



AGENDA

Council Meeting Agenda

28 March 2023

Notice of Meeting

To Mayor & Councillors

A Council Meeting of the City of Nedlands is to be held on Tuesday, 28 March 2023 in the Council chambers at 71 Stirling Highway Nedlands commencing at 6pm.

This meeting will be livestreamed [Livestreaming Council & Committee Meetings » City of Nedlands](#)

A handwritten signature in blue ink, appearing to read 'Bill Parker'.

Bill Parker
Chief Executive Officer
23 March 2023

Information

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

Public Question Time

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

Questions should be submitted as early as possible via the online form available on the City's website: [Public question time | City of Nedlands](#)

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

Addresses by Members of the Public

Members of the public wishing to address Council in relation to an item on the agenda must complete the online registration form available on the City's website: [Public Address Registration Form | City of Nedlands](#)

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

Disclaimer

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

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

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1. Declaration of Opening

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

2. Present and Apologies and Leave of Absence (Previously Approved)

Leave of Absence Nil.
(Previously Approved)

Apologies None at distribution of agenda.

3. Public Question Time

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

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

4. Addresses by Members of the Public

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

5. Requests for Leave of Absence

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

6. Petitions

Petitions to be tabled at this point.

7. Disclosures of Financial Interest

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

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

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

8. Disclosures of Interests Affecting Impartiality

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

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

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

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

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

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

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

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

10. Confirmation of Minutes

10.1 Ordinary Council Meeting Minutes – 28 February 2023

The minutes of the Ordinary Council Meeting held 28 February 2023 are to be confirmed.

11. Announcements of the Presiding Member without discussion.

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

12. Members Announcements without discussion.

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

13. Matters for Which the Meeting May Be Closed

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

Nil.

14. En Bloc Items

That the officer recommendations for Items 15.1, 16.1, 16.2, 16.3, 16.4, 16.5, 16.6, 16.7, 17.1, 17.2, 17.3, 17.4, 17.5, 18.1, 18.2, 18.3, 18.4, 19.1, 19.2, 19.3, 19.4, 19.5 and 19.6 be adopted en bloc and all remaining item will be dealt with separately.

15. Minutes of Council Committees and Administrative Liaison Working Groups

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

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

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

Lake Claremont Advisory Committee Meeting	16 February 2023
Unconfirmed, circulated to Councillors on 23 February 2023	

WALGA Metropolitan Zone Meeting	16 February 2023
Unconfirmed, circulated to Councillors on 1 March 2023	

Audit & Risk Committee Meeting	20 February 2023
Unconfirmed, circulated to Councillors on 28 February 2023	

Audit & Risk Committee Meeting	7 March 2023
Unconfirmed, circulated to Councillors on 13 March 2023	

16. Divisional Reports - Planning & Development Report No's PD06.03.23 to PD12.03.23

16.1 PD06.03.23 Reconsideration of Development Application – Partial change of use to “Small bar” and additions to an existing commercial tenancy (patio) – 161 Broadway, Nedlands

Meeting & Date	Council Meeting – 28 March 2023
Applicant	TJ Holdings Pty Ltd 'ATF' Cg Stott Family Trust
Information Provided	All relevant information required for this assessment has been provided by the applicant.
Employee Disclosure under section 5.70 Local Government Act 1995	The author, reviewers and authoriser of this report declare they have no financial or impartiality interest with this matter. There is no financial or personal relationship between City staff involved in the preparation of this report and the proponents or their consultants.
Report Author	Roy Winslow – Manager Urban Planning
Director	Tony Free – Director Planning and Development
Attachments	1. Aerial Image and Zoning Map 2. Extract of 27 September 2022 Ordinary Council Minutes 3. Amended Development Plans dated 9 February 2023 4. Amended Noise Management Plan dated 9 February 2023 5. CONFIDENTIAL ATTACHMENT - Submissions

Purpose

The purpose of this report is for Council to reconsider its refusal of a development application for a partial change of use to “Small bar” and additions to an existing commercial tenancy (patio) at 161 Broadway, Nedlands (“The Little Way”), pursuant to the orders set by the State Administrative Tribunal (SAT).

Recommendation

That Council:

In accordance with section 31(2)(c) of the State Administrative Tribunal Act 2004, sets aside the 27 September 2022 refusal to grant development approval for Partial change of use to “Small bar” and additions to an existing commercial tenancy (patio) at 161 Broadway, Nedlands and substitutes the following new decision:

That Council in accordance with Clause 68(2)(b) of the Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015, approves the development application in accordance with the information date stamped 9 February 2023 for a partial change of use to “Small bar” and additions to an existing commercial tenancy (patio and boundary wall) at 161 Broadway, Nedlands, subject to the following conditions:

1. This approval relates only to the development as indicated on the approved plans dated 17 January 2023. It does not relate to any other development on this lot and must substantially commence within 2 years from the date of the decision letter.
2. All works indicated on the approved plans shall be wholly located within the lot boundaries of the subject site.
3. Prior to occupation, walls on or adjacent to lot boundaries are to be finished externally to the same standard as the rest of the development in:
 - a. Face brick;
 - b. Painted render;
 - c. Painted brickwork; or
 - d. Other clean finish as specified on the approved plans.

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

4. The Noise Management Plan date stamped 9 February 2023 forms part of this development approval and shall be complied with at all times, to the satisfaction of the City of Nedlands.
5. Functions at the site are limited to the following:
 - a. "Small" informal functions are permitted subject to:
 - Maximum 60 persons (within the total 120 person limit).
 - May include sectioning off an area to the general public, but not the entire restaurant/small bar. The restaurant/small bar must remain open to the public during small functions.
 - b. "Large" functions are permitted subject to:
 - A maximum of 12 large functions in any given calendar year.
6. All trees on adjoining properties are to be protected and maintained through the duration of the construction process to the satisfaction of the City of Nedlands.
7. All stormwater discharge from the development shall be contained and disposed of on-site unless otherwise approved by the City of Nedlands.

Voting Requirement

Simple Majority

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

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

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

Background

Land Details

Metropolitan Region Scheme Zone	Urban
Local Planning Scheme Zone	Mixed Use
R-Code	R-AC3
Land area	769m ²
Existing Land Use	Restaurant/café
Proposed Land Use	Restaurant/café and Small bar
Use Class	'A' Use

The site is located towards the south end of Broadway within the street block bounded by Hillway to the north and The Avenue to the south (**Attachment 1**) The site is zoned Mixed Use R-AC3. The lots directly abutting the site to the west are zoned Residential R60. On the eastern side of Broadway is the City of Perth Local Government Area which is zoned Residential R80.

The site currently operates as a “Restaurant/café” known as “The Little Way”.

Previous Decision

The original development sought a partial change of use to “Small bar” and a patio addition to the existing “restaurant/café” at 161 Broadway, Nedlands. The application relates to the new 168m² outdoor area called “The Park” located to the rear of the site, which does not fall under the existing “Small bar” liquor license (**Figure 1**). Refer to the 27 September 2022 Council report for the full background of the site.

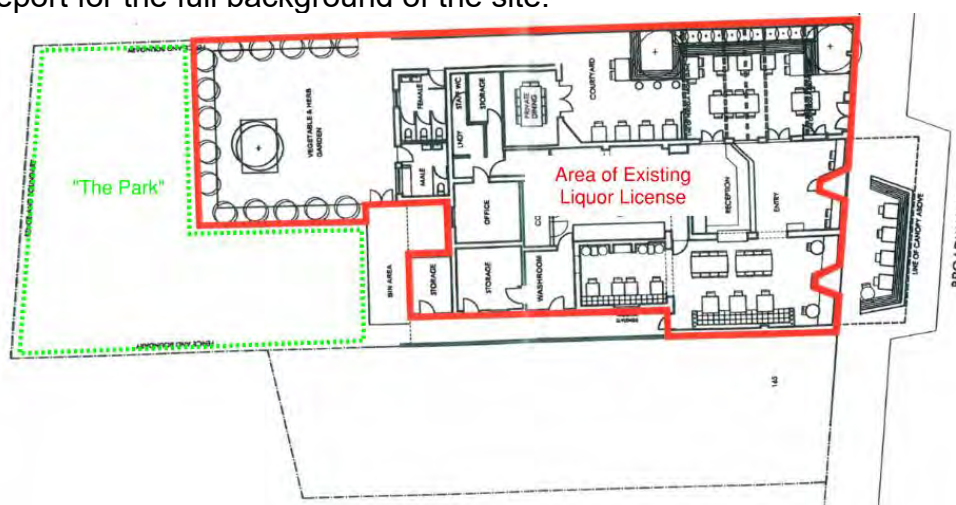


Figure 1: Boundary of existing “Small bar” liquor license and proposed area “The Park”

At its meeting of 27 September 2022 (**Attachment 2**) Council resolved to refuse the application for the following reasons:

1. The proposed partial change of use to “Small bar” does not meet the objectives of the Local Planning Scheme No. 3 Mixed Use zone in that it is likely to generate parking and noise nuisances detrimental to the amenity of the locality and adjoining residents.
2. The proposal is inconsistent with the City’s Parking Local Planning Policy and has the potential to exacerbate existing parking problems within the locality. The proposed patio addition will limit the future ability for the property to provide parking within the rear of the site.
3. The proposal provides inadequate access to the site, and no arrangement for loading, unloading, maneuvering and parking of vehicles.
4. The application has not adequately demonstrated that noise from the premises will achieve compliance with the Environmental Protection (Noise) Regulations 1997.

SAT Application

Subsequent to Council’s 27 September 2022 decision, the applicant exercised their right for a review of the decision by the State Administrative Tribunal (SAT). Subsequent to orders being set out by SAT and amended development plans being received by the City in January 2023, the application is presented to Council to reconsider the proposal and make a determination. Reconsideration is enabled by section 31 of the SAT Act (see legislative and policy implications section of this report).

Amended Plans

The applicants are seeking Council reconsideration of its decision based on amended development plans (**Attachment 3**) and a revised Noise Management Plan (NMP) (**Attachment 4**). The revised development plans propose the following works:

- 2.1m high colorbond fencing with 0.9m high sound reduction panels on top, along the entire rear boundary and 8.9m of the northern side boundary.
- A skillion roof patio measuring 6.5m x 11.5m and a maximum height 3.2m. The patio includes 0.9m effective sound diffusive vertical drop panels to the western edge.

Discussion

Local Planning Scheme No. 3

A “Small bar” is an ‘A’ use within the Mixed-Use zone in accordance with LPS 3 Clause 17 Zoning Table. This means that the use is not permitted unless the Local Government has exercised its discretion by granting approval and after conducting public consultation. In considering approving a discretionary land use, the proposal must be consistent with the objectives of the zone.

As detailed in this report, the revised information adequately demonstrates that noise from the premises will achieve compliance with *the Environmental Protection (Noise) Regulations 1997*, and that the proposed change of use will not adversely impact on the residential amenity of the locality. In light of the revised information, it is considered that the application meets the objectives of the Mixed-Use zone.

Revised Noise Management Plan

The applicant has provided a revised NMP to demonstrate how compliance with the *Environmental Protection (Noise) Regulations 1997* will be achieved. The revised NMP stipulates the following key restrictions on the premises:

- No live music is permitted throughout the venue unless otherwise approved by the City.
- House speaker volumes will be controlled by management and will not be adjusted based on customer requests.
- After 10pm each day or before 7am (or 9am on a Sunday or Public Holiday), powered speakers are not to be used in “The Park” area.
- Occupancy is limited to 120 persons maximum, excluding staff, with no more than 24 being in the verge area adjacent to the subject property.
- “The Park” is not to be occupied by patrons outside of the hours stated in **Table 1**.

Table 1: Times that ‘The Park’ can be occupied.			
Number of patrons at any one time	Start time	Finishing time	Days
60 (12 simultaneous conversations)	7am	7pm	Monday to Saturday, except public holiday
30 (6 simultaneous conversations)	7pm	10pm	Monday to Saturday, except public holiday
30 (6 simultaneous conversations)	9am	10pm	Sunday and public holiday
0	10pm	7am	Monday to Sunday

The key differences between the revised NMP and the NMP provided as part of the original application are:

- The implementation of a solid and effective noise barrier with a height of 3 meters, with sound absorptive facings.
- Construction of a patio with 0.9m effective sound diffusive vertical panels at the rear, to provide effective acoustic screening in conjunction with the perimeter wall. The patio roof must provide an airtight seal to the vertical panels and itself be airtight when required.

By including the works component within the NMP, the site cannot comply with recommended Condition 4, and operate in accordance with the approved NMP, without the construction of the required works. This provides a safeguard for the City, whereby should the applicant, or a future business owner, operate ‘The Park’ as a small bar without the

construction of the sound absorptive walls and patio, this would be a breach of the planning approval.

The revised NMP has been reviewed by both the City and an external Acoustic consultant and is considered satisfactory for the purpose of compliance with the *Environmental Protection (Noise) Regulations 1997*.

Local Planning Policy - Parking

The site does not have any existing on-site parking bays and has a technical parking shortfall of 180 car bays in accordance with the City's Local Planning Policy – Parking. The 27 September 2022 Council report contains a comprehensive background as to how this parking situation has occurred over time. The existing building and alfresco on site occupy the entire 17m street frontage of the lot, and it is acknowledged that the site has no ability to gain vehicle access without negotiating with adjoining landowners.

Whilst it is acknowledged that parking is an ongoing issue for the current business and the greater locality, there is no proposed increase in the patron numbers as part of this application. In this regard, the proposed change of use is unlikely to have additional impact on parking demand within the area beyond the existing situation. It is accepted that the existing parking issues are unlikely to be resolved via this development application process.

Consultation

The original application was advertised in accordance with the City's Local Planning Policy - Consultation of Planning Proposals to owners and occupiers within a 100m radius of the site. The application was advertised for a period of 14 days from 10 May to 24 May 2022. At the close of the advertising period, four objections and three submissions of support were received. Objections to the application related primarily to noise, parking and land use. No submissions raised concerns with the works (patio) proposed.

Upon receipt of the plans for reconsideration, these were advertised to adjoining neighbours in relation to the works component only. The plans were advertised for a period of 14 days from 24 January to 7 February 2023. At the close of the advertising period, two objections were received.

The following is a summary of the concerns/comments raised and the Officer response in relation to each issue:

1. Concerns with the lack of onsite parking and customers parking on private property of neighbouring businesses.
It is acknowledged that parking is an ongoing issue for the site (refer to 27 September 2022 Council report for background). However, there is no proposed increase in the patron numbers as part of this application. Thereby the proposed change of use is likely to have little additional impact on parking demand within the area.
2. Concerns that the proposed fencing and sound panels will damage the trees on the adjoining property.

A condition has been recommended to ensure the trees on the adjoining property are protected during the installation of the fencing and sound absorptive panels.

3. Concerns with increased noise from functions and music.

The applicant has provided a revised NMP to demonstrate how compliance with the *Environmental Protection (Noise) Regulations 1997* will be achieved. The revised NMP has been reviewed by City officers and an external Acoustic consultant and is considered satisfactory.

Strategic Implications

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

Vision	Our city will be an environmentally-sensitive, beautiful and inclusive place.
Values	Great Natural and Built Environment We protect our enhanced, engaging community spaces, heritage, the natural environment and our biodiversity through well-planned and managed development.
Priority Area	Urban form - protecting our quality living environment

Budget/Financial Implications

In the event that this matter is considered at a formal hearing of the SAT, the City may require the services of a planning consultant experienced in SAT representation. Costs associated with a full hearing are anticipated at between \$30,000-\$50,000, depending on the complexity.

Should Council resolve to grant development approval, no further costs are anticipated.

Legislative and Policy Implications

The reconsideration is being conducted in accordance with section 31 of the [SAT Act](#). This section allows for the SAT to invite a decision-maker to reconsider the initial decision. Upon being invited to reconsider the decision the decision-maker may:

- Affirm the decision
- Vary the decision or
- Set aside the decision and substitute a new decision.

Decision Implications

Council is acting as the decision-maker for the purposes of section 31 of the SAT Act. Should Council affirm the original decision, the matter will be subject to further directions. The applicant will then have the ability to request the SAT conduct a formal hearing and make a decision to either dismiss or uphold the application for review. In this event, the SAT will become the decision-maker and effectively either approve or refuse the development.

In the event Council resolves to grant development approval, the SAT matter will only continue in the event the applicant is aggrieved by the decision. Resolving to grant development approval will likely result in the withdrawal of the SAT review and the development can proceed after a building permit is granted.

Conclusion

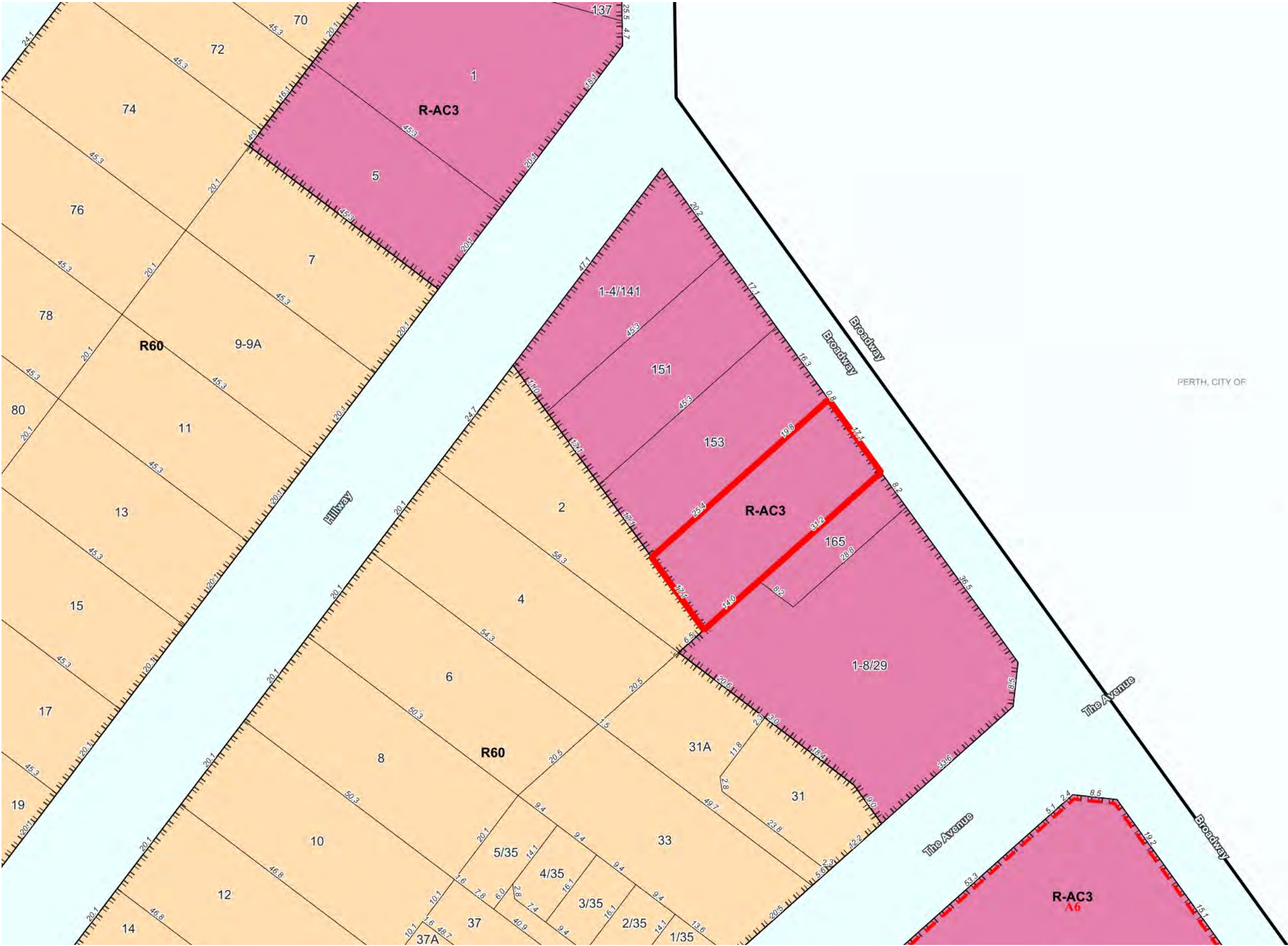
The revised information provided is considered to adequately demonstrate that noise from the premises will achieve compliance with *the Environmental Protection (Noise) Regulations 1997*, and that the proposed change of use will not adversely impact on the residential amenity of the locality. This satisfies reasons 1 and 4 of the Council's reasons for refusal. In relation to reasons 2 and 3 of the Council's reasons for refusal, it is acknowledged that parking is an ongoing issue in the locality, however, is unlikely to be resolved via this development application process.

It is recommended that the previous refusal determination be set aside and replaced with an approval with conditions based on the revised development plans and NMP.

Further Information

Nil.





16 Divisional Reports - Planning & Development Report No's PD58.09.22 to PD63.09.22

16.1 PD58.09.22 Consideration of Development Application – Partial change of use to “Small bar” and additions to an existing commercial tenancy (patio) – 161 Broadway, Nedlands

Meeting & Date	Council Meeting – 27 September 2022
Applicant	Peter Webb & Associates
Employee Disclosure under section 5.70 Local Government Act 1995	The author, reviewers and authoriser of this report declare they have no financial or impartiality interest with this matter. There is no financial or personal relationship between City staff involved in the preparation of this report and the proponents or their consultants.
Report Author	Roy Winslow – Manager Urban Planning
Director	Tony Free – Director Planning and Development
Attachments	1. Aerial Image and Zoning Map 2. Development Plans and Planning Report 3. CONFIDENTIAL ATTACHMENT - Submissions

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Bennett

Seconded – Councillor Mangano

That the Recommendation be adopted.

(Printed below for ease of reference)

CARRIED 7/4

(Against: Crs. Amiry McManus Youngman & Basson)

Council Resolution / Recommendation

In accordance with Clause 68(2)(c) of the Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015, Council refuses the development application in accordance with the plans date stamped 20 June 2022 for a partial change of use to “Small bar” and additions to an existing commercial tenancy (patio) at 161 (Lot 735) Broadway, Nedlands, for the following reasons:

1. The proposed partial change of use to “Small bar” does not meet the objectives of the Local Planning Scheme No. 3 Mixed Use zone in that it is likely to generate parking and noise nuisances detrimental to the amenity of the locality and adjoining residents.
2. The proposal is inconsistent with the City’s Parking Local Planning Policy and has the potential to exacerbate existing parking problems within the locality. The proposed patio addition will limit the future ability for the property to provide parking within the rear of the site.

3. The proposal provides inadequate access to the site, and no arrangement for loading, unloading, manoeuvring, and parking of vehicles.
4. The application has not adequately demonstrated that noise from the premises will achieve compliance with the Environmental Protection (Noise) Regulations 1997.

Purpose

The purpose of this report is for Council to consider a development application for a partial change of use to “Small bar” and additions to an existing commercial tenancy (patio) at 161 Broadway, Nedlands (“The Little Way”).

Voting Requirement

Simple Majority.

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

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

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

Background

Deferral

This application was previously presented to Council for determination at the 23 August 2022 Ordinary Council Meeting. The application was deferred to the 27 September Council Meeting to allow for additional noise management measures to be presented to Council for consideration.

Land Details

Metropolitan Region Scheme Zone	Urban
Local Planning Scheme Zone	Mixed Use
R-Code	R-AC3
Land area	769m ²
Existing Land Use	Restaurant/café
Proposed Land Use	Restaurant/café and Small bar
Use Class	‘A’ Use

The site is located towards the south end of Broadway within the street block bounded by Hillway to the north and The Avenue to the south. The site is zoned Mixed Use R-AC3. The lots directly abutting the site to the west are zoned Residential R60. On the eastern side of Broadway is the City of Perth Local Government Area and are zoned Residential R80.

The site currently operates as a “restaurant/café” known as “The Little Way”.

History

1985 – 1991

The City’s records of the subject site begin circa 1985, and the property had a complex history between 1985-1991. During this time, the premises was operating as “Caffe Greco”. The City’s records contain various correspondence detailing approved seating numbers and car parking arrangements.

1991 Approval

On 7 March 1991, a Change of Use approval for ‘restaurant’ was granted, subject to a condition of a maximum of 142 seats and minimum 16 car bays on site.

This application required 23 car parking bays, however a reduction to 16 was approved. The 16 parking bays were accommodated at the rear of the lot, with access via 165 (Lot 736) Broadway (**Figure 1**). The City’s records show that there was an informal License Agreement in place dated 1992, between the owners of 165 Broadway and 161 Broadway to allow for access over a portion of 165 Broadway to access the parking.

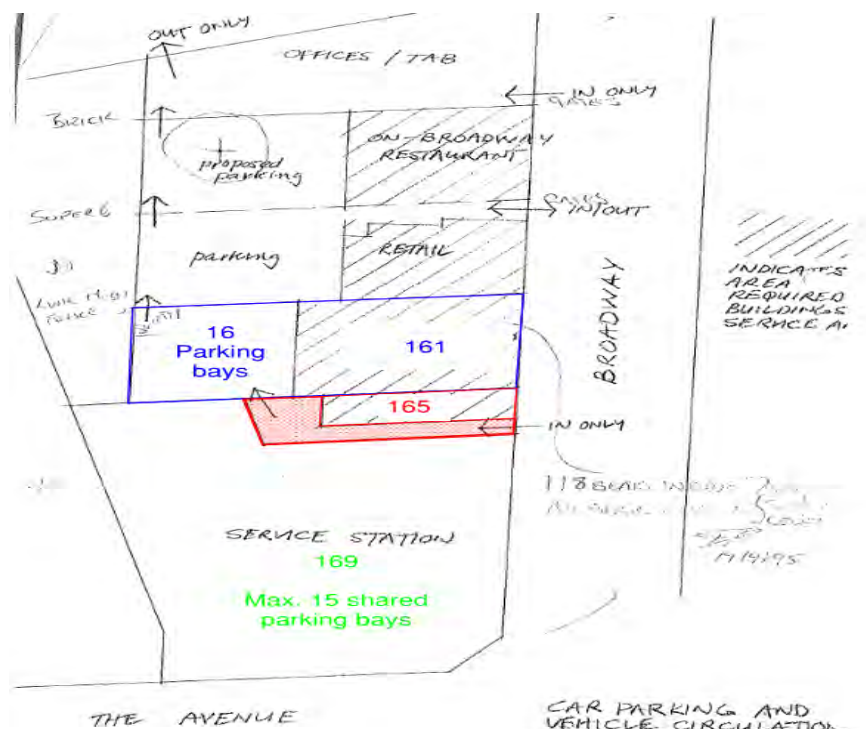


Figure 1: 1991 approval - 16 car bays at the rear of 161 Broadway accessed via a License Agreement over the red shaded portion of 165 Broadway. 1993 approval - maximum of 15 car bays shared between Services Station (165 Broadway) and 161 Broadway.

A further application was approved on 29 July 1993 to “extend the car parking for Cafe Greco at 161 Broadway onto the adjoining Shell Service Station property at 169 Broadway” (**Figure 1**). This approval was subject to a satisfactory agreement being negotiated between the two landowners and a maximum of 15 car bays being provided for within 169 Broadway.

2015/16 Approvals

On 25 January 2000 the Council approved a Mixed Use development at 169 Broadway (now 29 The Avenue), the old Service Station site. It is assumed that the redevelopment of this site in effect removed the previous reciprocal parking arrangements with the landowner of 161 Broadway. In August 2000, the informal License Agreement with 165 Broadway was terminated due to a “breach”. The combination of these two factors effectively removed all onsite and offsite parking from 161 Broadway.

In 2015, to address this, the City requested that the applicant lodge a retrospective development application to consider the continuation of the restaurant land use without any onsite parking. At the 27 October 2015 Ordinary Council Meeting, Council resolved to approve the development application for the continuation of the restaurant land use. The approval contained conditions which limited the capacity to 120 seats in total, and restricted opening hours from Monday to Sunday 7:30am - midnight. The approval of this application effectively revoked the 1991 condition for 16 bays to be provided on site. At the Council meeting, it was moved that the following advice note be included on the determination notice:

3. The landowner/applicants are advised that in the event of any future change to the premise being proposed it is unlikely that the approval will be granted unless access to the rear of the property is restored and parking provided in the rear open area.

A second development application was approved at the 27 September 2016 Ordinary Council Meeting for a new 65m² outdoor seating area (**Figure 2**). This approval also conditioned the operating hours and 120 seating capacity consistent with the 2015 approval. The application resulted in an increase in the existing car parking shortfall from 60 to 83 bays. A further advice note was placed on the determination notice stating:

1. The landowners/applicants are advised that should any further seats or seating be proposed to the restaurant, there will be a requirement for on-site car bays to be provided.

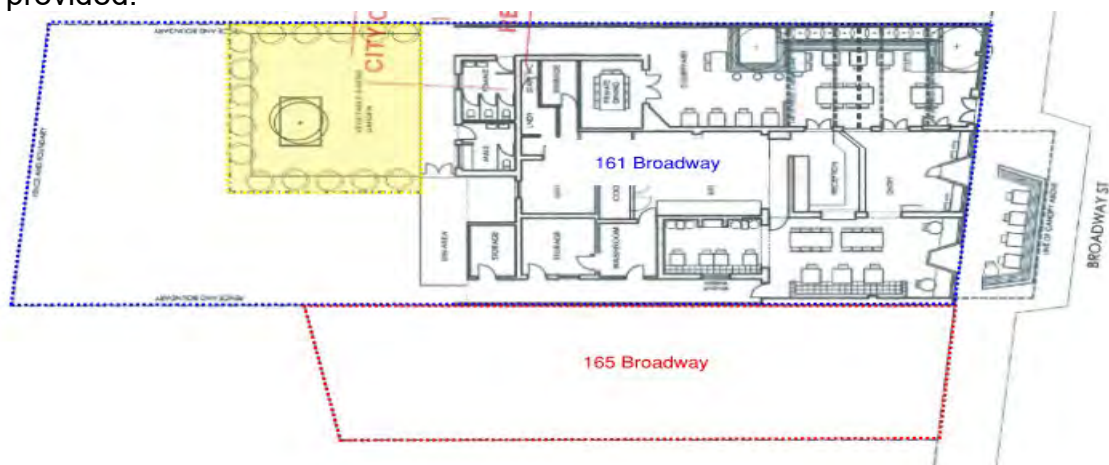


Figure 2: 2016 approval – 65m² new outdoor seating area highlighted in yellow

Current Application

161 Broadway currently holds a Small bar liquor license for part of the premises. On 23 October 2021, the Little Way applied for a Section 40 Certificate to extend the Small bar liquor license into a new 168m² outdoor area called “The Park” (**Figure 3**). Upon lodgement of the Section 40 the City became aware that unauthorised works had been undertaken within “The Park” area. A retrospective development application was approved on 14 January 2022 for the following works:

- 1.5m high breezeblock wall;
- 0.8m high limestone planter;
- two x 0.42m high limestone planters; and
- various paving and landscaping works.

Note that car parking was not assessed as part of this application as there was no proposed change to the land use. The land use approval of “Restaurant/café” granted in 2015 currently applies to the whole of the lot.

On 18 November 2021 the City advised that it was not in a position to support the Section 40 application for a “Small bar” as it was inconsistent with the approved ‘Restaurant/café’ land use. The applicant was advised that for the City to issue a Section 40 for The Park area, a development application for a change of use, or partial change of use, to “Small bar” would have to be applied for and approved by the City.

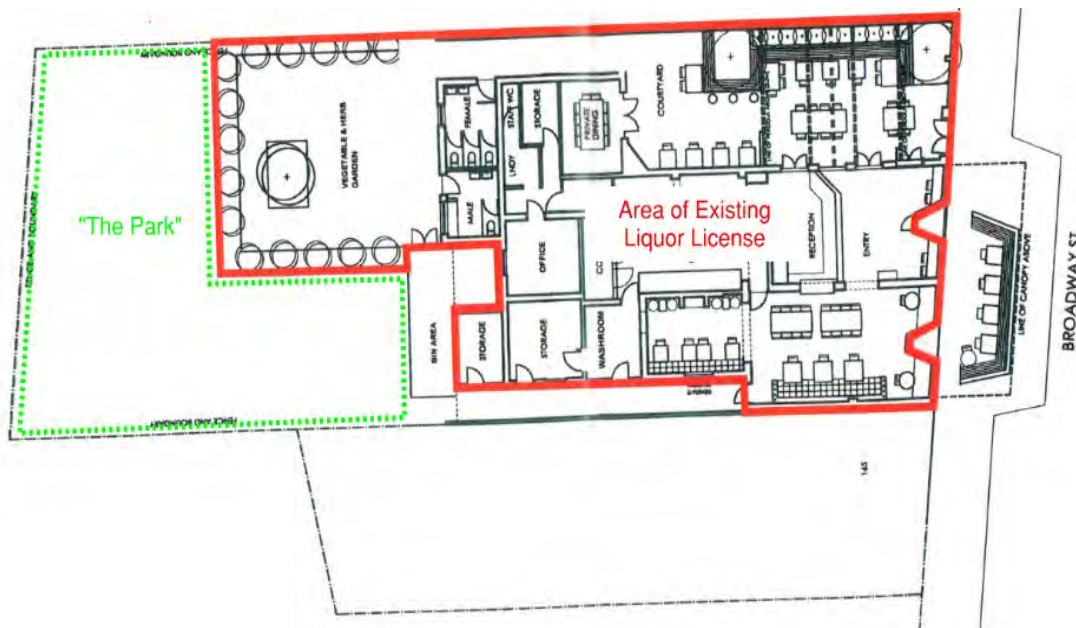


Figure 3: Boundary of existing “Small bar” liquor license and proposed area “The Park”

Application Details

This development application seeks approval for a partial change of use to “Small bar” and a patio addition to the existing “restaurant/café” at 161 Broadway, Nedlands (“The Little Way”), as detailed below.

Works

The application proposes a skillion roof patio in the rear of the lot in the new outdoor area known as “The Park” (**Figure 4**). The patio measures 6.5m x 6.4m and is a maximum height 3.2m.



Figure 4: Patio as proposed by current application.

Land Use

The application seeks to add a “Small bar” land use to the existing approved land use of “Restaurant/café”. “Small bar” is defined in Local Planning Scheme No. 3 (LPS 3) as being a premises subject of a small bar license granted under the *Liquor Control Act 1988*. The small bar license limits the number of persons who may be on the licensed premises to 120. Should the application be approved, both land uses would apply to the entirety of the lot.

The trading hours approved via the 2015 approval are Monday to Sunday 7.30am – midnight. The application states that there are no proposed changes to the current operating hours which are as follows:

- Monday – Saturday: 7.30am – 10pm.
- Sunday: 7.30am – 3.30pm.

The application proposes a maximum occupancy of 120 people. This is consistent with the 2015 approval (“120 seats”), and the definitions of the “Small bar” land use. There is no proposed increase to the maximum patronage as part of this application.

Discussion

Local Planning Scheme No. 3

A “Small bar” is an ‘A’ use within the Mixed Use zone in accordance with LPS 3 Clause 17 Zoning Table. This means that the use is not permitted unless the Local Government has exercised its discretion by granting approval and after conducting public consultation. In considering approving a discretionary land use, the proposal must be consistent with the objectives of the zone.

The proposed partial change of use to “Small bar” in this case is not considered to meet the following objective of the Mixed-Use zone:

To allow for the development of a mix of varied but compatible land uses such as housing, offices, showrooms, amusement centres and eating establishments which do not generate nuisances detrimental to the amenity of the district or to the health, welfare and safety of its residents.

The proposed “Small bar” land use is not considered appropriate given the proximity of the site to residential properties and potential noise concerns, and the lack of parking on site, as further detailed in this report.

Noise

The applicant has provided an Acoustic Assessment to consider the potential noise impact of the “Small bar” land use on adjacent areas. Of particular concern is the impact on the immediately adjoining Residential R60 properties. The site has a history of receiving noise complaints, mostly in relation to live music and private functions. It is acknowledged that the City has not received any noise complaints regarding the venue since 2019. However, adding a patio into the rear of the lot is likely to extend potential noise generating activities closer to the residential lots to the rear.

The premises must comply with *Environmental Protection (Noise) Regulations 1997* (Noise Regulations). To adequately address and control noise emissions from a development, an approach based on the hierarchy of control method should be used, this being:

- Elimination – remove the noise source
- Substitution – use quieter alternatives
- Isolation/Engineering Control - solutions that do not require human interference e.g., permanent barriers, enclosures etc
- Administration – operational measures/noise management plan

Best practice is the use of a combination of control methods. However, the applicant’s Acoustic assessment relies solely on management measures to control noise from the premises, including the proposed rear outdoor area, rather than any engineering solutions. Officers are not supportive of relying solely on management to actively mitigate noise impacts, and an engineering solution should be implemented should the application be considered for approval.

The applicant’s acoustic report notes “there is reasonable risk of exceeding Assigned Noise Levels, particularly in the context of the rear outdoor area and residences to the immediate southwest”, and that “the outdoor garden areas would further benefit from sound absorptive panels”. Despite this advice from the applicant’s Acoustic consultants, no acoustic absorptive panels or similar have been proposed as part of this application.

The acoustic report notes that a 3.2m high wall with sound absorptive material facings would be effective towards achieving compliance with the Noise Regulations assigned noise limits. Should the application be considered for approval, the City would recommend that the application be deferred to facilitate further discussions with the applicant in relation to noise

management. The provision of a sound absorptive wall is considered a sub-optimal measure.

Further, the sound modelling of the proposed wall is based only on the existing surrounding development. The abutting R60 coded properties may accommodate residential development up to three storeys. Should these properties choose to redevelop to this extent, the 3.2m high sound absorptive wall would likely be inadequate to ensure the top floors are protected from noise.

Wholistically it is not appropriate to entertain a “Small bar” land use in an unenclosed space which abuts residential properties.

Parking Local Planning Policy

Car parking requirements for commercial development are defined within the City's Parking Local Planning Policy (Parking LPP). The Parking LPP is not clearly applied where a single tenancy contains multiple land uses. For the purposes of this assessment, only the additional 168m² of seating/public area proposed as ‘The Park’ has been considered, and an average of the ‘Restaurant/café’ and ‘Small bar’ land uses has been regarded, as detailed in **Table 1**.

Table 1: Parking LPP Assessment			
Land Use	LPP provisions	Required	Available on Site
Restaurant/Cafe	1 per 2.6m ² of restaurant seating area or 1 per 2 persons (whichever is greater)	65 bays	Nil
Small Bar	1 per 1.3m ² of bar and public areas (excluding toilets); <u>and</u> 1 per employee.	129 bays	
Average		97 bays	

It is important to note that the 2016 approval, approved a shortfall of 83 car bays. In considering the entire site, this application seeks to increase the overall parking shortfall to 180 bays.

It is acknowledged that it would not be feasible to provide 180 car bays on the site. Given the planning approval limits the patrons to 120, it may be appropriate, given the limitations of the Parking LPP to consider that maximum parking shortfall as 120 bays.

Along Broadway there is one hour street parking available, time limited between 8am-5pm weekdays. Whilst this can be used by customers of the Little Way, the street parking is not plentiful, having only 7 bays available on the western side of Broadway between Hillway and The Avenue. Further, the street parking does not cater to staff, who require parking for extended periods of time.

The City's records show that staff and owners of the subject site have previously contacted the City with complaints about the lack of street parking available and requesting parking permits. The City does not offer parking permits for business proprietors. Other businesses in the area utilise a combination of both on-site parking and street parking.

There are some public transport options available including the No. 24 Bus to Claremont station with a stop approximately 130m from the site and the Purple CAT bus with a stop 210m from the site.

It is acknowledged that there is no proposed increase in the patron numbers as a result of this application. Thus, the proposed use of The Park as part of the "Small bar" use, may have little, if any additional impact on parking demand within the area. The proposal is contrary to the Council's advice of 2015 and 2016, being that any change to the premise would require the provision of car parking on site. Practically parking being provided on site will require, the formal agreement of adjacent landowner, with No. 153 Broadway providing the most practical access, to facilitate the provision of 4 bays on No. 161 Broadway, the loss of bays on No. 153 and the inability of the proposed patio to go ahead. Further modifications at No. 161 could facilitate up to 12 car parking spaces on site. Other access options would require further modifications at No.161 and/or agreement with other landowners.

Cash in Lieu

The City does not currently have a Payment in Lieu of Parking Plan and the imposition of cash in lieu for the shortfall in parking is not an option in consideration of this development application.

Consultation

The development application was advertised in accordance with the City's Local Planning Policy - Consultation of Planning Proposals to owners and occupiers within a 100m radius of the site. The application was advertised for a period of 14 days from 10 May to 24 May 2022. At the close of the advertising period, four objections and three submissions of support were received.

Table 2 provides a summary of the objections raised and the Administration's responses.

Table 2: Summary of Submissions	
Concern	Response
Noise <ul style="list-style-type: none"> Noted history of the premises receiving noise complaints. Concerns with the open-air area resulting in excessive noise. 	This concern is upheld and is one of the reasons refusal is recommended. Should Council approve the application it is recommended that a 3.2m high sound absorptive panels be installed to partially mitigate potential noise issues.
Parking <ul style="list-style-type: none"> Oppose no on-site parking. 	This concern is upheld and is one of the reasons refusal is recommended. It is considered that the applicant should provide evidence demonstrating that the possibility of rear access, or alternate

<ul style="list-style-type: none"> Existing customers parking on private property of neighbouring businesses. 	<p>parking arrangements, have been thoroughly investigated prior to any further parking shortfall being granted.</p>
<p>Land Use</p> <ul style="list-style-type: none"> Concerns regarding the potential use as a function centre. 	<p>The application is for a partial change of use to “Small bar” and does not seek any “Reception Centre” land use. A “Reception Centre” is an ‘X’ use in the Mixed Use Zone.</p> <p>It is acknowledged that the City has previously provided advice to The Little Way in 2019 that informal functions can occur ancillary to the existing ‘Restaurant/café’ land use subject to the following:</p> <ul style="list-style-type: none"> Maximum 50 persons (within the total 120 person seating limit); and May include sectioning off an area from the general public, but not the entire restaurant. <p>This advice remains unchanged.</p>

Strategic Implications

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

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

Values **Great Natural and Built Environment**
We protect our enhanced, engaging community spaces, heritage, the natural environment and our biodiversity through well-planned and managed development.

Priority Area

- Urban form - protecting our quality living environment

Budget/Financial Implications

N/A

Legislative and Policy Implications

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

Decision Implications

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

In the event of a refusal, the applicant will have a right of review to the State Administrative Tribunal. The Tribunal will give regard to the City of Nedlands Local Planning Scheme No. 3 and the *Deemed Provisions*. Similarly, should an applicant be aggrieved by one or more conditions of approval, this can be reviewed by the Tribunal

Response to Deferral Request

Officers have met with the applicant and the operator of the café and discussed the noise management issues, with the intent of arriving at an agreed position on the management of noise for the purpose of achieving the best possible outcome in the event that Council was of a mind to approve the application.

At the time of writing, an agreed position has not been finalised. Prior to the Council meeting agenda being circulated officers will be in a position to provide Council with a clear picture of the situation in relation to noise management.

Conclusion

The application for a development description has been presented for Council consideration due to being an 'A' use class permissibility and objections being received. The proposal is not considered to achieve the objectives of the Mixed Use zone and may result in adverse impact to the amenity of the area and neighbouring properties in relation to noise and parking.

Though the total number of 120 patrons is not proposed to increase, the addition of a covered structure to the rear of the site will increase the use of this area. This brings sustained noise generating activities closer to the residential zones to the rear, which will impact residential amenity. Further, the extended use of the rear of the site and the patio will preclude any potential for future car parking and vehicle access. Accordingly, it is recommended that the application be refused by Council.

Further Information

Request

Councillor Amiry – Could we have a condition that allows closure at 12am for 12 times a year but all other times closure to be 10pm?

Officer Response

The venue is currently able to open until 12pm. This is not proposed to change. The time restrictions being considered as part of this application relate to outdoor areas only.

It would not be recommended to allow the operating times of the outdoor areas until 12pm, as the venue would not be able to comply with the assigned levels stipulated in the Noise Regulations 1997 (the assigned levels drop considerably after 10pm).

Additional Information

Officers have met with the applicant and the operator of the café and discussed the noise management issues, with the intent of arriving at an agreed position on the management of noise for the purpose of achieving the best possible outcome if Council was of a mind at approve the application. At the time of writing there remains two items of contention, the acoustic treatment of the perimeter wall, and the hours of operations and number of patrons for sections of the premises.

Perimeter wall

In the event of approval, **City officers recommend that the perimeter fence**, to the extent as outlined in red in the image below, **must be upgraded to be 2.8 meters high with sound absorptive panels**. A suitably qualified consultant is to provide specifications on the panels prior to issue of building permit. This recommendation is based on page 11 of the applicants updated Acoustic Report dated 17 June 2022 which indicates that this treatment is required to comply with the Environmental Protection (Noise) Regulations 1997 assigned levels at 2 Hillway and 31A The Avenue in the evening from 7pm -10pm.

The applicant has stated that no treatments are required to the existing fencing. However, have indicated that **they are agreeable to a condition being included for a spray on damping compound to be applied to the existing 2.1m high Colorbond fence**. This damping compound is proposed to be applied and painted, for the extent of the fencing as outlined in red in the image below.



Hours of operations and number of patrons

In the event of approval, **City officers recommend that restrictions be placed** on the number of patrons, days and times of **use for each of the rear courtyard, 'The Park' and northern 'laneway' courtyard spaces (i.e.: all outdoor spaces)**. Notwithstanding that the rear and 'laneway' courtyard are already approved for use, in assessing noise impacts, the cumulative impact of additional spaces being used in conjunction with existing spaces must be considered. The City recommends that the rear courtyard and 'The Park' be restricted as these are considered as one space within the noise modelling in the applicants Acoustic Report (Page 11). The City recommends that the "Laneway" courtyard be restricted as page 9 of the applicants updated Acoustic Report indicates a possibility of this space exceeding the assigned levels during the evening (7-10 pm) and night period (10pm-7am). **(Tables 1 and 2 in the Notes below are relevant.**

The applicant has stated that the rear courtyard and northern 'laneway courtyard' are not required to be restricted in anyway given that they are operating under the existing approvals.

The applicant has requested that restrictions be placed on the number of patrons, days and times of use for **'The Park' only**.

Officers Recommendation

Officers remain of the view that the application should be refused principally based on the concerns outlined in the Officer report within the **Discussion – Noise** section of the officer's report.

Approval Option 1

Should **Council be of mind to approve** the application **as per the City's advice and best practice**, recommended wording is provided below:

In accordance with Clause 68(2)(b) of the Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015, Council approves the development application in accordance with the plans date stamped 20 June 2022 for a partial change of use to "Small bar" and additions to an existing commercial tenancy (patio) at 161 (Lot 735) Broadway, Nedlands, subject to the following conditions:

1. This approval relates only to the development as indicated on the approved plans dated 20 June 2022. It does not relate to any other development on this lot and must substantially commence within 2 years from the date of the decision letter.
2. The occupancy is limited to 120 persons maximum, excluding staff, with no more than 24 being in the verge area adjacent to the subject property.
3. Prior to issue of building permit, the applicant is to submit amended plans **inclusive of a 2.8m high perimeter wall** with sound absorptive panels to reduce noise impacts to the neighbouring properties, to the satisfaction of the City of Nedlands. Specifications

of the sound absorptive treatment are to be provided by a suitably qualified consultant. The wall is to be installed prior to occupation of the development.

4. Prior to the issue of a building permit, **an updated Noise Management Plan** is to be submitted and approved by the City of Nedlands detailing measures that will be undertaken to ensure noise levels during operation of the development are kept within levels prescribed in the Environmental Protection (Noise) Regulations 1997 to the specifications and satisfaction of the City of Nedlands. The Noise Management Plan shall be adhered to at all times for the life of the development (**see Notes below**).
5. All stormwater discharge from the development shall be contained and disposed of on-site unless otherwise approved by the City of Nedlands.

Notes

The updated Noise Management Plan is to include the following:

Hours of operations and number of patrons

Table 1: Times that 'The Park' and rear courtyard can be occupied.

Number of patrons at any one time	Start time	Finishing time	Days	Reason
60 (12 simultaneous conversations*)	7am	7pm	Monday to Saturday, except public holiday	Assigned levels at 47dB anticipated level 44 - 47dB as per table 6 of acoustic report
30 (6 simultaneous conversations*)	7pm	10pm	Monday to Saturday, except public holiday	Assigned levels at 42dB anticipated level 41 - 44dB as per table 6 of acoustic report
30 (6 simultaneous conversations*)	9am	10pm	Sunday and public holiday	

* 5 patrons per conversation as per section 3.2.4 of the acoustic report

Table 2: Times that the northern 'laneway' courtyard can be occupied.

Number of patrons at any one time	Start time	Finishing time	Days	Reason
48 (8 simultaneous conversations^)	7am	7pm	Monday to Saturday, except public holiday	Assigned levels at 47dB anticipated overall level 45 – 46 dB as per table 5 of acoustic report

30 (5 simultaneous conversations [^])	7pm	10pm	Monday to Saturday, except public holiday	Assigned levels at 42dB
30 (5 simultaneous conversations [^])	9am	10pm	Sunday and public holiday	

[^] 6 patrons per conversation as per section 3.2.3 of the acoustic report

‘The Park’, rear courtyard and northern ‘laneway’ courtyard areas are not to be occupied by patrons outside of the hours stated in Tables 1 and 2 above.

Speakers

- From 10pm each day of operation speakers, if any, external to the building are not to be used.
- Speakers external to the building, if any, are to be operated at background levels only where a normal conversation in these areas can take place without people (including patrons and staff) having to raise their voices.

Glass bottle disposal and goods deliveries

- Glass bottles shall only be emptied into the outside bins between:
 - 7am and 7pm between Monday and Saturday, except public holiday and
 - 9am and 7pm on Sunday and public holiday.
- Goods deliveries and waste collections are to occur between Monday and Saturday from 7am to 7pm, excluding public holiday.

Functions

- “Small” informal functions are permitted subject to:
 - Maximum 60 persons (Within the total 120 person limit).
- May include sectioning off an area to the general public, but not the entire restaurant/small bar. The restaurant/small bar must remain open to the public during small functions.
- “Large” functions are permitted subject to:
 - A maximum of 12 large functions in any given calendar year.
 - A logbook shall be maintained for the purpose of recording large functions bookings which can be viewed on request by the City of Nedlands.

Miscellaneous

- Use signage in key locations throughout the venue, including the green and orange areas, to raise patron awareness of nearby noise-sensitive premises.
- No live music is permitted throughout the venue unless approved by the City.
- Designated smoking area is to be positioned away from rear or side of the premises.
- A logbook shall be maintained for the purpose of recording noise complaints received and action taken to resolved such complaints.
- Keeping neighbours informed of any major planned venue improvements. Details of required construction works, duration and the reasons for the activity.
- Implement all measures outlined in Appendix B of the Little Way Operations Acoustic Report dated 17 June 2022.

- Following the noise management plan is implemented, the proprietor is to review timely the plan if requested by the City.

Approval Option 2

Should Council be of mind **to approve the application as per the applicants' requests**, recommended wording is provided below:

In accordance with Clause 68(2)(b) of the Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015, Council approves the development application in accordance with the plans date stamped 20 June 2022 for a partial change of use to "Small bar" and additions to an existing commercial tenancy (patio) at 161 (Lot 735) Broadway, Nedlands, subject to the following conditions:

1. This approval relates only to the development as indicated on the approved plans dated 20 June 2022. It does not relate to any other development on this lot and must substantially commence within 2 years from the date of the decision letter.
2. The occupancy is limited to 120 persons maximum, excluding staff, with no more than 24 being in the verge area adjacent to the subject property.
3. Prior to issue of occupation, a spray on dampening compound is to be applied to the existing 2.1m high perimeter fence to reduce noise impacts to the neighbouring properties, to the satisfaction of the City of Nedlands.
4. Prior to the issue of a building permit, an updated Noise Management Plan is to be submitted and approved by the City of Nedlands detailing measures that will be undertaken to ensure noise levels during operation of the development are kept within levels prescribed in the Environmental Protection (Noise) Regulations 1997 to the specifications and satisfaction of the City of Nedlands. The Noise Management Plan shall be adhered to at all times for the life of the development.
5. All stormwater discharge from the development shall be contained and disposed of on-site unless otherwise approved by the City of Nedlands.

Notes

The Noise Management Plan is to include the following:

Hours of operations and number of patrons

Table 1: Times that ‘The Park’ can be occupied.

Number of patrons at any one time	Start time	Finishing time	Days	Reason
60 (12 simultaneous conversations*)	7am	7pm	Monday to Saturday, except public holiday	Assigned levels at 47dB anticipated level 44 - 47dB as per table 6 of acoustic report
30 (6 simultaneous conversations*)	7pm	10pm	Monday to Saturday, except public holiday	Assigned levels at 42dB anticipated level 41 - 44dB as per table 6 of acoustic report
30 (6 simultaneous conversations*)	9am	10pm	Sunday and public holiday	Assigned levels at 42dB anticipated level 41 - 44dB as per table 6 of acoustic report

* 5 patrons per conversation as per section 3.2.4 of the acoustic report

‘The Park’ area is not to be occupied by patrons outside of the hours stated in Table 1 above.

Speakers

- From 10pm each day of operation speakers, if any, external to the building are not to be used.
- Speakers external to the building, if any, are to be operated at background levels only where a normal conversation in these areas can take place without people (including patrons and staff) having to raise their voices.

Glass bottle disposal and goods deliveries

- Glass bottles shall only be emptied into the outside bins between:
 - 7am and 7pm between Monday and Saturday, except public holiday and
 - 9am and 7pm on Sunday and public holiday.
- Goods deliveries and waste collections are to occur between Monday and Saturday from 7am to 7pm, excluding public holiday.

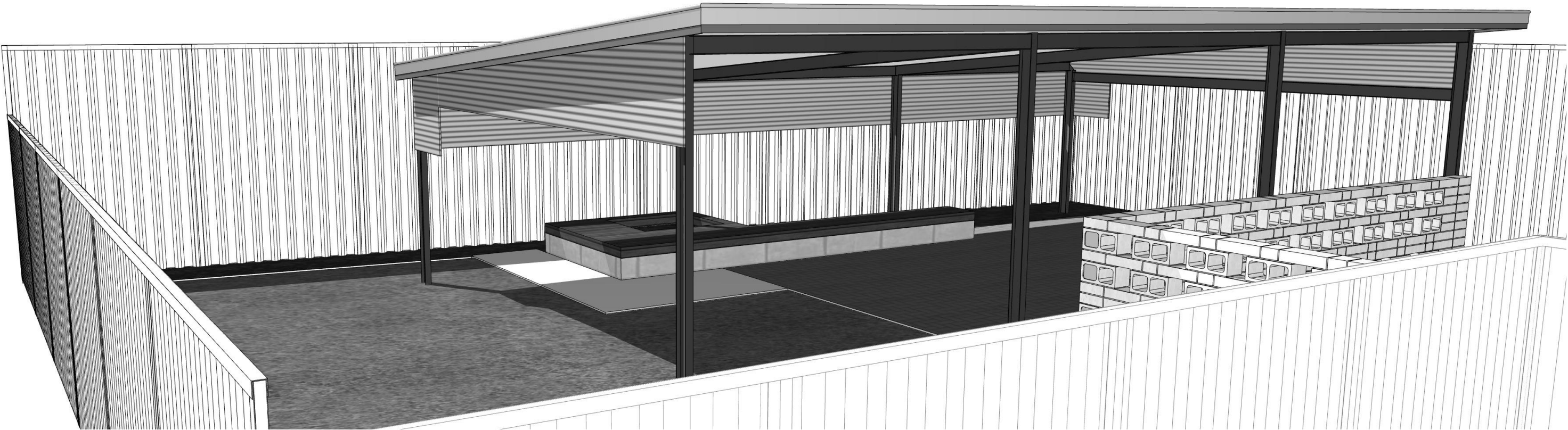
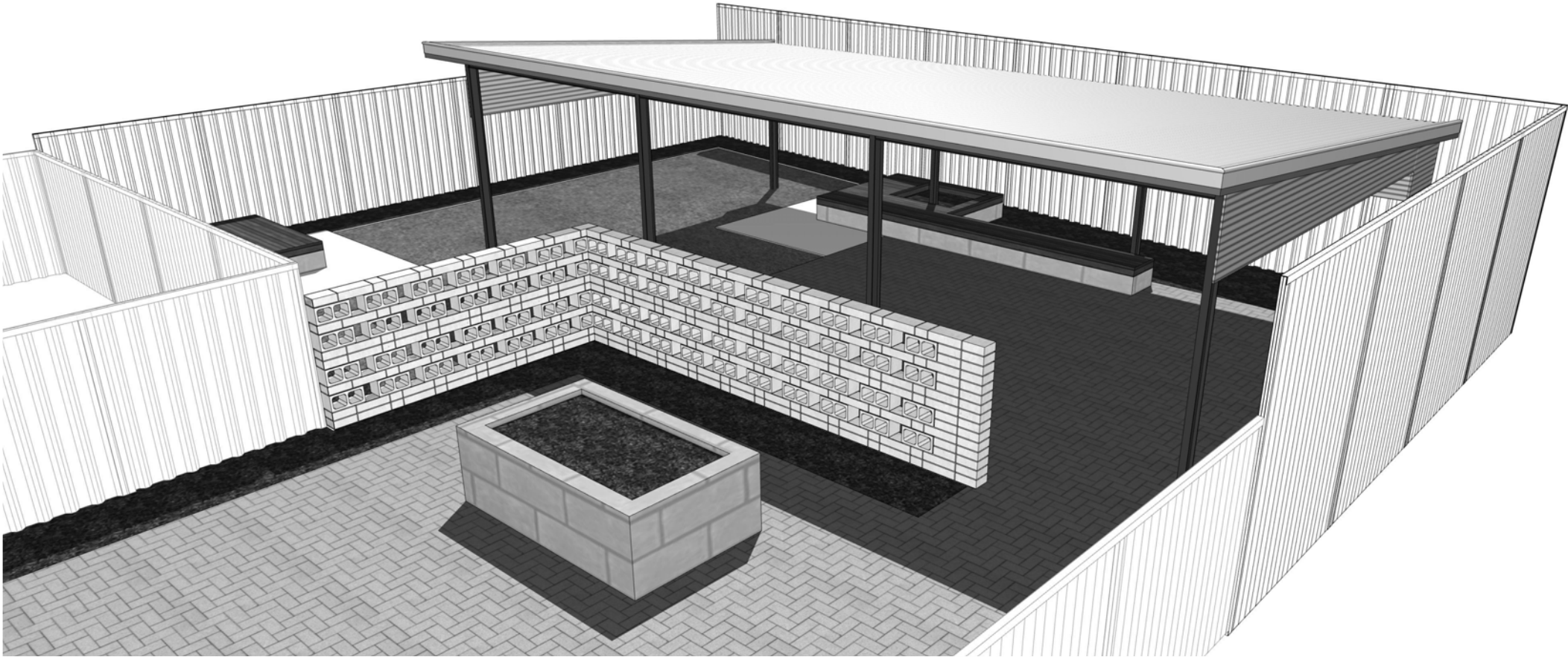
Functions

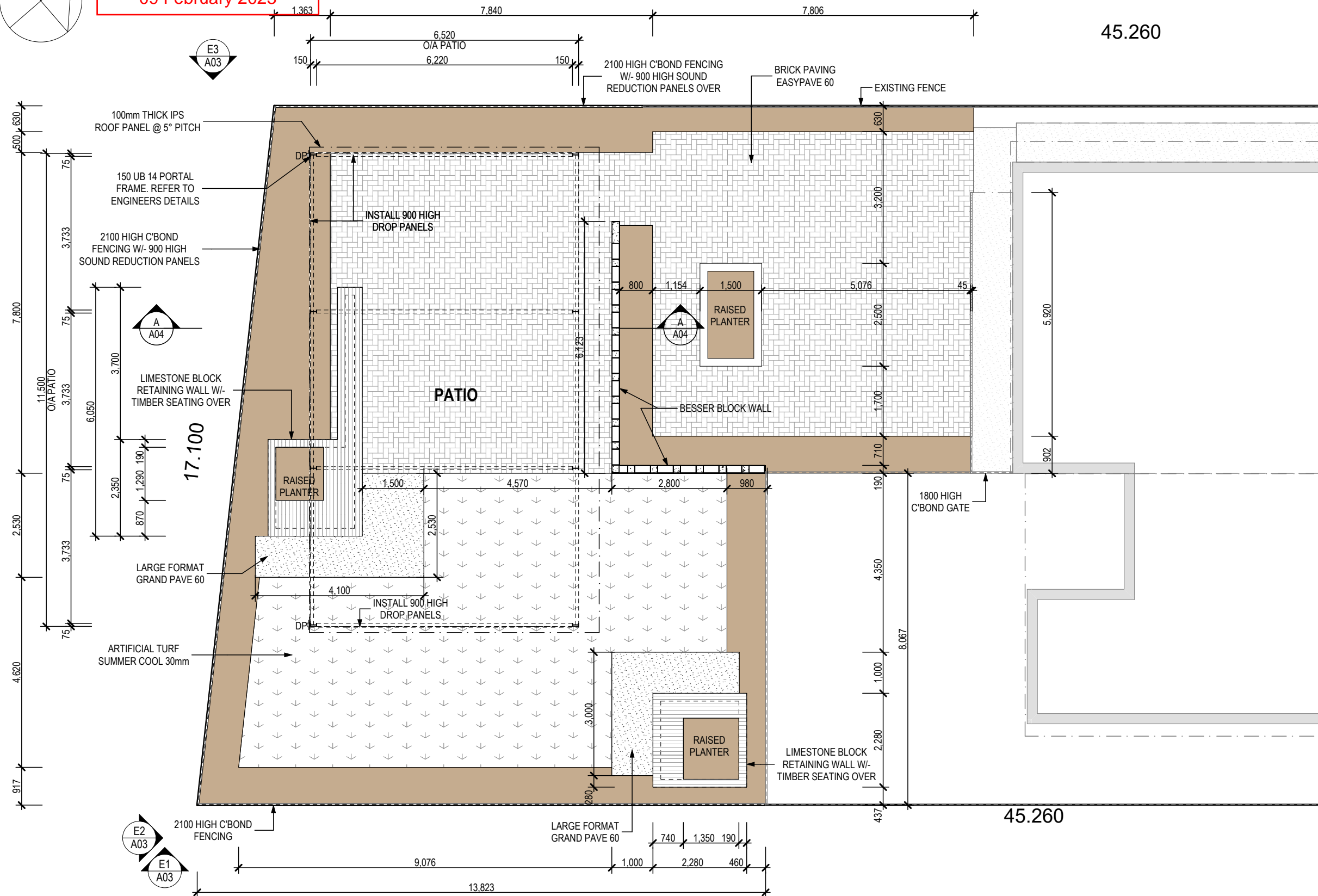
- “Small” informal functions are permitted subject to:
 - Maximum 60 persons (Within the total 120 person limit).
- May include sectioning off an area to the general public, but not the entire restaurant/small bar. The restaurant/small bar must remain open to the public during small functions.
- “Large” functions are permitted subject to:
 - A maximum of 12 large functions in any given calendar year.
 - A logbook shall be maintained for the purpose of recording large functions bookings which can be viewed on request by the City of Nedlands.

Miscellaneous

- Use signage in key locations throughout the venue, including the green and orange areas, to raise patron awareness of nearby noise-sensitive premises.
- No live music is permitted throughout the venue unless approved by the City.
- Designated smoking area is to be positioned away from rear or side of the premises.
- A logbook shall be maintained for the purpose of recording noise complaints received and action taken to resolved such complaints.
- Keeping neighbours informed of any major planned venue improvements. Details of required construction works, duration and the reasons for the activity.
- Implement all measures outlined in Appendix B of the Little Way Operations Acoustic Report dated 17 June 2022.
- Following the noise management plan is implemented, the proprietor is to review timely the plan if requested by the City.

City of Nedlands
Plans Received
09 February 2023



368.68 m²

- DO NOT SCALE OFF DRAWINGS. ALL MEASUREMENTS ARE IN MILLIMETRES UNLESS NOTED OTHERWISE.
- CONTRACTORS SHALL CHECK ALL DIMENSIONS & SITE CONDITIONS PRIOR TO COMMENCING FABRICATION OR CONSTRUCTION. ANY DISCREPANCIES TO BE BROUGHT TO THE SUPERVISORS ATTENTION.
- ALL SIZES SHOWN ARE WITHOUT PLASTER (UNLESS NOTED OTHERWISE) AND SHOULD BE ALLOWED FOR.

- THESE DRAWINGS ARE TO BE READ IN CONJUNCTION WITH THE ENGINEERING DRAWINGS, AND IF APPLICABLE ANY CONTRACT DOCUMENTATION INCLUDING ADENDAS, VARIATION OR SPECIFICATIONS.
- BUILDER TO CONSTRUCT RESIDENCE IN ACCORDANCE WITH THE NATIONAL CONSTRUCTION CODES NCC 2016 & ALL APPLICABLE AUSTRALIAN STANDARDS.

Scale 1:100



REVELLLANDSCAPING

© 202

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2:22.10.21 - R2
3:16.01.23 - AMD
4:-

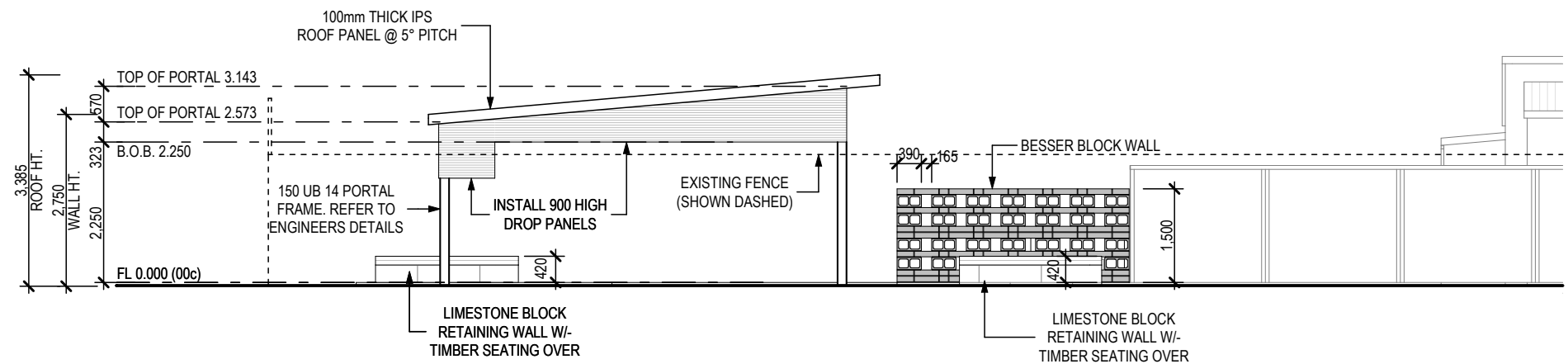
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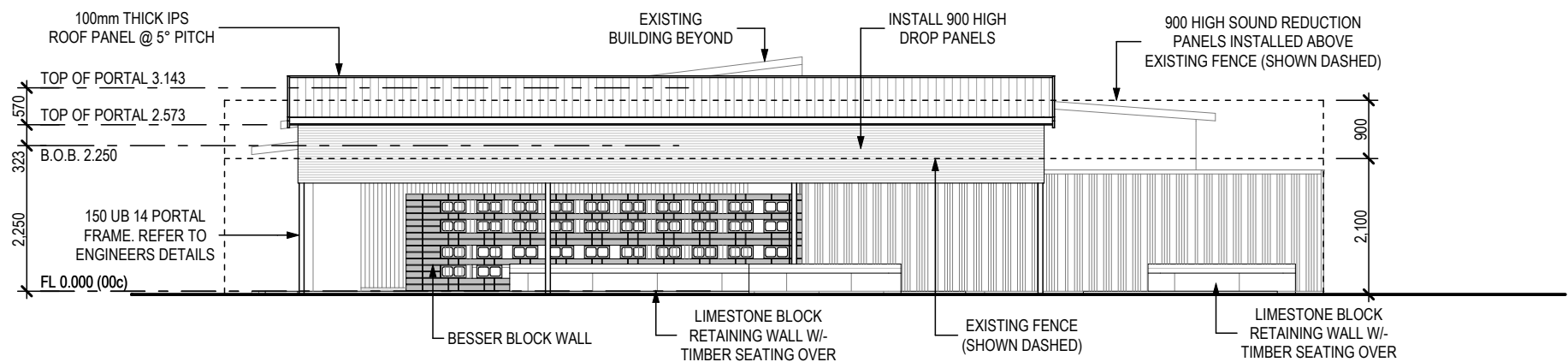
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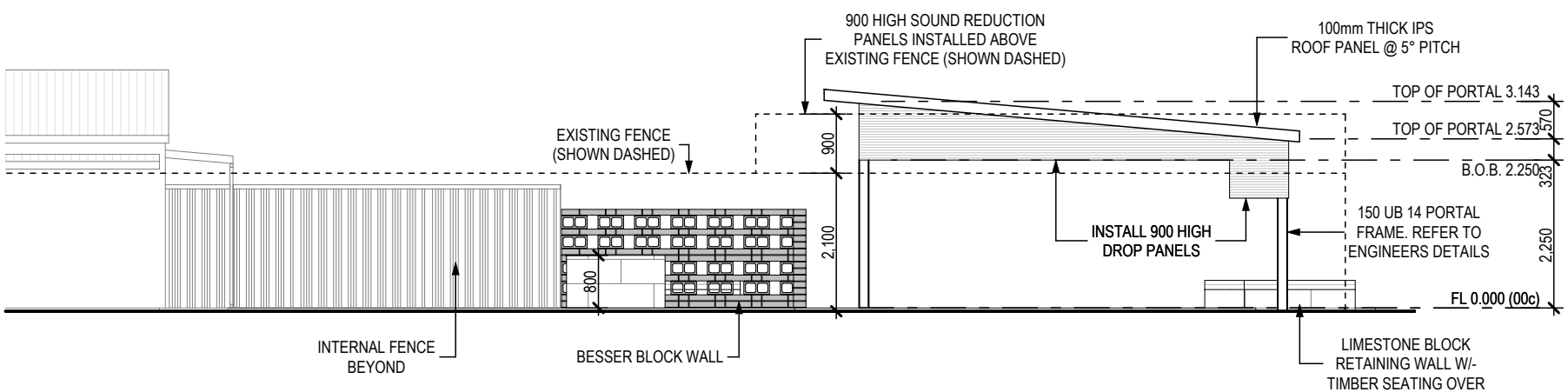
City of Nedlands
Plans Received
09 February 2023



E1
A02 **ELEVATION 1**
Scale 1:100



E2
A02 **ELEVATION 2**
Scale 1:100



E3
A02 **ELEVATION 3**
Scale 1:100

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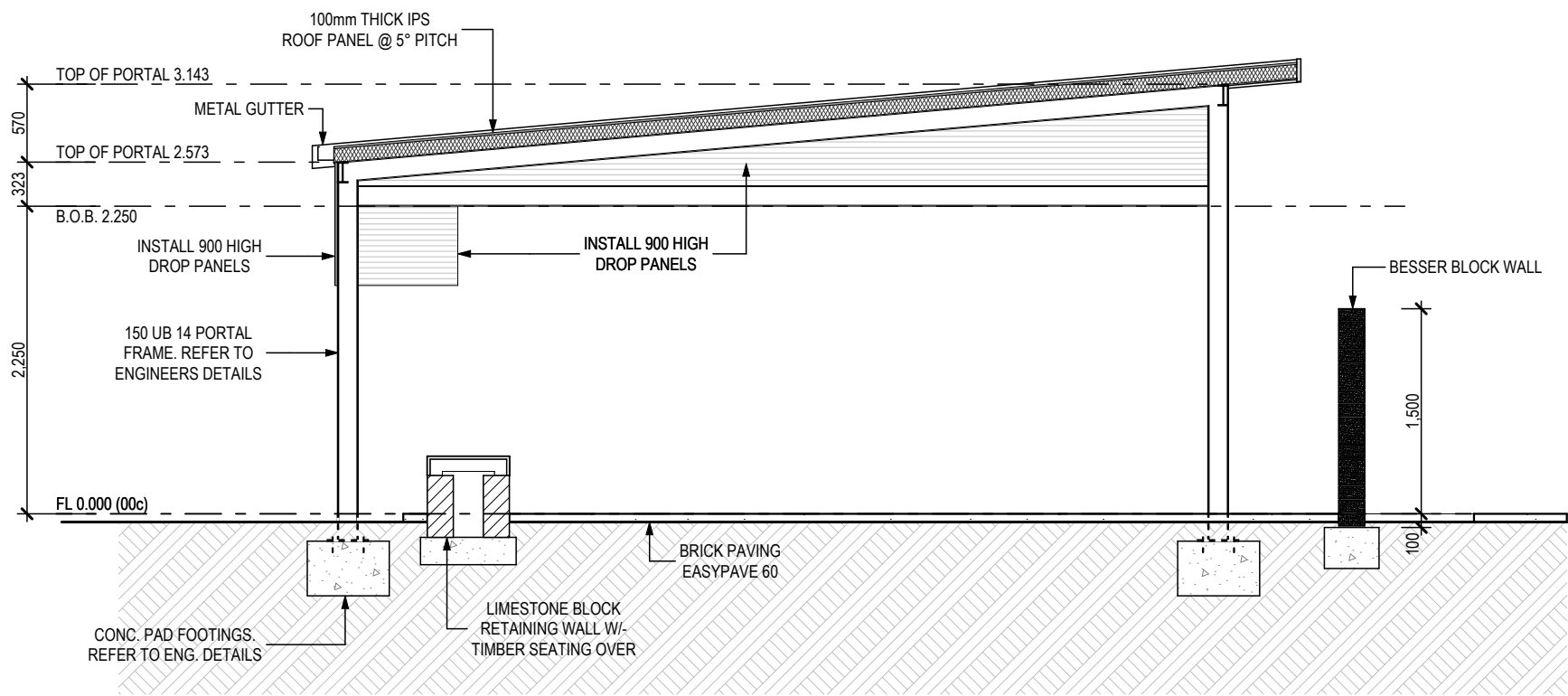
Revisions:	
1:20.10.21 - R1	5:-
2:22.10.21 - R2	6:-
3:16.01.23 - AMD	7:-
4:-	8:-

PROPOSED PATIO & LANDSCAPING
ELEVATIONS

LITTLE WAY
161 BROADWAY NEDLANDS

Drawn: J.Reynolds	Scale as shown @ A3	Project No: 11410
Status: BL	Sheet: A03	Printed: 16/01/2023
Date: 16/01/2023		

City of Nedlands
Plans Received
09 February 2023



A-A SECTION A-A
A02 Scale 1:50

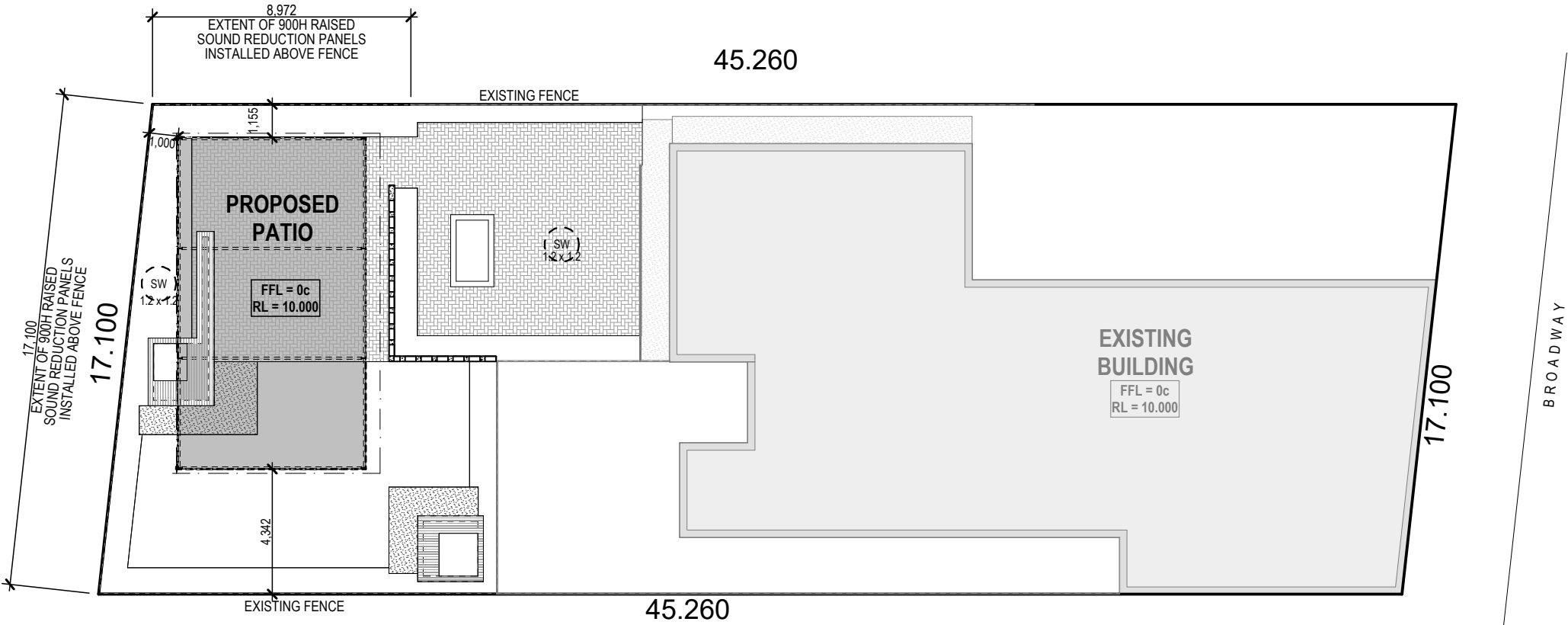
No.	Soak Well Type
2.7 m3	2 SW 1200x1200
2.7 m3	Total Capacity
83.5 m2	Roof Area GF
118.0 m2	Paved Area
201.5 m2	Total Area
2.5 m3	Capacity Required (Area x 0.0125)
0.2 m3	Extra Capacity Provided

City of Nedlands
Plans Received
09 February 2023

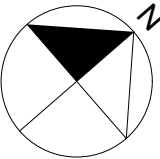
NOTE: ALL DOWNPIPES CONNECTED TO SOAKWELLS WITH PVC STORMWATER PIPE. LOCATIONS ARE INDICATIVE ONLY AND MAY BE REPOSITIONED TO SUIT SITE CONDITIONS.

AREA STATS	
EXISTING AREAS	
BUILDING	293.70
PROPOSED AREAS	
PATIO	74.98
	368.68 m²
PAVED AREAS	
PATH	117.37
	117.37 m²

NOTE: Boundary Measurements are Approximate only.



 **SITEPLAN**
Scale 1:200



NOISE MANAGEMENT PLAN “THE PARK”

1 Background

Relevant mitigation and management measures will be implemented as required to minimise noise impact from the proposed development on adjacent noise sensitive receivers and ensure ongoing compliance with relevant noise criteria during operation.

2 Mitigation and control measures

Noise mitigation and control measures can be divided into the following three components:

- The source;
- The transmission path (e.g. walls, enclosures); and
- The receiver (e.g. treatments to nearby residences).

Control at the source is the most effective and are discussed in the following subsections. Treatments to receiver properties are not proposed.

The feasibility and practicability of such measures will be reviewed on a case-by-case basis by Little Way management.

2.1 Source control and management measures

2.1.1 Equipment and plant

Reducing noise emissions at the source is usually the most effective and efficient method. The following measures will be undertaken to reduce emissions from operational equipment/plants or processes:

- All equipment used on site will be quietest reasonably available and mechanically well maintained.
- All plant will be regularly serviced and maintained to ensure they are running correctly and therefore not producing excessive noise emissions.
- Equipment found to produce excessive noise compared to industry best practice will be removed from site or stood down until repairs or modification can be made; if repairs or modification are not possible then a suitable replacement will be found.

2.1.2 Equipment procurement and management

Staff training will be conducted as appropriate including awareness of the need to control noisy activities to maintain compliance with the applicable noise limits.

House speaker volumes will be controlled by management and will not be adjusted based on customer requests.

Management commits to investigating and responding to any noise complaints received in writing, and if the cause of the complaint is identified, attempts will be made to resolve the issue and then appropriately communicate back to the complainant.

2.1.3 Administrative measures

All visitors will be reminded through signage / posted information, inductions and/or reservation processes to keep non-essential noise to minimum at all times.

All customers using the rear outdoor area, e.g. "Park Area" will be informed that the space is in close proximity to residential properties that may be particularly sensitive to noise. Customers will be informed that regulation of music volume levels & other requirements to minimise noise will be enforced as required.

Should certain activities or individual patrons be associated with noise complaints, then management commits to suspend such business activities / patrons until suitable controls are implemented to the satisfaction of the complainant(s) or which result in compliance with the *Environmental Protection (Noise) Regulations 1997*.

2.2 Complaint management

Complaints will be managed in a manner consistent with stated requirements.

The measures detailed below will be implemented in the event a noise related complaint attributable to the operation of the proposed development.

- The Duty Manager or delegate must forward any complaint or enquiry to the Communication Representative within a reasonable timeframe of receipt;
- The Communication Representative must record all stakeholder communications;
- The Communication Representative must address enquiries and complaints in a reasonable timeframe;
- If required, an assessment will be commissioned to determine whether the activities are consistent with this NMP. The assessment will determine what occurred, when, what was the purpose of the work, whether the work was scheduled, were residents were notified and identify potential remedial and preventative actions.
- The assessment may involve field verification using methods described in the *Environmental Protection (Noise) Regulations 1997*.

2.3 Notifications

- The City of Nedlands will be notified if significant changes to operations occur which could affect this plan.
- Emergency works required to address issues of safety could generate significant noise without prior notice.

3 Conditions

- As per the current Small bar Liquor Licence, occupancy is limited to 120 persons maximum, excluding staff, with no more than 24 being in the verge area adjacent to the subject property.

3.1 Hours of operations and number of patrons

- 'The Park' is not to be occupied by patrons outside of the hours stated in Table 1.

Table 1: Times that 'The Park' can be occupied.

Number of patrons at any one time	Start time	Finishing time	Days	Reason
60 (12 simultaneous conversations*)	7am	7pm	Monday to Saturday, except public holiday	Assigned levels at 48dB Anticipated level 44 - 47dB as per table 6 of acoustic report
30 (6 simultaneous conversations*)	7pm	10pm	Monday to Saturday, except public holiday	Assigned levels at 43dB Anticipated level is 41 to 44dB as per table 6 of acoustic report
30 (6 simultaneous conversations*)	9am	10pm	Sunday and public holiday	Assigned levels at 43dB Anticipated level is 41 to 44dB as per table 6 of acoustic report
0	10pm	7am	Monday to Sunday	Assigned levels at 43dB Anticipated level is 41 to 44dB as per table 6 of acoustic report

* 5 patrons per conversation as per section 3.2.4 of the acoustic report

3.2 Speakers

- After 10pm each day or before 7am (or 9am on a Sunday or Public Holiday), powered speakers are not to be used in "The Park" area.
- Speakers external to the building, if any, are to be operated at background levels only where a normal conversation in these areas can take place without people (including patrons and staff) having to raise their voices.

3.3 Management measures

- Use signage in key locations throughout the venue to raise patron awareness of nearby noise-sensitive premises.
- No live music is permitted throughout the venue unless approved by the City.
- A logbook shall be maintained for the purpose of recording noise complaints received and action taken to resolve such complaints.
- No customers are permitted in the grassed area of "The Park" after 7pm on any day of operations, with all patrons to remain in the space under the patio structure. This rule is to be strictly enforced with customers, with customers informed of this rule at the time of booking, and the Manager on duty to ensure this is followed. If any customers are seen to be in the grassed area after 7pm the manager on Duty is to give them a warning, after which time if they fail to follow these directions, they are to be removed from the Venue and an incident report is to be report in the Incident Register and Owners informed.
- Keeping neighbours informed of any major planned venue improvements. Details of required construction works duration and the reasons for the activity.
- Implement all relevant measures outlined in Appendix B of the Little Way Operations Acoustic Report dated 17 June 2022.

- During implementation, the proprietor is to regularly review this plan and provide a copy to the City upon their specific request.

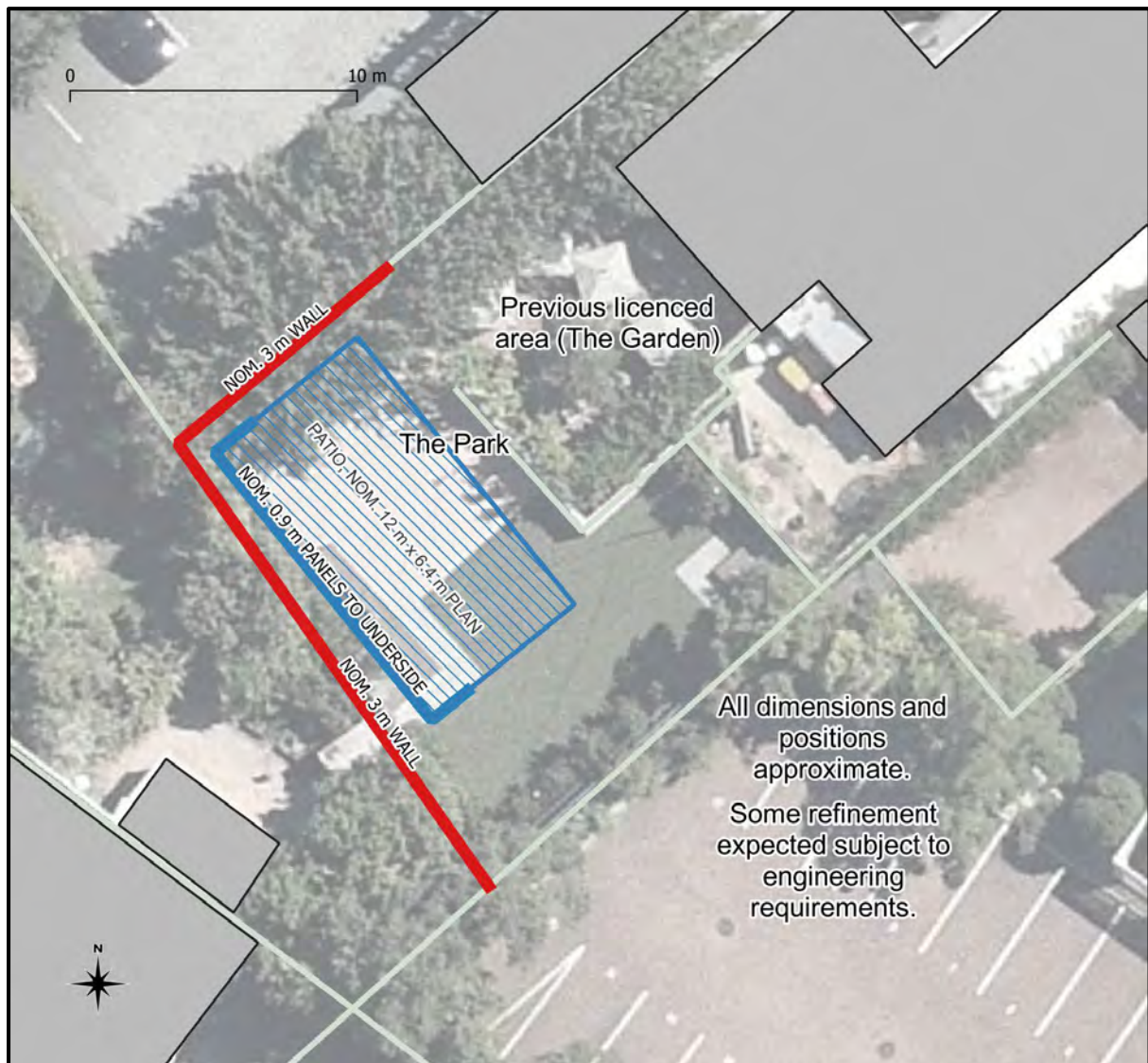
3.4 Perimeter Wall

- Implement a solid and effective noise barrier at the minimum plan extents shown in Figure 1 with a height of 3 meters, with sound absorptive facings.
- Extend or modify sections as required under this Plan.
- *We confirm that the NMP will implement materials that are at least as effective at reducing noise as that modelled. In terms of acoustic performance, this means*
 - *Walls designed for noise mitigation would provide a weighted sound reduction index (R_w) of at least 25 as per ISO 9613 as stated in the report.*
 - *Absorptive panels would provide a Weighted Sound Absorption Class A or B (a_w 0.8 or higher) according to AS ISO 11654:2002. Noise Reduction Coefficient (NRC) values are recognised (the equivalent minimum here is NRC 0.75) but we note NRC was replaced with a_w in AS ISO 11654 over twenty years ago."*

3.5 Patio

- Construct a patio at the plan location indicated in Figure 1, with effective sound diffusive vertical panels at the rear as shown. The vertical panels would be nominally 0.9 m high and seal to the underside of the patio, to provide effective acoustic screening in conjunction with the perimeter wall.
- The patio roof must provide an airtight seal to the vertical panels and itself be airtight when required.

Figure 1 Proposed treatment extent



16.2 PD07.03.23 Consideration of Development Application – Addition of a Short-Term Accommodation land use ('Holiday House') to existing Residential ('Single House') development at 76 (Lot 676) Kingsway, Nedlands

Meeting & Date	Council Meeting – 28 March 2023
Applicant	M Wood
Information Provided	All relevant information required for this assessment has been provided by the applicant.
Employee Disclosure under section 5.70 Local Government Act 1995	The author, reviewers and authoriser of this report declare they have no financial or impartiality interest with this matter. There is no financial or personal relationship between City staff involved in the preparation of this report and the proponents or their consultants.
Report Author	Roy Winslow – Manager Urban Planning
Director	Tony Free – Director Planning and Development
Attachments	1. Aerial Image and Zoning Map 2. Development and Management Plan dated 22 January 2023 3. CONFIDENTIAL ATTACHMENT – Submissions and applicant response

Purpose

The purpose of this report is for Council to consider a development application for the addition of a Short-Term Accommodation land use ('Holiday House') to existing Residential ('Single House') development at 76 (Lot 676) Kingsway, Nedlands.

Recommendation

That Council:

In accordance with Clause 68(2)(b) of the Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015, **APPROVE** the development application in accordance with the plans date stamped 22 January 2023 for addition of a Short-Term Accommodation land use ('Holiday House') to existing Residential ('Single House') development at 76 (Lot 676) Kingsway, Nedlands, subject to the following conditions:

1. The approval period for the Holiday House is limited to 12 months (1 year) from the date of this decision letter.
2. The Management Plan prepared by M Wood date stamped 22 January 2023 forms part of this development approval and shall be complied with at all times, to the satisfaction of the City of Nedlands.

3. A copy of the approved management plan for the Holiday House shall be provided to residents of adjoining and abutting properties prior to the commencement of operations.
4. A maximum of four (4) guests are permitted to reside at the Holiday House at any one time.
5. All vehicles (for the owners of the property and the guests of the Holiday House) shall be parked within the property boundaries of the subject site.

Voting Requirement

Simple Majority.

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

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

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

Background

Land Details

Metropolitan Region Scheme Zone	Urban
Local Planning Scheme Zone	Residential
R-Code	R60
Land area	910m ²
Land Use	Existing – Residential Proposed – Residential and Holiday House
Use Class	Proposed – 'A' use class for Holiday house in the Residential zone.

The subject site is 76 Kingsway, Nedlands, located within the street block bound by Princess Road to the north and Melvista Avenue to the south (**Attachment 1**). The lot is regular in shape, zoned R60 and has an area of 910m². The site contains an existing two storey single house.

Application Details

The application seeks development approval for the addition of a Short-Term Accommodation land use ('Holiday House') to existing Residential ('Single House') development. No works component is proposed as part of this application. As per the City of Nedlands Local Planning Scheme No. 3, a 'Holiday House' is defined as:

"a single dwelling on one lot used to provide short-term accommodation but does not include a bed and breakfast."

The City of Nedlands Local Planning Scheme No. 3 defines a Short-Term Accommodation as:

"temporary accommodation provided either continuously or from time-to-time with no guest/s accommodated for periods totalling more than 3 months in any 12-month period."

The applicant, who is also the owner of the property, is seeking to operate the Holiday House at the subject property and the owners of the property will reside on site and manage the holiday house.

Discussion

Local Planning Scheme No. 3

The proposal has been assessed and is considered consistent with the objectives of the "Residential" zone with the City's Local Planning Scheme No.3, as detailed below.

Objective: To provide for a range of housing and a choice of residential densities to meet the needs of the community.

Assessment: The existing landowner of the property will continue to reside in the dwelling, in addition to the 'Holiday House' land use being applied for. The application has been applied for to meet the needs of the existing landowner and resident and will provide for diversity in the type of housing stock within the area.

Objective: To facilitate and encourage high quality design, built form and streetscapes throughout residential areas.

Assessment: There are no works proposed as part of this application, and the dwelling maintains its role as part of the existing high quality streetscape.

Objective: To provide for a range of non-residential uses, which are compatible with and complementary to residential development.

Assessment: As per the City's Local Planning Policy – Short-Term Accommodation, where a keeper resides on-site, Holiday House land uses are generally supported within all zones, including the residential zone. Further the applicant has provided a Management Plan to detail the operation of the business, as detailed below. In this regard the application is considered to provide a suitable non-residential use which is compatible with and complementary to the locality.

Objective: To ensure development maintains compatibility with the desired streetscape in terms of bulk, scale, height, street alignment and setbacks.

Assessment: As above, there are no works proposed as part of this application, and the proposal will have no impact in terms of bulk, scale, height, street alignment and setbacks.

Local Planning Policy – Short-Term Accommodation

The City's Local Planning Policy – Short-Term Accommodation provides guidance and development provisions for operators seeking to establish short-term accommodation within the City. In accordance with Part 4.1 of the Policy, development applications for the 'Holiday House' land use where a keeper resides on-site, are to be generally supported in all zones.

The applicant has provided a Management Plan in support of their application (**Attachment 2**), which adequately addresses the relevant criteria stipulated in Part 8 of the Short-Term Accommodation Policy, as detailed in **Table 1** below. As per recommended Condition 2, the Management Plan will form part of any approval granted and is to be complied with at all times to the City's satisfaction.

Table 1: Management Plan Assessment		
LPP provision	Proposed	Officer comment
(a) Establishing the maximum number of guests which will stay, in addition to (if applicable) those which reside at the property on a permanent basis.	A maximum of four guests proposed at any one time. No visitors will be allowed to stay at the property overnight. Two owners reside at the property on a permanent basis.	Acceptable - Condition 4 recommended to limit the total number of guests to four at any one time.
(b) Establishing a code of conduct detailing the expected behaviour and obligations of guests. The code of conduct shall be displayed in a prominent position within the premises.	Code of conduct for guests has been provided for in the Management Plan. This is to be provided both in electronic and hard copy format to guests.	Acceptable.
(c) Details of how complaints regarding anti-social behaviour, car parking and noise, amongst other matters, will be managed by the landowner(s).	The owners/manager of the short-term rental property will investigate all complaints and will advise the complainant of the outcome of the investigation in writing or by email. If a breach of the Management Plan or the rules listed in the Guests Manual is found to have occurred, the manager will instruct the guest to immediately cease the breach. If the manager is aware of a subsequent breach of the rules, the guest will be instructed to vacate the premises and may be banned.	Acceptable.

(d) The contact details of the landowner(s) if a neighbour wants to lodge a complaint.	Should neighbours have a complaint, an email and postal address for the owner have been provided within the Management Plan.	Acceptable.
(e) Details regarding guest check-in and check-out procedures (i.e. days and times).	Check in time is between 2:00 pm and 5:00 pm. Check out time is 10:00 am. Check In and Check Out will be a discreet process. Where it is not practical for guests to arrive or depart between the above hours, they will be requested to do so in a manner that will not impact on neighbouring properties.	Acceptable.
(f) Details of how car parking for those staying at the property and (if applicable) those residing at the property on a permanent basis, will be managed by the landowner(s). The measures proposed are to ensure vehicles will always have easy access to on site car parking spaces.	Parking will be onsite and will not impinge on street parking. On site there is more than enough car bays for all guests (see Parking LPP assessment below).	Acceptable - Condition 5 recommended to ensure that all vehicles, both for the owners of the property and the guests of the Holiday House, are parked on site, as opposed to the street.
(g) Details of how the guests will be informed of the requirements for parking.	There will be a Guest Manual, House Rules and Local Guidebook provided both in electronic and hard copy format to all guests. These Manuals and Guides contain all the information, including parking information.	Acceptable.
(h) Details regarding how guests are expected to maintain the property.	Maintenance of the gardens and building will be provided by the owners. Guests must follow the rules as per the house rule policy this includes a no smoking policy.	Acceptable.

In accordance with the Short-Term Accommodation Policy, the City may grant temporary development approval for short-term accommodation uses for an initial 12-month period. Following this initial 12-month period, a subsequent development approval will be required for the renewal of the approval on a permanent basis. Condition 1 is recommended to this effect.

It should be noted that in the matter of *Joseph and City of Nedlands* [2002] WASAT 13, the State Administrative Tribunal (SAT) determined that due to the existence of the City's Short Term Accommodation Policy and the guidance it provides, that the Policy ought to be

afforded the most weight in determining the proposal. The subject application is wholly compliant with the Local Planning Policy – Short-Term Accommodation and thereby it would be inconsistent with orderly and proper planning to consider the application unfavourably.

Local Planning Policy – Parking

The City's Local Planning Policy – Parking prescribes one car bay per guest bedroom, in addition to any bays required under the R-Codes for the dwelling, for the 'Holiday house' land use. The application proposes two guest bedrooms. As per the requirements of the R-Codes, two car parking bays are required for the dwelling. Therefore, a total of four car parking bays are required for this proposal.

The site is serviced by two existing crossovers, one which leads to an existing double carport and single garage, and one which leads to a paved area suitable for parking at least one car. Thereby the site can accommodate four car bays and satisfies the requirements of the City's Local Planning Policy – Parking.

Consultation

A Holiday House is an 'A' Use in a Residential Zone, meaning that the use is not permitted unless the local government has exercised its discretion by granting development approval after giving notice in accordance with clause 64 of the deemed provisions.

