash Equivalents	20,572,853	17,087,802	13,030,919
Trade & Other Receivables	3,059,309	2,580,579	2,442,138
Inventories	8,053	228	15,724
Other - Prepayments & Accruals	197,094	141,307	170,828
Total Current Assets	23,837,308	19,809,916	15,659,609
Non Current Assets			
Other Receivables	1,280,683	526,643	1,306,050
Other Financial Assets	140,137	123,734	140,137
Property, Plant & Equipment Infrastructure	345,771,236 88,814,228	345,363,484 85,629,277	345,984,718 87,638,047
Total Non Current Assets	436,006,284	431,643,139	435,068,953
Total Assets	459,843,593	451,453,055	450,728,563
Current Liabilities			
Trade & Other Payables	4,486,800	942,844	4,782,260
Current Borrowings	415,640	392,555	1,693,964
Employee Provisions	2,160,136	2,180,988	2,274,759
Total Current Liabilities	7,062,575	3,516,387	8,750,984
Non Current Liabilities			
Long Term Borrowings	5,861,752	7,555,717	5,861,752
Deferred Liability	54,001	0	54,001
Employee Provisions	474,196	337,618	474,196
Total Non Current Liabilities	6,389,949	7,893,335	6,389,949
Total Liabilities	13,452,525	11,409,722	15,140,933
Net Assets	446,391,068	440,043,333	435,587,629
Equity			
Retained Surplus	86,673,528	80,367,726	75,945,603
Reserves - Cash Backed	6,170,890	6,128,957	6,095,373
Revaluation Surplus	353,546,650	353,546,650	353,546,650
Total Equity	446,391,068	440,043,333	435,587,629



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

Reporting Activity	March 20 YTD Budget	March 20 YTD Actual	Variance Indicators				2019-20 Annual Budget	Var. Scale	Comment Ref
			\$	%	Flag	F/U			
Income:									
Community Leadership	180,765	74,298	(106,467)	(59%)	▶	U	241,020	●	Timing difference of WESROC invoice to Western suburbs and reduce scope of works
Corporate Administration	681,023	584,310	(96,713)	(14%)	▶	U	905,800	●	
Community Capacity Building	484,962	547,079	62,117	13%	▶	F	666,460	●	
Community Care	1,331,922	1,497,459	165,537	12%	▶	F	1,777,900	●	
Libraries	12,541	15,543	3,002	24%	▶	F	16,300	●	
Building & Development Control	839,341	1,034,067	194,726	23%	▶	F	1,066,300	●	
Environmental Health Services	103,491	93,435	(10,056)	(10%)	▶	U	138,000	●	
Rangers & Public Safety	349,213	314,558	(34,655)	(10%)	▶	U	504,500	●	
Engineering & Asset Management	357,291	27,386	(329,905)	(92%)	▶	U	400,747	●	Lower underground power service charges and fees and charges in Infrastructure
Parks & Natural Areas	119,300	174,556	55,256	46%	▶	F	143,800	●	
Roads, Paths & Drains	217,338	234,939	17,601	8%	▶	F	271,428	●	
Community Building Management	275,286	296,673	21,387	8%	▶	F	367,050	●	
Waste Management	3,338,675	3,294,206	(44,469)	(1%)	▶	U	3,354,547	●	
Rates & Property Services	24,374,486	24,532,556	158,070	1%	▶	F	24,477,574	●	
Total Income	32,665,634	32,721,064		0%	▶	F	34,331,426		

* **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 2020**

Reporting Activity	March 20 YTD Budget	March 20 YTD Actual	Variance Indicators				2019-20 Annual Budget	Var. Scale	Comment Ref
			\$	%	Flag	F/U			
Expenditure:									
Community Leadership	1,932,576	1,685,318	247,258	13%	▶	F	2,522,501	●	
Corporate Administration	758,868	314,724	444,144	59%	▶	F	881,665	●	
Community Capacity Building	1,418,992	1,322,871	96,121	7%	▶	F	1,867,847	●	
Community Care	1,618,183	1,627,553	(9,370)	1%	▶	U	2,164,697	●	
Libraries	1,485,412	1,419,200	66,212	4%	▶	F	1,975,570	●	
Building & Development Control	1,687,365	1,704,043	(16,678)	1%	▶	U	2,245,918	●	
Strategic Urban Planning	591,809	453,515	138,294	23%	▶	F	812,610	●	
Environmental Health Services	521,166	480,909	40,257	8%	▶	F	694,366	●	
Rangers & Public Safety	751,861	683,757	68,104	9%	▶	F	1,002,754	●	
Engineering & Asset Management	(992,683)	609,766	(1,602,449)	161%	▶	U	(626,104)	●	UGP refund from Western Power of \$842k budgeted in 2019/20 but actual is accounted for in 2018/19. Further due to lower maintenance and capital cost, on-cost charge out is lower by \$546k. Off-set by lower UGP cost by \$210k due to timing differences.
Parks & Natural Areas	4,587,071	4,522,565	64,506	1%	▶	F	5,996,050	●	
Roads, Paths & Drains	3,656,672	3,356,667	300,005	8%	▶	F	4,739,447	●	
Community Building Management	2,141,396	2,192,987	(51,591)	2%	▶	U	2,871,901	●	
Waste Management	2,200,590	1,808,357	392,233	18%	▶	F	3,091,165	●	
Rates & Property Services	269,856	232,111	37,745	14%	▶	F	359,698	●	
Total Operating Expenditure	22,629,134	22,414,341		1%	▶	F	30,600,085		
Net Operating Result	10,036,500	10,306,722					3,731,341		

UGP refund from Western Power of \$842k budgeted in 2019/20 but actual is accounted for in 2018/19. Further due to lower maintenance and capital cost, on-cost charge out is lower by \$546k. Off-set by lower UGP cost by \$210k due to timing differences.

Legend

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

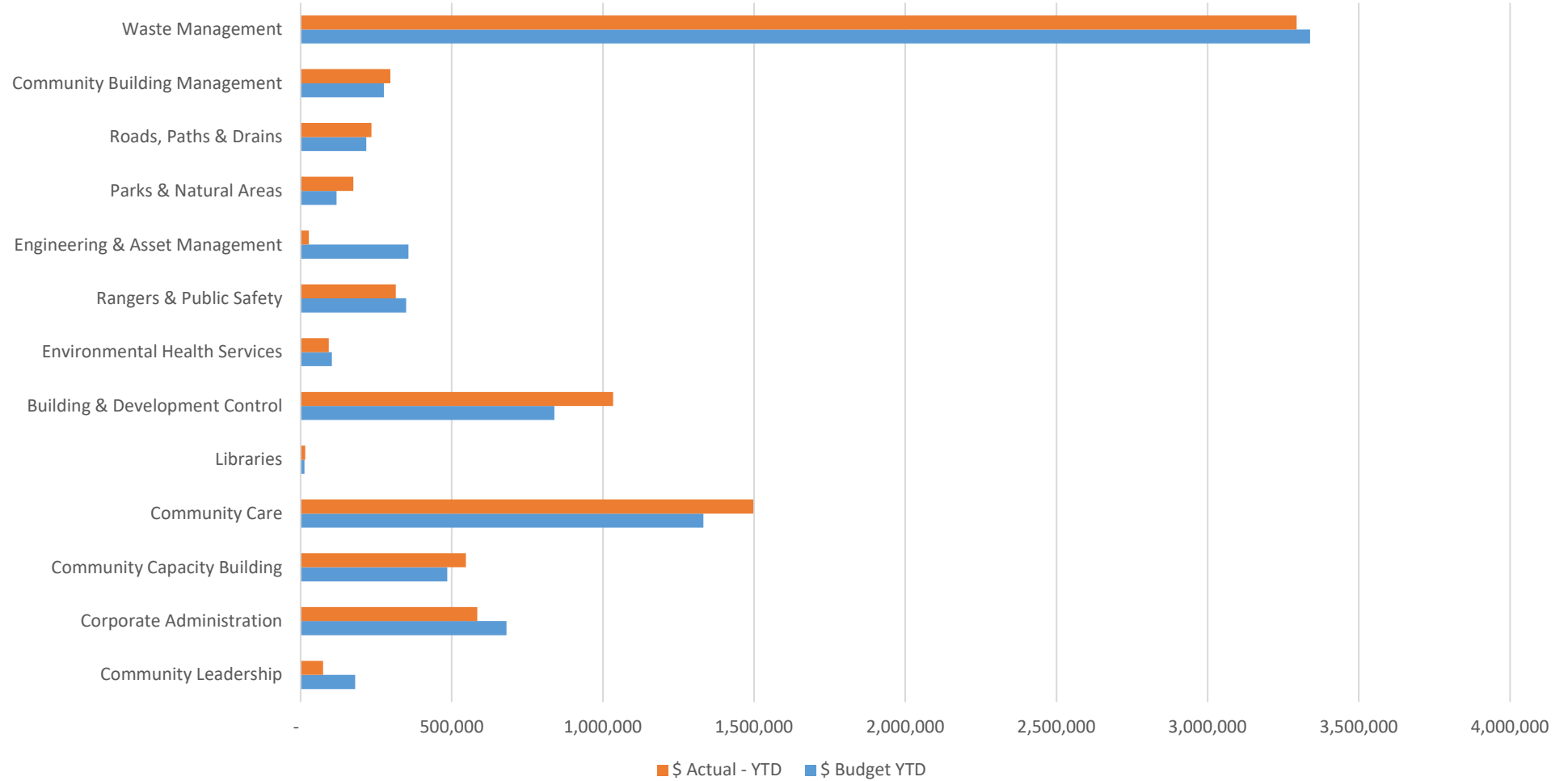
Legend

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 2020**

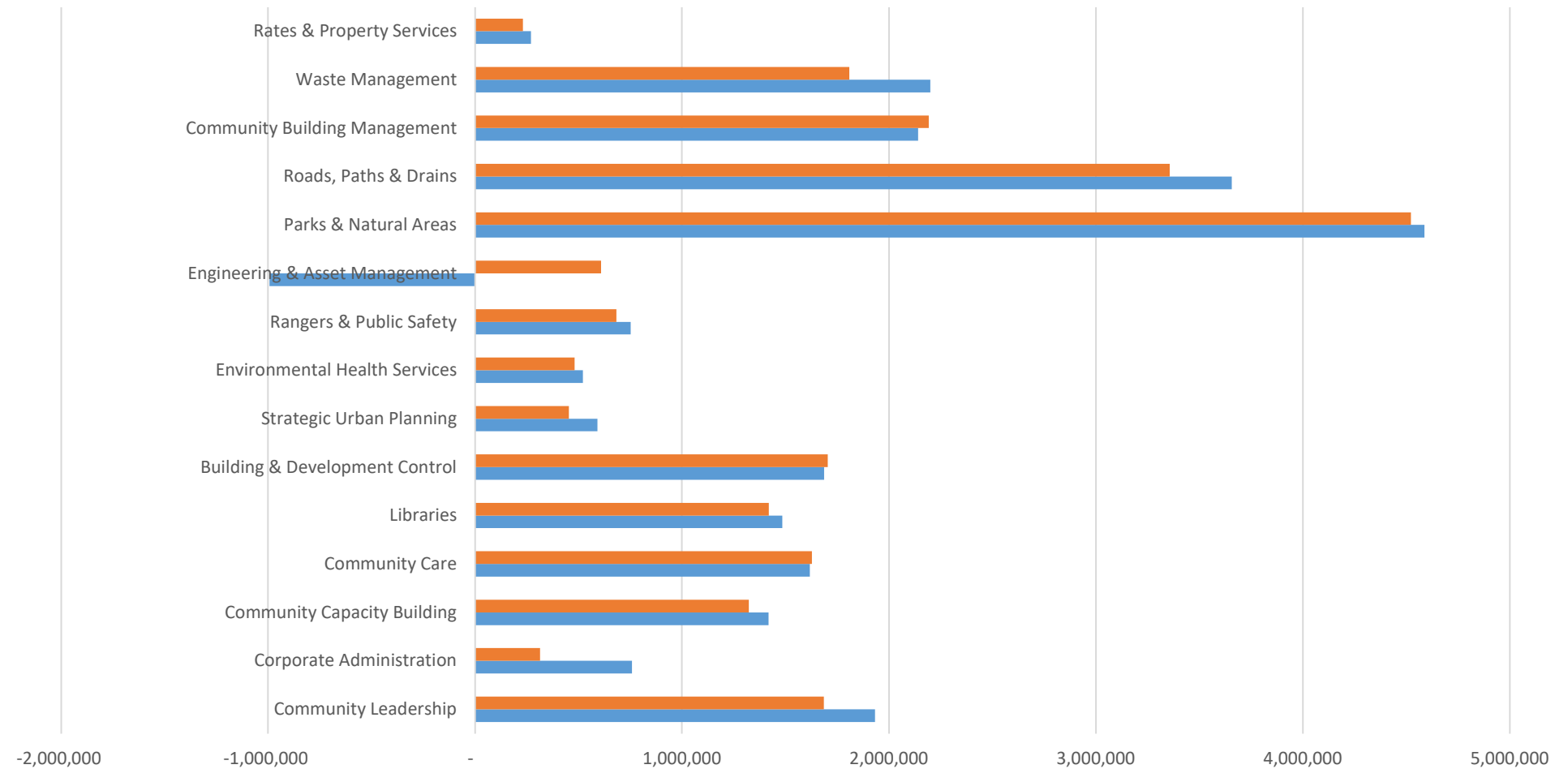
Income - YTD by Reporting Activity (Excluding Rates)





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

Operating Expenditure - YTD by Reporting Activity





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

Reporting Activity	March 20 YTD Budget	March 20 YTD Actual	Variance Indicators			F/U	2019-20 Annual Budget	Var. Scale
			\$	%	Flag			
Income:								
Operating Income								
Rates	24,374,486	24,532,556	158,070	1%	▶	F	24,477,574	●
Service Charges (UGP)	257,291	23,727	(233,564)	(91%)	▶	U	280,747	● Lower underground power service charges
Fees & Charges	5,259,906	5,581,845	321,939	6%	▶	F	5,852,047	●
Fines & Penalties	351,954	270,297	(81,657)	(23%)	▶	U	512,000	● Lower environmental health fines penalties
Interest Revenue	333,756	226,583	(107,173)	(32%)	▶	U	445,000	● Lower interest rates on term deposits
Operating Grants	1,154,954	1,230,702	75,748	7%	▶	F	1,551,710	●
Contributions	656,388	613,018	(43,370)	(7%)	▶	U	849,400	●
Other Revenue	276,899	242,336	(34,563)	(12%)	▶	U	362,948	● Lower WESROC income
Operating Income	32,665,634	32,721,064					34,331,426	
Capital Income								
Capital Grants and Contribution	3,480,032	1,456,461	(2,023,571)	(58%)	▶	U	4,640,042	● Timing difference
Asset Sale Proceeds	368,727	513,626	144,899	39%	▶	F	491,636	●
Sub Total - Capital Income	3,848,759	1,970,087					5,131,678	
Total Income	36,514,393	34,691,151		(5%)	▶	U	39,463,104	

Legend

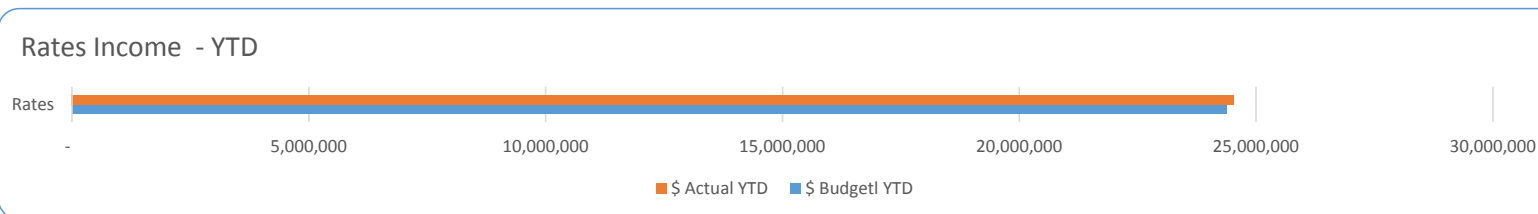
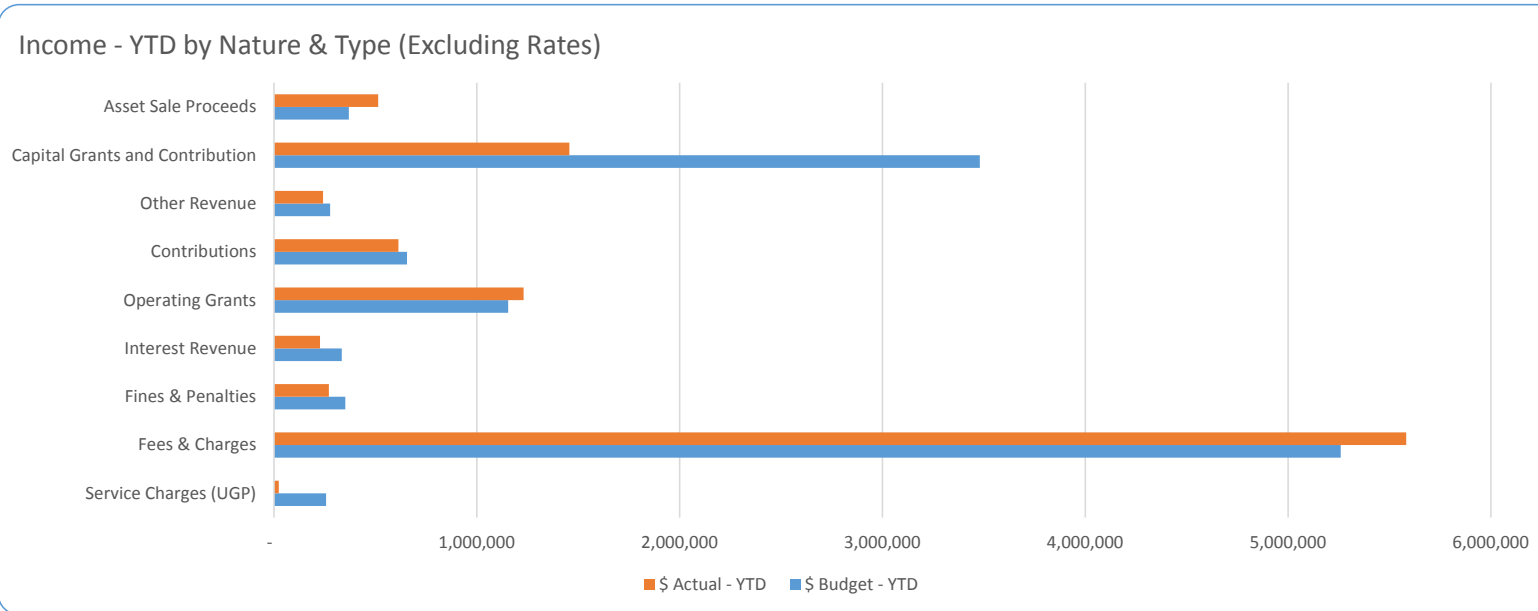
Favourable Variance to Budget F ▶
 Unfavourable Variance to Budget U ▶

Legend

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



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



13.4 Monthly Investment Report – March 2020

Council	28 April 2020
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act	Nil.
Director	Lorraine Driscoll – Director Corporate & Strategy
Attachments	1. Investment Report for the period ended 31 March 2020

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Hassell

Seconded – Councillor McManus

That the Recommendation to Council be adopted.

(Printed below for ease of reference)

CARRIED UNANIMOUSLY 13/-

Council Resolution / Recommendation to Council

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

Executive Summary

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

Discussion/Overview

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

The Investment Policy of the City, which is reviewed each year by the Audit and Risk Committee of Council, 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.

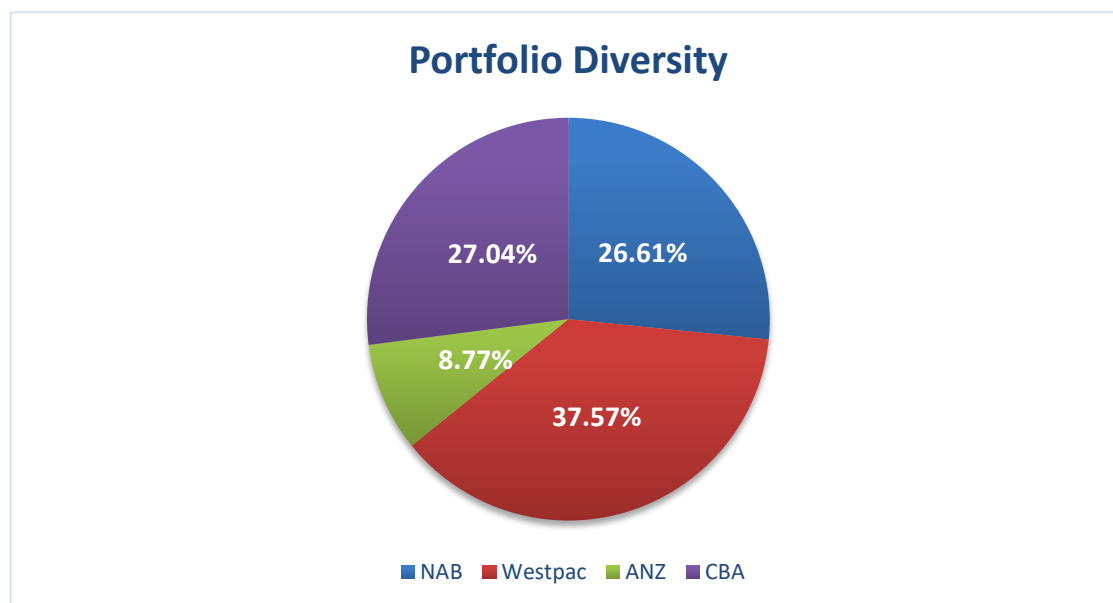
The Investment Summary shows that as at 31 March 2020 the City held the following funds in investments:

Municipal Funds	\$ 6,596,388.29
Reserve Funds	<u>\$ 7,058,323.08</u>
Total	<u>\$ 13,654,711.37</u>

The total interest earned from investments as at 31 March 2020 was \$192,783.15.

The Investment Portfolio comprises holdings in the following institutions:

Financial Institution	Funds Invested	Interest Rate	Proportion of Portfolio
NAB	\$3,633,826.37	1.40% - 2.73%	26.61%
Westpac	\$5,130,103.54	1.26% - 1.80%	37.57%
ANZ	\$1,197,905.93	1.25%	8.77%
CBA	\$3,692,875.53	0.93% - 2.38%	27.05%
Total	\$13,654,711.37		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 2019/20 approved budget is in line with the City's strategic direction.

The 2019/20 approved budget ensured that there is an equitable distribution of benefits in the community

The 2019/20 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 2019/20 approved budget was based on economic and financial data available at the time of preparation of the budget.

Budget/Financial Implications

Due to lower interest rates, the March YTD Actual interest income from all sources is \$226,583 compared to a budget of \$333,756. In view of this, the annual budget for interest income has been reduced from \$445,000 to \$300,000 at the mid-year budget review.

The approved budget is prepared taking into consideration the Long-Term Financial Plan and current economic situation. The approved budget was in a small surplus position and the City is able to manage the cost.

The approved budget had an increase of 2.95% increase on the rates.



**INVESTMENTS REPORT
FOR THE PERIOD ENDED 31 MARCH 2020**

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	2.10%	9-Oct-19	9-Mar-20	152				34,456.69	34,456.69	\$419.53
City Development - Western Zone	2.37%	10-Oct-19	9-Mar-20	151				174,139.33	174,139.33	\$1,970.25
City Development - Western Zone	0.93%	23-Mar-20	22-Jun-20	91				65,705.39	65,705.39	\$807.24
Business system reserve	2.10%	9-Oct-19	9-Mar-20	152				141,880.51	141,880.51	\$1,735.52
All abilities play space	2.10%	9-Oct-19	9-Mar-20	152				97,289.48	97,289.48	\$1,190.06
North Street	1.26%	20-Mar-20	20-Jun-20	92		771,361.61			771,361.61	\$10,381.30
Welfare - General	1.06%	16-Mar-20	15-Jun-20	91				317,939.17	317,939.17	\$4,066.57
Welfare - NCC	2.38%	10-Oct-19	9-Mar-20	151				159,255.77	159,255.77	\$1,801.83
Welfare - PRCC	1.30%	24-Feb-20	23-Jun-20	120				15,641.83	15,641.83	\$420.14
Services - Tawarri 1	1.26%	20-Mar-20	20-Jun-20	92		68,272.82			68,272.82	\$915.09
Services General	2.73%	28-Feb-20	28-May-20	90	25,685.08				25,685.08	\$340.00
Services - Tawarri 2	1.25%	11-Mar-20	11-Jun-20	92			116,739.50		116,739.50	\$1,434.18
Insurance	1.25%	11-Mar-20	11-Jun-20	92			64,964.15		64,964.15	\$798.10
Undrground power	1.60%	26-Feb-20	26-May-20	90	824,692.61				824,692.61	\$8,588.52
Waste Management	2.38%	10-Oct-19	9-Mar-20	151				510,247.57	510,247.57	\$5,772.99
City Development - Swanbourne	1.06%	16-Mar-20	15-Jun-20	91				134,174.57	134,174.57	\$1,845.43
City Building - General	1.26%	20-Mar-20	20-Jun-20	92		412,675.79			412,675.79	\$5,531.32
City Building - PRCC	1.30%	24-Feb-20	23-Jun-20	120				25,997.83	25,997.83	\$328.13
Business system Reserve	1.40%	25-Feb-20	24-Jun-20	120	208,070.03				208,070.03	\$2,319.90
Public Art Reserves	1.40%	25-Feb-20	24-Jun-20	120	294,324.70				294,324.70	\$3,016.04
Waste Management Reserve	1.40%	25-Feb-20	24-Jun-20	120	669,425.83				669,425.83	\$6,707.67
City Development Reserve	1.40%	25-Feb-20	24-Jun-20	120	133,294.68				133,294.68	\$1,671.39
Building Replacement Reserve	1.40%	25-Feb-20	24-Jun-20	120	377,953.64				377,953.64	\$3,762.41
All ability play space	1.65%	26-Feb-20	26-May-20	90	98,561.71				98,561.71	\$1,282.25
Major projects	1.32%	2-Mar-20	2-Jun-20	92		1,315,572.77			1,315,572.77	\$18,374.89
TOTAL RESERVE INVESTMENTS					2,632,008.29	2,567,882.99	181,703.65	1,676,728.15	7,058,323.08	\$85,480.76
MUNICIPAL INVESTMENTS										
Muni Investment NS60	1.55%	29-Feb-20	31-Mar-20	31		1,051,269.19			1,051,269.19	\$15,190.58
Muni Investment #4 - WBC- CLOSED						0.00			0.00	\$6,924.65
Muni Investment #4 - WBC	1.80%	20-Jan-20	20-Apr-20	91		501,653.42			501,653.42	\$10,678.08
Muni Investment #6 - WBC	1.80%	6-Jan-20	6-Apr-20	91		1,009,297.94			1,009,297.94	\$9,297.94
Muni Investment #1 - CBA- CLOSED								0.00	0.00	\$4,255.15
Muni Investment #2 - CBA	1.06%	16-Mar-20	15-Jun-20	91				1,008,470.77	1,008,470.77	\$8,470.77
Muni Investment #7 - NAB	1.67%	18-Feb-20	18-May-20	90	1,001,818.09				1,001,818.09	\$12,781.12
Muni Investment #8 - ANZ	1.25%	9-Mar-20	9-Jun-20	92			1,016,202.27		1,016,202.27	\$16,202.27
Muni Investment #3 - CBA	1.56%	22-Jan-20	22-Apr-20	91				1,007,676.61	1,007,676.61	\$7,676.61
Muni Investment #10 - NAB				91					0.00	\$11,584.12
Muni Investment #153 - WBC									0.00	\$4,241.10
TOTAL MUNICIPAL INVESTMENTS					1,001,818.08	2,562,220.55	1,016,202.27	2,016,147.38	6,596,388.29	\$107,302.39
TOTAL					3,633,826.37	5,130,103.54	1,197,905.93	3,692,875.53	13,654,711.37	\$192,783.15

13.5 COVID-19 – Communication and Stakeholder Engagement Continuity Plan for Urban Planning

Council	28 April 2020
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	Nil
Director	Peter Mickleson
CEO	Mark Goodlet
Attachments	<ol style="list-style-type: none"> 1. COVID-19 Communication and Stakeholder Engagement Continuity Plan for Urban Planning 2. Clause 78H Notice of Exemption from Planning Requirements during State of Emergency

Procedural Motion

Moved – Councillor Bennett

Seconded – Councillor Mangano

That Council Proceed to the next item of business.

CARRIED 9/4

(Against: Crs. Horley McManus Hassell & Wetherall)

Recommendation to Council

Council:

1. receives the COVID-19 Communication and Engagement Continuity Plan for Urban Planning (Attachment 1) and supports the key actions contained therein; and
2. notes the Clause 78H Notice of Exemption from Planning Requirements during State of Emergency (Attachment 2).

Executive Summary

In response to the recent declaration of the global pandemic of Coronavirus (COVID-19), Administration has prepared the Engagement and Stakeholder Communication Continuity Plan (Continuity Plan) to respond to and enable continued community engagement during this time. The purpose of this report is for Council to receive the Continuity Plan and support the key actions it proposes.

Administration has also included the Clause 78H Notice of Exemption from Planning Requirements during State of Emergency as an attachment to this report, for Council's noting.

Background

The Australian Government's advice in response to COVID-19 is for all members of the community to stay at home, except for essential outings. At the local level, the City has implemented the following operational changes:

- City Administration office is closed to the public (suspension of in-person planning service at the front counter).
- Majority of Urban Planning staff working from home; and
- Restrictions on in-person meetings, information sessions and engagement activities to ensure that social distancing recommendations of 1.5m separation can be maintained.

A key function of the Urban Planning team which has been and will continue to be impacted by these COVID-19 responses, is communication with the public and engagement with stakeholders. The Urban Planning team undertakes a range of communication and engagement activities for statutory and strategic planning proposals. This includes communications and engagement activities which are statutorily required, such as advertising a development application, as well as communications and engagement activities which go beyond statutory requirements, such as community workshops held during the development of a local planning policy. Many of these communication and engagement activities are typically undertaken in-person with the local community. The operation of these in-person communication and engagement activities are now significantly limited due to the COVID-19 pandemic.

In response to these current limitations on communication and engagement activities, Administration has prepared the Engagement and Stakeholder Communication Continuity Plan (Attachment 1). Administration took this proactive measure with the knowledge that despite current world events, statutory obligations remain, and community expectations need to be met as far as being involved and given the opportunity to provide feedback on urban planning matters.

Discussion

COVID-19 Communication and Engagement Continuity Plan for Urban Planning

Purpose & Objective

The purpose of the Continuity Plan is to ensure that the City will be capably positioned to continue to deliver community engagement, particularly, that which is statutorily required, for the duration of the COVID-19 pandemic. Due to social restrictions and limited operating capacity of the City in offering face-

to-face engagement, the Plan will ensure that the community are afforded the opportunities to engage and remain informed on any matters relating to urban planning.

The overarching objective of the Continuity Plan is to facilitate as much of a seamless transition to alternative engagement approaches to face-to-face engagement during the COVID-19 pandemic. There is significant focus placed on online engagement options, recognising that this engagement method is one that offers digital inclusivity and can be readily accessed by community members in their own homes while social restrictions are imposed.

Overview

The Continuity Plan identifies the need to maintain a two-way communication channel between the community and Council during the COVID-19 pandemic, ensuring the ongoing delivery of open and transparent engagement. It acknowledges some of the opportunities and challenges that may be encountered in changing the way engagement activities will be delivered. The Continuity Plan also outlines alternative engagement methods that cater for those community members who do not have access to, or proficiency in, online portals such as Your Voice or the City's corporate website for engagement purposes.

The success in transitioning to alternative engagement methods to facilitate statutory engagement will rely on key messaging that supports and reassures the community that engagement will continue to offer open and transparent processes and opportunities.

In relation to urban planning matters specifically, the Continuity Plan provides an outline of how engagement will be delivered dependent on the planning matter (i.e. development applications, complex development applications, local planning policy reviews etc.).

Lastly, the Continuity Plan also acknowledges the need to regularly monitor and adapt the plan and suggested engagement methods, to reflect the current status of the Australian Government advice.

Clause 78H Notice of Exemption from Planning Requirements during State of Emergency

Under amendments to the *Planning and Development (Local Planning Schemes) Regulations 2015*, the Minister for Planning has the authority to temporarily override requirements of local planning schemes, and existing conditions of planning approvals, for a single local government, across a specific region or across the State.

These changes provide a critical option for Government in a State of Emergency to safeguard the supply of essential goods and services, help maintain civil order and lessen the demands for local governments in favour of direct frontline support in their communities.

Regulatory changes came into effect on 3 April 2020 in response to the current State of Emergency for the COVID-19 pandemic.

The new Regulations include provision for the Minister to issue a Notice of Exemption to support the Government's response to, or recovery from, a State Emergency.

A Clause 78H Notice of Exemption from Planning Requirements during State of Emergency (Notice of Exemption; Attachment 2) has been issued to provide specific guidance to both proponents and local government on a range of temporary exemptions for certain approvals and requirements within the local planning framework. These exemptions will remain in effect until 90 days after the end of the State of Emergency.

The exemptions remove any barriers within the planning system to ensure flexible and speedy responses to a changing crisis environment, support business and guarantee the provision of essential community services. They include:

- medical or health-related facilities required in response to the COVID-19 pandemic;
- truck and logistic companies needing to deliver goods but currently with restricted loading and unloading times;
- businesses seeking to adapt by changing their current approved use;
- restaurants and cafes required to sell takeaway in contravention of current planning conditions;
- people operating their businesses from residential zones;
- parking commercial vehicles on residential properties;
- a blanket two-year extension for all current development approvals;
- businesses needing to change signs; and
- temporary workers accommodation.

Administration will ensure that these exemptions are incorporated into current planning processes. The Notice of Exemption has been included as Attachment 2 for Council to note.

Consultation

The Continuity Plan been prepared to ensure that the Urban Planning team's communication and engagement activities can continue in a manner which is compliant with the latest COVID-19 advice from the Australian Government.

The Continuity Plan itself is a procedural document which is not subject to any statutory advertising requirements. Notwithstanding, the Continuity Plan acknowledges the need to regularly monitor and adapt the plan and suggested engagement methods, to reflect the current status of the Australian Government advice. As part of this ongoing adaptation of the plan,

Administration may also incorporate any feedback from the community relating to issues with, or suggested improvements to the plan.

Strategic Implications

How well does it fit with our strategic direction?

The City's Strategic Community Plan 'Nedlands 2018-2028' emphasizes the importance of community engagement, to ensure that the City's decision-making processes are guided by the community concerns and aspirations. The Continuity Plan has been prepared to ensure that the Urban Planning team's communication and engagement activities can continue in a manner which is compliant with the latest COVID-19 advice from the Australian Government.

Who benefits?

The Continuity Plan has been prepared to ensure that the community still benefits from being involved in planning processes, in a manner which responds the latest COVID-19 advice from the Australian Government. The City will also benefit by ensuring that decision-making processes are still informed by robust engagement with the community.

The Continuity Plan also outlines alternative engagement methods that cater for those community members who do not have access to, or proficiency in, online portals such as Your Voice or the City's corporate website for engagement purposes.

Does it involve a tolerable risk?

Without a strategic approach to communication and engagement on statutory planning matters, which is tailored to the current COVID-19 environment, the City is at risk of failing to meet statutory requirements for consultation of planning proposals such as development applications. In relation to strategic planning proposals, failure to engage with the community appropriately will likely result in planning documents which are not based on community concerns and aspirations. The Continuity Plan has been prepared to manage these risks.

Do we have the information we need?

The Continuity Plan has been based on the latest advice from the Australian Government about the COVID-19 pandemic. It will be reviewed on a regular basis to ensure that it reflects any changes to this advice.

Budget/Financial Implications

Can we afford it?

The Continuity Plan proposes a number of actions in response to COVID-19, including recommended internal procedural practices, and increased use of online channels for communication and engagement. The City already has access to these channels, such as the City's corporate website and Your Voice website. The actions proposed in the Continuity Plan are therefore not anticipated to result in any additional budgetary requirements for the City.

How does the option impact upon rates?

As noted above, the actions proposed in the Continuity Plan are not anticipated to result in any additional budgetary requirements for the City. There are therefore no anticipated impacts on rates.

Conclusion

The City of Nedlands has taken the proactive approach in preparing the Continuity Plan to ensure ongoing engagement for urban planning matters during the COVID-19 pandemic. The Continuity Plan acknowledges the requirement for urban planning to meet statutory requirements and assumes the likelihood that statutory and strategic planning proposals will continue to be received and be planned for, despite the COVID-19 pandemic.

Administration has also included the Clause 78H Notice of Exemption from Planning Requirements during State of Emergency as an attachment to this report, for Council's noting.



COVID-19 COMMUNICATION AND STAKEHOLDER ENGAGEMENT CONTINUITY PLAN – URBAN PLANNING

1.0 PURPOSE

In the interest of maintaining open and transparent engagement with the community and key stakeholders in direct response to the COVID-19 crisis, the City of Nedlands has prepared the following *Communication and Stakeholder Engagement Continuity Plan* for Urban Planning. The following document outlines how the City of Nedlands will plan for and continue to deliver engagement in an inclusive manner, ensuring that the community are afforded the opportunities to engage and remain informed on any matters relating to urban planning.

This *Communication and Stakeholder Engagement Continuity Plan* (“the Plan”) establishes a formal framework for the creation and delivery of key project communications and engagement via the below approach:

- **The type of communication and engagement approaches**
- **The frequency of communication and engagement**
- **Inclusive digital engagement strategies**
- **Engagement levels and type relating to Urban Planning matters**

Acknowledging the probability of self-isolation for many of our community members at some point in time in the coming months, the City will endeavor to devise engagement strategies that will cater for all needs.

2.0 OBJECTIVES

Clear and convenient communication and stakeholder engagement will be critical to the success of ensuring that our community remains informed and given the opportunity to engage on matters that are important and are of interest to them during a time when the opportunity to attend public meetings will be restricted.

The objective of this Plan is to ensure appropriate communication and engagement is afforded to all community members and stakeholders, in relation to Urban Planning matters, that will ensure the City of Nedlands community are:

- Adequately informed about all planning matters, including development applications, policy reviews and any urban planning matters that may be of public interest.
- Given the opportunity to provide input and feedback on any submitted development applications, in accordance with Local Planning Policy – Consultation of Planning Proposals, except for the provisions outlined in Section 5.7 - Community Information Sessions.



- Adequately informed on how they can engage and what alternative options exist.

3.0 INFORMATION NEEDS

In order to maintain continuity in the sharing and provision of a two-way communication channel between the community and the City, several challenges and opportunities exist. It is also paramount that the City's processes reflect those that we are statutorily required to meet, despite limited opportunities for face-to-face interaction in the coming months. The key opportunities to the City include:

- Increased information management efficiency and knowledge sharing.
- Greater consistency in the sharing of information via online platforms.
- Maintain compliance with relevant legislative obligations.
- Reduced corporate and health risk by reduction of opportunity for the transmission of COVID-19 both within the City Administration and between staff and the local community.

It will be imperative that with a shift in the way engagement and communications will be delivered, that there is a commitment to regular communications and updates being provided. These updates will need to include:

- Letters (initially).
- Print and media adverts.
- Emails.
- Website Updates (via www.nedlands.wa.gov.au and www.yourvoice.nedlands.wa.gov.au)
- Phone Calls (when appropriate)

There will also be some key challenges, which we have identified in the table below, together with recommended communication responses to address the challenges as they arise.

Challenges	Communication / Engagement Responses
Tight project timelines which, unless managed effectively, could impact the breadth of consultation and quality of outputs	<ul style="list-style-type: none"> • Directly share with stakeholders the project timelines and explain the constraints the Project Team is working under, as well as communicating the timeline on the Your Voice website and project updates.



	<ul style="list-style-type: none"> • Identify and promote opportunities for stakeholders to be involved. • Tailor consultation processes where possible to ensure stakeholders have an opportunity to engage i.e. if there is only a short period to provide feedback, proactively engage with the stakeholder rather than waiting for a response. This could be facilitated by targeted emails to specific stakeholders.
Potential stakeholder confusion about the Project approach, scope and / or the nominated project solution.	<ul style="list-style-type: none"> • Clear and agreed messages about the project and key decisions communicated both formally and informally. • Creation of a simple fact sheet/chart which illustrates the project approach and nominated solution and opportunities to provide input. • Reiterate the approach at any consultation forum. • Utilise Your Voice to convey key messages (e.g. existing regulator newsletters, links to Project website, workshops) • Key opportunities for input and decisions advised via monthly newsletters, print media (where appropriate) and the Your Voice website.
Potential stakeholder dissatisfaction about the opportunities to provide communication input and influence the way they are communicated.	<ul style="list-style-type: none"> • Clear and agreed key messages about the project and opportunities to provide input and feedback. • Development of a simple fact sheet/chart which illustrates the process and opportunities to provide input. • Reiterate the project process at any consultation forum ensuring that all input by stakeholders is appropriately addressed in a timely manner.
Potential anxiety among staff about not knowing information or project updates, when on duty or questioned by other departments	<ul style="list-style-type: none"> • Regular team meetings and updates. • Consistent and regular updates to all staff.



	<ul style="list-style-type: none"> • Continuation of CEO update distribution.
Lack of stakeholder buy-in for the proposed engagement project.	<ul style="list-style-type: none"> • Strong stakeholder engagement and communication processes to ensure stakeholders are taken on the journey of migrating to online engagement methodologies for the duration of the crisis. • Clearly articulate the 'big picture' goal and that the project is working for and the benefits of a best-practice approach. • Regularly promote good engagement outcome stories via the City's website and Your Voice.
High level of mistrust in engaging online	<ul style="list-style-type: none"> • Clearly outline the Privacy Policy and how the City handles all information submitted and/or shared. • Ensuring there is a feedback loop following any consultation. • Give participants opportunity to be anonymous.

4.0 KEY MESSAGES

In garnering trust from the community and stakeholder groups to shift the way they engage to online, there will need to be active promotion (with supported rationale) as to why the City has nominated to move communication and engagement activities to a predominantly 'virtual' environment for the foreseeable future and in response to the COVID-19 global pandemic.

An agreed set of key messages is critical to ensuring consistent communication about engagement opportunities for strategic planning and general urban planning matters.

These overarching messages should be shared with all staff, including the Executive Team and Elected Members, and Communications team to ensure that all representatives of the City are speaking with one voice when communicating externally in relation to urban planning matters. These key messages will also be communicated on the Your Voice website and on the City's corporate website until such time when it is considered not necessary.

The City is committed to ensuring that the opportunities to provide feedback and engage on urban planning matters relating to the City, will continue to exist.



COVID-19 is predicted to have significant impacts across our community. We are aware of the need to *adjust, adapt and continue delivering services* and outcomes within a changing environment.

The City, like the rest of the world, has an obligation to keep its community and staff safe from the potential transmission of the COVID-19 virus. To this extent, we have adapted the way the community will be given the opportunity to engage.

We acknowledge the need for projects to progress that are for benefit of the community.

Numerous strategic planning projects are already underway or will be initiated by the City in the coming months. In order to not delay or halt progress, the City will ensure that multiple options are made available to the community and stakeholders to be involved.