The development application was advertised in accordance with the City's Local Planning Policy - Consultation of Planning Proposals to landowners and occupants within a 100m radius of the site. The application was advertised for a period of 14 days from 24 January to 8 February 2023. At the close of the advertising period, three objections were received.

The following is a summary of the concerns/comments raised and the Officer response in relation to each issue:

1. Concerns with anti-social behaviour.
No evidence has been provided to substantiate that any existing anti-social behaviour has been associated with this property. The applicants Management Plan contains a complaints response procedure should any anti-social behaviour arise in the future as a result of the land use. In addition, as the management of the Holiday House will reside on site, any potential issues can be immediately addressed. In considering any renewal of the development application after the initial 12-month period, the City will give regard to any substantiated complaints against the operation of the short-term accommodation.
2. Concerns with increased traffic / parking management issues.
The proposal complies with the parking requirements of the City's Local Planning Policy – Parking. Further, a condition of approval has been recommended to ensure that all vehicles, both for the owners of the property and the guests of the Holiday House, are parked on site, as opposed to the street. The proposal is a small-scale operation and is not expected to generate additional traffic beyond the capacity of the existing road network.
3. Concerns with impact on property values.
Property values are not a valid planning consideration.

4. Oversupply of short-term accommodation within locality.
Supply and demand of varying land uses are driven by market forces. This concern is outside of the scope of the City's planning framework.

Strategic Implications

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

Vision	Our city will be an environmentally-sensitive, beautiful and inclusive place.
Values	Great Natural and Built Environment We protect our enhanced, engaging community spaces, heritage, the natural environment and our biodiversity through well-planned and managed development.
Priority Area	Urban form - protecting our quality living environment

Budget/Financial Implications

Nil.

Legislative and Policy Implications

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

Decision Implications

If Council resolves to approve the proposal, the development can proceed.

In the event of a refusal, the applicant will have a right of review to the State Administrative Tribunal. Similarly, should an applicant be aggrieved by one or more conditions of approval, this can be reviewed by the Tribunal.

This application is comparable to *Joseph and City of Nedlands* [2002] WASAT 13 (37 Strickland Street, Mt Claremont), being an application for a Holiday House where the manager also resides onsite. This site is arguably even more appropriate for a Holiday House land use given the R60 zoning, and the proximity to the Mixed Use R-AC3 zone and high frequency bus routes. In *Joseph and City of Nedlands*, the SAT set aside the City's decision to refuse the application and granted approval subject to conditions. Given this precedent, in the event of a SAT appeal it is highly likely that any refusal determination would be

overturned by the SAT. The *Joseph and City of Nedlands* SAT matter cost the City approximately \$34,200.

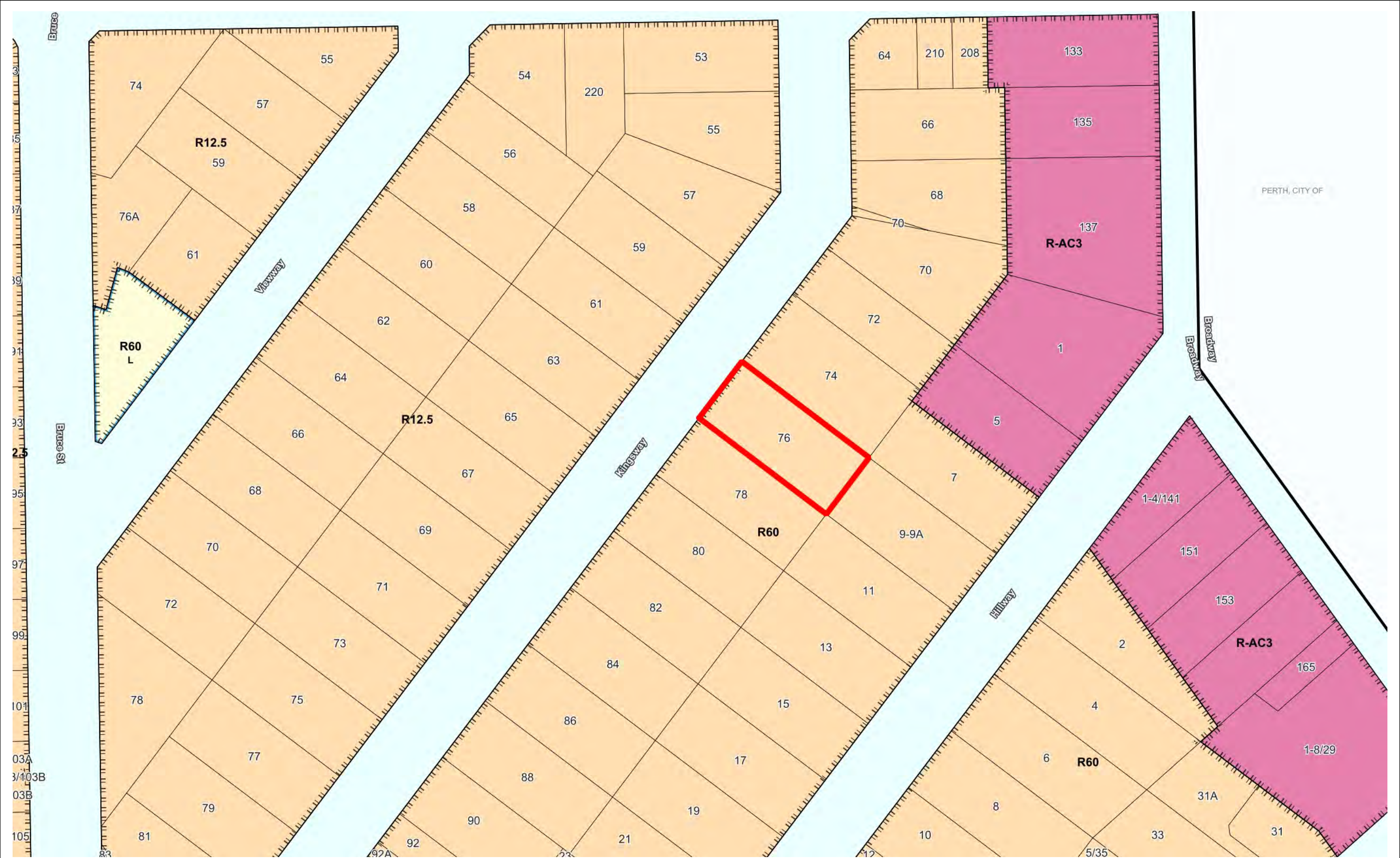
Conclusion

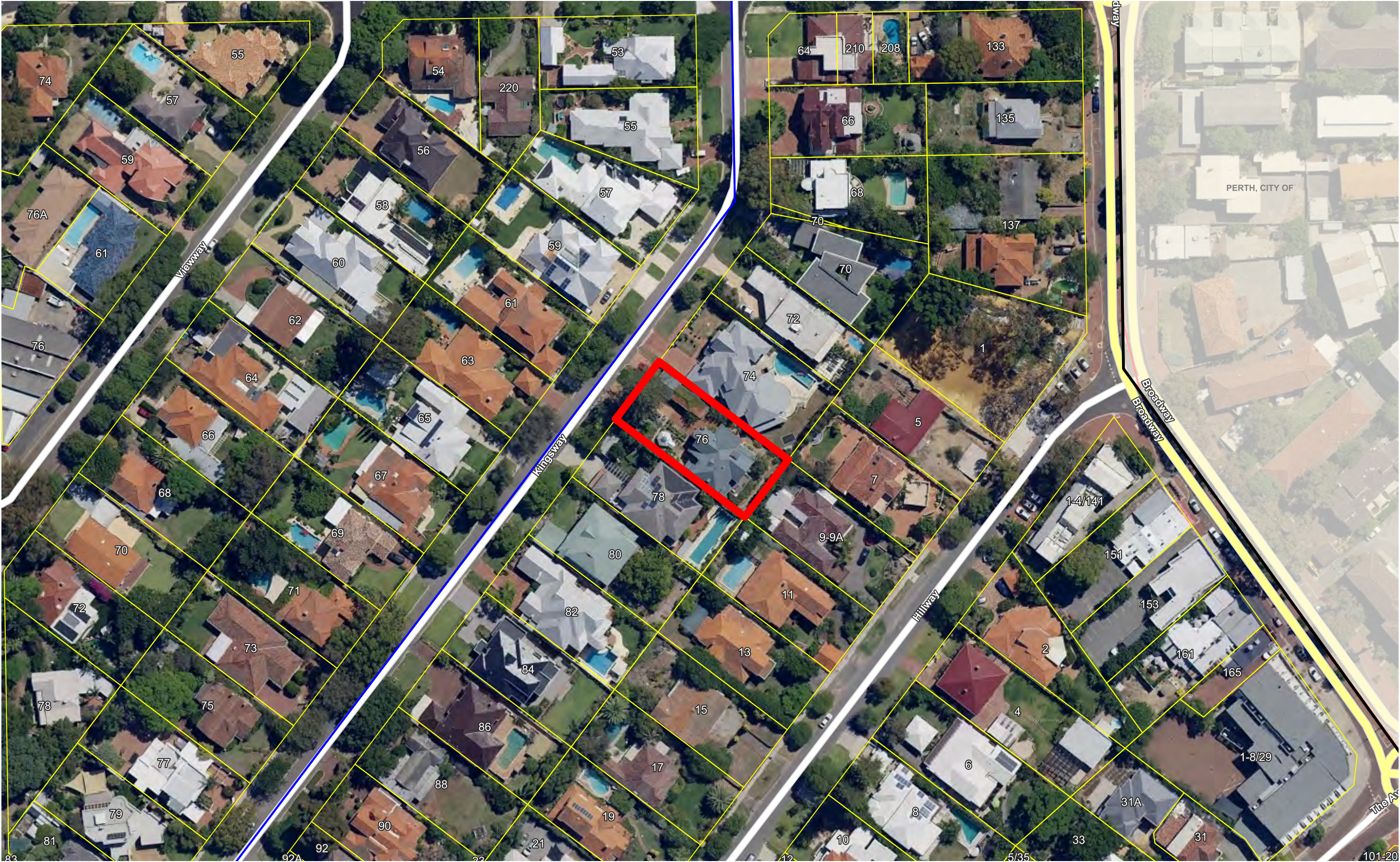
The application for the addition of a Short-Term Accommodation land use ('Holiday House') to existing Residential ('Single House') development has been presented for Council consideration due to objections being received. The proposal is considered to meet the development provisions of the City's local planning framework and, as such, is unlikely to have a significant adverse impact on the local amenity of the area.

Accordingly, it is recommended that the application be approved by Council, subject to conditions of Administration's recommendation.

Further Information

Nil.

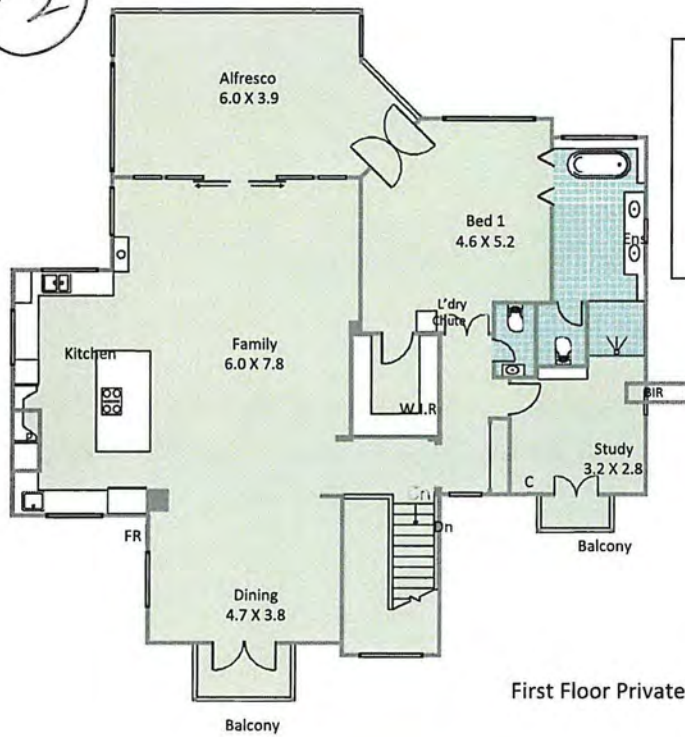




Floor Plan

(2)

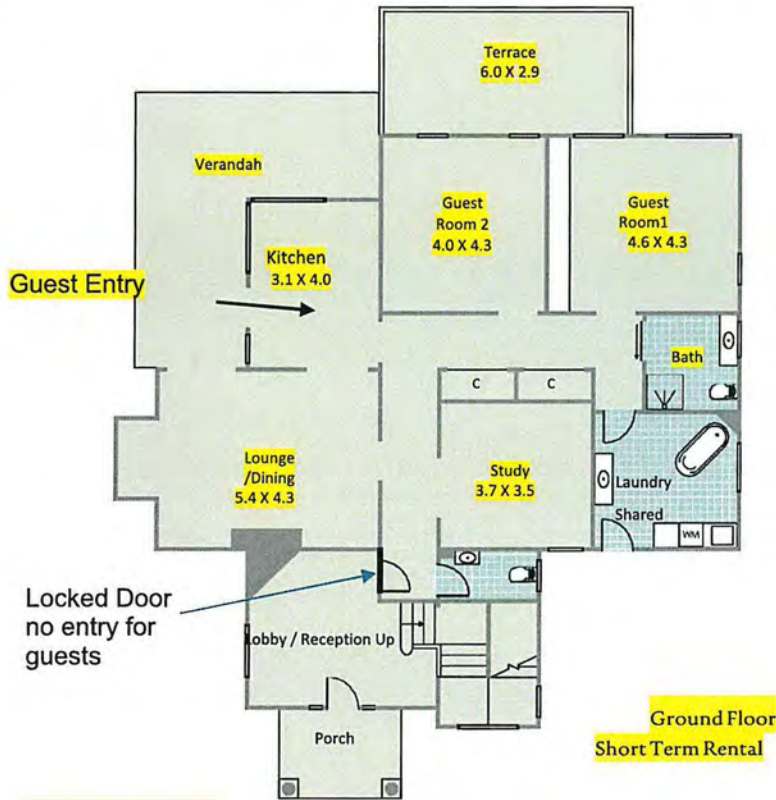
City of Nedlands
Amended Plans Received
22 January 2023



Approximate Areas

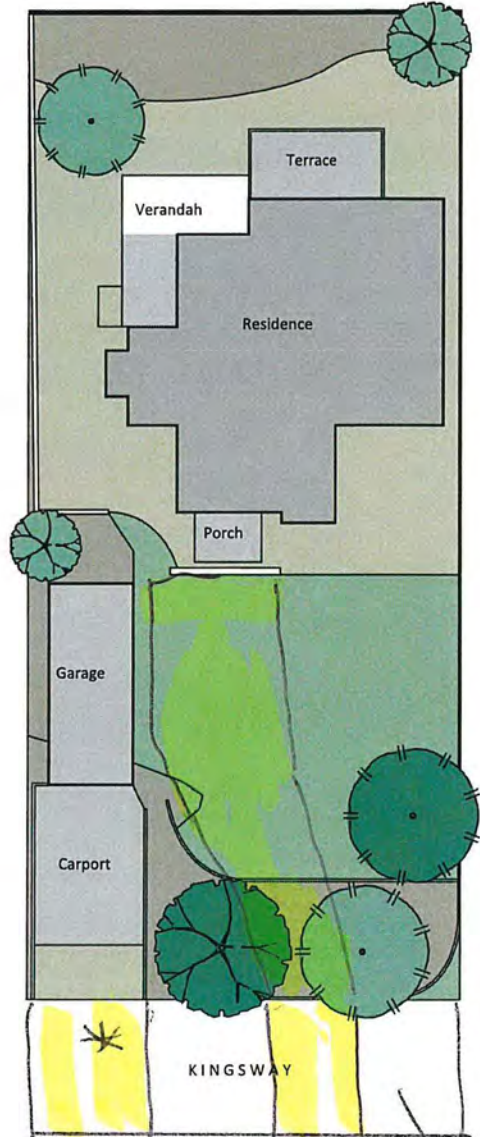
FIRST FLOOR

Residence: 151m²
Alfresco: 23m²
Balcony: 5m²



Approximate Areas
GROUND FLOOR

Residence: 155m²
Terrace: 18m²
Verandah: 27m²
Porch: 7m²



* has been altered
driveway added.

ENT AND ARE TO BE VERIFIED WHEN REFERENCE
TO ANY STRUCTURES SHOWN OR PORTION
Y DEMOLITION HAS TAKEN PLACE, BOUNDARIES
PROVIDED TO YOUR DESIGNER/ARCHITECT
BEFORE ANY WORK IS STARTED ON SITE.

5



Brick & tile

Sketch of parking

City of Nedlands
Amended Plans Received
22 January 2023

NOT
MISCI
(0.000)

Existing high
brick wall

Brick & galv
extension

Galv.
Patio

Existing brick
retaining wall.

ARK ON TOP
100mm BY
O CORNER

Existing fibro in poor
condition 0.5 high

NOTE: (meas abt 20.25)
20.12 (top&gl)

Existing timber post & fibro
in fair condition 1.7 high

PEN MARK ON WALL
ON REAR BOUNDARY
30mm PAST CORNER

r Only
on

NOTE: Approx. Sewer
clearance line (no encasing)
To be verified with Water Corp.

Sewer Junction
approx inv: 5.6
approx depth: 1.8m
Approx Sewer Only
Check Water Corp.

Existing brick wall.
(falling over)

Existing high
brick wall

Low
cable

Pen mark on
conc. 2.5m in
from boundary

Pen mark on
wall 2.5m in
from wall

'all
tion.

Approx F.L. 9.00
at side door

Brick & tile
on l'stone
(#76)

Approx F.L. 8.98
at side door

Approx F.L. 8.98
at front door

Meter
Box

Clump of trees
1.2m dia.
5m Ht.

Brick & galv. patio
& water closet

Top floor windows
only bottom floor
not visible

2 storey
Brick & tile
on brick & slab
(#78)

Balcony over
Porch

Existing high
brick wall

Tree
0.6m dia.
8m Ht.

Existing high
brick wall

PEG FND
NUMB

PEG FND
NUMB

Galv
Carport

Pine
1.0m dia.
20m Ht.

Gate
(meas abt 20.12)

Meter

DRICK wall

Gas Valve

Management Plan - Short term holiday accommodation

76 Kingsway Nedlands

City of Nedlands
Amended Plans Received
22 January 2023

1.0 Introduction

The purpose of this business is to provide short term accommodation to Holiday Makers and Visitors to UWA for Sabbaticals and Meetings. The owners / managers of the property live on site and have extensive knowledge of health and safety and will maintain the premises to a high standard. No functions will be conducted on site for guests. This will be managed on the Airbnb platform, which has rules and support for any problems that may occur.

2.0 Check in time

check in time is between 2:00 pm and 5:00 pm

3.0 Check out time – normal check in time is 10:00 am

Check In and Check Out will be a discrete process, where it is not practical for guests to arrive or depart between the above hours, they will be requested to do so in a manner that will not impact on neighboring properties.

4.0 Complaints Management

House rules are given to guests before booking and they need to acknowledge that they have read this at the time of booking. The rules are given again at check-in - electronically as well as hard copy format.

Neighbour complaints

The owners/ managers of the property are very aware of not impacting the neighbours and have strict house rules. Living on site they will be able to police the rules strictly. For example, they will not allow entertainment on site as this will create a noise issue.

If, however neighbours raise a complaint regarding guest behaviour they are to be made in writing to The Manager, 76 Kingsway, Nedlands 6009 as well as by email to themanager.76kingsway@outlook.com

The owners/manager of the short-term rental property will investigate all complaints and will advise the complainant of the outcome of the investigation in writing or by email.

If a breach of the Management Plan or the rules listed in the Guests Manual is found to have occurred, the manager will instruct the guest to immediately cease the breach. If the manager is aware of a subsequent breach of the rules, the guest will be instructed to vacate the premises. As well they may be banned from using Airbnb again.

5.0 Use

There are two bedrooms and three beds. Our current policy is to allow a maximum of 4 people.

6.0 On-site Register

An onsite register will be provided to guests on arrival with details recorded according to the local planning policy.

7.0 Maintenance

Maintenance of the gardens and building will be provided by the owners.

8.0 Guest Guide

There is a Guest Manual, House Rules and Local Guidebook provided both in electronic and hard copy format. These Manuals and Guides contain all the information required as per the Local planning policy. This

Management Plan - Short term holiday accommodation

76 Kingsway Nedlands

City of Nedlands
Amended Plans Received
22 January 2023

includes Manager and contact details • Code of Conduct • Wi-Fi Device name and password • Key lockbox code • TV Information • Air Conditioner operation • Location of the first aid kit • Extra towels and sheets • Hot water systems operation • Rubbish bin location • Check in time • Check out time • Local restaurant and shopping | Local Planning Policy • Local parks and recreation services • Important contact numbers • Other major attractions • Any other information.

9.0 Managers Guide

Should an outside manager need to be employed a managers' guide would be provided with all the information as per the Local Planning policy requirements. This guide is in the development currently.

10.0 Code of conduct for Guests and Visitors

The owner and residents are as follows:

10.1 The owners / managers of the property who own and manage the property.

10.2 Guests must follow the rules as per the house rule policy this includes a no smoking policy and advice on Parking which is on the premises.

10.3 Noise policy Guests must follow the rules as per the house rule policy – Quiet hours are between 9 pm and 7 am so as not to interfere with the quiet enjoyment of the surrounds by the Neighbors.

10.4 No visitors will be allowed to stay at the property overnight.

10.5 No gatherings or functions without permission. Permission may be granted at the discretion of the host for small numbers only during daytime.

10.6 Parking

The parking will be onsite and will not impinge on street parking. On site there is more than enough space on site for all. We have a double carport, garage and well as a separate drive for parking. In addition the property has two double council crossover bays (4 bays). The owners/managers second car is usually kept in the garage as they only use it for holiday trips. A copy of the parking plan has been submitted to the council.

Street parking is rarely used by us, our guests or our service personnel visiting the property.

10.7 Garbage and Recycling as per the council's rules and bins provided. Information on FOGO system is in the unit and the Guide.

10.8 Security.

Generally, the house is a low-risk area, however they have deadlocks, window locks and a monitored alarm. They have security path lighting for nighttime access to the Unit.

10.9 and 10.10 no pets or smoking as per the House Rules

10.11 any damage or breakages will be repaired by the owner in a timely manner.

10.12 Breaches in Code of Conduct Management. See 4.0 as above.

Conclusion.

The owners will comply with all the council recommendations and endeavor to make sure this enterprise has little or no impact and the surrounding neighbours. As they live on-site they can monitor the situation carefully and put measures in place to avoid any complaints.

16.3 PD08.03.23 Section 31 Reconsideration of Development Application – Single House at 78 Wood Street, Swanbourne

Meeting & Date	Council Meeting – 28 March 2023
Applicant	Robeson Architects
Information Provided	All relevant information required for this assessment has been provided by the applicant.
Employee Disclosure under section 5.70 Local Government Act 1995	The author, reviewers and authoriser of this report declare they have no financial or impartiality interest with this matter. There is no financial or personal relationship between City staff involved in the preparation of this report and the proponents or their consultants.
Report Author	Roy Winslow – Manager Urban Planning
Director	Tony Free – Director Planning and Development
Attachments	1. Aerial Image and Zoning Map 2. Development Plans 3. Architectural Perspective 4. Applicants' Supplementary Justification 5. CONFIDENTIAL ATTACHMENT – Submissions 6. Amended Plans – 24 March 2023

Purpose

The purpose of this report is for Council to reconsider a development application for a single house at 78 Wood Street, Swanbourne.

At the 13 December 2022 Ordinary Council Meeting (Refer item PD80.12.22), the application was refused by Council. Subsequent to Orders made by the State Administrative Tribunal (SAT) and amended development plans submitted to the City, this application is presented to Council to reconsider the proposal under section 31 of the SAT Act 2004 and make a determination.

Recommendation

That Council in accordance with Section 31(2)(c) of the State Administrative Tribunal Act 2004, set aside its refusal to grant development approval for a single house at 78 Wood Street, Swanbourne dated 13 December 2022 and substitutes the previous decision as follows:

In accordance with Clause 68(2)(b) of the Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015, development approval is granted in accordance with the plans date stamped 20 January 2023 for a single house at 78 Wood Street, Swanbourne, subject to the following conditions:

1. The development shall at all times comply with the application and the approved plans, subject to any modifications required as a consequence of any condition(s) of this approval.
2. All stormwater from the development, which includes permeable and non-permeable areas shall be contained onsite.
3. Prior to occupation, landscaping shall be installed and maintained in accordance with the approved plans, including the planting of one (1) tree with a minimum planting area of 2m x 2m. All landscaping shall be maintained for the lifetime of the development thereafter, to the satisfaction of the City.
4. Prior to occupation, the screening to the Theatre window on the western elevation as annotated on the approved plans shall be provided in accordance with the Residential Design Codes (Volume 1) by either:
 - a. Fixed and obscured glass to a height of 1.6 metres above finished floor level;
 - b. Fixed screening devices to a height of 1.6 meters above finished floor level that are at least 75% obscure and made of a durable material;
 - c. A minimum sill height of 1.6 metres as above the finished 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 of Nedlands.

5. Prior to occupation of the development the external finish of the parapet walls is to be the same standard as the rest of the development in:
 - a. Face brick;
 - b. Painted render;
 - c. Painted brickwork; or
 - d. Other clean material as specified on the approved plans and maintained thereafter to the satisfaction of the City of Nedlands.
6. All building works to be carried out under this development approval are required to be contained within the boundaries of the subject lot.

Voting Requirement

Simple Majority.

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

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

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

Background

Land Details

Metropolitan Region Scheme Zone	Urban
Local Planning Scheme Zone	Residential
R-Code	R15
Land area	485m ²
Land Use	Residential – Single House
Use Class	‘P’ – Permitted Use

The site is located at 78 Wood Street, Swanbourne, south of the Swanbourne Bushland across the street. The site is irregular in shape with a curved 13.8m frontage and an area of 485m². The land is sloping with a 0.7m fall from east to west. The site is currently occupied by a single storey single house.

The lot has density coding of R15. The site originally featured 2 grouped dwellings in a ‘built strata’ scheme configuration. The grouped dwellings were demolished in approximately 2000 and the site was converted to a survey strata scheme, resulting in two lots (78 and 80 Wood Street). In accordance with State Planning Policy 7.3 Residential Design Codes (R-Codes), the minimum size for an R15 lot is 580m². Consequently, the lot is undersized for the R15 code, being 485m², which is more typical of the R20 density code.

Previous Decision

At the Ordinary Council Meeting on 13 December 2022, Council considered a proposal for a single house at 78 Wood Street, Swanbourne. Council resolved to refuse the application for the following reasons:

1. The development does not satisfy the design principles of Clause 5.1.2 (Street setback) of the Residential Design Codes as the primary street setback is not consistent with and does not contribute to the established streetscape.
2. The development does not satisfy the design principles of Clause 5.1.3 (Lot boundary setback) of the Residential Design Codes as the height, bulk and scale of the proposed west-facing boundary wall will have an adverse impact on the amenity of the neighbouring property to the west.

SAT Application

In December 2022, the applicant lodged an application with the SAT to review the decision. Subsequent to orders being set out by SAT and amended development plans being received by the City in January 2023, the application is presented to Council to reconsider the

proposal and make a determination. Reconsideration is enabled by section 31 of the SAT Act (see legislative and policy implications section of this report).

Amended Plans

The application seeks development approval for the construction of a new two storey single house at 78 Wood Street, Swanbourne. Pursuant to the order made by the SAT, amended plans were prepared which make the following changes from the original proposal:

- The dwelling setback on the ground floor has been increased from 4m to 4.7m.
- The garage setback on the ground floor has been increased from 6m to 6.7m.
- The dwelling setback on the upper floor has been increased from 4.8m to 5.5m.
- The dwelling setback from the rear southern boundary has been reduced from 5.4m to 5.1m.
- An opening to the western side wall of the porch has been created.

Discussion

Assessment of Statutory Provisions

If a proposal does not satisfy the deemed to-comply provisions of the R-Codes, Council is required to exercise a judgement of merit to determine the proposal against the design principles of the R-Codes. It is recommended that the application be approved by Council as it is considered to satisfy the design principles of the R-Codes. Further, it is considered unlikely that the development will have a significant adverse impact on the local amenity and character of the locality.

Local Planning Scheme No. 3

Schedule 2, Clause 67(2) (Consideration of application by Local Government) – identifies those matters that are required to be given due regard to the extent relevant to the application. Where relevant, these matters are discussed in the following sections. Overall, the development is considered to meet these objectives, particularly in regard to height, scale, bulk and appearance, and the potential impact it will have on the local amenity.

State Planning Policy 7.3 - Residential Design Codes – Volume 1

The R-Codes apply to all single and grouped dwelling developments. An approval under the R-Codes can be obtained in one of two ways. This is by either meeting the deemed-to-comply provisions or via a design principle assessment pathway.

The proposed development is seeking a design principle assessment pathway for primary street setback, lot boundary setback, landscaping and visual privacy. As required by the R-Codes, Council, in assessing the proposal against the design principles, should not apply the corresponding deemed-to-comply provisions.

Street setback

The dwelling proposes a minimum primary street setback of 4.7m on the ground floor and 5.5m on the upper floor. The design principles require the development to be consistent with the established streetscape, provide sufficient space for landscaping and parking, and not be visually imposing from the street. The application satisfies the design principles as:

- The primary street boundary is curved. Whilst the minimum street setback on the ground floor and upper floor is 4.7m and 5.5m respectively, the maximum setback is 7.1m and 7.9m. As a result, the average street setback of the dwelling as perceived from Wood Street is 5.9m on the ground floor and 6.7m on the upper floor. The varying setback for the length of the street boundary reduces the dominance of the dwelling compared to a conventional rectangular lot with a straight lot boundary.
- The building uses design features that minimise its impact on the street. The 4.7m ground floor setback is measured from the enclosed porch. The northern aspect of the porch which faces the street is not comprised of solid building material which creates a sense of permeability and reduces the perception of bulk when viewed from the street. The substantive wall of the house is setback a minimum of 6.2m from the primary street.
- Overall, the street setback achieves a balance in responding to the constraints of the site relating to its shape and size and contributing to the established development pattern along Wood Street.

Lot boundary setbacks

The following lot boundary setbacks seek a design principle assessment:

- The eastern (side) garage wall on the ground floor proposes a nil setback (boundary wall).
- The western (side) wall on the ground floor proposes a nil setback (boundary wall).
- The western (side) Theatre to Bed 2 wall on the upper floor proposes a nil setback (boundary wall).
- The southern (rear) wall on the ground floor proposes a minimum 5.1m setback.

The design principles for lot boundary setbacks consider the impact of building bulk on adjoining properties, providing adequate sun and ventilation, minimising overlooking and allowing effective use of space for privacy and outdoor living areas.

West side

The western side setbacks achieve the design principles as:

- The impact of building bulk is minimised on the ground floor as the porch wall features an opening that provides a visual outlook and access to natural light for the occupants of the western adjoining lot. The opening will not result in reduced privacy for adjoining lots as it has a minimum sill height of 1.6m to satisfy visual privacy screening provisions.
- Any bulk from the double storey boundary wall will not be perceived by the adjoining occupants as the eastern wall of the house on 80 Wood Street is setback less than 1m from the boundary on the ground floor and does not feature any eastern facing major openings across the ground or upper floors.
- Due to the constraints of the site, the boundary wall makes more effective use of the space available to allow for an adequately sized outdoor living area at the rear of the lot.
- The boundary wall is adjacent to the eastern boundary so does not comprise solar access for the adjoining lot. The wall does not feature any major openings and does not overlook neighbouring properties.

East side

The application proposes a garage built up to the eastern boundary. The development achieves the design principles as:

- The majority of the boundary wall is located behind the front setback area with only 2.5m of the wall protruding forward of the average 9m front setback observable in the street.
- The boundary wall makes more efficient use of space by providing for a double car garage on the constrained site, reducing the need to build further into the site and reduce the outdoor living area.
- The boundary wall is adjacent to the western boundary so does not comprise solar access for the adjoining lot. The wall does not feature any major openings and does not overlook neighbouring properties.
- The boundary wall is a typical size for a garage, being 7.3m in length and 3.5m in height. If the residential density coding of the lot were commensurate with its size, this aspect of the proposal would be deemed-to-comply.

South rear

The southern setback achieves the design principles as:

- The impact of the solid wall's bulk is minimised as the wall is a single storey and is 1.8m in length, comprising 12% of the lot boundary length. At a setback distance of 5.1m, the wall is adequately separated from the outdoor living area of the adjoining lot to the rear.
- The shadow cast by the wall falls onto the subject lot and does not result in overshadowing of the adjoining southern property.
- The wall does not permit overlooking of the adjoining lots as it does contain any major openings.

Landscaping

The application proposes 36% landscaping within the front setback area. The design principles provide for retention or planting of vegetation and a positive contribution to the streetscape.

The proposal meets the design principles as the landscaping provided is sufficient and contributes to the existing streetscape. Wood Street is partly characterised by full height solid front fences - approximately half the lots along the relevant street block of Wood Street feature solid fences that obscure any landscaping within the front setback area. Conversely, the proposal includes a front fence that is visually permeable for its entire height which allows for views of the landscaping at 78 Wood Street. Further, the front setback area creates visual interest as it consists of a diversity of landscaping which includes a small garden, a tree and a water feature.

Visual privacy

Bed 2 on the upper floor overlooks the neighbouring lot to the west and is seeking a design principle assessment.

The design principles for visual privacy consider the minimal overlooking of active habitable spaces and outdoor living areas of adjacent dwellings. The application meets the design principles as:

- The cone of vision from the bedroom window is reduced by fixed privacy louvres.
- The overlooking from the window avoids the adjoining lot's outdoor living area and falls over the dwelling's ground floor roof and an upper floor wall without openings.
- Any overlooking will be further minimised as the window is perpendicular to the lot boundary, so overlooking is oblique rather than direct.

Consultation

No additional formal consultation has occurred since Council's 13 December 2022 decision.

The City engaged directly with the adjoining western landowner to seek comment on the amended development proposal. The landowner made a new submission related to the amended plans.

The following is a summary of the concerns raised and the Officer response in relation to each issue:

1. The street setback is still not consistent with the established streetscape.
Officer comment: The street setback achieves a balance in responding to the constraints of the site and contributing to the established development pattern along Wood Street.
2. The opening in the ground floor western porch wall may result in overlooking of the neighbouring property.
Officer comment: The opening has a minimum sill height of 1.6m to satisfy visual privacy screening provisions.
3. The height of the western wall will be visually obtrusive for approaching vehicles and pedestrians.
Officer comment: The height of the western wall achieves the deemed-to-comply provisions for building height.

To allow for the submissions from properties affected by this reconsideration to be considered as part of this decision, confidential copies have been included as an attachment.

Strategic Implications

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

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

Values

Great Natural and Built Environment

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

Priority Area Urban form - protecting our quality living environment

Budget/Financial Implications

In the event that this matter is considered at a formal hearing of the SAT, the City may require the services of a planning consultant experienced in SAT representation. Costs associated with a full hearing are anticipated at between \$30,000-\$50,000, depending on the complexity.

Should Council resolve to grant development approval, no further costs are anticipated.

Legislative and Policy Implications

The reconsideration is being conducted in accordance with section 31 of the [SAT Act](#). This section allows for the SAT to invite a decision-maker to reconsider the initial decision. Upon being invited to reconsider the decision the decision-maker may:

- Affirm the decision
- Vary the decision or
- Set aside the decision and substitute a new decision.

Decision Implications

Council is acting as the decision-maker for the purposes of section 31 of the SAT Act. Should Council affirm the original decision, the matter will be subject to further directions. The applicant will then have the ability to request the SAT conduct a formal hearing and make a decision to either dismiss or uphold the application for review. In this event, the SAT will become the decision-maker and effectively either approve or refuse the development.

In the event Council resolves to grant development approval, the SAT matter will only continue in the event the applicant is aggrieved by the decision. Resolving to grant development approval will likely result in the withdrawal of the SAT review and the development can proceed after a building permit is granted.

Conclusion

The application for a two-storey single house at 78 Wood Street, Swanbourne has been presented to Council for reconsideration by section 31 of the *State Administrative Tribunal Act 2004 (WA)*. With the updated development plans and supporting information, the proposal is considered to meet the key amenity related elements of R-Codes Volume 1 and as such is unlikely to have a significant adverse impact on the local amenity of the area. The proposal has been assessed and satisfies the design principles of the R-Codes and is consistent with the immediate locality and streetscape character.

Accordingly, it is recommended that the application be approved by Council, subject to conditions of Administration's recommendation.

Further Information

Question

Councillor McManus – can the Director meet with the applicant and the neighbour in order to seek a further compromise in relation to the setback?

Officer Response

A meeting is being organised, with the outcome of the meeting to be provided to Councillors prior to the Council meeting.

Question

Councillor Youngman – why is the fence on the boundary 1.6m high rather 1.8m?

Officer Response

The height of the fence, as measured from the proposed finished floor level on the 78 Wood Street side, will be 1.7m rising to 1.8m as it moves north and connects with the boundary wall.

This additional information is provided to Council following the receipt of amended plans after the agenda had been published. The result of the amended plans is a revised officer recommendation, to reflect the amended plans.

Officers met with the applicant since the Agenda Forum meeting and on Thursday 23 March, the Mayor, the Director, the landowners of No 78 Wood Street and 80 Wood Street all met. Following this meeting amended plans were received by the City.

Amended Plans

The amended plans show the ground floor level with an increased front setback of 400mm, with the upper level having a 500mm increase in the street setback.

The net increase in the street setback since the Council refusal in December is now 1.1 metres at ground level and 1.2 metres at the upper level.

The following outlines the changes in the plans since the Agenda Forum meeting:

- The dwelling setback on the ground floor has been increased from 4.7m to 5.1m.
- The garage setback on the ground floor has been increased from 6.7m to 7.1m.
- The dwelling setback on the upper floor has been increased from 5.5m to 6.0m.
- The dwelling setback from the rear southern boundary has been reduced from 5.1m to 4.9m.

Conclusion

Accordingly, it is recommended that the application be approved by Council, in accordance with a revised officer recommendation, reflecting the amended plans received.

Revised Officer Recommendation

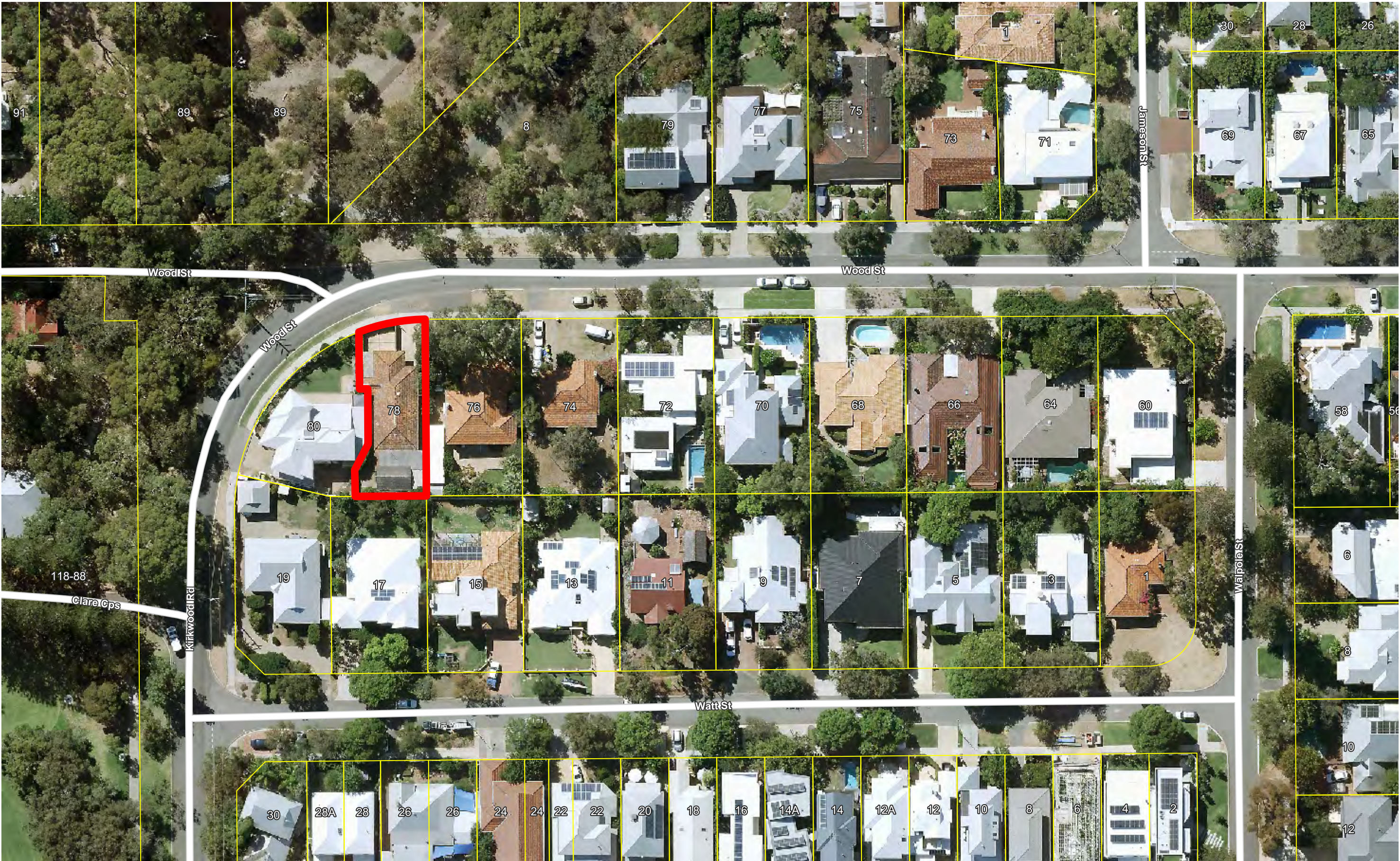
That Council in accordance with Section 31(2)(c) of the State Administrative Tribunal Act 2004, set aside its refusal to grant development approval for a single house at 78 Wood Street, Swanbourne dated 13 December 2022 and substitutes the previous decision as follows:

In accordance with Clause 68(2)(b) of the Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015, development approval is granted in accordance with the plans date stamped 24 March 2023 for a single house at 78 Wood Street, Swanbourne, subject to the following conditions:

- 1. The development shall at all times comply with the application and the approved plans, subject to any modifications required as a consequence of any condition(s) of this approval.**
- 2. All stormwater from the development, which includes permeable and non-permeable areas shall be contained onsite.**
- 3. Prior to occupation, landscaping shall be installed and maintained in accordance with the approved plans, including the planting of one (1) tree with a minimum planting area of 2m x 2m. All landscaping shall be maintained for the lifetime of the development thereafter, to the satisfaction of the City.**
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 - a. Fixed and obscured glass to a height of 1.6 metres above finished floor level;**
 - b. Fixed screening devices to a height of 1.6 meters above finished floor level that are at least 75% obscure and made of a durable material;**
 - c. A minimum sill height of 1.6 metres as above the finished 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 of Nedlands.

- 5. Prior to occupation of the development the external finish of the parapet walls is to be the same standard as the rest of the development in:**
 - a. Face brick;**
 - b. Painted render;**
 - c. Painted brickwork; or**
 - d. Other clean material as specified on the approved plans and maintained thereafter to the satisfaction of the City of Nedlands.**
- 6. All building works to be carried out under this development approval are required to be contained within the boundaries of the subject lot.**





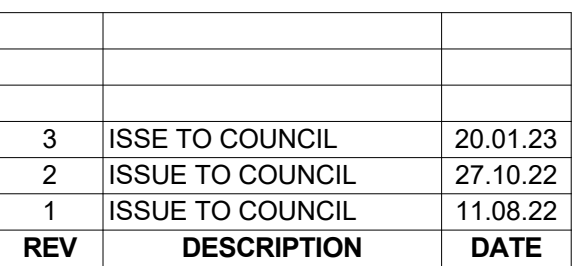
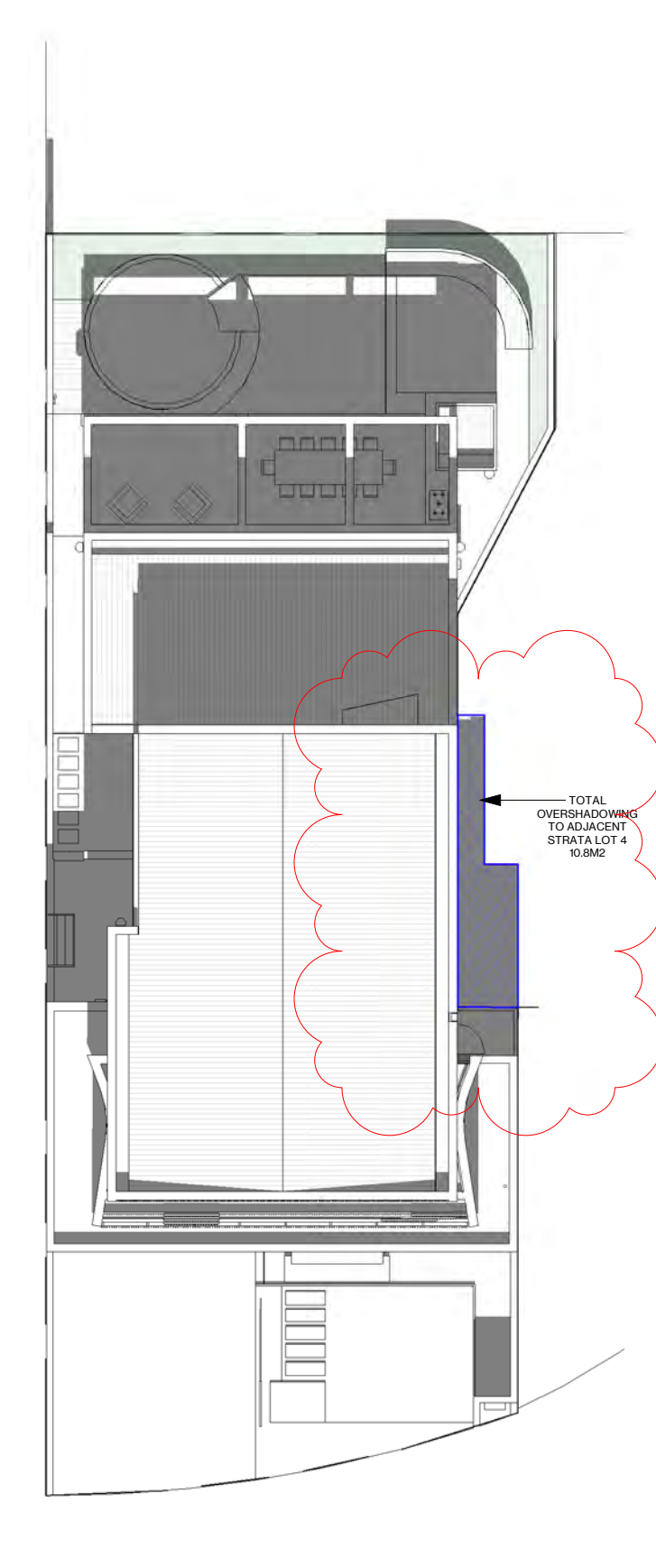
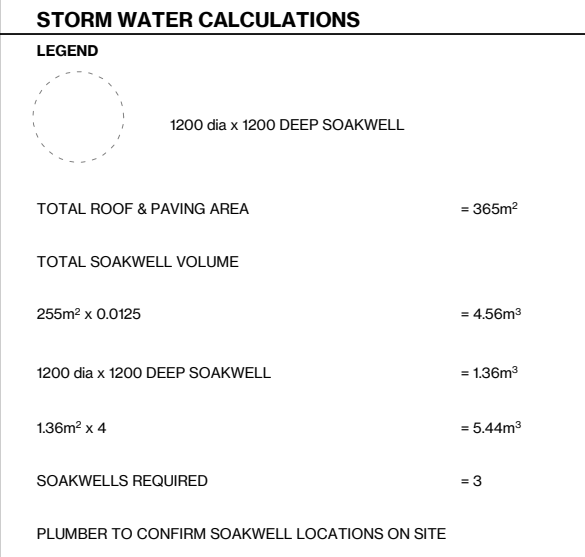
City of Nedlands

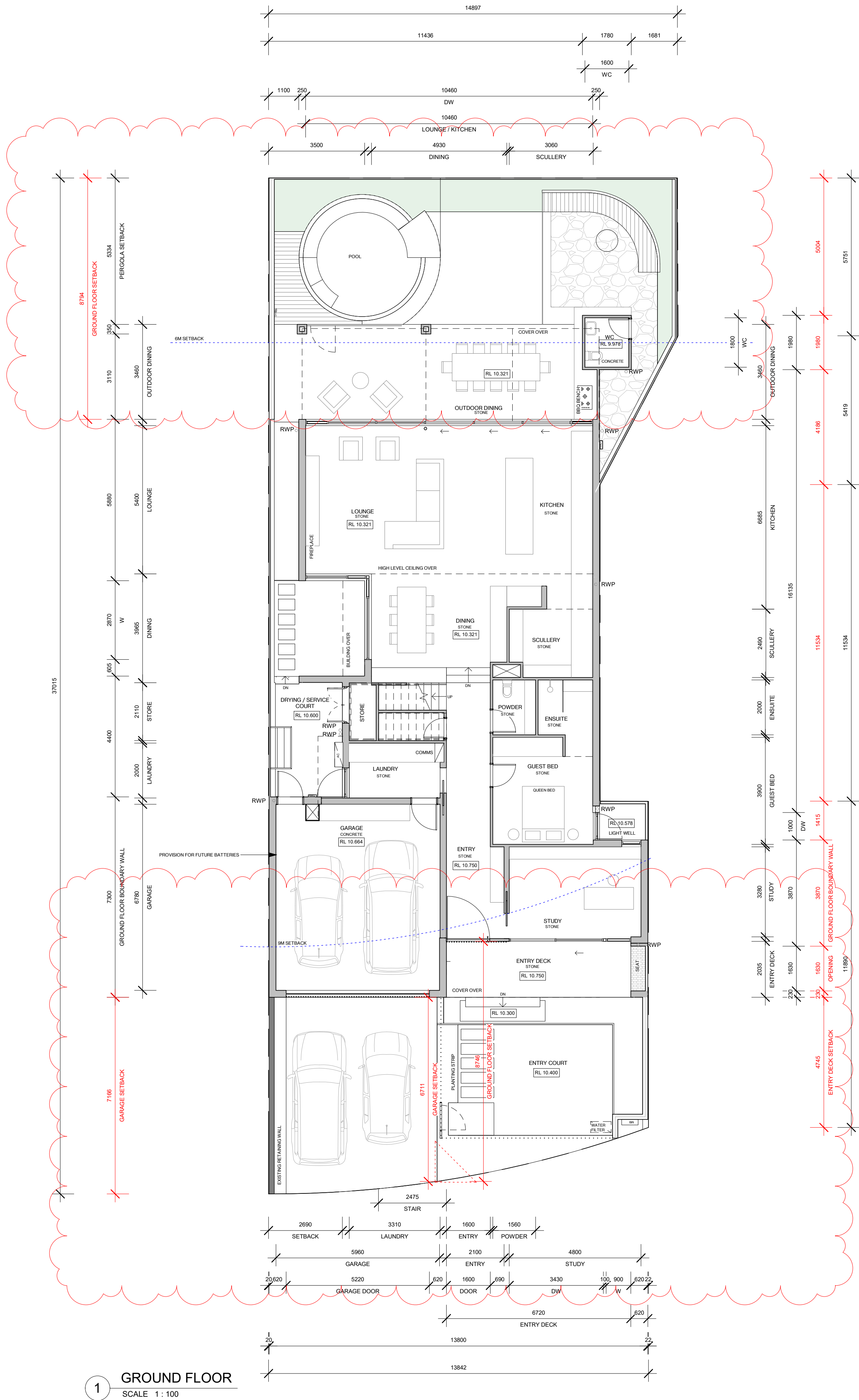
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14/11/2022

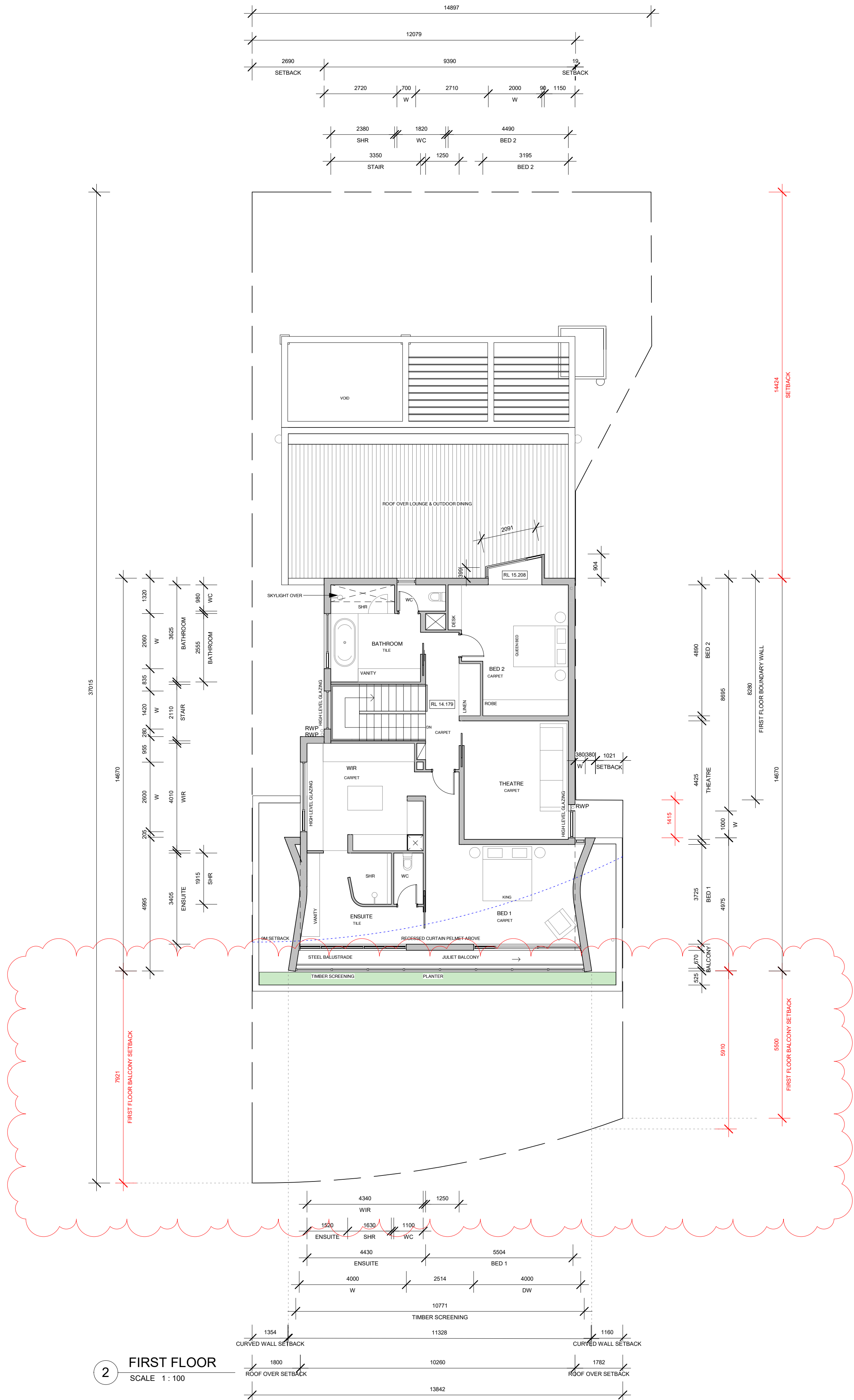
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1 GROUND FLOOR
SCALE 1:100



2 FIRST FLOOR
SCALE 1:100

REV	DESCRIPTION	DATE
3	ISSE TO COUNCIL	20.01.23
2	ISSUE TO COUNCIL	27.10.22
1	ISSUE TO COUNCIL	11.08.22

ROBESON
ARCHITECTS

ABN 12155776686
5 NORTHWOOD STREET
WEST LEEDERVILLE WA 6007

CLIENT
MIRIAM TERRY & SIMON BROWNE

PROJECT
SWANBOURNE
78 WOOD STREET
SWANBOURNE

DRAWING TITLE
FLOOR PLANS

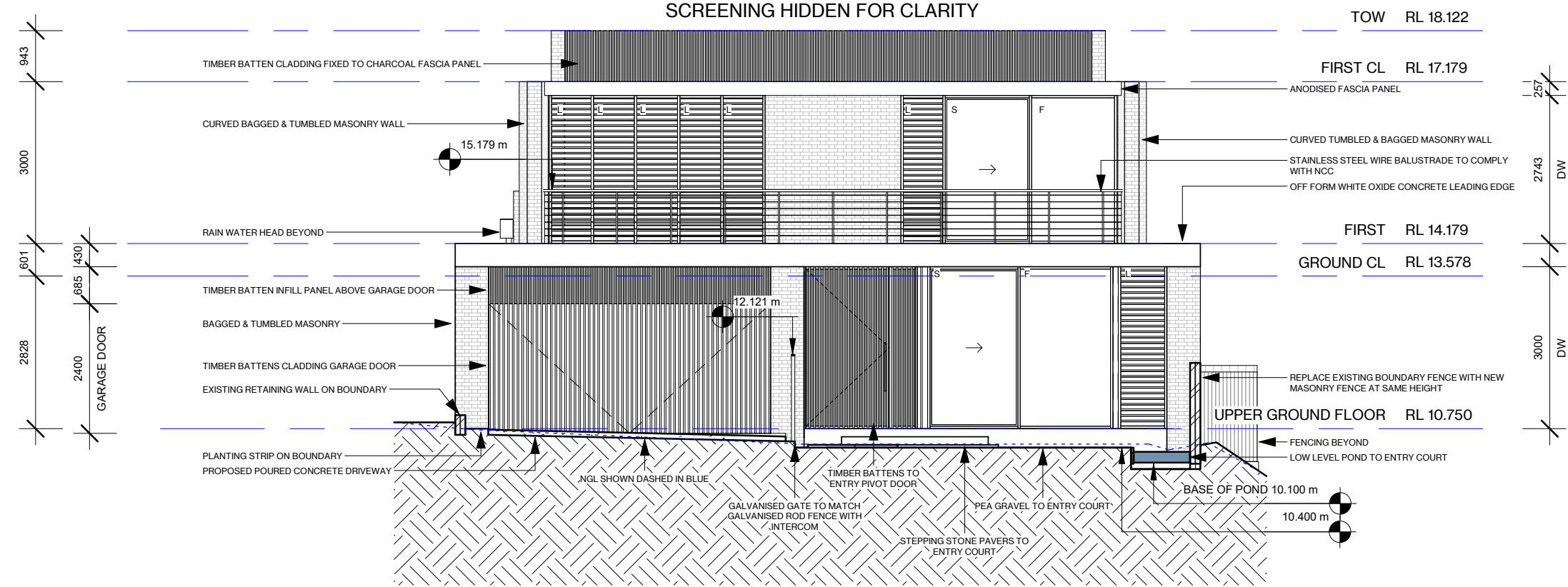
STATUS
DEVELOPMENT APPLICATION

SCALE @ A1
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2201 A10 3

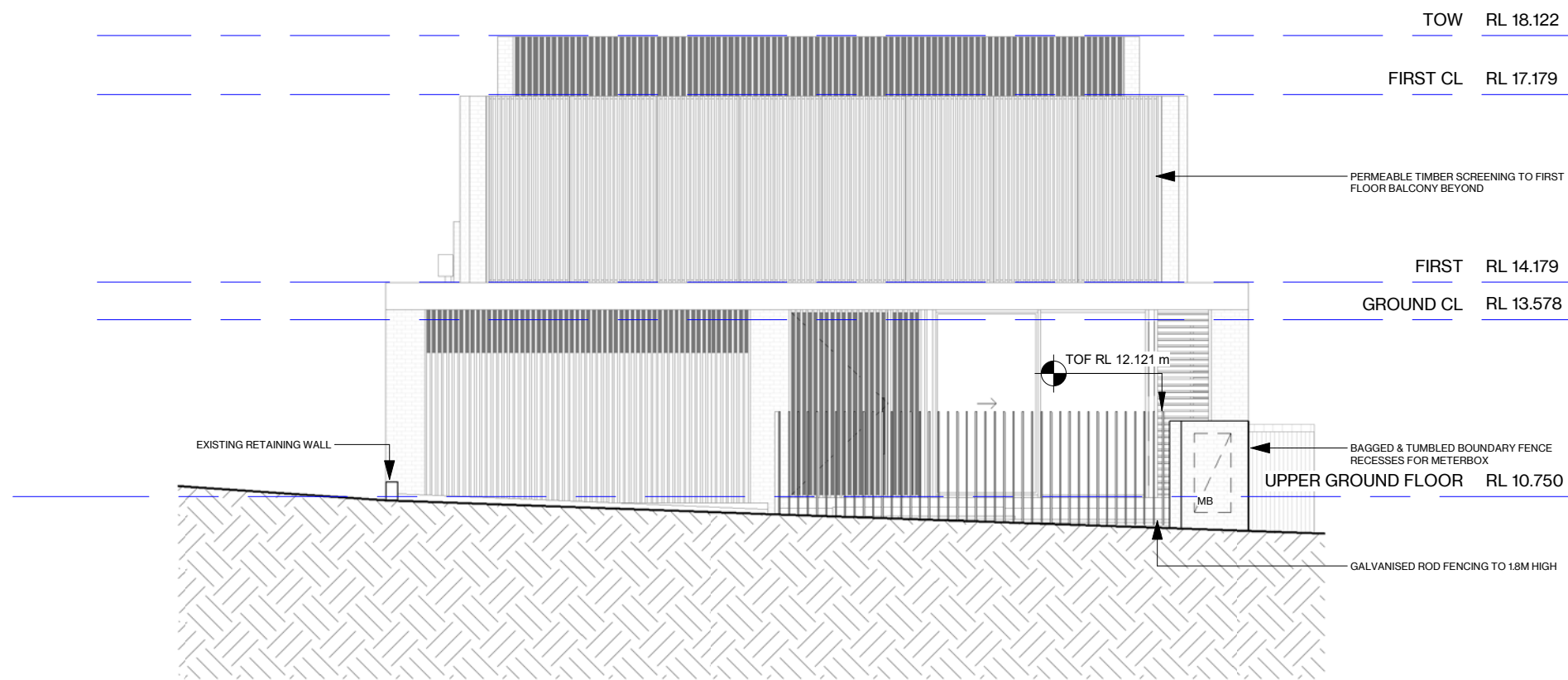
City of Nedlands
Amended Plans
Received
20 January 2023

- NOTES
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 3. ALL DIMENSIONS SHALL BE VERIFIED ON SITE BEFORE PROCEEDING WITH THE WORK. ROBESON ARCHITECTS SHALL BE NOTIFIED OF ANY DISCREPANCIES.
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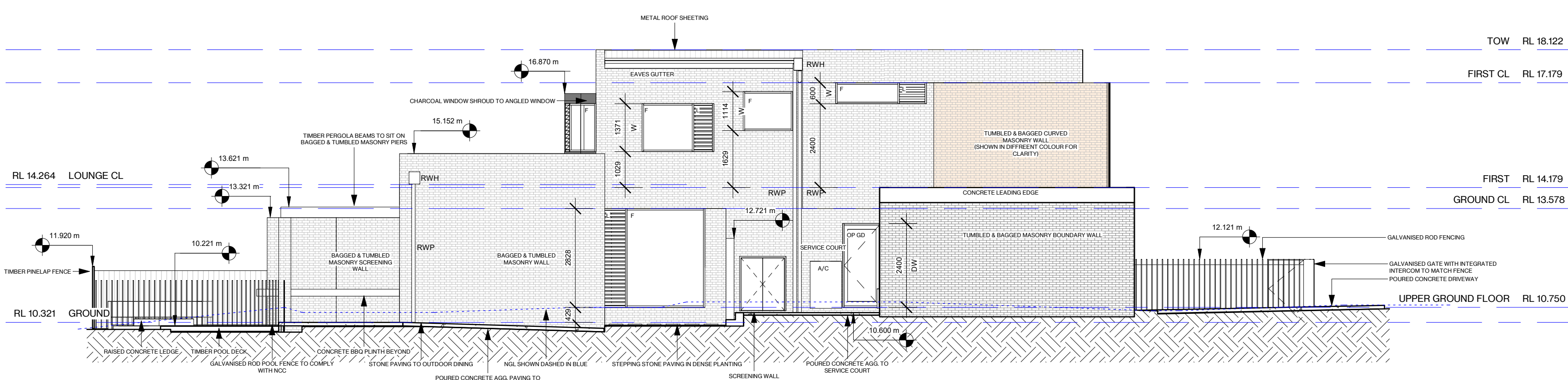
LEGEND			
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A	AWNING WINDOW	MB	ELECTRICAL/GAS METER BOX
C	CASEMENT WINDOW	OP	OPAQUE
DR	DRIVER	OV	OVEN
DW	DISH WASHER	RWP	RAIN WATER PIPE
F	FIXED PANEL	RWH	RAIN WATER HEAD
FR	FRIEDGE	S	SLOING PANEL
FW	FLOOR WASTE	W	WINDOW
GD	GLAZED DOOR	WM	WASHING MACHINE
HR	HANDRAIL		
HWU	HOT WATER UNIT		



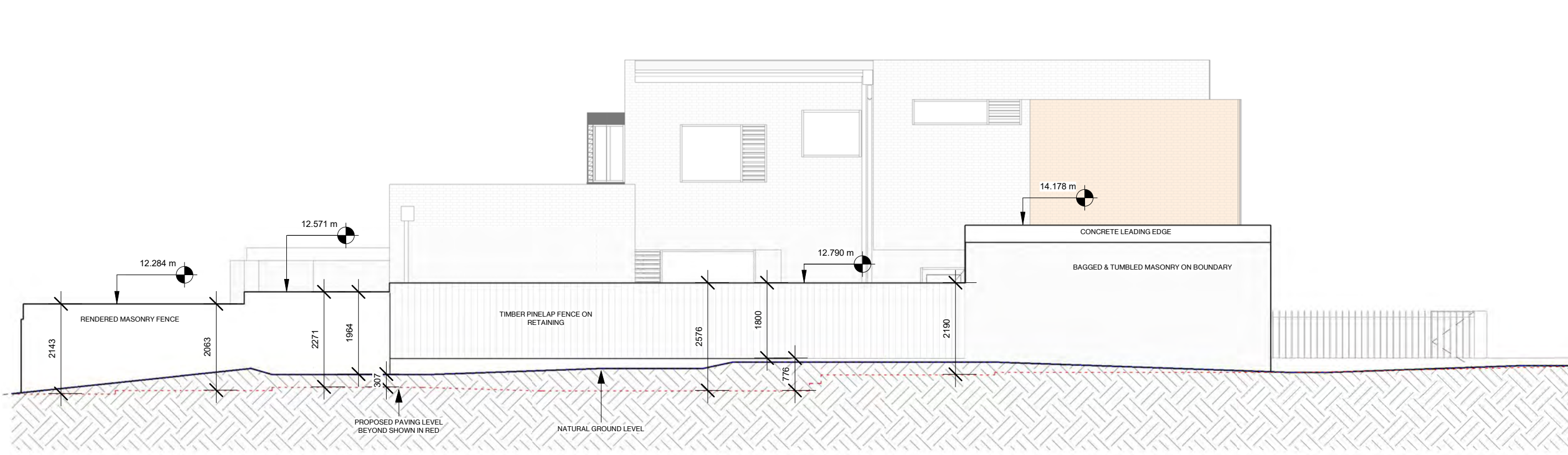
1 NORTH ELEVATION
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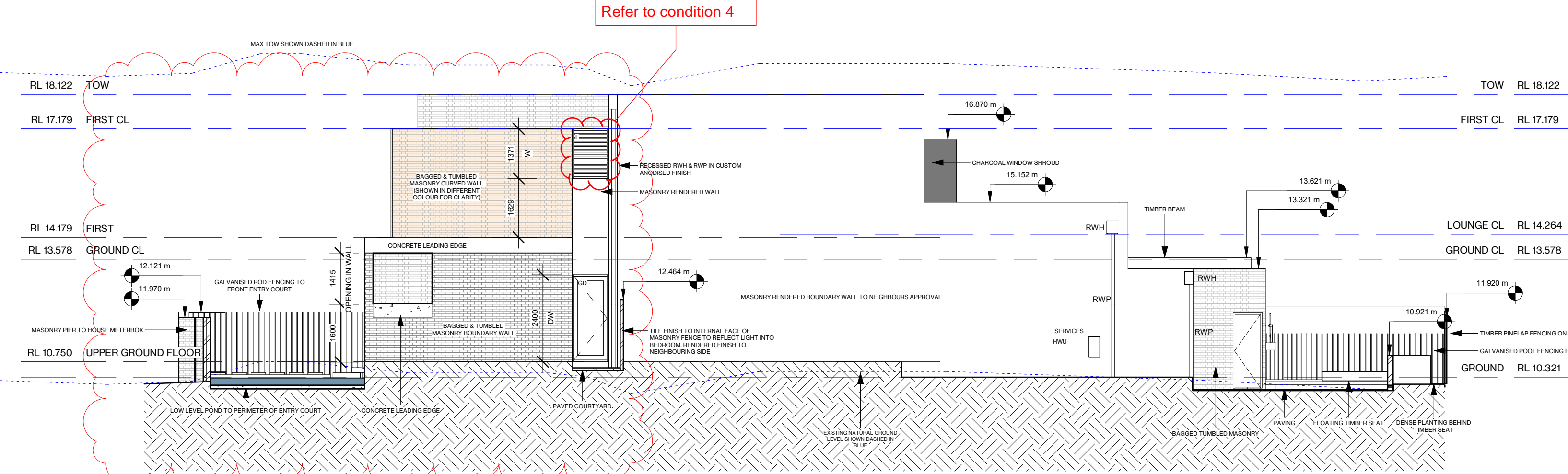
2 NORTH FENCE ELEVATION
SCALE 1:100



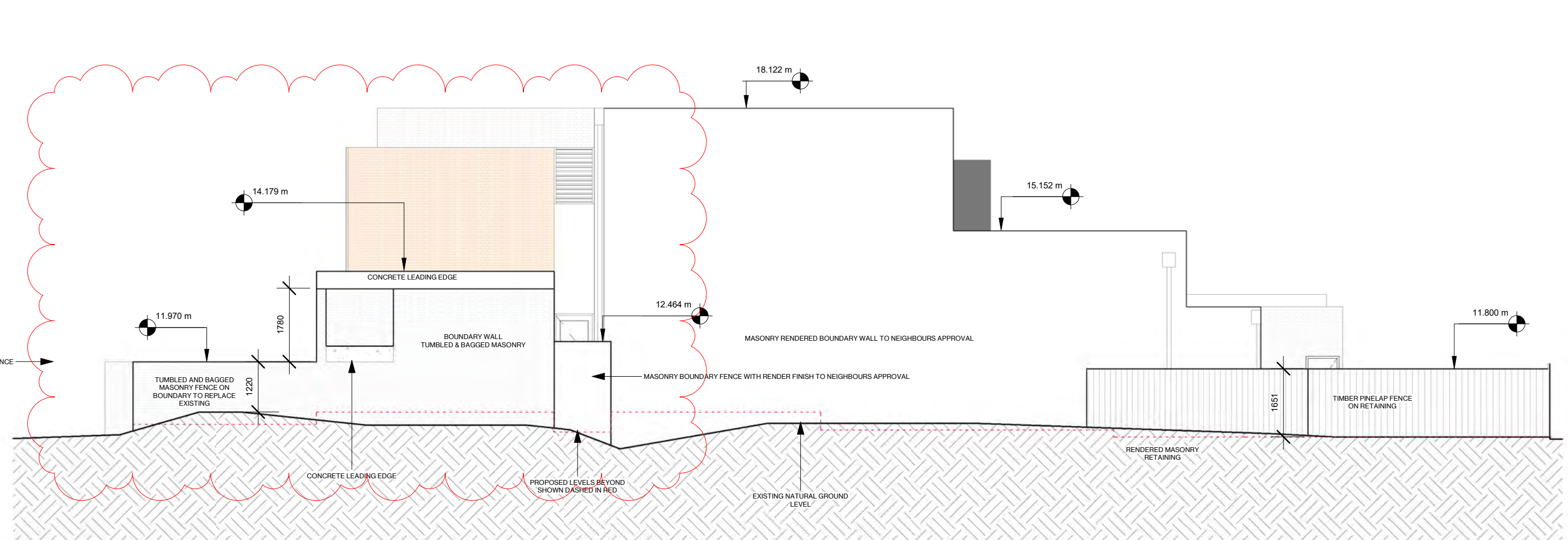
3 EAST ELEVATION
SCALE 1:100



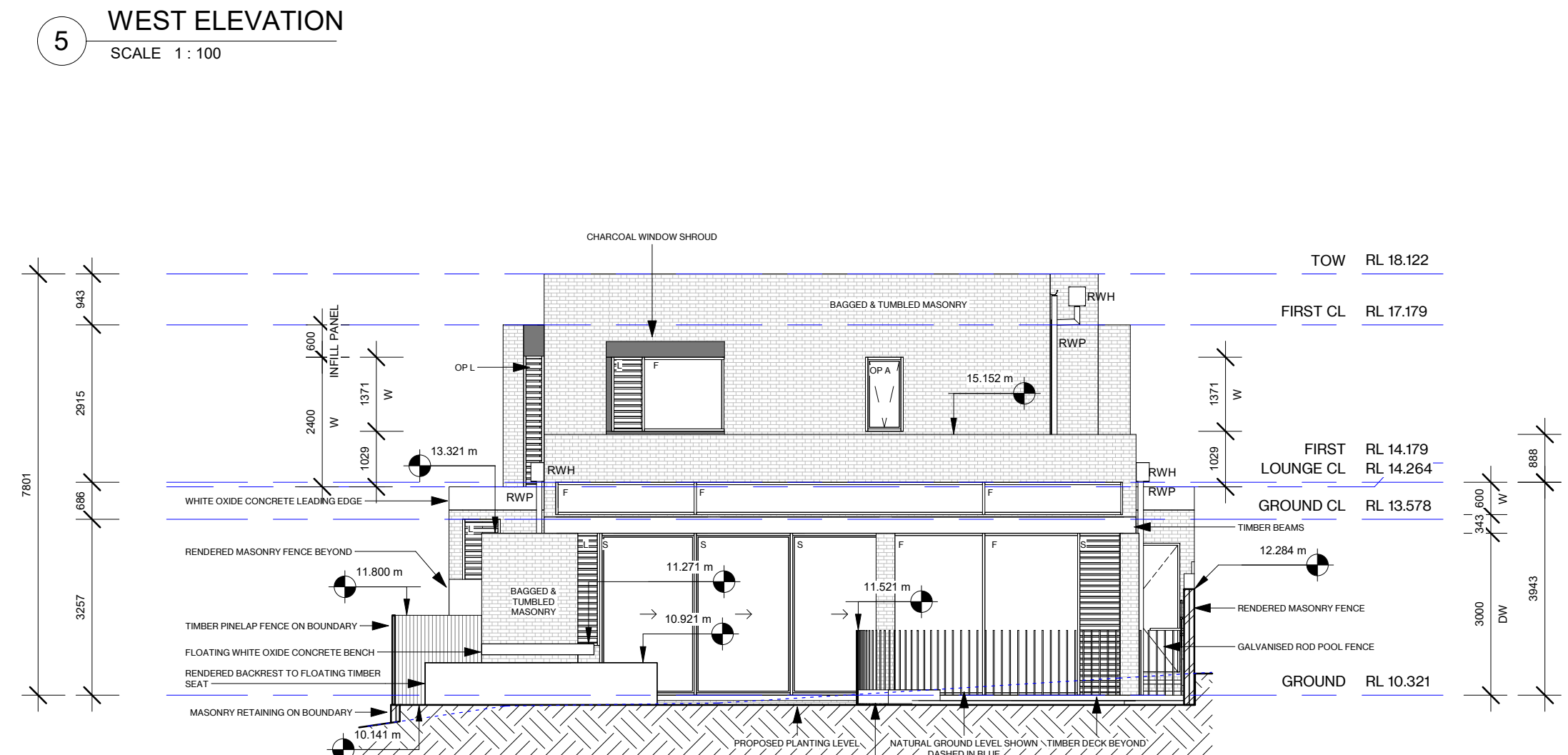
4 EAST FENCE ELEVATION
SCALE 1:100



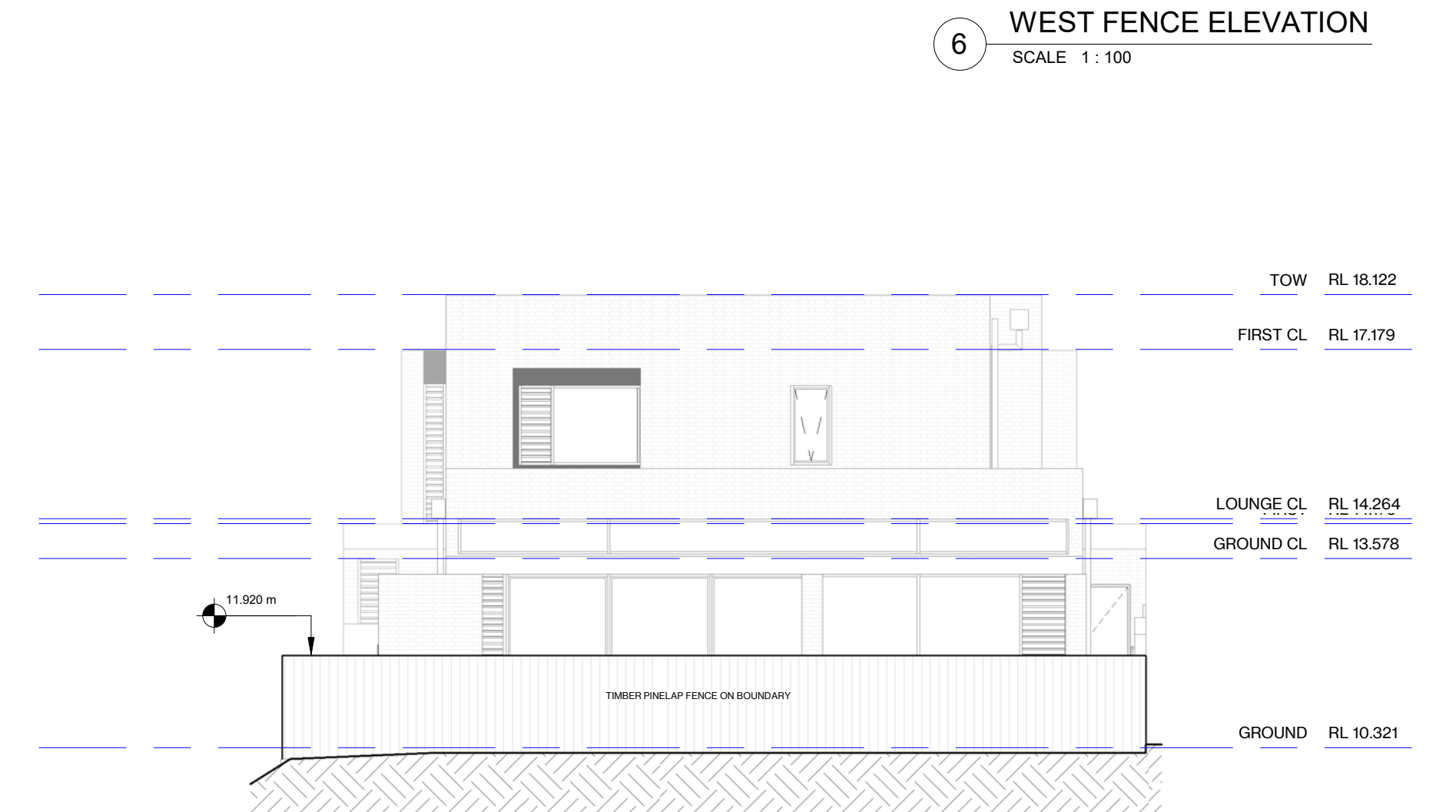
5 WEST ELEVATION
SCALE 1:100



6 WEST FENCE ELEVATION
SCALE 1:100



7 SOUTH ELEVATION
SCALE 1:100



8 SOUTH FENCE ELEVATION
SCALE 1:100

REV	DESCRIPTION	DATE
3	ISSE TO COUNCIL	20.01.23
2	ISSUE TO COUNCIL	27.10.22
1	ISSUE TO COUNCIL	11.08.22

ROBESON
ARCHITECTS

ABN 12155776686
5 NORTHWOOD STREET
WEST LEEDERVILLE WA 6007

CLIENT
MIRIAM TERRY & SIMON BROWNE

PROJECT
SWANBOURNE
78 WOOD STREET
SWANBOURNE

DRAWING TITLE
ELEVATIONS

STATUS
DEVELOPMENT APPLICATION

SCALE @ A1
1:100

PROJECT NUMBER
2201

DRAWN
LB

DESIGNED
SR

REVISION
3



2201 SWANNY HOUSE
SOUTHERN / STREET FACADE



2201 SWANNY HOUSE
SOUTH-WEST APPROACH

MIXED MATERIALS TO ADD
INTEREST TO THE FACADE
AND TO CONTRIBUTE TO
THE STREETScape

MAJOR OPENINGS FOR
STREET SURVEILLANCE

PERMEABLE FENCE

PLANTING IN-FRONT OF
PERMEABLE FENCE FOR
ADDITIONAL GREENERY

'WEDDING CAKE' EFFECT TO
WEST WALLS PROGRESSIVELY
GETTING FURTHER SETBACK
TO REDUCE BULK

OPENING ON BOUNDARY
WALL TO REDUCE BULK

NEIGHBOURS EXISTING
BLANK WALL NOT
CONTRIBUTING TO
STREETScape

RAISED PLANTER ON
BALCONY TO PROVIDE
ADDITIONAL GREENERY TO
STREETScape



2201 SWANNY HOUSE
EXISTING FACADE VS PROPOSED



EXISTING HOUSE:

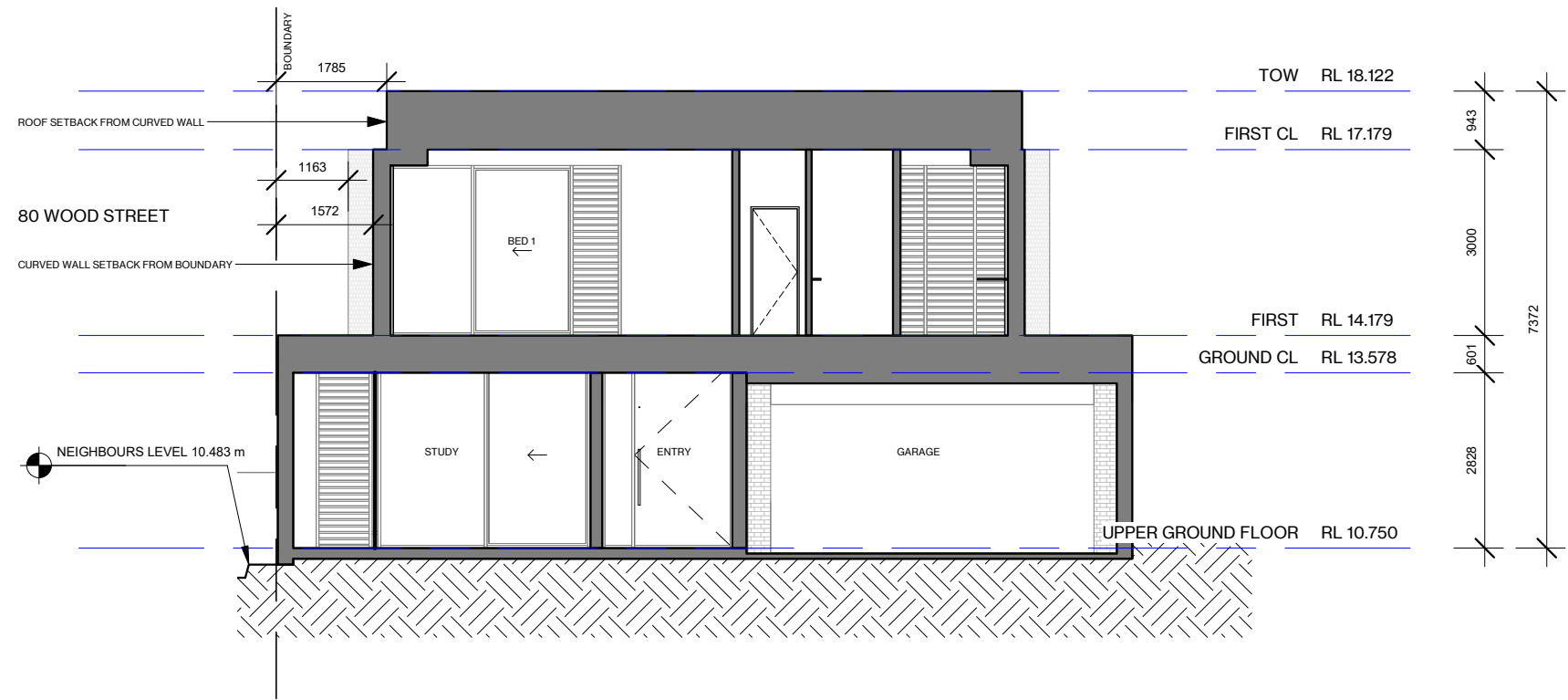
- FULL HEIGHT BLANK WALL
- NO MAJOR OPENINGS VISIBLE FROM STREET
- NO LANDSCAPING
- DRIVEWAY DOMINATES THE FACADE
- FACADE NOT VISIBLE
- NO STREET SURVEILLANCE



PROPOSED DESIGN:

- PERMEABLE FENCE
- MAJOR OPENINGS FACING THE STREET
- SIGNIFICANTLY INCREASED LANDSCAPING
- DRIVEWAY LESS THAN 50% OF THE FACADE
- INTERESTING AND ARTICULATED FACADE
- QUALITY ARCHITECTURAL BUILDING MATERIALS

2201 SWANNY HOUSE
SECTION



SECTION CUTTING THROUGH CURVED WALL TO BEDROOM 1 SHOWING INCREASING SETBACKS TO WEST BOUNDARY

2201 SWANNY HOUSE

ARTICULATION OF WALLS ON THE WESTERN BOUNDARY



PARALLEL WITH THE WESTERN BOUNDARY ARE 3 STEPPED WALLS WITH INCREASING SETBACKS TO REDUCE THE VISUAL DOMINANCE OF THE DESIGN. AN ADDITIONAL OPENING IN THE GROUND FLOOR BOUNDARY WALL HAS BEEN INTRODUCED TO FURTHER REDUCE BULK




2201 SWANNY HOUSE

REDUCED SETBACKS OF OTHER FULL SIZE R15 PROPERTIES
IN THE NEAR VICINITY. SETBACKS BASED ON INTRAMAPS
MEASURING TOOL



12 OF THE 18 APPLICABLE SURVEYED LOTS HAVE A REDUCED SETBACK



 **BEWARE:**
Deep sewer junction
Check With Water C
BUILDER and PLUM
check GRADE.
Sewer Junction
In: 1.5
Approx. Depth: 2.1
Approx. Sewer Only
- Check Water Corp.

NOTES

- 1. DO NOT SCALE DRAWINGS.**
- 2. ALL DIMENSIONS ARE IN MILLIMETRES UNLESS NOTED OTHERWISE.**
- 3. ALL DIMENSIONS SHALL BE VERIFIED ON SITE BEFORE PROCEEDING WITH THE WORK. ROBESON ARCHITECTS SHALL BE NOTIFIED OF ANY DISCREPANCIES.**
- 4. THIS DRAWING MUST BE READ IN CONJUNCTION WITH ALL RELEVANT CONTRACTS, SPECIFICATIONS AND DRAWINGS.**
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SITE PLAN GENERAL NOTES

1. TERMINATE MANAGEMENT SYSTEM TO COMPLY WITH THE NCC AND AS 3660:1 REQUIREMENTS.
2. STORMWATER MANAGEMENT TO COMPLY WITH NCC AND AS 3600.3. DOWNSPILL, GUTTER AND SLAMP SIZES ARE INDICATIVE ONLY. PLUMBER TO CONFIRM.
3. PROPOSED CROSSOVERS TO BE CONSTRUCTED IN ACCORDANCE WITH LOCAL AUTHORITY REQUIREMENTS.
4. ENSURE THE SITE CLASSIFICATION MATCHES THAT SPECIFIED ON THE STRUCTURAL ENGINEERING SPECIFICATIONS.

AREA CALCULATIONS - ZONED R40	
	AREA
LOT AREA	480m ²
FULLY ENCLOSED COVERED AREAS	
GROUND FLOOR	224m ²
FIRST FLOOR	142m ²
TOTAL	366m ²
OTHER	
ENTRY TERRACE	15m ²
OUTDOOR DINING	36m ²
JULIET BALCONY	7m ²
SITE COVERAGE	
MAXIMUM SITE COVERAGE UNDER R CODES FOR LOTS ZONED R15 = 50% OF TOTAL AREA	
480 X 50.50	242.5m ²
PROPOSED SITE COVERAGE - COMPLIANT	
	237.5m ²
OPEN SPACE	
MINIMUM OPEN SPACE UNDER R CODES FOR LOTS ZONED R15 = 50% OF TOTAL AREA	
480 X 50.50	242.5m ²
PROPOSED OPEN SPACE - COMPLIANT	
	249m ²

OVERSHADOWING CALCULATIONS	
CALCULATIONS	AREA
ADJACENT SITE # 80 LOT 4 WOOD STREET	610m ²
MAXIMUM 25% OF 80 LOT 4 WOOD STREET CAN BE OVERSHADOWED 610 x 0.25 =	152.5m ²
OVERSHADOWING AREA - COMPLIANT	115m ²

STORM WATER CALCULATIONS

LEGEND

TOTAL ROOF & PAVING AREA	= 365m ²
TOTAL SOAKWELL VOLUME	
235m ² x 0.0125	= 4.56m ³
1200 dia x 1200 DEEP SOAKWELL	= 130m ³
136m ³ x 4	= 5.44m ³
SOAKWELLS REQUIRED	= 3

PLUMBER TO CONFIRM SOAKWELL LOCATIONS ON SITE

City of Nedlands
Amended Plans
Received
24 March 2023

4	ISSUE TO COUNCIL	24.03.23
3	ISSE TO COUNCIL	20.01.23
2	ISSUE TO COUNCIL	27.10.22
1	ISSUE TO COUNCIL	11.08.22
REV	DESCRIPTION	DATE

ROBESON
ARCHITECTS

ABN 12155776686
5 NORTHWOOD STREET
WEST LEEDERVILLE WA 6007

CLIENT

MIRIAM TERRY & SIMON BROWNE

PROJECT

SWANBOURNE
78 WOOD STREET
SWANBOURNE

DRAWING TITLE

SITE PLAN

STATUS

DEVELOPMENT APPLICATION

SCALE

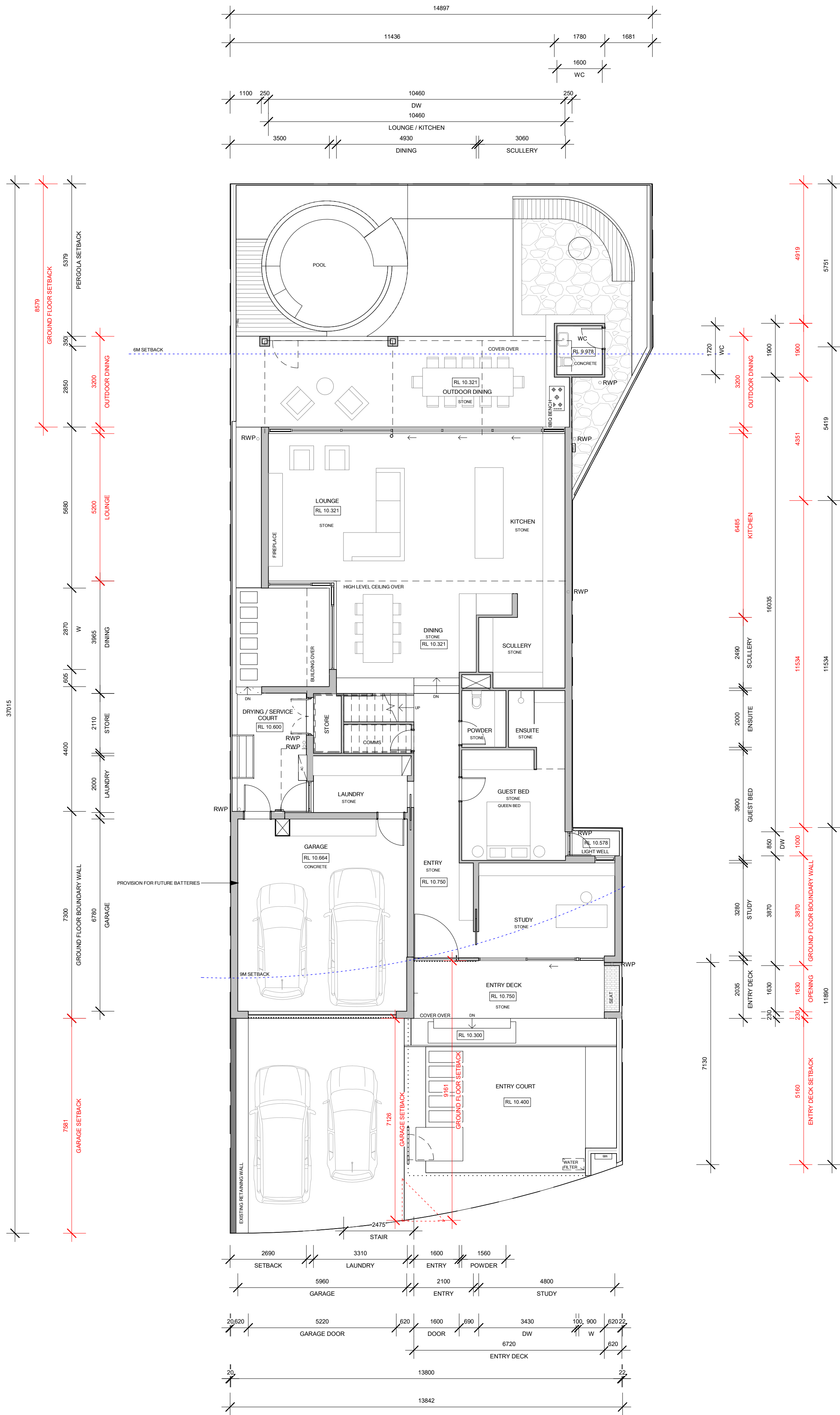
As indicated	LB	SR
DESIGNATION	DRAWING NUMBER	REV.