The City will endeavour to deliver inclusive digital engagement strategies, in conjunction with traditional engagement approaches, where practicable and safe to do so.

The City will design and deliver engagement activities that are inclusive and accessible to the community. This will include the use of online engagement platforms such as Your Voice, as well as online engagement tools such as webinars. In instances such as Community Information Sessions and public meetings, these will be conducted via online forums and webinars and registered participants advised in advance on how to access the relevant portal to participate.

The City will be guided by the State and Federal Government's position on gatherings.

At the time of preparing this continuity plan, the State and Federal government had imposed a ban on gatherings in excess of more than two people. To ensure that there remains opportunity for engagement to occur, it is suggested that options such as online meetings facilitated through platforms such as Zoom and/or Mentimeter be considered. Such online gatherings will need to be preceded by a needs analysis and determine appropriate engagement alternatives should the online meeting option not be assessed as being feasible. Due consideration should also be given to limiting the number of participants to 'attend' such online meetings, given the logistical requirements and enabling good engagement to be delivered.

The City acknowledges this limit may change as circumstances change with respect to public events.



4.0 RECOMMENDED COMMUNICATION METHODS

To ensure that the key messages and updates relating to urban planning matters are distributed to the community and wider stakeholder groups, it will be necessary to determine the best methods to be used based on an assessed risk level, and appropriateness at the time.

Possible methods include the following:

Meetings

Where possible, face to face meetings should be avoided. At the time of preparing this plan, a maximum of 2 people for any outdoor or indoor gathering was permissible. On this basis, all meetings will be conducted remotely via online meeting platforms, such as MS Teams, which is the City's preferred online meeting software.

Special Events/Presentations

The delivery of Community Information Sessions and workshops will be delivered via online platforms wherever possible. Using innovative online engagement platforms, the City will ensure that the community are afforded the opportunity to be involved, contribute and engage with the City.

Publications / Project Updates

To minimise risk of cross-contamination, the City will publish all publications and project updates in digital format on both the City's Your Voice engagement platform and the City's website, when appropriate. A dedicated portal for Strategic Planning related projects will be created on the Your Voice engagement platform to minimize multiple locations and replication of information.

Social Media

The City will maintain regular updates via the City's Facebook page and other social media channels, including the promotion of any upcoming engagement opportunities in relation to strategic planning and urban planning matters.

Letters

The overall objective will be to move communication and engagement solely to online platforms and communication channels for the whole community. This will be initiated through a mass letter mail out to all residents, occupiers and businessowners within the City providing them with the option to register to receive all Council correspondence electronically. A link to update details with a valid email address will be included in the correspondence.



Letters to affected residents and occupiers will continue to be distributed via post in the immediate short term. Options will be given to those residents, occupiers or business owners to register to receive correspondence via email, with the same registration link provided in the letter to the wider community.

5.0 DECIDING WHAT NEEDS TO BE COMMUNICATED AND HOW

As circumstances relating to COVID-19 evolve, the City anticipates that there will be altered approaches and changed areas of focus, in relation to communication and engagement, particularly in relation to urban planning matters.

At the time of preparing this continuity plan, the following communication priorities have been determined:

Planning Matter	Communication Objective	Communication Medium
Development Applications	<ul style="list-style-type: none"> To meet statutory requirements for consultation, as determined by the City's Local Planning Scheme No.3, the Residential Design Codes, the Planning and Development Regulations 2015 Let affected community members understand how to provide feedback Set expectations regarding how submissions will be handled, including confidentiality considerations. 	<ul style="list-style-type: none"> Letters to affected owners and/or occupiers (initially) Targeted Emails* Your Voice Engagement platform
Complex Development Applications	<ul style="list-style-type: none"> To meet statutory requirements for consultation, as determined by the City's Local Planning Scheme No.3, the Residential Design Codes, the Planning and Development Regulations 2015 	<ul style="list-style-type: none"> Letters to affected owners and/or occupiers (initially) Targeted Emails* Your Voice Engagement platform Face to face meetings (limited to a maximum of 5



	<ul style="list-style-type: none"> • Let affected community members understand how to provide feedback • Set expectations regarding how submissions will be handled, including confidentiality considerations. • Keeping submitters informed of any upcoming decision making where they have an opportunity to be involved and provide feedback 	<p>people) when deemed necessary</p>
<p>Local Planning Policy Reviews and City-initiated Scheme amendments</p>	<ul style="list-style-type: none"> • Understanding of the broader context of the matter including the process • Consistently understand what is being done and when so that the message is the same no matter what communication point is used • Understand where to go to get more information • Outlining ways, the community can be involved in informing the policy review process 	<ul style="list-style-type: none"> - Letters to affected owners and/or occupiers (initially) - Targeted Emails* - Your Voice Engagement platform - Online Engagement Workshops and Information Sessions - Face-to-Face community information sessions limited to a maximum of 5 people, noting this may change based on government advisory levels.
<p>General Urban Planning Matters</p>	<ul style="list-style-type: none"> • Consistently understand what planning projects and development applications are presently being considered or are underway • Understand where to find out more information and guidance in relation to general planning matters 	<ul style="list-style-type: none"> - Dedicated online portal for Urban Planning via Your Voice website, including a live Q&A engagement tool. - City of Nedlands' Corporate website - Tailored emails in response to online queries



**This assumes that all ratepayers and community members have registered to keep informed via email and that email addresses have been provided.*

6.0 KEY ACTIONS

The following are the key actions that should be prioritised to enable a smooth transition to changed business practices for the foreseeable future during the COVID-19 crisis:

Action 1: Distribute this Plan to the wider organisation, to ensure early adoption of the proposed approach by the City.

Action 2: Working in conjunction with the Communications & Engagement Directorate, develop a communications strategy that outlines the promotion of the changed approach to engagement methods for Urban Planning

Action 3: Review and update Your Voice in relation to urban planning matters, including the undertaking of peer review to help identify immediate requirements to support the transition to online engagement for urban planning

Action 4: Prepare relevant information sheets to assist clarify the changed processes that may impact on applications for development and establish expectations

Action 5: Develop appropriate measures to support the transparent sharing of decision-making processes and outcomes and submission consideration, including online newsletters and updates on Your Voice.

Action 6: Identify and establish single communication channels to engage with the City of Nedlands community in relation to urban planning matters (i.e. Your Voice, a dedicated email address for planning specific enquiries such as planning@nedlands.wa.gov.au; online submission of development applications)

Action 7: Work with Customer service in identifying ways to filter planning enquiries and ensure that there is ongoing knowledge sharing within the organisation to ensure consistency in advice and information being provided.

The actions outlined above will be reviewed and updated on a regular basis to ensure currency and will also enable additional Actions to be added. An Addendum will be created to track the progress of the actions highlighted and placed in SharePoint to enable distribution to the wider organisation.



7.0 EVALUATION MONITORING

The City will ensure that provision is made for adapting and changing approaches as needs change, projects demand and/or Federal or State government health levels are revised.

It will be recommended that, given the pace of changing restrictions and alert levels, that this plan be revisited on an as needs basis. It can be reasonably anticipated that this plan will be reviewed and updated on a weekly basis, at minimum, during its deployment and will be undertaken in consultation with relevant staff and Executive Managers.

Planning and Development Act 2005
Planning and Development (Local Planning Schemes) Regulations 2015

**CLAUSE 78H NOTICE OF EXEMPTION
FROM PLANNING REQUIREMENTS
DURING STATE OF EMERGENCY**

Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (LPS Regulations) contains deemed provisions which have effect and may be enforced as part of each local planning scheme to which they apply, whether they are prescribed before or after the scheme comes into force. If a Deemed Provision that has effect as part of a local planning scheme is inconsistent with another provision in the scheme, the Deemed Provision prevails and the other is, to the extent of the inconsistency, of no effect.

Part 10B of Schedule 2, made by the *Planning and Amendment (Local Planning Schemes) Amendment Regulations 2020*, enables the Minister for Planning to issue notices exempting the need for compliance with one or more requirements of a local planning scheme.

On 16 March 2020, a State of Emergency Declaration was made in relation to the State of Western Australia. The issue of a notice under clause 78H (1), Schedule 2 of the LPS Regulations (this Notice), is now required for the purpose of facilitating a response to, or recovery from, the emergency occasioned by the COVID-19 pandemic.

Accordingly, I, **Rita Saffioti MLA**, Minister for Planning, pursuant to the powers vested in me under Part 10B, Schedule 2 of the LPS Regulations, HEREBY:

- A. ISSUE an exemption from the planning requirements identified in column 1 of the attached Schedules, for the local planning schemes specified in column 2 of the attached Schedules (to which the Deemed Provisions apply), subject to the conditions specified in column 3 of the attached schedules.
- B. DECLARE that this Notice made will remain in effect until midnight, 1 May 2023. The exemptions detailed in this Notice will expire at midnight 1 May 2023, unless otherwise stated in this Notice.
- C. RECORD that this Notice is signed by me at 5.00 am upon this 8th day of April 2020



The Hon Rita Saffioti MLA
MINISTER FOR PLANNING

SCHEDULES

Column 1 - Requirements	Column 2 - Schemes	Column 3 - Conditions
Schedule 1 – Exemption from requirement to obtain approval		
1.1 Proponents are exempted from the requirement to obtain development approval for the use of, or undertaking of works on, land, where such use or works relate to medical or health related activities associated with a response to the COVID-19 Pandemic.	All local planning schemes.	<p>1. Provided that a Public Authority or local government advises or identifies the medical or health related activities as necessary in response to the COVID-19 Pandemic.</p> <p>2. An exemption under this clause will expire 90 days after the date upon which the State of Emergency Declaration ceases to have effect, or is revoked.</p>
1.2 Proponents are exempted from the requirement to obtain development approval for the following uses, and temporary works associated with these: <ul style="list-style-type: none"> i. shop; ii. restaurant/café; iii. convenience store (excluding those selling petroleum products); iv. consulting rooms; v. office. 	All local planning schemes.	<p>1. Provided that:</p> <ul style="list-style-type: none"> a) the land to be used is located in a commercial, centre and/or mixed use zone; b) the use is not prohibited by the scheme; c) no new permanent structures are required (with the exception that car parking bays are permitted); d) for shop uses, once the proposed use is in place, the net lettable area for the land use does not exceed 400m²; and e) the land is connected to all reticulated utility services, and does not depend on any onsite effluent disposal. <p>2. Provided that the proponent notifies the local government within 7 days of commencing the use, that the use is being undertaken.</p> <p>3. Despite any other condition, this exemption does not apply to a Heritage-Protected Place.</p> <p>4. An exemption under this clause will expire 90 days after the date upon which the State of Emergency Declaration ceases to have effect, or is revoked.</p>
1.3 Proponents are exempted from the requirement to obtain	All local planning schemes.	1. Provided that:

Column 1 - Requirements	Column 2 - Schemes	Column 3 - Conditions
<p>development approval for the following uses, and temporary works associated with these:</p> <ul style="list-style-type: none"> i. industry; ii. industry-light; iii. trade supplies; iv. warehouse/storage; v. transport depot. 		<ul style="list-style-type: none"> a) the land to be used is located in an industrial zone; b) the use is not prohibited by the scheme; c) the land is connected to all reticulated utility services, and does not depend on any onsite effluent disposal; and d) either: <ul style="list-style-type: none"> i. no new permanent structures are required; or ii. any structures required to facilitate the use are deemed temporarily approved for a period of no more than 2 years, from the date the use commences, after which the structures must be removed. <p>2. Provided that the proponent notifies the local government within 7 days of commencing the use, that the use is being undertaken.</p> <p>3. Despite any other condition, this exemption does not apply to a Heritage-Protected Place.</p> <p>4. An exemption under this clause will expire 90 days after the date upon which the State of Emergency Declaration ceases to have effect, or is revoked.</p>
<p>1.4 Proponents are exempted from the requirement to obtain development approval for the following uses, and temporary works associated with these:</p> <ul style="list-style-type: none"> i. home business; ii. home occupation. 	<p>All local planning schemes.</p>	<ul style="list-style-type: none"> 1. Provided that the land to be used is located in: <ul style="list-style-type: none"> a) a residential zone; or b) where a dwelling, grouped dwelling or multiple dwelling is a permitted use. 2. Provided that the proponent notifies the local government within 7 days of commencing the use, that the use is being undertaken. 3. An exemption under this clause will expire 90 days after the date upon which the State

Column 1 - Requirements	Column 2 - Schemes	Column 3 - Conditions
		of Emergency Declaration ceases to have effect, or is revoked.
<p>1.5 Proponents are exempted from the requirement to obtain development approval for the following uses, and temporary works associated with these:</p> <ul style="list-style-type: none"> i. commercial vehicle parking. 	All local planning schemes.	<p>1. Provided that the proponent notifies the local government within 7 days of commencing the use, that the use is being undertaken.</p> <p>2. An exemption under this clause will expire 90 days after the date upon which the State of Emergency Declaration ceases to have effect, or is revoked.</p>
<p>1.6 Proponents are exempted from the requirement to obtain development approval to the use of, or undertaking of works on, land, where such use or works concern temporary workers' accommodation.</p>	All local planning schemes.	<p>1. Provided that the temporary workers' accommodation applies to a workforce necessary for the installation of, or construction of, and maintenance of, essential services such as (but not limited to) power stations, water, desalination plants or sewer treatment facilities.</p> <p>2. Provided that the proponent notifies the local government within 7 days of commencing the use, that the use is being undertaken.</p> <p>3. An exemption under this clause will expire 90 days after the date upon which the State of Emergency Declaration ceases to have effect, or is revoked.</p>
Schedule 2 – Exemptions from requirements under a condition of development approval		
<p>2.1 Proponents are exempted from any restriction upon loading or unloading times, related to the delivery of goods and/or petroleum products.</p>	All local planning schemes.	<p>1. Confined to premises with an existing approval, or the benefit of an exemption under this Notice, to sell goods and/or petroleum products.</p> <p>2. Provided that the proponent notifies the local government within 7 days of commencing use of this exemption.</p> <p>3. An exemption under this clause will expire 90 days after the date upon which the State</p>

Column 1 - Requirements	Column 2 - Schemes	Column 3 - Conditions
		of Emergency Declaration ceases to have effect or is revoked.
Schedule 3 – Exemptions relating to non-conforming uses		
3.1 Any approval for a non-conforming use, is exempt from a provision that annuls the approval because of a discontinuance of that non-conforming use.	All local planning schemes.	<p>1. The period during which the State of Emergency is declared shall be excluded from any calculation of the period for which a non-conforming use ceases to exist.</p> <p>2. An exemption under this clause will expire on the day after that upon which the State of Emergency Declaration ceases to have effect or is revoked.</p>
Schedule 4 – Exemption from requirements re: consultation, advertisement, applications, time limits or forms		
4.1 In relation to making a local planning policy, local governments are exempted from the requirements under cl.4.	All local planning schemes.	<p>1. Provided that:</p> <ul style="list-style-type: none"> a) the policy relates to exemptions from the requirement to obtain approval to a change of use; b) the local government advertises the proposed policy on its website for a minimum of 3 days; and c) publishes the adopted version of the policy on its website. <p>2. An exemption under this clause will expire on the day after that upon which the State of Emergency Declaration ceases to have effect or is revoked.</p>
4.2 In relation to an approved development application, proponents are exempted from the requirement to substantially commence development.	All local planning schemes.	<p>1. Provided that:</p> <ul style="list-style-type: none"> a) the original deadline for substantial commencement is exempted; and b) a new deadline for substantial commencement is substituted, being the original deadline plus a further period of 2 years. <p>2. The exemption under this clause will only be available for development applications decided on, or before, the date upon which the State of Emergency Declaration ceases to have effect, or is revoked.</p>

Column 1 - Requirements	Column 2 - Schemes	Column 3 - Conditions
<p>4.3 In relation to a structure plan under cl.18-cl.20 or activity centre plan under cl.34-cl.36, local governments are exempted from any requirements relating to the manner and timeframe of advertising, consideration or submission.</p>	<p>All local planning schemes.</p>	<p>1. Provided that, in relation to structure plans, the local government:</p> <ul style="list-style-type: none"> a) advertises the structure plan and accompanying materials on its website for no more than 42 days and installs a sign somewhere prominent on the land to which the said plan applies notifying the public of where the documents are online; b) complies with the requirements of cl.20(1) within 90 days of the latest to occur of cl.20(1)(a) - (c). <p>2. Provided that, in relation to activity centre plans, the local government:</p> <ul style="list-style-type: none"> a) advertises the activity centre plan and accompanying materials on its website for no more than 42 days and installs a sign somewhere prominent on the land to which the said plan applies notifying the public of where the documents are online; b) complies with the requirements of cl.36(1) within 90 days of the latest of cl.36(1)(a) - (c). <p>3. An exemption under this clause will expire on the day after that upon which the State of Emergency Declaration ceases to have effect or is revoked.</p>
<p>4.4 Local governments exempted from the requirements under the Deemed Provisions to make any documents, whatsoever, available for public inspection at a local government's offices.</p>	<p>All local planning schemes.</p>	<p>1. Provided that the documents are published for public inspection on the local government website.</p> <p>2. An exemption under this clause will expire on the day after that upon which the State of Emergency Declaration ceases to have effect or is revoked.</p>
<p>Schedule 5 – Exemptions from other requirements</p>		
<p>5.1 Where premises are approved for use, or in relation to any application for development approval,</p>	<p>All local planning schemes.</p>	<p>1. Provided that this exemption only applies to:</p> <ul style="list-style-type: none"> a) non-residential development; and

Column 1 - Requirements	Column 2 - Schemes	Column 3 - Conditions
<p>proponents are exempted from a requirement to provide car parking facilities.</p>		<p>b) where the proponent provides less than the number of parking bays required for the use in question, and the shortfall is 10 parking bays or less.</p> <p>2. An exemption under this clause will expire 90 days after the date upon which the State of Emergency Declaration ceases to have effect or is revoked.</p>
<p>5.2 In relation to an approved development application, proponents are exempted from the requirement to provide cash-in lieu payments, as an alternative to providing car parking facilities.</p>	<p>All local planning schemes.</p>	<p>1. Provided that this exemption only applies to non-residential development.</p> <p>2. An exemption under this clause will expire 90 days after the date upon which the State of Emergency Declaration ceases to have effect or is revoked.</p>
<p>Schedule 6 – Exemptions of a type that may fall within multiple categories</p>		
<p>6.1 Where premises are approved for use as an hotel, tavern, restaurant/café or other similar venue, proponents are exempted from:</p> <ul style="list-style-type: none"> i. any condition of approval, or designation in the approved use, requiring the food prepared at the premises to be consumed on the premises; ii. any requirement to obtain approval for food to be prepared for consumption off premises; iii. any requirement to obtain approval to minor, temporary, works that are necessary to adapt existing premises to use the exemption contemplated under (i) or (ii) above; 	<p>All local planning schemes.</p>	<p>1. Provided that no new permanent structures are required (with the exception that car parking bays are permitted).</p> <p>2. Provided that the proponent notifies the local government within 7 days of commencing the use, that the use is being undertaken.</p> <p>3. In relation to signage, provided the signage</p> <ul style="list-style-type: none"> a) is not installed in a residential zone; b) relates only to the business conducted on the premises; and c) does not contain any illumination, animation, movement, reflective, retro-reflective or fluorescent materials in its design structure. <p>4. Despite any other condition, this exemption does not apply to a Heritage-Protected Place where works are required.</p> <p>5. An exemption under this clause will expire 90 days after the date upon which the State of Emergency Declaration ceases to have effect or is revoked.</p>

Column 1 - Requirements	Column 2 - Schemes	Column 3 - Conditions
iv. any requirement to obtain approval to signage of uses now permitted by virtue of this exemption.		
6.2 Proponents are exempted from the requirement to obtain approval to changes to existing approved signage.	All local planning schemes.	<p>1. Provided that:</p> <ul style="list-style-type: none"> a) such signage is not installed in a residential zone; b) relates only to the business conducted on the premises; and c) the changes do not: <ul style="list-style-type: none"> i. alter the size of the approved sign; or ii. contain any illumination, animation, movement, reflective, retro-reflective or fluorescent materials in its design structure. <p>2. Despite any other condition, this exemption does not apply to a Heritage-Protected Place where works are required.</p> <p>3. An exemption under this clause will expire 90 days after the date upon which the State of Emergency Declaration ceases to have effect or is revoked.</p>
6.3 Exemption from any requirement under a scheme that would ordinarily apply to development required to implement a direction or authorisation issued under the <i>Emergency Management Act 2005</i> or the <i>Public Health Act 2016</i>	All local planning schemes.	1. An exemption under this clause will expire 90 days after the date upon which the State of Emergency Declaration ceases to have effect or is revoked.

Interpretation and Guidance notes

1. In this Notice a generous, broad interpretation is to be given to terms.
2. "Deemed Provisions" means Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

3. The term “all local planning schemes” relates to those schemes to which the Deemed Provisions apply.
4. The term “proponent” should be interpreted broadly and includes any owner or occupier of land, and also includes any applicant or agent acting on their behalf.
5. Unless otherwise stated, a reference to a clause in this Notice is to a clause in the Deemed Provisions.
6. “Approved development application” is a term intended to cover applications for which approval is granted, whether that is granted before or after the commencement of this Notice.
7. “DAP” means Development Assessment Panel.
8. Heritage-Protected Place means a place that is —
 - a) entered in the State Register of Heritage Places under the *Heritage Act 2018* section 42; or
 - b) the subject of an order under the *Heritage Act 2018* Part 4; or
 - c) the subject of a heritage agreement that has been certified under the *Heritage Act 2018* section 90; or
 - d) included on a heritage list prepared in accordance with a Scheme; or
 - e) within an area designated under a Scheme as a heritage area.
9. “State of Emergency Declaration” means the State of Emergency declared by the Minister for Emergency Services, as effective from 12am, 16 March 2020. This was made under s56 of the *Emergency Management Act 2005*.
 - a) When the State of Emergency Declaration is no longer required, the declaration will expire on either:
 - i. a date specified in a notice issued under s58 of the *Emergency Management Act 2005*, by the Minister for Emergency Services; or
 - ii. a date specified in a revocation notice issued by the said Minister.
 - b) Information relating to this will be available on websites such as:
<https://www.wa.gov.au/government/document-collections/covid-19-coronavirus-state-of-emergency-declarations>
10. “Public Authority” has the same definition as “public authority” in section 4, *Planning and Development Act 2005*.
11. For the avoidance of doubt, this Notice provides **temporary** exemptions from planning requirements. Consistent with clause 78J (2) of the Deemed Provisions, this Notice cannot provide a permanent exemption from a planning requirement under a scheme.
 - a) For example, the exemption in clause 5.2 of this Notice, from paying a cash in lieu requirement, is not a permanent waiver of the requirement. This exemption, like all others, expires at the conclusion of the timeframe specified for the exemption. Upon

that expiry, payment must be made. Nothing in this clause prevents a proponent from exercising its rights of review in relation to cash in lieu conditions.

12. An exemption provided for under this Notice only relates to planning requirements applicable pursuant to a local planning scheme (including under the Deemed Provisions), and does not exempt any other requirement that might apply under any other law. For example, a proponent seeking to rely upon an exemption set out in this Notice may still require approvals under health, building, environment, liquor licencing and other statutory requirements.
13. In interpreting both this Notice and different local planning schemes to which this Notice applies, including but not limited to land use terms and zoning classification descriptions, words can express the same idea in a different form of words and ideas are not to be taken as different just because different forms of words were used. For example, a reference to a “residential” zone and uses includes all such zones and uses substantively of this type or genus, whatever nomenclature is used by a local government in their particular local planning scheme.
14. In clause 1.3 provision is made for temporary approval of 2 years to any structures required to facilitate the uses listed in 1.3. There is no need to remove such structures if, before the 2 year period expires, development approval is granted to those structures.
15. To avoid any doubt, the exemption in clause 3.1 operates to “stop the clock” on the period of discontinuance for a non-conforming use, which is usually 6 months or other longer period approved by the local government, and will be paused for such time as the State of Emergency Declaration is in force.
16. An exemption relied upon by a local government or proponent under this Notice does not preclude a local government or proponent from relying upon any other exemption, if applicable, including but not limited to cl.61 of the Deemed Provisions.
17. An exemption under this Notice is a discretionary right afforded to the person designated in the Notice – it is not an obligation imposed on that person. A local government afforded an exemption under this Notice may exercise their discretion not to rely upon that exemption. A proponent afforded an exemption under this Notice may likewise exercise their discretion not to rely upon that exemption.

13.6 Local Planning Scheme 3 – Local Planning Policy: Dalkeith Road to Stanley Street Laneway and Built Form Requirements

Council	28 April 2020
Applicant	N/A
Employee Disclosure under section 5.70 Local Government Act 1995	Nil
Director	Peter Mickleson – Director Planning & Development
CEO	Mark Goodlet
Attachments	1. Draft Dalkeith Road to Stanley Street Built Form Requirements Local Planning Policy (LPP)

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Coghlan
 Seconded – Councillor Hay

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

CARRIED 11/2
(Against: Crs. Hassell & Wetherall)

Council Resolution / Recommendation to Council

Council resolves that:

Council prepares and advertises for a period of 21 days, in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2, Part 2, Clause 4*, the Dalkeith Road – Stanley Street Laneway and Built Form Requirements Local Planning Policy.

Executive Summary

The purpose of this report is for Council to prepare and adopt for advertising the Dalkeith Road – Stanley Street Laneway and Built Form Requirements Local Planning Policy.

This Policy details the requirements relating to the ceding of private land and creation of a new rear east-west laneway on properties with a northern abuttal to Stirling Highway and located between Dalkeith Road – Stanley Street (refer Figure 1). It also outlines the built form requirements for the proposed laneway.

This Policy has been created as a mechanism to enable the ceding of land in accordance with clause 32.3 of City's Local Planning Scheme No. 3 (LPS3).

Clause 32.3 allows the City to require that a developer create a laneway and cede and construct that laneway at the developer's cost for the purpose of creating rights of way or laneways which are identified by the scheme or, a structure plan, local development plan, activity centre plan or Local Planning Policy at the time of the owner developing or subdividing the land.

The creation of the proposed laneway is consistent with the City of Nedlands Local Planning Strategy (LPS) and Draft City of Nedlands Town Centre Local Planning Policy.

It aims to provide an alternative to the existing means of primary vehicle access along Stirling Highway for the affected lots, their future users and the surrounding residential neighbourhoods. The alternative access is intended to help relieve growing traffic volumes and congestion along Stirling Highway and will provide direct access from Dalkeith Road to Stanley Street, and through the future Nedlands Town Centre. In doing so, it aims to better protect designated active pedestrian areas such as at the northern end of Florence Road.

Discussion/Overview

Background

The properties subject to the proposed Dalkeith Road – Stanley Street Laneway and Built Form Requirements Local Planning Policy include 56 Dalkeith Road (Lots 50 and 51), 90 Stirling Highway (Lots 4 and 5) and 4 Florence Road (Lot 22) and 7 Stanley Street (Lot 33) shown on Figure 1 below. These properties were recently up-coded to a density of R-AC1 under the City's adopted Local Planning Scheme No. 3 (LPS3).



Figure 1: Properties to the south of Stirling Highway between Dalkeith Road and Stanley Street subject to proposed laneway development

Clause 32.3 of LPS3 allows the City to require that a developer create a laneway and cede and construct that laneway at the developer's cost for the purpose of creating rights of way or laneways which are identified by the scheme or, a structure plan, local development plan, activity centre plan or Local Planning Policy at the time of the owner developing or subdividing the land.

Therefore, if Council chooses to adopt this policy, the City will have the head of power under clause 32.3 of LPS 3 to acquire the land and require landowner(s) and/or developer(s) to construct the laneway to the City's specifications at the time of subdivision or significant redevelopment.

Laneway Details

This Policy details the requirements for the proposed laneway between Dalkeith Road and Stanley Street. It sets out the land identified to be ceded for the creation of the laneway and the requirements for the ceding and subsequent development.

The Policy requires the ceding of a 10m wide strip of land on each of the affected properties, measured from the southern boundary line on Lots 50 and 51 (56 Dalkeith Road), and Lots 4 and 5 (90 Stirling Highway).

The laneway is to follow this eastern alignment over Florence Road and on the Captain Stirling redevelopment site which is also known as Nedlands Square and incorporates the land found at 80 Stirling Highway (Lot 1) 2-6 Florence Road (Lots 21 to 23) and 7-9 Stanley Street (Lots 32 to 33). On the Captain Stirling redevelopment site, the laneway would be extended east along the southern boundary of Lot 22 (4 Florence Road) and Lot 33 (7 Stanley Street).

The 10m wide strip will facilitate the construction of a 7m wide carriageway and a 3m buffer zone that will provide opportunity for the construction of an acoustic barrier as considered appropriate, landscaping treatments in the form of canopy tree planting and vegetative screening, and lighting/ other servicing requirements.

The ceding of the laneway will be given effect by the redevelopment or subdivision (including amalgamation) of the affected lots.

Once each affected property has ceded the 10.0m strip of land, the laneway will be created, and subsequently constructed to the City's specifications including it being sealed, drained and provided with lighting and landscaping. In the interim, until full through-access is provided, individual affected properties may utilise the laneway for servicing needs, as agreed to by the City.

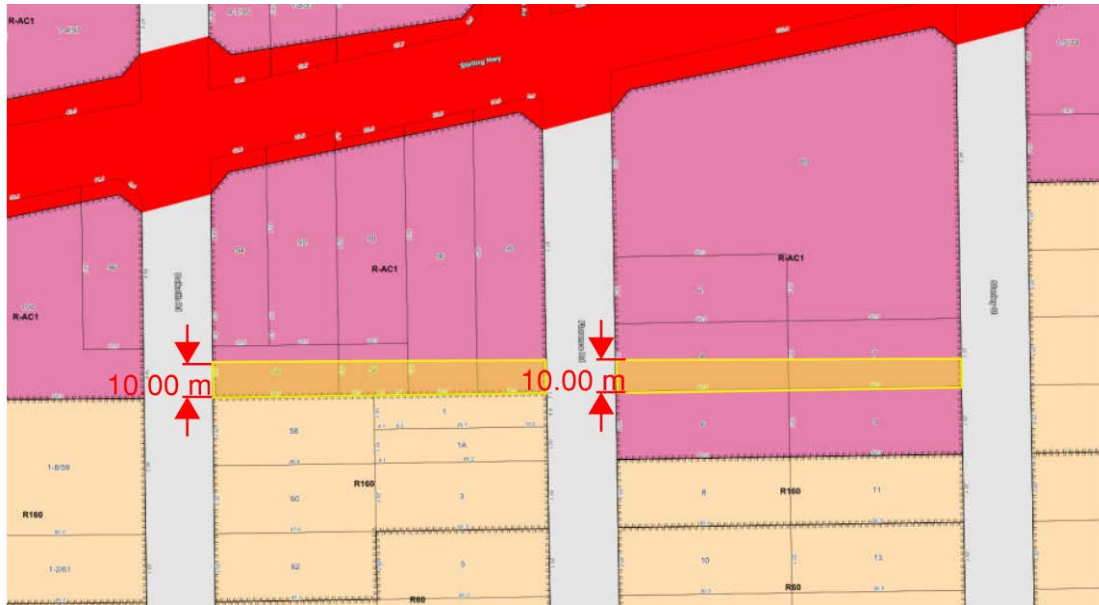


Figure 2: Proposed location of 10m wide laneway

It is important to recognise the development situation and site context associated with each of the lots that comprise the laneway. These details are summarised below.

Lots 50 and 51 Dalkeith Road

The land parcels at Lot 50 and 51 Dalkeith Road represent the western entrance of the proposed laneway.

Lot 50 currently accommodates a local drainage sump that services the drainage needs for the broader surrounding residential and commercial area. Both properties are now owned by the City following the recent acquisition of Lot 50 in 2019. The land was previously owned by the Water Corporation. The recent land acquisition occurred to enable the future construction of the east-west laneway over the City-owned land from Dalkeith Road to Florence Road. Notwithstanding the future construction of the laneway, Lot 50 will continue to service the drainage needs of the surrounding land via an alternative infrastructure design solution.

ALDI site – 90 Stirling Highway (Lots 3, 4 and 5)

The land comprising Lots 3, 4 and 5 at 90 Stirling Highway is known informally as the ALDI redevelopment site. A development approval was granted by the Metro West JDAP (application reference DA18/29611 (DAP/18/01444)) on 14 November 2018 for a supermarket and six (6) shops.

Specifically, the application proposed a small-line (1,213m²) ALDI supermarket with a rear 347m² rear storage area and ancillary office and staff facilities (60m²) as well as additional retail tenancies (624m² GFA) fronting Florence Road and Stirling Highway independent of the supermarket, landscaping and supermarket signage and a basement car park containing 90 bays (2 disabled bays) that is accessible from Florence Road via a crossover at the south-east

corner of the site. The servicing area of the supermarket is located at the southern end of the development site and features a truck turn table at the south-west corner, which is the subject of a development approval condition (Condition 12).

The development approval is valid for three (3) years until 14 November 2021, with an additional 2 years now allowed under the Minister's Exemption, and is subject to various conditions including the following, which hold implications for the proposed east-west laneway:

Administrative

5. Prior to occupation of the development, the applicant is to enter into a Deed of Agreement with the City of Nedlands to ensure that, should access be made available to Dalkeith Road in the future, the proposed development is able to facilitate public through access from Dalkeith Road to Florence Road. The Deed of Agreement is to be prepared at the applicant's cost.

Transport

8. A Loading, Servicing and Delivery Management Plan shall be provided to and approved by the City prior to construction commencing and will outline how the servicing of the proposed development will occur including service, delivery and rubbish collection vehicle routes. The approved plan is required to be complied with at all times.
12. A management plan for the truck turntable shall be submitted and approved by the City of Nedlands prior to the occupation of the development. The approved management plan shall be complied with at all times.

Appearance of development

18. The acoustic barrier wall to the southern lot boundary shall be no more than 2m in height and be constructed of materials to ensure compliance with the relevant noise regulations and the City's Fill and Fencing Local Planning Policy to the satisfaction of the City of Nedlands.
19. The acoustic barrier wall is to be installed prior to practicable completion of the development, and be maintained thereafter, by the landowner to the City's satisfaction.
21. The applicant shall provide a revised landscaping plan for the development, prepared to the City's satisfaction including the species types, maturity and densities of soft landscaping, the proposed reticulation layout and details of the hard landscaping proposed. The revised landscaping plan shall be submitted by the applicant and approved by the City of Nedlands prior to construction commencing.

22. Landscaping shall be installed/planted in accordance with the approved landscaping plan within 60 days of practical completion of the development and maintained thereafter by the landowners to the satisfaction of the City of Nedlands.

Waste Management

26. A waste management plan shall be submitted and approved by the City prior to construction commencing. The approved waste management plan shall be complied with at all times by the landowner to the City's satisfaction.

Whilst a development approval is in place for the ALDI redevelopment, Condition 5 makes provision for the preparation of a Deed of Agreement prior to occupation of the development, in order to facilitate public through access from Dalkeith Road to Florence Road in the event laneway access is provided to Dalkeith Road. Together with clause 32.3 of LPS3 and the proposed Policy, this mechanism can therefore be utilised to facilitate the creation and construction of the east-west laneway across Lots 4 and 5. The future amalgamation also required under Condition 1 of the development approval would also provide a trigger for the ceding of the land, although compliance of this condition is not required until occupancy.

The provision of the proposed east-west laneway access across the ALDI site also has implications for Conditions 8, 12, 18, 19, 21, 22 and 26. That notwithstanding, there is scope for the impact of the new laneway to be addressed as part of these conditions which are to be addressed with amended plans or strategies prior to construction or occupation.

Captain Stirling redevelopment site - 80 Stirling Highway (Lot 1) 2-6 Florence Road (Lots 21 to 23) and 7-9 Stanley Street (Lots 32 to 33).

An application (Reference DA19/38512 and DAP19/01651) relating to the redevelopment of the Captain Stirling site was lodged in August 2019 and subsequently amended in March 2020. The application is scheduled to be considered by JDAP in May 2020.

The application broadly proposes:

- The demolition of four (4) existing single houses and the bottle shop associated with the Captain Stirling Hotel.
- Minor alterations and additions to the Captain Stirling Hotel
- A new mixed-use commercial building that incorporates basement, ground level and upper deck carpark, a full line Woolworths supermarket, medical centre liquor store, specialty shops, restaurants at ground level, a gymnasium at level 1 and offices at the undercroft/basement level and level 1.

The development application has consistently proposed a 7m wide laneway to the rear of Lots 23 and 32 (6 Florence Road and 9 Stanley Road). The proposed southern site interface comprises a landscape trellis at the boundary, followed by a row of 30 car bays (90-degree angle) and a 7.0m wide laneway. The purpose of the laneway is to facilitate access between Florence Road and Stanley Street for both service vehicles to the retail building, as well as customers and visitors to the retail development and town centre site more broadly.

As proposed under application DA/19/38512, this laneway is misaligned with the east-west laneways envisaged between Dalkeith and Florence Road, being located approximately 20m further to the south at the southern boundary of the development site. This remains an alternative as it provides a barrier to the residential area.

The redevelopment of the Captain Stirling site also proposes to signalise the intersection of Stirling Highway and Stanley Street, introducing a continuous median between Stanley Street and Dalkeith Road and therefore restricting right-turn access into Florence Road from Stirling Highway. The proposed treatment of Stirling Highway has implications for the ALDI site with respect to Stirling Highway access. These implications however could be alleviated by the proposed east-west laneway delivering alternative access to the ALDI site between signalised intersections at both Dalkeith Road and Stanley Street.

The requirement for signalisation of intersections in Stirling Hwy has not yet been determined by Main Roads WA. The abovementioned application is still undergoing assessment and awaiting traffic engineering feedback and Main Roads WA advice. There is some capacity for the misaligned laneway to be can be addressed as part of this assessment process.

Assessment of Statutory Provisions

Planning and Development (Local Planning Schemes) Regulations 2015

Under Schedule 2, Part 2, clause 3(1) of the Planning Regulations, the City may prepare a local planning policy in respect to any matter related to the planning and development of the Scheme area.

Once Council resolves to prepare a local planning policy is must publish a notice of the proposed policy in a newspaper circulating in the area for a period not less than 21 days.

City of Nedlands Local Planning Scheme No. 3

Under clause 32.3 of the City of Nedlands Local Planning Scheme No. 3 the City requires the ceding of land for laneways identified through a Local Planning Policy. This policy will give effect to this clause and require developers to cede land identified for a laneway before development or subdivision approval will be granted. Clause 32.3 is shown below.

Clause 32.3 Ceding of rights-of-way and laneway widening.

1. The owner of land affected by a right-of-way or laneway identified by the scheme, structure plan, local development plan, activity centre plan or local planning policy is to, at the time of developing or subdividing the land:
 - a) cede to the local government free of cost that part of the land affected by the right-of-way or laneway; and
 - b) construct the relevant section of the right-of-way or laneway to the satisfaction of the local government.
2. The intention expressed in sub-clause (1) may be reinforced by a condition of subdivision or development approval.

Policy/Local Development Plan Consideration

There is considerable and well-established strategic justification for the creation of the proposed laneway under the City of Nedlands Local Planning Strategy (LPS) and the City of Nedlands Town Centre Precinct Plan (NTCPP) which underpins the Draft City of Nedlands Town Centre Precinct Local Planning Policy. Under these documents, the laneway is considered a necessary future requirement for traffic management on land parcels fronting Stirling Highway. The relevant strategic intent is discussed in detail below.

Local Planning Strategy

The LPS was adopted by Council on 16 August 2016 and includes strategies advocating rear laneway access along Stirling Highway to allow for ease of movement throughout the city centre.

Section 5.6 Traffic and Transport promotes a movement network that foremost enables mobility, and particularly encourages non-car modes. It seeks to locate land uses (particularly higher density residences) and transport networks in a way that maximises efficiency. Relevant strategies include providing direction for the future of laneways throughout the City, maximising their opportunity to contribute positively to the neighbourhood.

The Strategy provided at Section 5.9.10 Stirling Highway is to investigate opportunities to provide rear laneway access as part of development along Stirling Highway.

Nedlands Town Centre Precinct Policy

The NTCPP was adopted by Council for the purpose of advertising on 14 September 2019 and was advertised as part of a Local Planning Policy between 14 March and 4 April 2020. One of the amendments to the resolution required the modification of the laneway to align with the rear setback to the ALDI site, and for this laneway alignment to be continued eastward to Stanley Street.

The NTCPP identifies the Nedlands Town Centre as the land immediately north and south of Stirling Highway, generally located between Louise Street and Martin Avenue to the west and the City of Nedlands Library site and Langham Street to the east.

The NTCPP divides the precinct area into four (4) Sub-Precincts 1 to 4. The centrally located land parcels between Mountjoy Road and Stanley Street form Sub-Precinct 1 are known as the 'Town Heart.' The Precinct Plan shows an east-west laneway on a common alignment running between Mountjoy Road in the west and Stanley Street in the east. Additional laneways are identified in the Town Centre Precinct (Sub-Precinct 2) to the north.

This report addresses the laneway component in Sub-Precinct 1, located south of Stirling Highway and between Dalkeith Road and Stanley Street, as envisaged under the NTCPP.