PROJ
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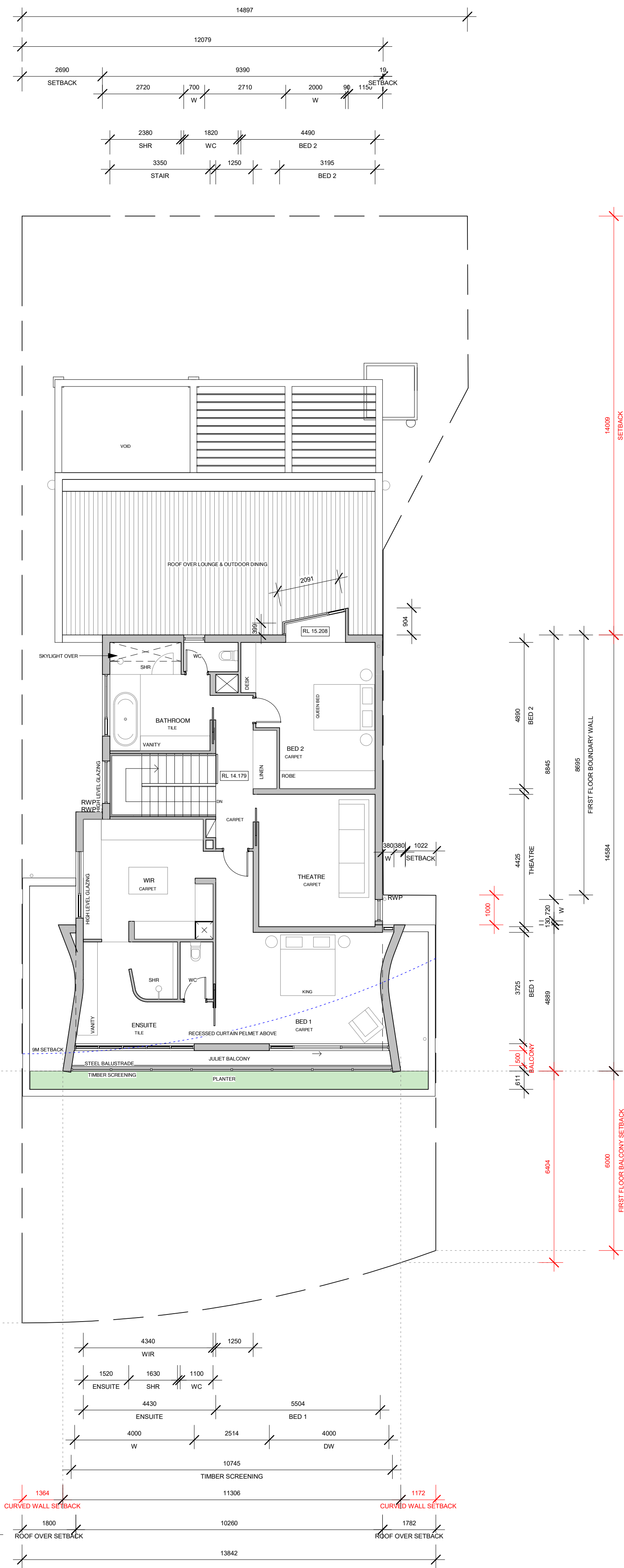
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1 GROUND FLOOR
SCALE 1:100



2 FIRST FLOOR
SCALE 1:100

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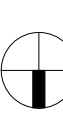
CLIENT
MIRIAM TERRY & SIMON BROWNE

PROJECT
SWANBOURNE
78 WOOD STREET
SWANBOURNE

DRAWING TITLE
FLOOR PLANS

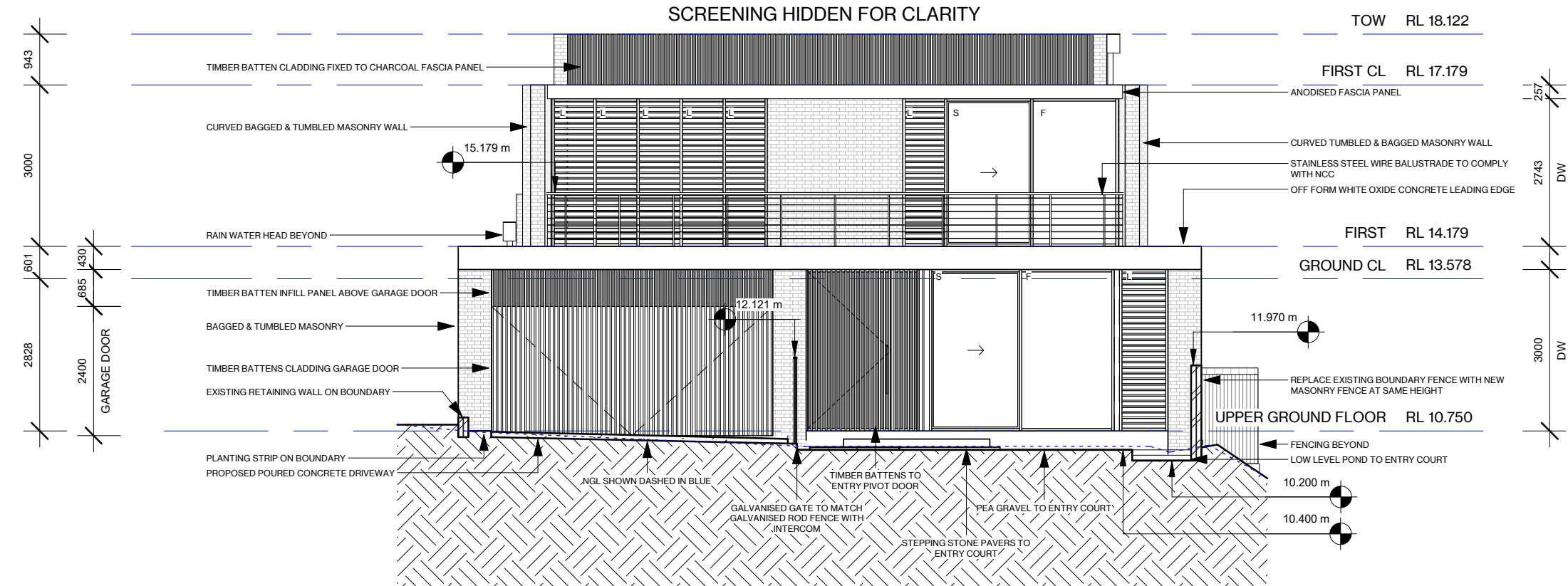
STATUS
DEVELOPMENT APPLICATION

SCALE @A1
1:100 LB SR
PROJECT NUMBER DRAWING NUMBER
2201 A10



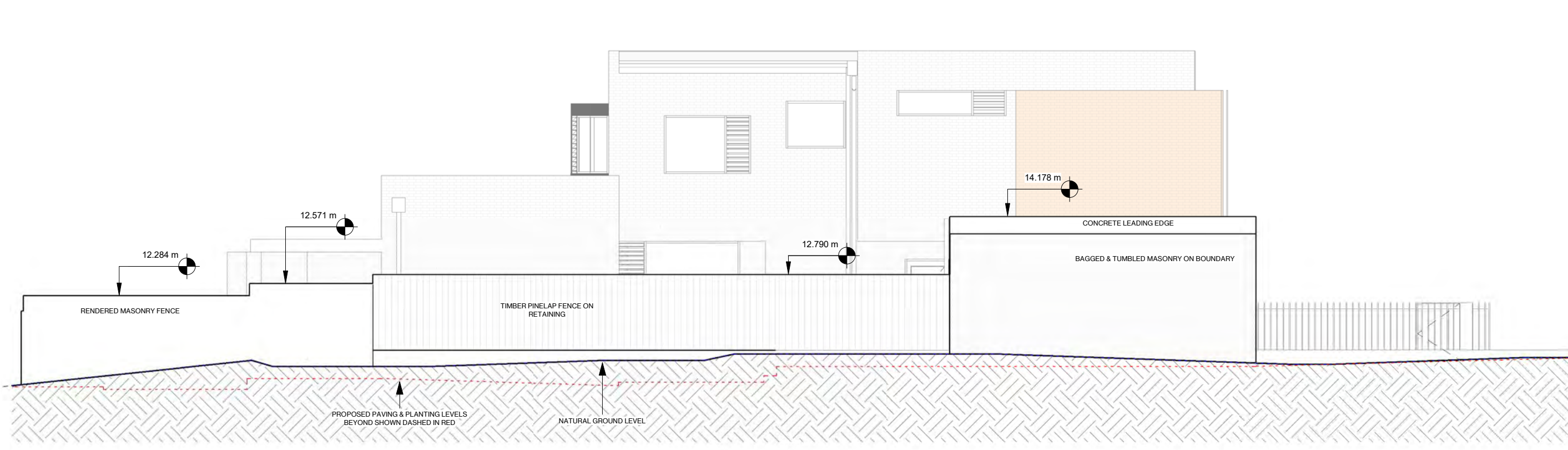
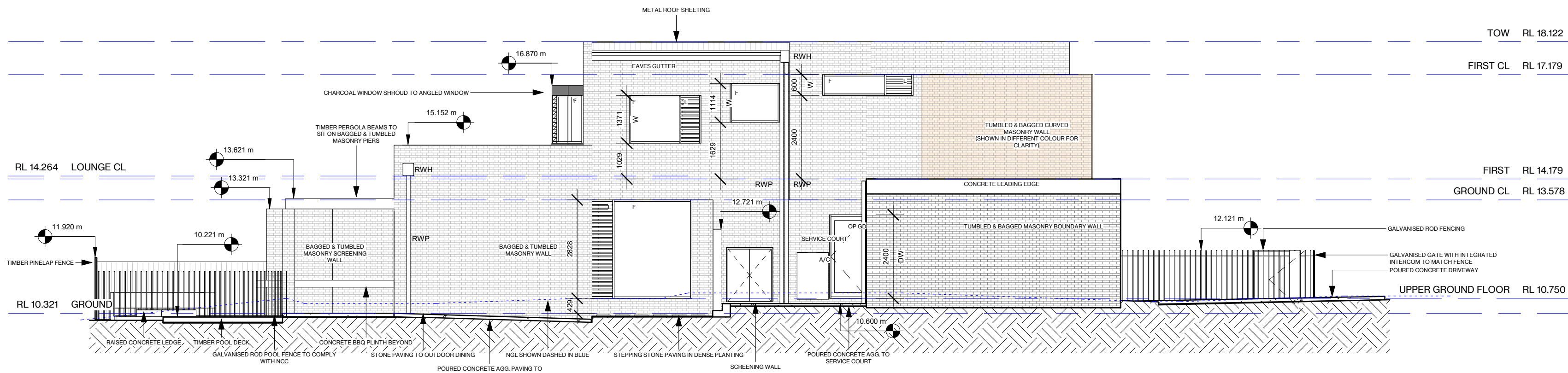
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LEGEND			
PROPOSED LEVEL ABOVE DATUM			
RL 3.000	BUILDING OVER	L	LOUNGE WINDOW
A	AWNING WINDOW	MB	ELECTRICAL/GAS METER BOX
C	CASEMENT WINDOW	OP	OPaque
ORD	CURBOARD	OV	OVEN
COL	STRUCTURAL COLUMN - REFER TO STRUCTURAL ENGINEERS DWGS FOR DETAIL	RWP	RAIN WATER PIPE
DR	DRIVER	RWH	RAIN WATER HEAD
DW	DRY WASHIER	S	SLOING PANEL
F	FIXED PANEL	W	WINDOW
FR	FRIEDGE	WM	WASHING MACHINE
FW	FLOOR WASTE		
GD	GLAZED DOOR		
HR	HANDRAIL		
HWU	HOT WATER UNIT		



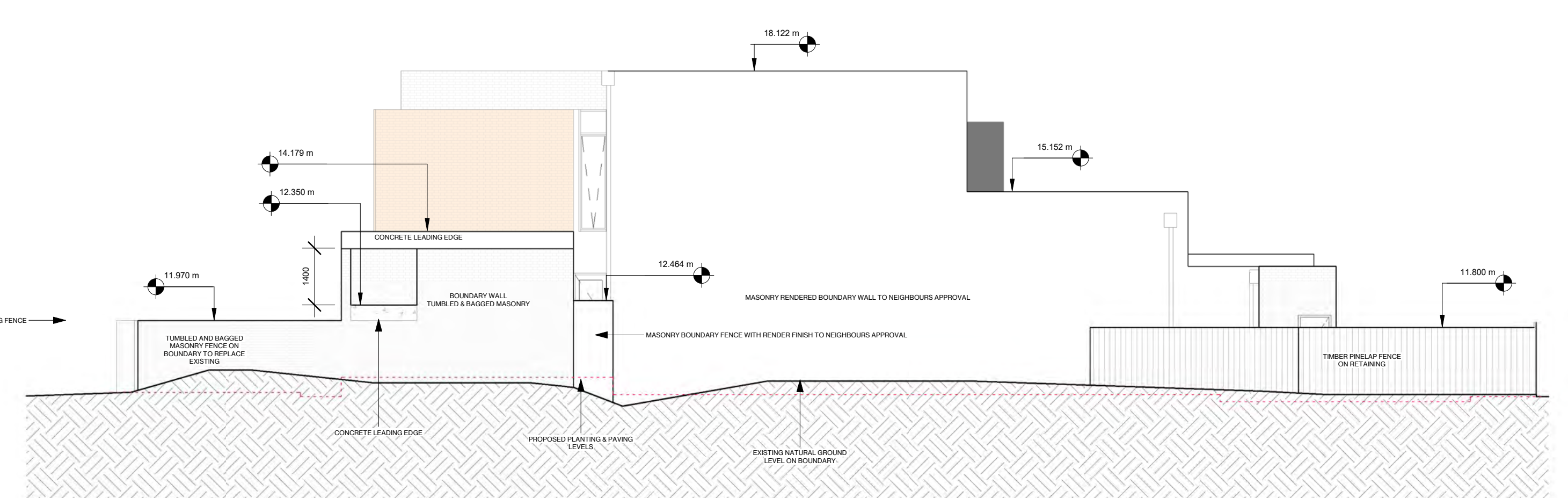
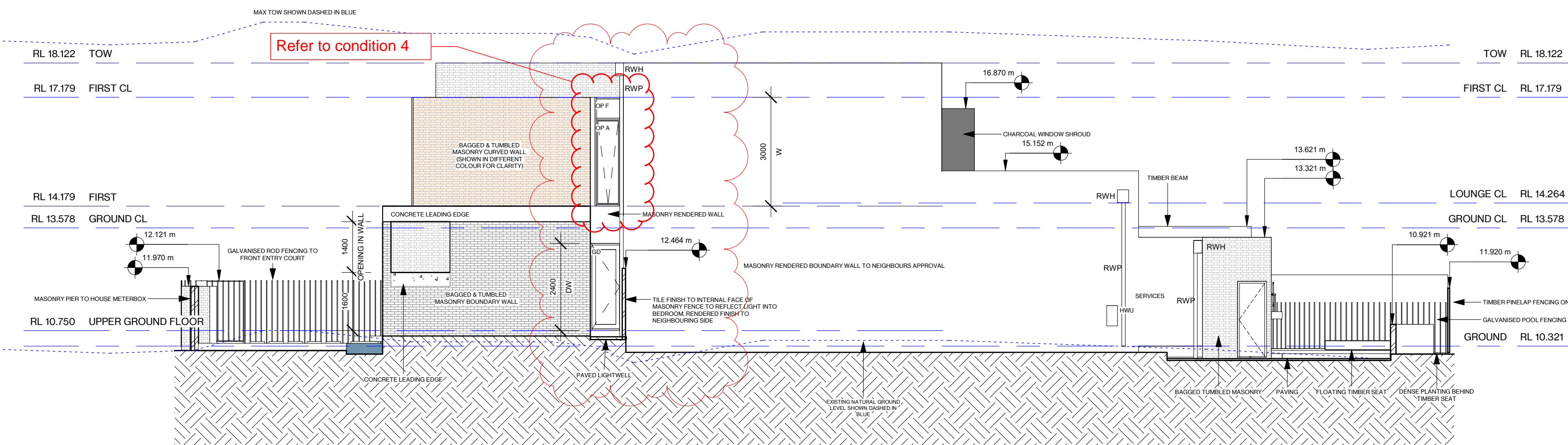
1 NORTH ELEVATION
SCALE 1 : 100

2 NORTH FENCE ELEVATION
SCALE 1 : 100



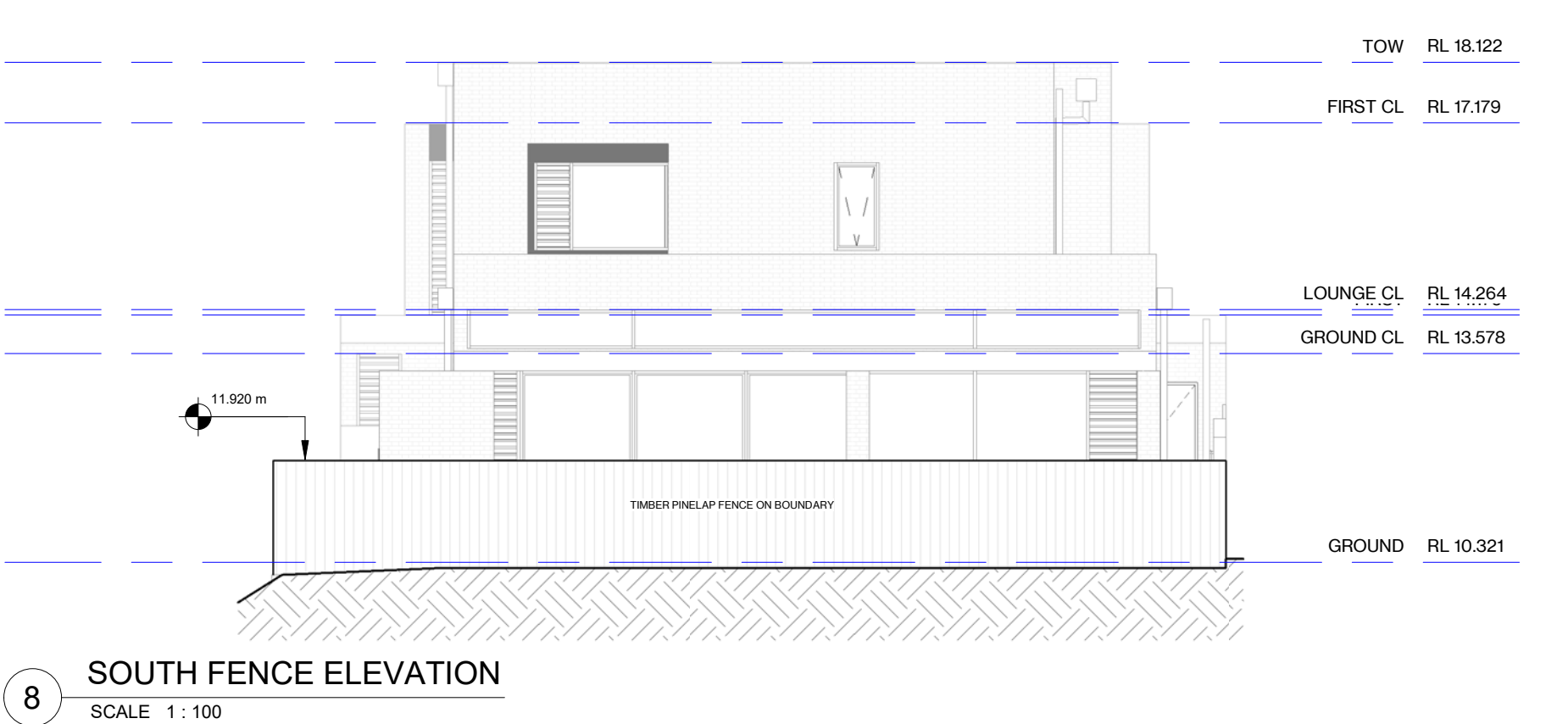
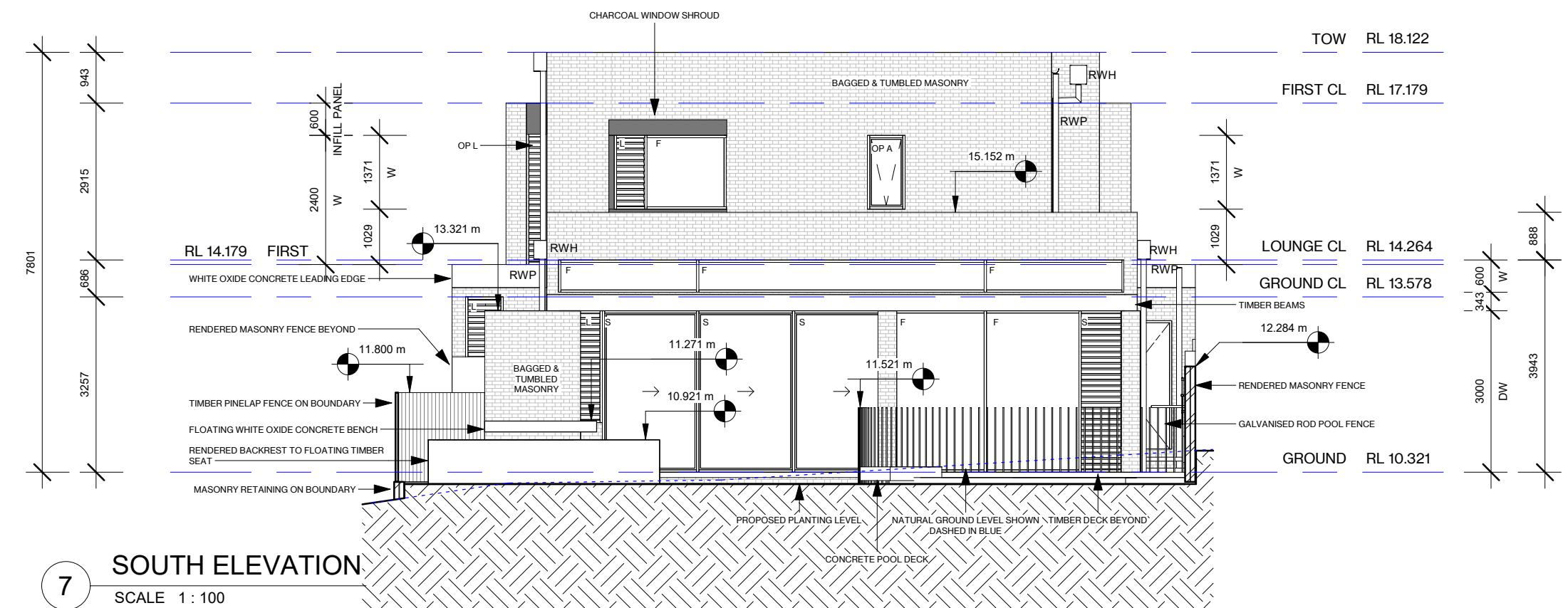
3 EAST ELEVATION
SCALE 1 : 100

4 EAST FENCE ELEVATION
SCALE 1 : 100



5 WEST ELEVATION
SCALE 1 : 100

6 WEST FENCE ELEVATION
SCALE 1 : 100



7 SOUTH ELEVATION
SCALE 1 : 100

8 SOUTH FENCE ELEVATION
SCALE 1 : 100

City of Nedlands
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5 NORTHWOOD STREET
WEST LEEDERVILLE WA 6007

CLIENT
MIRIAM TERRY & SIMON BROWNE

PROJECT
SWANBOURNE
78 WOOD STREET
SWANBOURNE

DRAWING TITLE
ELEVATIONS

STATUS
DEVELOPMENT APPLICATION

SCALE @ A1
1:100 LB SR

PROJECT NUMBER
2201 A20

DRAWING NUMBER
2201 A20

DESIGNED
SR

REV
4

16.4 PD09.03.23 Adoption for Referral to WAPC – Scheme Amendment 12 and Local Planning Policy – Trees on Private Land

Meeting & Date	Council Meeting – 28 March 2023
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	The author, reviewers and authoriser of this report declare they have no financial or impartiality interest with this matter.
Report Author	Roy Winslow – Manager Urban Planning
Director	Tony Free – Director Planning & Development
Attachments	1. Draft Local Planning Policy – Trees on Private Land 2. Schedule of Submissions

Purpose

The purpose of this report is for Council to adopt for a referral to the Western Australian Planning Commission (WAPC) the draft Local Planning Policy – Trees on Private Land (the Policy) included as Attachment 1, and Scheme Amendment 12 (the Amendment) included as set out below.

Recommendation

That Council:

1. Pursuant to section 75 of the *Planning and Development Act 2005* and in accordance with regulation 41(3) of the *Planning and Development (Local Planning Schemes) Regulations 2015* supports Scheme Amendment No. 12 to amend Local Planning Scheme No. 3 by inserting the following provisions into Schedule 1 – Supplemental Provisions:

60. Requirement for development approval

60A. No person shall cause or permit the removal, destruction, or damage to any tree that meets the following criteria on a lot zoned Residential with a density code of R20 or below unless development approval has been granted in accordance with Part 8 of the Deemed Provisions:

- a) Canopy diameter of 6m or greater; or
- b) Height of 8m or greater; or
- c) In the case of a tree with a single trunk, a trunk circumference of 1.5m or greater, measured 1.4m above the ground; or
- d) In the case of a tree with multiple trunks, a total trunk circumference of 1.5m or greater, with an average trunk circumference of 625 millimeters or greater, measured 1.4m above the ground.

61. Development for which development approval is not required

	Column 1 Works	Column 2 Conditions
22.	The removal, destruction or damage to a tree which meets the criteria set out in Clause 60A.	<p>Either -</p> <p>a) The tree is identified in a local planning policy as an unwanted species; or</p> <p>b) Tree pruning in accordance with Australian Standards for Pruning of Amenity Trees (AS4373); or</p> <p>c) Tree pruning or removal required for bushfire management purposes, in accordance with the Bush Fires Act 1954; or</p> <p>d) Tree pruning or removal to achieve necessary clearances from utilities.</p>

2. Authorise the Mayor and CEO to sign the relevant documents necessary to refer the Policy and Amendment to the Western Australian Planning Commission.
3. In accordance with regulation 44 of the Planning and Development (Local Planning Schemes) Regulations 2015 submit the proposed Scheme Amendment No. 12 and all relevant documentation to the Western Australian Planning Commission for approval.
4. In accordance with regulations 4(3)(b)(i) and 4(3A) of the Deemed Provisions of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015, proceed with the Policy without modifications, and submit the proposed Local Planning Policy – Trees on Private Land to the Western Australian Planning Commission for approval.

Voting Requirement

Simple Majority.

Background

Draft Scheme Amendment

At its Ordinary Meeting held on 28 June 2022, Council resolved to adopt Scheme Amendment 12 for advertising purposes.

In accordance with the above, the Amendment was referred to the Environmental Protection Authority, which determined it was not required to be assessed under part IV of the Environmental Protection Act.

The Amendment was referred to the 30 August 2022 WAPC Statutory Planning Committee for a review where it was resolved:

1. That the preferred approach regarding tree retention on private land is through the implementation of a significant tree register under Local Planning Schemes;
2. To acknowledge the intent of the City of Nedlands to provide protection for existing trees on private land within the local government area;
3. To advise the City of Nedlands that it is strongly encouraged to modify Amendment No. 12 to facilitate the preparation of a significant tree register, consistent with the City of Subiaco and Town of Mosman Park local planning schemes and to achieve consistency in local planning scheme content responding to the retention of trees on private land; and
4. To advise Council that Amendment No. 12 to the City of Nedlands Local Planning Scheme No. 3 is suitable for advertising in accordance with regulation 38 of the Planning and Development (Local Planning Schemes) Regulations 2015.

The Commission's resolution is discussed below.

Draft Local Planning Policy

At the 23 August 2022 Ordinary Council Meeting, Council resolved to adopt the Policy for advertising purposes.

Discussion

WAPC Response

The WAPC has taken the position that the City should be encouraged to adopt a significant tree register, consistent with other local governments, rather than the Amendment. The WAPC resolution acknowledging that the City is attempting to provide protection for trees on private land is welcome. However, there is a discrepancy between the City's intent and the WAPC's interpretation of the Amendment's purpose. The City is attempting to maintain an urban forest over a large area, not just retain individual trees. This is an important distinction that necessitates a different method from a tree register.

Preparation of the Amendment was informed by research into the tree retention approaches of other local governments within the State and across Australia. A major finding from this research was that mechanisms which rely on voluntary nominations of trees from the public, such as significant tree registers, do little to maintain and enhance tree canopy at a City-wide level. This can be seen in the table below, which demonstrates that this mechanism results in a relatively small number of trees being protected on private land, irrespective of whether landowner consent is required.

Significant Tree Registers
Description: The significant tree register approach involves establishing the criteria of a significant tree, the process for nominating a tree for the register, and the statutory protections for those trees. The criteria typically focus on trees which are considered exceptional for reasons of rarity, aesthetics, ecology or cultural/social significance. Some local governments require consent from the affected landowner for a tree to be nominated and placed on the list, while others allow nominations without landowner consent.

Local government	Landowner consent required	Number of listed trees on private land
Bassendean	No	16
Bayswater	No	0
Cockburn	No	3
Fremantle	Yes	7
Mandurah	No	25
South Perth	Yes	2
Victoria Park	No	10
Vincent	Yes	6

Significant tree registers are designed to capture outstanding specimens rather than maintain an overall urban canopy. To retain urban forest on a City-wide level, a planning mechanism is required which takes a broader approach to tree protection, rather than prioritising a small list of exceptional specimens. By applying to all trees which fit the outlined criteria, the Amendment achieves this requirement.

A significant tree register may be an appropriate method for local government to identify vegetation on reserved land which they control, but it is not adequate to halt or slow the wholesale removal of trees that occurs through development.

Comments received

There was a high level of support (91%) from the community, most of which voiced their support with no further comments. Of the submissions from landowners that would be directly impacted, there was also strong support (79%). Refer to **Attachment 2** for a schedule of submissions. Some concerns were raised by objectors (and a small percentage of supporters) which are addressed below.

1. The policy should go further and include land zoned higher than R20.

It is acknowledged that there is a Council resolution in relation to land zoned R25 to R80.

However, it is recommended that Council wait for the Minister for Planning to make her decision on the current amendment before a similar approach is tried on higher density codes.

2. Requiring trees to be trimmed in accordance with Australian Standards is onerous.

The Australian Standards for tree trimming are a set of national standards that can be adhered to and promote trimming procedures that facilitate healthy tree growth. The Standards are comprehensive and include diagrams for ease of reference.

It should be acknowledged that the trimming of a tree only relates to trees that meet the following criteria:

- On a lot coded R20 or less
- Canopy diameter of 6m or greater; or
- Height of 8m or greater; or

- In the case of a tree with a single trunk, a trunk circumference of 1.5m or greater, measured 1.4m above the ground; or
- In the case of a tree with multiple trunks, a total trunk circumference of 1.5m or greater, with an average trunk circumference of 625 millimeters or greater, measured 1.4m above the ground.

3. The policy should provide incentives in addition to/instead of regulations.

Several submissions in opposition and some in support raised the concept that the policy should be focused more on incentives than further 'red tape' or restrictions to private landowner property rights.

Some incentives that have been proposed include reduced development application fees, part or full payment of arboricultural reports for maintaining trees or the ability for City staff to provide expert advice to landowners regarding the overall health of trees on private land.

The policy proposed is framed in a statutory and regulatory sense due to the nature and function of the planning framework. Any incentivisation will be enabled outside of the planning framework.

4. This is Council overreach of powers.

A local planning scheme is expressly authorised to deal with the preservation of trees under Schedule 7 of the Planning and Development Act 2005. The Amendment and Policy have been written in such a way as to permit discretion to remove trees, thereby remaining consistent with established case law and the principles of policy making that would aid in upholding any decision through the State Administrative Tribunal. Therefore, Council has the ability (subject to approval by the WAPC and/or Minister) of regulating trees on private land in this manner.

The submissions may suggest that the community at large and, more specifically, those landowners directly affected by the proposed policy measures, have a desire for a policy response that deals with the matter of tree retention on lots coded R20 and lower.

5. The City should focus more on their land (i.e. parks and verges) than pursue regulations to private land.

Retention of public trees is not, in itself, sufficient to replace trees lost on private land. The City has a tree retention and replacement policy that regulates trees on public property. Both the public and private spheres need to work together to protect urban forest and these approaches can occur simultaneously.

6. The City should focus more on replanting for new developments over protecting existing trees.

The current Volume 1 of the R-Codes includes minimum numbers of tree plantings for new development, though it is silent on the retention of existing trees, as well as the size and species of new trees. In order to provide long-term protection of urban forest canopy, it is necessary to incorporate both tree retention and tree replacement measures.

7. This will increase rates, as the implementation of the policy and compliance will cost time and money.

Assessment and compliance of the Amendment and Policy is not expected to significantly increase City costs. Such assessments will largely fall within the existing development application process and be included as part of the overall development application for a given lot. For example, removal of a tree will often be proposed concurrently with a new house and assessed within the same application. The City already has a qualified arborist and other technical specialists for trees on City property that can also provide input into matters regarding trees on private property.

Cost implications for landowners are not anticipated to be onerous. Many arborists will be familiar with the Australian Standards, thereby mitigating the need for a development application for tree trimming. Noting that there would be no planning approval required provided the cutting or trimming is carried out in accordance with the Australian Standards. That document goes into detail about how and where to cut limbs, how to make proper cuts that won't harm the tree.

Officers anticipate that the majority of applications for a tree removal will be associated with an application for a new house or extensions to a house.

In the case of a new house an applicant already has to have a feature survey and the additional cost will come only for the arborist report. The arborist report is to cover only the trees on the lot and the neighbouring lots which may be affected and which meet the criteria of the Amendment for height, canopy, or diameter, etc.

In the case of an extension to a house, if it's only a minor extension an applicant may not necessarily need a whole feature survey. They at least need a site plan notating where any trees that meet the Amendment criteria are located. This would be a standard development application cost for an extension with the additional costs incurred for the arborist report.

If an application is solely for removal of a tree with no other works it would be the cost of a standard Development Application being \$147, plus the cost of an arborist report.

Consultation

In accordance with the City's Local Planning Policy – Consultation, the Amendment and Policy were advertised for 60 days, from 10 October 2022 to 11 December 2022.

There were a total of 790 submissions received by the City. The overall level of support was 91%.

Of the submissions received, 247 were submitted by persons directly affected by the Amendment and Policy (i.e., properties within the City that were zoned either R20 or lower). The level of support among this sub-group was 79%.

Matters raised at the Concept Forum of 21 February

1. Other local Governments Approach

The Shire of Serpentine-Jarrahdale has a long-standing clause in their scheme that a DA is required for removal of trees meeting certain criteria (height, canopy, diameter).

The City of South Perth and the City of Bassendean are undergoing scheme reviews and attempted to put some tree protections into their scheme. The WAPC required that those provisions be removed prior to the Scheme being advertising.

A number of local governments have policies associated with tree retention, however, a policy does not have the same level of enforcement as a provision within the Planning Scheme.

2. Details on how the 'unwanted tree' list was developed?

The City engaged the services of the Arbor Centre to provide guidance on an appropriate list of unwanted species for Nedlands. Advice was also solicited from Professor Hans Lambers of UWA. The list includes tree species that are considered weeds or invasive species.

A lemon scented gum is not detrimental to the local ecology and thus was not included on the list of unwanted species.

3. Can consideration be given within the policy for solar access?

Clause 5.2 of the Policy refers to consideration given to when a tree would be considered for removal, which Clause 5.2.1b stating "*Redesign of the development to support tree retention is not feasible*". A situation of an existing tree and existing solar panels would be assessed under this clause.

4. What fines would apply for removing a tree without development approval?

Removal of a tree without development approval would be considered an offence under section 218(a) of the Planning and Development Act 2005 as the provisions of a local planning scheme would be been contravened.

Section 223 of the Act provides for a general penalty for an offence. This penalty is \$200,000 and in the case of a continuing offence, an additional fine of \$25,000 per day. Prosecution under section 218 requires action in the Magistrate's Court.

An alternative to prosecution is to give a Planning Infringement Notice under section 228 of the Act. The modified penalty for an infringement of section 218 of the Act is \$500 (as set out in regulation 42 of the Planning and Development Regulations 2009). This is a once-off fine for an 'infringement', in this case contravening a local planning scheme. Payment of the

modified payment is considered to be payment of any penalty that may have been applied should the matter have been determined by a Court. Therefore, payment of the modified penalty within the specified due date negates any further penalty from being applied for the offence.

Strategic Implications

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

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

Values **Healthy and Safe**
Our City has clean, safe neighbourhoods where public health is protected and promoted.

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

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

Priority Area Urban form - protecting our quality living environment

Budget/Financial Implications

It is anticipated that this change will incur a minor increase in Administration costs to assess trees. Most assessments will take place in the context of a development application that includes other development rather than as an additional stand-alone application.

Legislative and Policy Implications

The Policy and the Amendment have been prepared in accordance with the [Planning and Development \(Local Planning Schemes\) Regulations 2015](#). Under the Regulations, Scheme Amendments, and policies that seek to modify certain aspects of the R-Codes, must be approved by the Western Australian Planning Commission.

Decision Implications

Under Regulation 41(3) the local government must pass a resolution to: support the Amendment, to support the Amendment with proposed modifications to address issues raised in the submissions, or to not support the Amendment.

If Council adopts the recommendation to support the Amendment, the Amendment and Policy will be referred to the Western Australian Planning Commission for a final decision by the Minister. Clause 5.5 of the Policy seeks to modify the R-Codes provisions for landscaping, which also requires Commission approval. The remaining Policy provisions are structured such that they will only come into effect should the Commission approve the Amendment.

If Council does not wish to adopt the Amendment and Policy then Council will need to resolve to not support the Amendment and Policy. The recommendation and required documentation will then be sent to the WAPC for a final decision by the Minister.

If Council modifies the Amendment or the Policy it will be referred to the WAPC. However, if the local government is of the opinion that the modification is significant, the Amendment will also have to be readvertised before once again being considered by Council. That final Amendment will then be referred to the WAPC for a final decision.

Conclusion

Officers recommend that Council adopt both the Amendment and associated Policy with these being referred to the WAPC for further consideration.

Further Information

Question

Councillor Mangano – what is the full cost to the City that we need to budget for if this scheme amendment is approved?

Officer Response

There won't be a noticeable difference in the budget allocation on the back of this Scheme Amendment if approved.

Question

Councillor Mangano - Should this not be approved by the WAPC is there merit in deep soil reservation in the rear of properties?

Officer Response

If the Amendment is not approved it would be appropriate to review the City's approach to protecting the tree canopy on private property.

Question

Councillor Senathirajah – can you please confirm that the majority of responses came from outside the City?

Officer Response

The majority of the submissions did come from outside of the City of Nedlands.

A summary of submission received is as follows:

Total submissions received	790
From within Nedlands	356 (45%)
From outside Nedlands	434 (55%)

Summary of submissions received from within the City of Nedlands:

Total	356
Supportive	306
Non Supportive	56

Summary of City of Nedlands submissions directly affected by the proposed Amendment (properties zoned either R20 or lower):

Total	247
Supportive	196
Non Supportive	44
Comment Only	7



LOCAL PLANNING POLICY – TREES ON PRIVATE LAND

1.0 STATUTORY BACKGROUND

1.1 Schedule 1 – Supplemental Provisions to the Deemed Provisions of Local Planning Scheme No. 3 (LPS 3) includes the following in relation to trees on private land:

- a) Clause 60A – sets out when development approval is required for the removal, destruction or damage of a tree on private land.
- b) Clause 61 – sets out exemptions from Clause 60A.

2.0 PURPOSE

2.1 The purpose of this Policy is to:

- a) Guide the assessment of development applications received for tree removal, destruction or damage, required under Clause 60A;
- b) Specify which tree species do not require approval to remove, destroy or damage, in accordance with Clause 61; and
- c) Guide the provision of new trees on development sites within low density Residential areas.

3.0 APPLICATION OF POLICY

3.1 This Policy applies to:

- a) Development applications for tree removal, destruction or damage, as required under Clause 60A;
- b) Development applications for development on lots zoned Residential with a density coding of R20 and below; and
- c) Applications for subdivision which propose the creation of additional residential lots on sites coded R20 and below.

3.2 This Policy provides guidance on when development approval is not required for tree removal, destruction or damage, as per Clause 61.

3.3 This Policy is to be read in conjunction with the Residential Design Codes Volume 1 (R-Codes Volume 1).

3.4 Where this Policy is inconsistent with a Local Development Plan, or Local Planning Policy that applies to a specific site, area or R-Code, the provisions of that specific Local Development Plan or Local Planning Policy shall prevail, for the extent of the inconsistency.



4.0 OBJECTIVES

- 4.1 To maintain and, where possible, enhance tree canopy within low density Residential areas to:
- a) Mitigate the urban heat island effect and associated health impacts;
 - b) Contribute to wildlife habitat and ecological corridors; and
 - c) Provide aesthetic values and neighbourhood amenity, character and sense of place.
- 4.2 To prioritise the retention of existing trees over removal and replacement.
- 4.3 To ensure that retained and new trees are protected and maintained at all stages of development.

5.0 POLICY MEASURES

Development applications for tree removal, destruction or damage

The following sections provide guidance on the submission and assessment of development applications for the removal, destruction or damage of a tree on private land, as required under Clause 60A.

- 5.1 Information to be provided with development applications for tree removal, destruction or damage
- 5.1.1 The development application is to be accompanied by an arboriculture report, prepared by a suitably qualified arborist in accordance with Australian Standard AS4970-2009 Protection of Trees on Development Sites. The arboriculture report is to provide the following:
- a) Identification of all trees onsite and possible impact of any proposed development on those trees;
 - b) Where practicable, identification of all impacted trees on neighbouring properties which meet the criteria set out in Clause 60A;
 - c) For any tree/s proposed for removal, destruction or damage, assessment of the health and viability of that tree/s; and
 - d) Any necessary measures required to protect retained trees throughout the demolition and construction stages of development, including the identification of Tree Protection Zones.



- 5.2 Assessment of development applications for tree removal, destruction or damage
- 5.2.1 There is to be a presumption in favour of tree retention, unless either of the following is demonstrated by the applicant, to the satisfaction of the City:
- a) An arboriculture report demonstrates that the tree ought to be removed due to its health, structural stability or risk to life or property; or
 - b) Redesign of the development to support tree retention is not feasible.
- 5.2.2 Where removal of a tree/s is supported by the City in accordance with 5.2.1 of this Policy, two medium trees are to be provided onsite for each tree removed.
- 5.2.3 Where a development application proposes to cut back overhanging branch/es or intruding root/s of a tree meeting Clause 60A criteria which is located on a neighbouring property, the proposal is to be assessed in accordance with 5.2.1 of this Policy. Where the cutting back is supported:
- a) The branches or roots may only be cut back to the property boundary; and
 - b) The provision of replacement trees in accordance with 5.2.2 of this Policy is not required.
- 5.2.4 Variations to deemed-to-comply requirements of the R-Codes Volume 1 may be considered, where such a variation would assist in the retention of an existing tree onsite.
- 5.2.5 New development is not to encroach into the Tree Protection Zones of retained trees, as identified in the arboriculture report, unless approved and supervised by a suitably qualified arborist.
- 5.2.6 Where an existing tree is retained onsite, the local government will impose a condition on the relevant approval requiring protection of the tree in accordance with the submitted arboriculture report.
- 5.2.7 The planting of new trees required under this section are to be provided in accordance with **Table 2.2b** and Section 5.6 of this Policy.

Unsuitable species exempt from Clause 60A

- 5.3 Clause 61 specifies that development approval is not required where a tree is identified in a local planning policy as being an unwanted species. For the purpose of Clause 61, **Appendix 1** of this Policy sets out the species which are unwanted, due to being an identified environmental weed species, or being susceptible to pest and/or disease attack.

Provision of new trees on development sites

The following sections apply to all development applications for lots zoned Residential with a density coding of R20 and below, except for extensions to existing dwellings and ancillary structures, such as carports and outbuildings.



5.4 Information to be provided with development application

5.4.1 The development application is to be accompanied by a landscaping plan, drawn to 1:100 scale, showing:

- The site boundaries and development footprint (if applicable);
- Any existing onsite tree/s to be removed;
- Any existing onsite tree/s to be retained, including trunk circumference, height and canopy diameter, and the associated Tree Protection Zone identified in the arboriculture report;
- Position, type and size of proposed tree/s to be planted onsite, including the root protection area;
- Type of permeable, semi-permeable and impermeable surfaces including roof cover and ground surfaces; and
- Detail on the maintenance and irrigation requirements for the proposed trees.

5.5 Amendments to R-Codes Volume 1

5.5.1 Clause 5.3.2 (C2.2) of the R-Codes Volume 1 is replaced with the following.

C2.2 Landscaping of single houses, grouped dwellings and multiple dwellings to include the following:

- In addition to any trees required under Section 5.2 of the Trees on Private Land Local Planning Policy, the minimum number of trees and associated root protection areas are to be provided in accordance with **Table 2.2a and 2.2b**; and
- In addition to the minimum tree requirement of C2.2(i), the primary street setback area is to be landscaped, consisting of:
 - A maximum 50% impervious surfaces; and
 - The minimum tree requirements in accordance with **Table 2.2b and 2.2c**.

Table 2.2a Tree requirements

Dwelling type and site area		Minimum tree requirements
Single houses and grouped dwellings		1 small tree per 450m ² site area, or part thereof
Multiple dwellings (trees per site)	Less than 700m ²	1 medium and 2 small trees
	700-1000m ²	2 medium trees OR 1 large tree and 2 small trees
	Greater than 1000m ²	1 large tree and 2 medium trees OR 1 large tree and 4 small trees

Table 2.2b Tree size and minimum root protection area

Tree size	Canopy diameter at maturity	Tree height at maturity	Minimum root protection area
Small	2-6m	3-8m	1.5m x 1.5m
Medium	6-9m	8-12m	3m x 3m
Large	>9m	>12m	6m x 6m

**Table 2.2c** Primary street setback area tree requirements

Street frontage	Minimum tree requirement in street setback area
6-10m	1 small tree
Greater than 10m and less than 20m	2 small trees
20m+	3 small trees plus 1 tree for every additional 10m of frontage

5.6 Guidance for provision of new trees

The following guidance is provided for the provision of new trees under this Policy.

- 5.6.1 Where an existing tree meeting the criteria of Clause 60A is retained onsite, the minimum tree requirements of **Table 2.2a** may be reduced by 50 per cent.
- 5.6.2 New trees planted are to have at least a 30-litre pot size.
- 5.6.3 The local government's preference is for planting of tree species from the City of Nedlands *Sustainable Landscaping Advice* information sheet.
- 5.6.4 One medium tree may be supported in place of two small trees, and two small trees may be supported in place of one medium tree.
- 5.6.5 Where the number of trees required under this Policy is not a whole number, the number of required trees is to be rounded up to the nearest whole number.
- 5.6.6 The minimum root protection area for a tree, as specified in **Table 2.2b**, is to be:
 - a) Provided for each tree required under this Policy;
 - b) Shown on the site plan and landscaping plan that is submitted with the development application; and
 - c) Free from impervious surfaces and roof cover.
- 5.6.7 Trees are to be centrally located within the root protection area.
- 5.6.8 Where a new tree is required onsite, the local government will impose conditions on the relevant approval requiring:
 - a) Compliance with the approved landscaping plan;
 - b) Planting of the tree by the first autumn-winter period following occupation of the development;
 - c) Maintenance and retention of the tree; and
 - d) If the tree dies within the first two years of planting, replacement with one medium tree or two small trees.



Subdivision

- 5.7 Where an application for subdivision proposes the creation of additional residential lots on sites coded R20 and below, and there are existing trees onsite, the local government will recommend the imposition of model subdivision condition EN2, relating to identification and protection of vegetation onsite worthy of retention.
- 5.8 The local government will take measures to notify prospective purchasers of the requirements of this Policy and Clause 60A, via Orders and Requisitions Notices.

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:
- Planning and Development Act 2005
 - Planning and Development (Local Planning Schemes) Regulations 2015
 - Local Planning Scheme No. 3 (LPS 3)
 - State Planning Policy 7.3 - Residential Design Codes - Volume 1 (R-Codes Volume 1)

7.0 DEFINITIONS

- 7.1 For this Policy the following definitions apply:

Definition	Meaning
Root protection area	An area at the base of a tree to be retained and protected and in which contain critical roots required for the survival of that tree or group of trees.
Tree	<p>A long-lived woody perennial plant, typically having a single woody stem or trunk formed by secondary growth and that is at least 75 millimetres in diameter at a point 1.4 metres from the ground, growing to a mature height of at least 4 metres and bearing lateral branches with a definitively formed crown of foliage.</p> <p><i>Note: Palm varieties do not meet the definition of tree and therefore are not subject to the requirements of Clause 60A.</i></p>

- 7.2 A word or expression that is not defined in the Policy has the same meaning as it has in the R-Codes Volume 1.

Council Resolution Number	PDXX
Adoption Date	OCM XX XXXX XX
Date Reviewed/Modified	OCM XX XXXX XX

**Appendix 1 – Unwanted Tree Species List**

Species Name		Criteria for Listing on Unwanted Tree Species List	
Botanical Name	Common Name	Potential Environmental Weed Species	Susceptible to Pest and Disease Attack
<i>Acacia baileyana</i>	Cootamundra Wattle	×	
<i>Acacia dealbata</i>	Silver Wattle	×	
<i>Acacia decurrens</i>	Early Black Wattle	×	
<i>Acacia elata</i>	Cedar Wattle	×	
<i>Acacia floribunda</i>	White Sally Wattle	×	
<i>Acacia iteaphylla</i>	Flinders Range Wattle	×	
<i>Acacia longifolia</i>	Sydney Golden Wattle	×	
<i>Acacia melanoxylon</i>	Blackwood	×	
<i>Acacia microbotrya</i>	Manna Wattle	×	
<i>Acacia podalyriifolia</i>	Queensland Silver Wattle	×	
<i>Acacia pycnantha</i>	Golden Wattle	×	
<i>Acer negundo</i>	Box Elder		×
<i>Acer saccharinum</i>	Silver Maple	×	×
<i>Ailanthus altissima</i>	Tree of Heaven	×	
<i>Alnus acuminata</i> subsp. <i>Glabrata</i>	Evergreen Alder	×	
<i>Casuarina glauca</i>	Swamp She-Oak	×	
<i>Celtis sinensis</i>	Chinese Nettle Tree	×	
<i>Eriobotrya japonica</i>	Loquat	×	
<i>Lagunaria patersonia</i>	Norfolk Island Hibiscus	×	×
<i>Leptospermum laevigatum</i>	Coastal Tea Tree	×	
<i>Olea europaea</i>	Olive	×	
<i>Robinia pseudoacacia</i>	Black Locust	×	
<i>Salix babylonica</i>	Weeping Willow; Willow	×	
<i>Schinus terebinthifolia</i>	Brazilian Pepper; Japanese Pepper	×	
<i>Tamarix aphylla</i>	Tamarisk	×	
<i>Ulmus procera</i>	English Elm	×	



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
Support					
1.	X	X	No	<ul style="list-style-type: none">Shady canopy is important for the lives of residents and character of Nedlands.The canopy should be protected and care for.	Noted.
2.	X		Yes	<ul style="list-style-type: none">Mature tree cover is a key attraction of the City of Nedlands.I support workable planning guidelines which protect and enhance tree canopy.	Noted.
3.	X	X	Yes	<ul style="list-style-type: none">Tree canopy within Nedlands is very important and mature trees should be protected.Development sites should not be able to be cleared of all trees.Replacing mature trees with saplings is not sufficient for protecting tree canopy.Tree removal for sick and dangerous trees should be supported.	Noted. The draft Policy provides guidance on where tree removal may be supported, such as where a tree is in poor health, or where it poses a risk to life or property.
4.	X	X	No	<ul style="list-style-type: none">Mature tree canopy is essential for climate change mitigation and adaptation, provides amenity for people, flora and fauna, and contributes to our cultural history and sense of place.A significant amount of canopy has already been lost over the last 100 years.Mature trees take a long time to grow and are not easily replaced.Verge planting alone is insufficient.	Noted.



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	SA12	Draft LPP			
				<ul style="list-style-type: none"> Good design should incorporate existing trees, not clear the whole site. 	
5.	X	X	No	<ul style="list-style-type: none"> Tree canopy contributes to high land values within the City. Reduced canopy will lower land values. 	Noted.
6.	X	X	Yes	<ul style="list-style-type: none"> The proposed approach is fair and equitable. Would also like to see a significant tree register implemented. Large trees should not be permitted to be removed for high density buildings. Developers should be required to incorporate established trees within their designs, as is the case in other states. Replacement/additional trees should be natives and provide habitat for native fauna. There should be significant penalties for non—compliance. A body needs to be established to oversee the policy. 	<p>Noted.</p> <p>The City has significant tree register for trees on public land. This may be updated in the future to also include trees on private land, but this is beyond the scope of the amendment and draft policy.</p> <p>In regards to compliance, the starting point would be the City's Planning Compliance Local Planning Policy. Any refinements to this may be considered following further consideration by Council.</p>
7.	X	X	No	<ul style="list-style-type: none"> We need to protect trees for the sake of the environment. 	Noted.
8.	X	X	No	<ul style="list-style-type: none"> Vital to maintain green canopy in all suburbs. Canopy loss destroys wildlife habitat and adds to heat gain. 	Noted.
9.	X	X	No	<ul style="list-style-type: none"> Should not allow developers to have autonomy. 	Noted.



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Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

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	SA12	Draft LPP			
				<ul style="list-style-type: none"> Don't care for eucalyptus, but larger deciduous and native figs should be protected. 	
10.	X	X	No	<ul style="list-style-type: none"> Mature trees provide amenity and contribute to the character of the area. 	Noted.
11.	X	X	No	<ul style="list-style-type: none"> Mature trees provide amenity and contribute to the character of the area. 	Noted.
12.	X	X	Yes	<ul style="list-style-type: none"> Fully support. 	Noted.
13.	X	X	Yes	<ul style="list-style-type: none"> Loss of tree canopy is impacting fauna and reducing amenity. 	Noted.
14.	X		Yes	<ul style="list-style-type: none"> Trees are important for reducing urban heat, mitigating climate change, and providing amenity. Landowners should be custodians of heritage trees. Strong compliance will be essential. Support for significant tree register. 	<p>In regards to compliance, the starting point would be the City's Planning Compliance Local Planning Policy. Any refinements to this may be considered following further consideration by Council.</p> <p>The City has significant tree register for trees on public land. This may be updated in the future to also include trees on private land, but this is beyond the scope of the amendment and draft policy.</p>
15.	X	X	No	<ul style="list-style-type: none"> Mature trees are important for the environment. Developers don't always prioritise the interest of the residents, the community, and the environment. 	Noted.
16.	X	X	Yes	<ul style="list-style-type: none"> So many mature, beautiful trees have already been destroyed. 	Noted.



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Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
				<ul style="list-style-type: none"> Tree canopy is a key part of the character of Nedlands. Protecting tree canopy will benefit residents, the environment and future generations. 	
17.	X		Yes	<ul style="list-style-type: none"> Large trees are vital to the character of Nedlands. Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
18.	X	X	No	<ul style="list-style-type: none"> Tree canopy is a key part of the character of Nedlands. Anyone who purchases a block with established trees has an obligation to consider future generations and protect them. 	Noted.
19.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. Concern with landowners removing trees in anticipation of policy coming into effect. The City needs to communicate to the public that this policy won't interfere with people's ability to subdivide their property. 	<p>The City is unable to take any compliance action in advance of the scheme amendment and policy being approved and gazetted.</p> <p>If the scheme amendment and policy are approved and gazetted, the City can provide further communications around the new requirements involved, including those relating to subdivision (Clause 5.7 and 5.8 of the draft policy).</p>



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

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	SA12	Draft LPP			
20.	X	X	No	<ul style="list-style-type: none"> Fully support any measures to retain trees in residential areas. The scheme amendment and policy should also cover higher density areas. 	<p>Noted.</p> <p>The scheme amendment is intended to apply to areas for which tree retention is not addressed by the existing and draft State planning framework. Lower coded sites also have greater requirements for open space, meaning that tree retention is more feasible than for smaller, higher density sites.</p>
21.	X	X	Yes	<ul style="list-style-type: none"> Tree retention on private land is important for meeting the City's environmental aspirations. 	Noted.
22.	X	X	Yes	<ul style="list-style-type: none"> The existing tree canopy is a major attraction for the area and should be protected. Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
23.	X	X	No	<ul style="list-style-type: none"> Too many trees are already being lost. Full support for amendment and policy. 	Noted.
24.	X	X	Yes	<ul style="list-style-type: none"> Trees provide environmental and cooling benefits and contribute to Nedlands' character. It is reasonable to ask landowners of larger blocks to retain trees where possible. Don't expect that designing around trees will add significant expense. 	Noted.



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	SA12	Draft LPP			
				<ul style="list-style-type: none"> Many houses being built are too large for family needs. 	
25.	X	X	No	<ul style="list-style-type: none"> Crucial to protect significant trees on private and public land, or Nedlands will lose its leafy character. 	Noted.
26.	X	X	No	<ul style="list-style-type: none"> Too many trees are already being lost. 	Noted.
27.	X	X	Yes	<ul style="list-style-type: none"> Leafy, treed streetscapes are a key part of Nedlands' character In the context of increased residential densities, it is even more important that the green, inviting aspect of the area is maintained. Tree retention is important for managing the urban heat island effect and climate change, and for providing habitat for wildlife. Too many trees are already being lost. 	Noted.
28.	X	X	No	<ul style="list-style-type: none"> We must retain as many mature and developing trees as possible. 	Noted.
29.	X		Yes	<ul style="list-style-type: none"> Too many trees are already being lost. Character, amenity, environmental benefits are being lost with the removal of significant trees. 	Noted.
30.	X	X	No	<ul style="list-style-type: none"> It is important for the Perth metro area that trees on private land are protected. This scheme amendment can be used as the gateway for other local governments to implement the same protections. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
				<ul style="list-style-type: none"> The proposed approach could go further still to align with tree protections in other states. 	
31.	X	X	No	<ul style="list-style-type: none"> As a visitor to Nedlands, I have frequently envied the City's tree canopy. Canopy cover is important for managing the urban heat island effect and climate change. Policy should be fast-tracked to prevent pre-emptive clearing by developers. 	<p>Noted.</p> <p>The preparation of the scheme amendment and draft policy has been in line with the process outlines in the <i>Planning and Development (Local Planning Schemes Regulations) 2015</i>, which prescribes minimum timeframes for the process.</p>
32.	X	X	No	<ul style="list-style-type: none"> Trees are a public good and their survival should not rest in private hands. Private land is already regulated (e.g. land use separation through zoning), so it isn't unreasonable to regulate tree preservation. Other states in Australia already have tree protections in place, resulting in attractive, comfortable and high-value properties. 	Noted.
33.	X		No	<ul style="list-style-type: none"> The amendment would prevent people from removing mature trees without just cause. 	Noted.
34.	X	X	No	<ul style="list-style-type: none"> Too many trees have been lost already. Voluntary tree registers, as practiced in other suburbs, are not effective. Trees within the City of Nedlands are an asset to both the City and its residents. 	Noted.



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	SA12	Draft LPP			
				<ul style="list-style-type: none"> The obligation to get council approval for tree removal on private land is not an onerous one. Decisions on this policy should consider climate change and future generations. 	
35.	X	X	Yes	<ul style="list-style-type: none"> Tree canopy is a key part of the character of Nedlands. Too many trees have been lost already, replaced with buildings and small shrubs. Let's protect what makes our suburb desirable. Protecting the tree canopy will also contribute to positive action for biodiversity and climate change. Trees should be protected from unsustainable development for future generations. Full support for amendment and policy. 	Noted.
36.	X	X	No	<ul style="list-style-type: none"> Supportive of any legislation which protects trees in the community, whether they are on public or private land. Private land is already regulated (e.g. requirement for development approval), so it isn't unreasonable to regulate tree preservation. Protection of property rights benefits developers whose sole aim is to make money, not to preserve amenity or combat climate change. 	Noted.



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	SA12	Draft LPP			
				<ul style="list-style-type: none"> Too many trees have already been lost, not just for higher density developments, but also to facilitate the sale of 'blank slate' lots. Tree canopy is important to manage climate change and the urban heat island effect, and provides aesthetic value. Local and state government in Western Australia should already have tree protections in place. 	
37.	X	X	No	<ul style="list-style-type: none"> Tree canopy is a major attraction for the City of Nedlands. Established trees support wildlife. Tree retention should be considered throughout the development process. Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
38.	X	X	No	<ul style="list-style-type: none"> Large canopy trees provide wildlife habitat, connect areas of remnant bushland, assist with climate change action, mitigate the urban heat island effect and allow residents to connect with nature. This scheme amendment and policy will hopefully inspire other councils to take similar action. 	Noted.
39.	X	X	No	<ul style="list-style-type: none"> Tree canopy is vital for the environment and for managing climate change and the urban heat island effect. 	Noted.



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Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
				<ul style="list-style-type: none"> The proposed approach aligns with progressive councils elsewhere in Australia and overseas. Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	
40.	X	X	Yes	<ul style="list-style-type: none"> Support both the amendment and policy. 	Noted.
41.	X	X	Yes	<ul style="list-style-type: none"> It is not difficult or expensive to design homes around existing trees. Retaining mature trees provides great amenity value for the new house. Tree protection is the norm overseas and it is time that we caught up and recognised trees, and our biodiversity, as a precious shared heritage. Canopy loss will negatively impact future generations. 	Noted.
42.	X	X	No	<ul style="list-style-type: none"> The garden character of the Hollywood area is reliant on large, leafy private gardens, as there are few parks in the area and street trees vary in quality/type. This character is in doubt unless something is done to preserve the existing tree canopy. Increased densities in the area are putting pressure on private green spaces. Large trees in the area provide habitat for wildlife, including endangered species. 	Noted.



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Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
				<ul style="list-style-type: none"> Council could purchase private lots to create parkland. Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	
43.	X	X	Yes	<ul style="list-style-type: none"> Support protection of significant trees on private property. 	Noted.
44.	X	X	No	<ul style="list-style-type: none"> Too many trees have already been lost. Saving trees is incredibly important 	Noted.
45.	X	X	Yes	<ul style="list-style-type: none"> Strong financial penalties are needed for non-compliance. 	<p>Noted.</p> <p>In regards to compliance, the starting point would be the City's Planning Compliance Local Planning Policy. Any refinements to this may be considered following further consideration by Council.</p>
46.	X	X	No	<ul style="list-style-type: none"> Policy is long overdue – other States are already protecting trees on private land. Trees on private land provide benefit to the whole City. Too many trees have already been lost due to overdevelopment of lots. 	
47.	X	X	No	<ul style="list-style-type: none"> The scheme amendment will bring the City into line with modern tree protection regulations that exist in comparable suburbs across Australia. 	Noted.



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Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
48.	X		Yes	<ul style="list-style-type: none"> Trees worthy of retention are those with a canopy width of 3m or greater, are healthy specimens, and are not on a weed register. 	The scheme amendment is intended to apply to trees which, due to the nature of their size and species, contribute substantially to the urban forest. The tree criteria have been developed following research of other jurisdictions and advice from relevant specialists. The canopy diameter and height criteria have been selected to align with the threshold of a medium-sized tree under the Residential Design Codes Volume 2 – Apartments (R-Codes Volume 2). Exemptions are provided for unwanted species, such as weed species.
49.	X	X	No	<ul style="list-style-type: none"> Trees are increasingly being lost to higher density housing. It is important to protect the trees that we can. Tree canopy is important for reducing the urban heat island effect and mitigating climate change. 	Noted.
50.	X	X	Yes	<ul style="list-style-type: none"> Nedlands is known for its green character and this should be protected. 	Noted.
51.	X	X	No	<ul style="list-style-type: none"> Tree canopy provides temperature control, carbon capture and improves local amenity. Too many trees have already been lost. Strongly support any legislation that protects trees, especially established, mature trees. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
52.	X	X	Unknown	<ul style="list-style-type: none"> Need to follow the science and what other cities are doing. Removing trees exacerbates the climate crisis, creates public health risks including urban heat, contributes to localised flooding, increases pests due to lack of birds, negatively impacts mental health and reduces visual amenity. 	Noted.
53.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. 	Noted.
54.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. 	Noted.
55.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. 	Noted.
56.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. 	Noted.
57.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. 	Noted.
58.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. 	Noted.
59.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. 	Noted.
60.	X	X	Yes	<ul style="list-style-type: none"> Support both scheme amendment and policy. 	Noted.
61.	X	X	Yes	<ul style="list-style-type: none"> The scheme amendment will bring the City in line with modern tree protection regulations that exist in most comparable suburbs in Australia. Trees that have existed for generations must not be put at risk by temporary occupiers' decisions to remove trees. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
				<ul style="list-style-type: none"> Private land is already regulated (e.g. keeping of animals, building height, noise, heritage protections), so it is reasonable to regulate tree preservation for the sake of preserving local amenity. Department of Planning, Lands and Heritage data shows tree on street blocks within the City of Nedlands have declined from 21% in 2016 to 20% in 2020. The City should be increasing its canopy coverage to at least 30%. 	
62.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees form a vital part of Nedlands' character, and contribute value to the whole suburb, not just the property they are on. 	Noted.
63.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. 	Noted.
64.	X	X	Yes	<ul style="list-style-type: none"> The scheme amendment will bring the City in line with modern tree protection regulations that exist in most comparable suburbs in Australia. Trees that have existed for generations must not be put at risk by temporary occupiers' decisions to remove trees. 	Noted.
65.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. 	Noted.
66.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
				<ul style="list-style-type: none"> The scheme amendment will bring the City in line with modern tree protection regulations that exist in most comparable suburbs in Australia. Need to preserve what is left of our large trees. 	
67.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. The scheme amendment will bring the City in line with modern tree protection regulations that exist in most comparable suburbs in Australia. Need to preserve what is left of our large trees. 	Noted.
68.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. 	Noted.
69.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. 	Noted.
70.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. The scheme amendment will bring the City in line with modern tree protection regulations that exist in most comparable suburbs in Australia. Need to preserve what is left of our large trees. 	Noted.
71.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. The scheme amendment will bring the City in line with modern tree protection regulations that exist in most comparable suburbs in Australia. Need to preserve what is left of our large trees. 	Noted.
72.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. 	Noted.
73.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
				<ul style="list-style-type: none"> Too many trees have already been lost. 	
74.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development. Tree canopy should be expanded for current and future generations. 	Noted.
75.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development. Tree canopy should be expanded for current and future generations. 	Noted.
76.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development. Tree canopy should be expanded for current and future generations. 	Noted.
77.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development. Tree canopy helps to manage urban heat. Tree canopy should be expanded for current and future generations. Hopefully other councils will enact similar tree protections. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
78.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development. 	Noted.
79.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development. 	Noted.
80.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development. 	Noted.
81.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development. 	Noted.
82.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development. 	Noted.
83.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development. 	Noted.
84.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
				<ul style="list-style-type: none"> Trees should be protected from unsustainable development. Private land is already regulated (e.g. density and height limits, fencing rules), so it is reasonable to regulate tree preservation for the sake of preserving local amenity. 	
85.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. 	Noted.
86.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development. 	Noted
87.	X	X	Address not provided	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development. 	Noted.
88.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development. 	Noted.
89.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development. 	Noted.
90.	X	X		<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development. Tree canopy assists with managing urban heat island effect and climate change. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
91.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development. 	Noted.
92.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. 	Noted.
93.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development. 	Noted.
94.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development. 	Noted.
95.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development. 	Noted.
96.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. 	Noted.
97.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development. 	Noted.
98.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development. 	Noted.
99.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. 	Noted.
100.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
				<ul style="list-style-type: none"> Trees should be protected from unsustainable development. 	
101.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development. 	Noted.
102.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development. 	Noted.
103.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. 	Noted.
104.	X	X	No	<ul style="list-style-type: none"> Substance of the policy will benefit the amenity of Nedlands. Unsure about the form of the amendment. How will the amendment change the deemed provisions? The numbering in Schedule 1 is difficult to follow. Clause 60A of the amendment makes the assumption that removing a tree is development. Therefore adding clause 60A is redundant. Could instead add a note to Clause 60 (as is already in place for advertisements). A redraft of the amendment was included as an attachment to the submission. 	<p>Noted.</p> <p>The structure of the scheme amendment has been informed by research of other jurisdictions, and in consultation with the Department of Planning, Lands and Heritage (DPLH). If modifications are required to the structure of the amendment, the City will be guided by DPLH.</p>
105.	X	X	Yes	<ul style="list-style-type: none"> Trees should be protected from unsustainable development for future generations. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
				<ul style="list-style-type: none"> Perth is behind when it comes to regulating the removal of significant trees. Perth is one of Australia's hottest capital cities. Too many trees have already been removed, resulting in increased temperatures. Fully support both the amendment and policy. 	
106.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development. 	Noted.
107.	X		No	<ul style="list-style-type: none"> This amendment will set an important precedent for the metropolitan area. Trees are vital to the liveability and sustainability of our city. They provide environmental, social and economic benefits, including cooling our suburbs, sequestering carbon, improving air and water quality, reducing storms, and supporting wildlife. Perth is one of Australia's hottest capital cities. Too many trees have already been removed, resulting in increased temperatures. Private land is already regulated, so it is reasonable to regulate tree preservation for the sake of preserving local amenity. The amendment should apply to all zoned land. 	Noted. The City may pursue additional protections for other zoned land depending on the outcome of this amendment and policy. At this stage, the amendment and policy will only apply to lower density zoned land.
108.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
				<ul style="list-style-type: none"> Trees should be protected from unsustainable development. 	
109.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development. 	Noted.
110.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development. 	Noted.
111.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development. 	Noted.
112.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development. 	Noted.
113.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development. 	Noted.
114.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. 	Noted.
115.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Tree canopy provides social, cultural and health benefits. Trees should be protected from unsustainable development. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
116.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development. 	Noted.
117.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
118.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
119.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
120.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. The climate is already warming. 	Noted.
121.	X	X	Address not provided	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
122.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
123.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
				<ul style="list-style-type: none"> Trees should be protected from unsustainable development for future generations. 	
124.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
125.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
126.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
127.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
128.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
129.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
130.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
131.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
				<ul style="list-style-type: none"> Trees should be protected from unsustainable development for future generations. 	
132.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
133.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted
134.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
135.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted
136.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. 	Noted.
137.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
138.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
139.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
				<ul style="list-style-type: none"> • Welcomes better protection for large canopy trees. It takes decades for tree to fully grow, so they shouldn't be easily removed. • The proposed approach provides the right level of flexibility to allow trees to be removed where appropriate. 	
140.	X	X	No	<ul style="list-style-type: none"> • Fully support protection of trees on private property. • Too many trees have already been lost. • Loss of trees will create sterile, hot, lifeless areas for future generations. • Trees provide shade, environmental benefits, and mental health benefits for the whole community. • Nedlands should catch up with the rest of Australia and be at the forefront of tree protection in Perth. 	Noted.
141.	X	X	No	<ul style="list-style-type: none"> • Fully support both scheme amendment and policy. • Trees should be protected from unsustainable development for future generations. 	Noted.
142.	X	X	No	<ul style="list-style-type: none"> • Fully support both scheme amendment and policy. 	Noted.
143.	X	X	No	<ul style="list-style-type: none"> • Support all measures to retain a healthy tree canopy in Nedlands and all of urban Perth. • Consistent with City's Strategic Community Plan, Nedlands 2028. • Trees on private land provide a habitat extension for flora and fauna in an increasingly built environment. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
144.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
145.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. Too many trees have already been lost. 	Noted.
146.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
147.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
148.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees provide multiple environmental, social and economic benefits and should be supported for their retention. 	Noted.
149.	X	X	No	<ul style="list-style-type: none"> Town of Claremont should adopt similar provisions. Fully support both the scheme amendment and policy 	Noted.
150.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
151.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
				<ul style="list-style-type: none"> Trees should be protected from unsustainable development for future generations. 	
152.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted
153.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
154.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
155.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
156.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
157.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
158.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
159.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
				<ul style="list-style-type: none"> Trees should be protected from unsustainable development for future generations. 	
160.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
161.	X	X	Unknown	<ul style="list-style-type: none"> We must have a lot of trees to protect energy and environment. We should not encourage big gum trees that cause a danger due to falling branches or uproot during heavy storms. Jacaranda trees are the best and most attractive 	The intention of the amendment and local planning policy is to focus on trees that produce a canopy. While some species will be exempt from the policy where they are identified as an unwanted tree species (refer appendix 1 of draft local planning policy), all others are recommended to be retained. Dangerous trees will be able to be pruned and maintained to reduce their risk of falling branches, subject to the policy.
162.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
163.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
164.	X	X	Unknown	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
165.	X	X	Yes	<ul style="list-style-type: none"> I would like the amendment endorsed by the WAPC, due to the amount of work that has been put in by the Nedlands Tree Canopy Advocates and Council. Trees should be protected as they provide a multitude of beneficial impacts in the face of climate change. 	Noted.
166.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
167.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. Its time local governments in Western Australia become more involved in this area and its time that the state government embraced the community demand for tree protection. 	Noted.
168.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
169.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
170.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
				<ul style="list-style-type: none"> This will help reduce the urban heat island effect in Perth. 	
171.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
172.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
173.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
174.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. If this isn't adopted, it will be a major public health issue in the future. 	Noted.
175.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. If this isn't adopted, it will be a major public health issue in the future. 	Noted.
176.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. New builds remove trees, fail to replace them and then extend over the only area available for tree 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
				planting. Resulting in a huge loss of shade, habitat and carbon storage. <ul style="list-style-type: none"> We must stop this to preserve the canopy for future generations. 	
177.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. The scheme is needed to protect our trees and to be enacted quickly as we are losing so many through over development. This will bring Nedlands into line with modern tree protection regulations in most comparable suburbs in Australia 	Noted.
178.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
179.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
180.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
181.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
182.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
				<ul style="list-style-type: none"> Trees should be protected from unsustainable development for future generations. 	
183.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
184.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
185.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
186.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
187.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
188.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
189.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
190.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
				<ul style="list-style-type: none"> Trees should be protected from unsustainable development for future generations. 	
191.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
192.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
193.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
194.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
195.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
196.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. Interested in discussing my forestry research into how the performance of trees being planted can be significantly improve, without the use of chemicals or the need for costly watering. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

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	SA12	Draft LPP			
197.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
198.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
199.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
200.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
201.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
202.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
203.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. We had our efforts to protect tree canopy wrecked due to a neighbour cut down every tree on their lot. Do not let trees be cut down. 	Noted.
204.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
				<ul style="list-style-type: none"> Trees should be protected from unsustainable development for future generations. We need to preserve the remaining trees in our urban environments to continue to have high quality living at the City of Nedlands 	
205.	X	X	Yes	<ul style="list-style-type: none"> Generally supports the policy with a few amendments. Recommends branches or roots can be cut back to a distance specified by arboriculture report. Recommends appendix 1 (Unwanted trees) be simplified to cover only obvious weed species as any canopy producing tree is better than none. Recommends that tree retention provisions should also apply for extensions to existing dwelling and ancillary structures such as carports and outbuildings. Recommends primary and rear setbacks to be landscaped. Recommends that it is the responsibility of selling agents to notify purchasers, rather than the City. 	<ul style="list-style-type: none"> Noted This is proposed to be achieved through the development approvals process. Otherwise an entirely new process would have to be created. The list of unwanted trees was created with the consultation of arborists familiar with local tree species and potential for pests. The tree retention provisions apply on relevant lots where any tree is proposed to be removed, regardless of what the proposal is for. Landscaping to primary street setbacks is already covered by the R-Codes. Landscaping to rear setbacks is a separate issue from tree retention. The City will endeavor to notify residents when the policy comes into effect and provide advice in the



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
					same manner as existing development requirements.
206.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
207.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
208.	X	X	No	<ul style="list-style-type: none"> Urban trees provide essential services to residents, have substantial economic value and aren't considered during the decision making process. Trees are one of the best tools available to address the effects of climate change at the local level. Reference to the Australian Standard for the protection of Trees on Development Sites is positive and supported. Council should promote the guidance provided by this standard with developers and designers to incorporate into the design. The requirement to replace planted trees which has died is noted and supported. Ideally the requirement for trees would form part of approved development plans and would remain in force in perpetuity. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
				<ul style="list-style-type: none"> The City of Nedlands should be commended for the introduction of these measures into planning policy, we must protect our trees. 	
209.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
210.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
211.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
212.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. To retain liveable suburbs over the next 50 years of changing climate we need these provisions. The difference between comfort and liveability even today between suburbs with or without canopy cover is significant. The current laissez faire approach to trees does not serve the communities interests going forward. 	Noted.
213.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
214.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
215.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
216.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
217.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
218.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
219.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. It is vital that we form better protections for Perth tree canopy given our warming climate and urban infill. We owe it to future generations. 	Noted.
220.	X		No	<ul style="list-style-type: none"> Fully support the scheme amendment. It is paramount we protect trees on private land and build a green city for future generations. 	Noted.
221.	X		No	<ul style="list-style-type: none"> Fully support the scheme amendment. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
				<ul style="list-style-type: none"> Conserving tree canopy is very important to the local and wider environment, particularly due to climate change. It has been disappointing to see large scale removal of trees on blocks where development is proposed. This is the first step in our quest to preserve the tree canopy that Nedlands is famous for. 	
222.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
223.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
224.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Other capital Cities in Australia have recognised the threat infill has on retaining mature trees. Planners need to look at these experiences to prevent the wholesale removal of trees. Trees should be protected from unsustainable development for future generations. 	Noted.
225.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
226.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
				<ul style="list-style-type: none"> Trees should be protected from unsustainable development for future generations. 	
227.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
228.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generation which are vital to maintaining the beauty, harmony and health of all. 	Noted.
229.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
230.	X	X	Unknown	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
231.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
232.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
233.	X	X	No	<ul style="list-style-type: none"> Fully supports planning controls to help preserve large trees and canopy across private properties. Protections for trees and the expansion of the urban tree canopy is vital. The value large trees have on 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
				<p>local wildlife and the community cannot be underrated.</p> <ul style="list-style-type: none"> Trees also provide multiple environmental, social and economic benefits including the cooling of our warming suburbs, reducing greenhouse gas emissions, improving air and water quality and food and shelter for wildlife. There are further benefits for an emotional and mental health perspective now being proven as a massive benefit to the overall social well being of people living in densely populated regions. 	
234.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
235.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
236.	X	X	No	<ul style="list-style-type: none"> The trees offer badly needed shade in summer, a cooling canopy and local animal habitat. With all the drivers toward cutting carbon emissions this is an easy and pleasant way of doing this, old trees add a calm and quiet relief that concrete cannot. 	Noted.
237.	X	X	No	<ul style="list-style-type: none"> Protection of existing urban trees is paramount. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
238.	X	X	No	<ul style="list-style-type: none"> Fully support the protection of trees on private property. We cannot keep clearing large, valuable trees at the rate that is currently happening. While the effects won't be felt straight away, it will be felt in the not too distant future. You can never replace large 50+year old trees, as their value for shade canopy, environmental benefits and the mental health of the community as a whole cannot be replaced. Nedlands needs to catch up with the rest of Australia and be the forefront of tree protection in Perth. 	Noted.
239.	X	X	No	<ul style="list-style-type: none"> We need to protect our trees and put in place formal requests to remove any mature trees we wish to remove. 	Noted.
240.	X	X	Yes	<ul style="list-style-type: none"> I applaud the council for this policy which is a significant breakthrough in protecting the nature of the shire. 	Noted.
241.		X	Yes	<ul style="list-style-type: none"> Tree canopy should be protected from property development for all of the obvious environmental reasons. 	Noted.
242.	X		Yes	<ul style="list-style-type: none"> Trees should be retained where possible to maintain ambiance and tree canopy. I support that if an arborists report indicates that a tree is in bad condition or dangerous then the tree can be pruned or removed. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
243.	X	X	No	<ul style="list-style-type: none"> Protection of retained and planted tree is crucial to keep the ambience of the suburb and for the environment. 	Noted.
244.		X	No	<ul style="list-style-type: none"> We need to protect large trees in the area and the canopy generally 	Noted.
245.	X	X	No	<ul style="list-style-type: none"> Only concern is the policy is restricted to R20. Why not apply it to higher density code as well? A significant tree is a significant tree no matter where it lives. 	Noted. The City will be reviewing the application of the scheme and policy after the current amendment is progressed.
246.		X	No	<ul style="list-style-type: none"> The leafy green streetscape is one of the attractions of living in the area It is quite disturbing to see the removal of trees to accommodate new homes, where trees once stood for a hundred years. 	Noted.
247.	X	X	Yes	<ul style="list-style-type: none"> To avoid disputes between property owners large trees are to be planted at least half of their expected diameter from property fences and in a position so that they will not shade neighbours solar panels. 	Noted. While there may be some canopy overlap between neighbours, the policy will still apply irrespective of where the tree overhangs.
248.	X	X	Yes	<ul style="list-style-type: none"> Our family supports any initiatives that protects the vitally important tree canopy of Nedlands and their impact on our beautiful suburb. 	Noted.
249.	X	X	Yes	<ul style="list-style-type: none"> An excellent initiative 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
250.	X	X	Yes	<ul style="list-style-type: none"> Our leafy suburbs need to be protected as too many trees are being removed making our street scape less attractive to live in. 	Noted.
251.	X	X	Yes	<ul style="list-style-type: none"> Fully support initiatives that maintains the green character of Nedlands Too many trees are being removed with the recent increase in density between Stirling Highway and Jenkins St 	Noted.
252.		X	Yes	<ul style="list-style-type: none"> Preservation is required to prevent development removing trees from blocks There is a need for more large trees throughout Nedlands and we need to take more action now to preserve as much as possible, while planting out the verge 	Noted.
253.	X	X	Yes	<ul style="list-style-type: none"> I fully support controlling large tree removal on private land I find the application fee a bit too high 	Noted.
254.	X	X	Yes	<ul style="list-style-type: none"> Preserving the tree canopy should rank much higher than building mansions. We need trees for survival 	Noted.
255.	X		No	<ul style="list-style-type: none"> Supports the amendment completely. Suggests the amendment be combined with the council's tree plantings for verge trees. Developers should be responsible for planting verge trees where a permit has been issued to allow construction materials to be stored on the verge. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

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	SA12	Draft LPP			
256.	X	X	Yes	<ul style="list-style-type: none"> The tree canopy that existed in Nedlands set the suburb apart. Too many trees have already been lost to houses filling blocks. 	Noted.
257.	X	X	Yes	<ul style="list-style-type: none"> We fully support the initiative as we are currently building and incorporating beautiful existing trees into the site. This adds value to the property and achieves the altruistic goals of the draft legislation - A win win for everyone concerned. 	Noted.
258.	X	X	Yes	<ul style="list-style-type: none"> Full support for amendment no.12 and the protection of trees in the City of Nedlands. 	Noted.
259.	X	X	No	<ul style="list-style-type: none"> It is highly important that we retain as many mature trees as possible to keep Nedlands green. 	Noted.
260.	X	X	Yes	<ul style="list-style-type: none"> We need to protect what we have been given by nature and not destroy our tree canopy. The canopy, shade cover, and natural environment need to be protected. I have lived in Floreat for over 20 years and have seen many trees removed for private dwellings. 	Noted.
261.	X	X	Yes	<ul style="list-style-type: none"> We need to protect our biggest natural assets. The benefits they provide to reduce carbon emissions, shade for houses and people and a home for animals is very important. I am devastated every time I see a large tree chopped down for a new house. 	Noted.



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	SA12	Draft LPP			
262.	X			<ul style="list-style-type: none"> Control of trees on private property by the City of Nedlands is permitted by the Planning and Development Act 2005. The WAPC should not interfere in a local planning matter. 	Noted.
263.	X	X	Yes	<ul style="list-style-type: none"> In 1996/97 there were better policies in place, which was overturned by previous council. Previous council should be held to account for removing the policy but now looking to reinstate it. A community and neighbourhood depends on a forward, inclusive, progressive momentum. 	Noted.
264.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
265.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. A lot of lots have been completely cleared of all trees with the majority not provided with adequate replacement. The worst offenders are high density properties where a single dwelling is replaced by 4 or 5 units, with no landscaping area. We must consider future generations. 	Noted.
266.	X	X	Yes	<ul style="list-style-type: none"> I am in full support of the amendment and LPP. The leafy canopy is a signature of the area. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

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	SA12	Draft LPP			
				<ul style="list-style-type: none"> • Creative planning and architecture is a key to the solution, we have a responsibility due to the obvious benefits it brings (i.e. animal habitat, cooler temperatures). • Large trees foster a sense of place for humans to live. • People who remove trees from large blocks for senseless reasons like 'the mess of that the leaves create' which is selfish thinking. Given the same people moved here to enjoy the leafy western suburb atmosphere. 	
267.	X	X	No	<ul style="list-style-type: none"> • Great forward thinking initiative • The protection and preservation of trees in our suburbs is as important as preservation of our heritage areas 	Noted
268.	X	X	No	<ul style="list-style-type: none"> • Supports the idea in principle, but concerned it gives developers an easy out with a development application. • The state planning body and the City are at odds when it comes to zoning changes as part of the 2019 (current) scheme. The retention of trees is not a priority. • Examples are seen within proximity to my home where large mature trees were removed to facilitate more car parking. 	Noted.



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Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

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	SA12	Draft LPP			
				<ul style="list-style-type: none"> The same observation applies where the majority of new buildings are done on a cleared site and where new trees are planted, more canopy cover wont grow to the same heights. My support for the policy is conditional on the City enforcing the policy when considering planning applications. 	
269.	X	X	No	<ul style="list-style-type: none"> A wonderful initiative 	Noted.
270.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
271.	X		No	<ul style="list-style-type: none"> I will like more protection on trees. It amazes me that we don't understand climate changes and are killing the only source of oxygen 	Noted.
272.	X	X	Yes	<ul style="list-style-type: none"> So many mature trees lost each week, we must act to protect the tree canopy. Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
273.	X	X	No	<ul style="list-style-type: none"> I have been following the Nedlands proposal, having seen the alarming statistics presented. The Town of Cottesloe spends around \$100,000 a year planting and tending trees on public land, yet this is undermined by the continued loss of canopy on private land. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
				<ul style="list-style-type: none"> It lowers our heart rate and ambient temperature, it raises property values and spirits as we feel shade and see more birds and other visitors to our gardens. If we punish private landowners including developers for cutting down trees they may resort to guerrilla tactics like chainsaws at night or poison. The proposal seeks a middle way to encourage tree protection and will set an example for other western suburbs councils. 	
274.		X	No	<ul style="list-style-type: none"> Councils need to stop allowing developments taking our trees away. The urban canopy is turning bricks and mortar which impacts on the temperature and the aesthetics of our suburbs. I just witnessed a mature jacaranda felled to make way for 9 apartments, where 8 could have been accommodated by the developers. 	Noted.
275.	X	X	No	<ul style="list-style-type: none"> Strongly support the amendment, due to the alarming rate of tree canopy loss in Nedlands. I have watched entire blocks cleared of significant trees, as well as verges left to die after water is turned off by developers. Two blocks directly opposite to me are now barren, after being once shady, with developers not 	Noted.



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	SA12	Draft LPP			
				<p>following code to provide enough deep soil area for trees and landscaping.</p> <ul style="list-style-type: none"> • Significant trees provide amenity and shade for the whole community. • Replacement trees are small and can never replace significant trees, even after decades. The area provided for the tree is small and unable to provide meaningful canopy coverage. • Council verge trees take decades to regenerate, with many new properties relying on these areas for landscaping. • Residents care deeply about tree canopy and tree protection especially now we have global warming. Many significant established gardens will be lost in the next decade due to the expected heat alone. Established trees are more important than ever to help prevent this. 	
276.		X	No	<ul style="list-style-type: none"> • Tree protection regulations are a community asset and are required to have a sustainable, thriving community. • Trees that have existed for generations must not be put at risk by momentary decisions to remove those trees. • It is the duty of the local government to impose regulations on what people can and can't do on their property to preserve local amenity. 	Noted.



City of Nedlands

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	SA12	Draft LPP			
				<ul style="list-style-type: none"> Mature trees are essential to the health of residents and the sustainability of the City. Trees must be retained will help mitigate the effects of the urban heat island effect, climate change and will help maintain the City's leafy green character. 	
277.	X	X	Yes	<ul style="list-style-type: none"> I support both as its what makes the area desirable to the residents. Also for environmental reasons and for the sake of keeping the temperature cooler with global warming. 	Noted.
278.	X	X	No	<ul style="list-style-type: none"> I recently completed my masters at UWA where I studied how street trees influence Perth residents' attachment to where they live, in addition to making much needed shade, these trees create a sense of place. Residents also expressed significant distress over the loss of these iconic trees. Given these benefits, measures should be taken to ensure their protection. 	Noted.
279.	X	X	Yes	<ul style="list-style-type: none"> Please enact the scheme amendment to preserve what is left of our large tree. 	Noted.
280.	X	X	No	<ul style="list-style-type: none"> I support these policies by the City of Nedlands. 	Noted
281.	X		No	<ul style="list-style-type: none"> We value this Scheme. 	Noted.
282.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. 	Noted.



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	SA12	Draft LPP			
				<ul style="list-style-type: none"> Trees should be protected from unsustainable development for future generations. 	
283.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted
284.		X	No	<ul style="list-style-type: none"> Protecting and maintaining mature trees is the single most important action we can take to maintain and improve our urban canopy. It is vital that we move rapidly to protect our mature trees 	Noted.
285.		X	No	<ul style="list-style-type: none"> We need to save and plant as many trees as possible 	Noted.
286.	X	X	No	<ul style="list-style-type: none"> As we come into hotter weather the benefits of trees in suburban areas becomes more and more apparent. They also provide vital habitat for our local birds. 	Noted.
287.	X		No	<ul style="list-style-type: none"> Trees are very important to clean the air, provide shade, provide shelter turning winter. Protecting all trees including ones on private land is essential. 	Noted.
288.	X	X	No	<ul style="list-style-type: none"> Urban canopy across Perth is rapidly declining due to poorly designed infill. Nedlands is a leafy green suburb and has the opportunity to lead by example by protecting trees on private property. 	Noted.



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	SA12	Draft LPP			
				<ul style="list-style-type: none"> This will send a strong message to developers to incorporate trees into building design. 	
289.		X	No	<ul style="list-style-type: none"> I support the retention of mature trees in the area, which appears to have diminished 	Noted.
290.	X	X	Yes	<ul style="list-style-type: none"> Mature trees in an urban environment are key to reducing the urban heat map, providing habitat for biodiversity under increasing pressures from climate change and maintain our environmental heritage. I fully support the proactive moves by the City of Nedlands 	Noted.
291.		X	Yes	<ul style="list-style-type: none"> I fully support this proposal and commend the City for working to maintain our green canopy. As well as aesthetics, our green canopy helps keep temperatures lower than other areas of Perth, encourages bird life and helps clean our air. These factors should be given weight when considering applications to remove established trees. 	Noted.
292.	X	X	Yes	<ul style="list-style-type: none"> We support council having control over removal of large canopy trees on private land. Control not being limited to landowners but also developers. Trees should be considered capable for removal if they are dangerous or causing health issues for owners such as : Invasive trees (Lilly Pilly), poisonous trees (Olianda) and skin irritants (Gravilles, Bottle Brush, Elms and Lone Plane 	<p>Noted.</p> <p>Council has the ability to approve removal of trees that do not meet the policy should this become an issue. It is anticipated that this will be an infrequent occurrence but the list of unwanted tree species and/or the policy settings can be reviewed if necessary.</p>



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				<p>Trees) for a number of obvious reasons as to the impacts they have on both people and properties.</p> <ul style="list-style-type: none"> • Suggest that tree species are more clearly considered when planted or being capable for removal. • Trees that are not listed above provide a large cool canopy and need to be protected from developers and homeowners. • However, home owners must be given the ability to remove certain species where they are detrimentally impacting on the enjoyment of their land. 	
293.	X	X	Yes	<ul style="list-style-type: none"> • I strongly support and encourage the council to continue to look for ways to support tree and heritage protection for our City. 	Noted.
294.	X			<ul style="list-style-type: none"> • I fully support the amendment to provide protection for trees on private land. • As a retired CSIRO scientist, I understand the importance and value of the urban tree canopy for multiple purposes (Habitat, biodiversity, amenity for humans, shade and cooling). • Trees on private land are an important part of the urban forest, with these values being degraded by piecemeal decision to remove trees without proper consideration of their values. 	Noted.



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	SA12	Draft LPP			
				<ul style="list-style-type: none"> It is our obligation to enhance and protect tree canopy as far as possible and I applaud the City and their work with this amendment. 	
295.	X	X	No	<ul style="list-style-type: none"> I support the draft policy as I am concerned about the loss of habitat for fauna, tree coverage for rising temperatures and the mental health aspects of living in a concrete jungle. The trend towards building housing that covers most of the block is most concerning for our future as a City and a planet. 	Noted.
296.	X		Unknown	<ul style="list-style-type: none"> It is very important that the Perth Metro area protects trees on private property and local government supports landowners to retain trees. We recently had to work with the City of Stirling which were of no support to retain a tree. This is a wonderful opportunity for the City of Nedlands to be a leader and an example for other Local Governments. 	Noted.
297.	X	X	Yes	<ul style="list-style-type: none"> This proposal will help maintain Nedlands unique character and act as a step forward in combatting climate change. I do have some concerns on how it will impact individual owners property right. It doesn't seem fair that a property owner cant remove trees from their land without permission, they should be able to do it freely. 	Noted.



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298.	X	X	No	<ul style="list-style-type: none"> I think this is a great policy to uphold the experience of the City of Nedlands. 	Noted.
299.	X	X	Yes	<ul style="list-style-type: none"> Very concerned about tree clearing on residential land, destroying established trees and flora and fauna, The trees provide nesting habitat for birds and other animals and insects. Total support for the amendment but believe it should apply to all land, not just zoned R20 and below. Recommends that anyone wanting to clear land should contact a registered environmentalist to do a survey before removing the flora and fauna. There must be provision or plan for the relocation of all plants and animals, and there must be enough deep soil area provision provided (at least 10%) with trees required to be planted by a certain date. 	<p>Noted.</p> <p>As noted in other submission responses, following the outcome of this amendment with Council and the WAPC, additional controls may be proposed for higher density areas for the City.</p>
300.	X	X	No	<ul style="list-style-type: none"> This needs to happen and is a fantastic idea. Developers and people in general buy up old houses with loads of mature trees and then clear the entire lot. Thank you for taking the initiative to support native trees, this is very important to stop the effects of climate change. 	Noted.
301.	X	X	No	<ul style="list-style-type: none"> Agree with the proposed amendment 	Noted.



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	SA12	Draft LPP			
				<ul style="list-style-type: none"> Why are developments allowed to take up the whole block or land? How is this environmentally friendly? How do other countries like the Netherlands retain its green spaces and walkable places, while they are Australia's population or less? 	
302.	X	X	Yes	<ul style="list-style-type: none"> This is a very important part of our environment. It is alarming how many trees are being taken down in the area with all the development on private land. Recently a neighbour removed a tree in their yard and it completely changed the look and feel of the street. 	Noted.
303.	X	X	No	<ul style="list-style-type: none"> Protecting trees is important for a number of reasons including mitigating the urban heat island effect, mitigating and adapting to the effects of climate change, enhancing and supporting biodiversity and providing scale and visual connections to developments. 	Noted.
304.	X	X	No	<ul style="list-style-type: none"> CI.60A of amendment no.12, if a tree currently provides a significant food source or habitat for native animals and falls below the size requirements there should still be guidance for protecting it. Regarding part 5.6 of the policy; Long term survival of new trees needs to be maximised, so education of residents about this should be part of the policy. For example education about tree types which can survive heat waves. 	Trees outside of the criteria can be encouraged to be retained, but the focus of this legislation is mature trees. The City can continually update and educate the public on tree selection.



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305.	X	X	Yes	<ul style="list-style-type: none"> In 1998 my family immigrated to Perth choosing to live in Nedlands because its green and leafy character. The amendment is well considered by planning staff and industry experts and request the following is noted: The purpose of the amendment is to provide an extra layer of protection to large mature trees within the City of Nedlands. It does not affect residents who wish to keep their trees and seeks to avoid situations where large R20 blocks are devoid of trees. I observe that most Nedlands residents enjoy their trees, however we are starting to see larger trees on private land removed. From what I have observed it is generally not long standing residents of Nedlands who are choosing to do this, but rather new residents seeking to renovate or develop on their land. I consider private property rights paramount, fortunately the scheme amendment do not propose to make tree removal impossible on private property, it is about providing an extra layer of protection for mature trees. Noting the situations where trees need to be removed such as it being a danger etc. 	Noted.



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				<ul style="list-style-type: none"> I consider amenity equally as important and private property rights, they are not absolute and are partially controlled by the planning framework. Whether at the local level or a state level. The reasons for this are for potential adverse amenity impacts that may be experienced by adjoining landowners or the public realm. The removal of large mature trees can also result in adverse amenity impacts to adjoining property owners or the public realm, it is logical to require development approval to do so. If a tree is required to be removed an application can be simply lodged at a fee of \$147. Pending the nature of the tree requiring removal, I expect the City officers will require expert advice regarding its removal. I acknowledge the extra cost this will bring. If a tree is supported to be removed, the City may impose a condition of approval requiring another tree to be planted. This provides an opportunity to require another tree to be planted. This scheme amendment is not a violation of private property rights not does it prevent the removal of trees on private property it is simply trying to add a layer of protection to one of the suburbs greatest assets. 	



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				<ul style="list-style-type: none"> Local Governments all over Perth have their eyes on the City of Nedlands planners for this scheme amendment for Council to initiate it. Council now needs to revolve to support this amendment. I only hope the WAPC sees the same logic in this amendment as it is an issue that affects all of WA not just Nedlands. Currently the state planning framework falls woefully short on incentivizing the retention of or protection of trees. 	
306.	X		No	<ul style="list-style-type: none"> One of the reasons I bought my house in Nidjalla Loop was because of the lovely trees. Very soothing to be able to look out the windows at a love trees, plus the birds that inhabit them. We need to keep our trees to provide relief from the ever decreasing greenery in the suburbs, though sometimes we need the very tall ones to be pruned. 	Noted.
307.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. Trees have many benefits including animal habitat and cooling and shade from the climate. 	Noted.
308.	X	X	No	<ul style="list-style-type: none"> We are decimating what is left of our leafy suburbs for developer profit, once its gone it cant be taken back. 	Noted.



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				<ul style="list-style-type: none"> Sydney is able to accommodate bush and trees but we cant in Perth? 	
309.	X	X	Yes	<ul style="list-style-type: none"> I fully support the protection of significant trees on private land. 	Noted.
310.	X	X	No	<ul style="list-style-type: none"> Strong tree protection is vital for many reasons. Being able to listen to the wind move through trees, the Carnaby's which nest in these trees uplift and calm me. 	Noted.
311.	X		Yes	<ul style="list-style-type: none"> This is needed to save urban tree canopy 	Noted.
312.	X	X	No	<ul style="list-style-type: none"> It is becoming more and more prevalent that we protect any and all urban bush land and canopy to protect wildlife and protect shade. Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
313.	X	X	No	<ul style="list-style-type: none"> We need to protect the tree canopy to keep the temp from heating and causing a heat sink, the ambience of the leafy green suburbs. 	Noted.
314.	X	X	No	<ul style="list-style-type: none"> Thank you and congratulations on a well considered policy and your clear explanation of both policy and amendment. 	Noted.
315.	X	X	Yes	<ul style="list-style-type: none"> Trees are vital for Nedlands and ought to be preserved through laws that encourage their planting and prevent their removal. 	Noted.



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316.	X	X	Yes	<ul style="list-style-type: none"> I support the Scheme amendment and policy for the following reasons: Nedlands is enhanced by retention of large canopied trees. Our suburb is known as a garden suburb with tall established trees. The benefits of avoiding a heat island, providing shade for residents to walk for recreation, for students to walk to school and university, for providing habitat to birds are all well understood. We must consider that while in private ownership this also involves a consideration of the public good and appreciation of the value of tree canopy in long term planning for the overall benefit of the entire city. Retention of established tree canopy and a policy to actively increase the tree canopy will take the City into the future. The increased tree canopy will overall increase the value of properties in Nedlands and improve our lives at present and that of future residents, visitors and wildlife. 	Noted.
317.	X	X	No	<ul style="list-style-type: none"> A major draw card to living in the City is the green environment. When blocks are cleared the City loses these significant assets. For this reason trees must be given protection and respect. 	Noted.



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				<ul style="list-style-type: none"> Native species should be chosen over foreign. A canopy is required to col our backyards and streets. The canopy benefits of habitat and food for wildlife as well as pedestrians and people driving should be enforced through the amendment and policy. 	
318.	X	X	No	<ul style="list-style-type: none"> Congratulations to the City for this brave initiative. The success of any urban forest policy or strategy relies on the ability to protect and retain existing trees on both public and private land. Development pressures and the increased urban housing density means that threats to trees on private land is growing and it is clear that effective protection for trees on private land is both essential to maintain and expand tree canopy. The best approach is both punitive and supportive measures, with the policy and amendment meeting the punitive measures in a very reasonable way. The second part of supportive measures to include incentives could be approached by the City of Nedlands in due course. 	<p>Noted.</p> <p>The City will review its policy to explore other options for increasing tree canopy inline with best practice, should the scheme amendment be adopted by council and the WAPC.</p>
319.	X	X	Yes	<ul style="list-style-type: none"> I support this policy in full. Big trees keep us cooler, provide habitat and sequester carbon. They are a community resource and should be protected as such. 	Noted.



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	SA12	Draft LPP			
				<ul style="list-style-type: none"> The loss of large trees on both private and verges of building lots. 	
320.	X	X	No	<ul style="list-style-type: none"> Fully support the Amendment and policy. The area is known for its leafy green character and during our time in Nedlands have observed that most Nedlands residents enjoy their trees. However, we are beginning to see the reduction in the number of trees on private land, with these generally not being removed by the long term residents of the suburbs but new residents making way for new development. We need trees for shade, flora and fauna and to reduce green house gases. 	Noted.
321.	X		No	<ul style="list-style-type: none"> Fully support the amendment as we do not want the City to become another suburb with limited tree canopy. Trees are vital for cooling and animal habitats. 	Noted.
322.	X	X	No	<ul style="list-style-type: none"> I fully support the scheme amendment and draft local planning policy. 	Noted.
323.		X	No	<ul style="list-style-type: none"> The continued loss of tree canopy will end with a featureless desert with high temperatures endurable only with the use of air conditioning, one of which is good for the environment. Trees should not be destroyed without overwhelmingly good reason (i.e. safety) as they are vital to our health, wildlife and sense of well being. 	Noted.



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				<ul style="list-style-type: none"> Anything that we can do to protect them is a job well done. 	
324.	X	X	No	<ul style="list-style-type: none"> A terrific and important initiative that will make a significant contribution to reducing the heat island effect, providing ecological linkages via home gardens, mitigating climate change, providing oxygen, maintaining the tree aesthetics of the city, providing aspects of privacy for both neighbours as well as property owners. We will approach the City of Canning to align their approach to tree retention to the City of Nedlands. 	Noted.
325.		X	No	<ul style="list-style-type: none"> Local trees should be protected to preserve native wildlife to keep our neighbourhoods green. 	Noted.
326.	X	X	No	<ul style="list-style-type: none"> The value of Nedlands tree canopy cannot be overstated in terms of its social and environmental impact. The trees reduce the heat in summer, they provide an important habitat for birds and a place for children to play. Its distressing to see trees removed to make way for new developments and it is vital for the canopy to be retained. It would be helpful in the future to explore incentives for people to plant and maintain trees, through something like a rate concession, which may help 	Noted.



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	SA12	Draft LPP			
				maintain the tree canopy equitably throughout the suburb.	
327.	X	X	Yes	<ul style="list-style-type: none"> Strongly support the amendment and local planning policy, welcoming better protection for trees from all development and the expansion of our urban tree canopy for future generations. All relevant trees should be photographed and a significant registry made of them. With the character of Nedlands changing due to the new development and tree loss, it is very upsetting especially due to the hot climate, that trees are removed. Trees provide great function for our birds and wild life as well as our quality of life and social well being. Trees also help buffer noise and are a part of our historic environment and therefore should be protected and saved. 	Noted.
328.		X	Yes	<ul style="list-style-type: none"> Support retention of as much tree and green corridor through this area as possible. 	Noted.
329.	X	X	No	<ul style="list-style-type: none"> Nedlands is famous for its leafy green street, we must protect our tree canopy if we are to protect the character of the suburb. 	Noted.
330.	X		No	<ul style="list-style-type: none"> Fully support the amendment due to current trends to jeopardise our urban tree canopy. 	Noted.
331.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. 	Noted.



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				<ul style="list-style-type: none"> Trees should be protected from unsustainable development for future generations. 	
332.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. The maintenance and expansion of habitat corridors through the retention of trees s appropriate. 	Noted.
333.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
334.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
335.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
336.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
337.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
338.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. 	Noted.



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	SA12	Draft LPP			
				<ul style="list-style-type: none"> Trees should be protected from unsustainable development for future generations. Its quite easy to design around existing trees on private land. They form part of our urban forest canopies and as such are vital life giving components of our urban human environments. 	
339.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
340.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. Trees provide a number of benefits to the community and are essential to our health and well being. 	Noted.
341.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
342.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. We have a responsibility to ensure future amenity and liveability for our cities. It is vital for everyone and our native fauna such as the Carnaby's Cockatoo. 	Noted.



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	SA12	Draft LPP			
				<ul style="list-style-type: none"> Our building method of clearing blocks in the absence of protections for canopy is an issue that effects all urban areas in Perth. Other states manage this without issue. We have no option but to pursue this amendment, with the hopes the WAPC and state government will approve this. 	
343.	X	X	Yes	<ul style="list-style-type: none"> I fully support the proposal and believe it is imperative to protect our urban canopy. 	Noted.
344.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
345.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
346.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
347.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
348.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
				<ul style="list-style-type: none"> Native verge trees and plantings are needed for native wildlife. 	
349.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
350.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. I suggest a future condition of planning and building approval be that each block over 500m2 be obliged to plant and maintain at least one approved tree. Alternatively that properties without a substantial tree pay increased rates. 	<p>Noted.</p> <p>While there are existing requirements for new developments to provide a certain amount of tree plantings, the intention of this policy and amendment will be for tree retention.</p>
351.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
352.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
353.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
354.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
355.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
356.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
357.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
358.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
359.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
360.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
361.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. With our environment under pressure to combat the urban heat island affect, it is critical that we protect our remaining mature trees. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
362.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
363.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
364.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. With the increasing pressure for the environment and our suburbs getting hotter due to the urban heat island affect it is critical that we protect our remaining trees. New development needs to incorporate nature and trees. 	Noted.
365.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
366.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
367.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
368.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
				<ul style="list-style-type: none"> Trees should be protected from unsustainable development for future generations. 	
369.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
370.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
371.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
372.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. Trees provide many benefits including tremendous shade on a hot day. We are losing too many trees to concrete, brick and bitumen jungles, we must encourage builders and architects to retain tree, with this amendment and policy encouraging other local governments to follow suite. 	Noted.
373.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
374.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
375.	X	X	Unknown	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
376.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. It is tragic to see old trees being removed to build larger homes, there seems to be no regard for plot ratio anymore to the expense of mature trees. 	Noted.
377.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
378.	X	X	Unknown	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
379.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
380.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
381.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
382.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
383.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
384.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
385.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. Nedlands is losing its tree canopy through demolitions. Substantial trees must be retained with architects and buildings to must be asked to retain them. It will take 20-30 years for these blocks to achieve the same level of tree canopy they recently enjoyed. When will the City ban dark coloured rooves which absorb heat? 	<p>Noted.</p> <p>The City is currently reviewing its sustainability framework, with a view of updating its local planning policies to require sustainable building materials such as reducing dark roofs. This work will be done outside of the proposed scheme amendment and policy.</p>
386.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
				<ul style="list-style-type: none"> Trees should be protected from unsustainable development for future generations. 	
387.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
388.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
389.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
390.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
391.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. The loss of native habitat is evident where trees have been removed for redevelopment purposes. 	Noted.
392.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
393.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
				<ul style="list-style-type: none"> Trees should be protected from unsustainable development for future generations. 	
394.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
395.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
396.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
397.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
398.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
399.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
400.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
401.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
				<ul style="list-style-type: none"> Trees should be protected from unsustainable development for future generations. How is the removal of trees positively affected our suburb? 	
402.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
403.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
404.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
405.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
406.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
407.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
408.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
				<ul style="list-style-type: none"> Trees should be protected from unsustainable development for future generations. Birds and insects are struggling so protection of trees and biodiversity is important. 	
409.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. Research has highlighted the temperature change between shaded and non-shaded area. These trees are for community benefit and should be managed as such. 	Noted.
410.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
411.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
412.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
413.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
				<ul style="list-style-type: none"> Trees should be protected from unsustainable development for future generations. 	
414.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
415.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
416.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
417.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
418.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. Trees are important to our personal health and wellbeing. 	Noted.
419.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
420.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
				<ul style="list-style-type: none"> Trees should be protected from unsustainable development for future generations. 	
421.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
422.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
423.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
424.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
425.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
426.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
427.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
				<ul style="list-style-type: none"> It is critical; now more than ever to keep trees due to their benefits to reduce temperature and combat climate change. Over the last few years the removal of trees has had to have native bushland listed as protected and declared Threatened Ecological Communities, those not protected are at constant threat from many pollutants and sources. 	
428.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
429.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. With the increase heat in our suburbs, trees are crucial to combat the urban heat island affect. 	Noted.
430.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
431.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
432.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
433.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
434.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
435.	X	X	Unknown	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. Trees are important to our personal health and wellbeing. 	Noted.
436.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
437.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
438.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
439.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
440.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
				<ul style="list-style-type: none"> Trees should be protected from unsustainable development for future generations. 	
441.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
442.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
443.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
444.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
445.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
446.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
447.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
448.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
				<ul style="list-style-type: none"> Trees should be protected from unsustainable development for future generations. 	
449.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
450.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
451.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
452.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
453.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
454.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
455.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
456.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
				<ul style="list-style-type: none"> Trees should be protected from unsustainable development for future generations. 	
457.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
458.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
459.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
460.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
461.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
462.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. We hope this serves as a beacon for other councils across Australia who are currently presiding over an appalling loss of tree over in urban and rural settings 	Noted.
463.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
				<ul style="list-style-type: none"> Trees should be protected from unsustainable development for future generations. 	
464.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
465.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
466.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
467.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
468.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
469.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
470.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
471.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
				<ul style="list-style-type: none"> Trees should be protected from unsustainable development for future generations. 	
472.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
473.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
474.	X	X	Yes	<ul style="list-style-type: none"> Urban tree canopy is important as it mitigates the urban heat island effect, the effects of climate change, it enhances the biodiversity and maintains the City's leafy green character. This policy is limited to R20 and below and should be expanded to other areas. 	Noted.
475.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
476.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. 	Noted.
477.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
478.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
479.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
480.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
481.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
482.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
483.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
484.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
485.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
486.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Protecting and expanding tree canopies is vital for the reduction of temperatures and local wildlife. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
				<ul style="list-style-type: none"> Council should act to protect the trees my family has cared for. 	
487.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
488.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
489.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
490.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. I welcome any protection for trees. In many European countries and Eastern states, trees are valued and protected. 	Noted.
491.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
492.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
493.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
				<ul style="list-style-type: none"> Trees should be protected from unsustainable development for future generations. 	
494.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
495.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
496.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
497.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
498.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
499.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
500.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
501.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
				<ul style="list-style-type: none"> Trees should be protected from unsustainable development for future generations. 	
502.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
503.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
504.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
505.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
506.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
507.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
508.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
509.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
				<ul style="list-style-type: none"> Trees should be protected from unsustainable development for future generations. 	
510.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
511.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
512.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
513.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
514.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
515.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
516.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
517.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
				<ul style="list-style-type: none"> Trees should be protected from unsustainable development for future generations. Our suburbs desperately need to retain trees to stop the relentless summer heat and biodiversity in our local ecosystems. 	
518.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
519.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
520.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
521.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
522.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
523.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
524.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
				<ul style="list-style-type: none"> Trees should be protected from unsustainable development for future generations. 	
525.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
526.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
527.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. The beautiful trees in Nedlands is what makes it so magnificent and part of the character of the area. To lose them is heartbreaking. 	Noted.
528.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
529.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
530.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
531.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
				<ul style="list-style-type: none"> Trees should be protected from unsustainable development for future generations. 	
532.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
533.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
534.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
535.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
536.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
537.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
538.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
539.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
				<ul style="list-style-type: none"> Trees should be protected from unsustainable development for future generations. 	
540.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
541.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
542.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
543.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
544.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
545.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
546.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
547.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
				<ul style="list-style-type: none"> Trees should be protected from unsustainable development for future generations. 	
548.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
549.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
550.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
551.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. Trees are essential to the health and wellbeing of our community. 	Noted.
552.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
553.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
554.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
				<ul style="list-style-type: none"> Trees should be protected from unsustainable development for future generations. 	
555.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
556.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
557.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
558.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
559.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
560.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
561.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
562.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
				<ul style="list-style-type: none"> Trees should be protected from unsustainable development for future generations. Trees support biodiversity, native wildlife, shade us from summer heat and reduce urban heat island effects. The urban forest is an import thing to promote and to foster. Healthy landscapes include a sense of place, food and fibre and healthy living and wellbeing A number of local governments have already developed plans to enhance tree canopy. Many examples support the scheme amendment including; Biodiversity being cited as third amongst global risks (2020 World Economic Forum), Our livelihoods depending on nature (Economics of Biodiversity HM Treasury UK Gov 2021) and the UN GA declaring that everyone has the right to a sustainable environment (28 July 2022). All WA Local governments must integrate the right to a healthy environment into a new or existing environmental and human rights laws, in order to better protect the ways that human health are dependent on healthy ecosystems (NELA media released July 2022). In WA, 61 animals and 198 threatened plants are at greater risk due to climate change. The protection of 	



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
				<p>trees will help and assist the establishment and continued protection of these ecosystems.</p> <ul style="list-style-type: none"> • Strategy and schemes need to be updated to include biodiversity protection as one of its aims. All local governments must be directed to preserve the ecosystem services provided by healthy widespread tree canopies. • In the absence of third party appeal rights, local governments must take the initiative to reduce the embedded discretion which destroys our rich environment. 	
563.	X	X	No	<ul style="list-style-type: none"> • Fully support both scheme amendment and policy. • Trees should be protected from unsustainable development for future generations. 	Noted.
564.	X	X	No	<ul style="list-style-type: none"> • Fully support both scheme amendment and policy. • Trees should be protected from unsustainable development for future generations. 	Noted.
565.	X	X	Yes	<ul style="list-style-type: none"> • Fully support both scheme amendment and policy. • Trees should be protected from unsustainable development for future generations. • We are decades behind the eastern states as far as Cityscapes being framed by beautiful trees. • Trees provide great shade, reducing the heat island effect, reduced electricity demand for both heating 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
				and cooling, increasing rainfall in water catchments and adds to the aesthetics of an area.	
566.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
567.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
568.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
569.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
570.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
571.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
572.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
573.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
				<ul style="list-style-type: none"> Trees should be protected from unsustainable development for future generations. 	
574.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
575.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
576.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
577.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
578.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
579.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
580.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
581.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
				<ul style="list-style-type: none"> Trees should be protected from unsustainable development for future generations. 	
582.	X	X	Yes	<ul style="list-style-type: none"> We need more not less trees. The loss of canopy increases temperatures and the landscape of the street. Please protect our residential blocks 	Noted.
583.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
584.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
585.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
586.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
587.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
588.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
589.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
				<ul style="list-style-type: none"> Trees should be protected from unsustainable development for future generations. While I have my own large tree on my property which I get maintained by a qualified arborist every year, my hope is that it remains even if there are one or two dissenting voices on council for its removal. 	
590.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
591.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
592.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
593.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
594.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
595.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
596.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
597.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. This is essential if we are to preserve an environment for our children. 	Noted.
598.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
599.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
600.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
601.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
602.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
603.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
				<ul style="list-style-type: none"> Trees should be protected from unsustainable development for future generations. 	
604.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
605.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
606.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
607.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. Each tree retained counts. Keeping the canopy trees will cut costs for households and council venues for cooling and heating. Trees beautify a suburb. 	Noted.
608.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
609.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
610.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
611.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
612.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. The turnover of property ownership, urban infill and development of properties degrades our urban tree canopy and welcome better protections for trees in our community. 	Noted.
613.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
614.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
615.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
616.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
617.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
618.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
619.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
620.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. The maintenance of habitat corridors throughout the City can be aided by the retention of trees and more native vegetation. 	Noted.
621.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. Trees provide for a number of great benefits including cooling our warming suburbs, greenhouse gas emissions, improving air and water quality and reducing the impact of storms and providing food and shelter for wildlife. 	Noted.
622.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
				<ul style="list-style-type: none"> Trees should be protected from unsustainable development for future generations. 	
623.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
624.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
625.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. Council should consider planting native flowering trees as corridors for suburban birdlife. 	Noted.
626.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
627.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
628.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
629.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
				<ul style="list-style-type: none"> Trees should be protected from unsustainable development for future generations. 	
630.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
631.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
632.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
633.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
634.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. Data and peer-reviewed research has underscored how crucial trees are for native bee populations. 	Noted.
635.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
636.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
				<ul style="list-style-type: none"> Trees should be protected from unsustainable development for future generations. 	
637.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
638.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. This is consistent with the waterwise plan for Perth. 	Noted.
639.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
640.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
641.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. This is consistent with the waterwise plan for Perth. 	Noted.
642.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
643.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
				<ul style="list-style-type: none"> Trees should be protected from unsustainable development for future generations. This is consistent with the waterwise plan for Perth. We know that tree canopy moderates the temperature and improves the ambience of the area. We must save as many trees as possible. 	
644.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
645.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. Given the challenges we face due to climate change, the retention of trees plays a key role in the fight against urban heat as well as the protection of ecosystems and our cultural heritage. 	Noted.
646.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
647.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
648.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
649.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
650.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
651.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
652.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
653.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
654.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. The loss of trees has led to loss of shade hotter temperatures. We need to retain as much canopy as possible. 	Noted.
655.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
656.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
657.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
658.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
659.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
660.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
661.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
662.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. We need more trees for their environmental, social and emotional benefits to the community. It is well known that the removal of trees can increase 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
				temperatures in unshaded areas by up to 10 degrees. We must retain trees as much as possible.	
663.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. Given the challenges we face with a warming climate we must protect trees. 	Noted.
664.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
665.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
666.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
667.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
668.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. Trees are apart of the character in the area which attracts people to the suburb. New guidelines and 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
				protections for trees so that they can be built around area welcomed.	
669.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. Trees area required for climate change, changes in temperature, amenity and the habitat for wildlife. The benefits of trees cannot be overstated. 	Noted.
670.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
671.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
672.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. Trees area required for climate change, changes in temperature, amenity and the habitat for wildlife. The benefits of trees cannot be overstated. 	Noted.
673.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
674.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
				<ul style="list-style-type: none"> Trees should be protected from unsustainable development for future generations. 	
675.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
676.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
677.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
678.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
679.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
680.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
681.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
682.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
				<ul style="list-style-type: none"> Trees should be protected from unsustainable development for future generations. 	
683.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
684.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
685.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
686.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
687.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. Is there a better way to trim the trees in Mt Claremont that grow under the low tension power lines? Each year the trees are trimmed to a large extent to reduce their impact on the powerlines. 	<p>Noted.</p> <p>The City is required to maintain its street trees in accordance with guidance from Western Power to mitigate the risk of lost power and fallen powerline during winter storm events.</p>
688.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
689.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
690.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
691.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
692.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. Perth is lacking in terms of regulation to stop the removal of trees. Trees that once stood for generations are now making way for concrete and pavement, increasing temperatures by up to 10 degrees. 	Noted.
693.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. I welcome better protections for trees and in turn the animal habitat which they serve, such as the black cockatoo. 	Noted.
694.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
				<ul style="list-style-type: none"> Trees should be protected from unsustainable development for future generations. 	
695.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. As we in the midst of a biodiversity crisis I think this amendment is a step in the right direction. 	Noted.
696.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
697.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. The importance of trees and tree canopy cannot be understated in terms of their ability to provide habitat for birds as well as shade for our suburban environment. It takes a long time to grow a large tree and it is crucial we maintain these as we see more high rise infill. 	Noted.
698.	X	X	No	<ul style="list-style-type: none"> We love and link the character of Nedlands with its verge trees and old mature trees in the neighbourhood. It is a real concern that as more developments are popping up we are losing this character. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
				<ul style="list-style-type: none"> New suburbs where this occurs becomes a heat sink not to mention a barren eyesore. We are now seeing the effects of climate change. We must start within our neighbourhoods, to combat this. Trees provide valuable habitat for native wildlife which over the years has dwindled. 	
699.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. Nedlands liability and ability to adapt to climate change is linked to its abundance of trees which should be retained as much as possible. 	Noted.
700.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
701.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
702.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
703.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.



Schedule of Submissions

Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
704.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
705.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. I note a concern relating to a tree within the street that appears to have been poisoned. I hope to register the large tree on my block. 	<p>Noted.</p> <p>The City will follow up to investigate this matter.</p> <p>The intention of this amendment and policy will be that the existing tree on your block will be given similar protections as formally registering the tree.</p>
706.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
707.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
708.	X	X	Yes	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
709.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.



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Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

#	Submission in relation to:		Directly affected by scheme amendment (R20 and below)	Submission	Officer Response
	SA12	Draft LPP			
710.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
711.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
712.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
713.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
714.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
715.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
716.	X	X	No	<ul style="list-style-type: none"> Fully support both scheme amendment and policy. Trees should be protected from unsustainable development for future generations. 	Noted.
717.	X	X	No	<ul style="list-style-type: none"> Removal of trees from private land is a bad idea and does not align with climate change action. 	Noted



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Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

Oppose					
1.	X	X	Yes	<ul style="list-style-type: none"> The scheme amendment and policy should apply to all density codes, not just R20 and below. Development in higher density areas results in greater canopy loss than development in lower coded areas. 	<p>Noted.</p> <p>It is recognised that this amendment is the first step in the greater process of encouraging tree retention on all private lots within the City. The success of this amendment will guide future processes for tree protection .</p>
2.	X	X	Yes	<ul style="list-style-type: none"> Council should not be involved with what happens with trees on private land. There are bigger priorities for Council to focus on, such as road and verge improvements, and improved recreation facilities. 	<p>Noted.</p> <p>Both the City's Strategic Community Plan as well as third party investigations into tree and canopy loss has indicated that there is a significant decline of larger trees on private land within the City as well as Perth generally (refer to Scheme Amendment No.12 justification report). The City has capacity to work on multiple priorities at the same time.</p>
3.	X	X	No	<ul style="list-style-type: none"> Council should not be involved with what happens with trees on private land. 	Noted.
4.		X	Yes	<ul style="list-style-type: none"> The Draft Policy places undue imposition and obligations on neighbours of properties with affected trees. Neighbours should retain the unfettered right to trim or prune neighbouring trees within their boundaries, without having to take on the cost and complexity of 	The only way to ensure trees are trimmed properly and place restrictions on deliberate harm (ex: overtrimming with the intent to kill the tree) is to rely on a set of standards. A professional tree trimmer will understand the Australian Standards.



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Scheme Amendment No. 12 and Draft Local Planning Policy – Trees on Private Land

				meeting the Australian Standards or seeking development approval.	
5.	X	X	Yes	<ul style="list-style-type: none"> The amendment should apply to higher density areas instead. Don't want a third party to have more authority over private property. 	It is recognised that this amendment is the first step in the greater process of encouraging tree retention on all private lots within the City. The success of this amendment will guide future processes for tree protection.
6.	X	X	No	<ul style="list-style-type: none"> Object to further restrictions on landowners, especially the need to modify a building plan to accommodate a tree. 	Noted.
7.	X	X	Yes	<ul style="list-style-type: none"> The City should focus its greening efforts on the public land that it has control over and shouldn't try to control private land. 	<p>Noted.</p> <p>While the City is increasing the canopy in the public realm, it is understood that there has been a significant decline in private canopy within the City, which has come from the increased density and associated development pressure. This policy has been designed to apply flexibility and to strike a balance between individual property owners rights, the health and safety of residents in the City and the acknowledgement of the warming climate.</p>
8.	X	X	No	<ul style="list-style-type: none"> Concerned raised over development along Jenkins road, specifically regarding loss of landscaping area/s. Road works have reduced the street scape and traffic, which may result in vehicle incidents. 	<p>Noted.</p> <p>While the City has been increasing its tree canopy throughout the area, the intention of the amendment and policy is to focus</p>



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				<ul style="list-style-type: none"> Lets address developments removing trees and the less attractive streetscape before addressing tree removal on private land. 	on the recognised loss of tree canopy within the private realm.
9.	X	X	Yes	<ul style="list-style-type: none"> We have a neighbour who has a large number of trees on their block which cases a huge problem for our property. Every day debris falls into their property, pool and garden. Does not oppose greening the country but when it infringes on the neighbours property this is a different issue altogether 	<p>Noted.</p> <p>The intention of the policy is to still allow landowners to remove trees where they are proposing a threat to life or homes.</p> <p>While it is noted that large trees can produce detritus and debris, it must be also acknowledged that the benefits of the canopy that is produced by these trees far outweighs the potential maintenance negatives.</p>
10.	X	X	Yes	<ul style="list-style-type: none"> Planning rules should encourage the retention of existing trees or require the planting of new trees that will become significant in the future. It should not be a burden to residents The proposed amendment gets the balance wrong and creates too high a threshold for the removal of trees and does not encourage the planting of future significant trees. A minimum coverage percentage based on existing and planned trees at maturity is a better compromise. Such a scheme would create a better or more environmentally friendly homes. A plan that demands a minimum coverage should specify acceptable trees that can be planted and the minimum maturity of the trees. 	<p>Noted.</p> <p>As there is existing legislation which mandates minimum plantings of trees on sites, the intention of this amendment and policy is the first step in the retention of trees rather than the planting of new trees. This recognises their immensely beneficial impacts on the urban heat island as well as many other ecological benefits.</p> <p>A minimum coverage requirement would not prevent removal of mature trees. Replacement with smaller trees could take years to achieve the same level of canopy cover.</p>



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11.	X	X	Unknown	<ul style="list-style-type: none"> It is too late to worry about trees on private land as the local planning scheme allows developers to tear down old houses and completely clear the land of all trees 	The intention of the scheme amendment and local planning policy are to address this issue identified.
12.	X	X	Yes	<ul style="list-style-type: none"> A negative experience with the removal of verge trees with the City gives me little hope for measures for the planting of trees within the City. The City of Nedlands enthusiasm for tree planting should be matched with greater efficiency in that area. Gum trees specifically provide an unacceptable risk for falling branches and should not be encouraged in urban situations. 	<p>Noted.</p> <p>While specific examples of verge trees within the City are regrettable, the purpose of this scheme amendment and policy is to focus on private tree canopy loss within the City.</p>
13.	X	X	Yes	<ul style="list-style-type: none"> I am extremely disappointed that this has seen the light of day as a scheme amendment. Council need to spend more time on traffic control for local streets and planting trees in local reserves rather than making residents build houses around existing trees. 	<p>Noted.</p> <p>While the City is making efforts to increase and encourage tree canopy growth in its parks and reserves, there is a significant and sustained loss of private tree canopy cover within the City that cannot be compensated by trees on public land.</p>
14.	X	X	No	<ul style="list-style-type: none"> It is ridiculous that private owners can't remove trees from their own private land, even if they are a hazard. Many trees are planted too close to buildings and undermine the building and need removing. The cost of tree surgeon is an unnecessary expense. I would remove trees on my land at my own leisure. 	<p>The amendment and policy does not stop landowners from removing trees from their land, where there is a valid reason to do so (i.e. the tree is dead or a danger to lives or properties).</p> <p>Both the City's Strategic Community Plan as well as third party investigations into tree and canopy loss has indicated that</p>



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				<ul style="list-style-type: none"> There are enough trees in Nedlands we don't need legislation to apply to private land. Do what you want on private property and leave private property owners alone. 	there is a significant decline of larger trees on private land within the City as well as Perth more generally (refer Scheme Amendment No.12 justification report).
15.	X	X	Yes	<ul style="list-style-type: none"> Delay building due to arboriculture report and application Increase costs due to arboriculture report and application Limits development on private property i.e. Granny flat or secondary resident. Roots of tree interfering with building Roots of trees growing damaging house foundations Attracting termites Damaged or sick trees falling on houses especially in storms. This can result due to delayed and prolonged application answer given to remove. If delayed answer given to remove trees and the tree falls on house, car or damages property who is at fault? Will the council pay for full damages? Undue stress to residence Owners should be consulted and given options on trees planted on their property nature strip and not be planted near power poles and allowed to grow near power lines. 	<p>An application for consideration of a tree on a development site will be considered in tandem with a standard DA. These timeframes have mandated maximum timeframes as per the relevant planning legislation. Notwithstanding, the City Officers do not anticipate a markedly increased timeframe to development application assessment for trees.</p> <p>The amendment and policy are not designed to prohibit building foot prints on land that is otherwise developable. Should development be City Officers can consider the removal of trees where they otherwise cannot be built around.</p> <p>Root systems, the potential for damage to properties or homes and the overall health of a significant tree can be considered as part of an arboriculturist's report to be submitted to the City for a significant tree. The City will consider these elements on the basis of expert advice, like any other development application.</p>



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					The proposed amendment and accompanying local planning is one of the many approaches the City is taking towards greening the City, including exploring greening the public realm and undergrounding power.
16.		X	Yes	<ul style="list-style-type: none"> Council is currently unable to maintain street trees as required by its policies. Adding another layer of bureaucratic surveillance (and no doubt more council staff) is unnecessary. The money would be better spent on supplying underground power to areas where street trees are growing through power lines. 	<p>The proposed amendment and accompanying local planning is one of the many approaches the City is taking towards greening the City, including exploring greening the public realm and undergrounding power.</p> <p>Once in place, the amendment would not require any further staff to administer.</p>
17.	X	X	No	<ul style="list-style-type: none"> The council should not have oversight of the landscaping/trees on private land. This should remain the sovereignty and discretion of the landowner. 	The amendment and local planning policy are proposed to only apply in certain circumstances at the City, in a similar way to existing provisions apply to development. Tree canopy provides a public good that needs to be maintained.
18.	X	X	Yes	<ul style="list-style-type: none"> Given how poorly council maintains its own trees (particularly those existing on the register) I do not think this is a worthwhile endeavour. I am all for retaining the tree canopy but it is highly hypocritical to expect to have jurisdiction over private land when public trees go unpruned and unmaintained. 	Noted.



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19.	X	X	Yes	<ul style="list-style-type: none"> I don't believe the council should be given the power to prevent an owner from removing a tree(s) from his property. 	Noted.
20.	X		Yes	<ul style="list-style-type: none"> I believe this amendment is unnecessary. Trees on private land should be able to be dealt with by the property owner with no outside interference. 	Noted.
21.	X	X	Yes	<ul style="list-style-type: none"> We have a lot of greenery and canopy on our block and would not appreciate any involvement from Council should we wish to change this. More attention should be paid to developers and new buildings which don't provide space for tree planting and canopy. Council should pay more attention to street trees on verges as they can be inappropriate (e.g. box trees). 	<p>Noted.</p> <p>As there is existing legislation which mandates minimum plantings of trees on sites, the intention of this amendment and policy is the first step in the retention of trees rather than the planting of new trees. This recognises their immensely beneficial impacts on the urban heat island as well as many other ecological benefits.</p>
22.		X	Yes	<ul style="list-style-type: none"> There are already enough planning controls in place, keep private land private. This is not a new subdivision. I already have 4 street trees in my verge and don't appreciate my local government having control over trees in my backyard. I find control on private land objectionable and over stepping the mark. Councils should focus to the basic delivery of services and stop upsetting its rate payers 	Noted.



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23.	X	X	Yes	<ul style="list-style-type: none"> An unnecessary intrusion on rights of individual homeowners. 	Noted.
24.	X	X	Yes	<ul style="list-style-type: none"> Ok for Nedlands Council to strive to keep a leafy suburb but this should not infringe on the right of private property owners to manage trees on their land. This is big brother interfering too strongly. There are already sufficient regulations regarding setbacks, driveways without extending into yet another area, namely trees on 'cosmetic grounds'. 	Noted.
25.	X	X	Yes	<ul style="list-style-type: none"> Council should not set by laws for what is required or not on private lands. The council should instead only issue guidance and educate the community on the importance of trees as well as encouraging grants of the planting of trees. Forcing people to apply for permission to cut down trees and asking for money is not how to approach compliance. More bureaucracy is not the way to gain acceptance from the community. It will largely be ignored, and the problem of tree removal will continue 	<p>Noted.</p> <p>The City's planning framework exists to provide overarching laws for what people can and can't do on their land, for the betterment of the community as a collective. The intention of the amendment and policy is raise the profile of trees, to reinforce the communities existing desire (refer Amendment justification report) for them to be protected.</p> <p>While public education will accompany the amendment, the amendment presents one opportunity to influence people's attitudes to trees. This is in line with best practice tree retention from other states in Western Australia.</p>



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26.	X	X	No	<ul style="list-style-type: none"> • Council does not have the right to dictate what landowners do with trees on their own properties • Interested to see how 'large canopy trees' are specifically identified and measured and would hope council is looking to what liability they would be faced with which may cause issues. • Given this is a civil issue with no council involvement, there would be increased pressure for council to mediate between these issues particularly if policy is stopping/hindering nuisance trees from being removed. • I hope council has sought consultation as to the additional workload it will bring, with the potential increase in DA turn around time. • I feel like implementing such a policy is a step in the wrong direction. Stripping residents rights away is not moving a progressive, sustainable fashion it is creating a dictatorship. 	<p>Noted.</p> <p>The amendment and accompanying policy has been designed to only come into play under certain circumstances, with the criteria for shade producing trees specifically mentioned in the amendment and policy.</p> <p>The policy will apply to all trees, irrespective of their overhang. While this may present as a 'civil matter' the policy will still apply, should a neighbour wish to prune or maintain an overhanging tree.</p> <p>It is not likely that the City will have such an increase in DA applications that it will conflict with existing resources. The application for the maintenance of a tree or removal will be backed by an appropriately qualified arboriculture report, which will largely recommend the most appropriate action for a tree.</p> <p>City officers do not support the notion that this amendment 'strips' landowners of rights, as only when the amendment applies (i.e. for certain sized trees) will a landowner be required to give regard to a</p>



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					policy. Should they be required to lodge an application, the standards for tree maintenance should accord with the Australian Standard.
27.	X	X	Yes	<ul style="list-style-type: none"> The decision adversely impacts on landowners who purchased a property in good faith prior to these regulations. It should apply prospectively only to future property purchases. 	City officers suggest that the amendment and policy provisions apply enough flexibility to landowners who have significant trees on their properties so as to not significantly impact on landowners who have purchased property in the area.
28.	X	X	Yes	<ul style="list-style-type: none"> Residents need autonomy in relation to trees on private property. I would avoid planting new native trees if these proposals were introduced in order to avoid restrictions in the future. Council should focus its efforts to protect and continue to grow those areas. Council should prevent any future sale of council land and instead make these spaces tree/nature zones. 	<p>Noted.</p> <p>The intention of the amendment and policy is to be the first step in the encouragement of tree canopy within the City. The City will be exploring options associated with incentives for keeping trees following the outcomes of this amendment.</p>
29.	X	X	Yes	<ul style="list-style-type: none"> Rate payers should be allowed to remove whatever trees that are on their property without any consequences 	Noted.
30.	X	X	Yes	<ul style="list-style-type: none"> While the council has good intentions with this, the policy and amendment isn't the way to go about tree protection The policy only focuses on lots zoned R20 and below, which is where most landowners already 	The City is investigating ways in which trees on higher coded properties can be protected but that will be the subject of a future process.



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				<p>value their trees. These owners will be penalised by having to go through the slow, expensive bureaucratic process to prune trees, whereas others can just cut them down.</p> <ul style="list-style-type: none"> Who will be responsible when a storm leaves a tree in a dangerous position needing urgent attention? This policy does nothing to stop the clearing of blocks adjacent to Stirling Highway. It will put a financial burden on landowners who have done the right thing for the environment. For many landowners the cost of this new process will be too much, and likely damage and injury will be caused by this policy. Council is passing on this cost to landowners. People who have owned land and cared for trees on their blocks will now be penalised for this. 	<p>There is provision in the policy for removal of a tree that poses danger. In the rare event that a tree needs to be urgently removed, it can be treated in the same manner as a building that urgently needs repair. Officers will investigate and have discretion on how to proceed.</p>
31.	X			<ul style="list-style-type: none"> I have no faith in Nedlands Council from a skill or cultural perspective. They don't have the ability to work efficiently or effectively and have little to no understanding or respect for people whose money and lives are tied up in this suburb. 	<p>Noted.</p> <p>The intention of establishing a clear local planning policy to accompany the scheme amendment will guide and ensure consistent outcomes for landowners affected by the amendment.</p>
32.	X	X	Yes	<ul style="list-style-type: none"> We have a large cape lilac tree on our property, which is identified as problematic by the Dept of Agriculture due to the white cedar moth that inhabits in the tree. It is unreasonable that a tree like this, including the fact it drops berries that are poisonous and a serious 	<p>Noted. Council has the ability to approve tree removal for trees that fall outside the scope of the policy criteria.</p>



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				<p>risk to children and pets, should not be allowed to be removed.</p> <ul style="list-style-type: none"> We request that the policy be amended to include this tree as a tree able to be removed without the need for a permit. 	
33.	X		No	<ul style="list-style-type: none"> There is no doubt that one of the qualities of living in Nedlands is the leafy green feel and what used to be an area of single residential blocks. Given the increase in density permitted by the state government in 2019 and the associated negative aspects of such high infill development occurring in the City I oppose the protection of trees on private land as this issue has only come up due to the R-Code change. By protecting trees on private land, this means the land holder is now totally restricted as to what type and design of home that can fit around a possible non-native tree. Council should allow private property owner rights. Back in the 50s some landowners planted trees where and thus these trees are no in some cases massive and present a safety issue due to their size and location. Is council going to be liable for all and any damages going forward? Ratepayers should be able to clear their block for a new dwelling. 	<p>The scheme amendment and policy are set to only impact on lower density blocks, which were largely unchanged as part of the new scheme gazetted in 2019. Rather, this ensures safeguards for those trees on existing larger blocks.</p> <p>The scheme amendment and policy are in place to ensure that development which occurs on these blocks responds to the existing tree on a property. It does not absolutely restrict their removal, should no feasible design be available for a dwelling on the block.</p> <p>The removal of trees that are supported with adequate information that they pose a danger to life or property will be considered by the City.</p> <p>This is the first step in approaching trees on private property. Tree planting within public land will continue to occur separate to this amendment and policy.</p>



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				<ul style="list-style-type: none"> Council should focus on designating areas on the land for tree planting when a block is developed. 	
34.	X	X	Yes	<ul style="list-style-type: none"> My property has some of the City's largest trees on it. The maintenance of the trees are time consuming and tiresome. As my wife and I are on part pensions we may have to pay someone to do it. I would like to retain our right to be able to remove the tree if required. 	<p>The City will be able to support the removal of large, significant trees subject to a development application being able to meet the objectives of the local planning policy.</p> <p>Any maintenance of the tree will be required to be done via the Australian Standard.</p>
35.	X	X	Yes	<ul style="list-style-type: none"> Instead of just punishing people from cutting trees, could we incentivise keeping trees? People who plant and manage trees should be rewarded. People who don't have trees may need to pay a tree management fee or just no change in rates. For punishment purposes you could require developers to not remove trees 2 years before property goes to market. I see developers clear land in Nedlands for sale losing old trees. They are never replaced. 	<p>Noted. This amendment and policy is one way that the City is approaching tree retention. A review of incentives for the retention of trees will be explored by City officers separate to the amendment and policy.</p>
36.	X	X	Yes	<ul style="list-style-type: none"> I consider the proposal as a draconian measure to the extreme and a authoritarian heavy-handed approach to the issue of high density development in the City. 	<p>Noted.</p> <p>The amendment and policy are proposed to focus only on low density land within the City.</p>



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				<ul style="list-style-type: none"> It simply encroaches the basic fundamental rights of property owners with respect to the enjoyment and control of their own private properties. It unnecessarily increases the City's operating costs in administrating this harsh and complex policy and DA process and it would inadvertently and adversely impact the council rates for the people of the City. It is subject to legal challenges and disputes at multi jurisdiction levels thereby further increase costs to the City and rate payers. Instead of the amendment and policy the City should focus on more of its land and creating a more robust approach 	<p>The policy is designed to be as straightforward to administer as possible, relying on the expert advice of an applicant being submitted as part of a development application. City officers do not consider this to unduly impact the operating costs of the City.</p> <p>The amendment and policy are only one way that the City is reviewing its approach to increasing the urban tree canopy.</p>
37.	X	X	Yes	<ul style="list-style-type: none"> I object to the amendment and policy as I don't believe the City should have the right to determine the use of and to restrict removal of trees on private land. Its unreasonable and unjust. 	Noted.
38.	X	X	Yes	<ul style="list-style-type: none"> The treatment of trees on private land should remain the choice of the landowner. 	Noted.
39.	X	X	Yes	<ul style="list-style-type: none"> My concern is that the policy will discourage people from planting, due to the impact it may have on property value/subdivision. I am concerned that I may have to remove the numerous trees on my lot as I am told my land is valued as block only. It will be worth much less if a landowner is required to keep all the trees. Ideally the policy would allow 	<p>Noted.</p> <p>The amendment and policy do not expressly prohibit the removal of trees. It is designed to ensure that the removal of any mature vegetation is done so where development couldn't reasonably be able</p>



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				<p>trees to be removed if owner so desired on condition that they were replanted.</p> <ul style="list-style-type: none"> An idea would be for council to buy blocks of land to be turned into tree parks throughout the suburb and every time someone removes a significant tree they pay into a fund to cover the costs of the parks and maintenance. While this idea may be too expensive, I have concerns of the ongoing costs of the policy, arborists, admin of the rules, court cases etc. 	<p>to be accommodated on the site without the removal of the tree.</p> <p>City officers do not anticipate the policy will be expensive to administer, as it will form part of the local planning framework. The costs associated with getting expert advice to accompany a development application for the maintenance of a tree, is likely a cost already being borne by a landowner seeking assistance in pruning a significant tree.</p>
40.	X	X	Yes	<ul style="list-style-type: none"> Deep soil planting should be mandated rather than tree protection laws on private property. All tree protection laws do is discourage planting of trees, because of the bureaucracy involved to prune or remove them . My preference is that at least 25% of residential sites be reserved for deep soil planting in contiguous areas (i.e. not narrow strips or small areas no suitable for trees). 	<p>Noted.</p> <p>There are existing development provisions in place which controls the planting of new trees, however the benefits of retaining established and significant trees cannot be understated. The time for a tree to reach the level of maturity where it can significantly contribute to the urban ecology can be great. By maintaining trees on private land, this will ensure that the existing biodiversity of an area can be maintained, exclusive of any development which occurs around it.</p>
41.	X	X	Yes	<ul style="list-style-type: none"> You should have the right to remove any trees on your property that you own without involvement of council. 	<p>Noted.</p> <p>While some landowners may already responsibility maintain significant trees</p>



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				<ul style="list-style-type: none"> The City attracts residents who appreciate and value leafy green surrounds and as such the community self maintains the leafy outlook on their own private land. The amendment will create unnecessary and additional administrative burdens such as DA reports and arborist consultations. 	and vegetation, the amendment and policy are proposed to ensure that the clearing of development blocks does not occur where it can be done.
42.	X	X	Yes	<ul style="list-style-type: none"> Object to the policy. This policy will likely create significant issues between neighbours, enforcement, workload and likely the perverse situation of reducing the amount of canopy within the City. Adopting the policy will likely result in the removal of trees pre-emptively before the policy comes into effect. Incentivising the retention of a significant tree through measures such as additional discretionary application of setbacks is suggested an approach to pursue. A minor rates rebate linked to the retention of a significant tree would also acknowledge the importance of canopy cover that the City is aspiring to. This acknowledges the costs associated with maintaining a significant tree. Through a simplistic approach to up to R20 sites, the policy doesn't acknowledge that some R20 sites are smaller than 500m2 which may have more implications on a landowner. The policy introduces uncertainty into the DA process. 	<p>Noted.</p> <p>The City may investigate incentives for tree retention as part of a future suite of policies.</p> <p>The policy is flexible enough to allow development on smaller sized lots through the development application process.</p> <p>Provision already exists in the R-Codes for landscaping. However, retention of trees is not addressed anywhere for single houses and grouped dwellings as of yet.</p> <p>Some sort of pruning standards need to be implemented to prevent those instances of someone 'pruning' a tree sufficiently to deliberately kill it.</p>



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				<ul style="list-style-type: none"> The inherent constraints of smaller sites should be acknowledged as an additional benchmark for the application of the policy. The amendment appears to introduce a notion that a neighbour can only prune a tree following the relevant Aus Standard. This will create a minefield of conflict, confusion and responsibilities and appears to attempt to constrain a landowners common law right to manage their property boundary. Most trees on a boundary will not be able to be pruned to the Aus Standard in compliance with the policy and instead an onus is created for a neighbour to ensure correct practice is followed. Suggest this is deleted if the amendment proceeds. The City should focus on the public domain – Street trees and trees in local parks Nedlands should underground power as a priority, due to the stresses of street trees located near power lines. Local parks, particularly in Nedlands, should be planted out with trees as a priority. Entrenching this requirement in the scheme will create an arbitrary constraint and potentially introduce conflict between neighbours. Suggest that as an alternative good development outcomes that support positive landscaping aspirations. 	
43.	X		Yes	<ul style="list-style-type: none"> Understands and appreciates the need to protect and improve urban tree canopy. 	Noted.



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				<ul style="list-style-type: none"> This proposal however is complete overreach and the intent of the local planning framework. A more appropriate method would be to provide development bonuses for the retention of trees. To impinge on private rights like this is inappropriate. The City should be investing in increasing the tree canopy where it will actually minimum heat island effects, along verges and medium strips. I am concerned this will reduce the number of plantings; why would I want to invest trees in my backyard if it might detriment future development capacity or devalue my block. 	<p>The City will be exploring opportunity to introduce incentives into the planning framework for the retention of trees, separate to this proposed modification to the local planning framework.</p> <p>Trees on public land cannot compensate for the loss of tree canopy on private land. A dual approach is needed, of which this policy and amendment is one part.</p>
44.	X	X	Yes	<ul style="list-style-type: none"> We strongly object to the policy and amendment as it will chip away at the rights of landowners by adding more restraint and red tape on what we can and can't do in our backyards. 	Noted.
45.	X	X	Yes	<ul style="list-style-type: none"> This is an attack on residents' freedoms and liberties. There is no place for the local government to have further say into the ongoings in people's properties, I do not support this overreach at any level. I support the removal of all council members for proposing this misuse of power and trust. 	<p>Noted.</p> <p>City Officers suggest that the changes proposed to the local planning framework are a logical extension of existing controls on development within the City.</p>
46.	X	X	Yes	<ul style="list-style-type: none"> While supportive of encouraging tree and green space restoration, I am opposed to the restriction of property owners' rights in relation to property owners and their use of their land. 	<p>Noted.</p> <p>The proposed amendment and policy is part of greater measures being</p>



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				<ul style="list-style-type: none"> I would prefer to encourage tree retention through incentive rather than prohibition. I see this as an additional administration cost and disincentive for people to purchase and improve property within Nedlands. 	investigated by the city to increase tree canopy within the City.
47.	X	X	No	<ul style="list-style-type: none"> Totally opposed to any policy that infringes on the ability of a person to manage or retain trees on their private land, it is a significant and unwarranted attack on private property rights. The policy fails to logically and reasonably approach tree planting and retention on public land first. Council should focus on this first then in 30 or 40 years time when the implications of the policy are known, then the City can revisit this. This policy will almost certainly lead to perverse and unintended outcomes, such as the costs for private landowners to remove or manage over large or dangerous trees on their properties. This may also stop growing trees on their properties for fear that the City's tree policy will use the draft policy on them. 	<p>Noted.</p> <p>Urban canopy retention cannot solely be compensated for by retaining trees on public land. Private tree canopy forms an important part of the picture. Mature trees need to be retained now owing to the time required for a tree to reach maturity and the understood benefits to local biodiversity and the local ecosystem.</p> <p>The intention of the tree policy is to reflect the communities concern over the loss of tree canopy throughout its suburbs.</p>
48.	X	X	Yes	<ul style="list-style-type: none"> Object to both the amendment and policy. It creates an unreasonable and onerous procedure for private tree removal May render lots ordinarily suitable for development no longer developable at the City's sole and absolute discretion. 	<p>Noted.</p> <p>City officers do not suggest that the new policy or amendment will create an unreasonable procedure for tree maintenance or removal, as they will be required to be support by expert advice as to provide valid reasons for its removal. It</p>



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				<ul style="list-style-type: none"> Creates a safety hazard where trees may drop branches or at risk of dropping branches. The requirement for approval to maintain a tree will cause a delay in the removal process than therefore increases the risk to persons and dwellings in close proximity. May create a liability risk to the City. Negatively impacts the construction and development industry due to delays for planning approvals. Reduces the usability and enjoyment of affected lots by landowners 	<p>will not render lots unsuitable for development, as the City will still be able to approve the removal of trees, where the design of a dwelling on a block can't otherwise be accommodated. A review of the City's discretion will exist, as it does for current development.</p> <p>If the removal of a tree is part of a development application, it is not likely to impact on the construction and development industry, as the application will be required to be formally approved in any event.</p>
49.	X	X	Yes	<ul style="list-style-type: none"> Supports the intent of the amendment but thinks the amendment is unreasonably restrictive and difficult to work with for the following reasons: There will be hesitancy for new residents to plant trees if they require approval to remove them when they are mature, with outcomes varying massively depending on the planner and council. It will cost more money in terms of time lost as it involves an approval process which is already complex and slow. Residents who wish to develop will be dictated by a tree policy that may override good design such as solar access and cross ventilation. A better approach would be mandating a certain number of trees. Trees should be considered a renewable resource and should not dictate design outcomes. If a tree is required to be removed to 	<p>The implementation of the amendment and local planning policy will undoubtedly call for more development applications at the City, however it is not anticipated that this will significantly contribute to development approval timeframes as any application will need to be supported by appropriate technical advice regarding the health and location of a significant tree.</p> <p>The policy is not an 'either or' approach to planning and sustainable design. With regard to design outcomes, best practice would be to retain trees as well as adopted modern building standards which</p>



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				<p>facilitate a good outcome for design, new trees can and will grow to maturity and a height that is canopy producing in time.</p> <ul style="list-style-type: none"> • Approvals are becoming more and more difficult to get through council due to its policies and complicated policies. I believe that this may lead to the state government intervening to take control of this suburb and its planning framework. • All councils have lost control over the building permit process due to its their previous timeframes. The risk with not adapting an approach with planning approval is a similar outcome. • The council is becoming more and more control and will backfire. Introduce a policy that is quick and easy to work with, gives design flexibility and does not make residents scared to plant substantial trees. • Council has been able to see the bigger picture in the past in allowing us to remove a street tree to facilitate development which is a win for us as designers as well as the council. 	<p>promotes cross ventilation, solar access and the like.</p> <p>There are already existing provisions in state legislation for the planting of new trees, however, owing to the time it takes to grow a tree to full height and maturity the benefits lost from immediately removing native vegetation take many years to recoup.</p> <p>While the state government is pursuing planning reform, City Officers suggest that introducing meaningful changes to the planning framework can complement this approach by the state government.</p> <p>City Officers recognise the example of the submitter that they have previously been given an approval to remove a street tree where it was shown to impact on development and the tree was not in good health. This exact approach to trees on private land is what is being considered by the policy. Therefore, it is likely that similar favourable outcomes would occur as the submitter has described.</p>
50.	X	X	Yes	<ul style="list-style-type: none"> • I strongly oppose the amendment at the policy for the following reasons: • The changes will unduly trespass on the established rights and freedoms as an owner of private property 	<p>Retention of urban canopy requires keeping trees on both public and private land. In this case, though trees are on private land they act as a public good that</p>



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				<p>and will make my rights subject to and dependant on an administrative decision by the local government. It is unknown how this power will be wielded in the future by the local government.</p> <ul style="list-style-type: none"> • The proposal unfairly impacts and discriminates against those people who live on properties zoned R20 or lower. The City should focus more on its verges rather than on individual property owners which is discriminatory. • By seeking to extend its power on private landowner's rights, and essentially seeking to control private asset, the council will be taking a step too far against the established common law rights and freedom of private property owners. • The proposal will require more staffing to enforce the new impositions. As well as the landowner affected by the changes now burdened by additional costs associated with arboriculture reports and development applications. • The proposal will diminish common law rights and severely modifies the principles of fairness as people who own property with these trees will be at a disadvantage to other landowners. There is also a risk of scope creep, with changes in the future to tweak the requirements of what is a significant tree. 	<p>needs protection. City experience has shown that, without protection, trees are completely removed when a property is sold, regardless of whether the tree may or may not impact future development.</p>
51.	X	X	Yes	<ul style="list-style-type: none"> • We understand and agree with the rationale for the requirement for a policy that recognises the benefits of trees. • However, we consider it unreasonable that the burden of the policies and regulations will be borne by the minority of landowners in the City and that the 	<p>The City may consider incentives at a later date.</p> <p>By getting a qualified arborist to trim the tree, this submitter has demonstrated that they already follow the intent of the policy.</p>



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				<p>policy does not include incentives for landowners to grow trees on their property.</p> <ul style="list-style-type: none"> • We have enquired as to the number of trees that this policy will impact and the City planners cannot advise. Based on observation of satellite imagery as well as dialogue with two real estate agents who have more than two decades selling properties in the area, I suspect that the number of blocks rated R20 or less that a tree complies with the proposed criteria is around a quarter or a third of blocks. • The burden of maintaining trees include risks associated with branches falling and causing damage to people or developments. For larger trees this maintenance can be more physically demanding. As an indication of the costs of maintenance the total charges of arborists for their five visits to maintain one large tree on my block since 1996 corresponds to approximately 10% of the aggregate annual rates for the block. • There are also burdens in association with maintaining debris clear of stormwater drains, gully's, swimming pools, solar heating panels as well as the effectiveness of panels that are affected by shade from trees. • I consider it unreasonable for the City to remove the discretion of landowners to maintain trees. • I consider it most likely the policy will decrease the value of properties with complying trees compared to those without. • An impact of this policy will be that landowners may not maintain their trees so they are shade or canopy 	<p>The policy will ensure that all other landowners do the same in order to retain the mature trees currently in existence.</p> <p>Tree canopy is an important aspect of the Nedlands environment and part of what makes it inviting to live in the City. Retention of canopy will maintain this desirability.</p>
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				<p>producing and therefore the policy and amendment may actually stymie the growth of large canopy producing trees. Again, incentives should be considered as part of this.</p> <ul style="list-style-type: none"> • Some examples of incentives could include: • Reduction of fees for development approval and costs of supporting arborist reports in specified circumstances. • Contributions towards maintaining a tree that complies with the criteria. 	
Comment Only					
1.			No	<ul style="list-style-type: none"> • Can emphasis be placed on the retention of native tree species? 	The intention of the amendment and policy is for all trees that have a shade producing canopy to be retained. While this doesn't prioritise natives over non-natives, City officers suggest all significant trees are important in this regard.
2.			Yes	<ul style="list-style-type: none"> • The value of our council area is directly linked to trees within the area. It will challenge us more in future years, Moreso in relation to development. • What is more important is verge trees. Which is difficult when you allow developers to reduce the verge distance to the road. • Tree species like the Jacaranda is unacceptable. • Street trees need more attention rather than trees on private land, exotic trees in the street (Traylen Grove) all have slowly died. • We need better standards for tree loppers as their focus is not on the health of a tree. 	<p>Noted.</p> <p>While the a focus of this amendment and policy is around trees on private land, the City will continually review its operations around the maintenance of its natural environmental assets.</p>



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				<ul style="list-style-type: none"> While we all look after our verges, we should focus on tree establishment to sustain biodiversity and ambiance value of this area. 	
3.			No	<ul style="list-style-type: none"> I do not understand all the 'fine details'. Just stop developers completely clear felling all blocks back to sand before rebuilding. Just keep as many trees (private and public) as is practicable. We need all the trees and the cover they provide. 	Noted.
4.			Yes	<ul style="list-style-type: none"> A tree policy is irrelevant until all areas have underground power and a common approach can be adopted. 	<p>Noted.</p> <p>The intention is for those trees that may be suitable for retention, including where they may conflict with power lines, are retained. The City's progression of undergrounding of power will work separately and parallel to this amendment and policy.</p>
5.			Yes	<ul style="list-style-type: none"> Supports the attempt through policy to stop the wholesale clearing of trees on private land and also the focus on retention of canopy trees. However, some trees may present a risk to neighbours and are unsuitable for retention. There must be a common sense approach that allows landowners to make appropriate use of the land they own without having council dictate through this policy where they can build/develop on their land. The preference for retention cannot become a covert insistence on retention. There is significant open space in the City where more trees could be planted, therefore this 	<p>Noted.</p> <p>The draft policy as proposed allows the removal of trees where it can be demonstrated that they are causing or may cause a risk to life or property, subject to an application. The City's Officers will assess each application on its merits and against the objectives of the policy.</p> <p>The existing planning framework already specifies to landowners the location of their building through the state consistent</p>



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				<p>opportunity exists outside of this policy for council to focus on. This should be an aspect of any change to policy also.</p>	<p>use of setbacks, building height and visual privacy measures. This policy introduces new and important aspects as part of this process.</p> <p>The focus of this amendment and policy on private land is part of the approach the City is taking towards tree retention and protection.</p>
6.			Yes	<ul style="list-style-type: none"> I definitely do not agree with this proposal. I am an elderly widow who has lived in my home for over 40 years, in this time trees that were once small have grown and may cause some problems for me. I need to know that I have the right to remove trees that have become dangerously intrusive. 	<p>The policy allows a landowner to apply to have a tree removed, where it can be shown that the tree will cause risk to lives or properties. The amendment and policy will only change the process to applying for these dangerous trees to be removed, rather than the outcome.</p>
7.			No	<ul style="list-style-type: none"> Fully support this policy and would go much further. Council should provide information and resources to the general public to show the benefits for low-cost ground covers over other types of ground cover and small shrubs. Councils also need to make allowance for current and rapid changes in community awareness of environmental issues. The community needs to know the benefits of urban trees. Consider the assistance of Jane Chambers Bushlinks work. 	<p>Noted.</p> <p>The City does have information based around plantings within the verge, in line with the Water Corporations guidelines on Water wise gardens (https://www.nedlands.wa.gov.au/city-services/specifications-and-standards/nature-strips.aspx). These can be used by landowners for their own waterwise gardens.</p>
8.			No	<ul style="list-style-type: none"> Save the trees on private land its common sense. 	<p>Noted.</p>



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9.			No	<ul style="list-style-type: none"> The amendment and policy are steps in the right direction but could use some improvements to be of long term value. Sydney's upper north shore council of Ku Ring Gai has a Tree Preservation Act. The Act and Guidelines identify native trees a long term community assets rather than individual property. Key benefits were that property values in this area grew and growing up in this area we were exposed to high levels of biodiversity (even on relatively mid sized blocks of 600m2). In regard to specific feedback on the proposal: ongoing management outside of the planning and DA phase is needed to consider ongoing healthy maintenance of native trees as it is insufficient to leave this to responsible arborship or the Aus Standard. Limits on pruning should apply with penalties for poisoning. The proposal should differentiate between native and non native. A more strict approach should apply to natives over exotic species. While canopy is important, native fauna is sustained from native trees. It is also common knowledge in areas of Sydney that setbacks need to be considered for trees. I don't think DAs should allow the removal of a native in favour of a non native. The guidance needs to be stronger in recognising they are not equivalent. Just because a tree malts branches is not a reason to remove it. Native trees are to be kept in good order 	<p>The City has based the amendment and policy on best practice examples of the eastern states.</p> <p>The intention of the policy and scheme amendment will call for a development application on a significant tree whenever there are pruning works to be undertaken. In this way, there will be mechanism for an appropriate level of consideration to be given on the pruning of a tree. As the amendment and policy sits within the planning framework, the penalties that would apply to development non-compliance will apply to tree pruning non-compliance, in accordance with the <i>Planning and Development Act 2005</i>.</p> <p>The policy identifies non-native or invasive species that are not covered by the mechanisms of the policy. Other than these trees, its important that the City can continue to grow its tree canopy, whether this is done by native or non-native species as they can both offer benefits to the biodiversity of an area.</p>
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				in relation to falling branches and gutter netting was entirely standard in Ku Ring Gai.	
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16.5 PD10.03.23 Consideration of Adoption of draft Hampden-Hollywood Precinct Local Planning Policy

Meeting & Date	Council – 28 March 2023
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	The author, reviewers and authoriser of this report declare they have no financial or impartiality interest in this matter. There is no financial or personal relationship between City staff involved in the preparation of this report and the proponents or their consultants.
Report Author	Roy Winslow – Manager Urban Planning
Director	Tony Free – Director Planning and Development
Attachments	1. Draft Hampden-Hollywood Precinct Local Planning Policy 2. Summary of Submissions and Officer Responses

Purpose

The purpose of this report is for Council to consider final adoption of the draft Hampden-Hollywood Precinct Local Planning Policy (the Policy), found in **Attachment 1**.

Recommendation

That Council:

1. adopts those elements of the draft Hampden-Hollywood Precinct Local Planning Policy (Attachment 1) that do not require Western Australian Planning Commission approval in accordance with regulation 4(3) of the Deemed Provisions of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015; and
2. requests the CEO to give notice to the Western Australian Planning Commission (WAPC) requesting approval to amend elements of the Residential Design Codes Volumes 1 and 2 within the draft Hampden-Hollywood Precinct Local Planning Policy (Attachment 1) and adopts these elements in the event of WAPC approval.

Voting Requirement

Simple Majority.

Background

Currently, the only built form controls in place for the Hampden-Hollywood precinct are the Residential Design Codes (R-Codes). The Policy seeks to provide an appropriate response to built form controls within the Hampden-Hollywood precinct, acknowledging the role it plays in the UWA/QEII Specialised Activity Centre as well as the future growth of the City. It is not seeking to make changes to the zoning and R-coding gazetted in the City's Local Planning Scheme 3.

The Policy has been developed as a result of extensive research and consultation with community and industry experts to provide appropriate built form outcomes for the Hampden-Hollywood Precinct.

In June 2021 the City engaged consultants to undertake built form modelling work for the Hampden-Hollywood Precinct. Using elements of the built form modelling, Community Reference Groups were convened, and broader community engagements were conducted. This community engagement allowed residents to provide input on the desired future character of the precinct.

Provisions within the Policy are a combined result of the built form modelling, community engagement outcomes and technical input. The Policy was adopted for advertising at the Ordinary Council Meeting of 28 June 2022. The Policy was advertised from 15 August 2022 to 25 September 2022 and the community were invited to comment on the draft Policy. The submissions received have been taken into consideration in the preparation of the Policy and a summary is included in **Attachment 2**.

Discussion

Most of the Policy will come into effect once Council adopts the Policy and gives public notice. However, the Policy seeks to amend some elements of the R-Codes Volumes 1 and 2 that require the additional approval of the Western Australian Planning Commission (WAPC).

The following elements of the Policy require WAPC approval before they will come into effect and are highlighted in the Policy within **Attachment 1**:

General Provisions

Clause 4.2: Sustainability

Clause 4.4: Landscaping

Clause 4.7: Vehicle Access (Volume 1 - Single houses and grouped dwellings only)

Clause 4.8: Car and Bicycle Parking

Clause 4.10: Noise Mitigation

5.1.3 Primary Controls

Side and rear setbacks for Single and Grouped Dwellings Residential R40 / R60 / R160 being the following clauses:

Clauses DC 1.4 and 1.5
Clauses DC 2.4, 2.5 and 2.6
Clauses DC 3.4 and 3.5

Tree Canopy and Deep Soil Areas

5.1.4 Residential Precinct – Multiple Dwellings – Clause 3.3
5.2.3 Mixed Use – Clause 3.3

Lot Boundary Setbacks

5.1.5 (b) Residential Precincts – Single and Grouped Dwellings

Landscaping

5.1.5 Single Houses and Grouped Dwellings

Communal Open Space

5.2.3 Mixed Use Zone

Car and Bicycle Parking

5.2.3 Mixed Use Zone

Mixed Use

5.2.3 Mixed Use Zone

In the event of the WAPC approving the elements listed above, they will come into effect at that point in time.

Notwithstanding the elements of the Policy which require WAPC approval, there are significant elements within the Policy which strengthen the Council position when determining applications or providing a recommendation to other bodies such as JDAP. These include:

- Desired Future Character Statements
- Building heights
- Front setbacks
- Façade design

Modifications to the Policy

The following modifications have been made to the Policy following advertising:

- The Precinct maps contained in the advertised Policy were inconsistent with the Scheme. This has been rectified.
- Maximum solar absorptance ratings were added to Clause 4.5.2 to strengthen the Policy provision to avoid dark roof materials and reduce the urban heat island effect.
- The land-use “Tavern” as a preferred active land use has been removed from the Policy (Section 5.2.3 Clause 4.14 Mixed Use). A tavern is still a use that can be considered in this location. However, given the nearby residential land uses, it is not considered appropriate to identify it in the Policy as a “preferred” land use.
- Several general provisions relating to landscaping have been moved to the applicable sub-precinct acceptable outcomes and deemed-to-comply provisions sections of the Policy.
- The urban design and materiality provisions have been moved from the general provisions section to form Appendix 2 – Facades and Materials. The content of the provisions remains the same as advertised.
- Minor formatting changes have been made to the Policy post advertising to establish clarity and consistency in Policy wording and structure.

Consultation

Following adoption for advertising at the Ordinary Council Meeting of June 2022 the Policy was advertised in accordance with the City’s Consultation of Planning Proposals Local Planning Policy, which involved the following:

- 42-day advertising period
- Letters to notify owners and occupiers within the precinct
- Notice in the ‘Post’ newspaper on the 13 August 2022
- Notice on the City’s Notice Board
- Notice on the City’s Your Voice engagement portal
- Social media
- Community engagement session held on 1 September 2022

The community engagement session was attended by six people. During this session the community had the opportunity to view the Policy and supporting documents. There were officers from the City available to address any questions community members had.

During the 42-day advertising period nine submissions were received by the City. Four opposed the Policy, three supported the Policy and two submissions neither opposed nor supported the Policy but provided comment. A summary of the submissions along with officer comments can be found at **Attachment 2**.

The following are the key issues raised during the advertising period:

1. Concerns with the density and R-Code designations within the Precinct.

Officer Response

The Policy does not propose to alter the zoning or R-Coding under the City's Local Planning Scheme No. 3. It is beyond the scope of a Policy to change the R-Coding applied to a property; a Scheme Amendment would be required to implement such a change.

2. Lack of Public Open Space

Officer Response

The City is currently preparing a Public Open Space Strategy and associated Policy. Ahead of that work this Policy highlights the potential requirement for new developments to make a contribution to additional public open space, potentially via a cash-in-lieu contribution. This informational clause will be strengthened by the adoption of a Public Open Space Strategy and Policy.

3. Traffic and parking congestion will increase

Officer Response

Submissions referenced existing traffic and parking congestion which would be exacerbated by further high density development. The mix of transport modes being encouraged within the Precinct was also challenged, where it was suggested by several submitters that provision for motorcycle and scooter parking was needed in the Policy.

The Policy introduces the requirement for the provision of bicycle parking for non-residential land use as well as upgrading the car parking requirements for such land uses. Residential parking provisions are to be in accordance with the R-Codes, with the additional requirement that 50 per cent of the residential parking bays be electrical vehicle charging stations (subject to WAPC approval).

4. Standard of laneways

Officer Response

Comments were received in relation to the standard and safety of laneways within the precinct. With increased traffic and services using the laneways suggestions were made that the laneways should be paved and lit. Infrastructure in the public domain, such as laneways and lighting, is an asset management consideration undertaken by Council during the budget process. Through the subdivision process, lots fronting the laneway will be required to have a pedestrian access leg to the main street frontage.

Matters raised at the Concept Forum of 21 February

1. Can the City limit roof terraces via these policies in response to noise concerns?
Noise is regulated by the Environmental Protection (Noise Regulations) 1997. The provision of the communal space on the roof can be an appropriate outcome with some designs. In the event of a roof terrace being provided, the requirements of the Noise regulations will need to be complied with.
2. Can the definition for a large tree be provided?
A large tree has been defined in the Precinct Policy (Clause 4.4.5) and the R-Codes Vol. 2 as having the following at maturity: an indicative canopy diameter of greater than 9m and nominal height of greater than 12m.
3. Can future provision of sustainability initiatives be included in the policies e.g. car charging?
The wording of Clause 4.2.5 of the Policy has been amended to the following, in order to make it clear that the desired outcome is 50 per cent of bays are to have charging points and the infrastructure is to be provided so that in the future, the balance of the bays can easily be converted to bays with charging points:

For all Mixed Use, Group Dwelling and Multiple Dwelling development applications, electrical vehicle charging are to be provided at a minimum rate of 50 per cent of total residential bays.

Where this charging infrastructure has not be provided, electrical supply and car park distribution boards are to allow for future capacity to supply electric vehicle charging points to the remainder of the car parking bays.

4. Can the City quantify the changes to commercial parking requirements from the status quo?
Clause 4.9.3 within the Policy addresses non-residential parking provisions, with reference to Appendix 3. The parking requirements in the Policy seek to simplify and modernise the parking policy provisions for preferred land uses, as well as include requirements for bicycle bays.

Parking requirements contained within the Policy for office land uses is proposed to be 1 car bay per 40m² of Net Lettable Area (NLA) with the addition of 1 bicycle space per 200m² of NLA. This is a change from the current parking policy provisions of 4.75 per 100m² of NLA, with 2 spaces in every 3 to be set aside for employees.

Requirements for a Restaurant or Café is proposed to change from 1 per 2.6m² of restaurant seating area or 1 per 2 persons (whichever is greater) and for a shop, requirements in the current parking policy is 8.3 per 100m² of NLA, with 1 space in every 4 to be set aside for employees. The Policy seeks to simplify these requirements by requiring 1 car bay per 30m² of NLA and 1 bicycle space per 30m² of NLA.

5. Consideration of excluding solar panels from being included as dark roofing
The opening sentence of Clause 4.5.2 has been modified to read:

To reduce the urban heat island effect and to integrate with the prevailing streetscape, roof materials are to have the following maximum solar absorptance ratings (photovoltaic panels or similar are excluded from this provision):

Discussions with WAPC

Officers from the City met with representatives from the Department of Planning, Lands and Heritage (DPLH) on two occasions to discuss the Policy and proposed amendments to R-Code provisions requiring their approval, as outlined in the discussion above. The draft Policy proposes general provisions relating to sustainability which seek to exceed the R-Codes and National Construction Code provisions. These provisions echo community input from the engagement process during Policy development and in accordance with Council's direction. As outlined above in the Discussion, these elements (General Provisions 4.2) will come into effect should approval be granted by the WAPC.

In line with Council's resolution of 24 May 2022, a discussion paper on the merits and implications of the Policy's proposed green star rating for building sustainability will be prepared to strengthen the City's position. Conversations with DPLH have indicated that the WAPC is unlikely to support sustainability initiatives for residential development that go beyond the existing R-Codes provisions and the National Construction Codes.

Provisions for landscaping, tree canopy and deep soil areas are other significant elements which will require WAPC approval. The position of the WAPC on these provisions is unknown. The Policy proposes a minimum of 20% of each site area to be provided as landscaping. A minimum 15% of the total site area is to be deep soil area. The required deep soil areas may be reduced by 5% where a significant existing tree is retained on site or a large tree is planted on site. This is a significant increase on the acceptable outcomes outlined in the R-Codes Vol. 2, which requires a minimum 10% deep soil area or 7% if existing tree(s) are retained on site. The requirements within the Policy are linked to the front and rear setback provisions and consistent with community feedback received.

While the Council, via the Policy, controls the front setback settings the WAPC is required to approve amendments to the side and rear setbacks for single and grouped dwellings (Clause 5.1.3 Primary Controls within the Policy). If the WAPC does not approve the proposed rear setbacks outlined in the Policy it may impact upon the landscaping provisions.

Strategic Implications

This item relates to the following elements from the City's Strategic Community Plan:

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

Values **Great Natural and Built Environment**
We protect our enhanced, engaging community spaces, heritage, the natural environment and our biodiversity through well-planned and managed development.

Reflects Identities

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

Priority Area Urban form - protecting our quality living environment
Encouraging sustainable building

Budget/Financial Implications

Minor expense will be attributed to typesetting of the Policy. This expense will be accommodated by the adopted Urban Planning budget.

Legislative and Policy Implications

The preparation and adoption of a built form local planning policy provides for clearer guidance on built form requirements for the Hampden-Hollywood Precinct.

Regulation 4(3) of the Deemed Provisions of Schedule 2 of the [Planning and Development \(Local Planning Schemes\) Regulations 2015](#) allows the City to prepare a local planning policy in respect to any matter related to the planning and development of the Scheme area. Following the advertising period, the policy is to be presented back to Council to consider any submissions received and to:

- a. Proceed with the Policy without modification; or
- b. Proceed with the Policy with modification; or
- c. Not proceed with the Policy.

Regulation 4(3A) of the Deemed provisions has the effect that elements of the Policy requiring WAPC approval will not come into effect unless and until the WAPC has granted approval.

Decision Implications

If Council resolves to endorse the recommendation, then elements of the Policy not requiring WAPC approval will come into effect immediately upon giving public notice. Those elements requiring approval by the WAPC will not come into effect until the WAPC has granted approval. If the WAPC requires substantial amendments, those amendments will be referred back to Council for review before taking effect.

If Council does not endorse the recommendation the Policy will not progress.

Therefore, if Council resolves not to endorse the recommendation of this report, there will be no Policy in place with specific built form controls for the Hampden-Hollywood Precinct. All built form controls will remain as per the existing R-Codes.

Conclusion

After significant research and consultation with the community, the resulting Hampden-Hollywood Precinct Local Planning Policy provides a contextually appropriate and nuanced built form guide for the growth of the precinct. As such, it is recommended that Council adopt the recommendation to endorse the Policy.

Further Information

Councillor Coghlan – are we able to have an executive summary of the two policies for the next meeting?

The following is an Executive Summary of the proposed Policy:

Policy objectives include:

1. clearly outline the desired future character of the Hampden-Hollywood Precinct in context with its zoning, density coding and in consideration of its function within the UWA-QEII Specialised Activity Centre
2. facilitate high-quality development which maximises residential amenity and liveability
3. maintain and enhance the leafy green landscape character of the Hampden-Hollywood Precinct, promoting growth of urban forest through tree canopies in yard spaces and setbacks.

Future Character

The overall desired future character is that new development and associated land uses within the Hampden-Hollywood Precinct will respond to their location within the UWA-QEII Specialised Activity Centre, while also catering to the needs of the local community.

Residential Precinct

The desired future character of the residential precinct is that new developments should fit comfortably within the existing leafy streetscapes, achieved through generous street setbacks, striking a balance between the prevailing street setbacks and the expectation of the density code. Street and rear (laneway) setbacks will accommodate deep soil areas for tree retention and tree provision.

This outcome is sought to be achieved by requiring:

- front street setbacks of four metres
- rear setbacks of three metres
- for multiple dwellings the following landscaping provisions apply subject to WAPC approval:
 1. the front and rear setbacks areas shall be utilised for the inclusion of deep soil areas and tree plantings.

2. a minimum total of 20% of the site area (area of parent lot/s) is to be provided as landscaping. This total shall include at least 15% of the site area to be deep soil area
3. the required deep soil area may be reduced to 10% of the site area if a significant existing tree is retained on site, or if a large tree is planted on site.

Mixed use precinct

The desired future character for Hampden Road is that it can become one of Perth's great neighbourhood streets, one that is centred around the community. Future development shall enhance Hampden Road, creating a unique and vibrant place to live, work, recreate and visit. Hampden Road's north to south orientation is conducive to optimal urban design outcomes.

This outcome is sought to be achieved via encouraging the following land uses:

- Restaurant/café
- Shop
- Small bar
- Recreation – private
- Lunch bar

The desired future character for Monash Avenue should reflect its location and function in the context of Hollywood Hospital and QEII Medical Centre, with new development to address Monash Avenue. New mixed-use development with less active ground floor uses and medical related uses are anticipated along Monash Avenue to support Hollywood Hospital and QEII Medical Centre.

This outcome is sought to be achieved via encouraging the following land uses:

- Consulting rooms
- Medial Centre
- Office
- Restaurant/café

The desired future character for Leura Street should reflect its proximity to Hampden Road and R60 lots to the west, with new development to address Leura Street and Hampden Lane. New mixed-use development with less active ground floor uses and medical related uses are anticipated along Leura Street to support Hollywood Hospital and QEII Medical Centre, while being respectful of residential dwellings to the west.

This outcome is sought to be achieved via **NOT** encouraging the following land uses:

- Restaurant/café
- Shop
- Small bar
- Recreation – private
- Lunch bar

Across the Mixed Use zone the following is required;

- rear setbacks of three metres
- basement levels are not to intrude into the front or rear setback areas, to provide sufficient space for deep soil areas.

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1 APPLICATION OF POLICY

- 1.1** This Policy applies to the Hampden-Hollywood Precinct as identified in Figure 1.
- 1.2** This Policy applies to subdivision applications and development applications for Single Houses, Grouped Dwellings, Multiple Dwellings, Mixed Use development and non-residential development.

2 RELATIONSHIP TO OTHER POLICIES AND GUIDELINES

- 2.1** This Policy has been prepared in accordance with Schedule 2 Part 2 Clause 4 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
- 2.2** This Policy should be read in conjunction with the following planning instruments and its requirements apply unless specifically stipulated elsewhere in any of the below:
- *State Planning Policy 7.3 – Residential Design Codes Volume 1*
 - *State Planning Policy 7.3 – Residential Design Codes Volume 2 – Apartments*
 - *State Planning Policy 7.2 – Precinct Design*
 - *City of Nedlands Local Planning Scheme No. 3*
 - *City of Nedlands Local Planning Policy – Residential Development*
- 2.3** Where this Policy is inconsistent with a Local Development Plan that applies to a specific site, area, or density code, the provisions of that Local Development Plan shall prevail over this Policy.
- 2.4** Where this Policy is inconsistent with the provisions of another general Local Planning Policy, the provisions of this Policy shall prevail.

3 CONTEXT

3.1 PRECINCT MAP



Figure 1 – Precinct Map

3.2 POLICY OBJECTIVES

1. Clearly outline the desired future character of the Hampden-Hollywood Precinct in context with its zoning, density coding and in consideration of its function within the UWA-QEII Specialised Activity Centre.
2. Ensure that new development contributes to the desired future character of the Hampden-Hollywood Precinct, while respecting and reflecting existing character.
3. Provide appropriate built form transitions between areas of higher density and areas of lower density.
4. Facilitate housing diversity appropriate to the needs of the local community, and to encourage a permanent population, ageing in place, and more housing for students and hospital staff.
5. Facilitate high-quality development which maximises residential amenity and liveability.
6. Maintain and enhance the leafy green landscape character of the Hampden-Hollywood Precinct, promoting growth of urban forest through tree canopies in yard spaces and setbacks, and tree canopies along the roads.
7. Promote active living towards the front of the street and onto laneways, providing variety, articulation and interest at street level and from the public realm.
8. Ensure the provision of setbacks creates a consistent streetscape and built form, and ensure buildings co-exist with neighbouring properties.
9. Optimise energy and water efficiency of new developments through sustainable building design.
10. Reduce reliance on private vehicles and encourage alternate modes of transport.

3.3 DESIRED FUTURE CHARACTER STATEMENT

New development and associated land uses within the Hampden-Hollywood Precinct will respond to their location within the UWA-QEII Specialised Activity Centre, while also catering to the needs of the local community. The Precinct will provide diverse housing options for residents and the medical-related workforce, including dwellings for families, young professionals, and provision for ageing in place. Housing will be within high amenity and attractive streetscapes, retaining the Precinct's leafy green character by enhancing and prioritising tree canopy and **landscaping** in new developments.

Development within the Residential zone will include elements that positively contribute to the existing residential character using a high-quality palette of diverse, sustainable materials and architectural styles. New homes will be encouraged to address the street and laneways with courtyards, balconies, low fences and front gates to reinforce the residential character and promote passive surveillance.

Built form and **landscaping** will be designed to provide appropriate transitions from areas of higher density to areas of lower density. Architecture and building forms shall respond to the evolving local context, reflecting elements of neighbourhood character including (but not limited to) leafy, green streetscapes, space for mature trees to grow within attractive gardens, and a variety of building materials.

New developments within the Mixed Use zone will contribute to the creation of attractive and green streetscapes and interact with the street to enhance the pedestrian environment. Land uses on the ground floor within this zone will connect the private and public realms, interacting with the street through open and unobscured frontages and/or alfresco dining options. The Mixed Use zone will accommodate **active land uses** at street level (such as cafés, restaurants and shops) with non-active commercial (such as offices) and apartments above. Demarcation between the private and public realms will enhance the pedestrian environment on Hampden Road, Monash Avenue and Leura Street, promoting an active, vibrant and liveable local centre.

4 GENERAL PROVISIONS
4.1 Policy Objectives and Desired Future Character Statements
4.1.1 All development applications within the Hampden-Hollywood Precinct shall be consistent with the Objectives of this Policy and the applicable Desired Future Character Statement.
4.2 Sustainability
4.2.1 All developments with a commercial Gross Floor Area greater than 1000m ² shall be designed and constructed to achieve a minimum rating of 5 Green Stars under the Green Building Council of Australia Green Star rating tool as certified by an accredited assessor.
4.2.2 All commercial development shall be designed to achieve and maintain minimum NABERS rating of 5.5 Stars.
4.2.3 The following sustainability measures are required for Single House and Grouped Dwelling developments: <ul style="list-style-type: none"> i. When fittings and appliances are to be within one level of the highest level available under the Water Efficiency Labelling and Standards (WELS) system; and ii. Incorporate at least one significant energy efficiency initiative within the development that exceeds minimum practice (refer Appendix 1); OR iii. All dwellings exceed the minimum NatHERS requirements by 1 star.
4.2.4 For all development applications proposing Grouped Dwellings and/or Multiple Dwellings, a sustainability report, completed by a suitably qualified sustainability consultant must be provided. This report must demonstrate how the requirements of section 4.2.3 have been addressed. The efficiencies demonstrated will be required to be implemented as part of any development approval.
4.2.5 For all Mixed Use, Grouped Dwelling, and Multiple Dwelling development applications, electrical vehicle charging is to be provided at a minimum rate of 50 per cent of total residential bays. Where this charging infrastructure has not been provided, electrical supply and car park distribution boards are to allow for future capacity to supply electric vehicle charging points to the remainder of the bays.
4.2.6 New developments are to consider selecting building materials based on suitable thermal mass and lifecycle costs.
4.3 Public Open Space
4.3.1 In accordance with <i>Development Control Policy 2.3 – Public Open Space in Residential Areas</i> , a Public Open Space contribution of 10 per cent of the gross residential area or cash-in-lieu of the equivalent value, shall be required for all subdivision applications (including strata applications) where 6 or more residential lots are created, unless otherwise stated in a specific public open space policy.
4.4 Landscaping
4.4.1 All new developments are to demonstrate the principles of Water Sensitive Urban Design, including: <ul style="list-style-type: none"> i. Maximising the use of permeable surfaces at ground level to enable groundwater recharge, and minimising impervious areas; ii. Incorporating on-site infiltration and detention systems such as garden beds, rain gardens, tree pits, infiltration cells and detention tanks (the latter shall be sited to avoid conflict with deep soil areas); and iii. Designing landscape treatments to slow down overland flows and minimise scouring.
4.4.2 Except for heavily shaded areas, species selection shall prioritise the use of endemic and native species, with an emphasis on drought tolerance and provision of shade. See the City's Sustainable Landscaping Advice Information Sheet for suggested species.
4.4.3 On-structure planting is encouraged in addition to the minimum deep soil areas and tree canopy requirements. Where on-structure planting is proposed, the structure must be designed to provide suitable drainage to root systems and avoid the pooling of water.
4.4.4 Where on-structure planting is proposed (including planting above a basement level), the

landscaping plan provided with the Development Application must detail:

- i. The proposed planting design, including planter box widths, depths, water supply & drainage.
- ii. Suitability of plants to ensure on structure planting is viable as a long-term greening option.
- iii. Reticulation and maintenance by the strata body.

4.4.5 Trees and **deep soil areas** specified throughout this Policy are to be provided in accordance with the below and demonstrated in a landscaping plan:

Tree size	Indicative canopy diameter at maturity	Indicative height at maturity	Minimum width of DSA dimensions per tree	Minimum planting area per tree
Small	4-6m	4-8m	2m x 2m	9m ²
Medium	6-9m	8-12m	3m x 3m	36m ²
Large	>9m	>12m	6m x 6m	64m ²

4.4.6 **Deep soil areas** require a minimum width of 2m. This may be reduced to 1.5m where it adjoins rootable soil zones with a minimum dimension of 1m (not including soil beneath built structures) OR where it adjoins permeable paving with a minimum of 0.5m.

4.4.7 **Deep soil areas** are to be located against the parent lot boundaries where possible.

4.4.8 Artificial turf is not to be visible from the public realm. Artificial turf will not be considered as contributing to **deep soil area**.

4.5 Facades and Materials

4.5.1 The facades and materials of new development are to reference the exiting facades and materials, and key design elements, for each sub-precinct, as set out in **Appendix 2**.

4.5.2 To reduce the urban heat island effect, and to integrate with the prevailing streetscape, roof materials of all new developments are to have the following maximum solar absorptance ratings (*Photovoltaic panel or similar are exempt from this provision*):

Roof Structure	Maximum Solar Absorptance Rating
Flat roof structures that are not visible for the street or adjacent properties	0.4
Pitched roof structures or roof structures that are visible from the street or adjacent properties	0.5

4.6 Public Domain Interface

4.6.1 Where a development adjoins a laneway, a minimum of one major opening, balcony, or terrace is required to overlook the laneway for passive surveillance. One pedestrian access point is also required.

4.6.2 Solid portions of Secondary Street fences should be a maximum height of 1.5m where that part of the fence is dividing the resident's primary open space areas from the street.

4.6.3 Where a fence occurs on a structure that is raised above the adjacent street level (e.g., where there is a half-basement), the fence is to be visually permeable above 1.2m from the street level.

4.6.4 Where facing a primary or secondary street or laneway, balcony balustrades are to be a minimum of 50 per cent visually permeable.

4.6 Subdivision

4.6.1 Where a laneway provides access to a site, vehicle access to the rear site is to be from the laneway. Pedestrian access is to be provided from the rear site to the primary street by a pedestrian access leg.

4.6.2 Lot amalgamation is encouraged to create development efficiencies and to facilitate **significant existing tree** retention.

4.7 **Vehicle Access – Multiple dwellings** (Note: Awaiting approval from WAPC to apply to single houses and grouped dwellings)

4.7.1	Driveways serving four dwellings or less are not to be narrower than 3m at the street boundary.
4.7.2	Where vehicles are required to enter the street in forward gear in accordance with A3.8.6 of the R-Codes Vol. 2, this is to be facilitated through passing points within the lot boundaries.
4.7.3	A maximum of one Primary Street crossover is permitted per development site, including amalgamated lots.
4.7.4	Vehicle access is to be designed and located to avoid the removal of street trees.
4.7.5	Where a communal street is proposed, all proposed dwellings are to take vehicle access from that communal street.
4.7.6	Where a laneway, 4m in width or greater, provides suitable access to a site primary vehicle access is to be taken from the laneway.
4.9	Car and Bicycle Parking
4.9.1	For the purpose of assessing car parking requirements under 5.3.3 of the R-Codes Volume 1 and 3.9 of the R-Codes Volume 2, the Hampden-Hollywood Precinct is to be classified as Location A. This classification is reflective of the Precinct being located within the UWA-QEII Specialised Activity Centre, and the presence of the Purple CAT (Central Area Transit) bus route along Hampden Road, which provides frequent, free connections between Elizabeth Quay Bus Station, QEII Medical Centre and the University of Western Australia.
4.9.2	In Multiple Dwelling and Mixed Use developments, a reduction in the number of residential car bays may be considered where electric vehicles are provided for shared use. Where proposed, a parking management plan may be required to be submitted as part of the application.
4.9.3	In accordance with Clause 2.3 of the City of Nedlands <i>Local Planning Policy - Parking</i> , non-residential parking requirements are outlined in Appendix 3 of this Policy.
4.9.4	At ground or above-ground car parking (excluding visitor parking) is to be sleeved behind other land uses, or other portions of the building, along the street frontage.
4.10	Noise Mitigation
4.10.1	All applications for development approval that include residential dwellings must demonstrate how the development responds to and accommodates anticipated noise pollution from the QEII Hospital Precinct.

5 BUILT FORM PROVISIONS

All development within the Residential zone must be consistent with the Desired Future Character Statement for the relevant sub precinct. The Acceptable Outcomes, Design Guidance and Housing Objectives specific to each density code provide further contextual guidance for applicants.

5.1 RESIDENTIAL SUB-PRECINCT (R40, R60, R160)

5.1.1 Existing Character Statement

The Residential sub-precinct generally comprises one and two storey single residential dwellings on lots with substantial open space, with the occasional three storey house. Streetscapes are characterised by generous front setbacks, with well-kept, green, and often native domestic gardens. The trees and vegetation within front yards and on verges strongly contribute to the leafy green character of the Precinct, creating a shady, attractive pedestrian environment.

Streetscapes are predominantly detached in nature, with dwellings, verandahs and open car ports oriented to the street. Side setbacks are generally 0 -1 metres from the boundary, creating a comfortable separation between buildings. The majority of lots are considered 'fine grain development' due to the small street frontage of the single houses.

There is a variety of traditional architectural styles throughout the sub-precinct, including Federation Cottage's and Californian Bungalow's. The materials associated with these dwellings are typically rich red brick and terracotta tile, with off white and cream features. Roof forms are generally hipped and tiled or corrugated iron. Rough rendered and painted walls, bands of face brick below the eaves, and timber-framed windows are also prominent. Entries, verandahs and windows provide passive surveillance of the street. Where front fencing is present, it is typically of a low and open style that demarcates the private and public realm but maintains passive surveillance of the street. On-site vehicle parking is characterised by a mix of open car spaces, carports and garages. Enclosed garages facing the Precinct's laneways are also common.

5.1.2 Desired Future Character Statement

The Residential sub-precinct will provide for a diversity of dwelling types and configurations, to accommodate a range of demographics and household types. New dwellings will perform an important role in transitioning from the high-density urban environment expected along Hampden Road, Monash Avenue and Leura Street, towards the existing lower density Residential R10 and R12.5 areas to the west.

New developments should fit comfortably within the existing leafy streetscapes, achieved through generous **street setbacks**, striking a balance between the prevailing **street setbacks** and the expectation of the density code. Street and rear (laneway) setbacks will accommodate **deep soil areas** for tree retention and tree provision. Vehicle access and parking will be designed to minimise visual impact to the street and maximise space for **deep soil areas** and trees within the **street setback** area and verge.

Substantial areas of **landscaping** will be integrated with new developments to soften the interface with the street and surrounding properties, and to provide an attractive outlook for residents of the developments. New developments will maintain and enhance the existing urban tree canopy, across both the private and public realms. The existing detached streetscape character will be retained by minimising the impact of boundary walls on the street and by providing a large consistent setback to one side of the developments.

New developments will provide a contemporary interpretation of the prevailing streetscape elements and materiality. A range of high-quality materials and architectural styles are encouraged to maintain the varied nature of development within this sub-precinct.

5.1.3 Deemed-to-comply requirements and Acceptable Outcomes (Residential Sub-Precinct)

R40 -The R40 portion of the Residential sub-precinct comprises most of the Hampden-Hollywood Precinct area, and is bound by Williams Road to the west, Gordon Street to the south, Drosera Lane and R60 lots to the east and Hardy Road to the north. This sub-precinct will provide a transition from the higher densities within the Precinct to the established residential areas coded 12.5 to the west.

SINGLE HOUSES AND GROUPED DWELLINGS (R40)

DC	Primary Control	Deemed-to-comply requirement
DC 1.1	Building Height	Maximum 2 storeys (8.5m wall or concealed roof height, 10m pitched roof height)
DC 1.2	Primary Street setback ^{2,4,6}	<u>Ground floor to 2nd storey</u> Minimum 4m
DC 1.3	Secondary Street or Communal Street setback ^{2,4,5,6,}	Minimum 1.5m
DC 1.4	Side setbacks ^{2,4,6}	<u>Northern lot boundary</u> Minimum 3m <u>Southern lot boundary (ground floor)</u> Minimum nil <u>Southern lot boundary (2nd storey)</u> Minimum 1.5m
DC 1.5	Rear setback ^{2,4,6}	Minimum 3m
DC 1.6	Lot Boundary Walls ²	<ul style="list-style-type: none"> Maximum 1 storey (3.5m) in height 2 storeys (7m) for internal lot boundaries⁷. Permitted to the southern side boundary of the parent lot and internal lot boundaries only. Located a minimum of 3m behind the primary street setback.

MULTIPLE DWELLINGS (R40)

AO	Primary Control	Acceptable Outcome
AO 1.1	Building Height ^{1,3,5}	Maximum 2 storeys (9m)
AO 1.2	Primary Street setback ^{2,5}	Minimum 4m (Ground floor to 2 nd storey)
AO 1.3	Secondary Street or Communal Street setback ^{2,5,6}	Minimum 1.5m
AO 1.4	Side setbacks ^{2,5}	<u>Northern lot boundary</u> Minimum 3m <u>Southern lot boundary (ground floor)</u> Minimum nil <u>Southern lot boundary (2nd storey)</u> Minimum 1.5m
AO 1.5	Rear setback ^{2,5}	Minimum 3m
AO 1.6	Lot Boundary Walls ^{1,2}	<ul style="list-style-type: none"> Maximum 1 storey (4m) in height 2 storeys (7m) for internal lot boundaries⁷ Permitted to the southern side boundary of the parent lot and internal lot boundaries only. Located a minimum of 3m behind the Primary Street setback line.

¹ Subject to indicative building heights outlined in Table 2.2 of R-Codes Vol. 2. Maximum overall height inclusive of rooftop articulation.

² Boundary setbacks will also be determined by provisions for building separation, **deep soil areas** and visual privacy within R-Codes Vol. 1, Vol. 2 and this Policy and building separation provisions of the National Construction Codes.

³ Subject to the provision of half basement car parking, maximum 2.5 storeys.

⁴ Reduced setbacks may be considered where a **significant existing tree** is retained within that setback area or elsewhere on site.

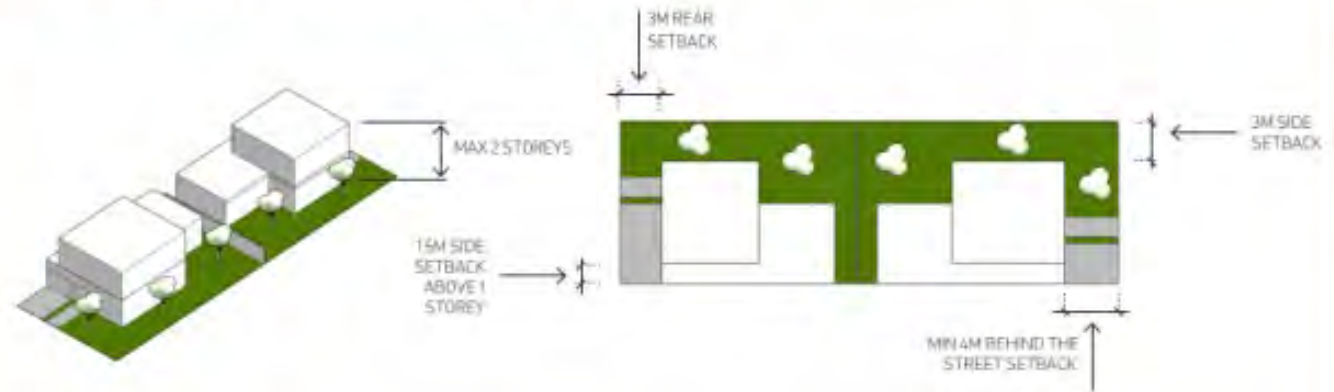
⁵ A Nil setback to a communal street or internal driveway may be considered where DSA is provided elsewhere within the communal street setback area.

⁶ Unwalled carports are supported in the front setback area, and at a nil-setback to one side of the lot, where the carport's car spaces align with the crossover.

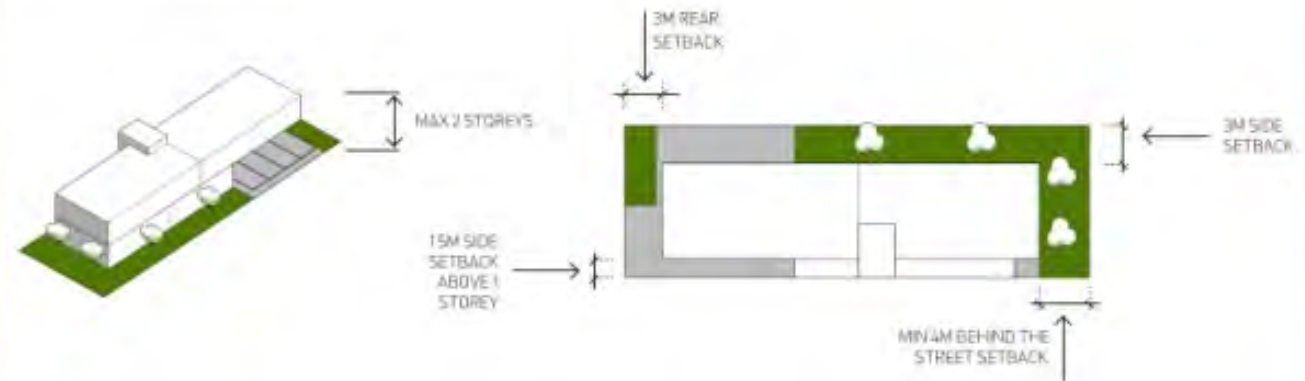
⁷ Subject to indicative building heights outlined in Table 2.2 of R-Codes Vol. 2, excluding 2m provision for rooftop articulation.



R40 SINGLE HOUSE AND GROUPED DWELLINGS



R40 MULTIPLE DWELLINGS



Draft Hampden-Hollywood Precinct Design Response - Local Planning Policy

R60 - The R60 portion of the Residential sub-precinct is south of Gordon Street (north of R160 lots), south of Micrantha Lane (north of Hardy Road) and west of Leura Street (east of Drosera Lane). It provides an important transition between the higher density areas of R160 to the south, R-AC3 to the north and east, and the R40 areas.