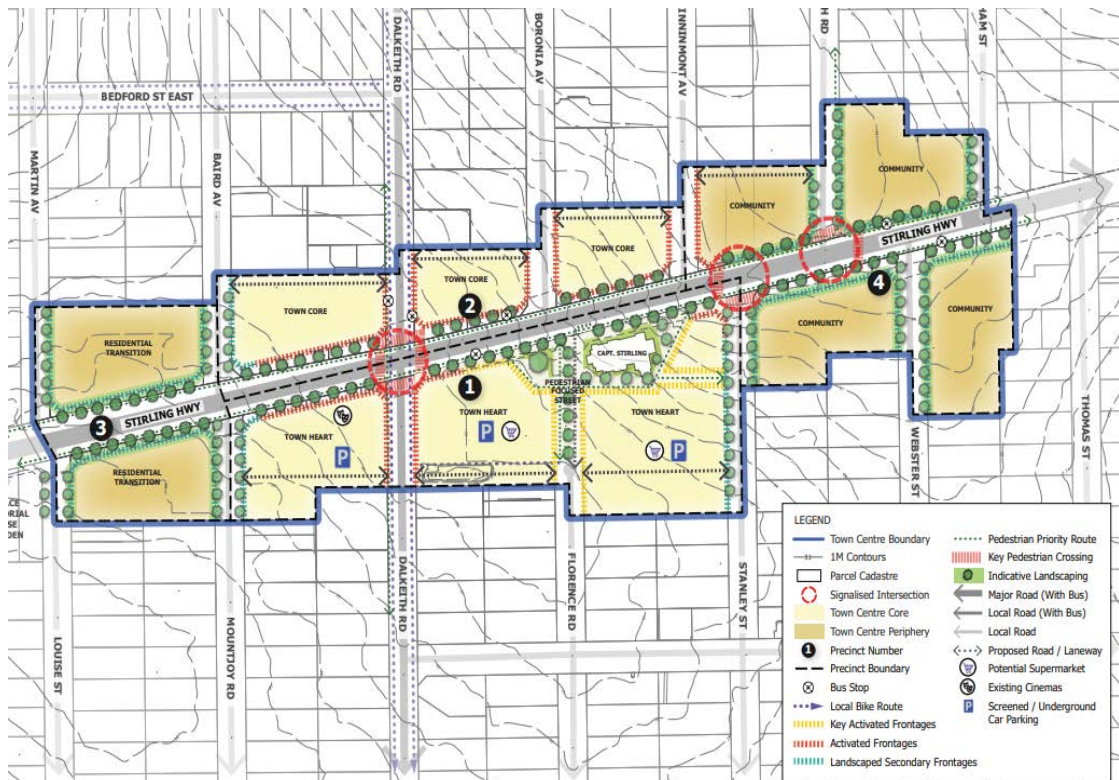


Figure 2: NTCPP – Precinct Plan

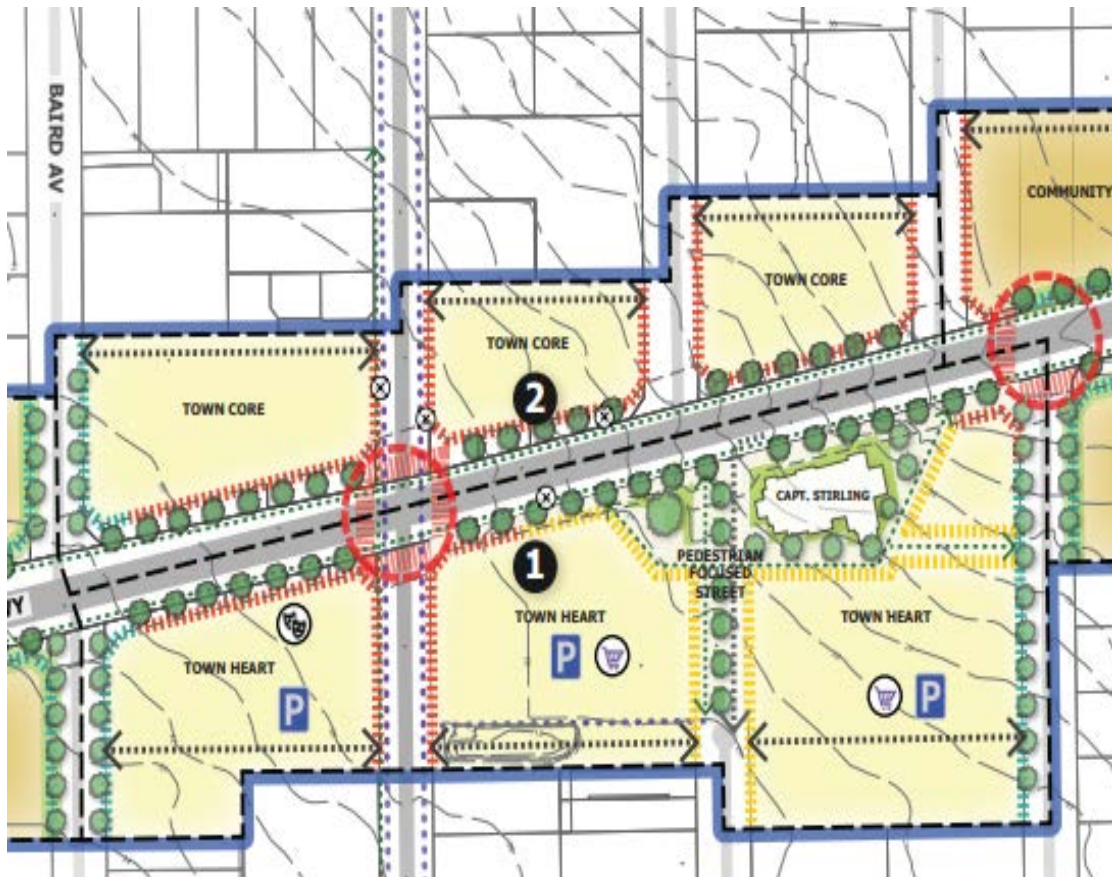


Figure 3: NTCPP – Precinct Plan Excerpt showing proposed laneway connections through Sub-Precinct 1 – Town Heart

The creation of the proposed east-west laneway is foreshadowed under the following objectives and provisions of the NTCPP:

- The Movement Objectives (page 12) seek to, among other things:
 - Facilitate the continued use of Stirling Highway as significant arterial road.
 - Support high frequency public transport throughout the precinct.
 - Ensure safe and efficient vehicular access to the precinct.
 - Provide a permeable, legible, and functional urban structure of blocks and streets.
- Vehicle Movements, access, and loading (page 13) calls for the establishment of a series of laneways located to the south of lots fronting Stirling Highway between Mountjoy Road and Stanley Street as development occurs within the precinct. The purpose of the laneways is to:
 - Support primary vehicle access, removing it from Stirling Highway.
 - Provide key vehicular access points to retail tenancies.
 - Enable loading to occur in areas away from activated pedestrian locations.

The policy further advocates for the progressive removal of access points along Stirling Highway and advises against new access points being provided to Stirling Highway. New access points are to be consolidated with adjacent properties and accessed via laneways or easements at the rear of buildings providing connections to secondary local streets.

In addition, the NTCPP expresses a preference for car park access to occur from rear laneways / easements.

In relation to the land subject to the proposed Policy, the proposed east-west laneway will support the partial closure of Florence Road to north bound traffic and the pedestrianisation of Florence Road to create a pedestrian priority precinct.

Legal Considerations

Provision for the ceding of the laneway is made under clause 32.3 of LPS3.

On Lots 50 and 51 (56 Dalkeith Road), the laneway can be constructed by the City over its own landholding.

In respect of Lots 4 and 5 (90 Stirling Highway) provision for the ceding and construction of the laneway can be facilitated under the Deed of Agreement as provided at Condition 5 of the ALDI development approval. Other relevant and affected conditions of approval (landscaping, acoustic, transport, waste management) can be similarly dealt with prior to the commencement of construction or occupancy as appropriate.

The application affecting the Captain Stirling redevelopment site is still afoot and undergoing assessment. The advertising of the proposed Policy will enable the Policy to be considered as a 'seriously entertained planning proposal' and therefore assigned an appropriate level of weight during the assessment process.

Key Relevant Previous Council Decisions:

The following recent Council decisions are relevant to the proposed Policy:

Council Meeting 22 October 2019, Item TS21.19 Land sale to City of Nedlands and Grant of Easements to Water Corporation:

“Council Resolution

Council:

1. approves the Contract of Sale between the Water Corporation (ABN 28 003 434 917) and the City of Nedlands for Lot 50 Dalkeith Road, Nedlands (Lot 50) at a cost of \$1:

- a) approves the application of the Council Common Seal (the seal) by the Chief Executive Officer to the Contract in triplicate; and
 - b) directs the Mayor and Chief Executive Officer to execute the Contract documentation in triplicate by way of signing; and
2. approves the application of the seal by the Chief Executive Officer on the Grant of Easements for:
- a) Lot 1 on Diagram 24967, No.290 Marine Parade, Swanbourne (Lot 1); and
 - b) Lot 116 on Deposited Plan No.80 Melvista Avenue, Dalkeith (Lot 116); and
3. Directs the Mayor and Chief Executive Officer to execute the Grant of Easement documentation in triplicate by way of signing for:
- a) Lot 1, and
 - b) Lot 116.
4. The following additional clause be added to the Easement Deeds (under Section 3 – Grantees Covenants)

“Prior to the Grantee’s Work being carried out, the Grantee will seek all relevant approvals relating to the Grantee’s Work, including environmental approvals and any other approval required under the Water Services Act”.

Council Meeting 24 September 2019, Item 13.9 Nedlands Town Centre Precinct Plan Local Planning Policy

“Council Resolution / Amended Administration Recommendation to Council

Council in accordance with Schedule 2, Part 2, Division 2, Clause 4 of the Planning and Development (Local Planning Scheme) Regulations 2015, prepares the Nedlands Town Centre Precinct Plan (Attachment 1) – Local Planning Policy and advertises the Local Planning Policy for a period of 21 days following the amendments being made to Attachment 1 as following:

1. Delete reference to Precinct 2 as being ‘Central Core’ and replace with ‘Town Core’;
2. Amend ‘Movement (proposed)’ map on page 11 to show the proposed laneway to the south of the Captain Stirling Hotel as being in line with the proposed laneways to the west, consistent with the ‘Precinct Plan’ map shown on page 7; and

3. Amend the 'Built Form Requirements' table on page 20 to modify the plot ratio requirements as follows:
 - Precinct 1: plot ratio of 4.0
 - Precinct 2: plot ratio of 6.0"

Strategic Implications

There is well-established strategic justification for the creation of the proposed laneway under the City of Nedlands Local Planning Strategy (LPS) and the City of Nedlands Town Centre Precinct Plan (NTCPP) which underpins the Draft City of Nedlands Town Centre Precinct Local Planning Policy.

The benefits of the laneway will be to the community at large; those utilising Stirling Highway, travelling to and from the Nedlands Town Centre and on the surrounding street network.

There is no risk associated with the advertising of the proposed Policy.

There is adequate information to consider the proposed Policy for the purpose of advertising. Further information related to specific traffic engineering review and feedback, including the potential preparation of a design concept for the proposed laneway may be required at a future date in order to respond to submission received during advertising, construct the laneway over the City's landholding and or inform the affected landowners of the City's specifications and detailed design requirements for the laneway.

Budget/Financial Implications

There are no external financial implications associated with the adoption of the proposed Policy for the purpose of advertising.

A requirement for specific traffic engineering review and feedback, including the potential preparation of a design concept for the proposed laneway may be required at a future date in order to respond to submissions received during advertising, construct the laneway over the City's landholding and or inform the affected landowners of the City's specifications and detailed design requirements for the laneway. The sump will require confirmation of size and any redesign needed to accommodate the laneway above. The land is owned freehold by the City and as such has its own development potential, though constrained by the imposition of the laneway at ground level and the sump below.

The preparation of a laneway concept design needs to be considered in respect of the Technical Services budget and the on-going maintenance of the laneway (as a City asset) should be considered in the City's long-term budgetary planning in the event the laneway is constructed.

Cost recovery for the City laneway across lots 50 and 51 Dalkeith Road requires further consideration beyond the scope of this report, which deals with advertising of the proposal. This may be via a contributions policy, a deal with the adjacent landowner/s, or specified area rate.

Conclusion

The Dalkeith Road – Stanley Street Laneway and Built Form Requirements Local Planning Policy is the preferred mechanism to enable the enforcement of clause 32.3 in the City's Local Planning Scheme No. 3 to create an east-west laneway through the properties at 56 (Lots 50 and 51) Stanley Road, 90 Stirling Highway (Lots 4 and 5) and 4 Florence Road (Lot 22) and 7 Stanley Street (Lot 33).

The creation of the proposed laneway is consistent with and informed by the relevant objectives and strategies of the City of Nedlands Local Planning Strategy (LPS) and Draft City of Nedlands Town Centre Local Planning Policy.

The primary purpose of the Policy is to provide an alternative to the existing means of primary vehicle access along Stirling Highway for the affected lots, their future users and the surrounding residential neighbourhoods. The alternative access is intended to help relieve growing traffic volumes and congestion along Stirling Highway and will provide direct access from Dalkeith Road to Stanley Street and through the future Nedlands Town Centre. In doing so, it aims to better protect the public realm and designated active pedestrian areas such as the northern end of Florence Road.

Without a local planning policy, the City lacks the mechanism to require the provision of a laneway on the affected lots. Therefore, this Policy has been prepared for imminent adoption for advertising in order to avoid a sub-optimal development and built form outcome.

As such, it is recommended that Council endorses Administration's recommendation to prepare (adopt to advertise) the Dalkeith Road – Stanley Street Laneway and Built Form Requirements Local Planning Policy.



LOCAL PLANNING POLICY – DALKEITH ROAD – STANLEY STREET LANEWAY AND BUILT FORM REQUIREMENTS

1.0 PURPOSE

- 1.1 This policy provides laneway requirements for the establishment of an east-west laneway through the properties at 56 (Lots 50 and 51) Stanley Road, 90 Stirling Highway (Lots 4 and 5), 4 Florence Road (Lot 22) and 7 Stanley Street (Lot 33).

2.0 APPLICATION OF POLICY

- 2.1 This policy applies to subdivision applications and development applications affecting 56 (Lots 50 and 51) Stanley Road, 90 Stirling Highway (Lots 4 and 5) and 4 Florence Road (Lot 22) and 7 Stanley Street (Lot 33).
- 2.2 Where this policy is inconsistent with the provisions of a Local Planning Policy or Local Development Plan that applies to a specific site or area, the provisions of that policy shall prevail.

3.0 OBJECTIVES

- 3.1 To provide for the ceding of land in order to create the Dalkeith Road – Stanley Road Laneway.
- 3.2 To promote and facilitate high quality design outcomes for the redevelopment 56 (Lots 50 and 51) Stanley Road, 90 Stirling Highway (Lots 4 and 5) and the wider Captain Stirling redevelopment site being (80 Stirling Highway (Lot 1) 2-6 Florence Road (Lots 21 to 23) and 7-9 Stanley Street (Lots 32 to 33).
- 3.3 To provide rear lot access, as an alternative to Stirling Highway, in order to relieve traffic pressures along Stirling Highway and provides a local east-west connection to the future Nedlands Town Centre.
- 3.4 To promote and facilitate a safe, efficient and attractive streetscape design and ameliorate potential amenity impacts to the abutting residential land.
- 3.5 To achieve a high-quality landscape outcome that enhances the character of the streetscape and contributes to a sense of place.
- 3.6 To ensure that vehicle crossover locations do not detract from the safety and visual amenity of the public realm or the intended priority pedestrian precinct at the northern end of Florence Road.

4.0 POLICY MEASURES

4.1 Laneway Requirements

4.1.1 A laneway shall be provided on the land identified in Figure 1 and Figure 2.

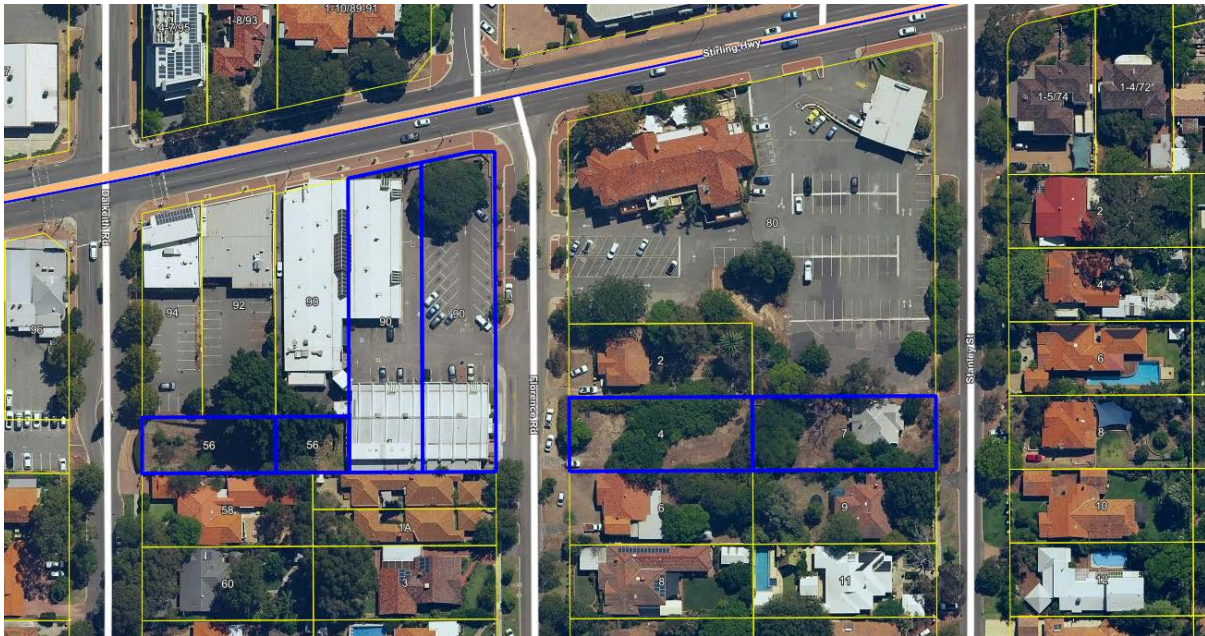


Figure 1: Properties to the south of Stirling Highway between Dalkeith Road and Stanley Street subject to proposed laneway development

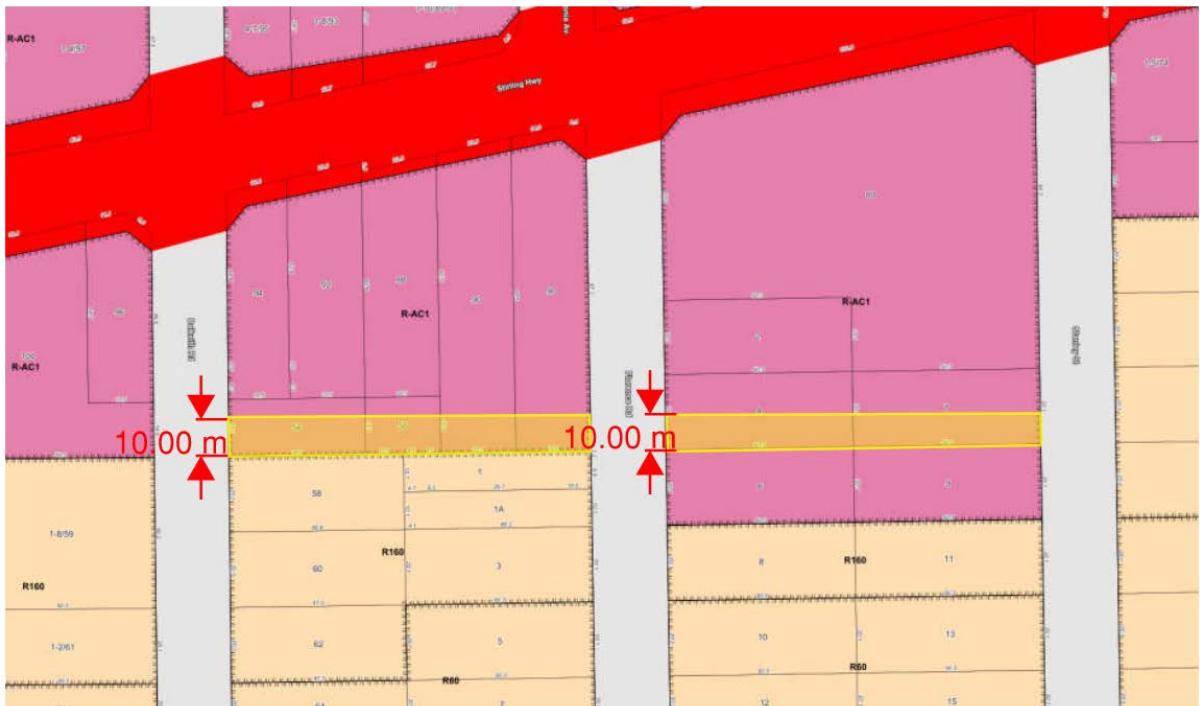


Figure 2: Proposed location of 10m wide laneway



- 4.1.2 Where a laneway is identified on a site, the land must be ceded by the landowner free of cost and as a condition of subdivision or development approval granted pursuant to the provisions of Clause 32.3 of Local Planning Scheme No. 3. The land may also be ceded as a requirement of a Deed of Agreement.
- 4.1.3 Where a laneway is required, it shall be constructed and drained to the specifications and satisfaction of the City of Nedlands prior to the creation of new titles (as a result of subdivision) or to occupation of the new development (as a result of development approval). The construction of the laneway may also be addressed as a requirement of a Deed of Agreement.
- 4.1.4 The laneway shall have a total width of 10m, including a 3m wide infrastructure, landscaping and servicing strip located along the southern edge of the laneway. The southern 3m strip will facilitate the construction of an acoustic barrier as considered appropriate, landscaping treatments such as in the form of canopy tree planting and vegetative screening, and lighting/ other servicing requirements, to the satisfaction of the City.
- 4.1.5 The laneway is to be designed to match the centreline levels to the natural ground, to the satisfaction of the City.
- 4.1.6 Prior to the occupation of development, semi-mature trees (with a minimum height of 2.4m and species and pot size to be specified by the City) will be planted within the southern 3m wide infrastructure, landscaping and servicing strip, to be maintained by the landowner for a minimum of 2 years from occupation, to the satisfaction of the City.
- 4.1.7 The laneway shall include lighting infrastructure which is to be installed within the infrastructure, landscaping and servicing strip, at the cost of the developer and to the specification and satisfaction of the City.
- 4.2 Built Form Requirements
- 4.2.1 New vehicle access is not permitted from Stirling Highway. Vehicle access is to be obtained from the Laneway, unless otherwise agreed to by the City.
- 4.2.2 Only one (1) crossover is permitted per lot.
- 4.2.3 A clearly defined pedestrian entry is to be provided on affected lots from the adjoining secondary streets; Dalkeith Road, Florence Road and Stanley Street.
- 4.2.4 In order to reinforce and support the continuation of the green leafy character of the Nedlands locality, vegetative screening or small sized trees (4-8m at maturity) with a corresponding deep root planting zone are to be planted in the infrastructure, landscaping and servicing strip along the laneway's southern residential interface. Tree planting is to be generally in accordance with Figure 3 and to the satisfaction of the City.

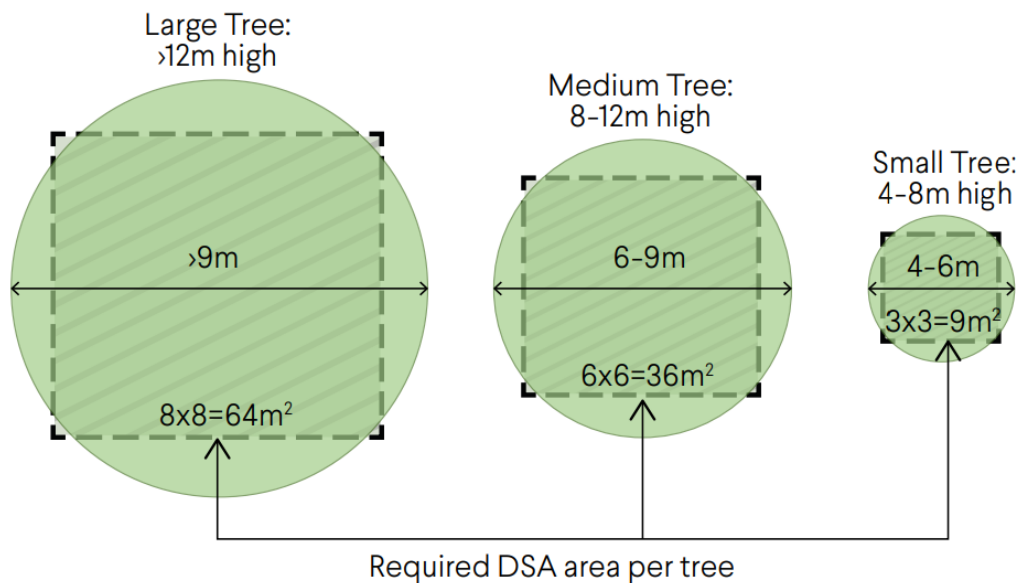


Figure 3: Tree size definitions when mature for deep soil areas

5.0 ADDITIONAL DEVELOPMENT APPLICATION REQUIREMENTS

5.1 All development applications are to be accompanied by a landscape plan for assessment and endorsement. The landscape plan must address the required information stated in *Appendix 5 – Development application guidance of State Planning Policy 7.3: Residential Design Codes Volume 2*.

6.0 RELATED LEGISLATION

6.1 This policy has been prepared in accordance with Schedule 2 Part 2 Clause 4 of the Planning and Development (Local Planning Schemes) Regulations 2015.

6.2 This policy should be read in conjunction with the following additional planning instruments and its requirements apply unless specifically stipulated elsewhere in any of the below:

- State Planning Policy 7.3 – Residential Design Codes Volume 2 – Apartments
- Local Planning Scheme No. 3
- Draft Nedlands Town Centre Precinct Plan Local Planning Policy

Council Resolution Number	PDX.XX
Implementation Date	Date and Item Number of Council Meeting
Date Reviewed/Modified	DD MM YYYY

13.7 CEO Performance Review Committee Amended Terms of Reference & CEO Performance Review

Council	28 April 2020
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	CEO, Mark Goodlet Declared a Financial Interest – Extent is that the matter deals with his employment contract. The CEO will depart the meeting for this item.
Manager	HR Manager Shelley Mettam
CEO	Mark Goodlet
Attachments	1. CEO Performance Review Committee Terms of Reference 2. CEO Key Results Areas Report - CONFIDENTIAL

Mr Mark Goodlet, CEO left the meeting at 10.25 pm.

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Wetherall
Seconded – Councillor Hassell

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

CARRIED UNANIMOUSLY 13/-

Mr Mark Goodlet, CEO returned to the meeting at 10.29 pm.

Council Resolution / Recommendation to Council

Council:

- 1. endorses the revised CEO Performance Review Committee Terms of Reference (Attachment 1);**
- 2. embarks on a process of assessment of CEO Mark Goodlet’s performance over the past 12 months; and**
- 3. with the assistance of the CEO Performance Review Committee, reviews and revises as necessary the CEO’s required key performance indicators through specific Key Results Areas to be agreed with the CEO and established for the next 12 months.**

Executive Summary

Mr Mark Goodlet commenced a five-year employment contract with the City of Nedlands on 5 March 2019 and successfully completed his six-month probationary period which was endorsed by Council in August 2019.

Section 5.38 of the *Local Government Act 1995* requires that the performance of each employee, including the CEO, is reviewed annually. An annual review of the CEO's performance forms part of the CEO's Employment Contract.

The CEO Performance Review Committee has commenced the process to assess the CEO's performance and to work with Council to identify a performance assessment outcome.

Discussion/Overview

CEO Annual performance Review

Mr Mark Goodlet commenced a five-year employment contract with the City of Nedlands on 5 March 2019 and successfully completed his six-month probationary period which was endorsed by Council in August 2019.

Section 5.38 of the *Local Government Act 1995* requires that the performance of each employee, including the CEO, is reviewed annually. An annual review of the CEO's performance forms part of the CEO's Employment Contract.

The CEO Performance Review Committee has commenced the process to assess the CEO's performance and to work with Council to identify a performance assessment outcome.

Terms of Reference

The CEO Performance Review Committee (the Committee) has revised the Terms of Reference (TOR) and recommend the option to engage the services of a performance review consultancy be removed. The Committee also recommends meeting formally three times a year to discuss the CEO's performance.

CEO Performance Review process

The Committee will meet to discuss the process of assessment of CEO, Mark Goodlet's performance.

The Committee has been provided with the CEO's Key Results Areas (KRA's) established as part of Mr Goodlet's Employment Contract (**Confidential Attachment 2**).

The Committee can also consider any information that it and the Council consider to be pertinent in assessing the CEO's performance against the established requirements of the CEO's Key Results Areas which form part of his employment contract.

Key Relevant Previous Council Decisions:

Nil

Consultation

Nil.

Strategic Implications

Ensures good Governance.

Budget/Financial Implications

The CEO Performance Review is required annually under section 5.38 of the *Local Government Act 1995*.

Within existing budget.



Chief Executive Officer's Performance Review Committee

Purpose

Under delegated authority to manage the performance appraisal process of the Chief Executive Officer in order to meet both Council's statutory obligations in accordance with the provisions of Section 5.38(1) of the Local Government Act 1995 and any terms and conditions of the employment contract of the Chief Executive Officer.

Scope

In managing the performance appraisal process, the Committee:

- (a) May recommend an independent consultant to Council for the purposes of conducting the performance appraisal;
- (b) Is to determine and set in place, an appropriate performance appraisal process;
- (c) Is to make recommendations to Council regarding:
 - a. The setting of goals and objectives
 - b. The measurement of key performance indicators (KPIs); and
 - c. Changes to the remuneration package within the terms of the Chief Executive Officer's contract; and
- (d) May draw on the resources and professional advice of the Manager Human Resources and any additional assistance that the Manager Human Resources may recommend to determine the process and plan and conduct the appraisal.

Any goals, objectives, KPI measurement or remuneration package changes approved by Council must be acknowledged in writing by both the Mayor and the Chief Executive Officer.

All Elected Members are to be briefed of the outcomes of the appraisal prior to any decision by Council.

Membership

1. The membership of the committee shall comprise the Mayor and one Councillor from each ward with the Councillors being determined by nomination and if necessary, a ballot conducted at a Council Meeting.
2. Council may if it considers it appropriate appoint deputies to the members of the committee.
3. If a vacancy on the committee occurs for whatever reason, then Council shall appoint a replacement in accordance with the same arrangements as for the original appointment.
4. The term of the presiding member and committee members will expire immediately prior to the next ordinary Council election.



5. The presiding member shall be determined by election amongst the members of the committee. The election will take place at the first meeting following the reconstitution of the committee after each ordinary Council election. The Mayor is eligible to vote for a presiding member but is not eligible to sit as the presiding member.
6. Should the elected presiding member not be present during a meeting of the committee then a temporary presiding member shall be elected in accordance with 5 above.

Meetings

1. The Council Committee operates under the Council's Standing Orders Local Law.
2. The quorum for a meeting will be 50% of the offices of the Chief Executive Officer's Performance Review Committee as per section 5.19 of the Local Government Act 1995.
3. The Committee shall formally meet three times a year. A schedule of meetings will be developed and agreed to by the members. Additional meetings may be called by the Presiding member.
4. The Committee's Administrator will be non-voting member and an employee of the City. The Administrator's responsibility is to serve as a secretariat to the Committee by preparing agendas and minutes and ensuring timely distribution to all members; to ensure that meetings are effectively organised and recorded and to provide administrative support for the purposes of the Committee.

Staff

The following staff will attend committee meetings to provide technical support and advice:

- Manager Human Resources
- Chief Executive Officer; (when invited)
- Other staff may attend committee meetings when requested by the Committee through the Chief Executive Officer.

Reporting

The Committee shall report annually to the Council Summarising its activities during the previous financial year.

13.8 2019-20.02 Redesign and Repairs to Roof Covering Mt Claremont Library

Council	28 April 2020
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	Nil.
Director	Lorraine Driscoll – Director Corporate & Strategy
CEO	Mark Goodlet
Attachments	1. RFT 2019-20.02 Tender Evaluation and Recommendation Report - CONFIDENTIAL

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Hassell
 Seconded – Councillor McManus

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

CARRIED UNANIMOUSLY 13/-

Council Resolution / Recommendation to Council

Council:

- 1. agrees to award tender RFT 2019-20.02 Redesign and Repairs to Roof Covering Mt Claremont Library to Archking Holdings t/a Neri Roofing Contractors for the lump sum contract cost of \$110,000 excl. GST; and**
- 2. authorises the Chief Executive Officer to sign an acceptance of offer for this tender.**

Executive Summary

This report is being presented to Council to recommend approval for the award of a contract for the provision of essential works to the Mt Claremont Library roof covering. A request for tender was processed and the evaluation panel recommended that this contract be awarded to Archking Holdings t/a/ Neri Roofing Contractors. The attached RFT 2019-20.02 Tender Evaluation and Recommendation Report provides full details of the evaluation process.

Discussion/Overview

The original design and construction of the Mt Claremont Library roof consisted of internal box guttering and flashings that were concealed under the main roof covering in attempt to stop the build of leaf debris and provide more aesthetically looking design. The design was successful however sections of the roofing system were not able to be inspected or maintained resulting in numerous areas of corrosion. This has led to multiple areas of damage to the ceiling below in both the Childcare Building, but more importantly, the Mt Claremont Library.

For the last 6 years The City has attended multiple leaks and applied temporary repairs only to have the roof fail in other areas. It was decided to forward plan for a complete redesign of existing covering to a more efficient and manageable roofing system. Once the Tender was release, the methodology for replacement was simplified by the contractor and a new structure over the building was eliminated from the process. It was identified that a new profile of roof sheeting, and elimination of hidden guttering systems, would achieve a watertight covering with a life expectancy of 20+yrs. This dramatically reduced the costs involved and the downtime to the building.

The COVID-19 caused closure of the facility presents an opportune time to fix the roof.

Key Relevant Previous Council Decisions:

N/A

Consultation

N/A

Budget/Financial Implications

Within current approved budget:

Yes

No

Requires further budget consideration:

Yes

No

Risk Management

Failing to appoint the contract will impact on the City's ability to complete the Capital and Operational Works Schedule. No undertaking the works will allow further deterioration of the roof structure causing more severe leakage into the roof space and library area.

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

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

14.1 Mayor de Lacy – Planning Committee

At the Council meeting on 31 March 2020 Mayor de Lacy gave notice of her intention to move the following at this meeting.

Moved – Mayor de Lacy

Seconded – Councillor Smyth

Instructs the CEO to prepare a Terms of Reference (ToR) for a Planning Committee consisting of:

- 8 Councillors (two from each Ward),
- 4 alternate Councillors (one from each Ward)
- 2 non-voting community members (elected from the Community Working Group)
- and the Mayor, with a Secretariat provided by the Administration for support.

The Terms of Reference are to be presented to Council in May 2020 for endorsement and are to include the following in respect of the Committee's role:

1. Meet fortnightly for 12 months (then review for ongoing need);
2. Have the same procedure for meetings as the Committee of the Whole of Council;
3. Delegated decision-making authority in the following cases where less than 3 objections are lodged during advertising:
 - a. Change of Use applications (which are classified IP, P, D or A) and uses not listed in LPS3;
 - b. Car parking requirements for non-residential applications;
 - c. Home Business or Short-term accommodation applications; and
 - d. Where the objection relates to a Design Principles or Element Objectives assessment relating to the R Codes.
4. Review of Responsible Authority Reports and the making of submissions to the MWJDAP on those reviews;

5. Review of Administration reports on Local Planning Policies, Scheme Amendments and other local planning instruments required as part of implementing LPS3 with the delegated authority to:
 - a. make decisions concerning advertising;
 - b. decide if a Councillor workshop is required post advertising to work through issues; and
 - c. make a Recommendation to Council post advertising following consideration of Administration's final report.
6. Develop and deliver a Business Plan for Council approval to deliver on critical LPS3 work using the current list of priorities from Administration as a starting point, and providing a basis for monitoring progress;
7. Review of State Government Planning Reform papers and the making of submissions to State Government on those reviews;
8. Request expert/technical deputations on issues of relevance to the good and proper implementation of LPS3;
9. Accept deputations from Councillors not on the Committee;
10. Review and provide comment on complex Development Applications pre-lodgement if requested by an applicant; and
11. The Presiding Member to table a report to Council monthly on the Committee's activities

Councillor Hay left the meeting at 10.32 pm & returned at 11.27 pm.

Councillor Mangano left the room at 10.36 pm and returned at 10.37 pm.

Councillor McManus left the room at 10.59 pm and return 11.02 pm.

Lost 6/7
(Against: Crs. McManus Hassell Mangano
Hodsdon Poliwka Wetherall & Hay)

Justification

1. The workload of Council, given the ramifications of LPS3 (unprecedented level of development applications being lodged and the vacuum in local planning instruments to guide decision making) and COVID-19, is significantly higher than normal. Our planning workload is currently on a par with the much larger City of Stirling. To ensure we serve our ratepayers in a timely and efficient manner in these very difficult circumstances we need to delegate some Council work. Continuing to have all development applications with one or more objections, considered and debated on by full Council is not sustainable under the current conditions.
2. We will need to put extra work this year into our Budgeting and Capital Works program development considering COVID- 19, and we will all experience the difficulties associated with 'life under COVID-19.' Add to this, LPS3 and all its issues, and you have the recipe for a disaster if we do not divide and conquer. Therefore, it is also proposed that this Committee will undertake all work relating to LPS3 that would normally occur in informal Councillor Briefings.
3. The Committee is to consist of 6 Councillors, 2 Community members (from the Community Working Group) and the Mayor. To get through the workload it is proposed that the Committee meet fortnightly, hence the need for Deputies. The need to review and make comment on Responsible Authority Reports is also proving difficult in the monthly ordinary Council meeting cycle, hence the need that is arising to call Special Council meetings. To avoid this, the Committee can have delegated authority to review and make submissions on RAR's. To support this Committee, it is proposed to establish a Community Working Group like that established by the City of Subiaco. This Working Group is the subject of another notice of motion for the April 2020 meeting.
4. Constant tension is arising about the list of priorities for the development of local planning instruments to support LPS3. A strategic analysis is needed of the outcomes we are trying to achieve in the context of the complex DA's we are now seeing, the issues being identified by the community in submissions and the evolution (as well as implementation) of the Design WA documents. This Business Plan should be endorsed by Council for implementation by the Committee with responsibilities, timeframes, outcomes, risks, and traffic light reporting for each action assessed fortnightly to ensure accountability to our ratepayers. Progress on these and other Committee activities, will also be reported monthly by the Presiding Member to the Council.
5. The State Government is currently reforming the planning system. The Council and its ratepayers are aware of systemic problems in the planning system. Hence, its critical we influence State Government's approach to planning reform on behalf of our ratepayers. We must therefore make submissions on planning reform papers.

Administration Comment

Many of the matters intended to be dealt with by this proposed Committee would simply transfer from the Committee of Council and Council agendas with no increase in workload with the exception of increased work for:

- Planning items in draft form that previously were considered at Council workshops would now have to be more “formalised” and put into a report to the Committee;
- Developing and monitoring a Business Plan, depending on complexity required;
- Making submissions to State Government on Planning Reforms (may require additional expert technical advice which is not available on staff);
- Reviewing and commenting on complex applications pre-lodgement where requested by the applicant;
- Servicing the actual additional meetings with professional planning advice and secretariat (additional overtime payments).

There would need to be a consequential change to the Council delegations to the CEO as a result of item 3 and this is likely to result in a reduction in the number of reports to the Committee of Council and Council.

It is still likely that a number of RARs would not “fit” the 2 weekly agenda schedule and would have to be dealt with outside of this Committee, presumably through Ordinary or Special Council meetings.

There remains a risk that the full Council will override LPS3 work priorities and other recommendations agreed by the proposed Committee.

If this goes ahead the City will be implementing agenda and minutes software technology solutions to assist efficiency, timeliness, and accuracy.

14.2 Mayor de Lacy – Community Working Group

At the Council meeting on 31 March 2020 Mayor de Lacy gave notice of her intention to move the following at this meeting.

Moved – Mayor de Lacy

Seconded – Councillor Coghlan

Council Resolution

That Council:

- 1. instructs the CEO to prepare a Terms of Reference (ToR) for a Community Working Group consisting of 12 community members and chaired by a Councillor, with a Secretariat provided by the Administration for support. The Terms of Reference are to be presented to Council in May 2020 for endorsement and are to include the following in respect of the Working Group's role to review and provide comment to the Planning Committee on:**
 - a. draft Local Planning Policies and other local planning instruments (pre-advertising) that relate to the implementation of LPS3;**
 - b. complex Development Applications, as a way of replacing current, non-regulatory Community Information sessions;**
 - c. draft Business Plan developed by the Planning Committee;**
 - d. options for consulting with the wider community as part of the statutory advertising period ; and**
 - e. specific matters in the R Codes (Volumes 1 and 2) that can be amended or replaced by Local Planning Policies or other local planning instruments; and**
- 2. the Terms of Reference should also recognise that the Community Working Group is to:**
 - a. meet fortnightly for 12 months (then review for ongoing need)**
 - b. consist of 12 members of the community who are:**
 - i. generally representative of the City's demographics and selected from the local community and stakeholder groups that are currently engaged in the implementation of LPS3 (includes residents affected by recent development projects or who have lodged a Development Application recently); and**
 - ii. appointed through a public Expression of Interest process that is independently facilitated; and**
 - c. observe a code of conduct;**
 - d. not make decisions, only give advice; and**
 - e. elect two members to represent it on the Planning Committee.**

CARRIED 9/4
(Against: Crs. McManus Hassell Wetherall & Hay)

Justification

1. The gazettal of LPS3 in April 2019 in a vacuum of local planning policies and other instruments, coupled with the high volumes of Development Applications, is causing great angst in our community as the lack of controls are driving poor development. At the same time the implementation of Design WA, and R Codes Volume 2 (Apartments) is very new and its provisions, being largely flexible, are open to interpretation and until any case law is established will cause great uncertainty in our community. This is leading to distrust with the process, frustration and suspicion regarding decision making. In such an environment improving levels of engagement, transparency and accountability is the first step towards improving understanding of the differing viewpoints, decision-making and reducing public outrage.
2. The Nedlands community is highly educated, largely professionally qualified, well resourced, and deeply steeped in local knowledge. To date we have seen the ability of the community to contribute to the development of local planning instruments, and the high levels of energy they are putting towards such efforts. The Council would do well to embrace this through a more formalised approach by creating a Community Working Group to channel this energy and legitimise the community's input into the process.
3. Last year a decision was made when the LPP on Consultation of Planning Proposals was reviewed, to introduce Community Information sessions for complex Development Applications. These are not a statutory requirement and were introduced to give the Nedlands community a great opportunity to understand new developments proposed as part of LPS3 and to contribute to better development outcomes. Since these Community Information sessions began there have been complaints by some attendees about the way they have been run in terms of a lack of leadership from the Mayor or CEO, lack of formality (i.e. presentations by various parties on aspects of the development), perception that planners and applicants are not independent of one another, and poor behaviour by some attendees. Unfortunately, the purpose of it simply being a drop-in session to gather information has not been understood by the community and given the level of public outrage some of these sessions have been out of control.
4. The City's reputation and ability to engage effectively with the community is being negatively impacted by these Community Information sessions. This is likely to and has led to negative press in the local POST newspaper (e.g. session on 17-19 Louise St development).

5. I have attended all but one of the Community Information sessions, and I have noticed, and been told, that some of the same community members are showing up to these sessions. Either because they have a genuine interest in the future of all development in the City under LPS3 or they wish to speak to planners about an ongoing DA process that may be impacting them. I believe there is now a core group of community members that wishes to be involved in the development of a local planning framework for LPS3. This could form the basis of a Community Working Group that legitimises community input and restores our reputation.

Administration Comment

The International Association for Public Participation (IAP2) sets out five levels of engagement, at increasing levels of community involvement in decision-making:

1. Inform
2. Consult
3. Involve
4. Collaborate
5. Empower

Levels 1 and 2 are generally appropriate for planning proposals such as development applications, where the goal is to obtain feedback on specific proposals which have already been substantially progressed. Levels 3 to 5 are more appropriate for more strategic planning proposals, such as local planning policies, where the goal is to obtain community input throughout the entire process to ensure that community concerns and aspirations are directly reflected in the alternatives developed.

In its current form, the City's Local Planning Policy – Consultation of Planning Proposals (Consultation LPP) primarily deals with engagement at levels 1 and 2. Noting the City's increasing body of strategic planning work which has come out of the gazettal of LPS 3, Administration is currently reviewing the Consultation LPP to also include engagement methods at the higher levels of the IAP2 spectrum. The review of the Consultation LPP is scheduled for a Council Briefing session on 19th May 2020, and Administration is intending to present the revised Consultation LPP to the 23 June 2020 Council Meeting for adoption to advertise.

As part of this review, Administration is also intending to address issues experienced with Community Information Sessions (CIS). Administration considers that the actions proposed in the above notice of motion will be sufficiently addressed as part of the review of the Consultation LPP, as discussed below.