SINGLE HOUSES AND GROUPED DWELLINGS (R60)

DC	Primary Control	Deemed-to-comply requirement
DC 2.1	Building Height	Maximum 2 storeys (8.5m wall or concealed roof height, 10m pitched roof height).
DC 2.2	Primary Street setback ²	Minimum 4m (Ground floor to 2 nd storey)
DC 2.3	Secondary or Communal Street setback ²	Minimum 1.5m
DC 2.4	Side setbacks ^{2,3} (Parent lot oriented east/west)	<u>Northern lot boundary</u> Minimum 3m <u>Southern lot boundary (ground floor)</u> Minimum nil <u>Southern lot boundary (2nd storey and above)</u> Minimum 1.5m
DC 2.5	Side setbacks ^{2,3} (Parent lot oriented north/south)	<u>Western lot boundary</u> Minimum 3m <u>Eastern lot boundary (ground floor)</u> Minimum nil <u>Eastern lot boundary (2nd storey and above)</u> Minimum 1.5m
DC 2.6	Rear setback ²	Minimum 3m
DC 2.7	Lot Boundary Walls ^{4,8}	<ul style="list-style-type: none"> Maximum 1 storey (3.5m) in height Permitted to the southern lot boundary (east/west oriented lots) or eastern lot boundary (north/south oriented lots) only Located a minimum of 2m behind the Primary Street setback line

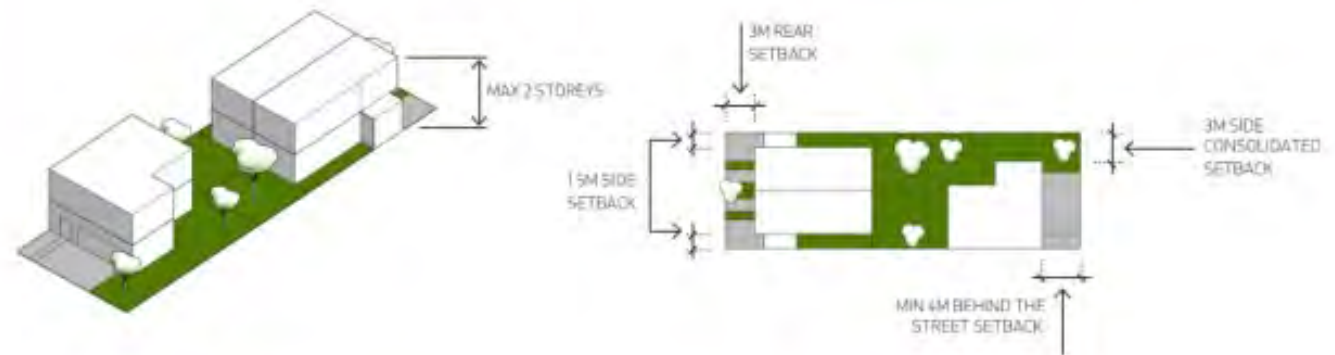
MULTIPLE DWELLINGS (R60)

AO	Primary Control	Acceptable Outcome
AO 2.1	Building Height ¹	Maximum 3 storeys (12m)
AO 2.2	Primary Street setback ²	<u>Ground floor and 2nd storey</u> Minimum 4m <u>3rd storey and above</u> Minimum 5m
AO 2.3	Secondary or Communal Street setback ²	Minimum 1.5m
AO 2.4	Side setbacks ^{2,3} (Parent lot oriented east/west)	<u>Northern lot boundary</u> Minimum 3m <u>Southern lot boundary (ground floor)</u> Minimum nil <u>Southern lot boundary (2nd storey and above)</u> Minimum 1.5m
AO 2.5	Side setbacks ^{2,3} (Parent lot oriented north/south)	<u>Western lot boundary</u> Minimum 3m <u>Eastern lot boundary (ground floor)</u> Minimum nil <u>Eastern lot boundary (2nd storey and above)</u> Minimum 1.5m
AO 2.6	Rear setback ²	Minimum 3m

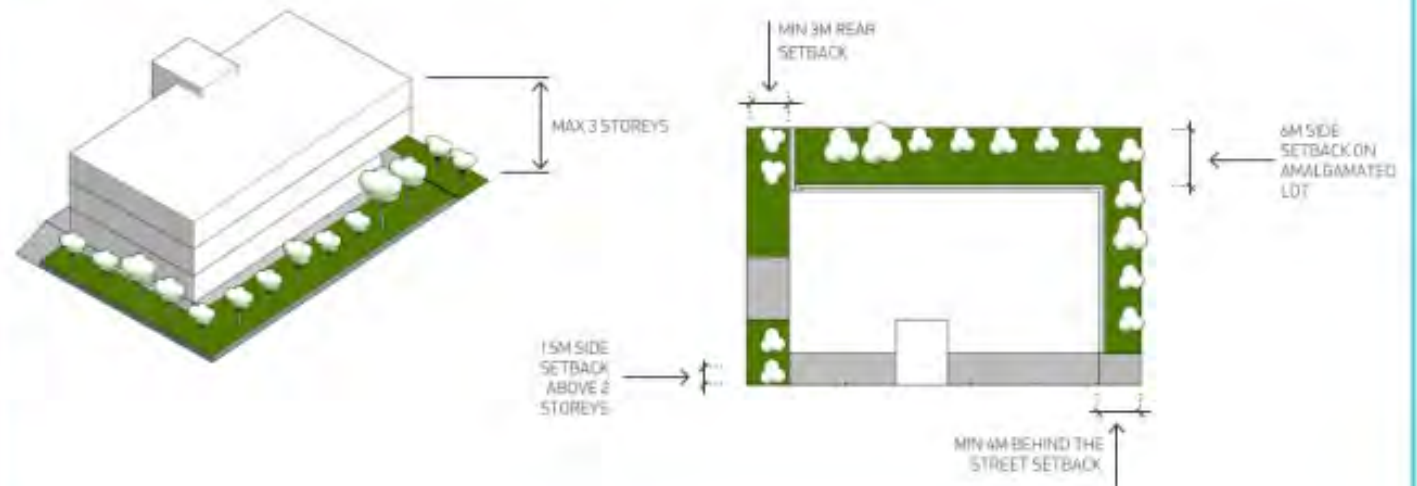
AO 2.7	Lot Boundary Walls^{4,8}	<ul style="list-style-type: none"> • Maximum 1 storey (4m) in height • Permitted to the southern lot boundary (east/west oriented lots) or eastern lot boundary (north/south oriented lots) only • Located a minimum of 2m behind the Primary Street setback line
<p>¹ Subject to indicative building heights outlined in Table 2.2 of R-Codes Vol. 2. Maximum overall height inclusive of rooftop articulation.</p> <p>² Boundary setbacks will also be determined by provisions for building separation and visual privacy within R-Codes Vol. 1, Vol. 2 and this LPP and building separation provisions of the National Construction Codes.</p> <p>³ If the parent lot is amalgamated, the required side setback is a minimum 6m.</p> <p>⁴ Where the subject site and an adjoining site are subject to different density codes, the length and height of any boundary wall is determined by reference to the lower density code.</p> <p>⁵ Reduced setbacks may be considered where a significant existing tree is retained within that setback area or elsewhere on site.</p> <p>⁶ A Nil setback to a communal street or internal driveway may be considered where DSA is provided elsewhere within the communal street setback area.</p> <p>⁷ Unwalled carports are supported in the front setback area, and at a nil-setback on one side of the lot, where the carport's car spaces align with the crossover.</p> <p>⁸ May be built up to a lot boundary, where it abuts an existing or simultaneously constructed wall of equal or greater proportions.</p>		



R60 SINGLE HOUSE AND GROUPED DWELLINGS



R60 MULTIPLE DWELLINGS



Draft Hampden-Hollywood Precinct Design Response - Local Planning Policy

R160 - The R160 portion of the Precinct comprises the northern side of Hibbertia Lane, west of Clifton Street, east of Williams Road and adjoining the R60 zoned lots south of William Street. This sub-precinct provides an important transition between the higher density areas of R-AC1 adjacent to Stirling Highway, and R60 properties to the north.

SINGLE HOUSES AND GROUPED DWELLINGS (R160)

DC	Primary Control	Deemed-to-comply requirement
DC 3.1	Building Height	Maximum 2 storeys (8.5m wall or concealed roof height, 10m pitched roof height)
DC 3.2	Primary Street setback ^{2,5}	Minimum 4m (Ground floor to 2 nd storey)
DC 3.3	Secondary Street setback (Hibbertia Lane) or Communal Street ^{2,5,6}	Minimum 1.5m
DC 3.4	Side setbacks ^{2,3,5}	Northern lot boundary Minimum 3m Southern lot boundary (ground floor) Minimum nil Southern boundary (2nd storey and above) Minimum 1.5m
DC 3.5	Rear setback ^{2,5}	Minimum 3m
DC 3.6	Boundary Walls ^{2,3,7}	<ul style="list-style-type: none"> Maximum 1 storey (3.5m) in height Maximum 2 storeys (7m) for internal lot boundaries⁸ Permitted to southern boundary of parent lot only Located a minimum of 2m behind the Primary Street setback line

MULTIPLE DWELLINGS (R160)

AO	Primary Control	Acceptable Outcome
AO 3.1	Building Height ¹	Maximum 5 storeys (18m)
AO 3.2	Primary Street setback ^{2,5}	Ground floor to 2nd storey Minimum 4m 3rd storey and above Minimum 6m
AO 3.3	Secondary Street setback (Hibbertia Lane) or Communal Street ^{2,5,6}	Minimum 1.5m
AO 3.4	Side setbacks ^{2,3,5}	Northern lot boundary Minimum 3m Southern lot boundary (ground floor) Minimum nil Southern boundary (2nd storey and above) Minimum 1.5m
AO 3.5	Rear setback ^{2,5}	Ground floor to 3rd storey Minimum 3m 4th storey and above Minimum 6m
AO 3.6	Lot Boundary Walls ^{2,3,7}	<ul style="list-style-type: none"> Maximum 1 storey (4m) in height Permitted to southern side boundary of parent lot only Located a minimum of 2m behind the Primary Street setback line

¹ Subject to indicative building heights outlined in Table 2.2 of R-Codes Vol. 2. Maximum overall height inclusive of rooftop articulation.

² Boundary setbacks will also be determined by provisions for building separation and visual privacy within R-Codes Vol. 1, Vol. 2 and this LPP and building separation provisions of the National Construction Codes.

³ If the parent lot is amalgamated, a minimum 6m setback is required to the northern lot boundary.

⁴ Where the subject site and an affected adjoining site are subject to different density codes, the length and height of any boundary wall between them is determined by reference to the lower density code.

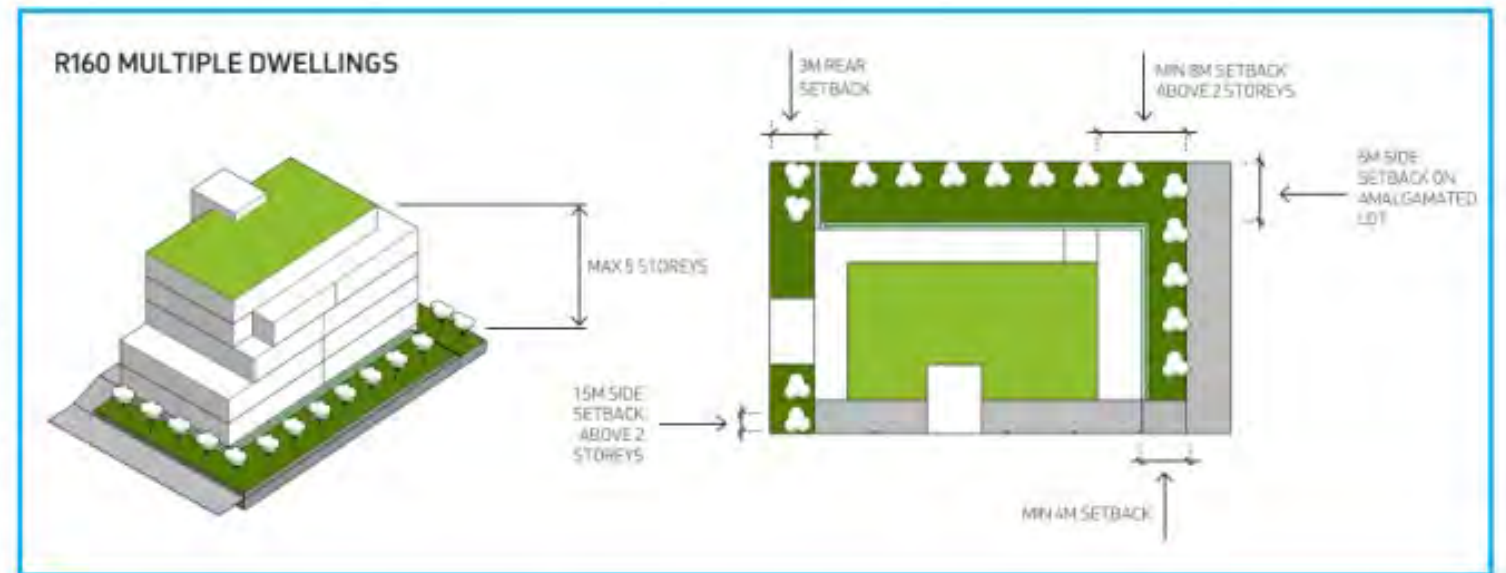
⁵ Reduced setbacks may be considered where a **significant existing tree** is retained within that setback area or elsewhere on site.

⁶ A Nil setback to a communal street or internal driveway may be considered where DSA is provided elsewhere within the communal street setback area.

⁷ May be built up to a lot boundary, where it abuts an existing or simultaneously constructed wall of equal or greater proportions.

⁸ Subject to indicative building heights outlined in Table 2.2 of R-Codes Vol. 2, excluding 2m provision for rooftop articulation.

R160 ZONE



5.1.4 Multiple Dwellings – Acceptable Outcomes and Design Guidance

Acceptable Outcomes (AO)

In accordance with section 1.2.2 and 1.2.3 of the R-Codes Vol. 2, the below provisions amend or replace acceptable outcome provisions in the R-Codes Vol. 2.

Design Guidance (DG)

Design Guidance provides additional direction for applicants to ensure that proposals are contextually appropriate for the specific sub-precinct.

2.4 Side and rear setbacks

- a) Lot boundary walls are permitted on the southern parent lot boundary (for R40, R60 and R160 lots oriented east/west) and the western parent lot boundary (for R60 lots oriented north/south) to provide a useable consolidated area of open space on one side of the site.

3.3 Tree canopy and deep soil areas

- a) Any new development is to include the following minimum number of trees (per parent lot or amalgamated parent lots being developed):

Site Area	Minimum requirement for trees
<700m ²	2 medium trees AND small trees to suit area
700 – 1000m ²	3 medium trees AND Small trees to suit area OR 1 large tree AND small trees to suit area
>1000m ²	In addition to the above; 1 large tree OR 2 medium trees OR 5 small trees for each additional 400m ² in excess of 1000m ² .

- b) Of the trees required above, a minimum of 1 medium tree or 1 large tree is required to be planted and maintained in each street setback area for each street facing dwelling, and each rear setback area (either within private or communal open space) for each laneway-facing dwelling. Small trees are required to be provided for internal lots or central areas of the site.

- c) Where a medium tree or large tree is proposed within the street setback area, the minimum tree planting area for that tree may project into the verge by 40%. **Deep soil area** is to be on site and may not project into the verge.

- a) **Deep soil areas** within the street setback area should be co-located with apartment private open space.
- b) Where hard surfaces are proposed within outdoor living areas or adjacent to **deep soil areas**, permeable surfaces are encouraged to reduce stormwater run-off and allow infiltration to rootable soil zones.

d) The front and rear setbacks areas shall be utilised for the inclusion of **deep soil areas** and tree plantings. This allows for a landscaped buffer between the proposed development and the rear adjoining site/s, softening the interface with the street. Where possible, **deep soil areas** should be located against lot boundaries.

e) Upper floors or balconies of buildings may extend over portions of Landscape Area (up to a maximum of 20% of that area), subject to a landscaping plan demonstrating the proposed species are capable of long-term growth within a shaded environment. This does not apply to south facing elevations.

f) A minimum total of 20% of the site area (area of parent lot/s) is to be provided as **landscaping**. This total shall include at least 15% of the site area to be **deep soil area**.

g) The required **deep soil area** may be reduced to 10% of the site area if a **significant existing tree** is retained on site, or if a large tree is planted on site.

3.8 Vehicle access

- a) The following can reduce the visual impact of vehicle access and dominance at the street frontage:
- i. Keeping crossovers a functional minimal width to maximise space in the street setback area and verge for **deep soil areas** and tree retention / provision.
 - ii. Providing sole vehicle access from a laneway or communal street.
 - iii. Alternative colours/treatments of crossovers i.e., not asphalt.

5.1.5 Single Houses and Grouped Dwellings – Deemed to Comply Provisions and Housing Objectives

Deemed to Comply (DC)

In accordance with section 7.3 of the R-Codes Vol. 1, the below provisions amend or replace deemed to comply provisions in the R-Codes Vol. 1.

Local Housing Objective (HO)

Housing Objectives provides additional direction for applicants to ensure that proposals are contextually appropriate for the specific sub-precinct.

Lot boundary setbacks

- a) Lot boundary walls are permitted on the southern parent lot boundary (for R40, R60 and R160 lots oriented east/west) and the western parent lot boundary (for R60 lots oriented north/south) to provide a useable consolidated area of open space on one side of the site.
- b) Outdoor living areas are encouraged to be located within the street setback area, subject to:
 - i. Deep soil area's also being incorporated within the street setback area; and
 - ii. Any visually permeable front fence meeting Part 5.2.4 of the R-Codes Vol. 1 (unless a half basement is provided); and
 - iii. Providing a level change between the outdoor living area and the street level. A maximum level difference of 1.2m may be supported for this purpose.

Landscaping

- a) Any new development is to include the following minimum number of trees (per parent lot or amalgamated parent lots being developed):

Site Area	Minimum requirement for trees
<700m ²	2 medium trees AND small trees to suit area
700 – 1000m ²	3 medium trees AND Small trees to suit area OR 1 large tree AND small trees to suit area
>1000m ²	In addition to the above; 1 large tree OR 2 medium trees OR 5 small trees for each additional 400m ² in excess of 1000m ² .

- | | |
|--|--|
| <p>b) Of the trees required above, a minimum of 1 medium tree or 1 large tree is required to be planted and maintained in each street setback area for each street facing dwelling, and each rear setback area (either within private or communal open space) for each laneway-facing dwelling. Small trees are required to be provided for internal lots or central areas of the site.</p> <p>c) Where a medium tree or large tree is proposed within the street setback area, the minimum tree planting area for that tree may project into the verge by 40%. Deep soil area is to be on site and may not project into the verge.</p> <p>d) A minimum total of 20% of the site area (area of parent lot/s) is to be provided as landscaping. This shall include at least 15% of the site area to be deep soil area.</p> <p>e) The required deep soil area may be reduced to 10% of the site area if a significant existing tree is retained on site, or if a large tree is planted on site.</p> | |
|--|--|

5.2 MIXED USE ZONE SUB-PRECINCT

5.2.1 Character Statements

A- Hampden Road (R-AC3)

Existing Character

The Hampden Road sub-precinct is located at the eastern edge of the Precinct and adjoins the City of Perth municipality. Hampden Road is oriented north to south and functions as a retail main street, with smaller office buildings dispersed throughout. Hampden Road provides a key connection between Stirling Highway, Hollywood Hospital and QEII Medical Centre, and is serviced by high frequency Transperth buses.

The northern portion of Hampden Road features a cluster of low-rise office and retail buildings that form the start of a small main street precinct. The central interface with Hampden Road is characterised by low-rise, fine-grain traditional shop front development. Buildings built to the boundary (no side setbacks) create a continuous and consistent edge. Nil front setbacks with awnings enable an engaging street frontage but provide limited opportunity for any trees at the front of buildings. Some buildings are set back, with others contributing awnings and dining spaces to the street. Some landscaped planter boxes are provided as part of small alfresco dining spaces within the road reserve, and a collection of significant trees adjacent to the Lot 276 (No.15) Hampden Road car park shades a portion of the street. The northern portion of Hampden Road comprises a residential edge that connects to QEII Medical Centre.

There are limited through-links between Hampden Road and Hampden Lane, reducing any opportunity for laneway activation. Rear lane access to commercial tenancies is common. Parallel car parking bays within the road reserve provide some separation between the footpath and traffic.

Desired Future Character

Hampden Road can become one of Perth's great neighbourhood streets, one that is centred around the community. Future development shall enhance Hampden Road, creating a unique and vibrant place to live, work, recreate and visit. Hampden Road's north to south orientation is conducive to optimal urban design outcomes. Accordingly, street design, new development, public spaces, and businesses should contribute to an enjoyable experience for everyone. This will create a lively gathering place that serves the local neighbourhood, including residents and its workforce.

Hampden Road will continue to be a bustling, mixed-use main street environment, with the sub-precinct accommodating the most intense built form within the Precinct. Podium style developments two-way access is required in accordance with A3.8.6 of the R-Codes Vol. 2. shall be designed to the human scale, while taller elements are encouraged to be set back from the street, with rooftop terraces and gardens at varying levels throughout the development. Alternative methods of reducing and softening building bulk and scale are strongly encouraged.

New development will utilise a palette of high-quality, natural materials, and diverse architectural styles to create a contemporary built form response. New development should address both Hampden Road and Hampden Lane. A uniform rear setback for properties fronting Hampden Lane will maintain the provision of vehicle access and servicing at the rear and will provide opportunities for trees and **deep soil areas**. The existing mature trees on Lot 276 (No.15) Hampden Road should be retained and incorporated as part of a landscaped alcove or alfresco area. On-structure planting will add greenery and soften any built form. Pedestrian linkages from Hampden Road to Hampden Lane will promote activation, interests, **landscaping** and improve connectivity within the Precinct.

B - Monash Avenue (R-AC3)

Sub-Precinct Existing Character

The Monash Avenue sub-precinct is located at the northern edge of the Precinct. Monash Avenue provides a key connection between Smyth Road to the west and Winthrop Avenue to the east, with Hollywood Hospital and QEII Medical Centre located in between. Monash Avenue provides a residential edge to the precinct, with intermittent medical professional services located within the former residential dwellings. Micrantha Lane is located directly to the south, providing opportunities for rear vehicle access. Houses are generally single storey in height and are an example of a largely intact Inter-War streetscape of modest, well-maintained dwellings, lined with mature street trees.

Monash Avenue (between Williams Road and Clifton Street) comprises a large proportion of California Bungalows with a repetitive asymmetrical form. Dwellings are predominantly masonry, commonly with tuck pointed brick to sill height and rough rendering above. Prominent architectural details in the Character Area include tapered columns, exposed rafters, brick arches and recessed entries. Most properties in this section of Monash Avenue have visually permeable fences, ranging from timber picket fences to hedging. Most properties have open driveways, with some new developments having garages that address the street.

The section of Monash Avenue between Clifton Street and Hampden Road differs to the road's western end. The QEII campus and Hollywood Private Hospital are situated on the opposite side of Monash Avenue, and this influences the area with most properties having high perimeter fences. There is evidence of alterations to Inter-War dwellings, with many roofs now consisting of contemporary corrugated steel in place of traditional terracotta tiles. The area is predominately residential, however there is a new build at the corner of Monash Avenue and Hampden Road that is utilised for commercial activities.

Sub-Precinct Desired Future Character

Future development of Monash Avenue should reflect its location and function in the context of Hollywood Hospital and QEII Medical Centre, with new development to address Monash Avenue. New mixed-use development with less active ground floor uses and medical related uses are anticipated along Monash Avenue to support Hollywood Hospital and QEII Medical Centre. A diversity of dwelling types which provide for a range of household configurations is encouraged on the upper floors. New development will be massed towards Monash Avenue to minimise building bulk impacts on the R60 properties south of Micrantha Lane.

The street interface of new developments will contribute to pedestrian comfort and will provide opportunity for passive surveillance of the streetscape. A rear setback will encourage vehicle access, car parking and servicing to be provided at the rear. A setback will also provide opportunities for **landscaping**, to soften the higher density development fronting Monash Avenue from the R60 lots south of Micrantha Lane.

C - Leura Street (R-AC3)

Existing Character

Leura Street comprises a diverse range of land uses and activities of varying urban forms, including various health and medical services. Single residential dwellings are generally located on its western side and the southern portion of the eastern side, with commercial uses and grouped dwellings located to the north. Leura Street functions as a street of transition between the commercial development to the east and the residential dwellings to the west.

Desired Future Character

Future development on Leura Street should reflect its proximity to Hampden Road and R60 lots to the west, with new development to address Leura Street and Hampden Lane. New mixed-use development with less active ground floor uses and medical related uses are anticipated along Leura Street to support Hollywood Hospital and QEII Medical Centre, while being respectful of residential dwellings to the west. A diversity of dwelling types which provide for a range of household configurations is encouraged. Podium style development will seek to minimise building bulk impacts on the R60 properties on the western side of Leura Street.

The street interface of new developments will provide opportunity for passive surveillance of the streetscape and **deep soil area** to accommodate growth of trees, softening the higher density development from the R60 lots west of Leura Street.

5.2.2 ACCEPTABLE OUTCOMES

Acceptable Outcomes are likely to assist in satisfying the Objectives but are not a comprehensive 'deemed-to-comply' list. To achieve the outcomes described within the Desired Future Character Statements, proposals may require additional and/or alternative design solutions in response to the site conditions, streetscape and design approach. Guidance is provided within the applicable Design Guidance section.

Hampden Road (R-AC3)

AO	Primary Control	Acceptable Outcome
AO 4.1	Building Height ¹	Maximum 6 storeys (21m)
AO 4.2	Primary Street Setback ^{2,4,6}	<u>Ground to 2nd storey</u> Nil <u>3rd, 4th and 5th storeys</u> Minimum 4m <u>6th storey</u> Minimum 6m
AO 4.3	Secondary Street setback ^{2,6}	Minimum 1.5m (all storeys)
AO 4.4	Side setbacks ^{2,5}	<u>Ground to 3rd storey</u> Minimum nil <u>4th storey and above</u> Minimum 3m
AO 4.5	Rear setback ²	Minimum 3m (all storeys)
AO 4.6	Lot Boundary Walls ³	<ul style="list-style-type: none"> Maximum 3 storeys (10m) in height⁷ Permitted to two side boundaries

Monash Avenue (R-AC3)

AO	Primary Control	Acceptable Outcome
AO 5.1	Building Height ¹	Maximum 6 storeys (21m)
AO 5.2	Primary Street Setback ^{2,6}	<u>Ground to 2nd storey</u> Nil <u>3rd, 4th and 5th storeys</u> Minimum 4m <u>6th storey</u> Minimum 6m
AO 5.3	Secondary Street setback ^{2,6}	<u>Ground to 2nd storey</u> Minimum 1.5m <u>3rd storey and above</u> Minimum 3m
AO 5.4	Side setbacks ^{2,5}	<u>Ground to 3rd storey</u> Minimum nil <u>4th storey and above</u> Minimum 3m
AO 5.5	Rear setback ²	<u>Up to 5th storey</u> Minimum 3m <u>6th storey</u> Minimum 4.5m
AO 5.6	Lot Boundary Walls ³	<ul style="list-style-type: none"> Maximum 3 storeys (10m) in height⁷ Permitted to two side boundaries

Leura Street (R-AC3)

AO	Primary Control	Acceptable Outcome
AO 6.1	Building Height ¹	Maximum 5 storeys (18m)
AO 6.2	Primary Street Setback ^{2,6}	<u>(Ground to 2nd storey</u> Minimum 2m <u>3rd and 4th storeys</u> Minimum 4m <u>5th storey</u> Minimum 6m
AO 6.3	Secondary Street setback ^{2,6}	<u>Ground to 2nd storey</u> Minimum 1.5m <u>3rd storey and above</u> Minimum 3m
AO 6.4	Side setbacks ^{2,5}	<u>Ground to 3rd storey</u> Minimum nil <u>4th storey and above</u> Minimum 3m
AO 6.5	Rear setback ²	Minimum 3m (all storeys)
AO 6.6	Lot Boundary Walls ³	<ul style="list-style-type: none"> • Maximum 3 storeys (10m) in height⁷, • Permitted to two side boundaries

¹ Subject to indicative building heights outlined in Table 2.2 of R-Codes Vol. 2. Maximum overall height inclusive of rooftop articulation.

² Boundary setbacks will also be determined by provisions for building separation and visual privacy within this LPP and building separation provisions of the National Construction Codes.

³ Wall may be built up to a lot boundary, where it abuts an existing or simultaneously constructed wall of equal or greater proportions.

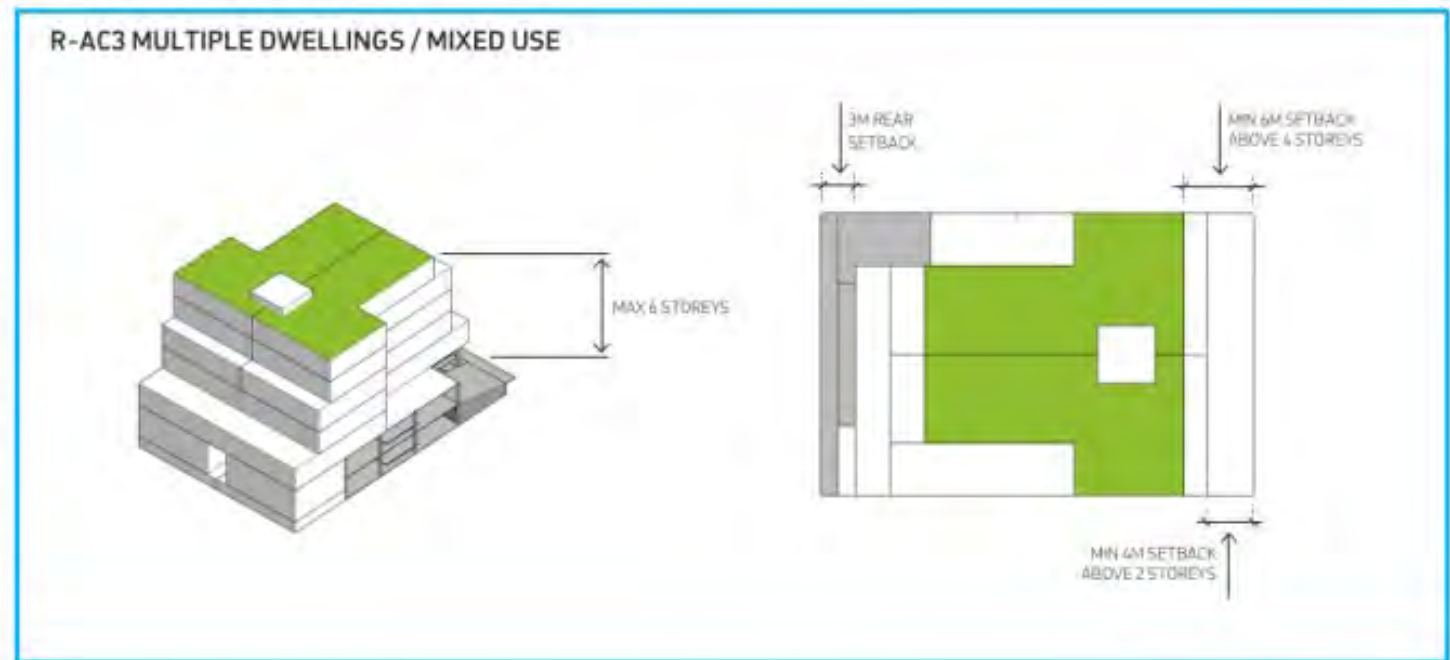
⁴ A Nil Primary Street setback is required to Hampden Road, except when a DSA or landscaped alcove is provided within the setback area.

⁵ Where a side setback greater than Nil is proposed, it must accommodate DSA, activation, or provide a meaningful pedestrian connection to Hampden Lane or Micrantha Lane.

⁶ Residential balconies may project into the street setback area, up to a maximum 2m intrusion, where on-structure planting is incorporated into the balconies which include vegetation visible from the street.

⁷ Subject to indicative height outlined in Table 2.2 of the R-Codes Vol. 2, excluding 2m provision for rooftop articulation.

R-AC3 ZONE



5.2.3 ACCEPTABLE OUTCOMES AND DESIGN GUIDANCE

Acceptable Outcomes (AO)

In accordance with section 1.2.2 and 1.2.3 of the R-Codes Vol. 2, the below provisions amend or replace acceptable outcome provisions in the R-Codes Vol. 2 (refer to Hampden-Hollywood LPP – Relationship to R-Codes).

Design Guidance (DG)

Design Guidance provides additional direction for applicants to ensure that proposals are contextually appropriate for the specific sub-precinct.

3.3 Tree canopy and deep soil areas

a) Upper floors of the building may extend over portions of **deep soil area**, subject to a landscaping plan being provided which demonstrates the selection of appropriate species within the covered area.

b) Basement levels are not intrude into the front or rear setback areas, to provide sufficient space for **deep soil areas**.

a) The retention of the **significant existing trees** at Lot 276 (No.15) Hampden Road is strongly encouraged, with possible incentives (i.e., variations to R-Code provisions) able to be discussed with the City.

b) **Deep soil areas** and tree plantings should be provided within the rear setback area, creating a landscaped buffer between the proposed development and the adjoining lower density site/s.

c) Where hard surfaces are proposed within outdoor living areas, permeable finishes such as gravel or permeable paving should be considered in order to reduce stormwater run-off.

d) **Deep soil areas** should be consolidated as much as possible, resulting in larger, more useable spaces, rather than multiple smaller areas.

3.4 Communal open space

a) Communal open space/s should be oriented and screened to maximise northern solar access, while minimising direct overlooking of habitable rooms and private outdoor living areas of adjoining properties.

b) The preferred location for communal open space is either:

- i. At upper levels facing Hampden Road or Hampden Lane or Leura Street or Monash Avenue and/or a secondary street; or
- ii. Co-located with **deep soil areas** at the rear of the development.

3.8 Vehicle access

a) Driveway and crossover widths are to be kept to a functional minimal width to maximise space in the street setback area and verge for **deep soil areas** and tree retention and provision.

b) Vehicle access is required to be from Hampden Lane for developments on Hampden Road and Leura Street, and from Micrantha Lane for developments on Monash Avenue, where the laneway is serviceable.

3.9 Car and bicycle parking

- a) Vehicle parking is to be provided at-grade or at basement levels, rather than being provided above-ground (even if sleeved behind other uses).

4.10 Façade design

- a) New developments should have an **active frontage** to Hampden Road, Monash Avenue, Leura Street, and secondary streets where applicable, in accordance with Clause 32.4 (3) of LPS3.

- a) The following guidance should be considered to achieve **active frontages** in the sub-precinct:

Include

- Variety of façade elements, including articulation, openable windows and doors, stall risers, sills, seating and other fine grain detail.
- Variety of materials, colours, textures and depths.
- Clearly defined, recessed pedestrian entries.
- **Landscaping** to soften the street interface and provide screening to areas of blank façade.
- Where required, well integrated and unobtrusive signage.
- Security measures, where provided, are to be:
 - Located and installed internally behind the glazing;
 - Transparent and visually permeable to allow views inside the building and enable internal light sources to be seen from the street; and
 - High level of passive surveillance to the street.

Avoid

- Unarticulated floor-to-ceiling glazing.
- Heavily tinted glazing which obscures views between the interior and exterior of the building (any tinting should have a minimum of 70% visible light transmission).
- Blank, monotonous facades.
- Facades dominated by vehicle entries, parking areas or services/utilities (whether screened or unscreened).
- Facades dominated by advertising signage.

4.14 Mixed Use

- a) **Active land use/s** are to be provided at ground level, facing Hampden Road and Monash Avenue. More non-active commercial uses and/or residential uses are preferred on Leura Street.
- b) Any non-active land uses are to be located above the ground floor, with residential land uses such as multiple dwellings (apartments) preferred.
- c) Ground floor tenancies are to be designed to allow for ease of change to other non-residential uses, including those requiring grease traps and exhaust fans.

- d) The combined net lettable area (NLA) of commercial ground floor spaces is to meet the requirements set out in the table below:

Development Site	Minimum NLA
Single lot	70m ²
Two or more adjoining lots	60m ² per lot

- e) The above NLA requirements are in addition to the minimum tenancy depth of 10m, as per Clause 32.4 (4) of Local Planning Scheme No. 3.

- a) The following land uses are preferred within the Mixed Use sub-precincts:

Hampden Road

- Consulting rooms
- Convenience store
- Liquor store – small
- Lunch bar
- Recreation – private
- Residential
- Restaurant/café
- Serviced apartment
- Shop
- Small bar

Monash Avenue

- Consulting rooms
- Convenience store
- Lunch bar
- Medical centre
- Office
- Recreation – private
- Residential
- Restaurant/café
- Serviced apartment
- Shop

Leura Street

- Consulting rooms
- Medical centre
- Office
- Residential
- Serviced apartment

6 Definitions

Terms used in this Policy are defined as per *State Planning Policy 7.3 Residential Design Codes Volume 1 and Volume 2*, unless otherwise specified below:

Active land use: Land uses which generate many visits, in particular pedestrian visits, over an extended period of the day. Active land uses provide opportunity for spontaneous encounters between neighbours and visitors to the precinct.

Active frontage: Street frontages where there is an active visual engagement between those in the street and those on the ground and upper floors of buildings. Active frontages can provide informal surveillance opportunities and often improve the vitality and safety of an area.

Deep Soil Area: Soft landscape area on lot with no impeding building structure or feature above or below, which supports growth of medium to large canopy trees and meets a stated minimum dimension. Used primarily for landscaping and open to the sky, deep soil areas exclude basement car parks, services, swimming pools, tennis courts and impervious surfaces including car parks, driveways and roof areas.

Landscape Area / Landscaping: Land developed with garden beds, shrubs and trees, or by the planting of lawns, and includes such features as rockeries, ornamental ponds and any other such area approved of by the decision-maker as landscaped area.

Significant existing tree: an existing tree that meets the following criteria:



- healthy specimens with ongoing viability; and
- species is not included on a State or local area weed register; and
- height of at least 4m; and/or
- trunk diameter of at least 160mm, measured 1m from the ground; and/or
- average canopy diameter of at least 4m.

Appendix 1 – Sustainability and Energy Efficiency Initiatives

Examples of energy efficient initiatives that exceed current minimum practice are provided below. Applicants are encouraged to propose other innovative solutions where supported by evidence demonstrating how minimum practice is exceeded:

- Ceiling fans to all habitable rooms
- Hot water systems that are more energy efficient than electric storage units
- Provision of an external clothesline to every dwelling, located in a secure area, out of direct view on an external wall or in a breezeway
- Use of a photovoltaic array for communal services
- Installation of a lift with regenerative braking
- Solar powered lighting of external open space, circulation areas and common spaces
- Battery backup for PV generated power
- Embedded network for power distribution
- Grey-water recycling
- On-site green waste recycling and/or power generation
- Electric vehicle charging
- Shared electric vehicles
- Rainwater harvesting

Appendix 2 – Facades and Materials

Residential Sub-Precinct	
Key Elements	
<ul style="list-style-type: none">• High quality materials and finishes which enhance the existing character of the precinct.• Natural warm-toned materials including rendered masonry, face brick, stone, timber and contemporary cladding.• Articulated forms with vertical proportions.• Blank facades to be avoided.• Low style front fencing	<ul style="list-style-type: none">• Verandahs, eaves, louvers, balconies, window awnings and hoods reinterpreted in a contemporary manner.• Façade design elements should enhance the solar passive design of all the elements.• Boundary walls to be finished to same quality as the elevation to the primary street where it faces a neighbouring lot.
Examples of key elements within the sub-precinct and surrounds	
	
Examples of key elements in new developments	
	

Mixed Use Sub-Precinct

Key Elements

- | | |
|---|---|
| <ul style="list-style-type: none">• High quality materials and finishes which enhance the existing character of the precinct.• Natural warm-toned materials including rendered masonry, face brick, stone, timber and contemporary cladding.• Verandahs, eaves, louvers, balconies, window awnings and hoods reinterpreted in a contemporary manner.• Articulated forms with vertical proportions.• Openable windows and doors, stall risers, sills, seating and other fine grain detail to create visual interest. | <ul style="list-style-type: none">• Incorporation of landscaping to soften built form.• Use of glazing to allow for visual interaction between building and street.• Upper floors to address street and provide for passive surveillance.• Façade design elements should enhance the solar passive design of all the elements.• Boundary walls to be finished to same quality as the elevation to the primary street where it faces a neighbouring lot.• Blank facades to be avoided. |
|---|---|

Examples of key elements within the sub-precinct and surrounds



Appendix 3 - Parking Requirements - Mixed Use Zone (Preferred Active Land Uses)

1. For any, at grade, uncovered carparks, a minimum of one medium tree for every four bays or one large tree for every 6 bays.
2. Car parking is to be in accordance with the rates specified within Table 1 below. Where a land use is not listed, is it to be in accordance with the City's *Local Planning Policy - Parking*.
3. The City will consider a reduction in the provision of visitor parking in instances where:
 - i. a **significant existing tree** is retained in the front setback area;
OR
 - ii. the development achieves or exceeds the required **deep soil area**, tree canopy and **landscaping** provisions of this Policy and R-codes to the satisfaction of the City

Land use	Minimum number of car parking bays required	Minimum number of bicycle bays required
Convenience store Liquor store – small Restaurant / café Shop	1 car bay per 30m ² NLA	1 per 30m ² of NLA
Recreation – private	1 car bay per 20m ² NLA	1 per 50m ² of NLA
Small bar Tavern	1 car bay per 20m ² of NLA (inclusive of dining areas and function rooms)	1 per 30m ² of NLA
Consulting rooms Medical centre	3 car bays for each practitioner In addition to the above, 2 car bays for each practitioner in excess of 2 practitioners	1 per 10 car parking bays
Office	1 per 40m ² NLA	1 per 200m ² of NLA
Notes: <ul style="list-style-type: none"> NLA = net lettable area The number of parking spaces calculated shall be rounded to the nearest whole number. The required bicycle spaces are to be clearly visible and directly accessible from the Primary Street. Bicycle spaces should be provided in convenient, secure and undercover locations. 		

Summary of Submissions

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No.	Within the Precinct	Summary of Submission	Officer Response
Objection			
1	Yes	<ol style="list-style-type: none"> High density development along Hampden Road and Monash Avenue is not a good policy. The streets within the precinct cannot support the increased traffic and parking. Removal of mature trees to facilitate development. There needs to be low-level increased density opportunities to allow for elderly residents to downsize. Strongly object to mixed-use developments being 6 storeys. There are currently no buildings more than 2 stories along Monash Avenue. Apartments/Mixed-use with in the R-AC3 zone along Monash Ave does not conform with the concept of built form. The rear setbacks in the draft policy are inadequate to ensure tree canopies are preserved and fail to consider overshadowing to homes south of Micrantha Lane. 	<ol style="list-style-type: none"> Changes to density codes are beyond the scope of this policy. This policy seeks to improve upon the current built form allowances within the R-Codes. The policy proposes no change to the potential land uses or density. It seeks to facilitate alternate and sustainable modes of transport in new developments. The landscaping and deep soil provisions within the policy are key elements to facilitate vegetation retention and reducing the net loss of vegetation within the precinct. Noted The height provisions are consistent with the increase in R-Code density with the gazettal of LPS3. The policy proposes no changes to the existing height maximums. Apartment development to the coded density is permissible under the existing zoning. The policy seeks to improve built form outcomes from what is currently allowable under the R-Codes, which permits boundary walls to all sides.

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		<p>7. Past consultations showed residents did not support widening of laneways. This must be upheld.</p> <p>8. Reject the inference that the community agrees with the R-AC3 zoning imposed along Monash Avenue.</p>	<p>7. Noted. No widening of laneways is proposed by the policy.</p> <p>8. The policy is a response to the zoning that is in place. The object of the policy is to provide better built form outcomes than what is provided by the default R-Codes provisions.</p>
2	Yes	<p>1. I cannot see the logic in targeting this area of small blocks of well-built character homes for the draconian zoning scheme that has been thrust upon it.</p> <p>2. This LPP will see the housing density more than double in an area where the density already exceeds that of rest of Nedlands. The current infrastructure is unable to withstand the loads imposed by this increased density. This will see the amenity of the area fall well below that enjoyed elsewhere in Nedlands.</p> <p>3. Four areas of this investment that are critical are:</p> <ul style="list-style-type: none"> • Underground Power • Paving, Lighting of Laneways • Public Open Space • Parking 	<p>1. Changes to density codes are beyond the scope of this policy. This policy seeks to improve upon the current built form allowances within the R-Codes.</p> <p>2. The policy is a response to the zoning that is in place. The object of the policy is to provide better built form outcomes than what is provided by the default R-Codes provisions.</p> <p>3. Underground power, public domain infrastructure and on-street parking management is being addressed by the City outside of this Town Planning Policy development process. Parking for new developments is addressed by the policy and the R-Codes. A public open space strategy is currently being developed for the City.</p>

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	<p>4. Sustainability</p> <ul style="list-style-type: none"> At least a 6 Star Green rating on all commercial development and a minimum 5 Star Green rating for private development. Requiring Mixed Use, Grouped and Multiple Dwelling development applications to provide a minimum of 50% of the residential parking bays with electrical charging infrastructure is commendable but leaves two loopholes for developers. To close these loopholes the LPP must be reworded. <p>5. Public Open Space</p> <p>A contribution by developers to Public Open Space equivalent to 10 percent of the gross residential area or a cash in lieu of the equivalent value is welcome but is meaningless without three key controls that must be included in the LLP:</p> <ol style="list-style-type: none"> An explanation of how the 'residential area' is calculated. A statement that the cash in lieu equivalent option is based on the sale price of the property, not the developer's build price. Any 'cash in lieu' contributions can only be used for the purchase of POS in the Hampden-Hollywood Precinct. <p>Section 4.3.2 is not acceptable, delete this clause. The Hampden - Hollywood Precinct.</p> <p>6. Landscaping</p> <ul style="list-style-type: none"> 4.4.1 in its current form this clause is completely unacceptable. The requirement for 20% of the site area for landscaping is understood, however, to suggest that 	<p>4. The City will be seeking ratings that exceed NaTHERS and NABERS rating provisions under the National Construction Code 2022 for residential development. Provisions for commercial development will be determined by the WAPC.</p> <p>5. The City is currently creating a POS strategy and a policy that will provide guidance on how cash-in-lieu is calculated and spent. The clause in this precinct policy functions only as advice to that effect. Clause 4.3.2 has been deleted as not being relevant and will be superseded by the eventual POS policy in any event.</p> <p>6. Landscaping plans are a condition of development approval and reviewed prior to acceptance by the City. The plans must meet the acceptable outcomes of the policy, which includes</p>
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		<p>only 15% of that 20% is required for Deep Soil Planting means the area allocated.</p> <ul style="list-style-type: none"> • 4.4.4 and 4.4.5 – Very good to see these clauses in here, well done. • The requirements of section 4.4.9, while welcome, are in conflict with Sections 4.4.1 and 4.4.8. Developers will exploit this conflict to their advantage and to the detriment of the community. • Artificial turf should not be considered as contributing to DSA or Landscaped Area. <p>7. Public Domain Interface The requirements are loose, subjective or non-existent. Words like 'should' must be replaced with words like 'must' or 'shall' if the action is mandatory.</p> <p>8. Vehicle Access</p> <ul style="list-style-type: none"> • Where a laneway provides access to a site, how will rubbish and delivery trucks service these sites? What about mail delivery? • What upgrading of the laneways in terms of paving will the City of Nedlands be undertaking to permit the regular passage of heavy vehicles. • If rubbish trucks and delivery trucks utilise the laneways, what provisions/modifications will the City of Nedlands be undertaking to ensure the safety of pedestrians in the laneway. 	<p>separate provision for trees. Submitters statements and opinions are noted.</p> <p>7. Provisions in this section have been strengthened as suggested by submitter.</p> <p>8. Current laneway width makes it difficult to use the laneways for waste disposal due to side-loading collection. Applicants will have to demonstrate a proposal is feasible or will have to use the primary street.</p>
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		<ul style="list-style-type: none"> If laneways are used for site access, increased two-way traffic will not be supported. What are the City of Nedlands plans to convert the laneways to one directional traffic? <p>9. Car and Bicycle Parking</p> <ul style="list-style-type: none"> Why is there no mention of the provision of parking for motorcycles and scooters? Why does the policy not address verge parking? <p>10. Noise Mitigation This clause should provide data on the anticipated level of noise pollution from QEII Hospital and stipulate the design outcome in terms of a dB rating. Should provide a maximum allowable dB rating for noise emanating from the development. Why are developers in precinct being asked for their designs to address the noise pollution from the QEII Hospital when it should be addressed at the source? QEII should not be permitted to emit unacceptable levels of noise.</p> <p>11. Existing Character Statement The opening sentence of the section is patently incorrect. The Hollywood Hampden Precinct is comprised of the smallest lots in Nedlands with the smallest amounts of open space and no POS with exception of the single lot mentioned under the comments on Section 4.3.</p>	<p>9. Submitter's statements regarding motorcycle and scooter parking is noted, these licenced vehicles form part of the standard parking considerations. Verge parking is public land controlled by the City. As such, it does not form part of local planning policies.</p> <p>10. With encroachment and intensification of new development in proximity to an existing established noise emitting land use it is reasonable to require noise mitigation at these new development sites. Developments must all comply with Environmental Noise Regulations which require noise emitters to meet stated noise levels. This is governed by a statutory process outside of planning controls.</p> <p>11. In this case 'open space' refers to open space on the lot under the R-Codes, not public open space. The houses in this area generally do not fill the block, leaving open space around the perimeter.</p>
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		<p>12. Desired Future Character Statement</p> <p>The second paragraph states 'New developments should fit comfortably within the existing leafy streetscapes, achieved through generous street setbacks'. How can this be correct when the lack of underground power requires the annual cutting down of the 'leafy streetscapes' and the proposed new primary and secondary street setbacks are 4m and 1.5m respectively? The third paragraph states 'substantial areas of landscaping' will be integrated with new developments'. The requirement for only 20% of the site area to be provided as Landscaped Area is not substantial. Indeed, the increased housing density permitted under this LPP will see the landscaped area in the precinct reduced by more than 50% from current levels. The fourth paragraph states 'high quality materials and architectural styles are encouraged to maintain the varied nature of development' Encouraged does not mean mandated so the developer can use whatever materials and styles they choose.</p> <p>Deemed to Comply Requirements and Acceptable Outcomes</p> <p>13. Reduced setbacks must not become a means by which a developer can provide a lesser parking area.</p> <p>14. The areas zoned R160 in the LPP are no shown as R60. I support this proposed change.</p>	<p>12. The intention is that the reduced front setbacks are designed in a way to retain the landscaped feel of the neighbourhood by providing substantial and/or mature vegetation. It is noted that current development is based on a lower density from the previous scheme. The policy increases landscaping from the current R-Codes requirements. The character statement is not a policy requirement but functions as a way to judge discretionary criteria.</p> <p>13. Noted.</p> <p>14. The precinct map provided in the draft Policy was incorrect. This has been rectified to reflect the zoning consistent with LPS3.</p>
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		<p>15. Definitions <u>Landscape Area</u> – Rockeries, ornamental ponds, swimming pools, BBQ areas and playgrounds are hard landscaping and must not be included as contributing to the 20% of site area for landscaping requirement, as they do not perform the same function from an environment perspective.</p> <p>16. Appendix 1 Energy efficient initiatives should include:</p> <ul style="list-style-type: none"> • Charging for electric motorcycles, bicycles and scooters • Motorcycle, scooter and bicycle parking • Vegetable gardens and fruit bearing trees • Double glazing and reflective or tinted glass • Wall and ceiling insulation above building code standard requirements • LED lighting • Deciduous trees <p>17. Appendix 2 Parking Requirements Parking for motorcycles and scooters should be included in addition to the car and bicycle requirements.</p>	<p>15. Noted. Pools and BBQ areas have been removed from the definition.</p> <p>16. The appendix is a list of suggestions that an applicant is encouraged to consider and not intended to be prescriptive. These items are taken from current R-Codes outcomes.</p> <p>17. Submitter's statements regarding motorcycle and scooter parking is noted, these licenced vehicles form part of the standard parking considerations.</p>
3	Yes	<p>1. Mandating a significant setback on the northern boundary and nil on the southern boundary will cause drainage issues on blocks which slope to the south.</p> <p>2. 3m boundary wall with a box gutter, adjacent to neighbours green space will become filled with leaves. I propose a 2</p>	<p>1. All development is required to contain stormwater on site and buildings must be designed to do so.</p> <p>2. There are a number of design solutions to guttering / cleaning on boundary walls that provide a high degree of confidence that boundary walls can be managed.</p>

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		<p>storey wall with 750mm setback to the southern boundary to accommodate 500mm.</p> <p>3. Additional requirements need to have concessions for garden focused development.</p> <p>4. Roof space would be an opportunity for a terrace which is screened, facing the laneway or street. Which would allow for solar access and greenspace.</p>	<p>3. The acceptable outcomes work in a way that allows the decision maker to have such discretion.</p> <p>4. Roof terraces are feasible provided they meet the design principles.</p>
4	Yes	<p>1. The precinct plan allows for housing density more than double in an area where the density already exceeds that of rest of Nedlands.</p> <p>2. Three areas of investment are critical</p> <ul style="list-style-type: none"> • Underground power • More green open space • Parking <p>3. Landscaping</p> <ul style="list-style-type: none"> - Clause 4.4.1 in its current form this clause is completely unacceptable. The requirement for 20% of the site area for landscaping is understood, however, to suggest that only 15% of that 20% is required for Deep Soil Planting 	<p>1. The policy is a response to the zoning that is in place. The object of the policy is to provide better built form outcomes that what is provided by the default R-Codes provisions.</p> <p>2. Underground power, public domain infrastructure and on-street parking management is being addressed by the City outside of the Town Planning Policy development process. A public open space strategy is currently being developed for the City. Parking for new developments is addressed by the policy and the R-Codes.</p> <p>3. Landscaping plans are a condition of development approval and reviewed prior to acceptance by the City. The plans must meet the acceptable outcomes of the policy, which includes separate provision for trees. Submitters statements and opinions are noted.</p>

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		<p>means the area allocated for trees is less than 3% (15% of 20%) of the site area.</p> <ul style="list-style-type: none"> - Section 4.4.4 and 4.4.5 – Very good to see these clauses in here, well done. - The requirements of section 4.4.9, while welcome, are in conflict with Sections 4.4.1 and 4.4.8. Developers will exploit this conflict to their advantage and to the detriment of the community. - Section 4.4.13 – Why? - Artificial turf should not be considered as contributing to DSA or Landscaped Area <p>4. Public Domain Interface Requirements are loose, subjective or non-existent. Words like 'should' must be replaced with words like 'must' or 'shall' if the action is mandatory.</p> <p>5. Vehicle Access</p> <ul style="list-style-type: none"> • Where a laneway provides access to a site, how will rubbish and delivery trucks service these sites? What about mail delivery? • What upgrading of the laneways in terms of paving will the City of Nedlands be undertaking to permit the regular passage of heavy vehicles. • If rubbish trucks and delivery trucks utilise the laneways, what provisions/modifications will the City of Nedlands be undertaking to ensure the safety of pedestrians in the laneway. 	<p>4. Provisions in this section have been strengthened as suggested by submitted.</p> <p>5. Current laneway width makes it difficult to use the laneways for waste disposal due to side-loading collection. Applicants will have to demonstrate a proposal is feasible or will have to use the primary street.</p>
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	<ul style="list-style-type: none"> If laneways are used for site access, increased two-way traffic will not be supported. What are the City of Nedlands plans to convert the laneways to one directional traffic? <p>6. Car and Bicycle Parking</p> <ul style="list-style-type: none"> Why is there no mention of the provision of parking for motorcycles and scooters? Why does the policy not address verge parking? <p>7. Noise Mitigation</p> <p>This clause should provide data on the anticipated level of noise pollution from QEII Hospital and stipulate the design outcome in terms of a dB rating. Similarly, it should provide a maximum allowable dB rating for noise emanating from the development. On a related note, why are developers in the Hampden – Hollywood precinct being asked for their designs to address the noise pollution from the QEII Hospital when it should be addressed at the source? QEII should not be permitted to emit unacceptable levels of noise.</p> <p>8. Existing Character Statement</p> <p>The opening sentence of the section is patently incorrect. The Hollywood Hampden Precinct is comprised of the smallest lots in Nedlands with the smallest amounts of open space and no POS with exception of the single lot mentioned under the comments on Section 4.3.</p>	<p>6. Submitter's statements regarding motorcycle and scooter parking is noted, these licenced vehicles form part of the standard parking considerations. Verge parking is public land controlled by the City. As such, it does not form part of local planning policies.</p> <p>7. With encroachment and intensification of new development in proximity to an existing established noise emitting land use it is reasonable to require noise mitigation at these new development sites.</p> <p>8. In this case 'open space' refers to open space on the lot under the R-Codes, not public open space. The houses in this area generally do not fill the block, leaving open space around the perimeter.</p>
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	<p>9. Desired Future Character Statement The second paragraph states 'New developments should fit comfortably within the existing leafy streetscapes, achieved through generous street setbacks'. How can this be correct when the lack of underground power requires the annual cutting down of the 'leafy streetscapes' and the proposed new primary and secondary street setbacks are 4m and 1.5m respectively? The third paragraph states 'substantial areas of landscaping' will be integrated with new developments'. The requirement for only 20% of the site area to be provided as Landscaped Area is not substantial. Indeed, the increased housing density permitted under this LPP will see the landscaped area in the precinct reduced by more than 50% from current levels. The fourth paragraph states 'high quality materials and architectural styles are encouraged to maintain the varied nature of development' Encouraged does not mean mandated so the developer can use whatever materials and styles they choose.</p> <p>10. Deemed to Comply Requirements and Acceptable Outcomes R40 Row DC 1.1 – The wording of this clause leaves the way open for Single Houses and Grouped Dwellings to be of a height greater than two stories to be built. That is to say a dwelling of two stories or less does not need approval but three or more stories are possible. Under what circumstances are these higher buildings permitted?</p>	<p>9. The intention is that the reduced front setbacks are designed in a way to retain the landscaped feel of the neighbourhood by providing substantial and/or mature vegetation. It is noted that current development is based on a lower density from the previous scheme. The policy increases landscaping from the current R-Codes requirements. The character statement is not a policy requirement but functions as a way to judge discretionary criteria.</p> <p>10. DC1.1- Development not meeting the deemed-to-comply criteria must meet the design principles to be supported.</p>
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	<p>Row AO 1.1 - The wording of this clause states a maximum building height of two stories is an acceptable outcome. What is the maximum permissible height? Under what circumstances are these higher buildings permitted?</p> <p>Row DC 1.5 and AO 1.5 Rear Setbacks – Given the laneways will now be used as the principle means of accessing sites to the rear of existing properties, how will a 3m setback will provide sufficient manoeuvring space for vehicles? Alternatively, is it the City of Nedlands intention to widen the laneways by resuming land? If this is the case the LPP must make this clear.</p> <p>Footnote Note 5 - If reduced setbacks are granted by the City of Nedlands so that a significant tree is retained, what controls are in place to prevent a developer conveniently the killing the tree to later achieve their ultimate end game of lesser setback landscaped area? Reduced setbacks must not become a means by which a developer can provide a lesser parking area.</p> <p>R40 Zone Diagram – The R40 Single House and Grouped Dwellings clearly show two separate properties with no means of access between. Are these two separately titled properties? If so how will the utilities of power, sewer, water and communications be treated? Will easements be created?</p> <p>R60 Row DC 2.1 – The wording of this clause leaves the way open for Single Houses and Grouped Dwellings to be of a height greater than two stories to be built. That is to say, a dwelling of two stories or less does not need approval but three or more stories is possible. Under what circumstances are these higher buildings permitted.</p>	<p>AO1.1 – Height in metres has now been added, which are taken from the R-Codes.</p> <p>DC1.5 and AO1.5 – Vehicles may have to be able to manoeuvre onsite rather than reverse into the laneway.</p> <p>Footnote 5 – A condition of approval will be included to retain the tree. Removing the tree after that without approval may result in compliance action being taken by the City.</p> <p>R40 Zone Diagram – Provisions for services will be determined by the developer at time of subdivision in conjunction with the relevant authorities.</p> <p>DC2.1 – Development not meeting the deemed-to-comply criteria must meet the design principles to be supported.</p>
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		Row AO 2.1 - The wording of this clause states a maximum building height of three stories is an acceptable outcome. What is the maximum permissible height? Under what circumstances are these higher buildings permitted?	AO 2.1 - Height in meterage has now been added. Variations can be supported provided the development achieves the design principles or objectives.
Support			
5	No	<ol style="list-style-type: none"> Expansion of residential, retail and commercial areas supported. Acknowledge that the LPP supports the QEII/UWA SAC and enables growth and clustering of housing and business activity within or adjacent to SAC. The LPP sustainability measures aligns with the QEIMC Master Plan 2019 sustainability objectives and Campus Forest Vision. LPP may benefit from further information on sustainable public/alternative transport to and within the precinct. R-AC3 zoning of Monash Ave and Hampden Road is supported. 	<ol style="list-style-type: none"> Noted Noted Noted Noted The policy has not proposed rezoning. These R-Codes were adopted with the gazettal of the Local Planning Scheme in 2019.
6	No	<ol style="list-style-type: none"> No objections 	<ol style="list-style-type: none"> Noted
7	No	<ol style="list-style-type: none"> Support for the objectives of the policy, encouraging housing diversity and built form controls Support for higher density and associated built form requirements along the southern extent of Clifton Street and 	<ol style="list-style-type: none"> Noted Changes to density codes are beyond the scope of this policy. This policy seeks to improve upon the current built

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		<p>eastern extent of Gordon Street. Believe there is potential for higher density for the land around 22 Gordon Street.</p> <p>3. Inconsistency between proposed planning policy map and LPS map.</p> <p>4. No comment in policy regarding coordination of planning with land on the eastern side of Hampden Road (City of Perth).</p> <p>5. No mention of student housing in 3.3 Desired Future Character Statement. Recommended policy provide more detail to encourage a range of housing typologies.</p> <p>6. Support for sustainability measures.</p> <p>7. Has work been undertaken to determine the additional costs of the sustainability measures on development? Will this impact affordability of mixed use developments?</p> <p>8. It is recommended the policy provide measures to encourage alternative forms of transportation.</p>	<p>form allowances within the R-Codes. Submitters support is noted.</p> <p>3. The inconsistencies have been rectified to be consistent with LPS3 zoning.</p> <p>4. The City of Nedlands is working with the City of Perth on the UWAQEII precinct policy work, which covers the area of the policy. This policy work will feed into the UWAQEII precinct work.</p> <p>5. Student housing is not a physical design characteristic and as such has not been included.</p> <p>6. Noted</p> <p>7. Further sustainability work will be undertaken in due course. WAPC approval is needed to modify sustainability criteria for residential development.</p> <p>8. Noted</p>
Comment			
8	Yes	1. Near to nil POS within the precinct.	1. The City is currently working on a POS strategy and policy that will provide further details and direction. Submitters comments are noted.

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	<p>2. The parking is already overcrowded with residents needs but is exacerbated by hospital and university parking.</p> <p>3. Developments need to provide at least one car parking space per apartment with charging facilities.</p> <p>4. Underground power has not been addressed in this precinct.</p> <p>5. We need to ensure deep soil planting and the tree canopy is safe a secure for the future.</p> <p>6. It is unacceptable that developers are able to build properties without Mandatory requirements strictly adhered to. Their greed should not be at the expense of the past and present ratepayers.</p> <p>7. The is not the essential infrastructure in place to cope with large developments.</p> <p>8. In the past Karakatta Cemetery was counted as public open space I believe leading to the lack we have now.</p>	<p>2. Parking for new developments is addressed by the policy and the R-Codes.</p> <p>3. Submitters comments are noted. The policy includes the requirement that 50 per cent of the residential parking bays in mixed use, grouped dwelling and multiple dwelling developments be electrical vehicle charging bays. This exceeds provisions of the R-Codes and draft Medium Density Codes.</p> <p>4. Underground power is being addressed by the City outside of this Town Planning Policy development process.</p> <p>5. The landscaping and deep soil provisions within the policy are key elements to facilitate vegetation retention and reducing the net loss of vegetation within the precinct.</p> <p>6. Submitters concerns are noted. Planning legislation allows discretion provided a development meets the subjective design principles or acceptable outcomes rather than a tick box approach.</p> <p>7. Infrastructure may have to be upgraded as development occurs.</p> <p>8. Submitters comments are noted</p>
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9	Yes	<ol style="list-style-type: none"> 1. This Local Planning Policy (LPP) will ultimately see the housing density more than double in an area where the density already exceeds that of rest of Nedlands. 2. Four areas of this investment that are critical are: <ul style="list-style-type: none"> • Underground power Paving • Lighting od laneways • Public Open Space • Parking 3. Sustainability <ul style="list-style-type: none"> - LPP must be amended to read that developments should target a 6 Star Green rating and that a minimum of a 5 Star Green rating is required. - Reword to use a rating of 5 Stars instead of 4 Stars and require that documentation be submitted before a Certificate of Occupancy is granted by the City of Nedlands. - Requiring Mixed Use, Grouped and Multiple Dwelling development applications to provide a minimum of 50% of the residential parking bays with electrical charging infrastructure is commendable but leaves two loopholes for developers. To close these loopholes the LPP must be reworded. 	<ol style="list-style-type: none"> 1. The policy is a response to the zoning that is in place. The object of the policy is to provide better built form outcomes that what is provided by the default R-Codes provisions. 2. Underground power, public domain infrastructure and on-street parking management is being addressed by the City outside of this Town Planning Policy development process. Parking for new developments is addressed by the policy and the R-Codes. A public open space strategy is currently being developed for the City. 3. The City will be seeking ratings that exceed NaTHERS and NABERS rating provisions under the National Construction Code 2022 for residential development. Provisions for commercial development will be determined by the WAPC.
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Summary of Submissions

Hampden Hollywood Local Planning Policy



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	<p>4. Public Open Space A contribution by developers to Public Open Space equivalent to 10 percent of the gross residential area or a cash in lieu of the equivalent value is welcome but is meaningless without three key controls that must be included in the LLP: a) An explanation of how the 'residential area' is calculated, for instance is it 10% of the total site area b) A statement that the cash in lieu equivalent option is based the sale price of the property, not the developer's build price c) Any 'cash in lieu' contributions can only be used for the purchase of POS in the Hampden-Hollywood Precinct. Section 4.3.2 is not acceptable, delete this clause. The Hampden - Hollywood Precinct has no POS that makes such a clause defensible.</p> <p>5. Landscaping - Clause 4.4.1 in its current form this clause is completely unacceptable. The requirement for 20% of the site area for landscaping is understood, however, to suggest that only 15% of that 20% is required for Deep Soil Planting means the area allocated for trees is less than 3% (15% of 20%) of the site area. - Section 4.4.4 and 4.4.5 – Very good to see these clauses in here, well done. - The requirements of section 4.4.9, while welcome, are in conflict with Sections 4.4.1 and 4.4.8. Developers will exploit this conflict to their advantage and to the detriment of the community. - Section 4.4.13 – Why?</p>	<p>4. The City is currently creating a POS strategy and a policy that will provide guidance on how cash-in-lieu is calculated and spent. The clause in this precinct policy functions only as advice to that effect. Clause 4.3.2 has been deleted as not being relevant and will be superseded by the eventual POS policy in any event.</p> <p>5. Provisions are acceptable outcomes in the context of established densities under LPS No. 3. Landscaping plans are a condition of development approval and reviewed prior to acceptance by the City. Submitter has provided subjective statements and opinions under this section which are noted.</p>
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Summary of Submissions

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	<p>- Artificial turf should not be considered as contributing to DSA or Landscaped Area.</p> <p>6. Public Domain Interface Requirements are loose, subjective or non-existent. Words like 'should' must be replaced with words like 'must' or 'shall' if the action is mandatory.</p> <p>7. Vehicle Access</p> <ul style="list-style-type: none"> • Where a laneway provides access to a site, how will rubbish and delivery trucks service these sites? What about mail delivery? • What upgrading of the laneways in terms of paving will the City of Nedlands be undertaking to permit the regular passage of heavy vehicles. • If rubbish trucks and delivery trucks utilise the laneways, what provisions/modifications will the City of Nedlands be undertaking to ensure the safety of pedestrians in the laneway. • If laneways are used for site access, increased two-way traffic will not be supported. What are the City of Nedlands plans to convert the laneways to one directional traffic? <p>8. Car and Bicycle Parking</p> <ul style="list-style-type: none"> • Why is there no mention of the provision of parking for motorcycles and scooters? • Why does the policy not address verge parking? 	<p>6. Provisions in this section have been strengthened as suggested by submitted.</p> <p>7. Current laneway width makes it difficult to use the laneways for waste disposal due to side-loading collection. Applicants will have to demonstrate a proposal is feasible or will have to use the primary street.</p> <p>8. Submitter's statements regarding motorcycle and scooter parking is noted, these licensed vehicles form part of the standard parking considerations.</p>
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Summary of Submissions

Hampden Hollywood Local Planning Policy



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		<p>9. Noise Mitigation This clause should provide data on the anticipated level of noise pollution from QEII Hospital and stipulate the design outcome in terms of a dB rating. Similarly, it should provide a maximum allowable dB rating for noise emanating from the development. On a related note, why are developers in the Hampden – Hollywood precinct being asked for their designs to address the noise pollution from the QEII Hospital when it should be addressed at the source? QEII should not be permitted to emit unacceptable levels of noise.</p> <p>10. Existing Character Statement The opening sentence of the section is patently incorrect. The Hollywood Hampden Precinct is comprised of the smallest lots in Nedlands with the smallest amounts of open space and no POS with exception of the single lot mentioned under the comments on Section 4.3</p> <p>11. Desired Future Character Statement The second paragraph states 'New developments should fit comfortably within the existing leafy streetscapes, achieved through generous street setbacks'. How can this be correct when the lack of underground power requires the annual cutting down of the 'leafy streetscapes' and the proposed new primary and secondary street setbacks are 4m and 1.5m respectively? The third paragraph states 'substantial areas of landscaping' will be integrated with new developments'. The</p>	<p>9. With encroachment and intensification of new development in proximity to an existing established noise emitting land use it is reasonable to require noise mitigation at these new development sites.</p> <p>10. In this case 'open space' refers to open space on the lot under the R-Codes, not public open space. The houses in this area generally do not fill the block, leaving open space around the perimeter.</p> <p>11. The intention is that the reduced front setbacks are designed in a way to retain the landscaped feel of the neighbourhood by providing substantial and/or mature vegetation. It is noted that current development is based on a lower density from the previous scheme. The policy increases landscaping from the current R-Codes requirements. The character statement is not a policy requirement but functions as a way to judge discretionary criteria.</p>
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Summary of Submissions

Hampden Hollywood Local Planning Policy



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	<p>requirement for only 20% of the site area to be provided as Landscaped Area is not substantial. Indeed, the increased housing density permitted under this LPP will see the landscaped area in the precinct reduced by more than 50% from current levels. The fourth paragraph states 'high quality materials and architectural styles are encouraged to maintain the varied nature of development' Encouraged does not mean mandated so the developer can use whatever materials and styles they choose.</p>	
	<p>12. Deemed to Comply Requirements and Acceptable Outcomes R40 Row DC 1.1 – The wording of this clause leaves the way open for Single Houses and Grouped Dwellings to be of a height greater than two stories to be built. That is to say a dwelling of two stories or less does not need approval but three or more stories are possible. Under what circumstances are these higher buildings permitted? Row AO 1.1 - The wording of this clause states a maximum building height of two stories is an acceptable outcome. What is the maximum permissible height? Under what circumstances are these higher buildings permitted? Row DC 1.5 and AO 1.5 Rear Setbacks – Given the laneways will now be used as the principle means of accessing sites to the rear of existing properties, how will a 3m setback will provide sufficient manoeuvring space for vehicles? Alternatively, is it the City of Nedlands intention to widen the laneways by resuming land? If this is the case the</p>	<p>12.</p> <p>DC1.1- Development not meeting the deemed-to-comply criteria must meet the design principles to be supported.</p> <p>AO1.1 – Height in metres has now been added, which are taken from the R-Codes.</p> <p>DC1.5 and AO1.5 – Vehicles may have to be able to manoeuvre onsite rather than reverse into the laneway. Footnote 5 – A condition of approval will be included to retain the tree. Removing the tree after that without approval may result in compliance action being taken by the City.</p>

Summary of Submissions

Hampden Hollywood Local Planning Policy



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		<p>LPP must make this clear. Footnote Note 5 - If reduced setbacks are granted by the City of Nedlands so that a significant tree is retained, what controls are in place to prevent a developer conveniently the killing the tree to later achieve their ultimate end game of lesser setback landscaped area? Reduced setbacks must not become a means by which a developer can provide a lesser parking area.</p> <p>R40 Zone Diagram – The R40 Single House and Grouped Dwellings clearly show two separate properties with no means of access between. Are these two separately titled properties? If so how will the utilities of power, sewer, water and communications be treated? Will easements be created?</p> <p>R60 Row DC 2.1 – The wording of this clause leaves the way open for Single Houses and Grouped Dwellings to be of a height greater than two stories to be built. That is to say, a dwelling of two stories or less does not need approval but three or more stories is possible. Under what circumstances are these higher buildings permitted.</p> <p>Row AO 2.1 - The wording of this clause states a maximum building height of three stories is an acceptable outcome. What is the maximum permissible height? Under what circumstances are these higher buildings permitted?</p> <p>R160 General Note The areas zoned R160 in the LLP are not the areas zoned R160 on the City of Nedlands website.</p> <p>Row DC 3.1 – The wording of this clause leaves the way open for Single Houses and Grouped Dwellings to be of a height greater than two stories to be built. That is to say a</p>	<p>R40 Zone Diagram – Provisions for services will be determined by the developer at time of subdivision in conjunction with the relevant authorities.</p> <p>DC2.1 – Development not meeting the deemed-to-comply criteria must meet the design principles to be supported.</p> <p>AO2.1 – Height in meterage has now been added.</p> <p>R160 areas – The map has been updated to fix the error.</p> <p>DC3.1 and AO3.1 – Height in meterage has now been added. Variations can be supported provided the development achieves the design principles or objectives.</p>
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Summary of Submissions

Hampden Hollywood Local Planning Policy



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	<p>dwelling of two stories or less does not need approval but three or more stories is possible. Under what circumstances are these higher buildings permitted?</p> <p>Row AO 3.1 - The wording of this clause states a maximum building height of five stories is an acceptable outcome. What is the maximum permissible height? Under what circumstances are these higher buildings permitted?</p> <p>13. Definitions <u>Landscape Area</u> – Rockeries, ornamental ponds, swimming pools, BBQ areas and playgrounds are hard landscaping and must not be included as contributing to the 20% of site area for landscaping requirement, as they do not perform the same function from an environment perspective</p> <p>14. Appendix 1 Energy efficient initiatives should include:</p> <ul style="list-style-type: none"> • Charging for electric motorcycles, bicycles and scooters • Motorcycle, scooter and bicycle parking • Vegetable gardens and fruit bearing trees • Double glazing and reflective or tinted glass • Wall and ceiling insulation above building code standard requirements • LED lighting • Deciduous trees <p>15. Appendix 2 Parking Requirements Parking for motorcycles and scooters should be included in addition to the car and bicycle requirements</p>	<p>13. BBQ areas and pools have been removed from the definition of 'landscaped area'.</p> <p>14. Appendix is a list of suggestions that an applicant is encouraged to consider and not intended to be prescriptive.</p> <p>15. Noted. These licensed vehicles form part of the standard parking considerations.</p>
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Summary of Submissions
Hampden Hollywood Local Planning Policy



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16.6 PD11.03.23 Consideration of Adoption of draft Broadway Precinct Local Planning Policy

Meeting & Date	Council – 28 March 2023
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	The author, reviewers and authoriser of this report declare they have no financial or impartiality interest in this matter. There is no financial or personal relationship between City staff involved in the preparation of this report and the proponents or their consultants.
Report Author	Roy Winslow – Manager Urban Planning
Director	Tony Free – Director Planning and Development
Attachments	1. Draft Broadway Precinct – Local Planning Policy 2. Summary of Submissions and Officer Responses

Purpose

The purpose of this report is for Council to consider final adoption of the draft Broadway Precinct Local Planning Policy (the Policy), found in **Attachment 1**.

Recommendation

That Council:

1. adopts those elements of the draft Broadway Precinct Local Planning Policy (Attachment 1) that do not require Western Australian Planning Commission approval in accordance with regulation 4(3) of the Deemed Provisions of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015;
2. requests the CEO to give notice to the Western Australian Planning Commission (WAPC) requesting approval to amend elements of the Residential Design Codes Volumes 1 and 2 within the Policy the draft Broadway Precinct Local Planning Policy (Attachment 1) and adopts these elements in the event of the WAPC approval; and
3. revokes the Local Planning Policy – Interim Built Form Design Guidelines – Broadway Mixed Use Zone.

Voting Requirement

Simple Majority.

Background

This Policy will replace the existing Interim Built Form Design Guidelines – Broadway Mixed Use Zone Policy. The new Policy seeks to provide an appropriate response to built form controls within the Broadway Precinct acknowledging the role it plays in the UWA/QEII Specialised Activity Centre, as well as the future growth of the City. It is not seeking to make changes to the zoning and R-coding gazette in the City's Local Planning Scheme 3.

The Policy has been developed as a result of extensive research and consultation with community and industry experts to provide appropriate built form outcomes for the Broadway Precinct.

In January 2020 the City engaged consultants to undertake built form modelling for the Broadway Precinct. This work produced a local distinctiveness study, context analysis, modelling and built form controls. Using elements of the built form modelling, Community Reference Groups were convened and broader community engagements were conducted. This community engagement allowed residents to provide input on the desired future character of the Broadway Precinct.

Provisions within the Policy are a combined result of the built form modelling, character and context study, community engagement outcomes and technical input. The Policy was adopted for advertising at the Ordinary Council Meeting of 28 June 2022. The Policy was advertised from 15 August 2022 to 25 September 2022 and the community were invited to comment on the draft Policy. The submissions received have been taken into consideration in the preparation of the Policy and a summary is included in **Attachment 2**.

Discussion

Most of the Policy will come into effect once Council adopts the Policy and gives public notice. However, the Policy seeks to amend some elements of the R-Codes Volumes 1 and 2 that require Western Australian Planning Commission (WAPC) approval.

The following elements of the Policy require WAPC approval to come into effect and are highlighted in the Policy within **Attachment 1**:

General Provisions

Clause 4.2: Sustainability

Clause 4.4: Landscaping

Clause 4.7: Vehicle Access (Volume 1 – Single houses and grouped dwellings only)

Clause 4.8: Car and Bicycle Parking

5.1.3 Primary Controls

Side and rear setbacks for Single and Grouped Dwellings Residential R40 / R60 / R160 being the following clauses:

Clauses DC 1.4 and 1.5
Clauses DC 2.4 and 2.5
Clauses DC 3.4 and 3.5

Tree Canopy and Deep Soil Areas

5.1.4 Residential Precinct – Multiple Dwellings
5.2.4 Stirling Highway
5.3.4 Broadway

Landscaping

5.1.5 Single Houses and Grouped Dwellings

5.2.4 – Stirling Highway

4.14 Mixed Use

5.3.4 – Broadway Main Street

3.9 Car and bicycle parking
4.14 Mixed Use

In the event of the WAPC approving the elements listed above, they will come into effect at that point in time.

Notwithstanding the elements of the Policy which require WAPC approval, there are significant elements within the Policy which strengthens the Council position when determining applications or proving a recommendation to other bodies such as JDAP. These include:

- Desired Future Character Statements
- Building heights
- Front setbacks
- Façade design (Stirling Highway and Broadway)
- Vehicle access (Stirling Highway and Broadway)

Modifications to the Policy

The following modifications have been made to the Policy following advertising:

- Maximum solar absorptance ratings were added to Clause 4.5.2 to strengthen the Policy provision to avoid dark roof materials and reduce the urban heat island effect.
- The land-use “Tavern” as a preferred active land use has been removed from the Policy (Section 5.2.3 Clause 4.14 Mixed Use). A tavern is still a use that can be considered in this location, given the nearby residential land uses, it is not considered appropriate to identify it in the Policy as a “preferred” land use.

- Minor formatting changes have been made to the Policy post advertising to establish clarity and consistency in Policy wording and structure.

Consultation

Following adoption for advertising at the Ordinary Council Meeting of June 2022 the Policy was advertised in accordance with the City's Consultation of Planning Proposals Local Planning Policy, which involved the following:

- 42-day advertising period
- Letters to notify owners and occupiers within the precinct
- Notice in the 'Post' newspaper on the 13 August 2022
- Notice on the City's Notice Board
- Notice on the City's Your Voice engagement portal
- Social media
- Community engagement session held on 31 August 2022

The community engagement session was attended by twelve people. During this session the community had the opportunity to view the Policy and supporting documents. There were officers from the City available to address any questions community members had.

During the 42-day advertising period seven submissions were received by the City. Three opposed the Policy, one supported the Policy and three submissions neither opposed nor supported the Policy but provided comment. A summary of the submissions along with officer comments can be found at **Attachment 2**.

The following are the key issues raised during the advertising period:

1. Insufficient transition between R-AC3 on Broadway and adjoining properties on Kingsway – density on Kingsway should be increased from R60 to R80 or R160.

Officer Response

Changes to the densities contained in LPS3 are beyond the scope of this Policy. Built form transition between Broadway and Kingsway has been a key consideration in Policy development, with increased rear setbacks and provision for deep soil areas and trees in the rear setback area. Policy provisions for apartments have been developed to contribute to the desired future character of the precinct while respecting the existing character by limiting apartment building heights to 3 storeys and increase the rear setback to an average of 4m as opposed to the current acceptable outcome of 3m.

Density changes can only be achieved through a Scheme Amendment, not a Policy.

2. Apartments are not supported on Kingsway. Single houses and grouped dwellings are more appropriate and should be increased to 3 storeys.

Officer response

Provisions for 3 storey grouped dwellings were not supported by Council when the draft Policy was adopted for advertising due to the concern that they would not be consistent with the existing character of the area. Given the Policy has been advertised with the 2 storey element, it is not proposed that this provision be modified at this point in time. When the State Government's Medium Density Codes are released, it may be necessary for this provision to be reviewed.

Matters raised at the Concept Forum of 21 February

1. Can the City limit roof terraces via these policies in response to noise concerns?
Noise is regulated by the Environmental Protection (Noise Regulations) 1997. The provision of the communal space on the roof can be an appropriate outcome with some designs. In the event of a roof terrace being provided, the requirements of the Noise regulations will need to be complied with.

2. Can the definition for a large tree be provided?
A large tree has been defined in the Precinct Policy (Clause 4.4.5) and the R-Codes Vol. 2 as having the following at maturity: an indicative canopy diameter of greater than 9m and nominal height of greater than 12m.

3. Can future provision of sustainability initiatives be included in the policies e.g. car charging?
The wording of Clause 4.2.5 of the Policy has been amended to the following, in order to make it clear that the desired outcome is 50 per cent of bays are to have charging points and the infrastructure is to be provided so that in the future, the balance of the bays can easily be converted to bays with charging points:

For all Mixed Use, Group Dwelling and Multiple Dwelling development applications, electrical vehicle charging are to be provided at a minimum rate of 50 per cent of total residential bays.

Where this charging infrastructure has not be provided, electrical supply and car park distribution boards are to allow for future capacity to supply electric vehicle charging points to the remainder of the car parking bays.

4. Can the City quantify the changes to commercial parking requirements from the status quo?
Clause 4.8.3 within the Policy addresses non-residential parking provisions, with reference to Appendix 3. The parking requirements in the Policy seek to simplify and modernise the parking policy provisions for preferred land uses, as well as include requirements for bicycle bays.

Parking requirements contained within the Policy for office land uses is proposed to be 1 car bay per 40m² of Net Lettable Area (NLA) with the addition of 1 bicycle space per 200m² of NLA. This is a change from the current parking policy provisions of 4.75 per 100m² of NLA, with 2 spaces in every 3 to be set aside for employees.

Requirements for a Restaurant or Café is proposed to change from 1 per 2.6m² of restaurant seating area or 1 per 2 persons (whichever is greater) and for a shop, requirements in the current parking policy is 8.3 per 100m² of NLA, with 1 space in every 4 to be set aside for employees. The Policy seeks to simplify these requirements by requiring 1 car bay per 30m² of NLA and 1 bicycle space per 30m² of NLA.

5. Consideration of excluding solar panels from being included as dark roofing
The opening sentence of Clause 4.5.2 has been modified to read:

To reduce the urban heat island effect and to integrate with the prevailing streetscape, roof materials are to have the following maximum solar absorptance ratings (photovoltaic panels or similar are excluded from this provision):

Discussions with WAPC

Officers from the City met with representatives from the Department of Planning, Lands and Heritage (DPLH) on two occasions to discuss the Policy and proposed amendments to R-Code provisions requiring their approval, as outlined in the discussion above. The draft Policy proposes general provisions relating to sustainability which seek to exceed the R-Codes and National Construction Code provisions. These provisions echo community input from the engagement process during Policy development and in accordance with Council's direction. As outlined above in the Discussion, these elements (General Provisions 4.2) will come into effect should approval be granted by the WAPC.

In line with Council's resolution of 24 May 2022 a discussion paper on the merits and implications of the Policy's proposed star rating for building sustainability will be prepared to strengthen the City's position. Conversations with DPLH have indicated that the WAPC is unlikely to support sustainability initiatives for residential development that go beyond the existing R-Codes provisions and the National Construction Codes.

Provisions for landscaping, tree canopy and deep soil areas are other significant elements which will require WAPC approval. The position of the WAPC on these provisions are unknown. The policy proposes a minimum of 20% of each site area to be provided as landscaping. A minimum 15% of the total site area is to be deep soil area. The required deep soil areas may be reduced by 5% where a significant existing tree is retained on site or a large tree is planted on site. This is a significant increase on the acceptable outcomes outlined in the R-Codes Vol. 2, which requires a minimum 10% deep soil area or 7% if existing tree(s) are retained on site.

The requirements within the Policy are linked to the front and rear setback provisions and consistent with community feedback received. While the Council, via the Policy, controls the front setback, the WAPC is required to approve amendments to the side and rear setbacks for single and grouped dwellings (Clause 5.1.3 Primary Controls within the Policy). If the WAPC does not approve the proposed rear setbacks outlined in the Policy it may impact upon the landscaping provisions.

Strategic Implications

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

Vision	Our city will be an environmentally-sensitive, beautiful and inclusive place.
Values	<p>Great Natural and Built Environment We protect our enhanced, engaging community spaces, heritage, the natural environment and our biodiversity through well-planned and managed development.</p> <p>Reflects Identities We value our precinct character and charm. Our neighbourhoods are family-friendly with a strong sense of place.</p>
Priority Area	Urban form - protecting our quality living environment Encouraging sustainable building

Budget/Financial Implications

Minor expense will be attributed to typesetting of the Policy. This expense will be accommodated by the adopted Urban Planning budget.

Legislative and Policy Implications

The preparation and adoption of a built form local planning policy provides for clearer guidance for on built form requirements for the Broadway Precinct area.

Clause 3(1) of the Deemed Provisions of Schedule 2 of the [Planning and Development \(Local Planning Schemes\) Regulations 2015](#) allows the City to prepare a local planning policy in respect to any matter related to the planning and development of the Scheme area. Following the advertising period, the Policy is to be presented back to Council to consider any submissions received and to:

- a. Proceed with the Policy without modification; or
- b. Proceed with the Policy with modification; or
- c. Not proceed with the Policy.

Regulation 4(3A) of the Deemed provisions has the effect that elements of the Policy requiring WAPC approval will not come into effect unless and until the WAPC has granted approval.

Decision Implications

If Council resolves to endorse recommendation elements of the Policy not requiring WAPC approval will come into effect immediately. Those elements requiring approval by the WAPC will not come into effect upon receiving the approval. If the WAPC requires substantial amendments, those amendments will be referred back to Council for review before taking effect.

If Council doesn't endorse the recommendation the Policy will not progress.

Local Planning Policy – Interim Built Form Design Guidelines – Broadway Mixed Use Zone

At the 26 May 2020 Ordinary Council Meeting (Item PD18.20), Council adopted the Local Planning Policy – Interim Built Form Design Guidelines – Broadway Mixed Use Zone. Though the policy was adopted, it is not currently being given weight in the assessment of development applications on Broadway, because:

- The City has received legal advice casting significant doubt over many aspects of the Policy and whether they can be upheld through an appeal.
- The Policy was not based on built form modelling, as recommended by the State Design Review Panel.
- The Policy is considered to be inconsistent with the Scheme as it undermines the intent of the Mixed Use zone and is inconsistent with the Scheme provisions and density coding.

Therefore, if Council resolves not to endorse the recommendation of this report, there will be no Policy in place with specific built form controls for the Broadway Precinct that could be given weight in a planning assessment. Effectively, all built form controls will remain as per the existing R-Codes.

Conclusion

After significant research and consultation with the community, the resulting Broadway Precinct Local Planning Policy provides a contextually appropriate and nuanced built form guide for the growth of the Broadway Precinct. As such, it is recommended that Council adopt the recommendation to endorse the Policy.

Further Information

Question

Councillor Coghlan – are we able to have an executive summary of the two policies for the next meeting?

Officer Response

The following is an Executive Summary of the proposed Policy:

Policy objectives include:

1. provide appropriate built form transitions between areas of higher density and areas of lower density
2. facilitate housing diversity appropriate to the needs of the local community, and encourage a permanent population, ageing in place, and more housing for students and hospital staff
3. facilitate high-quality development which maximises residential amenity and livability
4. maintain and enhance the leafy green landscape character of the Broadway Precinct, promoting growth of urban forest through tree canopies in yard spaces and setbacks, and tree canopies along the roads.

Future Character

The overall desired future character is that new developments within the Mixed Use zone will contribute to the creation of high amenity, attractive streetscapes and will interact with the street to enhance the pedestrian environment. Built form and landscaping will be designed to provide appropriate transitions from areas of higher density to areas of lower density.

Residential Precinct

The desired future character of the residential precinct is that new developments will fit comfortably within the existing open, leafy streetscapes through street setbacks which achieve a balance between the prevailing street setbacks and the expectation of the density code.

Generous street setbacks will accommodate deep soil areas and tree retention and provision.

These outcomes are to be achieved via:

- front street setbacks of six metres
- rear setbacks of four metres (averaged) for R60 sites.

Stirling Highway Precinct

The desired future character is that a uniform 12m rear setback will provide the opportunity for two-way vehicle access to be provided at the rear, minimising the creation of new crossovers onto the highway. A uniform setback of development from Stirling Highway will allow for trees and deep soil areas within the street setback area, softening the interface with the highway and improving pedestrian amenity.

These outcomes are to be achieved via 12 metre rear setbacks.

Broadway Main Street Precinct

The desired future character is that new development will be massed towards Broadway and will be designed to account for topographical differences between Broadway and Kingsway, in order to minimise building bulk impacts on the R60 properties to the rear.

The interface of new development with the lower-density residential areas to the rear will be sensitively managed through generous setbacks, as well as areas of deep soil and tree plantings.

These outcomes will be achieved via:

- six metre rear setbacks
- deep soil areas and tree plantings are to be provided within the rear setback area.

Draft Broadway Precinct Local Planning Policy

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Draft Broadway Precinct Local Planning Policy

1 APPLICATION OF POLICY
<p>I.1 This Policy applies to the Broadway Precinct as identified in 3.1 Precinct Map.</p> <p>I.2 This Policy applies to subdivision applications and development applications for single houses, grouped dwellings, multiple dwellings, mixed use development and non-residential development.</p>
2 RELATIONSHIP TO OTHER POLICIES AND GUIDELINES
<p>2.1 This Policy has been prepared in accordance with Schedule 2 Part 2 Clause 4 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>.</p> <p>2.2 This Policy should be read in conjunction with the following planning instruments, and its requirements apply unless specifically stipulated elsewhere in any of the below:</p> <ul style="list-style-type: none"> • <i>State Planning Policy 7.3 – Residential Design Codes Volume 1</i> • <i>State Planning Policy 7.3 – Residential Design Codes Volume 2 – Apartments</i> • <i>State Planning Policy 7.2 – Precinct Design</i> • <i>City of Nedlands Local Planning Scheme No. 3</i> • <i>City of Nedlands Local Planning Policy – Residential Development</i> <p>2.3 Where this Policy is inconsistent with a Local Development Plan that applies to a specific site, area, or density code, the provisions of that Local Development Plan shall prevail over this Policy.</p> <p>2.4 Where this Policy is inconsistent with the provisions of another general Local Planning Policy, the provisions of this Policy shall prevail.</p>

3 CONTEXT

3.1 PRECINCT MAP



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3.2 POLICY OBJECTIVES

1. Define the desired future character of the Broadway Precinct in context with its zoning, density coding and in consideration of its function within the UWA-QEII Specialised Activity Centre.
2. Ensure that new development contributes to the desired future character of the Broadway Precinct, while respecting and reflecting existing character.
3. Provide appropriate built form transitions between areas of higher density and areas of lower density.
4. Facilitate housing diversity appropriate to the needs of the local community, and encourage a permanent population, ageing in place, and more housing for students and hospital staff.
5. Facilitate high-quality development which maximises residential amenity and livability.
6. Maintain and enhance the leafy green landscape character of the Broadway Precinct, promoting growth of urban forest through tree canopies in yard spaces and setbacks, and tree canopies along the roads.
7. Optimise energy and water efficiency of new developments through sustainable building design.
8. Reduce reliance on private vehicles and encourage alternate modes of transport.

3.3 DESIRED FUTURE CHARACTER STATEMENT

The Broadway Precinct will provide for more diverse housing options, including provision for ageing in place. New development will take advantage of being within the UWA-QEII Specialised Activity Centre, while catering to the needs of the local community. New development will follow sustainable building design principles and will feature a high-quality palette of materials and finishes that reflect the existing character.

New developments within the Mixed Use zone will contribute to the creation of high amenity, attractive streetscapes and will interact with the street to enhance the pedestrian environment. Built form and **landscaping** will be designed to provide appropriate transitions from areas of higher density to areas of lower density.

The Residential area's leafy streetscapes will be maintained and enhanced by ensuring appropriate **street setbacks** and by prioritising tree canopy and **deep soil areas** in new developments.

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4 GENERAL PROVISIONS
4.1 Policy Objectives and Desired Future Character Statement
4.1.1 All development applications within the Broadway Precinct shall be consistent with the Objectives of this Policy and the applicable Desired Future Character Statement.
4.2 Sustainability
4.2.1 All developments with a commercial Gross Floor Area greater than 1000m ² shall be designed and constructed to achieve a minimum rating of 5 Green Stars under the Green Building Council of Australia Green Star rating tool certified by an accredited assessor.
4.2.2 All commercial development within the Broadway Precinct shall be designed to achieve and maintain minimum NABERS rating of 5.5 Stars.
4.2.3 The following sustainability measures are required for Single House and Grouped Dwelling developments: <ul style="list-style-type: none"> i. Fittings and appliances are to be within one level of the highest level available under the Water Efficiency Labelling and Standards (WELS) system; and ii. Incorporate at least one significant energy efficiency initiative within the development that exceeds minimum practice (refer Appendix 1); OR iii. All dwellings exceed the minimum NatHERS requirements by 1 star.
4.2.4 For all development applications proposing Grouped Dwellings and/or Multiple Dwellings, a sustainability report, completed by a suitably qualified sustainability consultant, must be provided. This report must demonstrate how the requirements of section 4.2.3 have been addressed. The efficiencies demonstrated will be required to be implemented as part of any development approval.
4.2.5 For all Mixed Use, Grouped Dwelling, and Multiple Dwelling development applications, electrical vehicle charging are to be provided at a minimum rate of 50 per cent of total residential bays. Where this charging infrastructure has not been provided, electrical supply and car park distribution boards are to allow for future capacity to supply electric vehicle charging points to the remainder of the bays.
4.2.6 New developments are to consider selecting building materials based on suitable thermal mass and lifecycle costs.
4.3 Public open space
4.3.1 In accordance with <i>Development Control Policy 2.3 – Public Open Space in Residential Areas</i> , a Public Open Space contribution of 10 per cent of the gross residential area or cash-in-lieu of the equivalent value, shall be required for all subdivision applications (including strata applications) where 6 or more residential lots are created, unless otherwise stated in a specific public open space local planning policy. .

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4.4 Landscaping

- 4.4.1** All new developments are to demonstrate principles of Water Sensitive Urban Design, including:
- Maximising the use of permeable surfaces at ground level to enable groundwater recharge, and minimising impervious areas;
 - Incorporating on-site infiltration and detention systems such as garden beds, rain gardens, tree pits, infiltration cells and detention tanks (the latter shall be sited to avoid conflict with **deep soil areas**); and
 - Designing landscape treatments to slow down overland flows and minimise scouring.

4.4.2 Except for heavily shaded areas, species selection shall prioritise the use of endemic and native species, with an emphasis on drought tolerance and provision of shade. See the City's Sustainable Landscaping Advice Information Sheet on the website for suggested species.

4.4.2 On-structure planting is encouraged in addition to the minimum **deep soil area** and tree canopy requirements. Where on-structure planting is proposed, the structure must be designed to provide suitable drainage to root systems and avoid pooling of water.

- 4.4.4** Where on-structure planting is proposed (including planting above basement level), the landscaping plan provided with the development application must detail:
- The proposed planting design, including planter box widths, depths, water supply & drainage.
 - Suitability of plants to ensure on structure planting is viable as a long-term greening option.
 - Reticulation and maintenance by the strata body.

4.4.5 Trees and **deep soil areas** specified throughout this Policy are to be provided in accordance with the below and demonstrated in a landscaping plan:

Tree size	Indicative canopy diameter at maturity	Nominal height at maturity	Required DSA per tree	Recommended minimum DSA width
Small	4-6m	4-8m	9m ²	2m
Medium	6-9m	8-12m	36m ²	3m
Large	>9m	>12m	64m ²	6m

4.4.6 **Deep soil areas** require a minimum width of 2m. This may be reduced to 1.5m, where it adjoins rootable soil zones with a minimum dimension of 1m (not including soil beneath built structures) OR where it adjoins permeable paving with a minimum width of 0.5m.

4.4.7 **Deep soil areas** are to be located against the parent lot boundaries where possible.

4.4.8 Artificial turf is not to be visible from the public realm. Artificial turf will not be considered as contributing to **deep soil areas**.

4.5 Facades and Materials

4.5.1 The facades and materials of new development are to reference the existing facades and materials, and key design elements, for each sub-precinct, as set out in **Appendix 2**.

4.5.2 To reduce the urban heat island effect and to integrate with the prevailing streetscape, roof materials on all new developments are to have the following maximum solar absorptance ratings (*Photovoltaic panels or similar are excluded from this provision*):

Roof Structure	Maximum Solar Absorptance Rating
Flat roof structures that are not visible from the street or adjacent properties	0.4
Pitched roof structures or roof structures that are visible from the street or adjacent properties	0.5

4.5.3 Where facing a primary or secondary street or laneway, balcony balustrades are to be a minimum 50 per cent visually permeable.

4.6 Subdivision

4.6.1 Lot amalgamation is encouraged to create development efficiencies and to facilitate significant existing tree retention.

4.7 Vehicle Access – Multiple dwellings (Note: Awaiting approval from WAPC to apply to single houses and grouped dwellings)

4.7.1 Driveways serving four dwellings or less are not to be narrower than 3m at the street boundary.

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4.7.2	The maximum width of a driveway is 4m, unless two-way access is required in accordance with C5.4 of the R-Codes Vol. 1, A3.8.6 of the R-Codes Vol. 2, or the relevant Australian Standard (for non-residential development).
4.7.3	A maximum of one vehicle access per development site is permitted, including amalgamated lots.
4.7.4	Vehicle access is to be designed and located to avoid the removal of street trees.
4.7.5	Where a communal street is proposed, all proposed dwellings are to take vehicle access from that communal street.
4.8	Car and Bicycle Parking
4.8.1	At-ground or above-ground car parking (excluding visitor parking) it is to be sleeved behind other land uses, or other portions of the building, along the street frontage.
4.8.2	For the purpose of assessing car parking requirements under 5.3.3 of the R-Codes Volume 1 and 3.9 of the R-Codes Volume 2, the Broadway Precinct is to be classified as Location A. This classification is reflective of the Precinct being located within the UWA-QEII Specialised Activity Centre, and the presence of the Purple CAT (Central Area Transit) bus route along Broadway, which provides frequent, free connections between Elizabeth Quay Bus Station, QEII Medical Centre and the University of Western Australia.
4.8.3	In accordance with Clause 2.3 of the City of Nedlands <i>Local Planning Policy - Parking</i> , non-residential parking requirements are outlined in Appendix 3 of this Policy.

5 SUB-PRECINCT PROVISIONS

All development within the Residential zone must be consistent with the Desired Future Character Statement for the relevant sub precinct. The Acceptable Outcomes, Design Guidance and Housing Objectives specific to each density code provide further contextual guidance for applicants.

5.1 Residential (R40, R60, R160)

5.1.1 Existing Character Statement

The Residential sub-precinct is dominated by one and two-storey single residential dwellings on lots with large areas of open space, reflective of the R10-R20 density coding under the previous Planning Scheme (TPS 2). Streetscapes are generally characterised by large front yards with well-kept, green, domestic gardens. Established trees within front yards and on verges create a shady, attractive pedestrian environment. Streetscapes are predominantly detached in nature, though some side boundary walls can be found throughout this sub-precinct. Dwellings are oriented to the street, with entries, verandahs and windows providing passive surveillance of the street. Where front fencing is present, it is typically of an open style that demarcates the private from the public realm, while maintaining passive surveillance of the street.

With the absence of rear laneways within this sub-precinct, vehicular access is predominantly taken from the primary street or, where available, from secondary streets. On-site vehicle parking is characterised by a mix of open car spaces, carports and garages.

There is a variety of traditional architectural styles throughout the sub-precinct, including Federation Cottage and Californian Bungalow. The materials associated with these dwellings are typically brick and tile, with a rich red brick and terracotta colouring with off-white and cream features. Inter-War Spanish Mission-style dwellings are also present, characterised by brick and tile with a rendered finish. Roof forms are typically hipped and tiled. Rough rendered and painted walls, bands of face brick below the eaves, and timber-framed windows are also prominent.

The R40 portion of the sub-precinct is located at the southern end of the Broadway Precinct, bound by The Avenue, Bessell Avenue, Esplanade and R60 lots to the north-east. The area is characterized by newer, more expansive dwellings compared to the rest of the Broadway Precinct. **Street setbacks** on The Avenue feature significant **landscaping**, with trees in the front of lots and in the verge. Comparatively, dwellings along Esplanade have minimal **landscaping** within private lots (other than turf) and no street trees, providing uninterrupted views of the Swan River.

5.1.2 Desired Future Character Statement

The Residential sub-precinct will provide for a diversity of dwelling types and configurations, accommodating a range of household types. New developments will perform an important role in transitioning from the high-density urban environment expected along Stirling Highway and Broadway towards the lower density Residential R10 and R12.5 areas to the south and west.

New developments will fit comfortably within the existing open, leafy streetscapes through **street setbacks** which achieve a balance between the prevailing **street setbacks** and the expectation of the density code. The massing and scale of new developments will be proportional to lot size. Generous **street setbacks** will accommodate **deep soil areas** and tree retention and provision. Vehicle access and parking will be designed to minimise visual impact and dominance over the street and to maximise space for deep soil and trees within the **street setback** and verge areas.

Large areas of deep soil will be integrated with new developments to soften the interface with the street and surrounding properties, and to provide an attractive outlook for residents of the developments. New developments will maintain and, where possible, enhance the existing urban tree canopy across both the private and public realms.

The existing detached streetscape character will be retained by minimising the impact of boundary walls on the street. New developments will provide a contemporary interpretation of the prevailing streetscape elements and materiality, with reference to **Appendix 2 – Facades and Materials**.

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5.1.3 Primary Controls		
R40 – The R40 portion of the sub-precinct is located at the southern end of the Broadway Precinct, bound by The Avenue, Bessell Avenue, Esplanade and R60 lots to the north-east. This sub-precinct will provide a transition from the remainder of the Broadway Precinct to the river-fronting areas of R10 to the west.		
MULTIPLE DWELLINGS, MIXED USE AND NON-RESIDENTIAL (R40)		
AO	Primary Control	Acceptable Outcome
AO 1.1	Building height	Maximum 2 storeys (9m) ¹
AO 1.2	Primary street setback ²	Minimum 6m
AO 1.3	Secondary street setback	Minimum 1.5m
	Corner truncation setback	
AO 1.4	Side setback ⁴	<u>Ground floor</u> Minimum 1m <u>2 storeys</u> Minimum 2m
AO 1.5	Rear setback ^{4, 7}	Minimum 2m; Average 4m
AO 1.6	Boundary walls ^{4, 5, 6}	<ul style="list-style-type: none"> Maximum 1 storey (4m) in height Maximum two-thirds the length of the lot boundary Located a minimum of 3m behind the primary street setback May be built up to one lot boundary only OR May be built up to two lot boundaries, where a minimum 20% of the site area is provided as deep soil area.
SINGLE HOUSES AND GROUPED DWELLINGS (R40)		
DC	Primary Control	Deemed-to-comply requirement
DC 1.1	Building height	Maximum 2 storeys (8.5m wall or concealed roof height, 10m pitched roof height).
DC 1.2	Primary street setback ²	Minimum 6m
DC 1.3	Secondary street setback	Minimum 1.5m
	Corner truncation setback	
	Street setback for dwelling with main frontage to communal street ³	
DC 1.4	Side setbacks ⁴	As per R-Codes Vol. 1 (subject to boundary wall provisions of this Policy)
DC 1.5	Rear setback ⁴	
DC 1.6	Boundary walls ^{4, 5, 6}	<ul style="list-style-type: none"> Maximum 1 storey (3.5m) in height Maximum two-thirds the length of the lot boundary Located a minimum of 3m behind the primary street setback May be built up to one lot boundary only OR May be built up to two lot boundaries, where a minimum 20% of each site area is provided as deep soil area.

¹ Subject to indicative building heights outlined in Table 2.2 of R-Codes Vol. 2. Maximum overall building height inclusive of rooftop articulation.

² Minimum **street setback** may be reduced by up to 2m provided that the area of any building, including a garage encroaching into the setback area, is compensated for by at least an equal area of open space that is located between the setback line and line drawn parallel to it at twice the setback distance.

³ A nil setback to a communal street or internal driveway may be considered where a **deep soil area** is provided elsewhere within the communal street setback area.

⁴ Boundary setbacks will also be determined by provisions for building separation, **deep soil areas** and visual privacy within R-Codes Vol. 1, Vol. 2 and this LPP, and building separation provisions of the National Construction Codes.

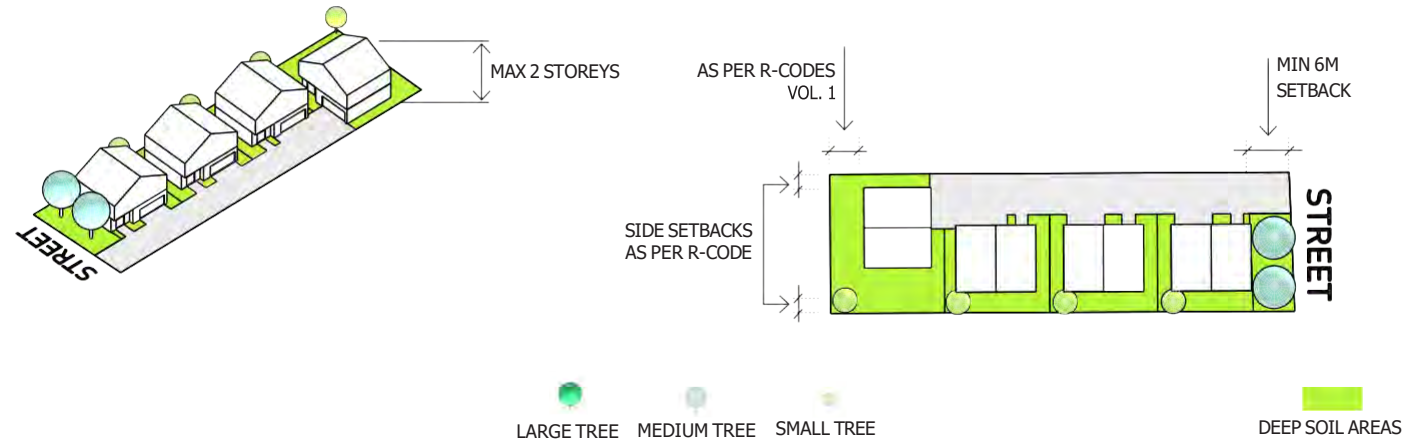
⁵ Walls may be built up to a lot boundary, where it abuts an existing or simultaneously constructed wall of equal or greater proportions.

⁶ Where the subject site and an affected adjoining site are subject to different density codes, the length and height of any boundary wall on the boundary between them is determined by reference to the lower density code.

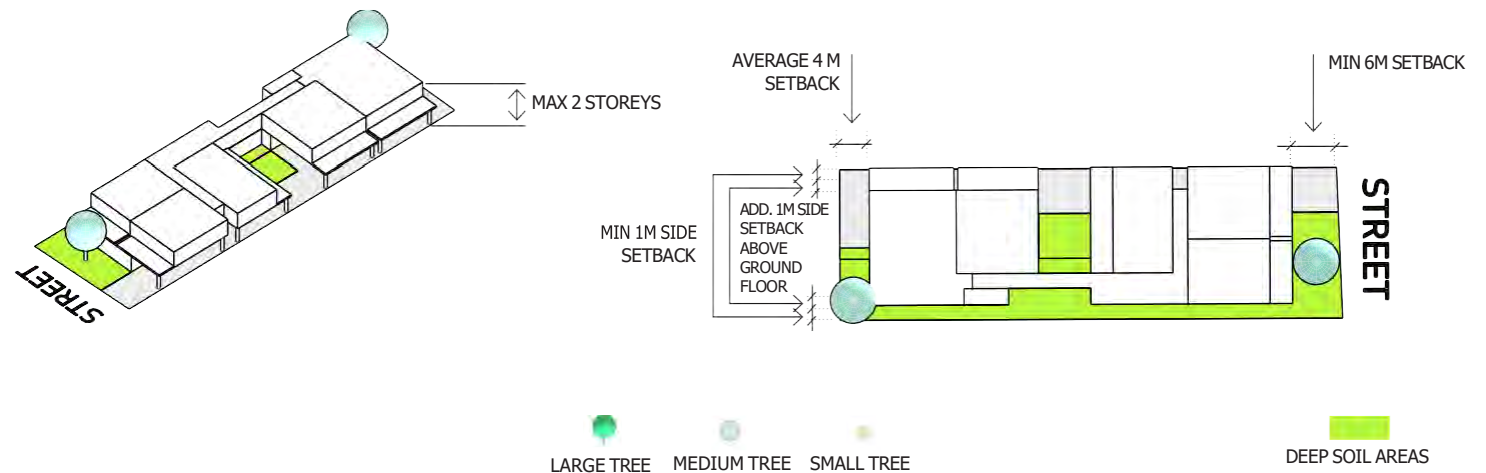
⁷ For the purpose of assessing average setbacks, lot boundary walls and patios are to be included. Refer to **Appendix 4 – Rear Averaging Methodology**.



R40 GROUPED DWELLINGS



R40 MULTIPLE DWELLINGS



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R60 - The R60 portion of the sub-precinct is the largest within the Broadway Precinct, stretching from Cooper Street in the north to Esplanade in the south. This sub-precinct provides an important transition between the higher density areas of R160 and R-AC3 to the east, and the established residential areas coded R10 and R12.5 to the west.

MULTIPLE DWELLINGS, MIXED USE AND NON-RESIDENTIAL (R60)

AO	Primary Control	Acceptable Outcome	
AO 2.1	Building height	Maximum 3 storeys (12m) ¹	
AO 2.2	Primary street setback ²	Cooper St, Clark St, Edward St, Hillway and Esplanade	Kingsway
		Minimum 6m	Minimum 5m
AO 2.3	Secondary street setback	Minimum 1.5m	
	Corner truncation setback		
AO 2.4	Side setbacks ⁴	Minimum 3m	
AO 2.5	Rear setback ^{4, 7}	Minimum 2m; Average 4m	
AO 2.6	Boundary walls ^{4,5,6}	<ul style="list-style-type: none"> Maximum 1 storey (4m) in height Maximum two-thirds the length of the balance of the lot boundary behind the front setback. Located a minimum of 3m behind the primary street setback May be built up to one lot boundary only OR May be built up to two lot boundaries, where a minimum 20% of the site area is provided as deep soil area .	

SINGLE HOUSES AND GROUPED DWELLINGS (R60)

DC	Primary Control	Deemed-to-comply requirement	
DC 2.1	Building height	Maximum 2 storeys (8.5m wall or concealed roof height, 10m pitched roof height).	
DC 2.2	Primary street setback ²	Cooper St, Clark St, Edward St, Hillway and Esplanade	Kingsway
		Minimum 6m	Minimum 5m
DC 2.3	Secondary street setback	Minimum 1.5m	
	Corner truncation setback		
	Street setback for dwelling with main frontage to communal street ³		
DC 2.4	Side setbacks ⁴	Ground floor Minimum 2m >2 storeys Internal boundary – Nil Parent lot boundary – as per R-Codes Vol. 1	
DC 2.5	Rear setback ^{4, 7}	Ground floor Internal boundary – Nil Parent lot boundary – Average 4m >2 storeys Minimum 2m Average 4m	
DC 2.6	Boundary walls ^{4,5,6}	<ul style="list-style-type: none"> Maximum 1 storey (3.5m) in height Unlimited length Located a minimum of 3m behind the primary street setback May be built up to two lot boundaries 	

¹ Subject to indicative building heights outlined in Table 2.2 of R-Codes Vol. 2. Maximum overall building height inclusive of rooftop articulation.

² Minimum **street setback** may be reduced by up to 2m provided that the area of any building, including a garage encroaching into the setback area, is compensated for by at least an equal area of open space that is located between the setback line and line drawn parallel to it at twice the setback distance.

³ A nil setback to a communal street or internal driveway may be considered where a **deep soil area** is provided elsewhere within the communal street setback area.

⁴ Boundary setbacks will also be determined by provisions for building separation, **deep soil areas** and visual privacy within R-Codes Vol. 1, Vol. 2 and this LPP, and building separation provisions of the National Construction Codes.

⁵ Walls may be built up to a lot boundary, where it abuts an existing or simultaneously constructed wall of equal or greater

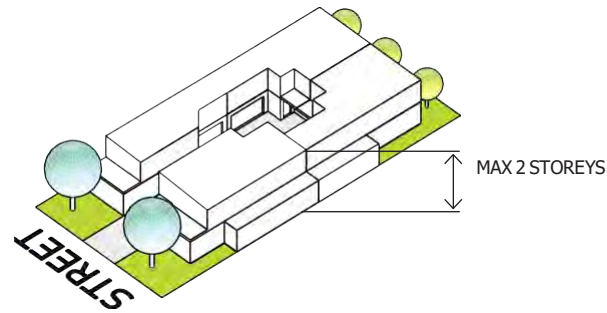
proportions.

⁶ Where the subject site and an affected adjoining site are subject to different density codes, the length and height of any boundary wall on the boundary between them is determined by reference to the lower density code.

⁷ For the purpose of assessing average setbacks, lot boundary walls and patios are to be included. Refer to **Appendix 4 – Rear Averaging Methodology**.



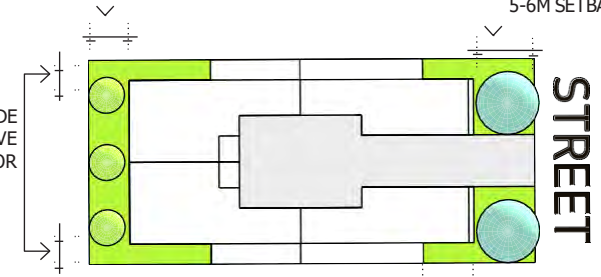
R60 GROUPED DWELLINGS



AVERAGE 4M REAR
SETBACK. UP TO AND
INCLUDING TWO
STOREYS*

AVERAGING
ALLOWED TO A
MAXIMUM 2M
REDUCTION IN
SETBACK. REFER TO
TABLE NOTES
5-6M SETBACK

R-CODE
SETBACKS ABOVE
GROUND FLOOR

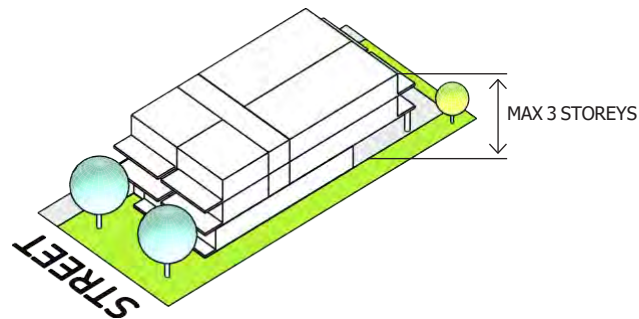


LARGE TREE MEDIUM TREE SMALL TREE

BOUNDARY WALLS
MIN 3M BEHIND THE
STREET SETBACK.

DEEP SOIL AREAS

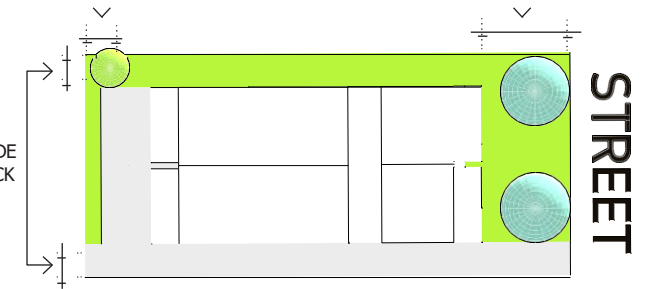
R60 MULTIPLE DWELLINGS



AVERAGE 4M REAR
SETBACK. UP TO AND
INCLUDING THREE
STOREYS*

5-6M SETBACK

3M SIDE
SETBACK



LARGE TREE MEDIUM TREE SMALL TREE

DEEP SOIL AREAS

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R160 - The R160 portion of the sub-precinct comprises the northern side of Cooper Street, as well as portions of the southern part of Cooper Street, Clark Street and Edward Street. This sub-precinct provides an important transition between existing commercial development within the higher density areas of R-AC1 and R-AC3, and R60 properties to the south and east.

MULTIPLE DWELLINGS, MIXED USE AND NON-RESIDENTIAL (R160)

AO	Primary Control	Acceptable Outcome	
AO 3.1	Building height	Maximum 5 storeys (18m) ¹	
AO 3.2	Primary street setback ²	<u>≤2 storeys</u> Minimum 6m <u>≥3 storeys</u> Minimum 7m	
AO 3.3	Secondary street setback	Minimum 1.5m	
	Corner truncation setback		
AO 3.4	Side setbacks ⁴	Adjoining R60	Adjoining R160, R-AC3 or R-AC1
		<u>Ground floor</u> 2m <u>2-4 storeys</u> Minimum 3m <u>≥5 storeys</u> Minimum 5m ⁸	<u>Ground floor</u> 2m <u>≥2 storeys</u> Minimum 3m
AO 3.5	Rear setback ^{4, 7}	Adjoining R60	Adjoining R160, R-AC3 or R-AC1
		<u>≤3 stories</u> Minimum 3m Average 4m <u>≥4 storeys</u> Minimum 6m	Minimum 3m Average 4m
AO 3.6	Boundary walls ^{4,5,6}	<ul style="list-style-type: none"> Maximum 1 storey (4m) in height Maximum two-thirds the length of the balance for the lot boundary behind the front setback Located a minimum of 3m behind the primary street setback May be built up to one lot boundary only OR May be built up to two lot boundaries, where a minimum 20% of the site area is provided as deep soil area 	

SINGLE HOUSES AND GROUPED DWELLINGS (R160)

DC	Primary Control	Deemed-to-comply requirement	
DC 3.1	Building height	Maximum 2 storeys for single houses (8.5m wall or concealed roof height, 10m pitched roof height.) Maximum 3 storeys for grouped dwellings (12m)	
DC 3.2	Primary street setback ²	<u>≤2 storeys</u> Minimum 6m <u>≥3 storeys</u> Minimum 7m	
DC 3.3	Secondary street setback	Minimum 1.5m	
	Corner truncation setback		
	Street setback for dwelling with main frontage to communal street ³		
DC 3.4	Side setbacks ⁴	<u>Ground floor</u> 2m <u>≥2 storeys</u> Internal boundary – Nil Parent lot boundary – As per R-Codes Vol. 1	

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DC 3.5	Rear setback ^{4, 7}	<p>Ground floor Internal boundary – Nil Parent lot boundary – Minimum 2m; Average 4m</p> <p>2 storeys Minimum 2m Average 4m</p> <p>3 storeys Minimum 3m Average 4m</p>
DC 3.6	Boundary walls ^{4,5,6}	<ul style="list-style-type: none"> • Maximum 1 storey (3.5m) in height • Unlimited length • Located a minimum of 3m behind the primary street setback • May be built up to two lot boundaries

¹ Subject to indicative building heights outlined in Table 2.2 of R-Codes Vol. 2. Maximum overall building height inclusive of rooftop articulation.

² Minimum **street setback** may be reduced by up to 2m provided that the area of any building, including a garage encroaching into the setback area, is compensated for by at least an equal area of open space that is located between the setback line and line drawn parallel to it at twice the setback distance.

³ A nil setback to a communal street may be considered where a **deep soil area** is provided elsewhere within the communal street setback area.

⁴ Boundary setbacks will also be determined by provisions for building separation, **deep soil areas** and visual privacy within R-Codes Vol. 1, Vol. 2 and this LPP, and building separation provisions of the National Construction Codes.

⁵ Walls may be built up to a lot boundary, where it abuts an existing or simultaneously constructed wall of equal or greater proportions.

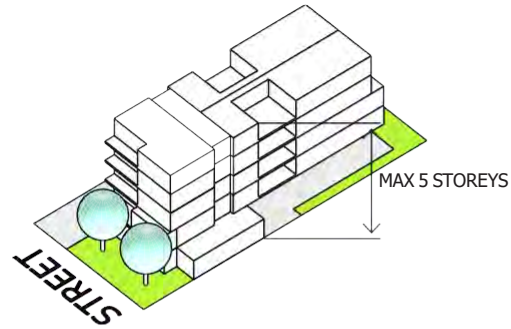
⁶ Where the subject site and an affected adjoining site are subject to different density codes, the length and height of any boundary wall on the boundary between them is determined by reference to the lower density code.

⁷ For the purpose of assessing average setbacks, lot boundary walls and patios are to be included. **Refer to Appendix 4 – Rear Averaging Methodology.**

⁸ Service areas (such as lifts and stairs) may intrude into the side setback area for a maximum width (parallel to the lot boundary) of 12m.

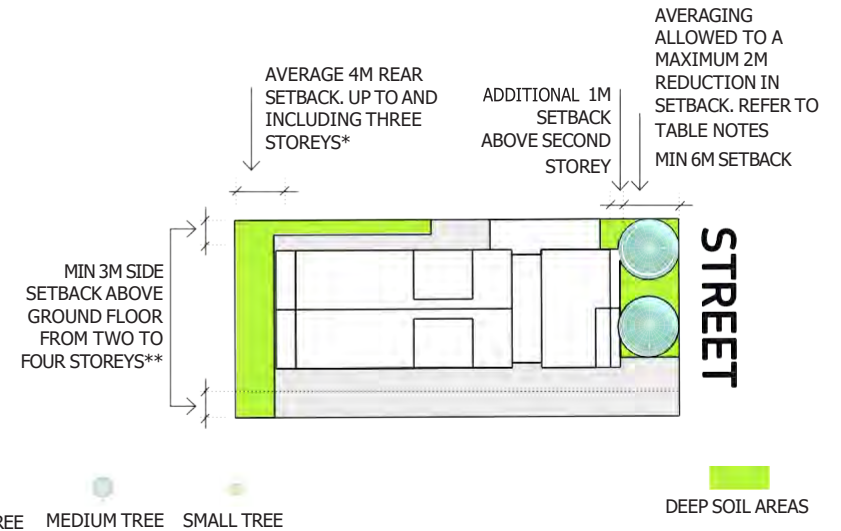


R160 MULTIPLE DWELLINGS (SINGLE SITE)

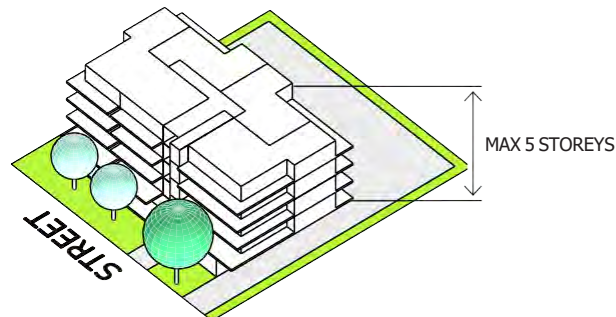


*ADDITIONAL 3M REAR SETBACK ABOVE THIRD STOREY FOR LOTS ADJOINING R60

** FOR LOTS ADJOINING R60 ADDITIONAL 2M SIDE SETBACK ABOVE FOUR STOREYS APPLIES

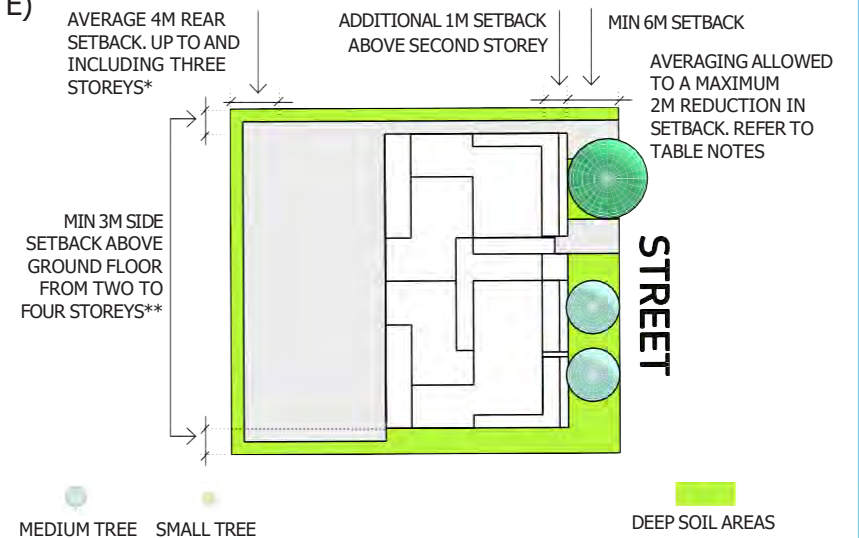


R160 MULTIPLE DWELLINGS (AMALGAMATED SITE)



*ADDITIONAL 3M REAR SETBACK ABOVE THIRD STOREY FOR LOTS ADJOINING R60

** FOR LOTS ADJOINING R60 ADDITIONAL 2M SIDE SETBACK ABOVE FOUR STOREYS APPLIES



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5.1.4 Multiple Dwellings – Acceptable Outcomes and Design Guidance										
	Acceptable outcomes (AO) In accordance with section 1.2.2 and 1.2.3 of the R-Codes Vol. 2, the below provisions amend or replace acceptable outcome provisions in the R-Codes Vol. 2.	Design guidance (DG) Design guidance provides additional direction for applicants to ensure that proposals are contextually appropriate for the specific sub-precinct.								
2.3 Street setbacks	a) The minimum street setback may be reduced by 1m where a significant existing tree is retained within the street setback area, subject to an arborist report being provided which demonstrates that the building is located to avoid adversely impacting the health of the retained tree.	a) Private open space is encouraged within the street setback area, subject to: i. Deep soil area/s being incorporated; and ii. Any front fence meeting A3.6.6 of Element 3.6 Public domain interface of R-Codes Vol. 2. b) Where private open space is provided within the street setback area in accordance with (a) above, additional privacy may be afforded to the private open space by providing a level change between the private open space and the street level. A maximum level difference of 1.2m may be supported for this purpose.								
3.3 Tree canopy and deep soil areas	<div>a) The development is to include the minimum number of trees outlined below:<table><thead><tr><th>Site area</th><th>Minimum requirement for trees</th></tr></thead><tbody><tr><td><700m²</td><td>2 medium trees AND Small tree to suit area</td></tr><tr><td>700 – 1000m²</td><td>3 medium trees AND Small trees to suit area</td></tr><tr><td>>1,000m²</td><td>1 large tree AND 1 medium tree per 400m² OR 1 medium tree per 400m² AND 2 small trees per 400m²</td></tr></tbody></table></div> <div>b) Of the trees required above, at least one is to be provided within the street setback area, either within private or communal open space.</div> <div>c) A minimum total of 20% of the site area is to be provided as landscaping. This total shall include at least 15% of the site area to be deep soil area.</div> <div>d) The required deep soil area may be reduced to 10% where a significant existing tree is retained on site, or if a large tree is planted on site.</div>	Site area	Minimum requirement for trees	<700m ²	2 medium trees AND Small tree to suit area	700 – 1000m ²	3 medium trees AND Small trees to suit area	>1,000m ²	1 large tree AND 1 medium tree per 400m ² OR 1 medium tree per 400m ² AND 2 small trees per 400m ²	a) Deep soil areas and trees plantings should be consolidated within the front and rear setback areas, creating a landscaped buffer between the proposed development and the rear adjoining site/s, and softening the interface with the street. b) Deep soil areas within the street setback area should form part of ground floor apartment private open space. c) Where hard surfaces are proposed within outdoor living areas, permeable finishes such as gravels or permeable paving should be considered in order to reduce stormwater run-off. d) Where a tree is proposed within the street setback area, the required deep soil area for that tree may project into the verge, subject to a landscaping plan demonstrating that any impervious surfaces within the verge will not inhibit the growth of the tree.
Site area	Minimum requirement for trees									
<700m ²	2 medium trees AND Small tree to suit area									
700 – 1000m ²	3 medium trees AND Small trees to suit area									
>1,000m ²	1 large tree AND 1 medium tree per 400m ² OR 1 medium tree per 400m ² AND 2 small trees per 400m ²									

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5.1.5 Single Houses and Grouped Dwellings – Deemed-to-comply provisions and Local Housing Objectives								
	Deemed to comply (DC) In accordance with section 7.3 of the R-Codes Vol. 1, the below provisions amend or replace deemed to comply provisions in the R-Codes Vol. 1.	Local Housing Objectives Housing objectives provide additional direction for applicants to ensure that proposals are contextually appropriate for the specific sub-precinct.						
5.1.2 Street setback	a) The minimum street setback may be reduced by 1m where a significant existing tree is retained within the street setback area, subject to an arborist report being provided which demonstrates that the building is located to avoid adversely impacting the health of the retained tree.	a) Outdoor living areas are encouraged to be located within the street setback area, subject to: <ul style="list-style-type: none">i. Deep soil area/s being incorporated; andii. Any front fence meeting Part 5.2.4 of the R-Codes Vol. 1. b) Where an outdoor living area is provided within the street setback area in accordance with (a) above, additional privacy may be afforded to the outdoor living area by providing a level change between the outdoor living area and the street level. A maximum level difference of 1.2m may be supported for this purpose.						
5.3.2 Landscaping	<table><tr><td colspan="2">b) The development is to include the minimum number of trees outlined below:</td></tr><tr><td>Parent lot developed simultaneously</td><td>New lots developed separately</td></tr><tr><td>2 medium trees per parent lot OR 3 medium trees per parent lot AND 1 small tree per new lot OR 1 large tree AND small trees to suit the site</td><td>Per new lot: 1 medium tree OR 4 small trees</td></tr></table> <p>a) Of the trees required above, at least one is to be provided within the street setback area, either within private or communal open space.</p> <p>b) A minimum total of 20% of the site area is to be provided as landscaping. This total shall include at least 15% of the site area to be deep soil area.</p> <p>c) The required deep soil area may be reduced to 10% where a significant existing tree is retained on site, or if a large tree is planted on site.</p> <p>d) Where a development application is submitted for all grouped dwellings on the parent lot, the minimum deep soil area per site may be varied, provided that it can be demonstrated the total deep soil area allocated across the lot achieves 20% of the</p>	b) The development is to include the minimum number of trees outlined below:		Parent lot developed simultaneously	New lots developed separately	2 medium trees per parent lot OR 3 medium trees per parent lot AND 1 small tree per new lot OR 1 large tree AND small trees to suit the site	Per new lot: 1 medium tree OR 4 small trees	a) Medium trees (and large trees where provided) should be provided within the front and rear of the parent lot, while small trees may be provided for internal lots. b) Deep soil areas within the street setback area should form part of ground floor outdoor living area where possible. c) Where hard surfaces are proposed within outdoor living areas, permeable finishes such as gravels or permeable paving should be considered in order to reduce stormwater run-off. d) Where a tree is proposed within the street setback area, the minimum tree planting area for that tree may project into the verge, subject to a landscaping plan being provided which demonstrates that any impervious surfaces within the verge will not inhibit the growth of the tree. e) Deep soil areas should be located against the parent lot boundary.
b) The development is to include the minimum number of trees outlined below:								
Parent lot developed simultaneously	New lots developed separately							
2 medium trees per parent lot OR 3 medium trees per parent lot AND 1 small tree per new lot OR 1 large tree AND small trees to suit the site	Per new lot: 1 medium tree OR 4 small trees							

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	lot area. e) Not more than 50 per cent of the street setback area is to consist of impervious surfaces.	
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5.2 Stirling Highway (Mixed Use R-AC1)**5.2.1 Existing Character Statement**

The R-AC1 sub-precinct is located adjacent to Stirling Highway. Stirling Highway functions as a Primary Distributor Road, providing a key connection between Perth and Fremantle, as well as a number of higher frequency bus services. Lots in this sub-precinct are impacted by a portion (approximately 7.5m in width) of Primary Regional Road Reserve, set aside for future road widening.

There is a mixed built form interface with Stirling Highway, comprised of:

- Mid-rise (up to four storeys), attached (nil side setbacks) contemporary office buildings, comprised of large areas of glazing and built up to the Primary Regional Road Reserve boundary;
- Low-rise traditional shop front development; and
- A service station at the corner of Broadway and Stirling Highway with extensive hardscape.

The pedestrian environment along the sub-precinct is generally of low amenity, with the footpath immediately adjacent to Stirling Highway lacking shade and acoustic protection from the busy thoroughfare. While some small trees and shrubs are present in front of buildings, there is an absence of mature shade trees both within street setback areas and the road reserve. With the exception of the lot on the corner of Bruce Street, all lots take vehicle access from Stirling Highway. A consistent 17m setback to the rear, consisting predominantly of at-grade car parking, provides a substantial buffer to the existing one-to-two storey dwellings to the south.

5.2.2 Desired Future Character Statement

Stirling Highway will continue to be a busy, high-traffic environment.

The Stirling Highway sub-precinct will accommodate the most intense built form within the Broadway Precinct. Podiums will provide an opportunity for creating a diversity of scale and form at lower levels, while taller elements will comprise of setbacks accommodating rooftop terraces and gardens at varying levels throughout development. Alternative means to reduce bulk and scale such as green walls and façade articulation are also encouraged. New development will be massed towards the highway to minimise building bulk and solar access impacts on the R160 properties to the rear.

A uniform 12m rear setback will provide the opportunity for two-way vehicle access to be provided at the rear, minimising the creation of new crossovers onto the highway. A uniform setback of development from Stirling Highway will allow for trees and **deep soil areas** within the street setback area, softening the interface with the highway and improving pedestrian amenity.

New development will utilise a palette of high-quality, diverse materials, and architectural styles to create a contemporary architectural response.

New development and associated land uses will take advantage of being within the UWA-QEII Specialised Activity Centre. This sub-precinct is the most appropriate location for purely commercial developments, including offices, provided that these developments still provide a strong connection to the public realm. Where **active land uses** are provided at ground level, they may be orientated towards a high amenity internal arcade or towards the rear setback area. Single house and grouped dwelling developments are not appropriate within this sub-precinct.

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5.2.3 Primary Controls

Acceptable Outcomes are likely to assist in satisfying the Objectives but are not a comprehensive 'deemed-to-comply' list. To achieve the outcomes described within the Desired Future Character Statements, proposals may require additional and/or alternative design solutions in response to the site conditions, streetscape and design approach. Guidance is provided within the applicable Design Guidance section.

AO	Primary Control	Acceptable Outcome
AO 4.1	Building height ^{1, 2}	Maximum 7 storeys (24m) OR Maximum 10 storeys (33m), where vehicle access is provided via secondary street (with no vehicle access to Stirling Highway)
AO 4.2	Primary and secondary street setback ³	≤4 storeys: Average 2.5m ≥5 storeys Minimum 5.5m
AO 4.3	Side setbacks ⁴	≤4 storeys Nil ≥5 storeys Minimum 6m ⁶
AO 4.4	Rear setback ^{2, 4}	Minimum 12m
AO 4.5	Boundary walls ^{4, 5}	<ul style="list-style-type: none"> Maximum 4 storeys in height (13m)⁷ Unlimited length To up to two lot boundaries (not including street boundaries)

¹ Subject to indicative building heights. Maximum overall height inclusive of rooftop articulation.

² Additional building heights and reduced rear setbacks may only be considered where 2 hours of solar access per day on 21 June is maintained for all affected rear properties.

³ Required setbacks to Stirling Highway are to be taken from the boundary of the road widening.

⁴ Boundary setbacks will also be determined by provisions for building separation, **deep soil areas** and visual privacy within R-Codes Vol. 2 and this LPP and building separation provisions of the National Construction Codes.

⁵ Wall may be built up to a lot boundary, where it abuts an existing or simultaneously constructed wall of equal or greater proportions.

⁶ Service areas (such as lifts and stairs) may intrude into the side setback area for a maximum width (parallel to the lot boundary) of 12m.

⁷ Subject to indicative building heights outlined in Table 2.2 of R-Codes Vol. 2, excluding 2m provision from rooftop articulation.

5.2.4 ACCEPTABLE OUTCOMES AND DESIGN GUIDANCE

	Acceptable outcomes (AO) In accordance with section 1.2.2 and 1.2.3 of the R-Codes Vol. 2, the below provisions amend or replace acceptable outcome provisions in the R-Codes Vol. 2 (refer to Broadway LPP – Relationship to R-Codes).	Design guidance (DG) Design guidance provides additional direction for applicants to ensure that proposals are contextually appropriate for the specific sub-precinct.
2.3 Street setbacks	a) Balconies may project into the street setback area, up to a maximum 2m intrusion.	
3.3 Tree canopy and deep soil areas	a) The development is to include the minimum number of trees outlined below.	a) Where hard surfaces are proposed within outdoor living areas, permeable finishes such as gravels or permeable paving should be considered in order to reduce stormwater run-off. b) This sub-precinct provides an opportunity to enhance canopy cover and improve pedestrian amenity along Stirling Highway.

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	<table><tr><th>Site area</th><th>Minimum requirement for trees</th></tr><tr><td><700 m²</td><td>1 medium tree and small trees to suit area</td></tr><tr><td>700 – 1,000 m²</td><td>2 medium trees OR 1 large tree and small trees to suit area</td></tr><tr><td>>1,000 m²</td><td>1 large tree AND 1 medium tree for each additional 400m² in excess of 1000m² OR 2 medium trees AND 4 small trees per 400m²</td></tr></table> <p>b) The medium trees required above are to be provided within the street setback area.</p>	Site area	Minimum requirement for trees	<700 m ²	1 medium tree and small trees to suit area	700 – 1,000 m ²	2 medium trees OR 1 large tree and small trees to suit area	>1,000 m ²	1 large tree AND 1 medium tree for each additional 400m ² in excess of 1000m ² OR 2 medium trees AND 4 small trees per 400m ²	
Site area	Minimum requirement for trees									
<700 m ²	1 medium tree and small trees to suit area									
700 – 1,000 m ²	2 medium trees OR 1 large tree and small trees to suit area									
>1,000 m ²	1 large tree AND 1 medium tree for each additional 400m ² in excess of 1000m ² OR 2 medium trees AND 4 small trees per 400m ²									
3.4 Communal open space		a) Communal open space/s should be oriented and designed to maximise northern solar access whilst also minimising direct overlooking of habitable rooms and private outdoor living areas of adjoining properties.								
3.8 Vehicle access	<p>a) A 12m rear setback is required to allow for car parking bays (adjacent and perpendicular to the rear boundary) and adjoining future two-way vehicle access connecting to Bruce Street, to reduce crossovers to Stirling Highway.</p> <p>b) Any site works within the rear 12m of the development site are to ensure levels at the lot boundaries are consistent with adjoining properties to the east and west.</p> <p>c) A condition of approval may be recommended or imposed, requiring a legal agreement relating to a vehicle access easement.</p>									
4.10 Façade design	<p>a) The building line adjacent to Stirling Highway is to be provided with awnings, which*:</p> <ul style="list-style-type: none">i. Are setback a minimum of 1m from the kerbline;ii. Are a minimum of 2m in depth, projecting from the building line (may be reduced to achieve 1m setback from kerbline);iii. Are a minimum height of 3m and a maximum height of 3.5m from the level of the footpath;iv. Respond to any existing/proposed trees; andv. integrate with the design of the façade.									
4.14 Mixed Use	Developments with no residential component may be supported within this precinct.									

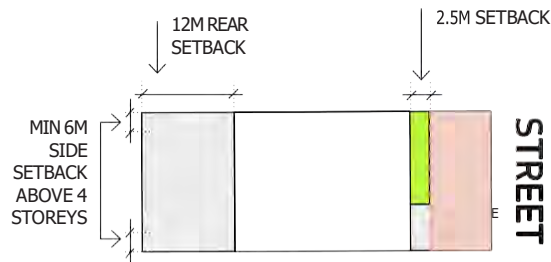
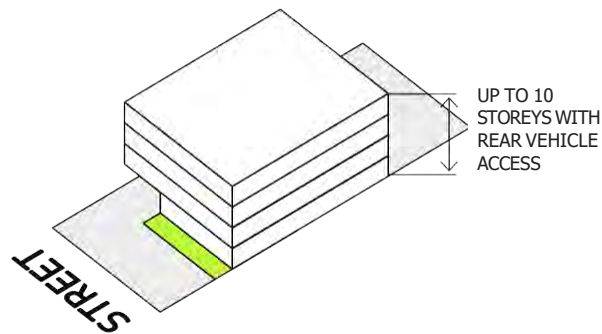
* The City may impose/recommend a condition of development approval for a Deed of Indemnity being entered into between the City and the proponent, at the proponent's cost.

* The City may impose/recommend a condition of development approval for a Deed of Indemnity being entered into between the City and the proponent, at the proponent's cost.



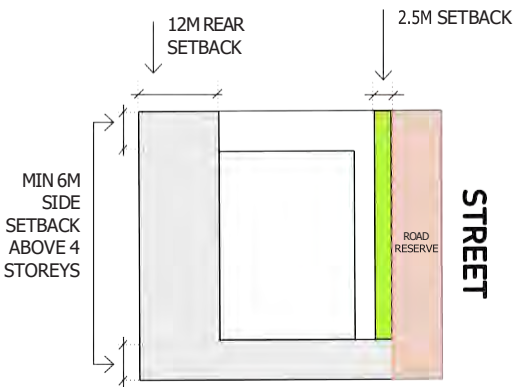
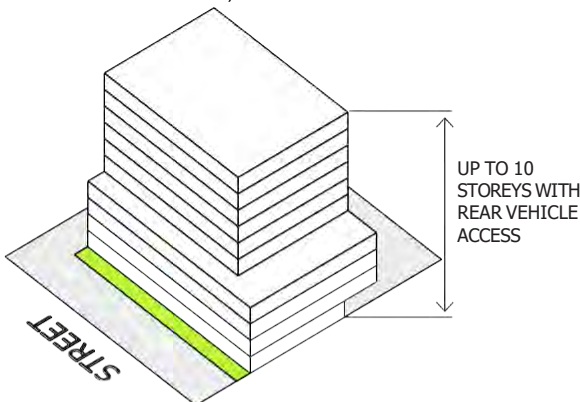
APPLICABLE R-CODES

R-AC1 LOTS
(SINGLE SITE)



DEEP SOIL AREA LARGE TREE MEDIUM TREE SMALL TREE

R-AC1 LOTS
(AMALGAMATED SITE)



DEEP SOIL AREA LARGE TREE MEDIUM TREE SMALL TREE

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5.3 Broadway Main Street (Mixed Use R-AC1 and R-AC3)**5.3.1 Existing Character Statement**

Broadway is comprised of three existing nodes of activity, with areas of lower intensity in between. This sub-precinct extends from Stirling Highway in the north to Esplanade in the south and shares a border with the City of Perth to the east. In addition to being serviced by two standard bus routes, Broadway forms part of the Purple CAT (Central Area Transit) bus route, which provides frequent, free connections between Elizabeth Quay Bus Station, QEII Medical Centre and the University of Western Australia.

The three existing nodes of activity along Broadway are characterised as follows:

Broadway North	Low-to-medium-rise, fine-grain retail, café and office activity between Stirling Highway and Edward Street. This node generally features buildings with nil or reduced setbacks, providing limited opportunity for landscaping within the front setback. Minimal street trees are present, though pedestrian comfort is provided by awnings over the footpath and separation from the road by parallel parking bays. Some alfresco dining is provided.
Broadway Central	Scattered retail and café activity in the vicinity of the Broadway Fair Shopping Centre. This node is characterised by semi-mature street trees.
Broadway South	Retail, café, office, multi-residential and hotel activity south of Hillway. Built form intensity in this node increases up to 6 storeys towards the river. Nil or reduced street setbacks generally provide limited opportunity for landscaping within the front setback, with the exception of the Steve's Hotel site at corner of The Avenue, where increased setbacks (up to 20m) provide opportunity for car parking, landscaping , and alfresco dining.

The areas between these activity nodes are dominated by low-rise, detached single houses and grouped dwellings with increased **street setbacks**, where mature street trees provide shade and contribute to pedestrian amenity. Greater levels of open space, with generous front and rear setbacks, provide space for significant areas of **landscaping** and the presence of small to large-sized mature trees. Lots between Edward Street and Elizabeth Street experience significant level rise up from Broadway towards Kingsway (up to 10m elevation gain). This gradient, combined with large **street setbacks**, has created some areas with poor street interface to Broadway, where dwellings are set far back into the lot and the street interface is characterised by high retaining walls and garages.

Since the gazettal of LPS 3 in 2019, there have been several development approvals issued for mixed-use developments along Broadway. Some of those sites with development approval have undergone demolition in preparation for construction. If constructed, these developments will start to contribute to an emerging higher-density, urban character along Broadway.

5.3.2 Desired Future Character Statement

Broadway will be developed as a high-density urban centre. The massing and scale of new developments will be proportional to lot size and will frame the street. New development will be massed towards Broadway and will be designed to account for topographical differences between Broadway and Kingsway, in order to minimise building bulk impacts on the R60 properties to the rear.

The street interface of new developments will contribute to pedestrian comfort and will provide opportunity for passive surveillance over the street. Tenancies for ground floor non-residential uses will be suitably proportioned to provide a meaningful contribution to street activation. The interface of new development with the lower-density residential areas to the rear will be sensitively managed through generous setbacks, as well as areas of deep soil and tree plantings. Blank, imposing façades are to be avoided.

The sub-precinct will provide for a diversity of dwelling configurations and sizes which provide for a range of household types. Single house and grouped dwelling developments are not appropriate within this sub-precinct.

5.3.3 Primary Controls

Acceptable Outcomes are likely to assist in satisfying the Objectives but are not a comprehensive 'deemed-to-comply' list. To achieve the outcomes described within the Desired Future Character Statements, proposals may require additional and/or alternative design solutions in response to the site conditions, streetscape and design approach. Guidance is provided within the applicable Design Guidance section.

AO	Primary Control	Acceptable Outcome
AO 5.1	Building height¹	Maximum 6 storeys (21m)
AO 5.2	Primary and secondary street setback	<u>≤2 storeys</u> Mandatory nil <u>3-4 storeys</u> Minimum 4m <u>≥5 storeys</u>

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		Minimum 6m
AO 5.3	Side setbacks^{2,3}	<u>≤2 storeys</u> Nil <u>– 4 storeys</u> Minimum 3m <u>≥5th storeys</u> Minimum 5m ⁶
AO 5.4	Rear setback²	<u>≤3 storeys</u> Minimum 6m <u>≥4 storeys</u> Minimum 9m
AO 5.5	Boundary walls^{2,3}	<ul style="list-style-type: none"> Maximum 2 storeys (7m)⁵ in height Unlimited length To up to two lot boundaries (not including street boundaries)

- 1 Subject to indicative building heights outlined in Table 2.2 of R-Codes Vol. 2. Maximum overall building height inclusive of rooftop articulation.
- 2 Boundary setbacks will also be determined by provisions for building separation, **deep soil areas** and visual privacy within R-Codes Vol. 2 and this LPP, and building separation provisions of the National Construction Codes.
- 3 Wall may be built up to a lot boundary, where it abuts an existing or simultaneously constructed wall of equal or greater proportions.
- 4 Service areas (such as lifts and stairs) may intrude into the side setback area for a maximum width (parallel to the lot boundary) of 12m.
- 5 Subject to indicative building heights outlined in Table 2.2 of R-Codes Vol.2, excluding 2m provision from rooftop articulation.

5.3.4 ACCEPTABLE OUTCOMES AND DESIGN GUIDANCE

	Acceptable outcomes (AO) In accordance with section 1.2.2 and 1.2.3 of the R-Codes Vol. 2, the below provisions amend or replace acceptable outcome provisions in the R-Codes Vol. 2 (refer to Broadway LPP – Relationship to R-Codes).	Design guidance (DG) Design guidance provides additional direction for applicants to ensure that proposals are contextually appropriate for the specific sub-precinct.								
2.3 Street setbacks	a) Balconies may project into the street setback area, up to a maximum 2m intrusion.	a) Increased street setbacks may be considered where required for the provision of streetscape amenities, including, but not limited to, seating, landscaping , tree retention or provision, visitor bicycle parking and recessed pedestrian entries.								
3.3 Tree canopy and deep soil areas	<p>a) Deep soil areas and trees plantings are to be provided within the rear setback area, creating a landscaped buffer between the proposed development and the adjoining lower density site/s.</p> <p>b) The development is to include the minimum number of trees outlined below.</p> <table><tr><th>Site area</th><th>Minimum requirement for trees</th></tr><tr><td><700m²</td><td>1 medium tree and small trees to suit area</td></tr><tr><td>700 – 1,000m²</td><td>2 medium trees OR 1 large tree and small trees to suit area</td></tr><tr><td>>1,000m²</td><td>1 large tree AND 1 medium tree for each additional 400m² in excess of 1000m² OR 2 medium trees AND 4 small trees per 400m²</td></tr></table>	Site area	Minimum requirement for trees	<700m ²	1 medium tree and small trees to suit area	700 – 1,000m ²	2 medium trees OR 1 large tree and small trees to suit area	>1,000m ²	1 large tree AND 1 medium tree for each additional 400m ² in excess of 1000m ² OR 2 medium trees AND 4 small trees per 400m ²	<p>a) Deep soil areas should be consolidated as much as possible, rather than being provided as multiple smaller areas.</p> <p>b) Where hard surfaces are proposed within outdoor living areas, permeable finishes such as gravels or permeable paving should be considered in order to reduce stormwater run-off.</p>
Site area	Minimum requirement for trees									
<700m ²	1 medium tree and small trees to suit area									
700 – 1,000m ²	2 medium trees OR 1 large tree and small trees to suit area									
>1,000m ²	1 large tree AND 1 medium tree for each additional 400m ² in excess of 1000m ² OR 2 medium trees AND 4 small trees per 400m ²									

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3.4 Communal open space		<p>a) Communal open space/s should be oriented and screened to maximise northern solar access whilst also minimising direct overlooking of habitable rooms and private outdoor living areas of adjoining properties.</p> <p>b) The preferred location for communal open space is either:</p> <ol style="list-style-type: none"> At upper levels facing Broadway and/or a secondary street; or Collocated with deep soil areas at the rear of the development.
3.8 Vehicle access	<p>a) Vehicle access for development at the corner of Stirling Highway and Broadway is to be via Broadway and located adjacent to the southern lot boundary.</p>	
3.9 Car and bicycle parking	<p>a) Electrical vehicle charging stations are to be provided at a minimum rate of 50% of total residential bays. In addition, electrical supply and car park distribution boards are to allow for future capacity to supply electric vehicle charging points for all residential bays.</p>	<p>a) The preferred location for car parking is at-grade or at basement levels, rather than being provided above-ground (even if sleeved behind other uses).</p> <p>b) A reduction in the number of residential car bays may be considered where electric vehicles are provided for shared residential use.</p>
4.10 Façade design	<p>a) The building line adjacent to Broadway, and secondary streets where applicable, is to be provided with awnings, which*:</p> <ol style="list-style-type: none"> Are setback a minimum of 1m from the kerbline; Are a minimum of 2m in depth, projecting from the building line (may be reduced to achieve 1m setback from kerbline); Are a minimum height of 3m and a maximum height of 3.5m from the level of the footpath; Respond to any existing/proposed trees; and integrate with the design of the façade. <p>b) New developments are required to have an active frontage to Broadway, and secondary streets where applicable, in accordance with Clause 32.4 (3) of Local Planning Scheme No. 3.</p>	<p>a) The following guidance is provided to achieve active frontages:</p> <p>Include:</p> <ul style="list-style-type: none"> Articulated and detailed facades, which create finer grain detail Variety of façade elements, such as operable windows and doors, stall risers, sills, seating and other detailing Variety of materials, colours, textures and depths Clearly defined, recessed pedestrian entry Incorporation of landscaping to soften the street interface and provide screening to areas of blank facade Well integrated signage Security measures, where provided, are to be: <ul style="list-style-type: none"> Located and installed internally behind the glazing; and Transparent and visually permeable to allow views inside the building and enable internal light sources to be seen from the street <p>Avoid:</p> <ul style="list-style-type: none"> Unarticulated floor-to-ceiling glazing Heavily tinted glazing which obscures views between the interior and exterior of the building (any tinting should have a minimum of 70% visible light transmission) Blank, monotonous facades Facades dominated by vehicle entries, parking areas or services/utilities (whether screened or unscreened) Facades dominated by advertising signage

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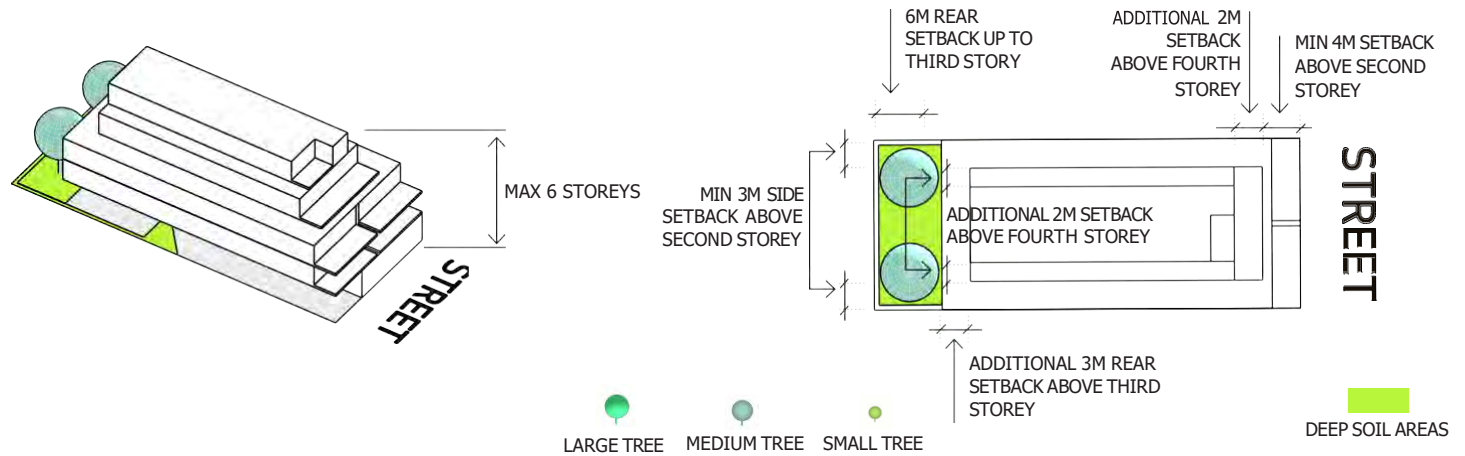
4.14 Mixed use	<p>a) An active land use/s is to be provided at ground level, facing Broadway.</p> <p>b) Any non-active land uses are to be located above ground floor.</p> <p>c) Ground floor tenancies are to be designed to allow for ease of change to other non-residential uses, including those requiring grease traps and exhaust fans.</p> <p>d) The combined net lettable area of commercial ground floor spaces is to meet the requirements set out in the table below:</p> <table><tr><th>Development Site</th><th>Minimum net lettable area</th></tr><tr><td>Single lot</td><td>70m²</td></tr><tr><td>Two or more adjoining lots fronting Broadway</td><td>60m² per lot</td></tr></table> <p>e) The above requirements are in addition to the minimum tenancy depth of 10m, as per Clause 32.4 (4) Local Planning Scheme No. 3.</p>	Development Site	Minimum net lettable area	Single lot	70m ²	Two or more adjoining lots fronting Broadway	60m ² per lot	<p>a) The following are the preferred active land uses:</p> <ul style="list-style-type: none">• Amusement parlour• Convenience store• Liquor store – small• Lunch bar• Recreation – private• Restaurant/café (including those with a takeaway component)• Shop• Small bar
Development Site	Minimum net lettable area							
Single lot	70m ²							
Two or more adjoining lots fronting Broadway	60m ² per lot							
<p>* The City may impose/recommend a condition of development approval for a Deed of Indemnity being entered into between the City and the proponent, at the proponent's cost.</p>								

BROADWAY MAIN STREET SUB-PRECINCT

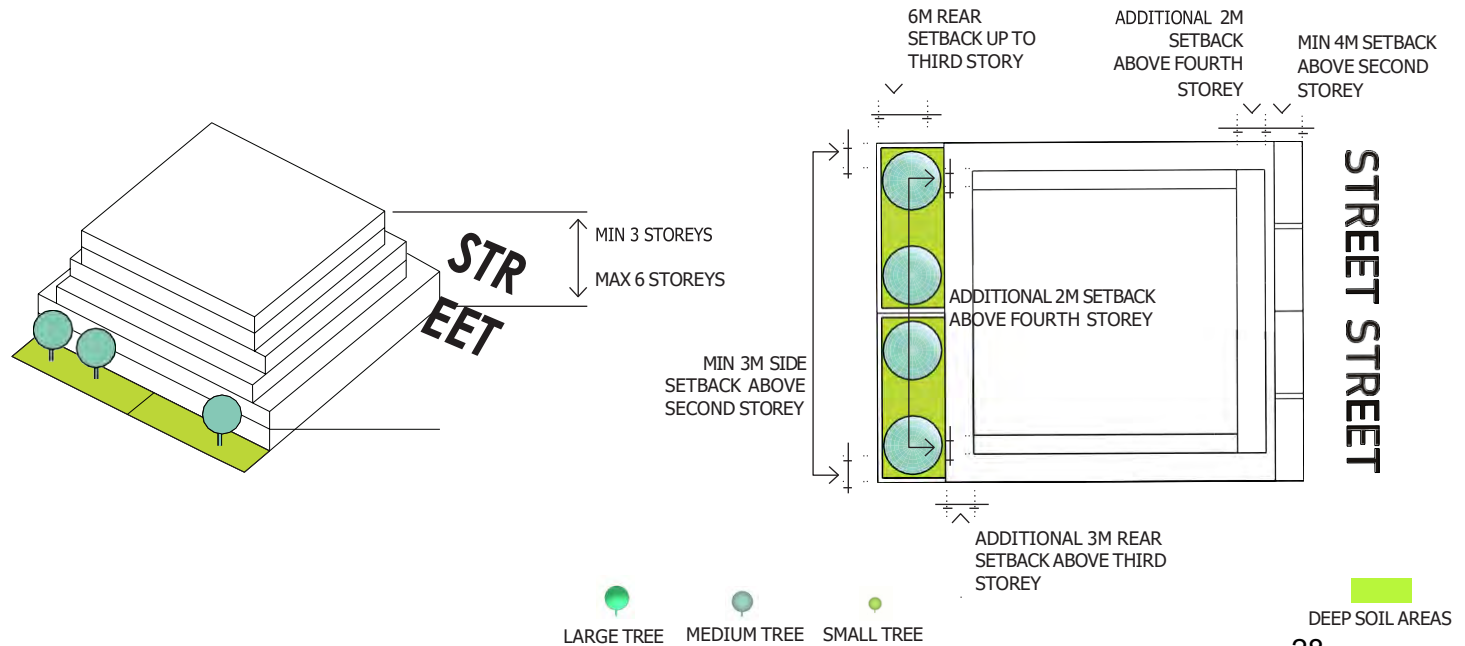
PD11.03.23 - Attachment 1



R-AC1 AND R-AC3 BROADWAY MAIN STREET (SINGLE SITE)



AMALGAMATED SITES



6 Definitions

Terms used in this Policy are defined as per State Planning Policy 7.3 Residential Design Codes Volume 1 and Volume 2, unless otherwise specified below:

Active land use: Land uses which generate many visits, in particular pedestrian visits, over an extended period of the day. Active land uses provide opportunity for spontaneous encounters between neighbours and visitors to the precinct.

Active frontage: Street frontages where there is an active visual engagement between those in the street and those on the ground and upper floors of buildings. Active frontages can provide informal surveillance opportunities and often improve the vitality and safety of an area.

Deep Soil Area: Soft landscape area on lot with no impeding building structure or feature above or below, which supports growth of medium to large canopy trees and meets a stated minimum dimension. Used primarily for landscaping and open to the sky, deep soil areas exclude basement car parks, services, swimming pools, tennis courts and impervious surfaces including car parks, driveways and roof areas.

Landscaping: Land developed with garden beds, shrubs, and trees, or by the planting of lawns, and includes planting-on-structure, rockeries, ornamental ponds and any other such area approved of by the decision-maker as landscaped area.

Significant existing tree: an existing tree that meets the following criteria:

- healthy specimens with ongoing viability; and
- species is not included on a State or local area weed register; and
- height of at least 4m; and/or
- trunk diameter of at least 160mm, measured 1m from the ground; and/or
- average canopy diameter of at least 4m.

Street setback: The horizontal distance between the street boundary and a building, measured at right angles (90 degrees) to the street boundary.





Appendix 1 – Energy efficiency initiatives

Examples of energy efficient initiatives that exceed current minimum practice are provided below. Applicants are encouraged to propose other innovative solutions where supported by evidence demonstrating how minimum practice is exceeded:







- Ceiling fans to all habitable rooms
- Hot water systems that are more energy efficient than electric storage units
- Provision of an external clothesline to every dwelling, located in an area out of direct view on an external wall or in a breezeway
- Use of a photovoltaic array for communal services
- Installation of a lift with regenerative braking
- Solar powered lighting of external open space, circulation areas and common spaces.
- Battery backup for PV generated power
- Embedded network for power distribution
- Grey water recycling
- On-site green waste recycling and/or power generation
- Electric vehicle charging
- Shared electric vehicles
- Rainwater harvesting

Draft Broadway Precinct Design Response - Local Planning Policy

Appendix 2 – Facades and materials

Residential Sub-Precinct	
Key elements	
<ul style="list-style-type: none">• Verandahs, eaves, balconies and awnings• Boundary walls concealed behind streetscape• Frontages not dominated by garages• Highly articulated frontages, with minimal blank facades	<ul style="list-style-type: none">• Use of contrasting façade treatments, including brick, render, timber and gable ends• Building façade uses both rectangular and arched elements• High quality, durable materials• Low or open style front fencing
Examples of key elements within the sub-precinct and surrounds	
<div></div>	
Examples of key elements in new developments	
<div></div>	

Draft Broadway Precinct Design Response - Local Planning Policy

Stirling Highway Sub-Precinct	
Key elements	
<ul style="list-style-type: none">• Variety of colours and materials, including brick, render, glazing and cladding• Well-defined and recessed pedestrian entries• Incorporation of planter boxes, trees and small areas of deep soil	<ul style="list-style-type: none">• Upper floors address the street and provide opportunity for passive surveillance• Parking structures and vehicle access ways designed so that they do not dominate the street frontage
Examples of key elements within the sub-precincts and surrounds	
<div></div> <div></div> <div></div> <div></div> <div></div> <div></div>	
Examples of key elements in new developments	
<div></div> <div></div> <div></div> <div></div>	

Draft Broadway Precinct Design Response - Local Planning Policy

Broadway Main Street Sub-Precinct	
Key elements	
<ul style="list-style-type: none">• Fine-grain, pedestrian-scaled shop fronts• Variety of colours, materials and façade elements (stall risers, sills, seating etc.) to create visual interest for the street• Use of glazing allows for visual interaction between the building and the street• Incorporation of planter boxes	<ul style="list-style-type: none">• Well-defined and recessed pedestrian entries• Awnings over the footpath• Upper floors address the street and provide opportunity for passive surveillance• Parking structures and vehicle access ways designed so that they do not dominate the street frontage
Examples of key elements within the sub-precincts and surrounds	
	
Examples of key elements in new developments	
	

Draft Broadway Precinct Design Response - Local Planning Policy

Appendix 3 – Parking requirements

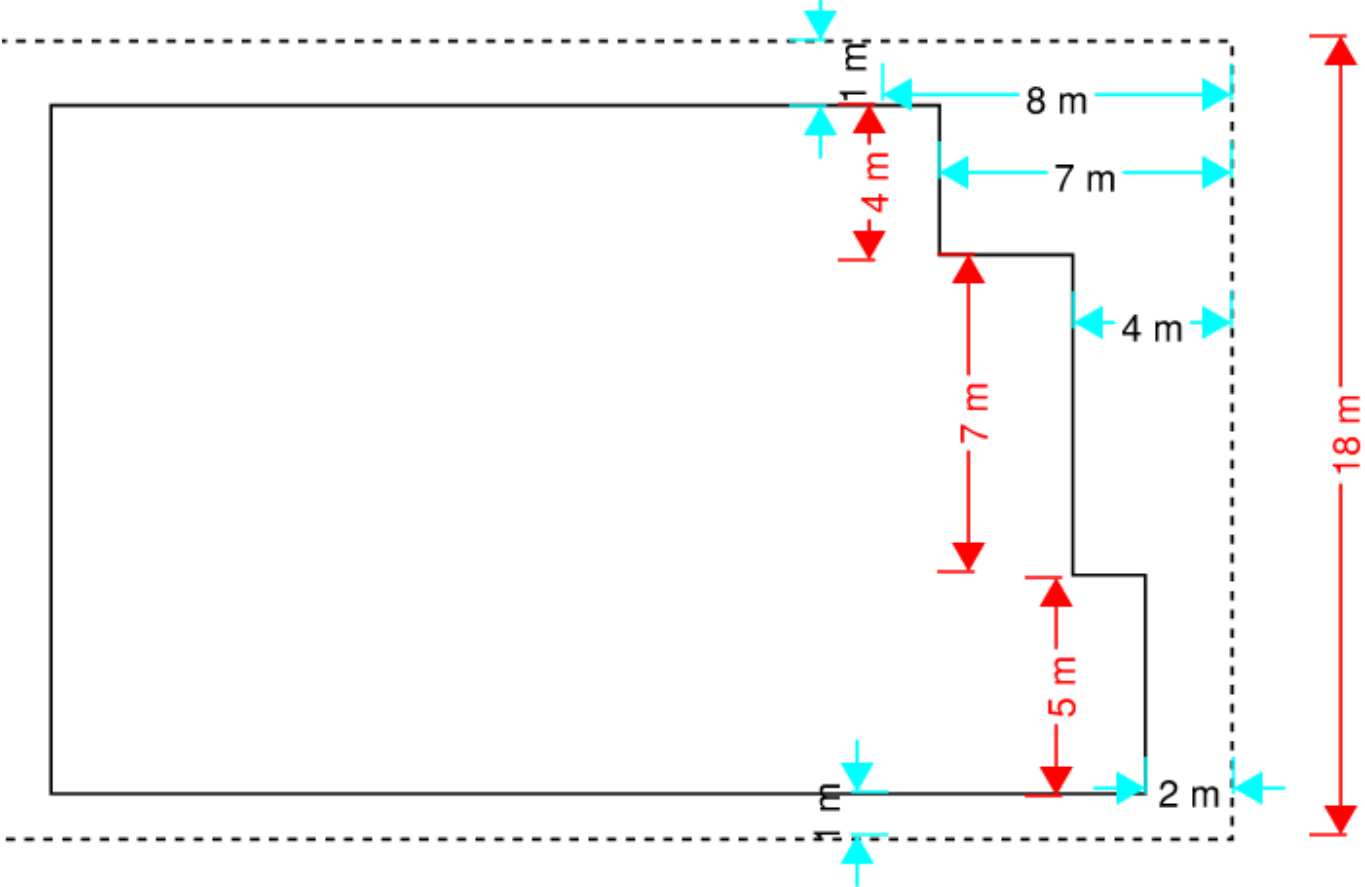
Land use	Minimum number of car parking bays required		Minimum number of bicycle bays required
Amusement parlour	1 car bay per 5 patrons at capacity; and 1 car bay per 2 staff members		1 bicycle space per 50m ² of NLA
Convenience store Liquor store – small Restaurant/café Shop	1 car bay per 30m ² of NLA		1 bicycle space per 30m ² of NLA
Recreation – private	1 car bay per 20m ² of NLA		1 bicycle space per 50m ² of NLA
Small bar Tavern	1 car bay per 20m ² of NLA (inclusive of dining areas and function rooms)		1 bicycle space per 30m ² of NLA
Art gallery Exhibition centre	1 car bay per 30m ² of NLA		1 bicycle space per 200m ² of NLA
Educational establishment	Pre-primary	1 car bay per staff member + 1 drop off/pick up bay per classroom	Nil
	Primary	1.25 car bays per classroom + 1 drop off/pick up bay per classroom	1 space per 5 students
	Secondary	3 car bays per classroom + 1 drop off/pick up bay per classroom	1 space per 5 students
	Tertiary / Technical	1.25 car bays per classroom + one bay per 3.5 students + 1 drop off/pick up bay per classroom	1 space per 10 students
Consulting room Medical centre	3 car bays for each practitioner In addition to the above, 2 car bays for each practitioner in excess of 2 practitioners		1 bicycle space per 10 car parking bays
Office	1 car bay per 40m ² of NLA		1 bicycle space per 200m ² of NLA
Notes: <ul style="list-style-type: none">NLA = net lettable areaThe number of parking spaces calculated shall be rounded to the nearest whole number.The required bicycle spaces are to be clearly visible and directly accessible from the primary street.			

Appendix 4 – Rear Averaging Methodology

Rear setback calculations are measured by calculating the length of each setback as a proportionate percentage of the length of the rear boundary. Only areas within twice the maximum average distance are included for calculation purposes.

Example:

For a rear setback requiring a minimum average of 4 metres:



Setback	Length of setback portion	Proportionate weighting ((Portion length / Total Length) x Setback
8	1	0.44
7	4	1.56
4	7	1.56
2	5	0.56
8	1	0.44
SUM TOTAL =		4.56



Schedule of Submissions

Draft Broadway Precinct Design Response – Local Planning Policy

No.	Within Precinct? Y/N	Submission	Officer Response
Objections			
1	Y	<ol style="list-style-type: none"> Insufficient transition between R-AC3 on Broadway and adjoining properties on Kingsway, resulting in loss of amenity (visual privacy and solar access) for Kingsway properties. Density on Kingsway should be increased from R60 to R80 or R160 because these properties abut R-AC3 on Broadway. Apartments are not supported on Kingsway. Single houses and grouped dwellings are more appropriate. Single houses and grouped dwellings should not be restricted to 2 storey building height – should be increased to 3 storeys. 	<ol style="list-style-type: none"> The R-Codes currently allows boundary walls. One of the key objectives of the draft policy is to improve built form transitions between areas of higher density and areas of lower density from what is currently in the R-Codes. For the transition between Broadway and Kingsway, this is addressed by increased rear setbacks, and provision of deep soil areas and trees in rear setback areas. Changes to density codes are beyond the scope of this policy. Notwithstanding, the draft policy addresses the transition between Broadway and Kingsway as described in 1 above. The policy is unable to change permissibility from that in the scheme, which allows apartments. The draft policy includes provisions for apartment developments which would ensure that they contribute to the desired future character of the Precinct, while also respecting the reflecting the existing character. Provisions for three storey grouped dwellings were not supported by Council when the draft policy was adopted for advertising, due to concern that they would not be consistent with the existing character of the area.



Schedule of Submissions

Draft Broadway Precinct Design Response – Local Planning Policy

No.	Within Precinct? Y/N	Submission	Officer Response
2	Y	<ol style="list-style-type: none"> 1. Insufficient transition between R-AC3 on Broadway and adjoining properties on Kingsway, resulting in loss of amenity (visual privacy and solar access) for Kingsway properties. 2. Density on Kingsway should be increased from R60 to R80 or R160 because these properties abut R-AC3 on Broadway. 3. Apartments are not supported on Kingsway. Single houses and grouped dwellings are more appropriate. 4. Single houses and grouped dwellings should not be restricted to 2 storey building height – should be increased to 3 storeys. 	<ol style="list-style-type: none"> 1. The R-Codes currently allows boundary walls. One of the key objectives of the draft policy is to improve built form transitions between areas of higher density and areas of lower density from what is currently in the R-Codes. For the transition between Broadway and Kingsway, this is addressed by increased rear setbacks, and provision of deep soil areas and trees in rear setback areas. 2. Changes to density codes are beyond the scope of this policy. Notwithstanding, the draft policy addresses the transition between Broadway and Kingsway as described in 1 above. 3. The policy is unable to change permissibility from that in the City's Scheme, which allows apartments. The draft policy includes provisions for apartment developments which would ensure that they contribute to the desired future character of the Precinct, while also respecting the reflecting the existing character. 4. Provisions for three storey grouped dwellings were not supported by Council when the draft policy was adopted for advertising, due to concern that they would not be consistent with the existing character of the area.



Schedule of Submissions

Draft Broadway Precinct Design Response – Local Planning Policy

No.	Within Precinct? Y/N	Submission	Officer Response
3	Y	<ol style="list-style-type: none"> Do not support 2 storey building height limit for grouped dwellings, as this will dissuade developers from building grouped dwellings. Grouped dwellings are more appropriate within the transition areas than apartments. 	<ol style="list-style-type: none"> Provisions for three storey grouped dwellings were not supported by Council when the draft policy was adopted for advertising, due to concern that they would not be consistent with the existing character of the area. The policy is unable to change permissibility from that in the City's Scheme, which allows apartments. The draft policy includes provisions for apartment developments which would ensure that they contribute to the desired future character of the Precinct, while also respecting the reflecting the existing character.
Support			
4	Y	<ol style="list-style-type: none"> Support policy provisions for R60. Further clarity needed for vehicle access for blocks with more than one street frontage. 	<ol style="list-style-type: none"> Noted. The draft policy outlines that a maximum of one vehicle access per development site is permitted. This would include sites with more than one street frontage.
Comments Only			
5	Y	<ol style="list-style-type: none"> In regards to the requirement for 50% of residential bays being provided with electrical vehicle charging points, will the electrical grid be able to support this? Further detail needed on what constitutes sustainable building materials. 	<ol style="list-style-type: none"> Upgrades to the electricity network is the responsibility of Western Power and is undertaken on an as-required basis as demand increases. Proponents will have to demonstrate sustainability outcomes to the satisfaction of the City. Criteria is not detailed as more



Schedule of Submissions

Draft Broadway Precinct Design Response – Local Planning Policy

No.	Within Precinct? Y/N	Submission	Officer Response
		3. An amusement parlour is not an acceptable land use within the Precinct.	<p>work is planned for sustainable development criteria across the whole of the City.</p> <p>3. Under the City's Scheme, an Amusement Parlour is a discretionary use in a Mixed Use zone or Neighbourhood Centre, and not permitted in a Residential zone. An Amusement Parlour facing Broadway will have to demonstrate it will not harm the amenity of adjoining properties to be considered.</p>
6	N	1. Kingsway should not be included within the precinct.	1. The Broadway Precinct includes those areas which were up-coded under Local Planning Scheme No. 3, which includes properties on Kingsway. The intent is to improve built form outcomes across these areas from the current R-Codes requirements.
7	N	1. Following amendments should be made: <ol style="list-style-type: none"> 2m front setback for first 2 storeys, 9m setback for upper floors 6m rear setback 20% landscaping requirement 	1. The built form controls have been carefully created through a series of modelling exercises and community engagement to try to balance the development potential with built form outcomes that reflect the existing streetscape. Setbacks that substantially impede development are unlikely to be upheld on appeal, especially as the City's modelling to date does not support such an outcome. Streetscape, rear setbacks and deep soil areas are the priorities. 20% landscaping requirement is within the policy



Schedule of Submissions
Draft Broadway Precinct Design Response – Local
Planning Policy

No.	Within Precinct? Y/N	Submission	Officer Response
		<p>2. Justification for above amendments:</p> <ul style="list-style-type: none">a. More attractive streetscapeb. Greater privacyc. Restriction of basement in front and rear to support deep soil areasd. Screening of new development by trees	<p>2. True deep soil areas are those which have no building underneath. However, a proponent may be able to demonstrate that trees or other vegetation on top of a basement could thrive provided the soil is deep enough, in which case the basement would have no impact on vegetation or streetscape. The intent of the increased setbacks and vegetation criteria is to see development introducing more landscaping for screening.</p>

16.7 PD12.03.23 Consideration of Development Application – Residential - Four Grouped Dwellings at 10 Louise Street, Nedlands

Meeting & Date	Council Meeting – 23 March 2023
Applicant	Sincerity Development Pty Ltd
Information Provided	All relevant information required for this assessment has been provided by the applicant.
Employee Disclosure under section 5.70 Local Government Act 1995	The author, reviewers and authoriser of this report declare they have no financial or impartiality interest with this matter. There is no financial or personal relationship between City staff involved in the preparation of this report and the proponents or their consultants.
Report Author	Roy Winslow – Manager Urban Planning
Director	Tony Free – Director Planning and Development
Attachments	1. Aerial Image and Zoning Map 2. Development Plans dated 23 February 2023 3. Architectural Perspective 4. CONFIDENTIAL ATTACHMENT - Submissions

Purpose

The purpose of this report is for Council to consider a development application for four grouped dwellings at 10 Louise Street, Nedlands. This proposal is being presented to Council for consideration due to the proposal receiving objections within the consultation period.

Recommendation

That Council in accordance with Clause 68(2)(b) of the Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015, approves the development application in accordance with the plans date stamped 23 February 2023 for four grouped dwellings at 10 Louise Street, Nedlands, subject to the following conditions:

General Conditions:

1. This approval relates only to the development as indicated on the approved plans dated 23 February 2023. It does not relate to any other development on this lot and must substantially commence within 2 years from the date of the decision letter.
2. All works indicated on the approved plans shall be wholly located within the lot boundaries of the subject site.
3. Prior to occupation of the development, a notification pursuant to Section 70A of the Transfer of Land Act 1893 shall be prepared at the expense of the owner

and registered against the Certificate of Title to the land the subject of the proposed development advising the owners and subsequent owners of the land of the following matter(s):

“This lot is situated in the vicinity of a transport corridor and is currently affected, or may in the future be affected by transport noise. Additional planning and building requirements may apply to development on this land to achieve an acceptable level of noise reduction.”

4. Prior to the issue of a building permit, a Construction Management Plan shall be submitted and approved to the satisfaction of the City. The approved Construction Management Plan shall be observed at all times throughout the construction process to the satisfaction of the City.
5. Prior to occupation, the screening on terraces for Unit 2 and Unit 3 shall be screened in accordance with the Residential Design Codes by either;
 - a. fixed and obscured glass to a height of 1.6 metres above finished floor level; or
 - b. fixed screening devices to a height of 1.6 meters above finished floor level that are at least 75% obscure and made of a durable material; or
 - c. a minimum sill height of 1.6 metres above the finished floor level; or
 - d. an alternative method of screening approved by the City of Nedlands.

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

6. Prior to occupation, walls on or adjacent to lot boundaries are to be finished externally to the same standard as the rest of the development in:
 - a. Face brick;
 - b. Painted render;
 - c. Painted brickwork; or
 - d. Other clean finish as specified on the approved plans.

And are to be thereafter maintained to the satisfaction of the City of Nedlands

7. Prior to occupation, landscaping shall be completed in accordance with the approved plans dated 23 February 2023 or any approved modifications to the satisfaction of the City of Nedlands. All landscaped areas are to be maintained on an ongoing basis for the life of the development on the site to the satisfaction of the City of Nedlands.
8. The street tree(s) within the verge in front of the lot are to be protected and maintained through the duration of the demolition and construction process to the satisfaction of the City of Nedlands. Should the tree(s) die or be damaged, they are to be replaced with a specified species at the owner's expense and to the satisfaction of the City of Nedlands.

9. Prior to occupation, the applicant is to plant one tree, with a minimum size of 35L, located on the Louise Street verge, at the expense of the applicant and to the satisfaction of the City of Nedlands.
10. All stormwater discharge from the development shall be contained and disposed of on-site unless otherwise approved by the City of Nedlands.

Voting Requirement

Simple Majority.

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

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

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

Background

Land Details

Metropolitan Region Scheme Zone	Urban
Local Planning Scheme Zone	Residential
R-Code	R160
Land area	Parent Lot: 1,012m ² Strata Lot 1: 214 m ² Strata Lot 2: 216 m ² Strata Lot 3: 217 m ² Strata Lot 4: 213 m ²
Land Use	Residential (Grouped Dwellings)
Use Class	'P' – Permitted Use

The site is located at 10 Louise Street, Nedlands and is 90m south of Stirling Highway (**Attachment 1**). The site has been recently subdivided into four strata lots and a common property driveway. The site is relatively flat with a slight fall of 0.6m from west (front) to east (rear).

The locality is predominantly characterised by single residential houses between one to two storeys. The properties in this area are coded R60 or R160 and are expected to undergo a gradual transition to a higher density and scale of development.

Application Details

The application seeks development approval for the construction of four grouped dwellings as follows:

- Units 1 and 4 are two storey, contain four bedrooms and five bathrooms and have pedestrian entries directly accessed from Louise Street.
- Units 2 and 3 are three storey, contain four bedrooms and four bathrooms and a rooftop terrace.
- All units have vehicle access via a central driveway, which has been previously created as common property by subdivision of the land into 4 strata lots.

Following the public consultation period, amended plans were submitted to the City on 7 February 2023 (**Attachment 2**) to address concerns raised. The amendments to the development proposal include:

- Reduction in roof pitch to Units 1 and 4 to increase views from the rear units to the Rose Gardens.
- Unit 2 window to stairwell on the third floor along the northern elevation amended to a highlight window.
- Unit 3 window to stairwell on the second and third floors along the southern elevation amended to a highlight window.
- Amended landscaping plan to increase landscaping in common property and use more native plant species.

Discussion

Assessment of Statutory Provisions

If a proposal does not satisfy the deemed to-comply provisions of the State Planning Policy 7.3: Residential Design Codes (R-Codes), Council is required to exercise a judgement of merit to determine the proposal against the design principles of the R-Codes. The R-Codes require the assessment to consider the relevant design principle only and to not apply the corresponding deemed-to-comply provisions. It is recommended that the application be approved by Council as it is considered to satisfy the design principles of the R-Codes. Further, it is considered unlikely that the development will have a significant adverse impact on the local amenity and character of the locality.

Local Planning Scheme No. 3

Schedule 2, Clause 67(2) (Consideration of application by Local Government) – identifies those matters that are required to be given due regard to the extent relevant to the application. Where relevant, these matters are discussed in the following sections. Overall, the development is considered to meet these objectives, particularly in regard to height, scale, bulk and appearance, and the potential impact it will have on the local amenity.

Design Review Panel

The application was reviewed by the City's Design Review Panel (DRP) on 6 December 2021 and 7 November 2022. A summary of the DRP advice is provided in the table below.

DRP Design Quality Evaluation		
	Supported	
	Further Information Required	
	Not supported	
SPP 7.0 Principles	6 December 2021	7 November 2022
1. Context and Character		
2. Landscape Quality		
3. Built Form and Scale		
4. Functionality and Built Quality		
5. Sustainability		
6. Amenity		
7. Legibility		
8. Safety		
9. Community		
10. Aesthetics		

The proposal is considered to satisfy the outstanding SPP 7.0 design principles for the following reasons:

Context and Character

The surrounding locality is comprised of properties with an R160 code. The proposal appropriately responds to the characteristics typical of this density code. Additionally, the proposal features an increased primary street setback to respond to the existing character and development pattern of the street.

Landscape Quality

An amended landscape plan was provided following the DRP meeting to respond to the comments from the panel. Additional greenery was provided on site and along the common property driveway as well as the use of more native plant species. The proposal provides a balance of hard and soft landscaping features and meets the deemed-to-comply landscaping provisions of the R-Codes.

Built Form and Scale

The DRP comments on this principle noted that the development pushes building bulk to the external lot boundaries due to a centralised common property driveway. Given that the lot is already subdivided into this arrangement, it is acknowledged that this is difficult to mitigate. The elevations of the proposal have been designed with multiple articulations and openings to each storey which aids in the impact of building bulk. The three storey units are located to the rear of the site to minimise the impact of bulk and scale on the streetscape. The scale of the development does not adversely impact adjoining neighbours in terms of overshadowing or overlooking. On balance the proposal presents a built form and scale which is appropriate to the R160 code.

Sustainability

It is important to note that there are no specific sustainability requirements for grouped dwellings in accordance with the R-Codes. Notwithstanding, the development proposes that all dwellings will have a minimum energy rating of 7 stars as per the Nationwide House Energy Rating Scheme. Additionally waterwise plants are proposed to be installed throughout the development, with use of Australian native tree and plant species.

Amenity

The DRP comments on this principle noted concerns with the upper floor windows to habitable rooms which rely on highlight windows or opaque glazing, as this affects natural light, access to ventilation and outlook. Concerns were also noted regarding access to northern sunlight. Whilst the City acknowledges the validity of these concerns, there are currently no provisions in the currently operating R-Codes Volume 1 which address natural ventilation and solar access for residents of the development. The applicant has responded to some comments of the DRP by increasing the landscaping along the common property driveway to create an attractive view for occupants and from the streetscape. The roof pitch to Units 1 and 4 has also been decreased from 25 degrees to 18 degrees to increase views from the rear units to the Rose Gardens.

Aesthetics

The proposal is a contemporary design with contrasting renders and varying materials throughout the site. The design complements other approved developments in the immediate vicinity

State Planning Policy 7.3 - Residential Design Codes – Volume 1

The R-Codes apply to all single and grouped dwelling developments. An approval under the R-Codes can be obtained in one of two ways. This is by either meeting the deemed-to-comply provisions or via a design principle assessment pathway.

The proposed development is seeking a design principle assessment pathway for parts of this proposal relating to street setbacks, lot boundary setbacks, outdoor living areas and parking. As required by the R-Codes, Council, in assessing the proposal against the design principles, should not apply the corresponding deemed-to-comply provisions.

Clause 5.1.2 – Street Setback

Units 2 and 3 propose a 1.0m – 1.1m setback to the common property. The design principles for communal street setbacks consider the streetscape, privacy site planning requirements and building mass. The development meets the design principles as:

- The setback is internal to the lot and has no adverse impact on any external lots or the streetscape.
- Open space achieves the deemed-to-comply provisions of the R-Codes.
- The proposal responds to site planning requirements, including vehicle access, parking, landscaping and utility services. These site planning requirements are appropriately screened from the street interface where possible.

Clause 5.1.3 – Lot Boundary Setback

Units 1 and 4 propose a 1.7m lot boundary setback on the first floor, whilst Units 2 and 3 propose a 2.0m setback on the first floor and 2.7m setback on the second floor to both the northern and southern lots. The design principles for lot boundary setbacks consider the impact of building bulk on adjoining properties, providing adequate sun and ventilation and minimising overlooking. The proposed northern lot boundary setbacks are considered to meet the design principles for the following reasons:

- The proposed lot boundary setbacks do not impede on any adjoining lot's solar access or ventilation. Solar access achieves the deemed-to-comply provisions of the R-Codes.

- The external walls feature multiple articulations along the length of the boundary, across all storeys which reduces the impact of building bulk by breaking up the mass of built form addressing the northern and southern lots.
- The proposed setbacks do not impact adjoining properties in terms of overlooking. The development satisfies the deemed-to-comply provisions of the R-Codes.
- The proposed lot boundary setbacks and boundary walls are consistent with the site's density code and a grouped dwelling proposal.

Clause 5.3.1 Outdoor Living Areas

The outdoor living areas of Units 1 and 4 are fully covered by roof. The design principles for outdoor living areas considers the space to be functional and usable, allow for winter sun and natural ventilation, the provision of landscaping and to facilitate street surveillance when in the front setback area. The development meets the design principles for the following reasons:

- The outdoor living areas for both Units 1 and 4 are directly accessible from the primary living areas of the dwellings via bi-fold doors to the living rooms.
- There is sufficient space for Unit 1 and 4 to provide for landscaping, entertaining and connection to the outdoors. There is an additional outdoor living area located on the ground floor of both units. This space is both functional and usable and consists of a covered alfresco area, along with grassed open space.
- The additional outdoor living areas positively contribute to the streetscape by enhancing the landscaping and providing passive surveillance and aids with streetscape interaction.

Clause 5.3.3 Parking

The development proposes no visitor bays. The design principles for parking consider the availability of on-street parking and the proximity of the site to public transport. The proposed parking is considered to meet the design principles for the following reasons:

- The subdivision for four lots with common property was approved by the Western Australian Planning Commission on 1 October 2021 without provision for a visitor bay in common property.
- The development exceeds the number of on-site car parking spaces to be provided per dwelling. The site is within 250m of several high frequency bus routes. Therefore, only one car parking space is required per dwelling. Each unit has been designed with the provision of two car parking bays internal to the garage. The development has proposed 8 on-site car parking bays (2 for each dwelling), resulting in a surplus of 4 bays above deemed-to-comply.
- It is noted that after 1 September 2023, with the adoption of the new State Planning Policy 7.3 Residential Design Codes Volume 1, there will be no deemed to comply requirement for a visitor bay for four grouped dwellings.

It is considered that the combination of the provision of the 2 car parking bays per dwelling, on-street parking, and the sites proximity to high frequency public transport that sufficient on-site car parking is provided for the development.

Consultation

The development application was advertised in accordance with the City's Local Planning Policy - Consultation of Planning Proposals to five adjoining properties. The application was advertised for a period of 14 days from 16 January 2023 to 30 January 2023. At the close of the advertising period, two objections were received.

The following is a summary of the concerns/comments raised and the Administration's response and action taken in relation to each issue:

1. Lot boundary setbacks should be increased to the southern lot boundary

The proposed setbacks to the south are consistent with the immediate development context and are unlikely to negatively impact the amenity of adjoining landowners or the streetscape. Refer to discussion on Clause 5.1.3 – Lot Boundary Setback.

2. Unit 3 terrace screening should be increased to 1.9m to prevent overlooking.

The terrace of Unit 3 is provided with a 1.6m high screen and meets the deemed-to-comply provisions of the R-Codes relating to visual privacy. The screening will be conditioned to ensure compliance.

3. Unit 2 first storey and Unit 3 second and third storey stairwell openings should be obscured to prevent overlooking.

The openings to the stairwell of Unit 2 and Unit 3 meet the deemed-to-comply provision of the R-Codes as they are not openings to habitable rooms. However, the applicant submitted amended plans after the advertising process to make these openings highlight windows to address this concern.

4. Concerns regarding the lack of a designated visitor car parking bay within the site.

The development proposal is seeking a judgement of merit for the visitor car parking. Refer to discussion on Clause 5.3.3 – Parking. It is noted that the WAPC approved the subdivision without the provision of a visitor car parking bay. As the lots and common property have been previously created, it is difficult to retrofit a visitor bay that is located within common property and available to all lots.

Strategic Implications

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

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

Values **Great Natural and Built Environment**
We protect our enhanced, engaging community spaces, heritage, the natural environment and our biodiversity through well-planned and managed development.

Priority Area Urban form - protecting our quality living environment

Budget/Financial Implications

Nil.

Legislative and Policy Implications

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

Decision Implications

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

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

Conclusion

The application for four grouped dwellings has been presented for Council consideration due to objections being received. The proposal is considered to meet the key amenity related elements of R-Codes Volume 1 and, as such, is unlikely to have a significant adverse impact on the local amenity of the area. The proposal has been assessed and satisfies the design principles of the R-Codes in relation to being consistent with the immediate locality and streetscape character.

Accordingly, it is recommended that the application be approved by Council, subject to conditions of Administration's recommendation.

Further Information

Question

Councillor Youngman – Condition 5, what does this relate to?

Officer Response

There is an alternative officer recommendation to defer consideration of this application. This question will be addressed in the future Council report.

Question

Can we condition a louvred roof rather than solid roof?

Officer Response

There is an alternative officer recommendation to defer consideration of this application. This question will be addressed in the future Council report.

Question

Can a copy of the design review panel report be provided to Councillors?

Officer Response

There is an alternative officer recommendation to defer consideration of this application. This question will be addressed in the future Council report.

Question

Councillor Mangano - How many lots subdivision can you have before you need a visitor bay?

Officer Response

There is an alternative officer recommendation to defer consideration of this application. This question will be addressed in the future Council report.

Question

Councillor Coghlan – can the purpose of the planning reports be expanded to include more information of what is being asked of Council?

Officer Response

There is an alternative officer recommendation to defer consideration of this application. This question will be addressed in the future Council report.

Question

Councillor Youngman – is this the first time we have had a 7-star rating? What are the changes from November 2022 until now? Please provide context on what a 7-star NatHERS rating is.

Officer Response

There is an alternative officer recommendation to defer consideration of this application. This question will be addressed in the future Council report.

Question

Councillor Bennett – Could the definition of Location A be provided and do we have enough high frequency buses?

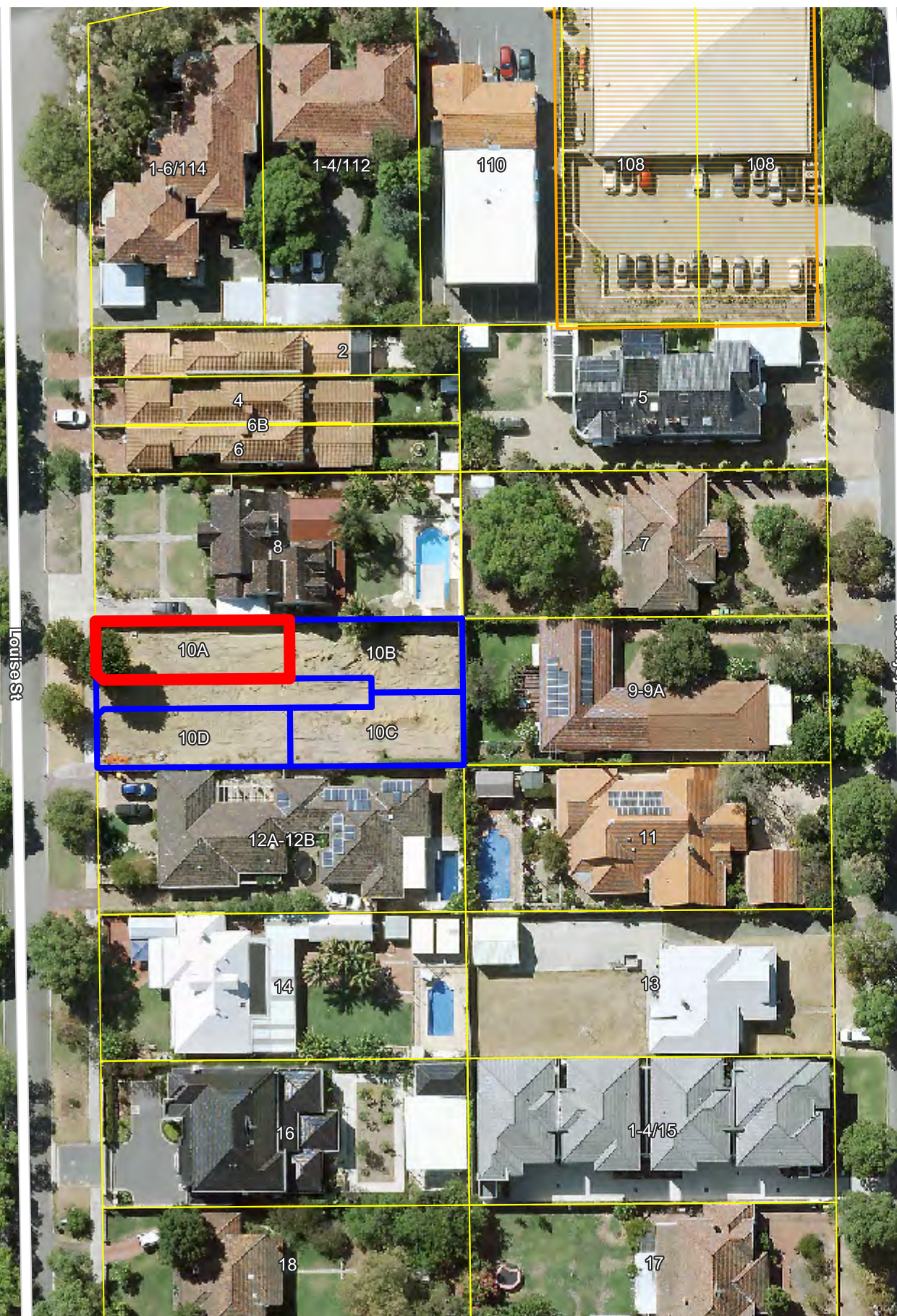
Officer Response

There is an alternative officer recommendation to defer consideration of this application. This question will be addressed in the future Council report.