Formalise community input into development of local planning instruments

As noted above, Administration is currently reviewing the Consultation LPP to include engagement methods at the higher levels of the IAP2 spectrum. Community working groups are an important method in this higher-level engagement. There are two main types of community working groups: Community Advisory Groups (CAG) and Community Reference Groups (CRG). The key differences between these groups are identified below:

	Community Advisory Group (CAG)	Community Reference Group (CRG)
Function	<ul style="list-style-type: none"> • Provide advice to Council concerning strategic or policy issues • Enhance communication between Council and the community • Maximise the skills and expertise that exist in the community to complement the role of Council in planning and policymaking. 	<ul style="list-style-type: none"> • Provide input of community concerns and aspirations relating to a specific strategic or policy issue. • Test community engagement techniques to improve consultation outcomes.
Membership	<ul style="list-style-type: none"> • Councillor representative (dependent on needs and interest for each specific issue/activity) • Council staff members to resource the CAG with administrative support and technical expertise relating to the issue; • A specific number of members to be defined in the Terms of Reference with a clearly defined term of membership: <ul style="list-style-type: none"> ○ Representatives from relevant providers and agencies; ○ Representatives from peak bodies and user representative groups; and ○ Representation from appropriate community organisations. 	<ul style="list-style-type: none"> • Councillor representative (dependent on needs and interest for each specific issue/activity) • Council staff members to resource the CRG with administrative support and technical expertise relating to the issue. • A specific number of members to be defined in the Terms of Reference with a clearly defined term of membership. • Representatives who are over 18 years of age • Representatives from appropriate community organisations. • Community representatives who reflect a diversity of community views and interests and the various geographical areas of the City

The revised Consultation LPP is intended to include CRGs as a method of higher-level community engagement. CRGs are preferred over CAGs, as the latter is more focussed on expert advice and key community organisation representatives, rather than general members of the community. As an appendix to the revised Consultation LPP, guidance will be included (attached) on how to prepare a Terms of Reference for a CRG.

Administration recommends that Council supports this abovementioned approach to establishing CRGs, as a means of formalising community input into development of local planning instruments.

Community Information Sessions

The intent of CISs is for the community and Councillors to ask specific questions about a planning proposal, and for answers to be provided by Administration and the applicant of the proposal. As they are currently run, CISs are open to any member of the community who would like to receive further information about a proposal. This further information can then be used to inform community members' submissions on the proposal. The establishment of a select group of community members, such as a community working group, would not replace this important function of CISs.

Administration acknowledges a number of issues with recent CISs for complex development applications, including:

- Confusion as to what the community expects from these sessions (i.e. formal presentation vs. question and answer structure);
- Unclear expectations of the role of Councillors at these sessions;
- Community members significantly overwhelming the resources provided by Administration; and
- Perception that the City is presenting an application to the community with the applicants (and that the City is therefore supportive of the application).

In response to these identified issues, Administration has prepared a CIS Procedure, which is intended to be presented as an appendix to the revised Consultation LPP. The draft CIS Procedure (attached) sets out the following:

- Clarification on the purpose of the sessions;
- Requirements to RSVP to sessions to ensure an appropriate ratio of Administration to community members to ensure everyone is attended to;
- Clarification on the roles and expected behaviours of each party to ensure respectful and meaningful interactions during these sessions.

If Council resolve to adopt the Community Consultation LPP for Urban Planning matters, and associated CIS Procedure, Administration could review the implementation effectiveness after a set period of time (i.e. six months). If this review finds that there are still ongoing issues with CISs, Administration could either review the CIS Procedure accordingly, or seek alternative methods for consulting on development applications (such as one-on-one appointments with Administration).

Administration recommends that Council supports this abovementioned approach, rather than removing the option of CIS all together at this point in time.

Administrative support for a working group would need to be provided in addition to current resourcing. If this goes ahead the City will be implementing agenda and minutes software technology solutions to assist efficiency, timeliness, and accuracy.

COMMUNITY REFERENCE GROUPS – GUIDELINES

1. Description

Community Reference Groups provide advice to Council concerning a specific issue, enhance communication between Council and the community and complement other elements of community engagement.

2. Benefits

Establishing and running a Community Reference Group offers:

- An effective way to involve stakeholders in specific projects or activities.
- An opportunity to maximise the skills and expertise that exist in the community to complement the role of Council in service delivery.
- The potential to test community engagement techniques and audiences to improve consultation outcomes for an issue.

3. When to use a Community Reference Group

Using a Community Reference Group has both its advantages and disadvantages. When deciding on the need for a Community Reference Group, the following parameters need to be considered:

When a Community Reference Group <i>should be</i> used	When a Community Reference Group should <i>not</i> be used
<ul style="list-style-type: none"> • When a collaborative approach to community engagement is desirable or required. • When a specific issue would benefit from greater community input. • If an issue is substantial and the resourcing required for a Community Reference Group justifies the benefits and outcomes achieved. • If specific or expert input is required and this can be sourced from key stakeholders in the City of Nedlands. • Where collaboration with stakeholders is desirable to enhance outcomes for a specific issue. 	<ul style="list-style-type: none"> • When statutory processes exclude input from such a group. • When similar groups already exist for the same (or similar) service or issue and there is a risk of the same community members belonging to a Community Reference Group. • When alternate collaborative forms of consultation are identified as being more effective. • When informing, consulting and involving are more effective methods of engagement for the specific issue.



- | | |
|---|--|
| <ul style="list-style-type: none">• When increased community awareness of an issue is required. | |
|---|--|

4. Membership of Community Reference Groups

The membership of each Community Reference Group will be proposed as part of the establishment of the group and may comprise any of the following:

- Council staff members to resource the Community Reference Group with administrative support and technical expertise relating to the issue;
- A specific number of members to be defined in the Terms of Reference with a clearly defined term of membership;
- Representatives who are over 18 years of age;
- Representatives from appropriate community organisations; and
- Community representatives who reflect a diversity of community views and interests and the various geographical areas of the City.

It is noted that:

- Membership on a Community Reference Group is voluntary; and
- Involvement of Councillors on a Community Reference Group will depend on needs and interests in relation to the issue. *Councillors' involvement in Community Reference Groups will not form part of the Councillor appointments each year as determined by Council.*

5. Basis upon which Community Reference Groups are formed

A Community Reference Group:

- Operates as a mechanism to assist and support community engagement on a particular issue;
- Has a start and finish date (sunset clause) and specific roles and responsibilities;
- Is an equitable forum that is representative of the City of Nedlands community and relevant stakeholders;
- Complements other elements of Council's community engagement processes;
- Enhances communication between Council and the community;
- Is not a decision-making body but is able to advise Council on relevant matters related to the issue; and
- Operates as a transparent, representative and accessible forum.

6. Process for Membership of Community Reference Groups

- Public Notice calling for Expressions of Interest, advertised in both the local newspapers and the Council's website.
- Online Nomination Form to be completed by interested people who wish to register an Expression of Interest via the City's Your Voice website.

6.1 Selection Criteria for Membership of Community Reference Groups

- Involvement in the community in the interest area that relates to the purpose of the Community Reference Group.
- Endorsed by local organisation if representing one on the Community Reference Group.
- Strong community networks and linkages.
- Demonstrated ability to constructively participate in an advisory capacity.
- Ability to represent a broad range of views that reflect the diversity of the community.
- Strong understanding of the local community and its social, environmental and economic influences.
- Good knowledge and understanding of the local issues that are relevant to the issue.
- Possess a willingness to contribute positively to meetings in a fair and unbiased manner.
- Have an ability to look beyond personal interests for the benefit of the community and residents of the City of Nedlands.
- Ability and willingness to encourage participation from and provide feedback to the community regarding the issue.
- Able to commit to the Community Reference Group for the required duration.
- Willingness to celebrate the success and achievements of the issue.

6.2 Selection Panel to make recommendation of members on Community Reference Groups

- Senior member of Council (CEO or Director – or delegated Manager). **it might be better to consider an external consultant, perform the selection process for sake of transparency**
- Nominated Council staff member from the specific service area related to the issue.

7. Responsibilities of the Community Reference Group

The responsibilities of each Community Reference Group will be outlined in a Terms of Reference (model template attached). Terms of Reference may be adapted and changed from time to time, to suit the specific objectives and project needs.

The Terms of Reference will be signed by all members of each Community Reference Group before or at the first meeting to acknowledge the contents and relevant stipulations.

8. Protocols

The following code of conduct will be signed by all members of each Community Reference Group.

8.1 Conduct

Members are required to:

- Act with honesty, good faith and integrity;
- Abide by the Terms of Reference;
- Actively participate in meetings;
- Declare any actual or perceived conflicts of interest at the commencement of the meeting;
- Represent the interests of their local community rather than individual interests or issues; and
- Maintain confidentiality of discussions within meetings. Members are not permitted to liaise with the media and represent either the opinions of council or the group.

In particular, members are required not to use any Community Reference Group for any public lobbying or political purposes, including use of social media to promote specific campaigns or strategies.

Any material breach of this code of conduct may result in immediate termination of membership.

8.2 Sharing of Information

Members will not use any information disclosed at meetings for personal purposes or gains for either themselves or others (including financial gains) and maintain confidentiality of all information provided.

9. Recording

Council will manage record keeping of the group's activities in council's internal filing system, including:

- Member details – as provided on the EOI application (personal details will be managed confidentially, in accordance with council's privacy standards);
- EOI applications and other selection process documentation;
- Register of when meetings were held;



- Terms of Reference;
- Agendas and minutes for each meeting; and
- Any other related correspondence or information.

10. Disclosure

The following information will be published on council's public engagement website, Your Voice:

- Names of the members;
- The Guidelines and Terms of Reference; and
- Agendas and minutes of each meeting.

11. Privacy

The personal information of all members and applicants will be managed in accordance with council's privacy standards. The names of the group's members will be published on council's public website upon their appointment.

12. Insurance

Community Reference group members are covered under Council's public liability insurance policies when partaking in meetings.

DRAFT

Community Information Session Procedure

Responsible Division Planning & Development

The following procedure provide guidelines for Community Information Sessions pertaining to Statutory and Strategic Planning proposals. The responsibilities and expectations of attending community members, staff and applicants are covered by this procedure.

Objectives

1. Community Information Sessions facilitate two-way communication between the community, staff and applicants that provides the opportunity for all parties to receive accurate, timely information.
2. Community Information Sessions provide the opportunity to clarify matters pertaining to development applications (DAs) and strategic planning proposals.
3. The City will provide balanced and unbiased information in response to queries concerning DAs and proposals.

Procedures

Information Session Details

1. Community Information Sessions will be comprised of two separate components: the Councillor Information component and the Community Information component.
2. Councillor Information component:
 - Held at City of Nedlands Administration Building.
 - Maximum one hour, between 5pm and 6pm.
 - Community members not permitted to attend.
3. Community Information component:
 - Held at City of Nedlands Administration Building or otherwise designated location as agreed by the City.
 - The City's technical officers will be available to answer questions, take questions on notice and provide information on specific details of the application.
 - No formal presentation on the proposal will be provided.
 - RSVP required; details included in advertising letter.

- Comprised of two back-to-back 30-minute sessions between 6pm and 7pm. Community members will need to nominate which session they wish to attend through the RSVP.
- If a session reaches the venue capacity, those community members who have not RSVP'd will not be admitted but will be given the opportunity to book a private appointment with the City's Planning Team.
- A City Ranger may be present to assist in vacating the venue in a timely manner.

Roles in Participating in Community Information Component

7. Councillors

- Listen to concerns from attending community members.
- Provide balanced and unbiased information.
- When referring to City staff, Councillors should endeavour to use language that does not represent or imply a division between the Administration and Council.

8. Administration

- Identify and introduce themselves.
- Register attendance.
- Be identifiable by navy blue City of Nedlands polo shirts and name badges.
- Answer questions about planning proposals, including the submission and assessment processes, but provide a recommendation on any element of the application.
- Provide, and assist in interpreting, the relevant plans, maps and documentation required to make a submission.
- Planning Officers will not be providing a formal presentation about the subject proposal. Officers are present at the Community Information Session solely to answer questions raised by attending members of the community.

9. Applicant

- Identify and introduce themselves.
- Answer questions raised by attending members of the community.
- Applicants and Planning staff should endeavour to restrict themselves to the use of the word 'applicant' (i.e. avoid term 'developer').
- Will be clearly separated from Administration. An Applicant area will be established in another room or a considerable distance from Planning staff and attending community members.

10. Community Members

- Remain calm and respectful throughout the session.
- Complete the register of attendance, providing all pertinent details.
- Restrict comments to the subject proposal.
- Communicate in civil manner and allow other participants to express their views.

Related documentation

Local Planning Policy – Community Engagement and Consultation on Planning Proposals

Related Local Law/legislation

Nil.

Related delegation

Nil.

Review History

Approved by Executive 2020

14.3 Councillor Smyth – DAP Related Development Application Cost & Income

At the Council meeting on 31 March 2020 Councillor Smyth gave notice of her intention to move the following at this meeting.

Moved – Councillor Smyth

Seconded – Councillor Wetherall

Council Resolution

That Council:

Requests the CEO provides a monthly summary of DAP Applications costs and income on a project basis at the completion of each case.

Advice Note:

The summary should include but not limited to:

- **Income for DAP Application;**
- **RAR labour costs, including officers time at JDAP & materials costs;**
- **RAR Community engagement costs;**
- **RAR Peer review costs;**
- **Estimate of preliminary pre-DA negotiation and advisory costs;**
- **Associated legal advise;**
- **Estimate of income generated during the post DA conditions & building phases; and**
- **Estimate of Rates revenue increase for new development.**

CARRIED UNANIMOUSLY 13/-

Justification

1. There is an ongoing belief that the regulated fees for Development Applications handled by the City are insufficient to cover costs, and therefore the City's ratepayers are subsidizing the process.
2. There has been an assertion (based on a low numbers of cases) that the DAP income (for larger DAs) received by the City is sufficient (and possibly subsidizing the smaller DAs shortfall).
3. Now that the number and complexity of DAP DAs has increased considerably it is timely to review the costs associated with each DAP RAR on a Project basis for each case.

Administration Comment

Additional resources will be required to set up a process to capture this information as well as a small on-going resourcing increase to actually do the work and report to Council. Other than this Administration do not have any issues with what is proposed. This may well act as a tool for baseline assessment for alternative delivery options.

14.4 Councillor Horley – Complaints Policy

At the Council meeting on 31 March 2020 Councillor Horley gave notice of her intention to move the following at this meeting.

Moved – Councillor Horley
Seconded – Mayor de Lacy

Council Resolution

That the City undertakes a customer service review and use this as the basis for a complaints management policy and procedure guide to be brought back to Council.

Councillor Hassell left the room at 11.50 pm and returned at 11.55 pm.

**CARRIED 12/1
(Against: Cr. Wetherall)**

Justification:

The aims of this policy are to:

1. Listen to the community and understand what the community are concerned about and wants; and
2. Provide transparent and accountable guidelines and procedures that will measure and monitor the City's systems and performance; and provide members of the community with the highest possible level of service.

The policy and procedure apply to the receipt, capturing, handling, resolution, timeliness and reporting of complaints.

Benefits of this policy include the opportunity to identify and resolve issues of concern and provide a valuable feedback mechanism with potential to improve services and performance.

The provision of an accessible, transparent and accountable complaints system reflects the City's commitment to best practice community service. It provides the City with valuable prompts to review systems, services and performance. It will benefit the City by contributing to the resolution of issues in a timely manner, and the provision of information that can lead to improvements in service delivery. Where complaint feedback is handled properly it ultimately strengthens the City's reputation and public confidence in the organisational processes and performance.

Administration Comment

A customer service review can provide benefits for service delivery. The City handling over 100,000 external emails a month. A complaints management policy and procedure guide can offer the chance to better track progress on customer complaints as well as streamline processes. Typically, this is a continuous improvement process tied to evaluation of instances where complaints management fails, with specific solutions developed either within business units or departments.

The cost of undertaking a “customer service review” has not been estimated and would depend on the scope of the work involved but presumably it would cover all services provided by Council. Therefore, more detail on the scope needs to be developed. Similarly, a complaints management policy and procedure guide will depend on the findings of the review and may be a new, additional level of service. Council has not allocated any funds for this work (as the cost is unknown) and therefore this initiative would be more appropriately considered as part of the budget development process, or carried out at potentially a slower pace as part of internal review processes.

Moved – Councillor Coghlan

Seconded – Councillor McManus

That the Meeting be adjourned to be reconvened at 5.30 pm on Thursday 30 April 2020.

**CARRIED 11/2
(Against: Mayor de Lacy Cr. Horley)**

The meeting adjourned at 12.04 am on Wednesday 29 April 2020 and reconvened at 5.35 pm on Thursday 30 April 2020 with the following people in attendance:

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

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

Public A maximum of 17 persons logged into the live stream of the proceedings.

Leave of Absence (Previously Approved) Nil.

Apologies Nil.

Moved – Mayor de Lacy
Seconded – Councillor Wetherall

That Council allows 2 further public addresses relating to items still to be discussed on the Council agenda for this meeting.

CARRIED UNANIMOUSLY 13/-

Mr Ian Love, 70 Kingsway, Nedlands, PD15.20, PD16.20, PD17.20, 14.1, 14.9 (spoke in relation to these items)

Mr Simon Edis, 72 Kingsway, Nedlands PD15-17.20, 14.1, 14.2 & 14.9 (spoke in relation to these items)

14.5 Councillor Hodsdon – Environmental Rating Criteria of Contracts

At the Council meeting on 31 March 2020 Councillor Hodsdon gave notice of his intention to move the following at this meeting.

Moved – Councillor Hodsdon

Seconded – Councillor Hay

Council Resolution

The Council instructs the CEO to ensure that new City buildings and major upgrades address, where possible its:

- 1. Energy usage;**
- 2. Carbon and environmental footprint; and**
- 3. Use of environmentally and/or socially responsible sourced products.**

CARRIED 9/4

(Against: Crs. McManus Smyth Hassell & Wetherall)

Justification

1. The city needs to be aware of the environmental impact it has
2. The city will save money in the long run.
3. It is future proofing our assets and ensuring lower running costs.
4. The city would show leadership in this area and show case the possibilities in this domain.

Administration Comment

This is a complex matter.

The inclusion of an Environmental Rating (*Evaluation*) Criteria in the City's Request for Tender documentation (and therefore subsequent contract), whilst desirable, should be given some expert consideration as to what to include, and with what level of expertise will responses be evaluated.

There are numerous options to various levels of detail. Do we have the experience to evaluate responses in house? Will an external consultant be required to assist with that component of each evaluation?

Consideration should also be given to the cost/benefit achieved and how it impacts on the available budget.

Large companies and multinational organisations often have sophisticated internal environmental management systems. This will often be more elaborate and formal than anything a smaller company could afford, or indeed need.

Evaluation questions and evaluation processes need to be mindful of this. Small organisations may not have the capacity to respond to complex questions with the same level of detail as large companies. This can mean they do not respond to tender requests.

As a general rule the following potential questions may be used in the tender document:

- Does the company have an Environmental Management Strategy (EMS), Policy or Plan?
- Is the EMS independently certified or managed?
- Does the company produce a publicly available Annual Sustainability or Environmental Report?
- Does the Company have a Corporate Social Responsibility (CSR) Plan or Policy?
- What policies or initiatives does the company have to reduce social and environmental impacts in key areas such as greenhouse, water and energy use, waste production, air and water pollution etc Do these initiatives include using recycled and / or natural products?
- Does the company have design targets such as energy efficient systems, low carbon or carbon neutral products?
- Are the policies audited?
- Does the company have any kind of eco-certification?

The more requirements you have, the higher the price you will pay

There are published guides to Sustainable Procurement which provide an holistic approach for local governments and include areas of concern such as:

- Design of built environments
- Purchasing of Products, Services and Works etc etc

Summary

There is a lot of free guidance available to the City in developing this. However, the level of implementation of City requirements will directly impact on cost.

14.6 Councillor Hodsdon – Letter to Minister to reinstate Town Planning Scheme No. 2

At the Council meeting on 31 March 2020 Councillor Hodsdon gave notice of his intention to move the following at this meeting.

Moved – Councillor Hodsdon
Seconded – Councillor Mangano

That Council instructs the CEO:

1. via a formal letter, ask the Minister Rita Saffioti to:
 - a. revoke, if legally possible, her department's Town planning scheme and thus reinstate the City's TPS 2;
 - b. that the state funds the cost of implementing local planning instruments; and
 - c. that the City expresses a lack of confidence in the Minister's handling and imposing of the LPS 3; and
2. to copy the Premier into the correspondence.

Moved – Councillor Hassell
Seconded – Councillor Hay

That Council proceed to the next item of business.

CARRIED 8/5
(Against: Mayor de Lacy Crs. Horley Smyth Bennett & Hodsdon)

Justification

1. The plan has not got the framework or documentation to ensure suitable outcomes. There is very little in terms of local area plans, transport studies to ensure good outcomes;
2. It was not been mapped to a study of the Character of the City of Nedlands;
3. The plan was imposed without community consultation;
4. The imposed scheme on the City Nedlands has had an adverse effect on the city's planning department. Its workload is also compounded by the effects of the current virus, the "state of Emergency";
5. Inability to have effective community consultation due to the inability to have group meeting and seminars. We saw this with JDAP meetings and our council meetings. Democracy is a suffering from this virus too;

6. No public plan for improving utilities or transport links on Stirling Highway; and
7. The WAPC require the above instruments to ensure PROPER and ORDERLY Planning.

Planning is a very important and has a massive impact on both owners and developers. The city is trying its best to implement local area plans but we are told:

1. we are 12 months behind were we should be with local area plans and
2. these plans are the instruments that the WAPC and the minister expect us to use to mitigate the adverse effects of the imposed planning scheme. (Cart before the horse)

It is rather glib to right off the concerns of residence, calling them the noisy minority. The TPS effects 10% but that 10% is being affected very adversely. We are not elected to sacrifice 10% of our community for the great good of a somewhat questionable ideology. We need to provide protections for the community. The concern in the community is palpable. There are many online groups in our city who feel the developers are destroying their lifestyle.

The Minister has shown a tendance to refuse to answer correspondence for Councillors. It will give her an opportunity to justify the process and result. Many of the predictions of growth have been smashed by the virus and the mining downturn.