Alternative Officer recommendation

Given the matters raised at the Agenda Forum meeting it is considered appropriate that this matter be deferred.

That Council defer consideration of the development application for four grouped dwellings at 10 Louise Street, Nedlands until the April 2023 Ordinary Meeting to allow for additional information to be provided.





STRATA LOT 2 - SITE COVERAGE

ZONED	R160
% ALLOWED	70%
SITE AREA	216.19m2
SITE COV. AREA	146.73m2
SITE COV. = 67.9%	
COMMON AREA (152m2 / 4)	38m2
SITE AREA + COMMON AREA	254m2
ADJUSTED SITE COVERAGE = 57.72%	

LOT 2 STORMWATER CALC.

No.	Soak Well Type
1.0 m3	1 SW 1200x900
1.4 m3	1 SW 1200x1200
2.4 m3	Total Capacity
60.4 m2	Roof Area GF
91.9 m2	Roof Area 3rd
152.3 m2	Total Area
1.9 m3	Capacity Required (Area x 0.0125)
0.5 m3	Extra Capacity Provided

City of Nedlands
Amended Plans Received
23 February 2023

STRATA LOT 2 - SITE COVERAGE

ZONED	R160
% ALLOWED	70%
SITE AREA	216.66m2
SITE COV. AREA	146.73m2
SITE COV. = 67.7%	
COMMON AREA (152m2 / 4)	38m2
SITE AREA + COMMON AREA	255m2
ADJUSTED SITE COVERAGE = 57.62%	

LOT 3 STORMWATER CALC.

No.	Soak Well Type
1.0 m3	1 SW 1200x900
1.4 m3	1 SW 1200x1200
2.4 m3	Total Capacity
60.4 m2	Roof Area GF
91.9 m2	Roof Area 3rd
152.3 m2	Total Area
1.9 m3	Capacity Required (Area x 0.0125)
0.5 m3	Extra Capacity Provided

COMMON DRIVEWAY
STORMWATER CALC.

No.	Soak Well Type
3.1 m3	3 SW 1200x900
3.1 m3	Total Capacity
0.0 m2	Roof Area GF
202.6 m2	Paved Area
202.6 m2	Total Area
2.5 m3	Capacity Required (Area x 0.0125)
0.5 m3	Extra Capacity Provided

STRATA LOT 1 - SITE COVERAGE

ZONED	R160
% ALLOWED	70%
SITE AREA	213.72m2
SITE COV. AREA	137.61m2
SITE COV. = 64.4%	
COMMON AREA (152m2 / 4)	38m2
SITE AREA + COMMON AREA	252m2
ADJUSTED SITE COVERAGE = 54.67%	

LOT 1 STORMWATER CALC.

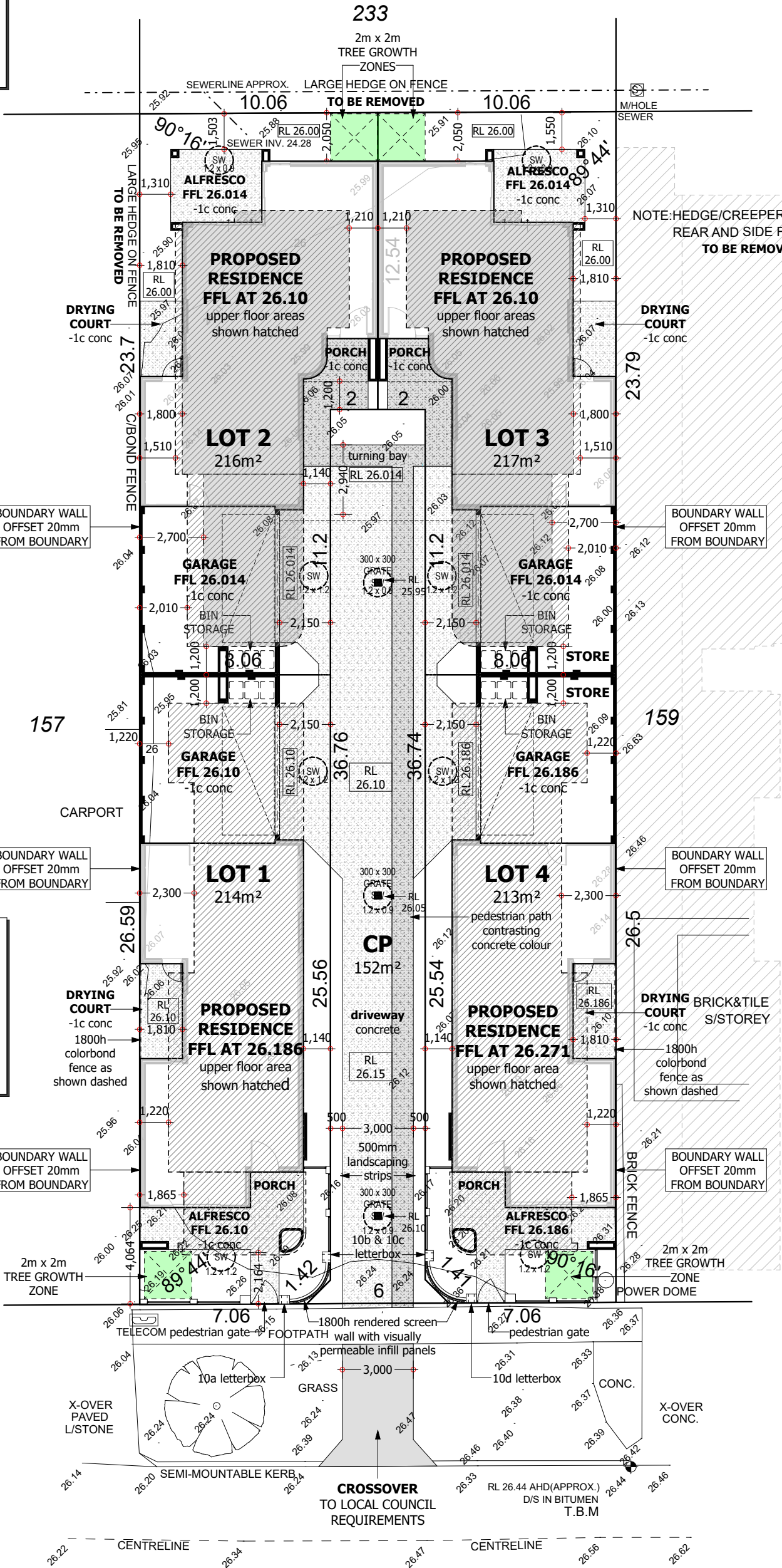
No.	Soak Well Type
2.7 m3	2 SW 1200x1200
2.7 m3	Total Capacity
35.6 m2	Roof Area GF
152.8 m2	Roof Area UF
188.5 m2	Total Area
2.4 m3	Capacity Required (Area x 0.0125)
0.4 m3	Extra Capacity Provided

STRATA LOT 4 - SITE COVERAGE

ZONED	R160
% ALLOWED	70%
SITE AREA	213.26m2
SITE COV. AREA	137.61m2
SITE COV. = 64.5%	
COMMON AREA (152m2 / 4)	38m2
SITE AREA + COMMON AREA	251m2
ADJUSTED SITE COVERAGE = 54.77%	

LOT 4 STORMWATER CALC.

No.	Soak Well Type
2.7 m3	2 SW 1200x1200
2.7 m3	Total Capacity
35.6 m2	Roof Area GF
152.8 m2	Roof Area UF
188.5 m2	Total Area
2.4 m3	Capacity Required (Area x 0.0125)
0.4 m3	Extra Capacity Provided



Site Plan - PROPOSED
1:200

LOUISE STREET



SINCERITY BUILDING GROUP
WE BUILD, YOU PROFIT

A: Unit 1, 10 Canning Hwy
South Perth WA 6151
BRN: BC 103067

CLIENT: Sincerity Building Group

SITE ADDRESS: Lot 158 (#10)
Louise Street
Nedlands

PROJECT STATUS: Concept Sketch

AMENDMENTS:

23/09/22	RS	DA
05/11/22	RS	A2 Ancillary Sheets / Soakwells
10/11/22	RS	Increased Garage Openings
21/12/22	RS	DA 2
07/02/23	RS	DA 3 Existing fence hedge removed

Site Plan
PROPOSED

SHEET: 2 of 19

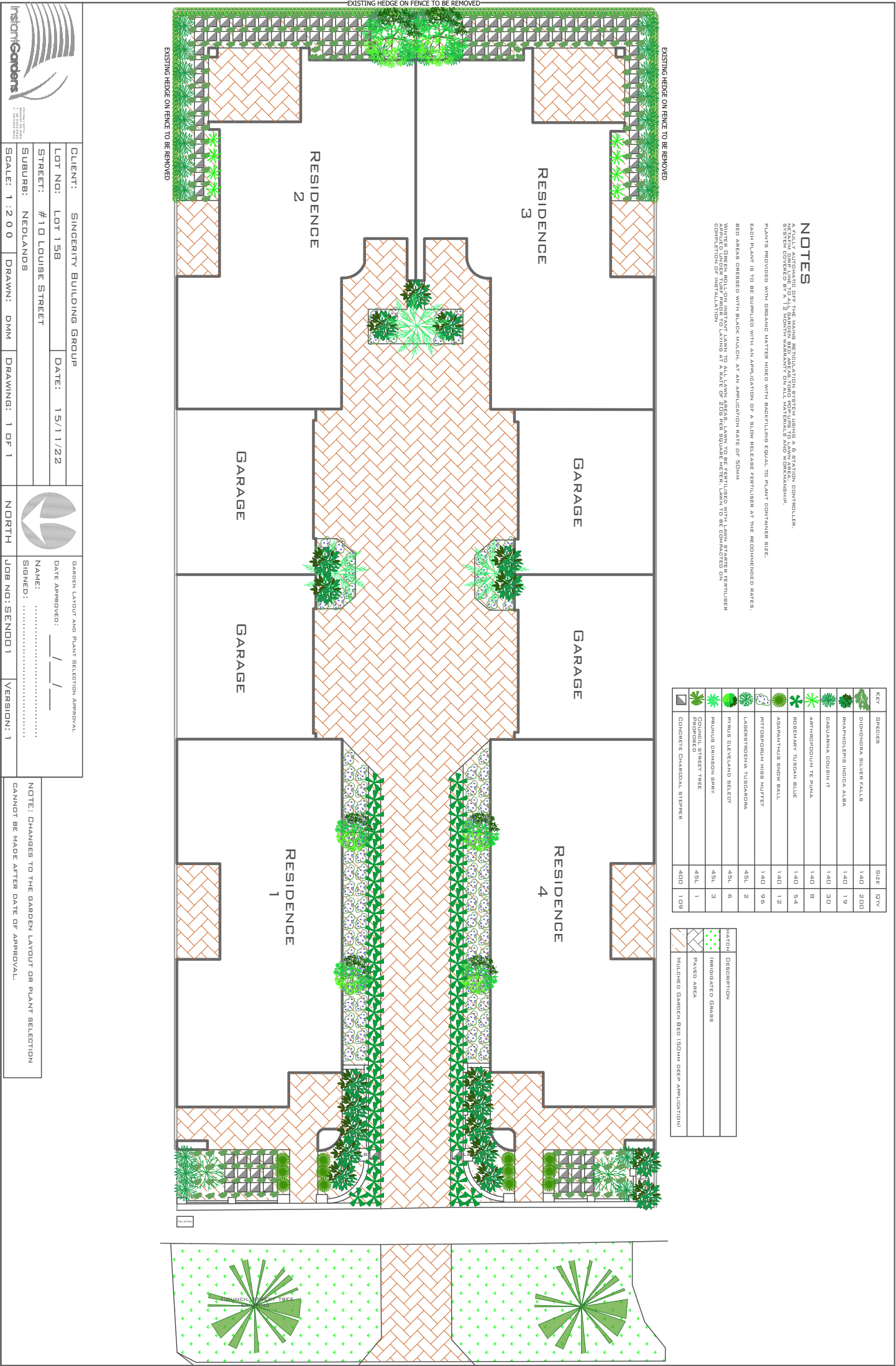
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PROJECT NO:

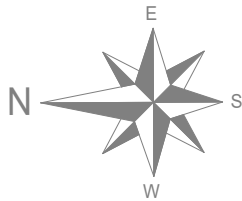
SUSTAINABILITY INITIATIVES

- PROPOSED DWELLINGS TO BE A MINIMUM ENERGY RATING OF 7 STARS THROUGH VARIOUS METHODS SUCH AS CAVITY INSULATION, DOUBLE GLAZING AND WHATEVER IS PRESCRIBED BY OUR ENERGY ASSESSMENT CONSULTANT (TO BE DETERMINED AT BUILDING PERMIT STAGE)
- PROPOSED DWELLINGS TO HAVE SOLAR PANELS AS SPECIFIED BY OUR SOLAR PANEL CONSULTANT (TO BE DETERMINED AT BUILDING PERMIT STAGE)
- ALL LANDSCAPE PLANTS SPECIES ARE AUSTRALIAN NATIVES THAT REQUIRE MINIMAL WATERING

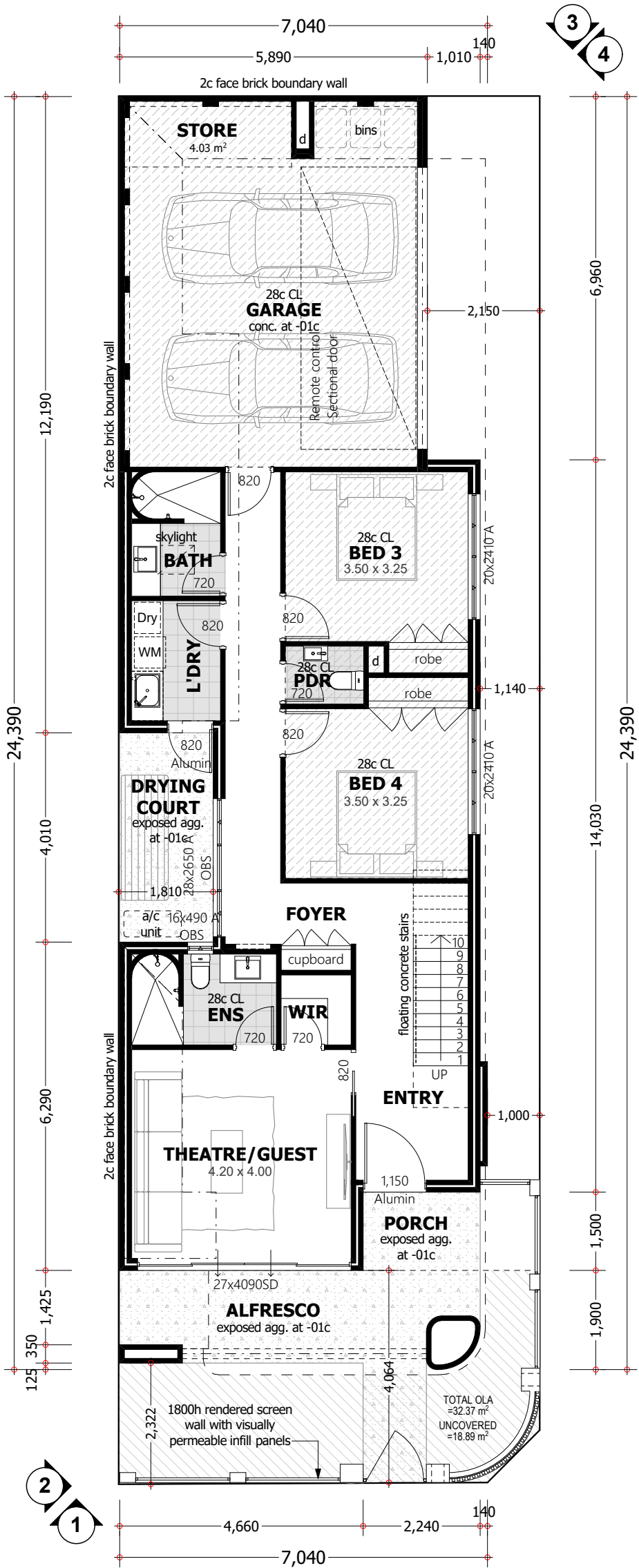
City of Nedlands
Amended Plans Received
23 February 2023



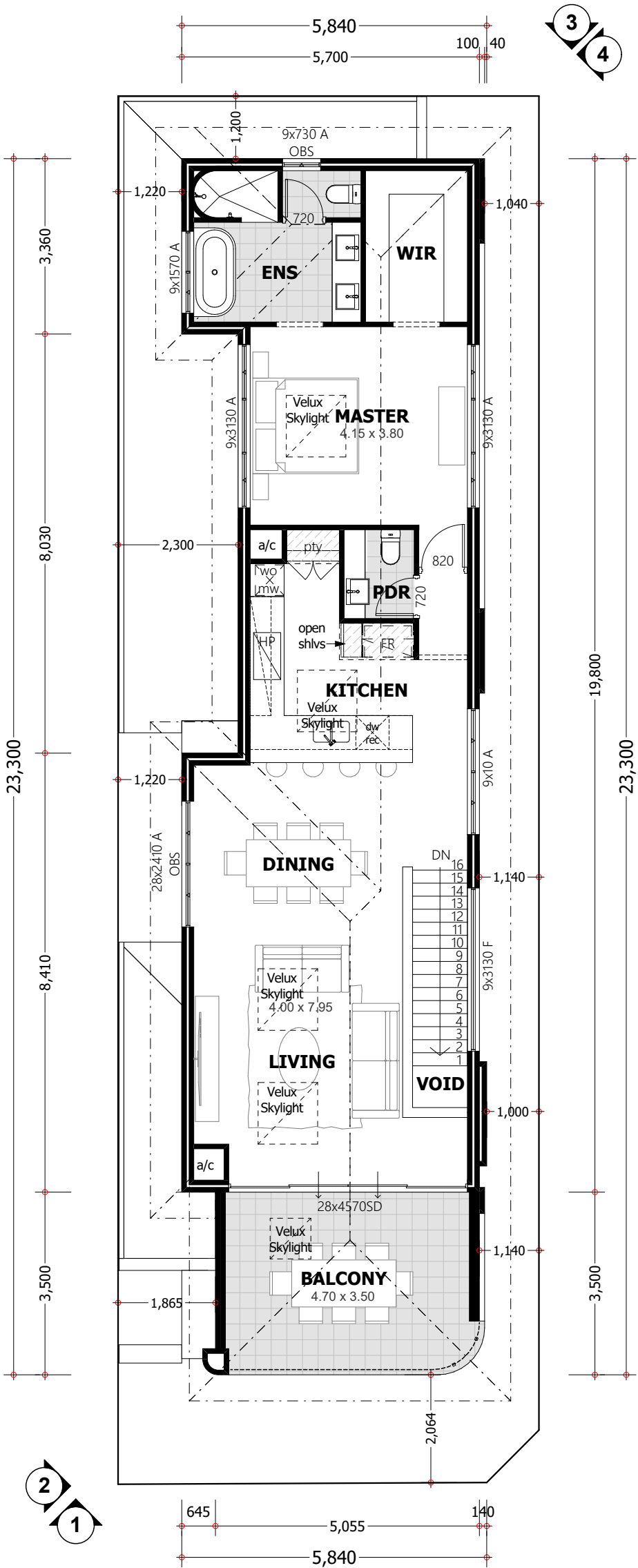
City of Nedlands
Amended Plans Received
23 February 2023



LOT 1		
Area Calc		Perimeter
FIRST FLOOR	104.19	53.16
GROUND FLOOR	95.79	48.44
GARAGE/STORE	41.82	
BALCONY	18.20	
ALFRESCO/PORCH	14.94	
	274.94 m²	
CEILINGS AT 31c THROUGHOUT UNLESS NOTED OTHERWISE		



Ground Floor
1:100



First Floor
1:100



SINCERITY BUILDING GROUP
WE BUILD, YOU PROFIT

A: Unit 1, 10 Canning Hwy
South Perth WA 6151
BRN: BC 103067

CLIENT: Sincerity Building Group

SITE ADDRESS: Strata Lot 1 (#10a)
Louise Street
Nedlands

PROJECT STATUS: DA

AMENDMENTS:		
23/09/22	RS	DA
10/11/22	RS	Increased Garage Opening
21/12/22	RS	DA 2

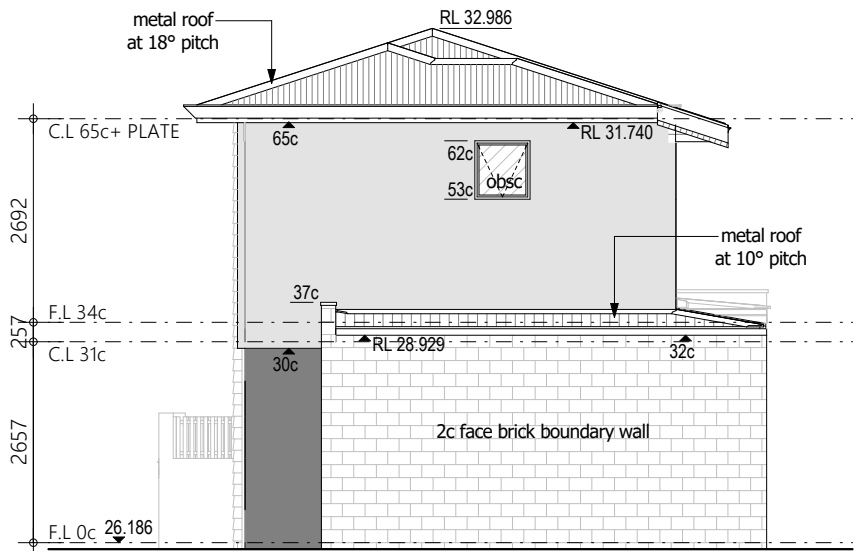
Floor Plans

SHEET: 4 of 19

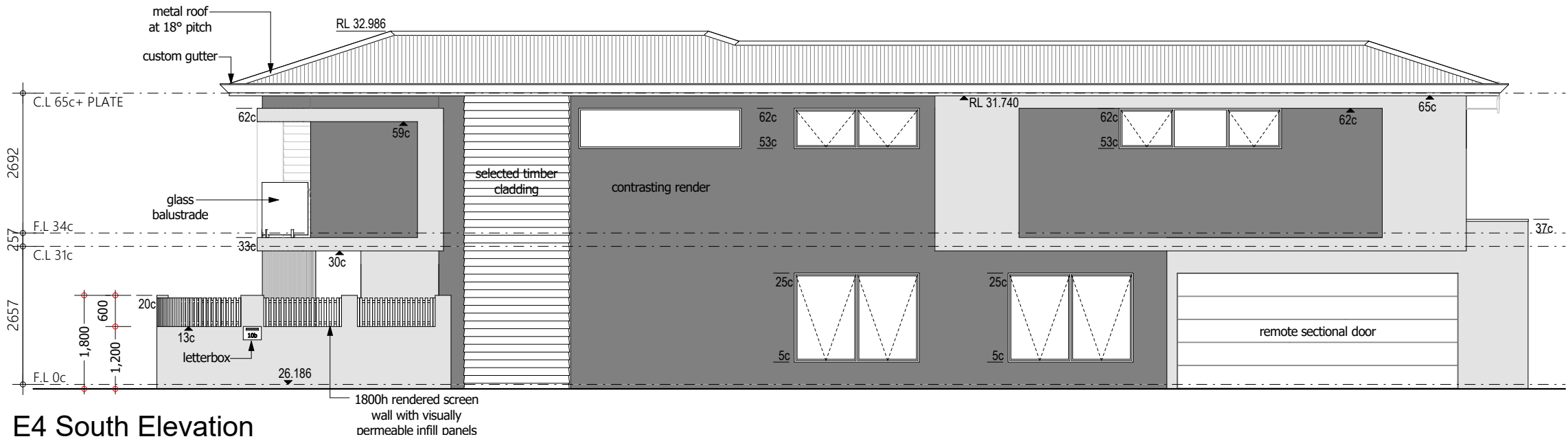
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PROJECT NO:

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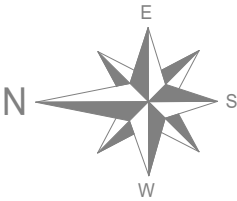


E3 East Elevation
1:100

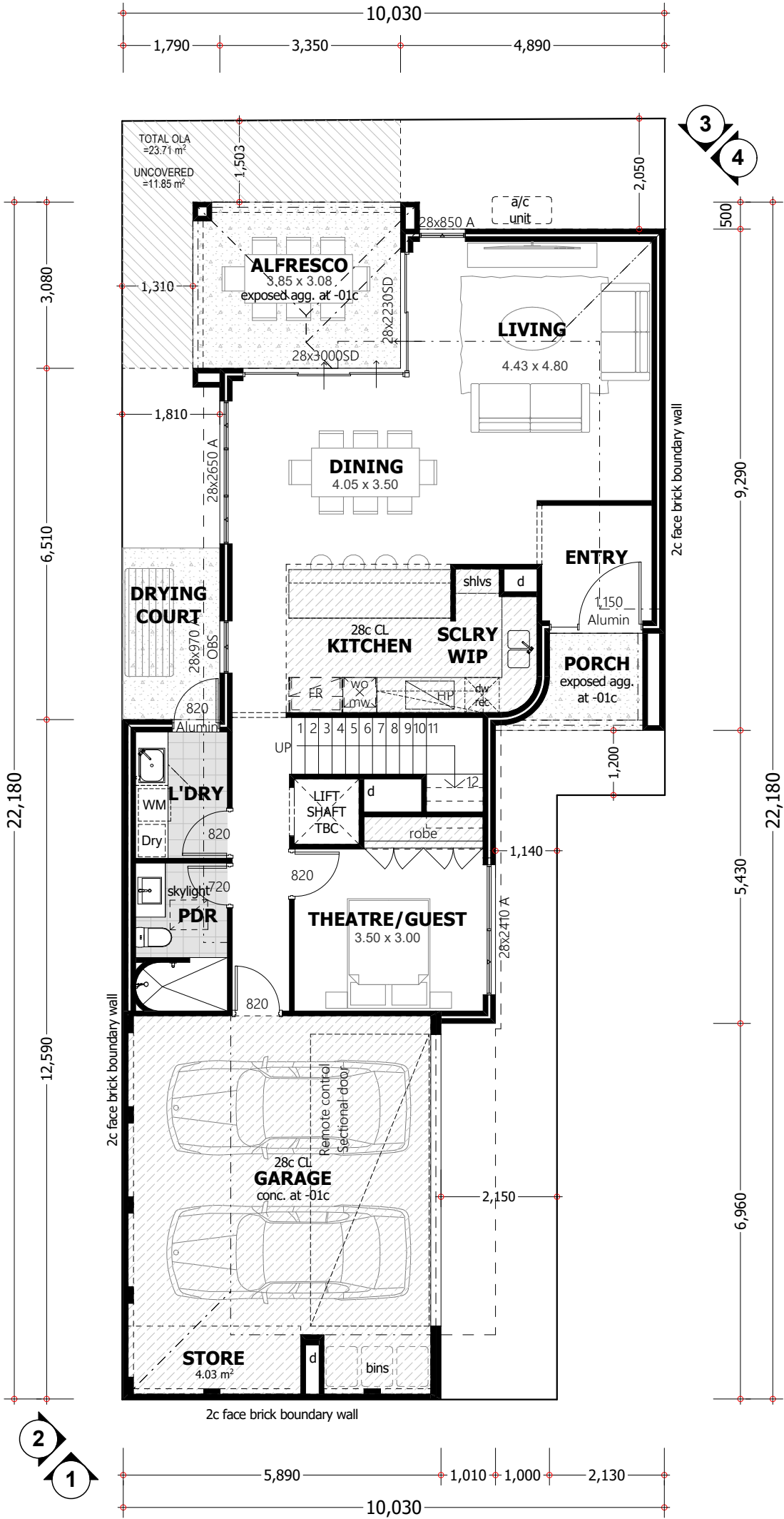


E4 South Elevation
1:100

City of Nedlands
Amended Plans Received
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LOT 2		
Area Calc		Perimeter
FIRST FLOOR	106.09	50.73
GROUND FLOOR	100.80	49.12
SECOND FLOOR	67.30	35.98
GARAGE/STORE	41.82	
ROOF TERRACE	30.50	
ALFRESCO	11.86	
PORCH	4.11	
	362.48 m ²	
CEILINGS AT 31c THROUGHOUT UNLESS NOTED OTHERWISE		



Ground Floor
1:100



SINCERITY BUILDING GROUP
WE BUILD, YOU PROFIT

A: Unit 1, 10 Canning Hwy
South Perth WA 6151
BRN: BC 103067

CLIENT: **Sincerity Building Group**

SITE ADDRESS: **Strata Lot 2 (#10b)
Louise Street
Nedlands**

PROJECT STATUS: **DA**

AMENDMENTS:		
23/09/22	RS	DA
10/11/22	RS	Increased Garage Opening
21/12/22	RS	DA 2
07/02/23	RS	DA 3 window changes

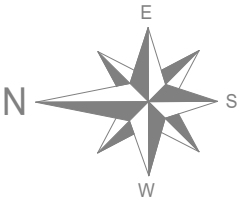
Ground Floor

SHEET: 7 of 19

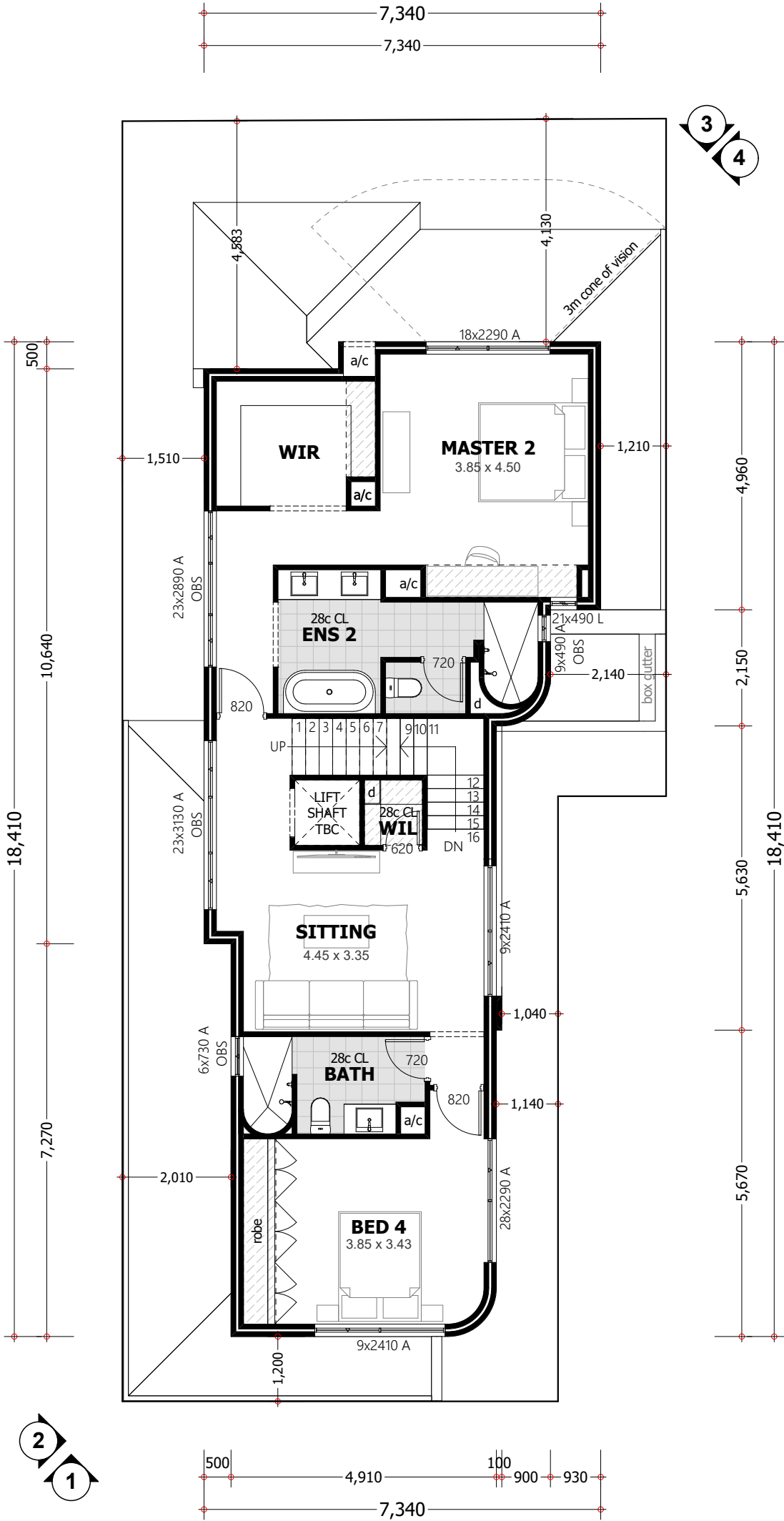
SCALE: 1:100, 1:1

PROJECT NO:

City of Nedlands
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23 February 2023



LOT 2		
Area Calc		Perimeter
FIRST FLOOR	106.09	50.73
GROUND FLOOR	100.80	49.12
SECOND FLOOR	67.30	35.98
GARAGE/STORE	41.82	
ROOF TERRACE	30.50	
ALFRESCO	11.86	
PORCH	4.11	
	362.48 m ²	
CEILINGS AT 31c THROUGHOUT UNLESS NOTED OTHERWISE		



First Floor
1:100



SINCERITY BUILDING GROUP
WE BUILD, YOU PROFIT

A: Unit 1, 10 Canning Hwy
South Perth WA 6151
BRN: BC 103067

CLIENT: **Sincerity Building Group**

SITE ADDRESS: **Strata Lot 2 (#10b)
Louise Street
Nedlands**

PROJECT STATUS: **DA**

AMENDMENTS:		
23/09/22	RS	DA
10/11/22	RS	Increased Garage Opening
21/12/22	RS	DA 2
07/02/23	RS	DA 3 window changes

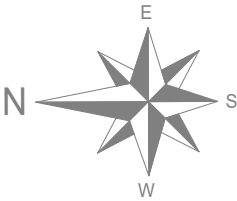
First Floor

SHEET: 8 of 19

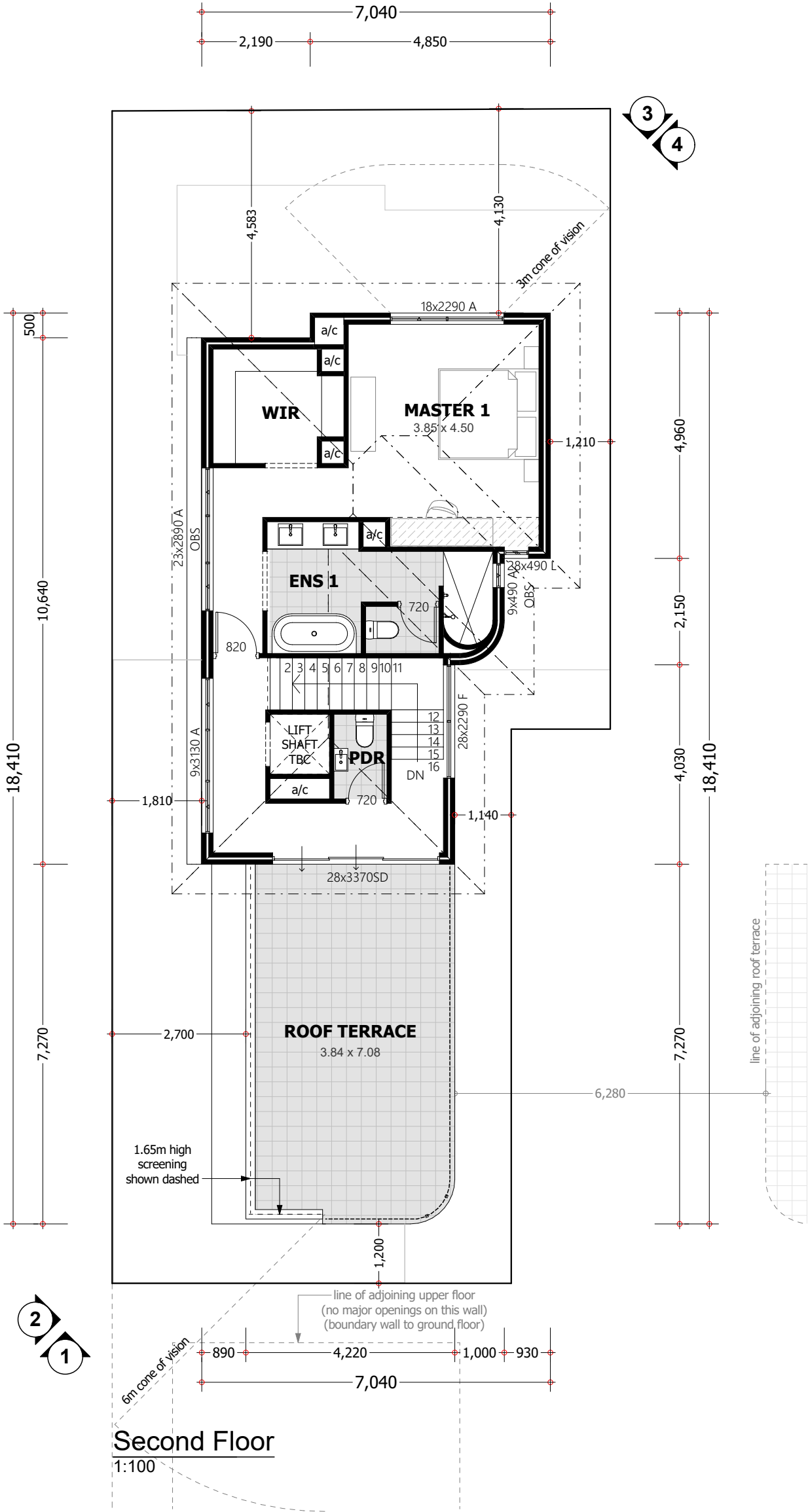
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PROJECT NO:

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LOT 2		
Area Calc		Perimeter
FIRST FLOOR	106.09	50.73
GROUND FLOOR	100.80	49.12
SECOND FLOOR	67.30	35.98
GARAGE/STORE	41.82	
ROOF TERRACE	30.50	
ALFRESCO	11.86	
PORCH	4.11	
	362.48 m ²	
CEILINGS AT 31c THROUGHOUT UNLESS NOTED OTHERWISE		



SINCERITY BUILDING GROUP
WE BUILD, YOU PROFIT

A: Unit 1, 10 Canning Hwy
South Perth WA 6151
BRN: BC 103067

CLIENT: **Sincerity Building Group**

SITE ADDRESS: **Strata Lot 2 (#10b)
Louise Street
Nedlands**

PROJECT STATUS: **DA**

AMENDMENTS:	
23/09/22	RS DA
10/11/22	RS Increased Garage Opening
21/12/22	RS DA 2
07/02/23	RS DA 3 window changes

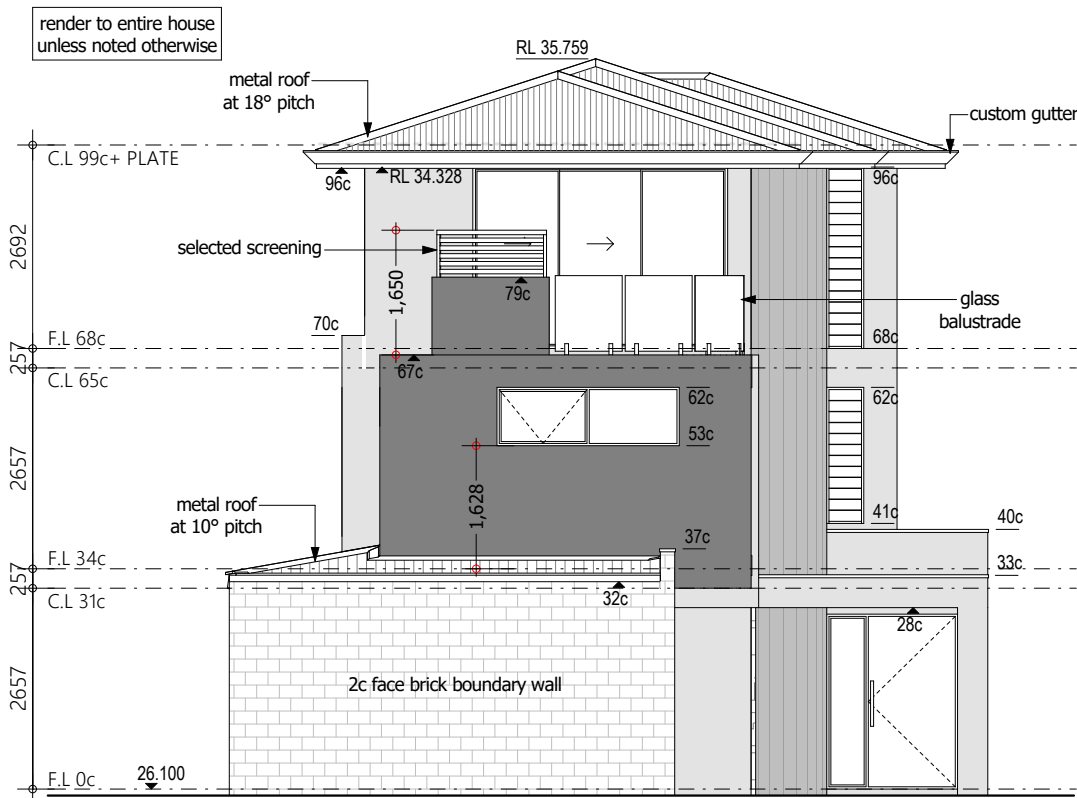
Second Floor

SHEET: 9 of 19

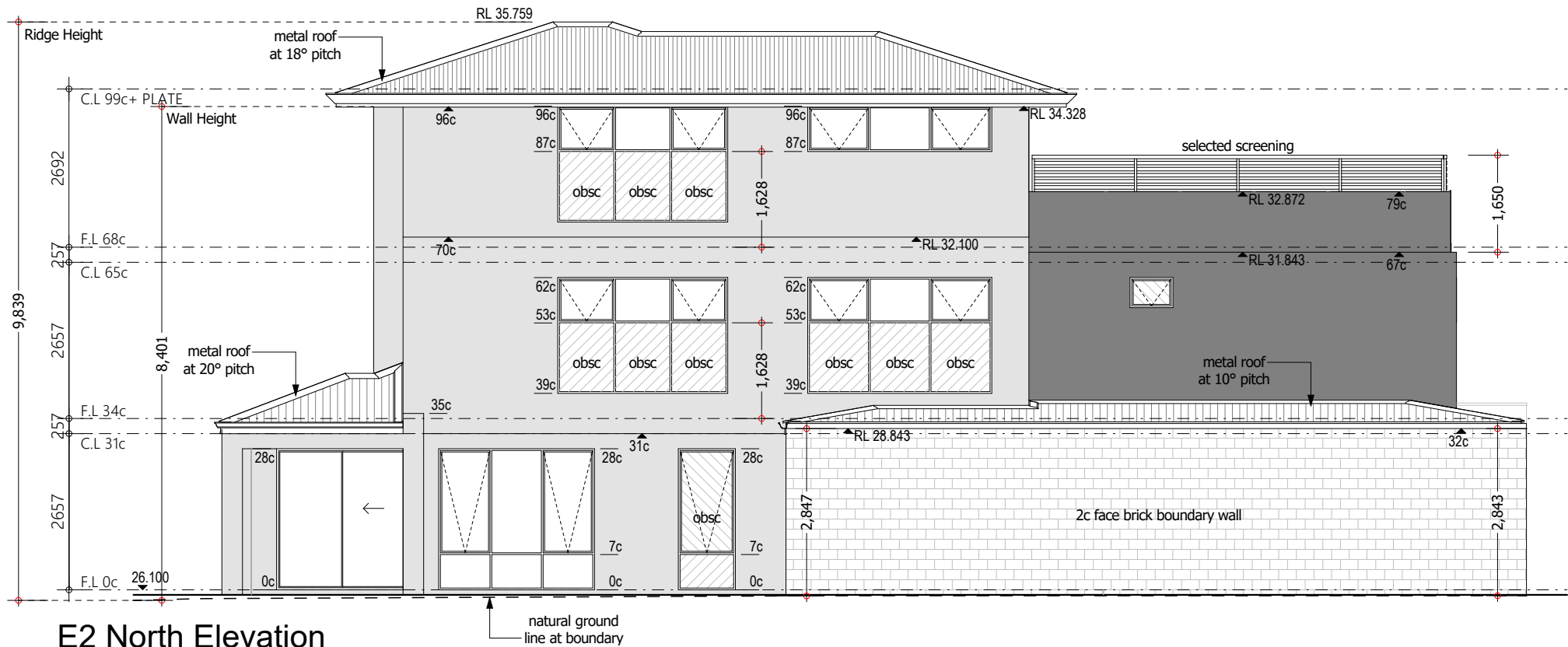
SCALE: 1:100, 1:1

PROJECT NO:

City of Nedlands
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E1 West Elevation
1:100



E2 North Elevation
1:100



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South Perth WA 6151
BRN: BC 103067

CLIENT: **Sincerity Building Group**

SITE ADDRESS: **Strata Lot 2 (#10b)
Louise Street
Nedlands**

PROJECT STATUS: **DA**

AMENDMENTS:

23/09/22	RS	DA
10/11/22	RS	Increased Garage Opening
21/12/22	RS	DA 2
07/02/23	RS	DA 3 window changes

Elevations

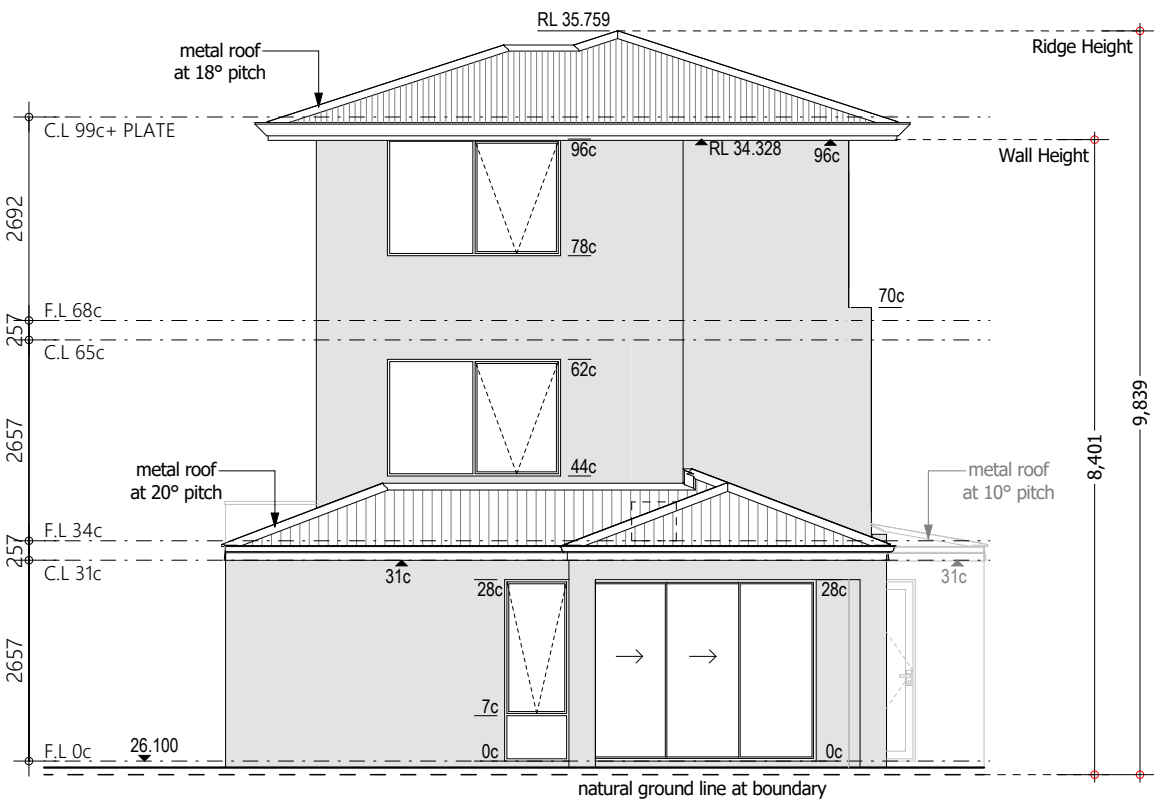
SHEET: 10 of 19

SCALE: 1:1, 1:100

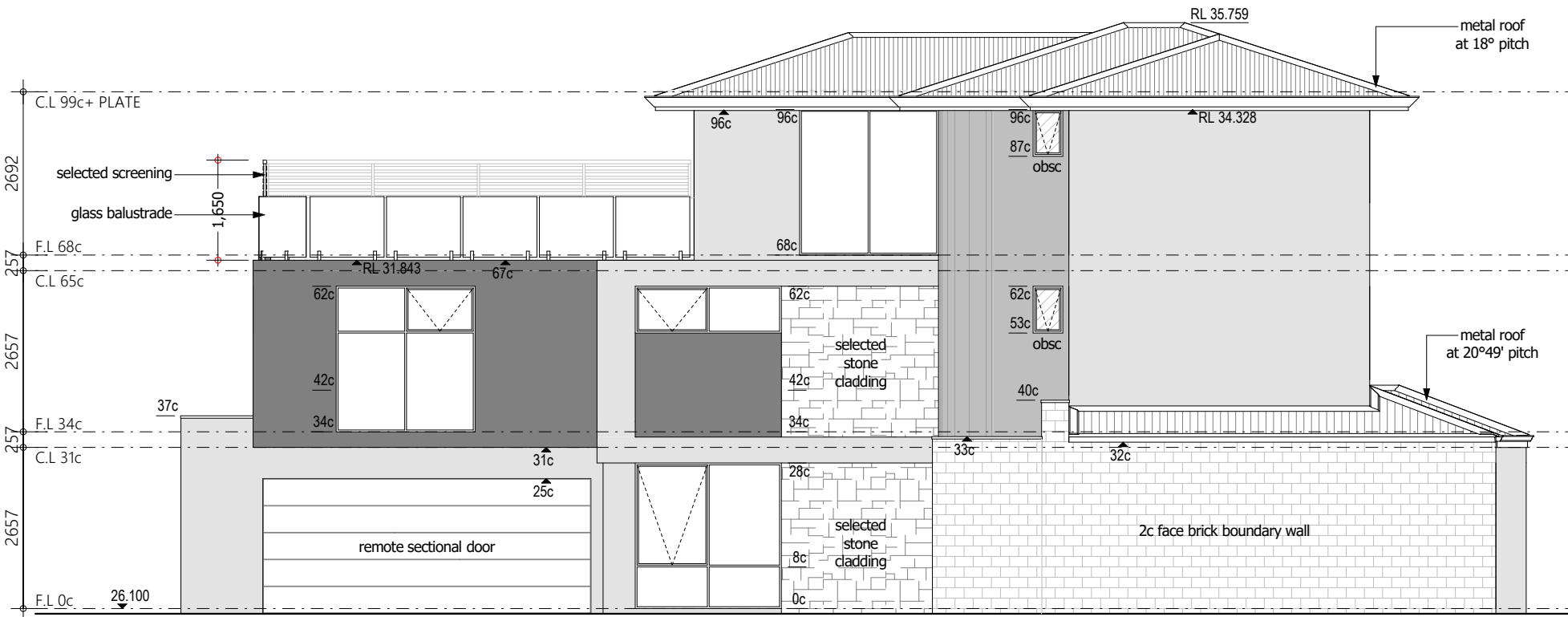
PROJECT NO:

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LOT 2



E3 East Elevation
1:100



E4 South Elevation
1:100



SINCERITY BUILDING GROUP
WE BUILD, YOU PROFIT

A: Unit 1, 10 Canning Hwy
South Perth WA 6151
BRN: BC 103067

CLIENT: **Sincerity Building Group**

SITE ADDRESS: **Strata Lot 2 (#10b)
Louise Street
Nedlands**

PROJECT STATUS: **DA**

AMENDMENTS:

23/09/22	RS	DA
10/11/22	RS	Increased Garage Opening
21/12/22	RS	DA 2
07/02/23	RS	DA 3 window changes

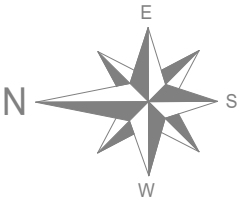
Elevations

SHEET: 11 of 19

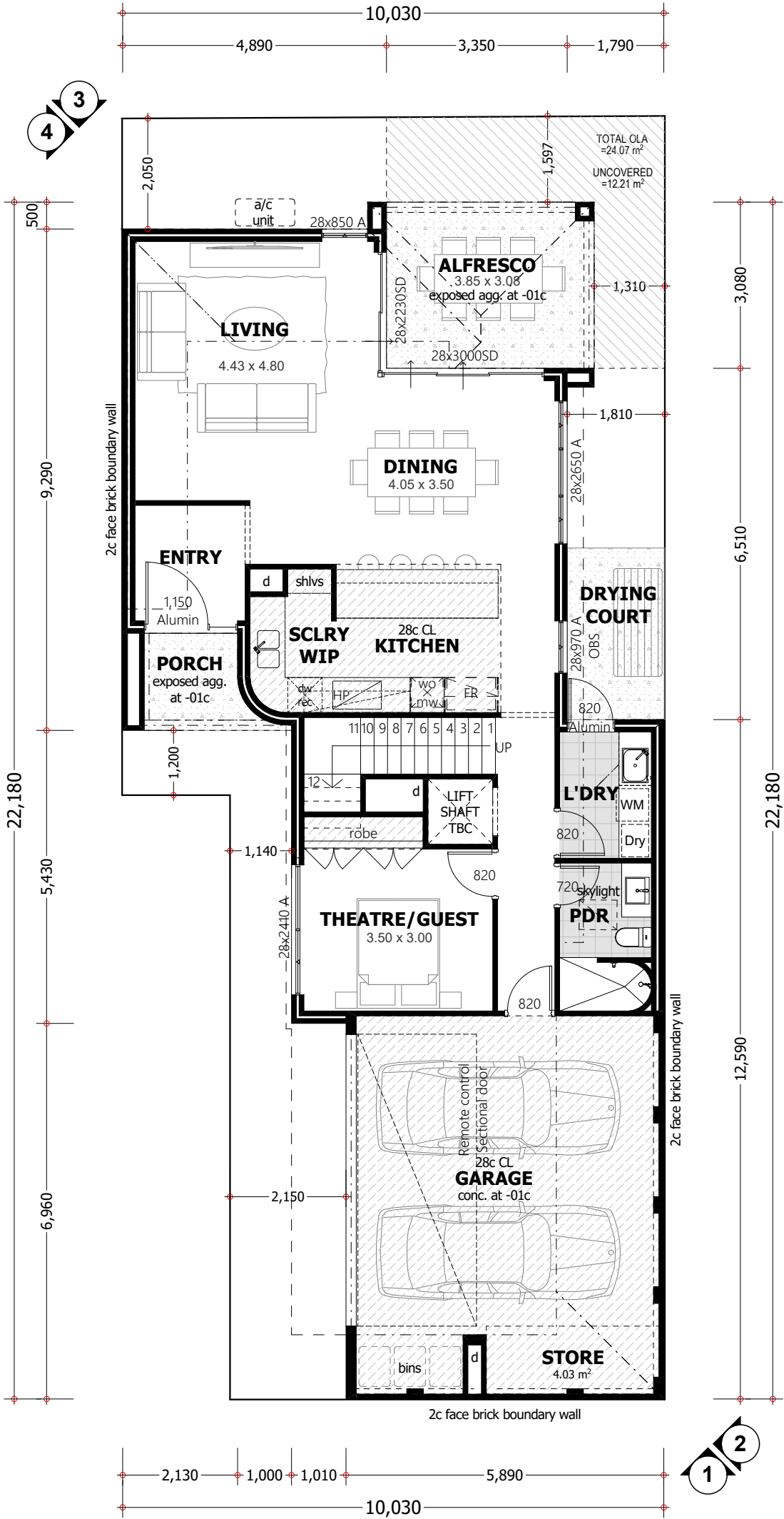
SCALE: 1:1, 1:100

PROJECT NO:

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LOT 3		
Area Calc		Perimeter
FIRST FLOOR	106.09	50.73
GROUND FLOOR	100.80	49.12
SECOND FLOOR	67.30	35.98
GARAGE/STORE	41.82	
ROOF TERRACE	30.50	
ALFRESCO	11.86	
PORCH	4.11	
	362.48 m ²	
CEILINGS AT 31c THROUGHOUT UNLESS NOTED OTHERWISE		



Ground Floor
1:100



SINCERITY BUILDING GROUP
WE BUILD, YOU PROFIT

A: Unit 1, 10 Canning Hwy
South Perth WA 6151
BRN: BC 103067

CLIENT: Sincerity Building Group

SITE ADDRESS: Strata Lot 3 (#10c)
Louise Street
Nedlands

PROJECT STATUS: DA

AMENDMENTS:		
23/09/22	RS	DA
10/11/22	RS	Increased Garage Opening
21/12/22	RS	DA 2
07/02/23	RS	DA 3 - window changes

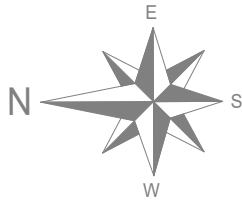
Ground Floor

SHEET: 12 of 19

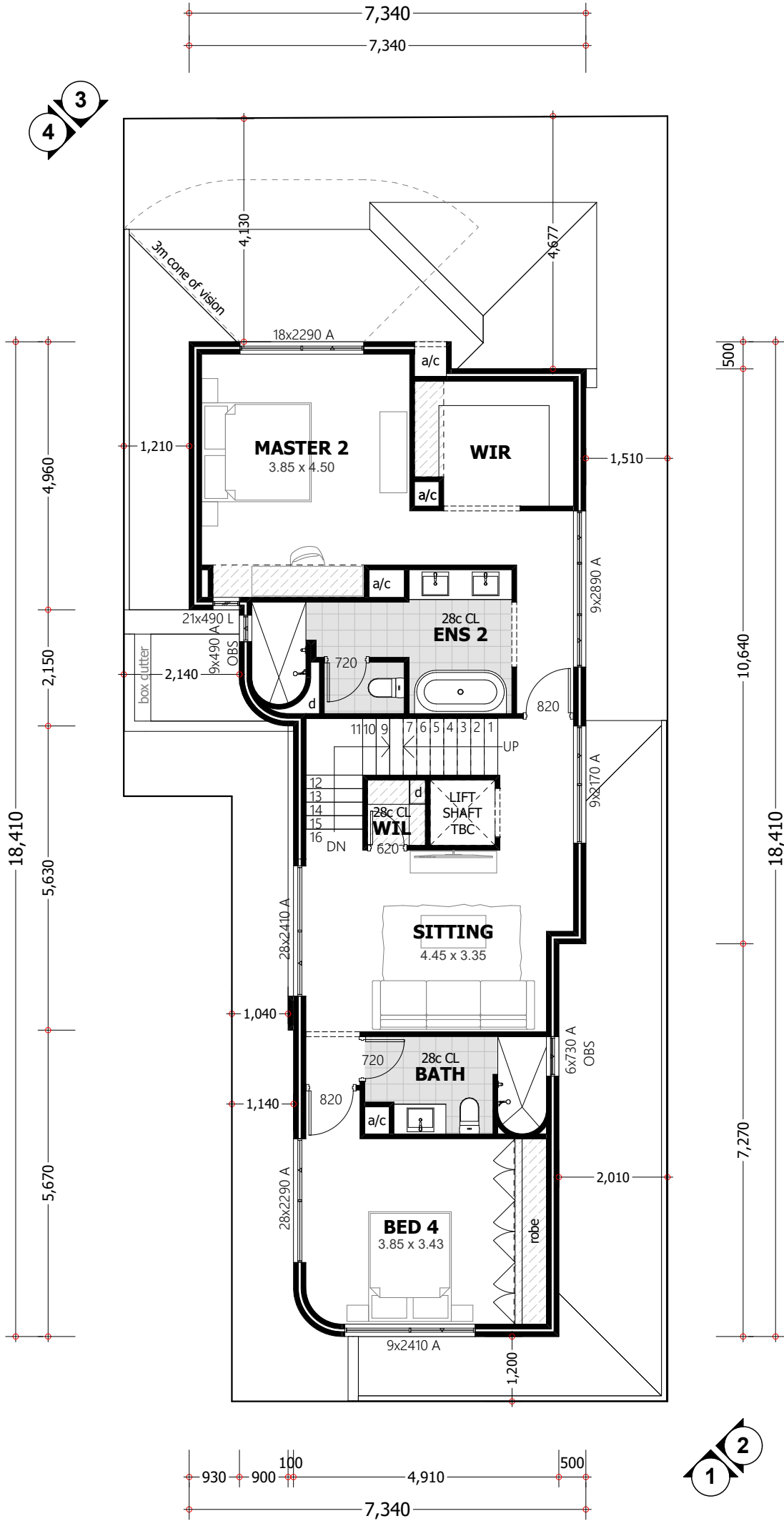
SCALE: 1:100, 1:1

PROJECT NO:

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LOT 3		
Area Calc		Perimeter
FIRST FLOOR	106.09	50.73
GROUND FLOOR	100.80	49.12
SECOND FLOOR	67.30	35.98
GARAGE/STORE	41.82	
ROOF TERRACE	30.50	
ALFRESCO	11.86	
PORCH	4.11	
	362.48 m ²	
CEILINGS AT 31c THROUGHOUT UNLESS NOTED OTHERWISE		



First Floor
1:100



SINCERITY BUILDING GROUP
WE BUILD, YOU PROFIT

A: Unit 1, 10 Canning Hwy
South Perth WA 6151
BRN: BC 103067

CLIENT: **Sincerity Building Group**

SITE ADDRESS: **Strata Lot 3 (#10c)
Louise Street
Nedlands**

PROJECT STATUS: **DA**

AMENDMENTS:		
23/09/22	RS	DA
10/11/22	RS	Increased Garage Opening
21/12/22	RS	DA 2
07/02/23	RS	DA 3 - window changes

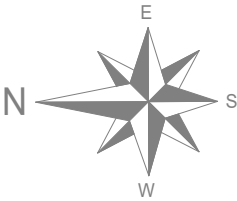
First Floor

SHEET: 13 of 19

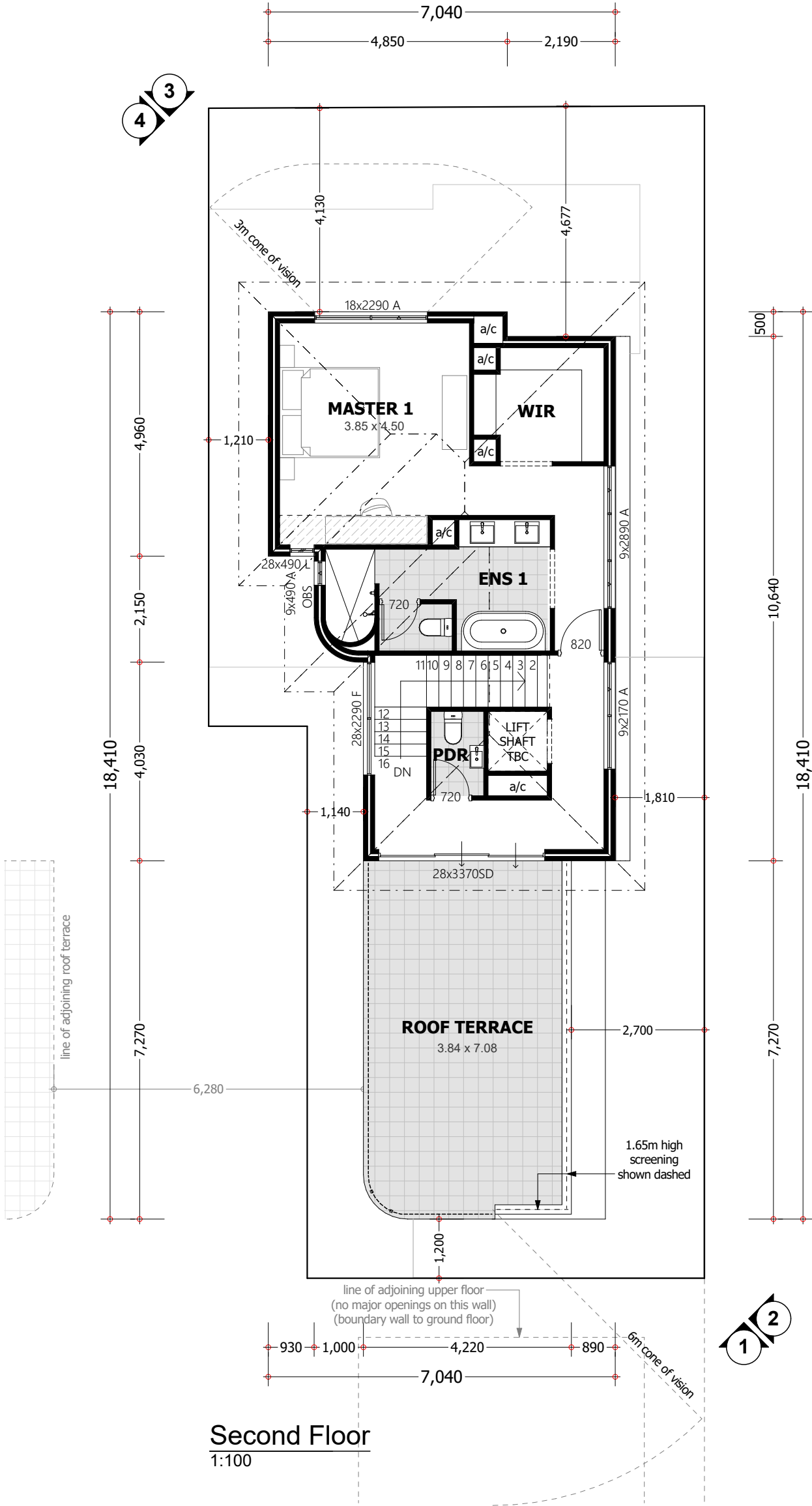
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LOT 3		
Area Calc		Perimeter
FIRST FLOOR	106.09	50.73
GROUND FLOOR	100.80	49.12
SECOND FLOOR	67.30	35.98
GARAGE/STORE	41.82	
ROOF TERRACE	30.50	
ALFRESCO	11.86	
PORCH	4.11	
	362.48 m ²	
CEILINGS AT 31c THROUGHOUT UNLESS NOTED OTHERWISE		



SINCERITY BUILDING GROUP
WE BUILD, YOU PROFIT

A: Unit 1, 10 Canning Hwy
South Perth WA 6151
BRN: BC 103067

CLIENT: **Sincerity Building Group**

SITE ADDRESS: **Strata Lot 3 (#10c)
Louise Street
Nedlands**

PROJECT STATUS: **DA**

AMENDMENTS:

23/09/22	RS	DA
10/11/22	RS	Increased Garage Opening
21/12/22	RS	DA 2
07/02/23	RS	DA 3 - window changes

Second Floor

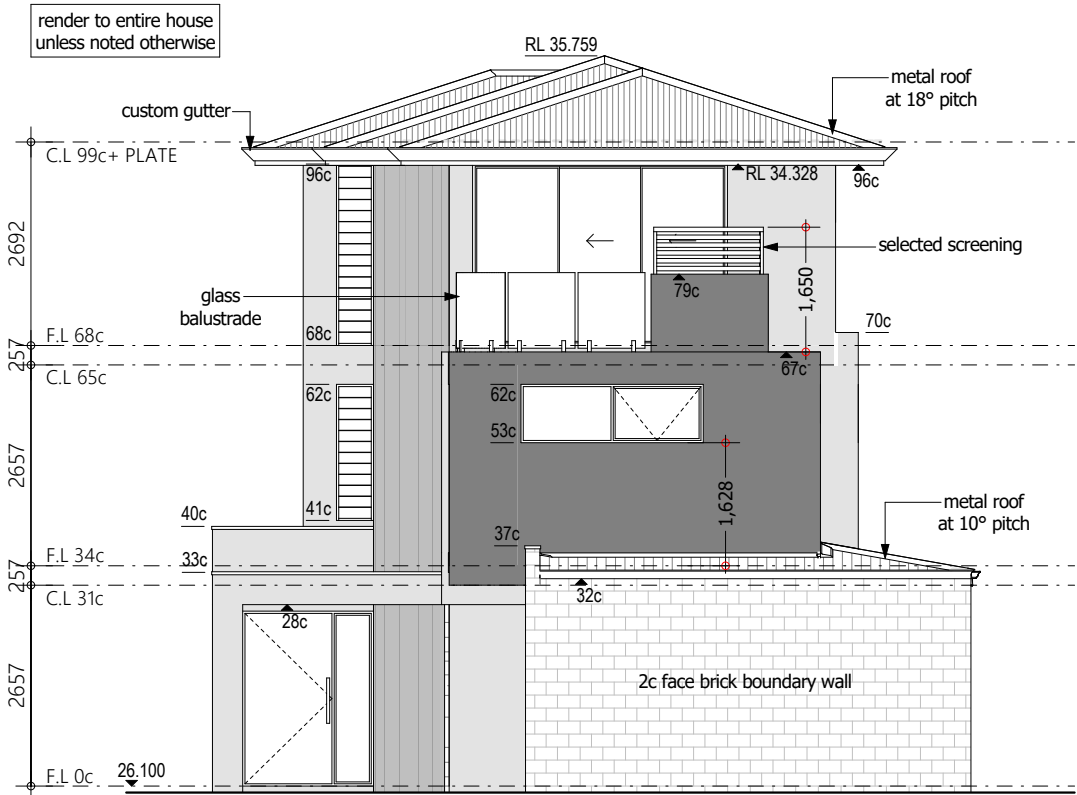
SHEET: 14 of 19

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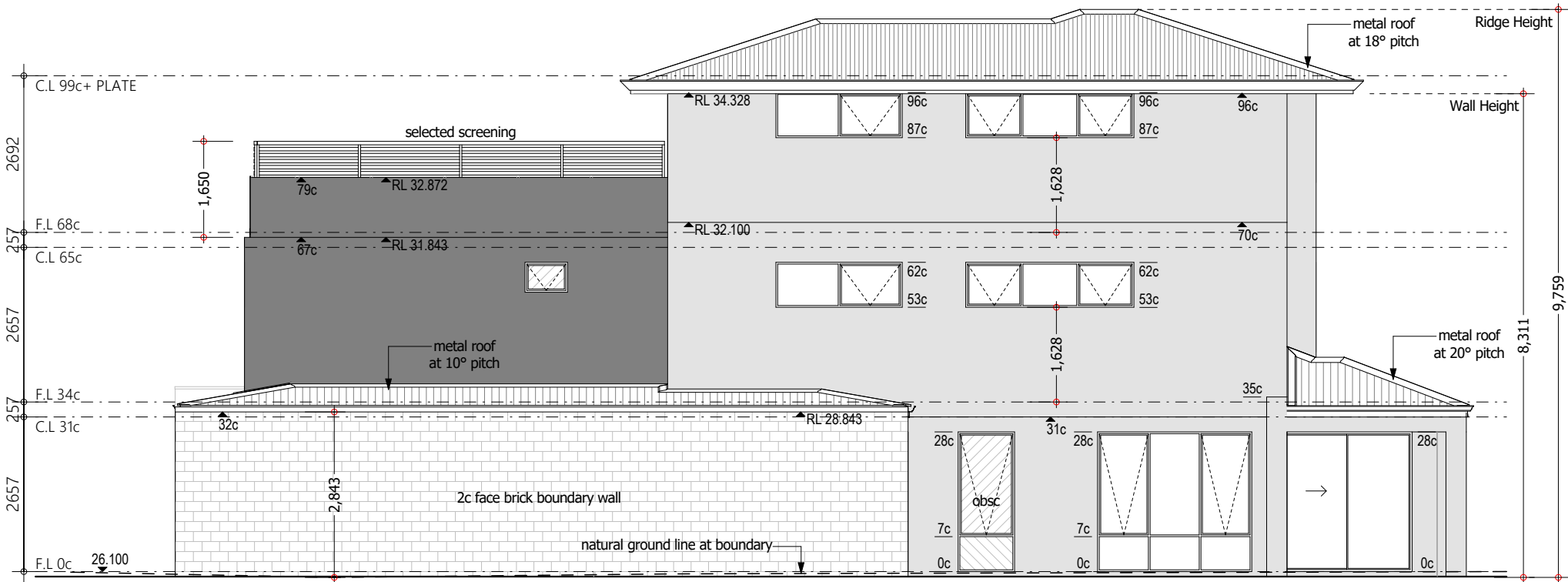
PROJECT NO:

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LOT 3



E1 West Elevation
1:100



E2 South Elevation
1:100



SINCERITY BUILDING GROUP
WE BUILD, YOU PROFIT

A: Unit 1, 10 Canning Hwy
South Perth WA 6151
BRN: BC 103067

CLIENT: **Sincerity Building Group**

SITE ADDRESS: **Strata Lot 3 (#10c)
Louise Street
Nedlands**

PROJECT STATUS: **DA**

AMENDMENTS:

23/09/22	RS	DA
10/11/22	RS	Increased Garage Opening
21/12/22	RS	DA 2
07/02/23	RS	DA 3 - window changes

Elevations

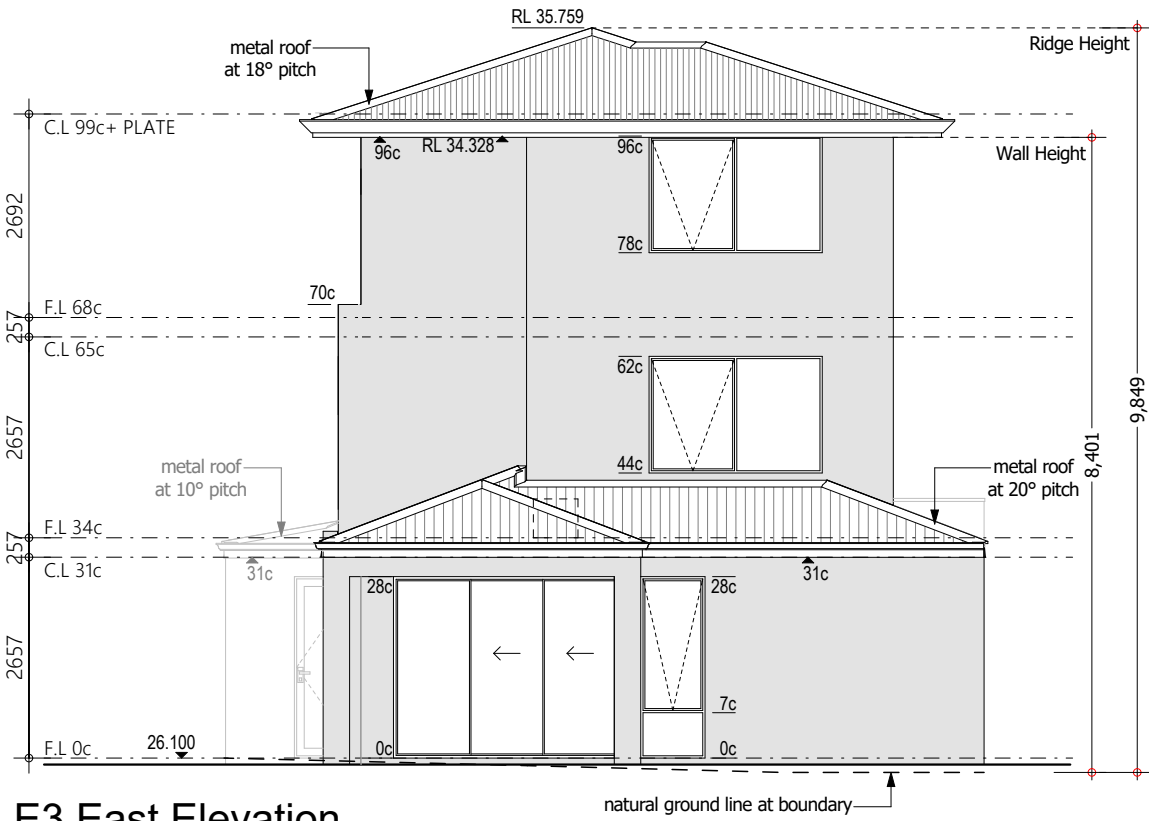
SHEET: 15 of 19

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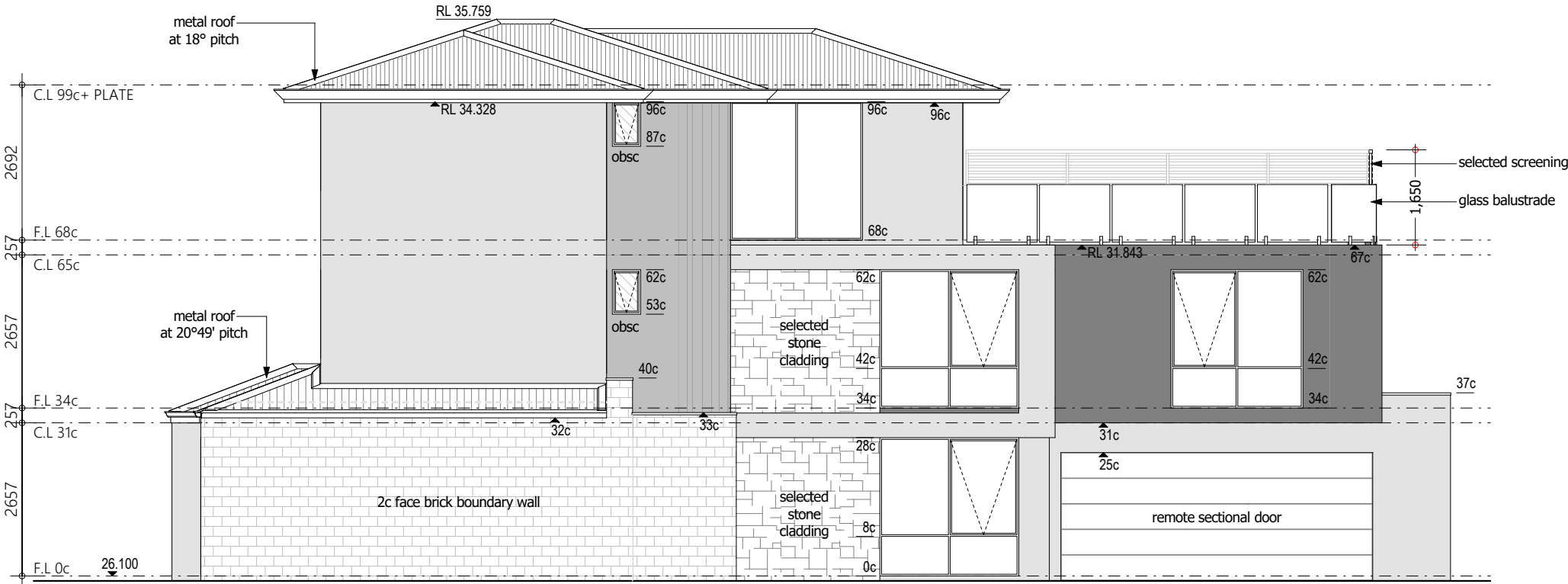
PROJECT NO:

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LOT 3



E3 East Elevation
1:100



E4 North Elevation
1:100



SINCERITY BUILDING GROUP
WE BUILD, YOU PROFIT

A: Unit 1, 10 Canning Hwy
South Perth WA 6151
BRN: BC 103067

CLIENT: **Sincerity Building Group**

SITE ADDRESS: **Strata Lot 3 (#10c)
Louise Street
Nedlands**

PROJECT STATUS: **DA**

AMENDMENTS:		
23/09/22	RS	DA
10/11/22	RS	Increased Garage Opening
21/12/22	RS	DA 2
07/02/23	RS	DA 3 - window changes

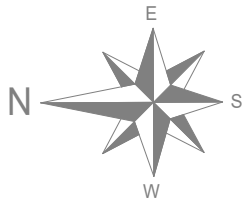
Elevations

SHEET: 16 of 19

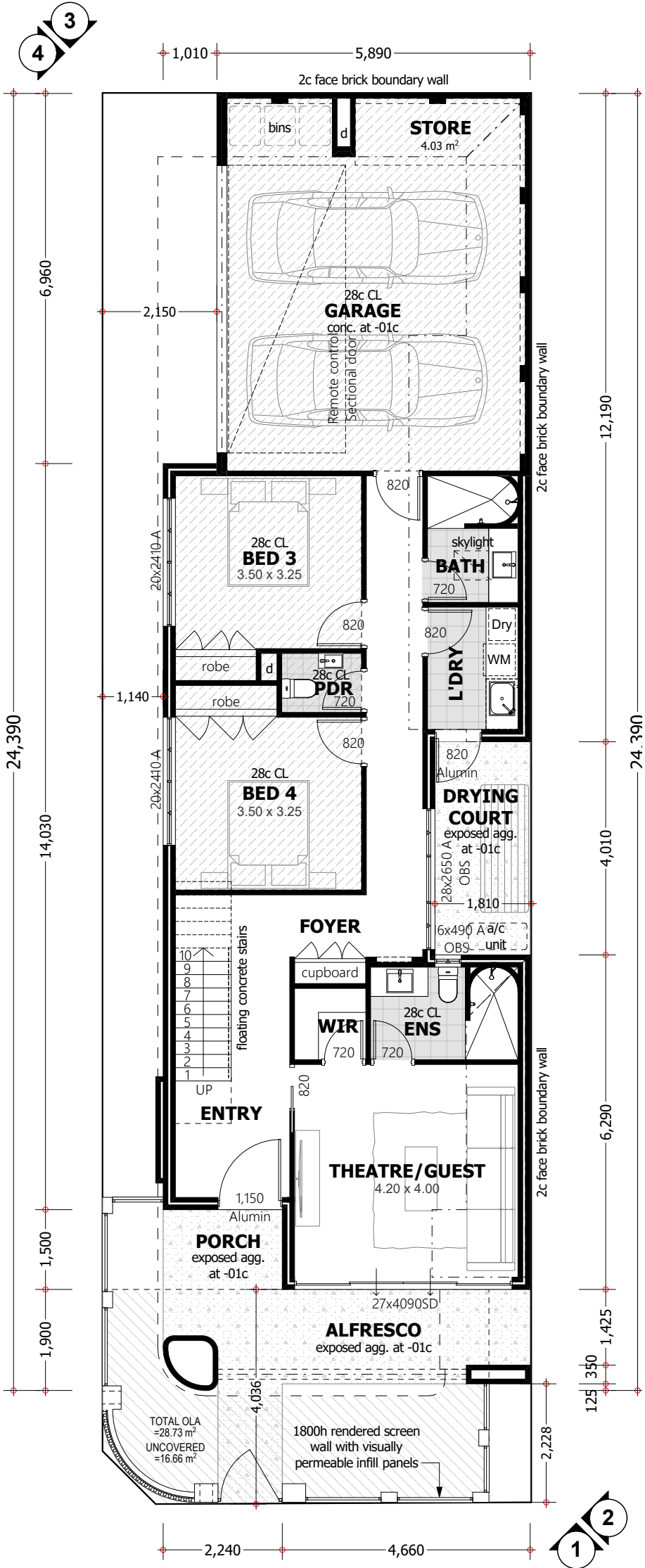
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PROJECT NO:

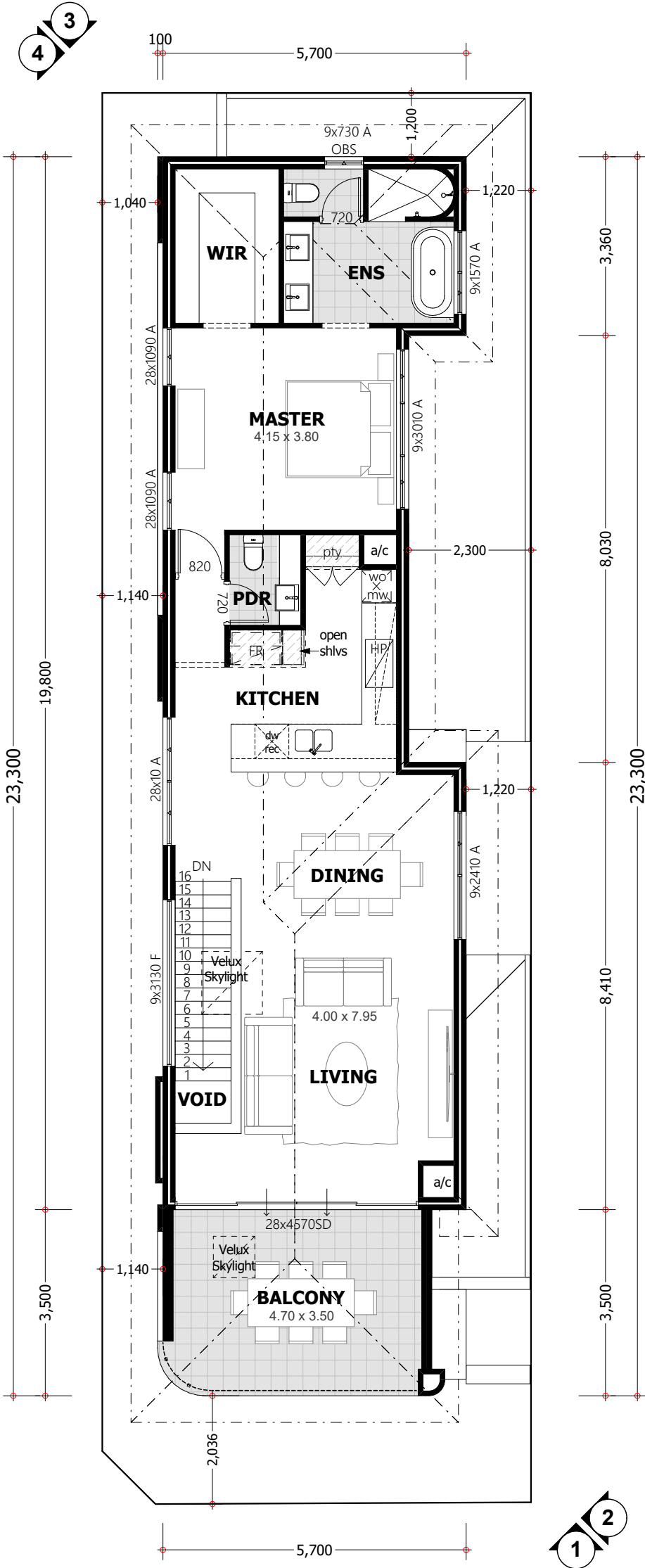
City of Nedlands
Amended Plans Received
23 February 2023



LOT 4		
Area Calc		Perimeter
FIRST FLOOR	104.19	53.16
GROUND FLOOR	95.79	48.44
GARAGE/STORE	41.82	
BALCONY	18.20	
ALFRESCO/PORCH	14.94	
	274.94 m²	
CEILINGS AT 31c THROUGHOUT UNLESS NOTED OTHERWISE		

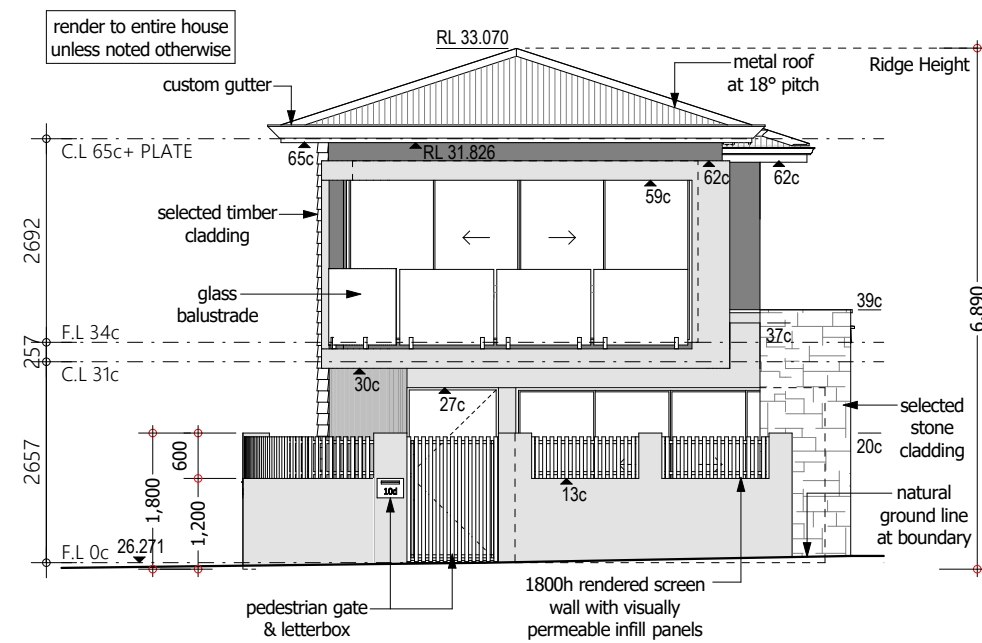


Ground Floor
1:100



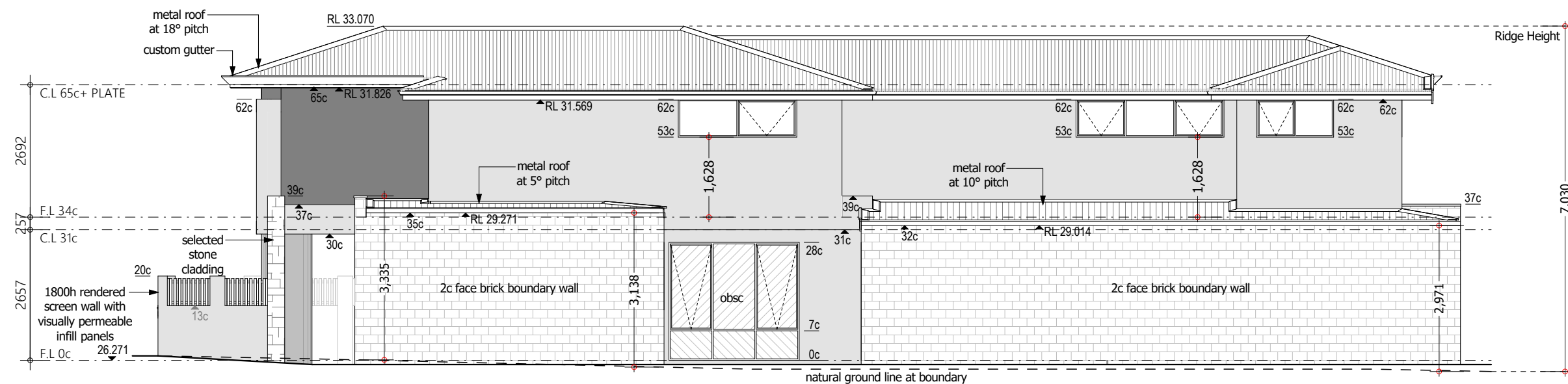
First Floor
1:100

City of Nedlands
Amended Plans Received
23 February 2023



E1 West Elevation

1:100



E2 South Elevation

1:100



SINCERITY BUILDING GROUP
WE BUILD, YOU PROFIT

A: Unit 1, 10 Canning Hwy
South Perth WA 6151
BRN: BC 103067

CLIENT: **Sincerity Building Group**

SITE ADDRESS: **Strata Lot 4 (#10d)
Louise Street
Nedlands**

PROJECT STATUS: **DA**

AMENDMENTS:

23/09/22	RS	DA
10/11/22	RS	Increased Garage Opening
21/12/22	RS	DA 2

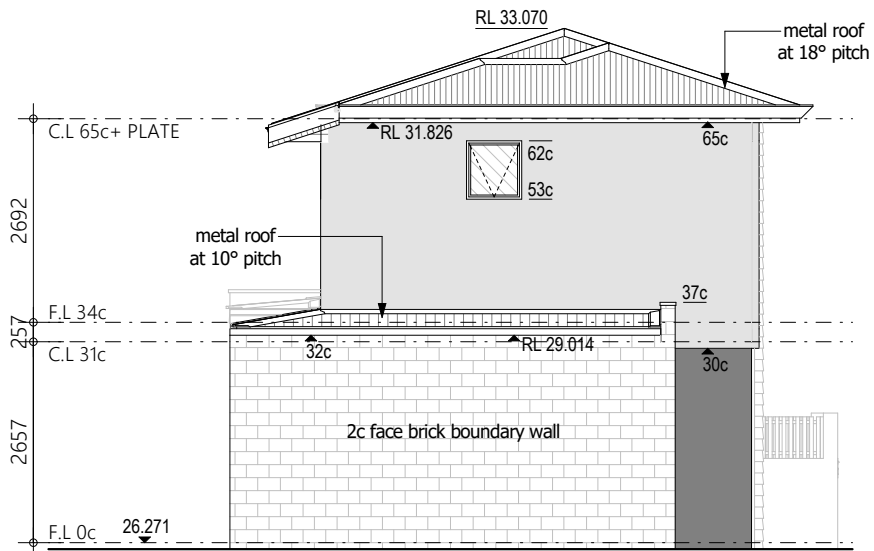
Elevations

SHEET: 18 of 19

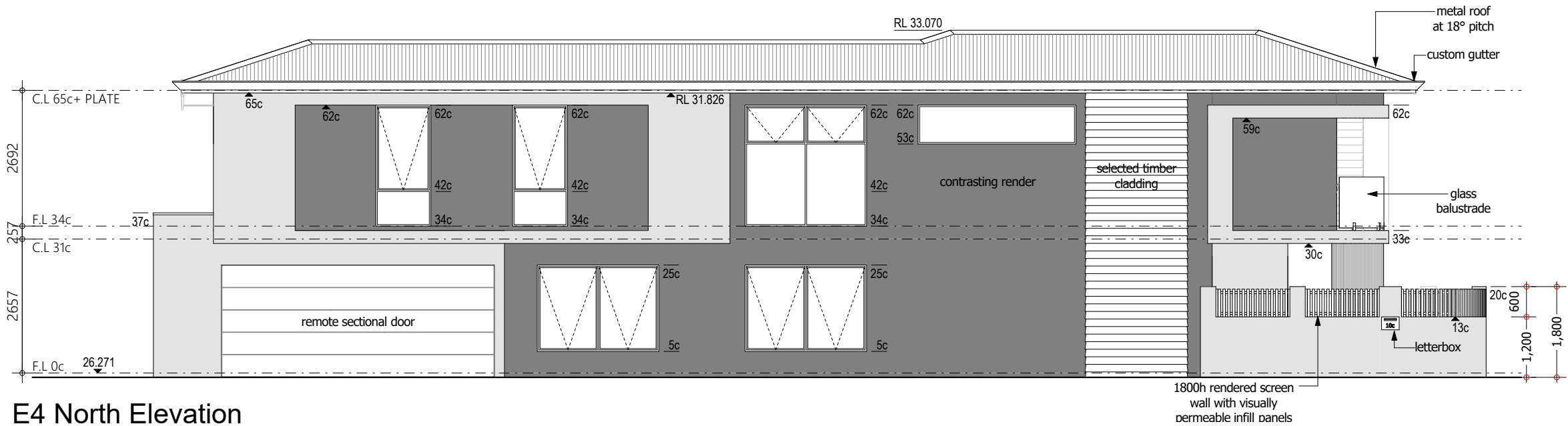
SCALE: 1:1, 1:100

PROJECT NO:

City of Nedlands
Amended Plans Received
23 February 2023



E3 East Elevation
1:100



E4 North Elevation
1:100



SINCERITY BUILDING GROUP
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South Perth WA 6151
BRN: BC 103067

CLIENT: **Sincerity Building Group**

SITE ADDRESS: **Strata Lot 4 (#10d)
Louise Street
Nedlands**

PROJECT STATUS: **DA**

AMENDMENTS:

23/09/22	RS	DA
10/11/22	RS	Increased Garage Opening
21/12/22	RS	DA 2

Elevations

SHEET: 19 of 19

SCALE: 1:1, 1:100

PROJECT NO:



SINCERITY BUILDING GROUP
WE BUILD, YOU PROFIT

A: Unit 1, 10 Canning Hwy
South Perth WA 6151
BRN: BC 103067

CLIENT: **Sincerity Building Group**

SITE ADDRESS: **Lot 158 (#10)
Louise Street
Nedlands**

PROJECT STATUS: **Concept Sketch**

AMENDMENTS:

23/09/22	RS	DA
05/11/22	RS	A2 Ancillary Sheets / Soakwells
10/11/22	RS	Increased Garage Openings
21/12/22	RS	DA 2

3D Renders

ANCILLARY
SHEET: 1 of 2

SCALE: 1:2.55

PROJECT NO:



SINCERITY BUILDING GROUP
WE BUILD, YOU PROFIT

A: Unit 1, 10 Canning Hwy
South Perth WA 6151
BRN: BC 103067

CLIENT: **Sincerity Building Group**

SITE ADDRESS: **Lot 158 (#10)
Louise Street
Nedlands**

PROJECT STATUS: **Concept Sketch**

AMENDMENTS:

23/09/22	RS	DA
05/11/22	RS	A2 Ancillary Sheets / Soakwells
10/11/22	RS	Increased Garage Openings
21/12/22	RS	DA 2

3D Renders

ANCILLARY
SHEET: 2 of 2

SCALE: 1:2.55

PROJECT NO:

17. Divisional Reports - Corporate & Strategy Report No's CPS11.03.23 to CPS15.03.23

17.1 CPS11.03.23 City of Nedlands Long Term Financial Plan 2023 - 2028

Meeting & Date	Council Meeting – 28 March 2023
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	Nil.
Report Author	Stuart Billingham – Manager Financial Services
Director	Michael Cole – Director Corporate Services
Attachments	1. Draft Long Term Financial Plan 2023-2038.