The council as shown dramatically at our meetings are constantly putting out scrub fires. We are looking ineffectual in some matters. We are already chasing our tails on site such as:

1. Warratah / Alexander Rd
2. Broadway
3. Rose Garden
4. Woolworths Site
5. Chellingsworth site
6. Cooper Street
7. This list will just get worse

We are here to represent out ratepayers not the State Government.

Administration Comment

This notice of motion supports the community's concerns about the impact of LPS3. The solution proposed is not supported, however, as it is requesting that the Minister be asked to do something that the City is aware, she cannot legally do. Asking for Ministerial support for Council proposed scheme amendments is something that the Minister is able to provide legally, to help achieve the community's objectives.

14.7 Councillor Coghlan – Responsible Authority Reports

On the 15 April 2020 Councillor Coghlan gave notice of her intention to move the following at this meeting.

Moved – Councillor Coghlan

Seconded – Councillor Mangano

That Council adopts the following procedures to ensure that it always considers Responsible Authority Reports (RAR) in time for Council to submit its comments and recommendations to the Joint Development Assessment Panel (JDAP) to be taken into account at its meetings:

1. RARs shall be included in a Council meeting agenda as an item for discussion and a resolution, at either a scheduled ordinary meeting or a special meeting available or called for the purpose.
2. Where an ordinary or special meeting of Council is not available or possible, a scheduled Council Committee meeting may be utilised for this purpose.
3. Put in place arrangements for the Administration, via formal correspondence from the CEO, to quickly and accurately submit Council or Council Committee resolutions to the JDAP in time for its meetings, or where circumstances require authorise the Mayor or her delegee to attend to that task.
4. Where in the circumstances a Council or Council Committee meeting cannot be utilised, Council's consideration of an RAR may occur by email discussion for a consensus or majority view of the Council, then be conveyed to the JDAP by the Mayor or her delegee on behalf of Council.
5. Council's or Council's Committee resolution, or Council's consensus or majority agreement by email may comprise, but is not limited to: concerns; comments; additional information it provides; and recommended support for a proposal, with any conditions, or deferment of an application for more information, justification and/or redesign, or refusal of an application with recommended reasons.

Lost 3/10

(Against: de Lacy Crs. McManus Bennett Hassell Mangano
Hodsdon Poliwka Wetherall Hay & Senathirajah)

Moved – Mayor de Lacy
Seconded – Councillor Mangano

Council Resolution

That Council adopts the following procedures to ensure that it always considers Responsible Authority Reports (RAR) in time for Council to submit its comments and recommendations to the Joint Development Assessment Panel (JDAP) to be taken into account at its meetings:

- 1. RARs shall be included in a Council meeting agenda as an item for discussion and a resolution, at least 14 days prior to the Council Meeting at either a scheduled ordinary meeting or a special meeting available or called for the purpose;**
- 2. Where an ordinary or special meeting of Council is not available or possible, a scheduled Council Committee meeting may be utilised for this purpose and the Terms of Reference for the Council Committee be amended to reflect this;**
- 3. Put in place arrangements for the Administration, via formal correspondence from the CEO, to quickly and accurately submit Council or Council Committee resolutions to the JDAP in time for its meetings, and authorise a Councillor delegate to attend to that task; and**
- 4. A procedure for the Council submission to JDAP relating to the decision matrix tabled and Council delegate at the JDAP.**

Councillor Horley left the meeting at 6.48 pm.

Amendment

Moved - Councillor McManus
Seconded - Councillor Wetherall

In clause 1 add the words “at least 14 days prior to the Council Meeting” after the word “resolution” and removes the words “or where circumstances require” from clause 3.

Councillor Horley returned to the meeting at 6.52 pm.

Put Motion

Moved - Councillor Hassell
Seconded - Councillor Hay

That the Amendment be put.

**CARRIED 9/4
(Against: Crs. Horley Smyth Bennett & Coghlan)**

The Amendment was PUT and was

**CARRIED 7/6
(Against: Mayor de Lacy Crs. Horley Smyth
Bennett Hodsdon & Senathirajah)**

Councillor Hay & Councillor Hassell left the meeting at 6.59 pm.

Councillor Hay & Councillor Hassell returned to the meeting at 7 pm.

The Substantive Motion was PUT and was

CARRIED UNANIMOUSLY 13/-

Justification

1. Simple process in place for council to consider the RAR written for JDAP and provide a council submission in the form of a letter.
2. This will be independent of the RAR required by JDAP process and give the council the opportunity to provide its input.
3. Council has already discussed and agreed to this at our 31 March 2020 meeting. The NoM formalises this process.
4. Council has already agreed that its submission will help to inform JDAP as it provides additional information that may assist JDAP in reaching a recommendation on the development applications.
5. Council has determined that their submission will inform the JDAP with an update of Council policies as well as providing commentary on a development application on which it is deliberating.
6. Due to COVID -19, the use of email and electronic communication may be necessary to discuss the RARs and to determine the content of the Council submission.
7. This NoM will enable Council to develop a more consistent and systematic approach when providing input to JDAP.

Extract of DAPS Regs:

12. Responsible authority must report to DAP

- (1) ... *n/a*
- (2) A responsible authority to which a DAP application is made must give the presiding member of the DAP that will determine the application a report on the application in a form approved by the Director General.
- (3) The report must be given —
 - (a) --- *n/a*
 - (b) if —

- (i) the DAP application is required to be advertised under a local planning scheme or local interim development order; and
 - (ii) the scheme or order provides that the application is deemed to be refused if it is not determined within a period of 90 days or more after the application is made,
within the period that ends 12 days before the day on which the application would be deemed to be refused; or *[ie 78 days]*
 - (c) otherwise — within 78 days after the date on which the application was made.
- (4A) For the purposes of calculating the period within which the report on a DAP application must be given under subregulation (3)(a) or (c), any period after the applicant has been given a notice under regulation 11A and before the applicant complies with the notice is to be excluded. *[This is a request by the LG for more information]*
- (4) Despite subregulation (3), the presiding member of the DAP may, by notice in writing given to the responsible authority and with the consent of the applicant, extend the period within which the report on a DAP application must be given.
- (5) The report must provide sufficient information to enable the DAP to determine the DAP application, including —
- (a) a recommendation as to how the application should be determined; and
 - (b) copies of any advice received by the responsible authority from any other statutory or public authority consulted by the responsible authority in respect of the application; and
 - (c) any other information that the responsible authority considers is relevant to determining the application. *[eg copies of public submissions]*
- (6) A DAP that receives a report under subregulation (2) must have regard to, but is not bound to give effect to, the recommendation included in the report.
- (7) If a DAP is not given a report on a DAP application in accordance with this regulation, the DAP may determine the DAP application in the absence of the report.

Administration Comment

This Notice of Motion is not required as the Council already considers Responsible Authority Reports (RARs) as per resolution of Council 28 August 2012:

Council Resolution / Recommendation to Council

Council may consider each DAP application and may submit a recommendation in addition to the Administration recommendation.

If the completion of an RAR does not coincide with the agenda preparation for a Council meeting (in most cases it will not as the Council agenda closes approximately 10 days prior to the meeting and a JDAP hearing is held 10-12 days after completion of the RAR) there will be a need to call a Special Council Meeting (SCM). This means that most RARs will trigger the need for a SCM and associated costs (currently approximately 18 JDAP applications per year).

As the Council is aware it cannot make recommendations to the JDAP as the Council is not part of the formal decision-making process. It can however make a "submission or comment" for consideration by the JDAP although it is unclear how the JDAP take this into "consideration" as it is outside the formal submission period, has not been provided to the applicant for an opportunity to respond or considered by staff in the RAR .

The Committee of Council cannot make decisions only recommendations to Council. Under 2 and 3 of the Notice of Motion if the Committee was delegated the powers to make recommendations to the JDAP on behalf of Council, this would provide a greater opportunity for RAR's to be tabled.

Under 4 it is unclear how a "majority view of the Council" will be arrived at if the Council do not meet and vote.

Under 5 it is noted, once again, that the Council can only provide a "submission or comment" the "weight" of which is unclear in the JDAP process and regulations.

Council should also be aware that holding of a Special Council Meeting does incur additional costs such as administrative resourcing including agenda preparation, meeting attendance and minute taking, minutes confirmation and distribution and records management. There is also a requirement under the Local Government Act 1995 for a public notice therefore, the cost of advertising in the newspaper is between approximately \$300 - \$600 depending on the newspaper and timeframe for advertising.

14.8 Councillor Mangano – Responsible Authority Reports

On the 16 April 2020 Councillor Mangano gave notice of his intention to move the following at this meeting.

Moved – Councillor Mangano

Seconded – Councillor Hassell

Council Resolution

Council requests the CEO to ensure that all future planning recommendations and Responsible Authority Reports give due regard to Council policies (including draft), Council resolutions, detail any and all negative impacts on neighbouring properties' amenity, and for apartments, to have regard for Council's desire for full compliance with default settings of the Primary Controls Table 2.1 of State Planning Policy 7.3 Residential Design Codes Volume 2 – Apartments.

Councillor Hay left the meeting at 7.21 pm and returned at 7.22 pm.

Councillor Hodsdon left the meeting at 7.36 pm and returned at 7.37 pm.

CARRIED 8/5

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

Justification

1. The Responsible Authority Report prepared by City staff for the Cooper Street DA recommended approval even though the proposal did not satisfy the requirements of the Apartment Code with respect to the minimum rear setback, maximum plot ratio or Council's Car Parking Policy. Staff should not be recommending approval of contentious applications not in conformity of the Apartment Code, when there are obvious conflicts with height, bulk, scale, traffic, etc.
2. It is going to take many months, if not years, to complete and fully adopt all precinct policies.
3. While it is not permissible to alter the Administration's Responsible Authority Report but there is nothing to prevent the Council giving the Administration general directions on how the situation should be managed until all precinct plans are completed.

Administration Comment

It is the express role of the technical report to detail a full statutory assessment against the current local planning framework including references to state legislation, state planning policies and the local planning scheme.

The statutory assessment includes such things as a site survey identifying the location of any significant and proximate trees and also the location of existing solar panels for example. However, the assessment criteria and planning framework does not require the identification of all possible negative impacts on neighbouring properties.

There is no statutory ability for the Council to rightly instruct the City's officers to 'ensure full compliance with the default settings of the Primary Controls Table 2.1 SPP 7.3' as it is an Acceptable Outcome and not an Element Objective of that State Planning Policy. The City has no power to amend the Element Objectives of the R Codes and has limited power to influence the Acceptable Outcomes. There is no deemed to comply pathway with SPP 7.3 and the Primary Controls Table is not a deemed to comply pathway. So the simple answer is no, the City cannot assess an application "in full compliance" with the default settings of the Primary Controls Table 2.1 as this would sit outside the current planning framework and therefore not in accordance with statutory duties.

Should this resolution go forward the CEO will seek the assistance of the Department of Local Government, Sport and cultural Industries to resolve with Council an instruction that cannot lawfully be complied with.

Response to Reasoning

1. The RAR for Cooper Street falls within assessment provisions of SPP 7.3. there is no deemed to comply pathway for rear setback (there is no minimum rear setback) only acceptable outcomes and as explained above is not required in order to achieve the Element Objectives.
2. Councils LPP for Parking (for Residential) is not yet endorsed by the WAPC, therefore the Element Objectives of Clause 3.9 apply with reference to the Acceptable Outcomes of the same Clause.
3. The City's assessment took into consideration all Element Objectives relating to height, bulk, scale and TIS for traffic. The JDAP also took these into consideration when making its decision.
4. The City's Built Form Modelling is scheduled to be delivered by June 2020. The City's Transitional Density Areas (TDA's) Local Planning Policies are scheduled to be brought to Council in two batches starting in June and July 2020 as Draft LPP's seeking consent to advertise. The Precinct Plans are planning to be presented in the 3rd Quarter of 2020 as Draft Precinct Plans for Waratah Village and Broadway, with Final Precinct Plan LPP for Nedlands Town Centre being brought to Council in the third and fourth quarter of 2020.
5. The City does not require directions in relation to the assessment of RAR reports nor instructions on how to interpret or assess applications in accordance with the statutory planning framework, this is the role of the professional planners of the City of Nedlands.

14.9 Councillor Mangano – Judicial Review Metro-West Joint Development Assessment Panel Decision – 135 Broadway, Nedlands

Councillor Bennett – Financial Interest

Councillor Bennett disclosed a financial interest, his interest being that he lives at 133 Broadway and this is his primary residence as he holds a 1/3 interest in the property. Councillor Bennett declared that he has obtained approval from the Minister for Local Government, allowing him to remain in the room, participate in the debate and vote subject to the following conditions:

1. The approval is only valid for the 28 April & 30 April 2020 Ordinary Council Meeting when agenda items 12.2 and 14.9 are considered;
2. The abovementioned Councillor must declare the nature and extent of their interests at the abovementioned meeting when the matter is considered, together with the approval provided;
3. The CEO is to provide a copy of the Department's letter of approval to the abovementioned Councillor;
4. The CEO is to ensure that the declarations, including the approval given and any conditions imposed, are recorded in the minutes of the abovementioned meeting, when the item is considered;
5. The CEO is to provide a copy of the confirmed minutes of the abovementioned meeting to the Department, to allow the Department to verify compliance with the conditions of this approval; and
6. The approval granted is based solely on the interests disclosed by the abovementioned Councillor, made in accordance with the application. Should other interests be identified, these interests will not be included in this approval and the financial interest provisions of the Act will apply.

Councillor Smyth – Impartiality Interest

Councillor Smyth disclosed an impartiality interest in Item 14.9 - Judicial Review Metro West Joint Development Panel Decision - 135 Broadway, Nedlands. Councillor Smyth disclosed that this matter relates to the Metro West JDAP Decision for which she was a voting member, as appointed by Council, and as a consequence, there may be a perception that her impartiality on the matter may be affected. Councillor Smyth declared that she would consider this matter on its merits and vote accordingly.

On the 16 April 2020 Councillor Mangano gave notice of his intention to move the following at this meeting.

Moved – Councillor Mangano
Seconded – Councillor Coghlan

Council instructs the CEO to instruct the City’s Solicitor to prepare a brief to engage a Senior Counsel to prepare appropriate forms to apply for a Judicial Review of the decision of the Metro-West Joint Development Assessment Panel in relation to MW/JDAP/264 (commonly known as 135 Broadway, Nedlands). The grounds of the review should include:

- a breach of natural justice;
- an error of law (unreasonableness); or
- a failure to take into account a relevant consideration.

The following is to be enacted by the CEO:

- Instruct McLeods to prepare appeal forms to lodge now.
- Instruct McLeods to provide advice to Council regarding viability of appeal.
- Upon receipt of this advice, Council to meet to resolve whether to instruct McLeods to initiate an appeal based on favourable advice.

Lost 4/8

(Against: Mayor de Lacy Crs. McManus Hassell Hodsdon
Poliwka Wetherall Hay & Senathirajah)

Moved – Councillor Hassell
Seconded – Councillor Wetherall

Council Resolution

Council instructs the CEO to engage lawyers to secure the opinion of senior counsel (up to an amount of \$15,000 plus GST) on the prospect of success in proceedings for a judicial review of the Broadway JDAP decision and that the legal opinion is brought back to the Ordinary Council Meeting in 26 May 2020.

Councillor Mangano left the meeting at 8.28 pm and returned at 8.29 pm.

CARRIED UNANIMOUSLY 13/-

Justification

In the belief of the nearby community and myself, the JDAP decision was flawed and this needs to be challenged. These include the following:

1. Late change of 2 DAP members who would have had minimal understanding of the development.
2. Reference to the proponent's design review which should have been excluded.
3. Plot ratio exceeded.
4. Due regard not taken of present amenity.
5. Draft local planning policy with hard height limit of 12.5m approved by Council not considered.

Administration Comment

Refer to confidential legal advice circulated to Councillors via email on the 21 April 2020 and resent on Thursday 23 April 2020 following finalisation of this agenda.

14.10 Councillor Horley – Verge Permits

On the 17 April 2020 Councillor Horley gave notice of her intention to move the following at this meeting.

Moved – Councillor Horley
Seconded – Councillor Smyth

Council Resolution

That Council instructs the CEO to alter the relevant Council policies and procedures, so that residents and ratepayers who rent a verge-side skip bin up to the size of 2 cubic metres or less, for a maximum of 7 days for residential waste collection (no construction or demolition materials) are not required to apply for a City of Nedlands permit, under normal residential circumstances.

Councillor Coghlan left the meeting at 8.34 pm and returned at 8.35 pm.

Put Motion

Moved - Councillor Hassell
Seconded - Councillor Mangano

That the Motion be put.

**CARRIED 9/4
(Against: Crs. Horley Smyth Bennett & Poliwka)**

The Original Motion was PUT and was

**CARRIED 8/5
(Against: Crs. McManus Bennett Poliwka Wetherall & Hay)**

Justification

Utilization of skip bin services when needed by residents contributes to enhancement of the street scape. As these types of skip bin services are not inexpensive in our area, removing the City's additional financial impediment will aid the provision of a more affordable service to the community.

Administration Comment

The need for a fee for skip bins relates to the following risk exposure to the City:

1. Untraceable damage to City's or Utility Provider underground infrastructure in the process of delivery or pick-up of the skip;

2. Failure to have appropriate signage and barricading if necessary to protect the public from collision or injury from the skip bins or materials not adequately stored; and
3. Potential claims arising from misplacement of skips close to the road edge resulting in potential road safety hazards.

While it is acknowledged that attaching an administrative fee might be considered to be excessive however, not capturing appropriate records of activities on our network presents some risk.

Further work on the actual versus potential risk would provide clarity on the value, or otherwise, of this charge.

14.11 Councillor Horley – Tree Removal

On the 20 April 2020 Councillor Horley gave notice of her intention to move the following at this meeting.

Moved – Councillor Horley

Seconded – Councillor McManus

Council Resolution

That Council approves the removal of the Brazilian Pepper Tree in Directors Gardens, Mt Claremont; and replace it with a suitable tree in an appropriate location within the park.

Councillor Hassell left the meeting at 8.57 pm and returned at 9 pm.

Procedural Motion

Moved - Councillor Poliwka

Seconded - Councillor Wetherall

That Council proceed to the next item of business.

Lost 2/11

(Against: Crs. Smyth Wetherall Senathirajah McManus Mangano Horley
Hodsdon Hay Hassell Coghlan & Bennett)

The Original Motion was PUT and was

**CARRIED 12/1
(Against: Cr. Poliwka)**

Justification

The above tree is located close to the boundary of the adjacent historical residence (Directors House). Unfortunately, the tree is causing health problems for the adjoining resident. It has been subjected to costly and severe limb removal repetitively in the past, due to its nuisance value and location close to the adjoining residential boundary. It is not an appropriate species for the location and is regarded as undesirable in similar parkland areas in other municipalities and noted as a nuisance species.

Administration Comment

The City has received a request in writing from a property owner adjoining Directors Gardens, Mt Claremont seeking removal of a Brazilian Pepper tree (*Schinus terebinthifolius*) located in the reserve. The tree is located close to the property boundary and numerous reasons were cited by the property owner as

justification to seek its removal and replacement. The City's Administration concluded many of the issues raised are nuisance related and could be managed appropriately with the cooperation of the property owner. One issue raised has, however, presented a known problem with this species of tree that cannot be effectively managed.

There is documented evidence this species of tree can cause various health issues, some of which can be severe. The fruiting berries of the tree are mildly toxic and, if ingested, cause gastric problems which can include irritation of the throat, vomiting and diarrhoea. The sap and leaflets can cause contact dermatitis and eye irritation which can be severe in sensitive people. During flowering, the tree can cause allergic reaction including sneezing, asthmatic type symptoms and acute headache. The property owner has sought medical advice relating to periodic health issues they experience similar to those documented as attributable to this species of tree. A medical certificate has been presented to the City indicating the tree is the source of the symptoms they are experiencing which includes shortness of breath, wheeze, nausea, headaches, itchy weepy eyes, facial rash and generalised itchiness.

The City considers the Brazilian Pepper is an 'unsuitable' tree for public land and does not support continued planting of the species. Notwithstanding, there are approximately 55 established trees of this species on public land throughout the City, including as street trees. Evidence indicates this specimen was planted, or possibly self-seeded, circa 1965 which is consistent with the size and trunk diameter of the tree. The City does not routinely remove this species from streetscapes and reserves however, does support their removal in circumstances that are warranted. Given the size of the tree and its proximity to the property boundary it is not practicable to manage the associated health impacts to the adjoining property owner whilst maintaining the amenity value and viability of the tree. On this basis the City supports the removal and replacement of the tree as requested.

15. Elected members notices of motion given at the meeting for consideration at the following ordinary meeting on 26 May 2020

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

Notices of motion for consideration at the Council Meeting to be held on 26 May 2020 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

The following items were accepted as urgent business by the Presiding Member.

Councillor Smyth – Impartiality Interest

Councillor Smyth disclosed that this matter relates to the Metro West JDAP Decision for which she was a voting member, as appointed by Council, and as a consequence, there may be a perception that her impartiality on the matter may be affected. Councillor Smyth declared that she would consider this matter on its merits and vote accordingly.

16.1 Legal Advice - McLeods

Moved – Councillor Hassell
Seconded – Councillor Wetherall

Council Resolution

That the legal advice received from McLeods Solicitors, by letter dated 21 April 2020 (Possible judicial review of JDAP approval for development at 135 Broadway) to the Director, Planning and Development, be tabled and made public.

**CARRIED 12/1
(Against: Cr. Bennett)**

16.2 Future Online Council & Council Committee Meetings During COVID-19 Pandemic

Moved - Councillor McManus
Seconded - Councillor Hay

Council Resolution

That during the COVID-19 Pandemic all future online Council and Council Committee Meetings start at 6.00 pm.

**CARRIED 12/1
(Against: Cr. Smyth)**

17. Confidential Items

Nil.

Declaration of Closure

There being no further business, the Presiding Member declared the meeting closed at 9.22 pm.