Purpose

To present to Council the Draft Long Term Financial Plan 2023-2038 for consideration.

Recommendation

That Council adopts the City of Nedlands Long Term Financial Plan 2023-2038 as presented in attachment 1.

Voting Requirement

Simple Majority.

Background

The City of Nedlands Draft Long-Term Financial Plan (LTFP) 2023-2038 has been prepared as required by s5.56 'Planning for the future' of the *Local Government Act 1995*. The Draft LTFP 2023-2038 has been prepared based on a number of assumptions and objectives, that are outlined in this report and supporting attachments.

The LTFP is a 15-year rolling plan that informs the Council, assisting to plan and allocate the necessary resources to ensure that the City's priorities are achieved. From these planning processes, annual budgets that are aligned with strategic objectives can be developed. It provides the basis for the preparation of the annual budget and reflects the known impacts of projects included in the informing plans and strategies.

The LTFP takes into account known economic factors and will be reviewed every 12 months to reflect the prevailing economic conditions and impacts from factors such as COVID19 and changing community expectations placed on the City. Consideration has been given to the economic drivers that will influence the future cost of providing infrastructure, facilities and services for the period 2023 to 2038. Strategies, priorities, issues, and risks are all dynamic influences in relation to any planning and as such the LTFP is reviewed and adjusted annually to reflect material changes.

Discussion

The draft LTFP includes the major significant item of Underground powering of the remaining three project areas within the City of Nedlands in three stages over 4 years. The three stages loans for underground power also included over a 4 years repayment term. Service charges for underground power also included for affected ratepayers' contribution to their share of the costs.

The impact of planned delivery of underground power stages in four years, in the LTFP, is demonstrated by a single line-item of a reduction in available funding for Roads Infrastructure renewal in the first 4 years. Approximately a \$4 million reduction in available funding over the first four (4) years of the LTFP. In reality this reduction in available funding will be spread over several different classes of infrastructure assets.

Figures from the City's Draft Long Term Financial Plan were entered into WATC's Indicative Additional Debt Capacity Calculator. The calculations show that, in addition to the loans raised for the underground power projects, the City would have the capacity to borrow:

- \$5,281,018 in the 2023/24 financial year
- \$2,260,726 in the 2024/25 financial year

In the 2025/26 financial year, the City reaches borrowing capacity. This means that WATC may not approve the 2025/26 year requested loan amount of \$4.115M as this loan amount would put the City at capacity. If this happened, the project may need to be cancelled or postponed leading to financial loss related to having started but not completed the project and very high levels of community dissatisfaction.

It is worth noting here that the City currently has an estimated infrastructure backlog of \$43 million. The City's asset renewal funding gap/challenges best represented in the LTFP by the Asset renewal ratio as shown below, with the first two years of the LTFP not meeting the minimum acceptable benchmark of 75% and improving in years 3 – 5.

	Target Range		Average	2023-24	2024-25	2025-26	2026-27	2027-28
FIXED ASSET RATIOS								
Asset sustainability ratio	> 90.00%	> 110.00%	203.24%	104.42%	112.86%	143.81%	176.68%	172.14%
Asset consumption ratio	> 50.00%	> 60.00%	79.41%	70.14%	70.31%	71.00%	72.23%	73.38%
Asset renewal funding ratio	> 75.00%	> 95.00%	94.49%	63.41%	73.82%	90.21%	109.81%	135.20%

The values disclosed in this plan represent estimated average future prices and costs. The LTFP is a modelling tool to project the City's financial commitments over the next fifteen years as a means of helping to ensure long term financial sustainability. It is a dynamic tool which analyses financial trends over a fifteen-year period on a range of assumptions and provides information to assess the impacts of current decisions and budgets on future financial sustainability.

The Draft LTFP constructed an operating baseline by using the 2022/23 budget and removing one off expenditure and carry-overs to obtain a minimum level of revenue and expenditure that the City requires to operate at current service levels.

Capital and new operating initiatives with accompanying funding sources were then incorporated with key consideration for renewal requirements and meeting the initiatives of the recently revised Council Plan.

Strategic decisions have been made to distribute funds to new capital and operating projects or changes to existing services, repayment of loan debt or transfers to/from reserves., with particular focus on the significant item, completion of the three remaining Underground Power projects areas in the City of Nedlands, commencing in FY 2023/24.

The future years of the LTFP estimates the future impacts of current decisions and identify the available options to close the gap between revenues and expenditure. Forecasting informs decision making and priority setting and assists in the management of the local government's response to community growth or contraction. It will also assist in the management of cash flows and funding requirements, community assets and risk.

There is a high level of accuracy in the forecasts for the first 2 – 3 years, a good level of accuracy for years 4 and 5 and a reasonable level of accuracy for the following 10 years of the plan.

This LTFP indicates our long-term financial sustainability, allowing for early identification of financial issues and their longer-term impacts, shows the linkages between specific plans and strategies, and enhances the transparency and accountability of the Council to the community.

Assumptions

In preparing the LTFP the following assumptions and variables have been applied:

- Unless otherwise indicated through new proposals, service delivery levels are maintained at current levels
- All income and expenditures throughout the LTFP have been escalated based on relevant index rate of 2.5%
- Rate revenue is proposed to increase by 4.5%pa, ie 2.5% inflation plus 2% growth for each year over the 15 years of the plan,
- Superannuation Guarantee is budgeted at 10.5% for 2022/23 with annual increments of 0.5% until reaching a rate of 12% on 1 July 2025 for the life of the plan.
- Perth Consumer Price Index (CPI) and Local Government Cost Index (LGCI) have been estimated conservatively and used for the remainder of the costs.

Employment Expenses

Employment expenses have four main elements. These are:

- Reduction in staff numbers as identified in the Workforce Plan adopted by Council in June 2022
- Increases contained in the enterprise agreement
- Increases and movements of levels within the current workforce and;
- Additional positions that may be required to meet the strategic direction of the Council and the growth of the community.

Employee costs for the first three years of the Plan are in line with Workforce Plan (Organisation Review) changes then costs are estimated to increase in line with the relevant employment awards and any new enterprise agreement at 2.50% inflation index. Factors affecting this decision include the difficulties of attracting and retaining staff; and the challenges associated with one of the lowest rates of unemployment experienced in the state. The employment market is still tightening.

Materials and Contracts

Increases in Materials and contracts are forecast at an average of 2.5% inflation index each year and does not take into consideration the Local Government Cost Index (LGCI). It is worth noting Perth CPI Dec qtr 2022 at 8.3%.

However, certain materials have increased well above the LGCI inflation rate. For example, the increase in world oil prices and fuel prices escalated plant operating costs by 20%, and the supply of bitumen for road works has risen by 50%.

This puts pressure on the City's ability to maintain service delivery standards and the extent of capital works within the predicted funding levels. A conservative approach has been taken that this is a transitional situation which will correct in future years. Material and Contracts rates will be closely monitored in future reviews of the plan.

Utility Charges

Utility charges have been factored in to increase by an average of 2.5% for the life of the plan. Western power confirming a 5.9% increase in Street Lighting in the 2022/23 year. A conservative approach has been taken that this is a transitional situation which will correct in future years. Utility rates will be closely monitored in future reviews of the plan.

Loan Borrowings and Repayments

Loan repayments are calculated on loan schedules that are currently in existence and the estimation of any future loan borrowings.

The LTFP has proposed loan borrowings of:

- \$1.409M for Stage 1 Nedlands North UGP project (Floreat), (City share \$691,757/Resident Share \$717,408) and

- \$3.767M for Stage 2 Hollywood West UGP project (Mt Claremont) (City share \$2,078,859/Resident Share \$1,688,235) and
- \$4.748M for Stage 3 Hollywood West UGP project (Hollywood) (City share \$2,748,435/Resident Share \$1,999,866).

The ratepayer's portion is also being raised but is treated similar to a self-supporting loan with ratepayer contributions being recovered over a four-year period by way of service charges.

These loans effectively limit the ability of the City to borrow for any other projects as the City will be at its borrowing capacity in year 3 (2025/26) of the Long-Term Financial Plan.

Reserve Transfers

Transfer to Reserves is in line with existing reserve calculations that are contained within the 2022/23 budget and increased by 2.5% to take into account inflation factors. In areas such as waste management these transfers could change if their net operating results changed. Continual scrutiny and review of the fees being charged in these areas are essential to ensure sufficient money is being captured in the reserves to pay for large capital expenditure in future years. Interest on Reserve holdings has been calculated at 2.5% and interest is reinvested back into the reserve fund.

Rate Revenue

Rate revenue increases are forecast for 4.5% per annum (2.5% plus 2% growth) for each year of the plan. It is estimated that the additional income that is generated that is higher than normal operational requirements will be spent on increased material costs of new capital and reducing the asset management funding gap challenges.

Operating Grants

Operating grants, subsidies and contributions indexed at 2.5% for the life of the LTFP. Although this funding source is somewhat unknown as political and economic factors can influence any increases that the different levels of government may offer, a small increase has been assumed to cater for general inflation increases.

Fees and Charges

Fees and Charges that Council has discretion over are indexed by inflation at an average of 2.5% over the life of the plan.

Capital Grants

Road grants from the Metropolitan Regional Roads Group have been estimated at the existing levels, averaged from the past two years. Regional Road Group is a competitive process and application must be made each year for specific projects; the allocations can therefore fluctuate significantly. Roads to Recovery grants have been maintained for the life of this plan.

A large number of the capital projects are reliant upon grants from external sources. If the funding from these sources does not eventuate the projects may need to be reviewed or alternate funding sourced.

Capital Expenditure

Capital Expenditure is in line with existing City Asset Management Plans and has been increased by 2.5% in line with depreciation estimates.

Road expenditure is in line with existing annual allocations and increased by 2.5% in line with expected inflation. Additional expenditure is expected to be increased over the life of the plan to help address the asset renewal gap in the transport area.

The 10-year capital works program has been developed with consideration to the funding source and if the asset is renewal, upgrade or new. As identified in the capital grants section a number of key infrastructure projects are heavily reliant upon external grant funds. If external funding from these projects does not eventuate to the amounts as indicated in the plan then the scope of each capital project will need to be revisited or the project postponed until further funding is sourced.

Consultation

The Draft Long Term Financial Plan 2023-2038 has been developed in consultation with City Staff and Elected Members.

The Draft Long Term Financial Plan was informed by City of Nedlands Integrated Planning and Reporting Framework (IPRF) documents :

- City of Nedlands - Asset Management Plans 2022
- City of Nedlands - Workforce Plan 2022 (Incl Organisational Review)
- City of Nedlands - Strategic Community Plan Nedlands 2028
- City of Nedlands – Nedlands 2023 ‘Making it Happen’ - Corporate Business Plan
- City of Nedlands – Asset Management Strategy 2019-2029
- City of Nedlands – Urban Forest Strategy 2018-2023
- City of Nedlands – Disability Access Inclusion Plan 2018-19 - 2023-24

Consideration was given to other IPRF documents.

A number of Long-Term Financial Plan concept forums were held with Council to go through a number of scenarios and assumptions.

Strategic Implications

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

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

Values

Great Natural and Built Environment

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

High standard of services

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

Great Governance and Civic Leadership

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

Great Communities

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

Reflects Identities

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

Priority Area

- Renewal of community infrastructure such as roads, footpaths, community and sports facilities
- Underground power
- Retaining remnant bushland and cultural heritage
- Providing for sport and recreation

Budget/Financial Implications

The adoption of the Long-Term Financial Plan does not have any immediate direct financial implications; however, the 2023/24 annual budget will be drafted, firstly giving consideration to the appropriate year of the Long-Term Financial Plan.

The LTFP also documents the implications of sustainability for the City over a 15-year period and the implications from a financial perspective of the assumptions that underpin the plan. The draft LTFP includes the major significant item of underground power to the remaining three project areas within the City of Nedlands in three stages over 4 years. The three stages loans for underground power also included over a 4 years repayment term. Service charges for underground power also included for affected ratepayers' contribution to their share of the costs.

The Impact of planned delivery of underground power stages in four years, in the LTFP, is demonstrated by a single line-item of a reduction in available funding for Roads Infrastructure renewal in the first 4 years. Approximately a \$4 million reduction in available funding over the first four (4) years of the LTFP. In reality this reduction in available funding will be spread over several different classes of infrastructure assets.

Legislative and Policy Implications

Section 5.56(1) and (2) of the *Local Government Act 1995* requires that each local government is 'to plan for the future of the district', by developing plans in accordance with the regulations. *Local Government (Administration) Regulations 1996*, Regulation 19 outlines what is required of planning for future documents.

Decision Implications

It is a statutory requirement that local governments 'plan for the future'

Council adopts or rejects the Draft City of Nedlands Long-Term Financial Plan 2023-2038 review. Accepting the LTFP review will allow the City to plan and progress with its service delivery across multiple operational and infrastructure areas.

Council not adopting the long-term financial plan 2023-2038 review would affect the City planning and forecasting abilities to ensure long term sustainability of the City finances.

TREAT risk by Council Adopting the Draft City of Nedlands Long-Term Financial Plan 2023-2038.

Conclusion

It is recommended Council adopts the Draft City of Nedlands Long Term Financial Plan 2023-2038 as presented.

Further Information

Question

Councillor Amiry – Can future versions include additional scenario planning?

Officer Response

The Long Term Financial Plan will be reviewed and updated annually. Future versions of the LTFP can include additional scenarios.

Question

Councillor Amiry - Can the Risk Assessment be expanded to provide more detail?

Officer Response

The Risk Assessment can be reviewed as part of the next iteration of the LTFP.

Question

Councillor Amiry - Can Councillors be provided with an excel version of the LTFP?

Officer Response

The LTFP model has been prepared for the City by Moore Australia. Once adopted by Council the City will receive a version in Excel format. This can then be provided to Elected Members.

Question

Councillor Senathirajah – Can other sources of revenue in addition to rates be included for future years?

Officer Response

Future versions of the LTFP can include other sources of revenue once those potential sources have been further identified, ie grant income, alternate revenue streams, asset rationalisation etc



City of Nedlands



DRAFT LONG TERM FINANCIAL PLAN

2023 - 2038

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1.0 Foreword

We are pleased to present the City of Nedlands Draft Long Term Financial Plan for 2023 - 2038.

This Plan is part of the City's ongoing commitment to an integrated approach to planning for the City's future. It provides the Council and the community with a picture of the City's long term financial circumstances and assists us to meet our strategic outcomes and objectives.

The City will encounter many challenges and opportunities over the next 15 years. Changes in population levels and demographics bring with them changing community needs and expectations. The Council will require a clear understanding of its capacity to meet these service expectations as it maintains a strong focus on sound financial management.

Council welcomes community participation in the planning process as we develop the strategic direction for a promising future for our district. We invite members of the community to contact a Councillor or Senior Council staff member if they have any questions.

The City of Nedlands' Draft Long Term Financial Plan is an important planning tool as we strive to achieve the strategies set out in the City of Nedlands Strategic Community Plan 2018 - 2028.

This Plan will be used with the Corporate Business Plan and Workforce Plan to achieve our goals and drive the City in achieving its vision of "Our city will be an environmentally-sensitive, beautiful and inclusive place".

The City has recently devoted significant resources to improving its strategic planning. This work continues as we constantly seek to improve our systems and service delivery.

Fiona Argyle
Mayor

William Parker
Chief Executive Officer

Our Vision

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

Our Values

- Healthy and Safe
- Great Natural and Built Environment
- High Standard of Services
- Great Governance and Civic Leadership
- Great Communities
- Reflects Identities
- Great for Business
- Easy to Get Around

2.0 Key Information

ASSUMPTIONS

 **2.5%**
Inflation Rate

 **2% Growth**
Rate Base

 **Stable**
Levels of Service

 **Stable**
Operations

 **Balanced**
Annual Budget

 **4.5% from 2023-24**
(CPI 2.5% plus 2% rate
base growth)
Rates

 **In line**
with inflation
Fees and Charges

 **In line**
with inflation
Employee Costs

STATISTICS¹

 **13**
Elected
Members

 **169**
Employees

 **15,595**
Electors

 **8,398**
Dwellings

 **7km**
Distance from
Perth

 **20km²**
Area

 **21,121**
Population

FINANCIAL INFORMATION²

\$24,724,235
Rates Revenue

\$7,699,409
Fees and Charges

\$34,967,420
Operating Revenue

\$31,909,207
Operating Expenditure

\$252,607,848
Net Assets

\$5,317,090
Cash Backed Reserves

\$4,114,485
Long Term Borrowings

¹WALGA Online Local Government Directory 2022/23, City of Nedlands

²City of Nedlands 2020-21 Annual Financial Report

3.0 Executive Summary

The following information provides a brief summary of the Draft Long Term Financial Plan 2023 - 2038, this should be read in conjunction with the underlying assumptions detailed in this Plan.

3.1 Planning for a Sustainable and Stable Future

The City of Nedlands is planning for a positive and stable future, despite the current uncertainty arising from inflation and global supply storages. The City seeks to maintain, and where possible, improve service levels into the future while ensuring a healthy financial position.

Long term maintenance and renewal of the City's infrastructure remains a significant challenge, with limited external funding available, to ensure the economic and social benefits of the City's infrastructure to the broader community and Perth are not impacted.

3.2 Significant Issues

The continued provision of community infrastructure remains one of the key priorities and major expenditure items for the City.

Installation of underground power and the City's contribution to the costs of this dominate the early years of the plan. Significant borrowings are also required to finance the roll-out of underground power.

Road maintenance and road renewal remain a high priority for the City due to the benefit the road network provides to the district and broader metropolitan region.

Rate revenue is forecast to increase at 4.5% (CPI 2.5% + 2%) per year from 2023/24 for the duration of the Plan. These increases are to assist in the long term financial stability of the City and to increase the level of services to the community where possible. These increases will be reviewed annually when setting future budgets and once the impacts of the inflation and current global supply storages are more apparent.

3.3 Forecast Capital Projects

A capital works program has been planned over the term of the Plan with asset renewals aimed at ensuring the continued provision of high quality community infrastructure to residents of the City. Revenue from rates and external funding is required to undertake these works.

Project by Asset Class	2023 - 2038 Amount (\$)
Infrastructure – Roads	
Road upgrades and renewal program	157,823,542
Infrastructure - Roads Total	157,823,542
Infrastructure - Footpaths	
Footpaths renewals	6,674,150
Infrastructure - Footpaths Total	6,674,150
Infrastructure – Street Furniture	
Street Furniture and Bus Shelters renewal	806,192
Infrastructure - Street Furniture Total	806,192
Infrastructure - Drainage	
Drainage	10,778,120
Infrastructure - Drainage Total	10,778,120
Plant and Equipment	
Plant replacement program	9,122,051
Plant and Equipment Total	9,122,051
Buildings	
Building renewals	40,309,334
Buildings Total	40,309,334
Grand Total	225,513,389

4.0 Community Profile, Vision and Objective

4.1 Location

The City of Nedlands covers an area of 20km², situated in the western suburbs of Perth, incorporating the communities and localities of Dalkeith, Karrakatta, Mt Claremont, Nedlands and parts of Floreat, Shenton Park and Swanbourne. The city administration centre is located in the heart of Nedlands, 7km west of Perth.

4.2 Establishment of the City

Significant events and dates listed below contributed to the development of the City of Nedlands:

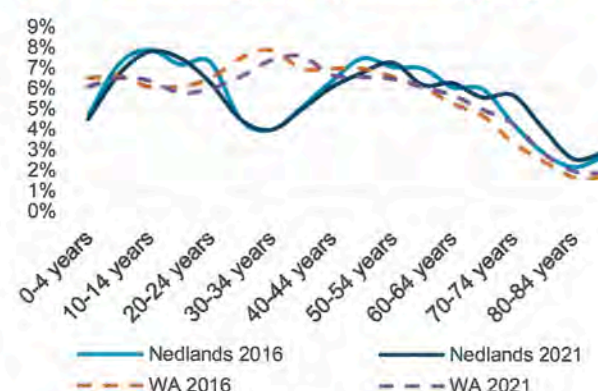
- 1893: The first move to establish Local Government in our area with the creation of the Claremont Road Board on 31 March, 1893, governing a total area of ten square miles; forty years after the death of Adam Armstrong, Nedlands' first resident.
- 1898: Approximately two square miles excised to form the Municipality of Claremont.
- 1932: Name changed from port Road Board to Nedlands Road Board.
- 1956: Name changed from Nedlands Road Board to the Municipality of Nedlands.
- 1959: One hundred and thirty years after the first British settlement around the Swan River, Nedlands achieved City status. Name changed from Nedlands Road Board to the City of Nedlands while under the guidance of Mayor John Charles Smith Esq., JP Mayor.

4.3 People

The following statistics reflect the City's population in comparison to the population of the state of Western Australia.

Population	2016		2021
City of Nedlands	21,121	↑	22,132
WA	2.47m	↑	2.66m

4.4 Percentage of Population by Age



The age demographic of the district's population is reflected by the blue (2021 Census) and green (2016 Census) lines in the chart above. When compared to the age demographic of the West Australian population reflected by the dotted lines.

4.5 Vision

The City's strategic vision: Our city will be an environmentally-sensitive, beautiful and inclusive place.

4.6 Strategic Objectives

The following key themes are identified in the City's Strategic Community Plan 2018 - 2028 and considered within the Long Term Financial Plan:

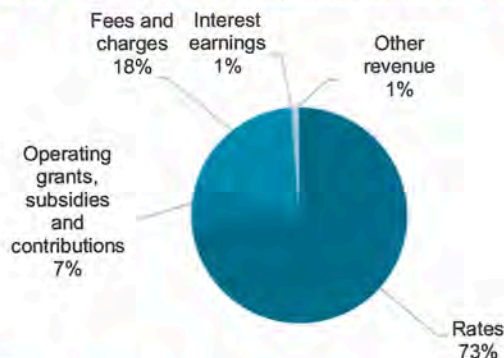
- Urban form - protecting our quality living environment;
- Renewal of community infrastructure such as roads, footpaths, community and sports facilities;
- Underground power;
- Encouraging sustainable building;
- Retaining remnant bushland and cultural heritage;
- Providing for sport and recreation;
- Managing parking; and
- Working with neighbouring Councils to achieve the best outcomes for the western suburbs as a whole.

5.0 Long Term Financial Planning Overview

5.1 Forecast Revenue

Rates are expected to increase at CPI (2.5%) plus 2.0% growth in the rate base in 2023-24 and generate \$26.98m and continue to increase by 4.5% per annum to \$49.97m in 2037-38. Rates comprise 73% of operating revenue over the term of the Plan. The City also plans on receiving more than \$141.22m over the next 15 years in Fees and Charges for services provided to the community.

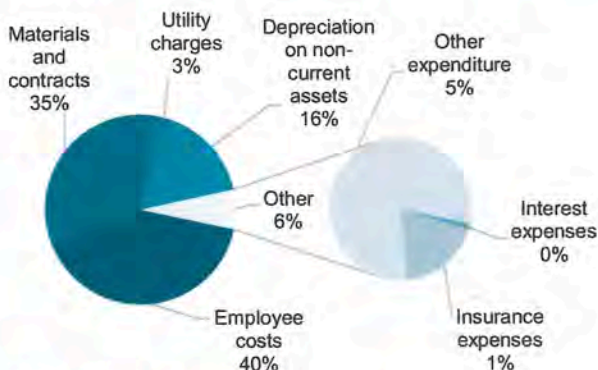
5.2 Revenue Composition Year 1 to 15



5.3 Forecast Expenditure

Expenditure is forecast to increase in line with inflation with the exception of depreciation expense which is impacted by the revaluation and addition of assets over the term of the Plan.

5.4 Expenditure Composition Year 1 to 15

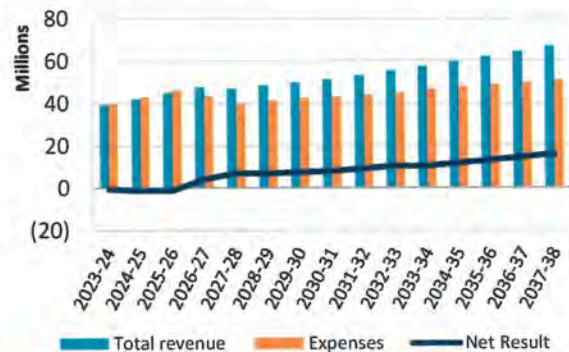


5.5 Net Result

The chart below reflects in the columns the steady increase in operating revenue and expenditure

forecast over the 15 years, with the blue line reflecting the net result.

A positive net result over the long term indicates



net asset values will increase faster than depreciation expenses erode asset values. Improved asset funding or changes to expected useful life of assets as they are better understood may impact the net result.

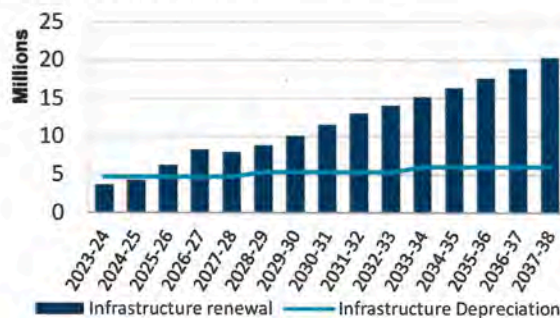
5.6 Depreciation Expense

Ideally, the average asset renewal should be in line with depreciation expense over the long term, to ensure the value of assets is maintained. On average, the City is planning to renew its infrastructure assets at a slightly higher level than they are depreciating over the term of the Plan.

Where the planned asset renewals are higher than depreciation, the written down value of these assets will increase over time. Revaluation of assets in line with inflation may additionally increase the value where planned asset renewals are higher than depreciation.

5.7 Infrastructure Depreciation Expense -V- Asset Renewal Expenditure

Depreciation expense increases throughout the Plan from \$6.30m in year 1 to \$8.14m in year 15 as assets are revalued and renewed. Depreciation of infrastructure over the 15 years is \$80.10m, shown by the green line in the chart below. The planned level of infrastructure asset renewal expenditure at \$176.08m (reflected by the blue columns) is over the term of the Plan, above the level of depreciation.



Further review of asset useful lives for infrastructure assets in the future may be required as changes occur in the construction techniques of road pavements occur and traffic loads vary. Planned property, plant and equipment asset renewals of \$49.43m (reflected by the blue columns) over the 15 years is more than the depreciation expense of \$28.19m (reflected by the green line) over the same period as shown in the chart below.

5.8 Property, Plant and Equipment Depreciation Expense -V- Asset Renewal Expenditure



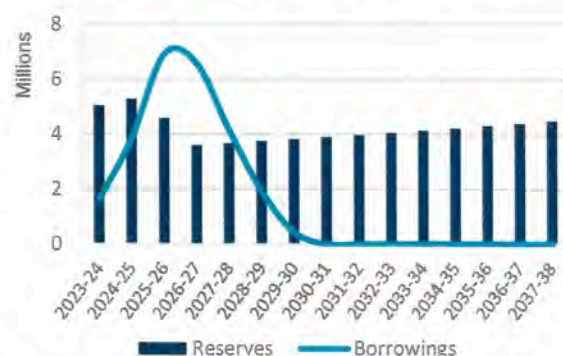
Further improvements in asset management data and the estimation of depreciation expense along with the future renewal of long-lived assets may result in a closer alignment between asset renewals and depreciation expense.

5.9 Maintenance Expenditure

The current maintenance expenditure allocated in the annual operating budget is expected to continue at current levels, with inflationary increases occurring each year.

5.10 Forecast Borrowings and Cash Reserves

The finances of the City are impacted heavily in the initial years by the implementation of underground power before stabilising over the long term. Reserves and borrowings will be utilised to fund underground power projects resulting in the variations in the initial years of the plan as shown in the chart below.

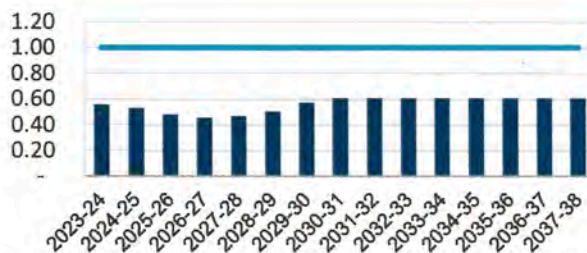


Borrowing and reserves are used for the 3 phases of underground power projects in 2023/24, 2024/25 and 2025/26. All borrowings incurred for underground power projects will be repaid after 4 years. Service charges will be used to pay for the borrowings with ratepayers given up to 4 years to pay the service charges.

5.11 Forecast Operating Ratios 2023 - 2038

Monitoring the City's financial rigidity and financial position along with its asset management performance is undertaken by preparing and monitoring various statutory ratios. The green line reflects the Department of Local Government, Sport and Cultural Industries' (the Department) minimum target level of the ratio.

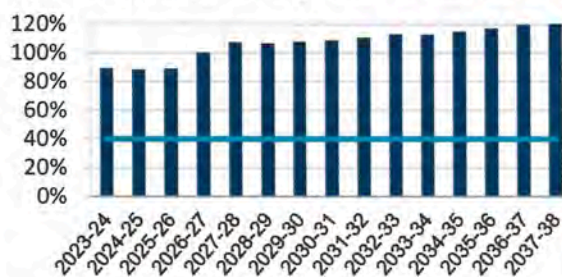
5.12 Current Ratio



As expected for a City with a forecast balanced funding surplus position and current borrowing liabilities, the ratio is less than 1.0 until the borrowings are repaid. The trend is not considered to indicate a threat to the City's long term financial position.

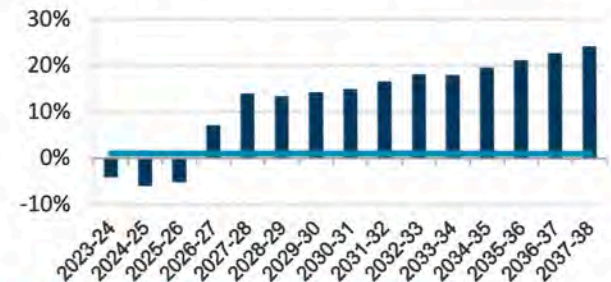
5.13 Own Source Revenue Coverage Ratio

The ratio moves above the target indicating the City has low reliance on grants and contributions.



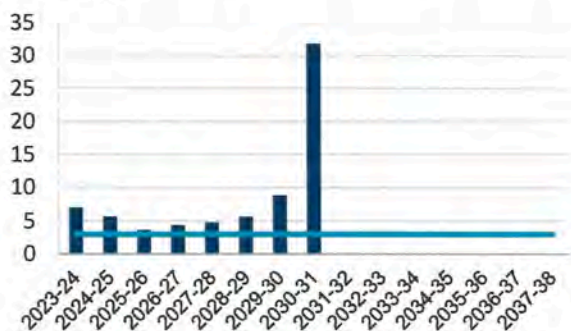
5.14 Operating Surplus Ratio

The ratio above highlights how the cumulative impact of the rates increases are intended to address the Operating Surplus Ratio.



5.15 Debt Service Cover Ratio

The ratio indicates the City's varying capacity to take up borrowings due to the planned borrowings for the planned underground power projects, with the capacity growing towards the middle of the plan in line with the repayment of the planned borrowings.



6.0 Scenario Modelling

6.1 Scenario Modelling

Scenarios were developed to test the financial impact of varying levels of operating funding. To ascertain the effect of varying funding levels, modelling of various scenarios was undertaken.

A base scenario was developed with a rates revenue of 2% above inflation (2.5%) throughout the life of the Plan. Two alternative scenarios were also developed from this base as shown in the table below. All other assumptions remained the same across the three scenarios.

Scenario	Rates, Fees and Charges Increase above CPI (2.5%)	Total Increase
Base Scenario	2%	4.5%
Scenario 2	0%	2.5%
Scenario 3	3%	5.5%

The base scenario was selected as the most appropriate and has been used for the Plan. The base scenario includes levels of rate revenue and fees and charges to ensure the current levels of service are maintained.

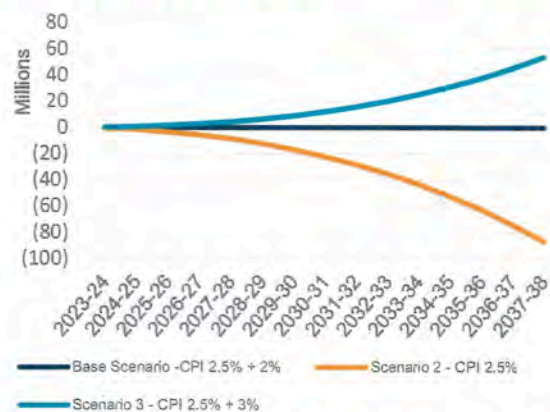
6.2 Scenario Comparison - Operating Surplus Ratio



The chart above shows the impact of the same change in total rates revenue on the City's Operating Surplus Ratio (other assumptions remaining the same). The base scenario was selected as it maintains existing rating levels.

The chart below reflects the impact of a change in total rates revenue on the estimated surplus (deficit) at June 30 from the base scenario (other assumptions remaining the same).

6.3 Estimated Surplus (Deficit) June 30 Carried Forward



The cumulative impact of the changes in rates along results in the surplus (deficit) shown in the table below.

Estimated Surplus/(Deficit)			
Scenario 1 CPI 2.5% + 2%	Scenario 2 CPI 2.5% + 0%	Scenario 3 CPI 2.5% + 3%	
\$	\$	\$	
0	(516,388)	258,194	
0	(1,595,639)	805,565	
0	(3,287,107)	1,675,659	
0	(5,617,364)	2,904,766	
0	(8,620,682)	4,532,113	
0	(12,341,597)	6,600,073	
0	(16,827,009)	9,154,380	
0	(22,126,291)	12,244,366	
0	(28,291,412)	15,923,209	
0	(35,377,065)	20,248,196	
0	(43,440,795)	25,281,010	
0	(52,543,141)	31,088,023	
0	(62,747,780)	37,740,619	
0	(74,121,677)	45,315,534	
0	(\$86,735,244)	\$53,895,214	

7.0 Strategic Planning and Policies

7.1 Linkage with Other Plans

The Long Term Financial Plan is one component of a number of integrated strategic planning practices the City has developed. The Plan considers, and influences, asset management and workforce planning along with other key strategic plans. This Long Term Financial Plan has been prepared to achieve compliance with the *Local Government (Administration) Regulations 1996*. Development of the Plan has also been influenced by the Department's Integrated Planning Framework and Guidelines.

7.2 Strategic Documents Linkage

This Plan includes, and influences, other strategic planning activities as a mechanism to action the strategies contained in the City's Strategic Community Plan

7.3 Strategic Community Plan 2018 - 2028

The Strategic Community Plan has been prepared to cover a minimum period of 10 years and set out the community's vision, aspirations and objectives for the City. To achieve the vision, a series of priorities, objectives and strategies were developed. Many strategies may be required to achieve a single objective and many objectives needed to achieve a single priority.

Individual strategies all require actions involving extra human, physical and financial resources. Achieving the City's strategic priorities requires careful operational planning and prioritisation. This planning process is formalised as a Corporate Business Plan which operates on a rolling four-year basis.

7.4 Corporate Business Plan

The Corporate Business Plan contains details of the actions and resources (human, asset and financial) to achieve each strategy and acts as an organisational guide for the Council and management.

The financial capacity and asset management practices to support the Corporate Business Plan are set out in the Long Term Financial Plan for the period. This planning provides an assurance the actions contained in the Corporate Business Plan can be adequately resourced over the next four years and highlights the long term consequences of the application of resources to undertake various projects.

7.5 Asset Management Plan

The City has recently reviewed the asset management plans, these plans set service standards for assets and contain work schedules applying financial resources to the renewal of assets over the next 10+ years. These renewal schedules inform the Long Term Financial Plan.

7.6 Workforce and Other Strategic Plans

The Workforce Plan and other strategic plans integrate with the Long Term Financial Plan through the workforce requirement for assets and financial resources along with the requirements for a workforce to manage the City of Nedlands assets and financial resources. As far as possible, these requirements are met in the Plan. The City of Nedlands Workforce Plan has been considered in the development of this long-term financial plan. No financial impacts are expected from the Workforce Plan with employee costs forecast to rise at the forecast inflation rate of 2.5%.

8.0 Risk Management

8.1 Risk Management

The City provides a diverse range of services and facilities to the general public which exposes it to risks. As part of the implementation of Integrated Planning and Reporting, the City intends to formalise its risk based management practices to improve the management of identified risks.

The City has a practice of conducting a regular review of insurance levels of assets by the Chief Executive Officer to ensure the level is adequate.

The Financial Management Regulations require the investment of surplus funds (including cash reserves) to be in term deposits held by authorised deposit taking institutions or Treasury bonds.

The City seeks to engage experienced and qualified personnel in areas of high risk and provides them with appropriate ongoing training and equipment to ensure they are able to undertake their roles with minimal risk to the community and the City.

8.2 Certainty of Assumptions

Included in the Plan is a detailed analysis of the assumptions used as part of the planning process and the level of risk associated with each assumption.

The impact of the assumptions applied to issues identified as carrying a high risk have been separately disclosed, as has the sensitivity of movements in these assumptions on the financial forecasts set out in this Plan.

8.3 Sensitivity Analysis

Where an assessment has been made that a high level of uncertainty applies to the assumptions, sensitivity analysis has been used to help quantify the potential financial impact of a change in the assumption.

Assumptions with a high level of uncertainty and a higher dollar value present the greatest risk that a movement will result in unexpected and detrimental consequences. The details of this analysis are shown adjacent to each assumption on the following pages.

9.0 Assumptions, Risks, Uncertainties and Sensitivity

9.1 Revenue - Assumptions, Risks, Uncertainties and Sensitivity

Disclosure/Assumption	Assessed Financial Risk	Impact of High Financial Risk Assumptions	Level of Uncertainty	Financial Impact and Sensitivity for Assumption with High Level of Uncertainty/Risk
District Growth in Population: The number of residents in the City is expected to grow in line with the increase in the rate base.	Low	Not assessed as high financial risk.	Medium	Not assessed as high level of uncertainty.
Rates Level Increase: Annual rates have been based on an increase in the total rate revenue of 4.5% from 2023/24 onwards, being in line with forecast inflation rate (2.5%) plus 2.0% growth in the rate base.	Medium	Not assessed as high financial risk.	Medium	Not assessed as high level of uncertainty.
Service Charges: Imposed for each phase of underground power projects to fund the repayment of borrowings.	Medium	Not assessed as high financial risk.	Medium	Not assessed as high level of uncertainty.
Operating Grants and Contributions: Increases in line with inflation forecast.	Medium	Not assessed as high financial risk.	Medium	± \$28,664 to the value of operating grants and contributions per 1% movement in the value in the first year of the Plan.
Non-operating Grants and Contributions: Remain in line with funding requirements identified for various capital works.	Medium	Not assessed as high financial risk.	Medium	± \$149,230 to the value of non-operating grants and contributions per 1% movement in the value over the life of the Plan.
Fees and Charges: Increases in line with inflation forecast.	Medium	Not assessed as high financial risk.	Medium	Not assessed as high level of uncertainty.
Interest Earnings: Interest earning of an average rate of 2.0% per annum.	Low	Not assessed as high financial risk.	Medium	Not assessed as high level of uncertainty.
Other Revenue: Increases in line with inflation.	Low	Not assessed as high financial risk.	Low	Not assessed as high level of uncertainty.
Profit on Asset Disposal: Profit on asset disposal results from a misallocation of depreciation over the life of the asset. As the level of depreciation is considered appropriate no profit on asset disposals has been included.	Low	Not assessed as high financial risk.	Low	Not assessed as high level of uncertainty.

9.2 Expenditure - Assumptions, Risks, Uncertainties and Sensitivity

Disclosure/Assumption	Assessed Financial Risk	Impact of High Financial Risk Assumptions	Level of Uncertainty	Financial Impact and Sensitivity for Assumption with High Level of Uncertainty/Risk
Employee Costs: Increased annually by forecast inflation.	Medium	Not assessed as high financial risk.	Medium	Not assessed as high level of uncertainty.
Materials and Contracts: Increased annually by forecast inflation.	High	Changes in these levels would impact directly on the City's ability to meet projected service levels. Changes in inflation during the year significantly impact on materials and contracts.	High	± \$2,328,423 to the value of materials and contracts per 1% movement in the value over the life of the Plan. A high level of uncertainty exists due to current good and labour storages
Depreciation: Depreciation has been calculated using an average depreciation rate based on historical depreciation expense.	Low	Not assessed as high financial risk.	Low	Not assessed as high level of uncertainty.
Insurance: Base year increased in line with inflation.	Medium	Not assessed as high financial risk.	Medium	Not assessed as high level of uncertainty.
Other Expenditure: Base year increased in line with inflation.	Medium	Not assessed as high financial risk.	Medium	Not assessed as high level of uncertainty.
Loss on Asset Disposal: A loss on asset disposal results from a misallocation of depreciation over the life of the asset. As the level of depreciation is considered appropriate in the Plan no loss on asset disposals has been included in the Plan.	Low	Not assessed as high financial risk.	Low	Not assessed as high level of uncertainty.

9.3 Assets - Assumptions, Risks, Uncertainties and Sensitivity

Disclosure/Assumption	Assessed Financial Risk	Impact of High Financial Risk Assumptions	Level of Uncertainty	Financial Impact and Sensitivity for Assumption with High Level of Uncertainty/Risk
Revaluations: Occur every five years in line with statutory requirements.	Low	The revaluation of assets may result in changes in asset ratio analysis and depreciations leading to a change in the net result. The revaluation of assets will have no impact on Cashflows.	High	±\$1,909,639 to the value of property, plant and equipment per 1% movement in the value over the life of the Plan. ±\$2,502,947 to the value of infrastructure assets per 1% movement in the value over the life of the Plan.
Impairment of Assets: No impairment of assets has been assumed over the life of the Plan. Impairment of assets usually occurs due to unplanned or unforeseen events such as natural disasters.	High	A widespread major impairment event may result in a requirement for high levels of expenditure to maintain service levels.	Medium	Unable to be quantified.
Infrastructure Assets: Expenditure has been based on historical levels escalated by inflation.	High	The capital works program is highly dependent on Government grants and contributions and rates revenue. Changes in these levels would impact directly on the amount spent on capital projects and ultimately on service levels.	High	±\$149,230 to the value of infrastructure assets per 1% movement in the capital grants received over the life of the Plan.
Property, Plant and Equipment: Building expenditure and the Plant Replacement Program is in accordance with the asset management plan.	Medium	Not assessed as high financial risk as the frequency of capital grants for buildings is not as pervasive as roadwork's and plant and equipment replacement is not influenced by external grant funds.	Medium	Not assessed as high level of uncertainty.

9.4 Liabilities - Assumptions, Risks, Uncertainties and Sensitivity

Disclosure/Assumption	Assessed Financial Risk	Impact of High Financial Risk Assumptions	Level of Uncertainty	Financial Impact and Sensitivity for Assumption with High Level of Uncertainty/Risk
Borrowings: New borrowings are planned to partially fund 3 phases of Underground Power Projects.	High	If the City is not able to secure borrowings in the future, the likely impact will be the cancellation or postponement of the Underground Power Projects leading to a reduction in service levels over the short to medium term.	Low	Not assessed as high level of uncertainty.
Employee Entitlements: It has been assumed the City will be in a position to meet its obligations in relation to employee entitlements.	Medium	Not assessed as high financial risk.	Low	Not assessed as high level of uncertainty.

9.5 Equity Risks, Uncertainties and Sensitivity

Disclosure/Assumption	Assessed Financial Risk	Impact of High Financial Risk Assumptions	Level of Uncertainty	Financial Impact and Sensitivity for Assumption with High Level of Uncertainty/Risk
Cash Backed Reserves: It has been assumed the City will invest cash reserves in term deposits with banking institutions and these funds will be available for use during the term of the Plan.	Low	Not assessed as high financial risk.	Medium	Not assessed as high level of uncertainty.
Revaluation Surplus: Increasing in line with inflation based revaluation.	Low	The revaluation of assets to their fair value may result in changes in asset ratio analysis and depreciation leading to a change in the net result. The revaluations of assets will have no impact on Cashflows.	High	±\$1,909,639 to the value of property, plant and equipment per 1% movement in the value over the life of the Plan. ±\$2,502,947 to the value of infrastructure assets per 1% movement in the value over the life of the Plan

9.6 Other - Assumptions, Risks, Uncertainties and Sensitivity

Disclosure/Assumption	Assessed Financial Risk	Impact of High Financial Risk Assumptions	Level of Uncertainty	Financial Impact and Sensitivity for Assumption with High Level of Uncertainty/Risk
Ownership of Strategic Assets: The City has not planned for the ownership of any strategic assets to be transferred to another party over the term of the Plan.	High	Any significant changes to the ownership of strategic assets would require an amendment to this Plan and, depending on the circumstance, be subject to community consultation.	Low	Not assessed as high level of uncertainty.
Inflators: Forecast inflation at 2.5% per annum.	Medium	Not assessed as high financial risk.	High	± \$7,733,715 to operating revenue per 1% movement in the inflators over the life of the Plan. ± \$6,728,188 to operating expenditure per 1% movement in the inflators over the life of the Plan.
Commercial Activities: The City has no plans to undertake a significant commercial activity during the period of the Plan.	Medium	Not assessed as high financial risk.	Low	Not assessed as high level of uncertainty.
General Economic Forecasts for State: The economic forecast for the State is closely linked to the success of the mining industry. Demands for minerals is forecast to remain stable in the short term with a corresponding stability of the state economy.	Medium	Not assessed as high financial risk.	Medium	Not assessed as high level of uncertainty.
General Economic Forecasts for Region: Historically, the metropolitan region's economy is heavily dependent on the economy of the State as a whole and this remains the assumption for the term of this Plan.	Medium	Not assessed as high financial risk.	Medium	Not assessed as high level of uncertainty.

Appendix A1 Forecast Financial Statements

Financial Statements

The following forecast financial statements have been prepared and are included at the end of the Plan.

These forecast statements have been prepared within a framework which accords with the Australian Accounting Standards.

The statements have been prepared based on a number of forecasts and estimates, and readers should ensure they have read and understood the reliance section under Other Matters at the end of the document.

Statements of Comprehensive Income

Often referred to as the operating statement, it shows the revenues and expenses over the periods classified by two methods (by Program and Nature or Type) to disclose a net result.

Statement of Financial Position

More commonly referred to as the Balance Sheet, this statement discloses the forecast changes in the balance of assets and liability accounts over the periods.

Statement of Changes in Equity

This statement discloses the changes in equity over the forecast period. It shows the impact of operations on net assets and the movement in cash backed and revaluation reserves.

Statement of Cashflows

Represents the forecast cash inflows and outflows and discloses the changes to the balance of cash over the period.

Statement of Funding

A statement combining operating and capital revenues and expenses and discloses the opening and closing net current forecast surplus (deficit) funding position for each year.

Statement of Net Current Asset Composition

A statement showing how the closing estimated surplus/deficit has been calculated.

Statement of Fixed Asset Movements

A summary of the impact of the Plan on the value of fixed assets over the period. It discloses the movements in the net value of property, plant, and equipment and infrastructure.

Statement of Fixed Asset Funding

A summary of the capital expenditure by asset class and the source of funding for each class.

Forecast Capital Works

Details planned capital projects by asset class by year.

Forecast Capital Works Funding

A summary of the percentage of external funding anticipated for each capital project.

Nature or Type

A number of statements in the Plan are disclosed using nature or type descriptors of revenue and expenditure (for example Rates and Employee Costs). This classification is in accordance with Schedule 1 of the *Local Government (Financial Management) Regulation 1996*.

Service Programs

The City provides a wide variety of services to the community in order to achieve its vision and objectives. The following service program descriptions as per the *Local Government (Financial Management) Regulations 1996* are used in the Plan to represent these services, however not all services listed may be provided by the City of Nedlands.

Objectives	Services
Governance	Members of Council Governance – general
General purpose funding	Rates Other general purpose funding
Law, order, public safety	Fire prevention Animal control Other law, order, public safety
Health	Maternal and infant health Preventative services <ul style="list-style-type: none"> - Immunisation - Meat inspection - Administration and inspection - Pest control - Other
Education and welfare	Other health Pre-school Other education Care of families and children Aged and disabled <ul style="list-style-type: none"> - Senior citizens centres - Meals on wheels
Housing	Other welfare Staff housing Other housing
Community amenities	Sanitation <ul style="list-style-type: none"> - Household refuse - Other
	Sewerage Urban stormwater drainage Protection of environment Town planning and regional development Other community amenities

Objectives	Services
Recreation and culture	Public halls, civic centre Swimming areas Other recreation and sport Television and radio re-broadcasting Libraries Other culture
Transport	Streets, roads, bridges, depots <ul style="list-style-type: none"> - Construction (not capitalised) - Maintenance
	Road plant purchase (if not capitalised) Parking facilities Traffic control Aerodromes Water transport facilities
Economic services	Rural services Tourism and area promotion Building control Sale yards and markets Plant nursery Other economic services
Other property and services	Private works Public works overheads Plant operation Salaries and wages Unclassified Town Planning Schemes

Appendix A2 Forecast Statement of Comprehensive Income by Nature or Type 2023 - 2038

	2019-20	2020-21	2021-22	Base	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31	2031-32	2032-33	2033-34	2034-35	2035-36	2036-37	2037-38
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Revenues																			
Rates	24,367,185	24,724,235	25,305,927	25,819,393	26,981,266	28,195,423	29,464,217	30,790,107	32,175,662	33,623,566	35,136,627	36,717,775	38,370,075	40,096,729	41,901,081	43,786,629	45,757,028	47,816,094	49,967,818
Operating grants, subsidies and contributions	2,293,237	2,162,126	2,305,116	2,374,464	2,866,416	2,938,077	3,011,529	3,086,819	3,163,990	3,243,090	3,324,169	3,407,273	3,492,453	3,579,765	3,669,258	3,760,987	3,855,011	3,951,385	4,050,170
Fees and charges	7,099,852	7,699,409	7,543,064	7,999,894	7,875,194	8,072,076	8,273,880	8,480,726	8,692,750	8,910,069	9,132,824	9,361,147	9,595,175	9,835,054	10,080,931	10,332,953	10,591,274	10,856,049	11,127,449
Service charges	(204,464)	(19,966)	22,147	0	0	1,120,950	2,568,961	3,470,735	1,248,662	1,024,472	555,518	0	0	0	0	0	0	0	0
Interest earnings	500,063	268,905	237,227	373,371	385,299	359,101	364,182	350,595	331,436	333,363	335,332	337,344	339,394	341,491	343,634	345,818	348,051	350,333	352,658
Other revenue	490,161	132,711	472,764	326,560	265,785	272,430	279,242	286,225	293,382	300,717	308,236	315,944	323,842	331,939	340,236	348,742	357,460	366,396	375,556
	34,546,034	34,967,420	35,886,245	36,893,682	38,373,960	40,958,057	43,962,011	46,465,207	48,905,882	51,435,277	54,000,000	56,600,000	59,240,000	61,915,000	64,620,000	67,360,000	70,130,000	72,935,000	75,770,000
Expenses																			
Employee costs	(13,890,564)	(14,396,659)	(16,394,946)	(16,400,146)	(16,410,159)	(15,790,409)	(15,635,167)	(16,026,047)	(16,426,699)	(16,837,377)	(17,258,315)	(17,689,768)	(18,132,017)	(18,585,312)	(19,049,949)	(19,526,203)	(20,014,361)	(20,514,714)	(21,027,589)
Materials and contracts	(10,139,596)	(11,089,161)	(12,081,475)	(12,668,047)	(12,984,776)	(13,309,394)	(13,642,131)	(13,983,187)	(14,332,774)	(14,691,102)	(15,058,378)	(15,434,849)	(15,820,711)	(16,216,238)	(16,621,637)	(17,037,181)	(17,463,109)	(17,899,683)	(18,347,177)
Utility charges	(881,896)	(882,938)	(938,783)	(943,574)	(967,166)	(991,344)	(1,016,128)	(1,041,530)	(1,067,568)	(1,094,257)	(1,121,614)	(1,149,654)	(1,178,396)	(1,207,858)	(1,238,054)	(1,269,004)	(1,300,730)	(1,333,247)	(1,366,579)
Depreciation on non-current assets	(4,128,897)	(4,288,831)	(4,491,610)	(6,538,604)	(6,296,579)	(6,351,068)	(6,351,068)	(6,351,068)	(6,351,068)	(7,185,649)	(7,185,649)	(7,185,649)	(7,185,649)	(7,185,649)	(8,129,903)	(8,129,903)	(8,129,903)	(8,129,903)	(8,140,193)
Interest expenses	(241,893)	(169,430)	(114,275)	(77,770)	(44,682)	(43,351)	(106,749)	(193,744)	(180,996)	(108,772)	(47,172)	(9,821)	0	0	0	0	0	0	0
Insurance expenses	(412,313)	(375,901)	(380,169)	(466,808)	(478,487)	(490,444)	(502,701)	(515,269)	(528,152)	(541,354)	(554,880)	(568,750)	(582,967)	(597,536)	(612,474)	(627,787)	(643,478)	(659,563)	(676,056)
Other expenditure	(937,514)	(706,287)	(771,133)	(928,551)	(2,643,525)	(6,246,179)	(8,827,247)	(5,273,388)	(1,050,576)	(1,076,842)	(1,103,764)	(1,131,356)	(1,159,639)	(1,188,630)	(1,218,347)	(1,248,808)	(1,280,028)	(1,312,028)	(1,344,831)
	(30,632,673)	(31,909,207)	(35,172,391)	(38,023,500)	(39,825,374)	(43,222,189)	(46,081,191)	(43,384,233)	(39,937,833)	(41,535,353)	(42,329,772)	(43,169,847)	(44,059,379)	(44,981,223)	(46,870,364)	(47,838,886)	(48,831,609)	(49,849,138)	(50,902,425)
	3,913,361	3,058,213	713,854	(1,129,818)	(1,451,414)	(2,264,132)	(2,119,180)	3,080,974	5,968,049	5,899,924	6,462,934	6,969,636	8,061,560	9,203,755	9,464,776	10,736,243	12,077,215	13,491,119	14,971,226
Non-operating grants, subsidies and contributions	2,174,522	2,256,281	344,208	3,669,804	853,000	1,005,000	1,005,000	1,005,000	1,005,000	1,005,000	1,005,000	1,005,000	1,005,000	1,005,000	1,005,000	1,005,000	1,005,000	1,005,000	1,005,000
Fair value adjustments to financial assets at fair value through profit or loss	2,305	5,172	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Profit on asset disposals	77,691	35,067	17,938	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Loss on asset disposal	(24,217)	0	(3,262)	(44,871)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
NET RESULT	6,143,662	5,354,733	1,072,738	2,485,115	(598,414)	(1,259,132)	(1,114,180)	4,085,974	6,973,049	6,904,924	7,467,934	7,974,636	9,066,560	10,208,755	10,469,776	11,741,243	13,082,215	14,496,119	15,976,226
Other comprehensive income	0	0	0	0	18,638,445	0	0	0	0	23,457,101	0	0	0	0	32,293,421	0	0	0	0
TOTAL COMPREHENSIVE INCOME	6,143,662	5,354,733	1,072,738	2,485,115	18,040,031	(1,259,132)	(1,114,180)	4,085,974	6,973,049	30,362,025	7,467,934	7,974,636	9,066,560	10,208,755	42,763,197	11,741,243	13,082,215	14,496,119	15,976,226

Appendix A3 Forecast Statement of Comprehensive Income by Program 2023 - 2038

	2019-20	2020-21	2021-22	Note	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31	2031-32	2032-33	2033-34	2034-35	2035-36	2036-37	2037-38
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Revenue																			
Governance	253,900	104,963	122,033	35,000	35,875	36,772	37,691	38,633	39,599	40,589	41,604	42,644	43,710	44,803	45,923	47,071	48,248	49,454	50,690
General purpose funding	25,787,306	25,830,794	26,708,052	26,797,192	28,430,095	29,644,642	30,945,771	32,286,009	33,681,039	35,160,219	36,705,332	38,319,327	40,005,282	41,766,428	43,606,128	45,527,895	47,535,413	49,632,518	51,823,219
Law, order, public safety	400,106	377,391	324,802	430,592	441,357	452,392	463,703	475,296	487,181	499,361	511,846	524,643	537,757	551,202	564,982	579,107	593,585	608,423	623,632
Health	159,281	59,545	98,327	74,008	75,858	77,754	79,698	81,691	83,734	85,827	87,973	90,173	92,427	94,737	97,105	99,534	102,022	104,572	107,186
Education and welfare	1,943,721	2,083,015	2,850,575	2,814,220	2,884,577	2,956,691	3,030,609	3,106,374	3,184,034	3,263,635	3,345,226	3,428,857	3,514,579	3,602,445	3,692,507	3,784,818	3,879,439	3,976,424	4,075,835
Community amenities	3,618,105	3,993,694	4,063,014	4,332,508	4,440,823	4,551,844	4,665,638	4,782,278	4,901,834	5,024,380	5,149,989	5,278,740	5,410,707	5,545,974	5,684,623	5,826,736	5,972,403	6,121,712	6,274,754
Recreation and culture	1,400,353	935,369	237,297	795,395	803,878	823,976	844,577	865,692	887,336	909,518	932,257	955,565	979,455	1,003,941	1,029,040	1,054,764	1,081,132	1,108,158	1,135,862
Transport	153,415	165,454	185,445	25,272	25,904	26,552	27,216	27,896	28,594	29,309	30,042	30,793	31,562	32,351	33,160	33,989	34,838	35,709	36,602
Economic services	889,132	1,347,474	718,479	885,064	907,191	2,050,821	3,522,079	4,447,682	2,250,034	2,050,879	1,607,588	1,078,370	1,105,330	1,132,963	1,161,286	1,190,318	1,220,075	1,250,576	1,281,841
Other property and services	(59,285)	69,721	596,159	704,431	328,402	336,613	345,029	353,656	362,497	371,560	380,849	390,371	400,130	410,134	420,386	430,897	441,669	452,711	464,030
	34,546,034	34,967,420	35,904,183	36,893,682	38,373,960	40,958,057	43,962,011	46,465,207	49,905,882	47,435,277	48,792,706	50,139,483	52,120,939	54,184,978	56,335,140	58,575,129	60,908,824	63,340,257	65,873,651
Expenses excluding finance costs																			
Governance	(2,597,806)	(3,318,649)	(3,362,678)	(2,479,999)	(2,542,006)	(2,555,558)	(2,569,448)	(2,633,686)	(2,699,531)	(2,767,027)	(2,836,202)	(2,907,104)	(2,979,782)	(3,054,275)	(3,130,630)	(3,208,899)	(3,289,123)	(3,371,346)	(3,455,637)
General purpose funding	(667,253)	(458,156)	(489,599)	(645,210)	(661,342)	(577,874)	(492,321)	(504,629)	(517,244)	(530,177)	(543,430)	(557,014)	(570,939)	(585,213)	(599,843)	(614,839)	(630,211)	(645,965)	(662,116)
Law, order, public safety	(1,000,422)	(916,601)	(933,834)	(1,039,068)	(1,065,046)	(991,670)	(916,465)	(939,377)	(962,860)	(986,935)	(1,011,610)	(1,036,901)	(1,062,823)	(1,089,394)	(1,116,627)	(1,144,543)	(1,173,154)	(1,202,482)	(1,232,544)
Health	(661,509)	(671,243)	(841,826)	(822,802)	(843,372)	(864,456)	(886,069)	(908,220)	(930,926)	(954,201)	(978,056)	(1,002,507)	(1,027,571)	(1,053,260)	(1,079,590)	(1,106,581)	(1,134,244)	(1,162,600)	(1,191,667)
Education and welfare	(2,441,082)	(2,465,249)	(3,455,954)	(3,810,716)	(3,597,791)	(3,305,647)	(3,385,074)	(3,466,482)	(3,549,935)	(3,632,361)	(3,714,038)	(3,799,905)	(3,889,905)	(3,922,021)	(4,016,436)	(4,132,315)	(4,231,514)	(4,333,193)	(4,437,411)
Community amenities	(4,766,093)	(5,804,452)	(6,403,517)	(6,421,495)	(6,582,033)	(6,646,582)	(6,712,749)	(6,880,569)	(7,052,585)	(7,228,905)	(7,409,627)	(7,594,871)	(7,784,743)	(7,979,362)	(8,178,844)	(8,383,313)	(8,592,893)	(8,807,717)	(9,027,912)
Recreation and culture	(8,878,439)	(7,840,095)	(8,096,352)	(9,675,971)	(9,742,704)	(9,904,500)	(10,103,094)	(10,306,651)	(10,515,304)	(10,986,815)	(11,206,029)	(11,430,730)	(11,661,034)	(11,897,104)	(12,430,580)	(12,678,604)	(12,932,822)	(13,193,393)	(13,463,663)
Transport	(4,478,937)	(4,362,998)	(4,649,645)	(6,724,035)	(6,686,604)	(6,801,599)	(6,891,158)	(6,982,959)	(7,077,050)	(7,596,524)	(7,695,382)	(7,796,709)	(7,900,570)	(8,007,031)	(8,594,771)	(8,706,619)	(8,821,265)	(8,938,777)	(9,064,440)
Economic services	(4,727,977)	(4,686,349)	(2,323,097)	(2,381,811)	(4,133,114)	(7,773,007)	(10,392,244)	(6,877,508)	(2,694,804)	(2,762,173)	(2,831,226)	(2,902,007)	(2,974,560)	(3,048,922)	(3,125,144)	(3,203,271)	(3,283,353)	(3,365,435)	(3,449,569)
Other property and services	(171,262)	(1,215,985)	(4,504,876)	(3,944,623)	(3,926,680)	(3,757,945)	(3,625,820)	(3,690,408)	(3,756,598)	(3,961,463)	(4,031,000)	(4,102,278)	(4,175,336)	(4,250,226)	(4,482,020)	(4,560,703)	(4,641,351)	(4,724,012)	(4,810,434)
	(30,390,780)	(31,739,777)	(35,061,378)	(37,945,730)	(39,780,692)	(43,178,838)	(45,974,442)	(43,190,489)	(39,756,837)	(41,426,581)	(42,282,600)	(43,160,026)	(44,059,379)	(44,981,223)	(46,870,364)	(47,838,886)	(48,831,609)	(49,849,138)	(50,902,425)
Finance costs																			
Community amenities	(80,107)	(59,286)	(38,847)	(23,924)	(12,922)	(10,475)	(7,961)	(5,379)	(2,726)	0	0	0	0	0	0	0	0	0	0
Recreation and culture	(119,126)	(81,583)	(48,490)	(35,919)	(23,934)	(11,584)	(1,372)	0	0	0	0	0	0	0	0	0	0	0	0
Transport	(36,079)	(28,561)	(22,224)	(14,159)	(5,597)	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Economic services	0	0	0	0	0	(19,522)	(95,971)	(187,251)	(177,496)	(108,344)	(47,084)	(9,821)	0	0	0	0	0	0	0
Other property and services	(6,581)	0	(4,714)	(3,768)	(2,229)	(1,770)	(1,445)	(1,114)	(774)	(428)	(88)	0	0	0	0	0	0	0	0
	(241,893)	(169,430)	(114,275)	(77,770)	(44,682)	(43,351)	(106,749)	(193,744)	(180,996)	(108,772)	(47,172)	(9,821)	0	0	0	0	0	0	0
Non operating grants, subsidies and contributions																			
Community amenities	0	0	0	19,050	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Recreation and culture	58,670	0	0	2,018,400	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Transport	2,115,852	2,256,281	344,208	1,632,354	853,000	1,005,000	1,005,000	1,005,000	1,005,000	1,005,000	1,005,000	1,005,000	1,005,000	1,005,000	1,005,000	1,005,000	1,005,000	1,005,000	1,005,000
	2,174,522	2,256,281	344,208	3,669,804	853,000	1,005,000	1,005,000	1,005,000	1,005,000	1,005,000	1,005,000	1,005,000	1,005,000	1,005,000	1,005,000	1,005,000	1,005,000	1,005,000	1,005,000
Profit/(loss) on disposal of assets																			
Other property and services	53,853	35,067	0	(44,871)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	53,853	35,067	0	(44,871)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Fair value adjustments to financial assets at fair value through profit or loss																			
	2,305	5,172	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
NET RESULT	6,143,662	5,354,733	1,072,738	2,495,115	(598,414)	(1,259,132)	(1,114,180)	4,085,974	6,973,049	6,904,924	7,467,934	7,974,636	9,066,560	10,208,755	10,469,776	11,741,243	13,082,215	14,496,119	15,976,226
Other comprehensive income	0	0	0	0	18,638,445	0	0	0	0	23,457,101	0	0	0	0	32,293,421	0	0	0	0
TOTAL COMPREHENSIVE INCOME	6,143,662	5,354,733	1,072,738	2,495,115	18,040,031	(1,259,132)	(1,114,180)	4,085,974	6,973,049	30,362,025	7,467,934	7,974,636	9,066,560	10,208,755	42,763,197	11,741,243	13,082,215	14,496,119	15,976,226

Appendix A4 Forecast Statement of Financial Position 2023 - 2038

	2020	2021	2022	Base	30 June 24	30 June 25	30 June 26	30 June 27	30 June 28	30 June 29	30 June 30	30 June 31	30 June 32	30 June 33	30 June 34	30 June 35	30 June 36	30 June 37	30 June 38
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
CURRENT ASSETS																			
Unrestricted cash and cash equivalents	1,052,089	7,039,036	9,851,026	2,462,943	1,996,385	1,996,385	1,996,385	1,996,385	1,996,385	1,996,385	1,996,385	1,996,385	1,996,385	1,996,385	1,996,385	1,996,385	1,996,385	1,996,385	1,996,385
Restricted cash and cash equivalent	9,167,261	8,788,310	8,410,354	5,878,492	5,037,191	5,288,766	4,587,793	3,606,200	3,678,324	3,751,890	3,826,928	3,903,469	3,981,538	4,061,169	4,142,395	4,225,243	4,309,748	4,395,945	4,483,862
Financial assets	6,277,329	4,298,665	17,133	17,133	17,133	17,133	17,133	17,133	17,133	17,133	17,133	17,133	17,133	17,133	17,133	17,133	17,133	17,133	17,133
Trade and other receivables	2,132,896	1,954,644	2,426,770	2,426,770	2,427,249	2,415,414	2,411,367	2,411,367	2,411,367	2,411,367	2,411,367	2,411,367	2,411,367	2,411,367	2,411,367	2,411,367	2,411,367	2,411,367	2,411,367
Inventories	22,816	34,191	40,738	15,328	15,328	15,328	15,328	15,328	15,328	15,328	15,328	15,328	15,328	15,328	15,328	15,328	15,328	15,328	15,328
Contract assets	33,686	13,500	13,500	13,500	13,500	13,500	13,500	13,500	13,500	13,500	13,500	13,500	13,500	13,500	13,500	13,500	13,500	13,500	13,500
Other assets	341,013	48,312	62,287	62,287	62,287	62,287	62,287	62,287	62,287	62,287	62,287	62,287	62,287	62,287	62,287	62,287	62,287	62,287	62,287
TOTAL CURRENT ASSETS	19,027,090	22,176,658	20,821,808	10,876,453	9,569,073	9,808,813	9,103,793	8,122,200	8,194,324	8,267,890	8,342,928	8,419,469	8,497,538	8,577,169	8,658,395	8,741,243	8,825,748	8,911,945	8,999,862
NON-CURRENT ASSETS																			
Financial assets	221,257	205,015	195,875	177,369	177,369	177,369	177,369	177,369	177,369	177,369	177,369	177,369	177,369	177,369	177,369	177,369	177,369	177,369	177,369
Other receivables	1,110,860	1,443,370	992,330	992,330	976,448	972,401	972,401	972,401	972,401	972,401	972,401	972,401	972,401	972,401	972,401	972,401	972,401	972,401	972,401
Other assets	493,575	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Property plant and equipment	152,326,159	151,704,020	150,822,512	152,046,138	158,287,582	159,432,389	160,587,193	161,752,243	162,987,796	170,590,550	171,754,952	172,995,278	174,313,426	175,711,341	185,180,519	186,497,933	187,901,248	189,392,612	190,963,935
Infrastructure	90,302,381	92,642,616	92,518,530	99,725,656	112,282,429	111,832,513	113,335,233	116,912,344	120,127,756	140,578,434	145,287,118	151,509,458	159,179,801	167,911,010	201,123,803	211,464,784	223,059,179	235,977,737	250,294,723
Intangible assets	0	0	973,400	2,807,598	2,807,598	2,807,598	2,807,598	2,807,598	2,807,598	2,807,598	2,807,598	2,807,598	2,807,598	2,807,598	2,807,598	2,807,598	2,807,598	2,807,598	2,807,598
TOTAL NON-CURRENT ASSETS	244,454,232	245,995,021	245,502,647	255,749,091	274,531,426	275,222,270	277,879,794	282,621,955	287,072,920	315,126,352	320,999,438	328,462,104	337,450,595	347,579,719	390,261,690	401,920,085	414,917,795	429,327,717	445,216,026
TOTAL ASSETS	263,481,322	268,171,679	266,324,455	266,625,544	284,100,499	285,031,083	286,983,587	290,744,155	295,267,244	323,394,242	329,342,366	336,881,573	345,948,133	356,156,888	398,920,085	410,661,328	423,743,543	438,239,662	454,215,888
CURRENT LIABILITIES																			
Trade and other payables	6,186,122	7,573,268	4,516,000	4,516,000	4,516,000	4,516,000	4,516,000	4,516,000	4,516,000	4,516,000	4,516,000	4,516,000	4,516,000	4,516,000	4,516,000	4,516,000	4,516,000	4,516,000	4,516,000
Contract liabilities	1,022,659	671,023	1,458,554	466,558	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Lease liabilities	52,999	64,310	65,506	49,384	15,582	15,907	16,239	16,580	16,925	11,480	0	0	0	0	0	0	0	0	0
Current portion of long-term liabilities	1,750,166	1,405,492	1,138,739	647,710	680,645	1,072,707	1,975,722	2,433,380	2,218,102	1,508,330	435,429	0	0	0	0	0	0	0	0
Provisions	2,652,371	2,678,769	2,923,409	2,923,409	2,923,409	2,923,409	2,923,409	2,923,409	2,923,409	2,923,409	2,923,409	2,923,409	2,923,409	2,923,409	2,923,409	2,923,409	2,923,409	2,923,409	2,923,409
TOTAL CURRENT LIABILITIES	11,664,317	12,392,862	10,102,208	8,603,061	8,135,636	8,528,023	9,431,370	9,889,369	9,674,436	8,959,219	7,874,838	7,439,409	7,439,409	7,439,409	7,439,409	7,439,409	7,439,409	7,439,409	7,439,409
NON-CURRENT LIABILITIES																			
Contract liabilities	0	0	93,181	93,181	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Lease liabilities	137,163	207,605	142,100	92,713	77,131	61,224	44,985	28,405	11,480	0	0	0	0	0	0	0	0	0	0
Non-current liabilities	47,251	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Long-term borrowings	4,114,485	2,708,993	1,570,254	924,762	935,874	2,749,110	4,928,686	4,161,861	1,943,759	435,429	0	0	0	0	0	0	0	0	0
Provisions	264,987	254,371	254,371	254,371	254,371	254,371	254,371	254,371	254,371	254,371	254,371	254,371	254,371	254,371	254,371	254,371	254,371	254,371	254,371
TOTAL NON-CURRENT LIABILITIES	4,563,886	3,170,969	2,059,906	1,365,027	1,267,376	3,064,705	5,228,042	4,444,637	2,209,610	689,800	254,371	254,371	254,371	254,371	254,371	254,371	254,371	254,371	254,371
TOTAL LIABILITIES	16,228,203	15,563,831	12,162,114	9,968,088	9,403,012	11,592,728	14,659,412	14,334,006	11,884,046	9,649,019	8,129,209	7,693,780	7,693,780	7,693,780	7,693,780	7,693,780	7,693,780	7,693,780	7,693,780
NET ASSETS	247,253,119	252,607,848	254,162,341	256,657,456	274,697,487	273,438,355	272,324,175	276,410,149	283,383,198	313,745,223	321,213,157	329,187,793	338,254,353	348,463,108	391,226,305	402,967,548	416,049,763	430,545,882	446,522,108
EQUITY																			
Retained surplus	81,399,623	87,333,105	85,794,334	90,821,311	91,064,198	89,553,491	89,140,284	94,207,851	101,108,776	107,940,134	115,333,030	123,231,125	132,219,616	142,348,740	152,737,290	164,395,685	177,393,395	191,803,317	207,691,626
Reserves - cash backed	5,895,843	5,317,090	8,410,354	5,878,492	5,037,191	5,288,766	4,587,793	3,606,200	3,678,324	3,751,890	3,826,928	3,903,469	3,981,538	4,061,169	4,142,395	4,225,243	4,309,748	4,395,945	4,483,862
Asset revaluation surplus	159,957,653	159,957,653	159,957,653	159,957,653	178,596,098	178,596,098	178,596,098	178,596,098	178,596,098	178,596,098	202,053,199	202,053,199	202,053,199	202,053,199	234,346,620	234,346,620	234,346,620	234,346,620	234,346,620
TOTAL EQUITY	247,253,119	252,607,848	254,162,341	256,657,456	274,697,487	273,438,355	272,324,175	276,410,149	283,383,198	313,745,223	321,213,157	329,187,793	338,254,353	348,463,108	391,226,305	402,967,548	416,049,763	430,545,882	446,522,108

Appendix A5 Forecast Statement of Changes in Equity 2023 - 2038

	2020	2021	2022	Base	30 June 24	30 June 25	30 June 26	30 June 27	30 June 28	30 June 29	30 June 30	30 June 31	30 June 32	30 June 33	30 June 34	30 June 35	30 June 36	30 June 37	30 June 38
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
RETAINED SURPLUS																			
Opening balance	75,255,961	81,399,619	87,814,860	85,794,334	90,821,311	91,064,198	89,553,491	89,140,284	94,207,851	101,108,776	107,940,134	115,333,030	123,231,125	132,219,616	142,348,740	152,737,290	164,395,685	177,393,395	191,803,317
Net result	6,143,662	5,354,733	1,072,738	2,495,115	(598,414)	(1,259,132)	(1,114,180)	4,085,974	6,973,049	6,904,924	7,467,934	7,974,636	9,066,560	10,208,755	10,469,776	11,741,243	13,082,215	14,496,119	15,976,226
Amount transferred (to)/from reserves	0	578,753	(3,093,264)	2,531,862	841,301	(251,575)	700,973	981,593	(72,124)	(73,566)	(75,038)	(76,541)	(78,069)	(79,631)	(81,226)	(82,848)	(84,505)	(86,197)	(87,917)
Closing balance	81,399,623	87,333,105	85,794,334	90,821,311	91,064,198	89,553,491	89,140,284	94,207,851	101,108,776	107,940,134	115,333,030	123,231,125	132,219,616	142,348,740	152,737,290	164,395,685	177,393,395	191,803,317	207,691,626
RESERVES - CASH/INVESTMENT BACKED																			
Opening balance	5,895,843	5,895,843	5,317,090	8,410,354	5,878,492	5,037,191	5,288,766	4,587,793	3,606,200	3,678,324	3,751,890	3,826,928	3,903,469	3,981,538	4,061,169	4,142,395	4,225,243	4,309,748	4,395,945
Amount transferred to/(from) retained surplus	0	(578,753)	3,093,264	(2,531,862)	(841,301)	251,575	(700,973)	(981,593)	72,124	73,566	75,038	76,541	78,069	79,631	81,226	82,848	84,505	86,197	87,917
Closing balance	5,895,843	5,317,090	8,410,354	5,878,492	5,037,191	5,288,766	4,587,793	3,606,200	3,678,324	3,751,890	3,826,928	3,903,469	3,981,538	4,061,169	4,142,395	4,225,243	4,309,748	4,395,945	4,483,862
ASSET REVALUATION SURPLUS																			
Opening balance	159,957,653	159,957,653	159,957,653	159,957,653	159,957,653	178,596,098	178,596,098	178,596,098	178,596,098	178,596,098	202,053,199	202,053,199	202,053,199	202,053,199	202,053,199	234,346,620	234,346,620	234,346,620	234,346,620
Total other comprehensive income	0	0	0	0	18,638,445	0	0	0	0	23,457,101	0	0	0	0	32,293,421	0	0	0	0
Closing balance	159,957,653	159,957,653	159,957,653	159,957,653	178,596,098	178,596,098	178,596,098	178,596,098	178,596,098	202,053,199	202,053,199	202,053,199	202,053,199	202,053,199	234,346,620	234,346,620	234,346,620	234,346,620	234,346,620
TOTAL EQUITY	247,253,119	252,607,848	254,162,341	256,657,456	274,697,487	273,438,355	272,324,175	276,410,149	283,383,198	313,745,223	321,213,157	329,187,793	338,254,353	348,463,108	391,226,305	402,967,548	416,049,763	430,545,882	446,522,108

Appendix A6 Forecast Statement of Cashflows 2023 - 2038

	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31	2031-32	2032-33	2033-34	2034-35	2035-36	2036-37	2037-38
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Cash flows from operating activities															
Receipts															
Rates	26,981,266	28,195,423	29,464,217	30,790,107	32,175,662	33,623,566	35,136,627	36,717,775	38,370,075	40,096,729	41,901,081	43,786,629	45,757,028	47,816,094	49,967,818
Operating grants, subsidies and contributions	2,866,416	2,938,077	3,011,529	3,086,819	3,163,990	3,243,090	3,324,169	3,407,273	3,492,453	3,579,765	3,669,258	3,760,987	3,855,011	3,951,385	4,050,170
Fees and charges	7,875,194	8,072,076	8,273,880	8,480,726	8,692,750	8,910,069	9,132,824	9,361,147	9,595,175	9,835,054	10,080,931	10,332,953	10,591,274	10,856,049	11,127,449
Service charges	0	1,120,950	2,568,961	3,470,735	1,248,662	1,024,472	555,518	0	0	0	0	0	0	0	0
Interest earnings	385,299	359,101	364,182	350,595	331,436	333,363	335,332	337,344	339,394	341,491	343,634	345,818	348,051	350,333	352,658
Other revenue	265,785	272,430	279,242	286,225	293,382	300,717	308,236	315,944	323,842	331,939	340,236	348,742	357,460	366,396	375,556
	38,373,960	40,958,057	43,962,011	46,465,207	49,055,882	51,735,277	54,502,706	57,365,483	60,317,939	63,369,978	66,523,140	69,778,129	73,135,824	76,604,257	80,185,651
Payments															
Employee costs	(16,410,159)	(15,790,409)	(15,635,167)	(16,026,047)	(16,426,699)	(16,837,377)	(17,258,315)	(17,689,768)	(18,132,017)	(18,585,312)	(19,049,949)	(19,526,203)	(20,014,361)	(20,514,714)	(21,027,589)
Materials and contracts	(12,984,776)	(13,309,394)	(13,642,131)	(13,983,187)	(14,332,774)	(14,691,102)	(15,058,378)	(15,434,849)	(15,820,711)	(16,216,238)	(16,621,637)	(17,037,181)	(17,463,109)	(17,899,683)	(18,347,177)
Utility charges	(967,166)	(991,344)	(1,016,128)	(1,041,530)	(1,067,568)	(1,094,257)	(1,121,614)	(1,149,654)	(1,178,396)	(1,207,858)	(1,238,054)	(1,269,004)	(1,300,730)	(1,333,247)	(1,366,579)
Interest expenses	(44,682)	(43,351)	(106,749)	(193,744)	(180,996)	(108,772)	(47,172)	(9,821)	0	0	0	0	0	0	0
Insurance expenses	(478,487)	(490,444)	(502,701)	(515,269)	(528,152)	(541,354)	(554,880)	(568,750)	(582,967)	(597,536)	(612,474)	(627,787)	(643,478)	(659,563)	(676,056)
Other expenditure	(2,643,525)	(6,246,179)	(8,827,247)	(5,273,388)	(1,050,576)	(1,076,842)	(1,103,764)	(1,131,356)	(1,159,639)	(1,188,630)	(1,218,347)	(1,248,808)	(1,280,028)	(1,312,028)	(1,344,831)
	(33,528,795)	(36,871,121)	(39,730,123)	(37,033,165)	(33,586,765)	(34,349,704)	(35,144,123)	(35,984,198)	(36,873,730)	(37,795,574)	(38,740,461)	(39,708,983)	(40,701,706)	(41,719,235)	(42,762,232)
Net cash provided by (used in) operating activities	4,845,165	4,086,936	4,231,888	9,432,042	12,319,117	13,085,573	13,648,583	14,155,285	15,247,209	16,389,404	17,594,679	18,866,146	20,207,118	21,621,022	23,111,419
Cash flows from investing activities															
Payments for purchase of property, plant & equipment	(2,908,704)	(2,921,422)	(2,934,458)	(2,947,819)	(3,021,515)	(3,097,052)	(3,174,479)	(3,253,841)	(3,335,187)	(3,418,567)	(3,504,032)	(3,591,632)	(3,681,423)	(3,773,459)	(3,867,795)
Payments for construction of infrastructure	(3,666,239)	(4,246,094)	(6,198,730)	(8,273,121)	(7,911,422)	(8,819,105)	(10,021,787)	(11,535,443)	(12,983,446)	(14,044,312)	(15,166,229)	(16,352,270)	(17,605,684)	(18,929,847)	(20,328,275)
Proceeds from non-operating grants, subsidies and contributions	293,261	1,005,000	1,005,000	1,005,000	1,005,000	1,005,000	1,005,000	1,005,000	1,005,000	1,005,000	1,005,000	1,005,000	1,005,000	1,005,000	1,005,000
Proceeds from self supporting loans	15,403	15,882	4,047	0	0	0	0	0	0	0	0	0	0	0	0
Proceeds from sale of plant & equipment	118,592	121,557	124,596	127,711	130,904	134,177	137,531	140,969	144,493	148,106	151,808	155,604	159,494	163,481	167,568
Net cash provided by (used in) investing activities	(6,147,687)	(6,025,077)	(7,999,545)	(10,088,229)	(9,797,033)	(10,776,980)	(12,053,735)	(13,643,315)	(15,169,140)	(16,309,773)	(17,513,453)	(18,783,298)	(20,122,613)	(21,534,825)	(23,023,502)
Cash flows from financing activities															
Repayment of debentures	(647,710)	(680,645)	(1,072,707)	(1,975,722)	(2,433,380)	(2,218,102)	(1,508,330)	(435,429)	0	0	0	0	0	0	0
Repayment of leases	(49,384)	(15,582)	(15,907)	(16,239)	(16,580)	(16,925)	(11,480)	0	0	0	0	0	0	0	0
Proceeds from new debentures	691,757	2,885,943	4,155,298	1,666,555	0	0	0	0	0	0	0	0	0	0	0
Net cash provided by (used in) financing activities	(5,337)	2,189,716	3,066,684	(325,406)	(2,449,960)	(2,235,027)	(1,519,810)	(435,429)	0	0	0	0	0	0	0
Net increase (decrease) in cash held	(1,307,859)	251,575	(700,973)	(981,593)	72,124	73,566	75,038	76,541	78,069	79,631	81,226	82,848	84,505	86,197	87,917
Cash at beginning of year	8,341,435	7,033,576	7,285,151	6,584,178	5,602,585	5,674,709	5,748,275	5,823,313	5,899,854	5,977,923	6,057,554	6,138,780	6,221,628	6,306,133	6,392,330
Cash and cash equivalents at the end of year	7,033,576	7,285,151	6,584,178	5,602,585	5,674,709	5,748,275	5,823,313	5,899,854	5,977,923	6,057,554	6,138,780	6,221,628	6,306,133	6,392,330	6,480,247

Appendix A7 Forecast Statement of Funding 2023 - 2038

	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31	2031-32	2032-33	2033-34	2034-35	2035-36	2036-37	2037-38
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
FUNDING FROM OPERATIONAL ACTIVITIES															
Revenues															
Rates	26,981,266	28,195,423	29,464,217	30,790,107	32,175,662	33,623,566	35,136,627	36,717,775	38,370,075	40,096,729	41,901,081	43,786,629	45,757,028	47,816,094	49,967,818
Operating grants, subsidies and contributions	2,866,416	2,938,077	3,011,529	3,086,819	3,163,990	3,243,090	3,324,169	3,407,273	3,492,453	3,579,765	3,669,258	3,760,987	3,855,011	3,951,385	4,050,170
Fees and charges	7,875,194	8,072,076	8,273,880	8,480,726	8,692,750	8,910,069	9,132,824	9,361,147	9,595,175	9,835,054	10,080,931	10,332,953	10,591,274	10,856,049	11,127,449
Service charges	0	1,120,950	2,568,961	3,470,735	1,248,662	1,024,472	555,518	0	0	0	0	0	0	0	0
Interest earnings	385,299	359,101	364,182	350,595	331,436	333,363	335,332	337,344	339,394	341,491	343,634	345,818	348,051	350,333	352,658
Other revenue	265,785	272,430	279,242	286,225	293,382	300,717	308,236	315,944	323,842	331,939	340,236	348,742	357,460	366,396	375,556
	38,373,960	40,958,057	43,962,011	46,465,207	49,905,882	47,435,277	48,792,706	50,139,483	52,120,939	54,184,978	56,335,140	58,575,129	60,908,824	63,340,257	65,873,651
Expenses															
Employee costs	(16,410,159)	(15,790,409)	(15,635,167)	(16,026,047)	(16,426,699)	(16,837,377)	(17,258,315)	(17,689,768)	(18,132,017)	(18,585,312)	(19,049,949)	(19,526,203)	(20,014,361)	(20,514,714)	(21,027,589)
Materials and contracts	(12,984,776)	(13,309,394)	(13,642,131)	(13,983,187)	(14,332,774)	(14,691,102)	(15,058,378)	(15,434,849)	(15,820,711)	(16,216,238)	(16,621,637)	(17,037,181)	(17,463,109)	(17,899,683)	(18,347,177)
Utility charges (electricity, gas, water etc.)	(967,166)	(991,344)	(1,016,128)	(1,041,530)	(1,067,568)	(1,094,257)	(1,121,614)	(1,149,654)	(1,178,396)	(1,207,858)	(1,238,054)	(1,269,004)	(1,300,730)	(1,333,247)	(1,366,579)
Depreciation on non-current assets	(6,296,579)	(6,351,068)	(6,351,068)	(6,351,068)	(6,351,068)	(7,185,649)	(7,185,649)	(7,185,649)	(7,185,649)	(7,185,649)	(8,129,903)	(8,129,903)	(8,129,903)	(8,129,903)	(8,140,193)
Interest expense	(44,682)	(43,351)	(106,749)	(193,744)	(180,996)	(108,772)	(47,172)	(9,821)	0	0	0	0	0	0	0
Insurance expense	(478,487)	(490,444)	(502,701)	(515,269)	(528,152)	(541,354)	(554,880)	(568,750)	(582,967)	(597,536)	(612,474)	(627,787)	(643,478)	(659,563)	(676,056)
Other expenditure	(2,643,525)	(6,246,179)	(8,827,247)	(5,273,388)	(1,050,576)	(1,076,842)	(1,103,764)	(1,131,356)	(1,159,639)	(1,188,630)	(1,218,347)	(1,248,808)	(1,280,028)	(1,312,028)	(1,344,831)
	(39,825,374)	(43,222,189)	(46,081,191)	(43,384,233)	(39,937,833)	(41,535,353)	(42,329,772)	(43,169,847)	(44,059,379)	(44,981,223)	(46,870,364)	(47,838,886)	(48,831,609)	(49,849,138)	(50,902,425)
	(1,451,414)	(2,264,132)	(2,119,180)	3,080,974	5,968,049	5,899,924	6,462,934	6,969,636	8,061,560	9,203,755	9,464,776	10,736,243	12,077,215	13,491,119	14,971,226
Funding position adjustments															
Depreciation on non-current assets	6,296,579	6,351,068	6,351,068	6,351,068	6,351,068	7,185,649	7,185,649	7,185,649	7,185,649	7,185,649	8,129,903	8,129,903	8,129,903	8,129,903	8,140,193
Movement in non current liabilities	(93,181)	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Net funding from operational activities	4,751,984	4,086,936	4,231,888	9,432,042	12,319,117	13,085,573	13,648,583	14,155,285	15,247,209	16,389,404	17,594,679	18,866,146	20,207,118	21,621,022	23,111,419
FUNDING FROM CAPITAL ACTIVITIES															
Inflows															
Proceeds on disposal	118,592	121,557	124,596	127,711	130,904	134,177	137,531	140,969	144,493	148,106	151,808	155,604	159,494	163,481	167,568
Non-operating grants, subsidies and contributions	853,000	1,005,000	1,005,000	1,005,000	1,005,000	1,005,000	1,005,000	1,005,000	1,005,000	1,005,000	1,005,000	1,005,000	1,005,000	1,005,000	1,005,000
Outflows															
Purchase of property plant and equipment	(2,908,704)	(2,921,422)	(2,934,458)	(2,947,819)	(3,021,515)	(3,097,052)	(3,174,479)	(3,253,841)	(3,335,187)	(3,418,567)	(3,504,032)	(3,591,632)	(3,681,423)	(3,773,459)	(3,867,795)
Purchase of infrastructure	(3,666,239)	(4,246,094)	(6,198,730)	(8,273,121)	(7,911,422)	(8,819,105)	(10,021,787)	(11,535,443)	(12,983,446)	(14,044,312)	(15,166,229)	(16,352,270)	(17,605,684)	(18,929,847)	(20,328,275)
Net funding from capital activities	(5,603,351)	(6,040,959)	(8,003,592)	(10,088,229)	(9,797,033)	(10,776,980)	(12,053,735)	(13,643,315)	(15,169,140)	(16,309,773)	(17,513,453)	(18,783,298)	(20,122,613)	(21,534,825)	(23,023,502)
FUNDING FROM FINANCING ACTIVITIES															
Inflows															
Transfer from reserves	691,757	2,885,943	4,155,298	1,666,555	0	0	0	0	0	0	0	0	0	0	0
New borrowings	15,403	15,882	4,047	0	0	0	0	0	0	0	0	0	0	0	0
Self supporting loan	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Outflows															
Transfer to reserves	(437,370)	(428,538)	(441,763)	(436,146)	(72,124)	(73,566)	(75,038)	(76,541)	(78,069)	(79,631)	(81,226)	(82,848)	(84,505)	(86,197)	(87,917)
Repayment of past borrowings	(647,710)	(680,645)	(1,072,707)	(1,975,722)	(2,433,380)	(2,218,102)	(1,508,330)	(435,429)	0	0	0	0	0	0	0
Principal elements of finance lease payments	(49,384)	(15,582)	(15,907)	(16,239)	(16,580)	(16,925)	(11,480)	0	0	0	0	0	0	0	0
Net funding from financing activities	851,367	1,954,023	3,771,704	656,187	(2,522,084)	(2,308,593)	(1,594,848)	(511,970)	(78,069)	(79,631)	(81,226)	(82,848)	(84,505)	(86,197)	(87,917)
Estimated surplus/deficit July 1 B/Fwd	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Estimated surplus/deficit June 30 C/Fwd	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Appendix A8 Forecast Statement of Net Current Asset Composition 2023 - 2038

	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31	2031-32	2032-33	2033-34	2034-35	2035-36	2036-37	2037-38
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Estimated surplus/deficit July 1 B/Fwd	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
CURRENT ASSETS															
Unrestricted cash and equivalents	1,996,385	1,996,385	1,996,385	1,996,385	1,996,385	1,996,385	1,996,385	1,996,385	1,996,385	1,996,385	1,996,385	1,996,385	1,996,385	1,996,385	1,996,385
Restricted cash and cash equivalent	5,037,191	5,288,766	4,587,793	3,606,200	3,678,324	3,751,890	3,826,928	3,903,469	3,981,538	4,061,169	4,142,395	4,225,243	4,309,748	4,395,945	4,483,862
Financial assets	17,133	17,133	17,133	17,133	17,133	17,133	17,133	17,133	17,133	17,133	17,133	17,133	17,133	17,133	17,133
Trade and other receivables	2,427,249	2,415,414	2,411,367	2,411,367	2,411,367	2,411,367	2,411,367	2,411,367	2,411,367	2,411,367	2,411,367	2,411,367	2,411,367	2,411,367	2,411,367
Inventories	15,328	15,328	15,328	15,328	15,328	15,328	15,328	15,328	15,328	15,328	15,328	15,328	15,328	15,328	15,328
Contract assets	13,500	13,500	13,500	13,500	13,500	13,500	13,500	13,500	13,500	13,500	13,500	13,500	13,500	13,500	13,500
Other assets	62,287	62,287	62,287	62,287	62,287	62,287	62,287	62,287	62,287	62,287	62,287	62,287	62,287	62,287	62,287
CURRENT LIABILITIES															
Trade and other payables	(4,516,000)	(4,516,000)	(4,516,000)	(4,516,000)	(4,516,000)	(4,516,000)	(4,516,000)	(4,516,000)	(4,516,000)	(4,516,000)	(4,516,000)	(4,516,000)	(4,516,000)	(4,516,000)	(4,516,000)
Reserves	(5,037,191)	(5,288,766)	(4,587,793)	(3,606,200)	(3,678,324)	(3,751,890)	(3,826,928)	(3,903,469)	(3,981,538)	(4,061,169)	(4,142,395)	(4,225,243)	(4,309,748)	(4,395,945)	(4,483,862)
Current self supporting loans receivable	(15,882)	(4,047)	0	0	0	0	0	0	0	0	0	0	0	0	0
Estimated surplus/deficit June 30 C/Fwd	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Appendix A9 Forecast Statement of Fixed Asset Movements 2023 - 2038

	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31	2031-32	2032-33	2033-34	2034-35	2035-36	2036-37	2037-38
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
CAPITAL WORKS - INFRASTRUCTURE															
Infrastructure - roads	2,428,175	3,271,891	5,421,890	7,031,250	6,728,270	7,816,064	9,023,101	10,507,375	11,963,377	12,761,817	13,802,645	14,880,300	15,989,336	17,254,635	18,943,416
Infrastructure - footpaths	53,904	161,563	128,840	593,871	518,952	322,236	300,861	312,798	286,917	531,014	593,316	682,446	807,086	845,718	534,628
Infrastructure - drainage	1,136,160	764,640	600,000	600,000	615,000	630,375	646,134	662,287	678,844	695,815	713,210	731,040	749,316	768,049	787,250
Infrastructure - street furniture	48,000	48,000	48,000	48,000	49,200	50,430	51,691	52,983	54,308	55,666	57,058	58,484	59,946	61,445	62,981
Total capital works - infrastructure	3,666,239	4,246,094	6,198,730	8,273,121	7,911,422	8,819,105	10,021,787	11,535,443	12,983,446	14,044,312	15,166,229	16,352,270	17,605,684	18,929,847	20,328,275
Represented by:															
Additions - renewal	3,666,239	4,246,094	6,198,730	8,273,121	7,911,422	8,819,105	10,021,787	11,535,443	12,983,446	14,044,312	15,166,229	16,352,270	17,605,684	18,929,847	20,328,275
Total Capital Works - Infrastructure	3,666,239	4,246,094	6,198,730	8,273,121	7,911,422	8,819,105	10,021,787	11,535,443	12,983,446	14,044,312	15,166,229	16,352,270	17,605,684	18,929,847	20,328,275
Asset movement reconciliation															
Total capital works infrastructure	3,666,239	4,246,094	6,198,730	8,273,121	7,911,422	8,819,105	10,021,787	11,535,443	12,983,446	14,044,312	15,166,229	16,352,270	17,605,684	18,929,847	20,328,275
Depreciation infrastructure	(4,696,010)	(4,696,010)	(4,696,010)	(4,696,010)	(4,696,010)	(5,313,103)	(5,313,103)	(5,313,103)	(5,313,103)	(5,313,103)	(6,011,289)	(6,011,289)	(6,011,289)	(6,011,289)	(6,011,289)
Revaluation of infrastructure assets (inflation)	13,586,544	0	0	0	0	16,944,676	0	0	0	0	24,057,853	0	0	0	0
Net movement in infrastructure assets	12,556,773	(449,916)	1,502,720	3,577,111	3,215,412	20,450,678	4,708,684	6,222,340	7,670,343	8,731,209	33,212,793	10,340,981	11,594,395	12,918,558	14,316,986
CAPITAL WORKS - PROPERTY, PLANT AND EQUIPMENT															
Buildings - specialised	2,400,000	2,400,000	2,400,000	2,400,000	2,460,000	2,521,500	2,584,538	2,649,151	2,715,380	2,783,265	2,852,847	2,924,168	2,997,272	3,072,204	3,149,009
Plant and equipment	508,704	521,422	534,458	547,819	561,515	575,552	589,941	604,690	619,807	635,302	651,185	667,464	684,151	701,255	718,786
Total capital works property, plant and equipment	2,908,704	2,921,422	2,934,458	2,947,819	3,021,515	3,097,052	3,174,479	3,253,841	3,335,187	3,418,567	3,504,032	3,591,632	3,681,423	3,773,459	3,867,795
Represented by:															
Additions - renewal	2,908,704	2,921,422	2,934,458	2,947,819	3,021,515	3,097,052	3,174,479	3,253,841	3,335,187	3,418,567	3,504,032	3,591,632	3,681,423	3,773,459	3,867,795
Total capital works property, plant and equipment	2,908,704	2,921,422	2,934,458	2,947,819	3,021,515	3,097,052	3,174,479	3,253,841	3,335,187	3,418,567	3,504,032	3,591,632	3,681,423	3,773,459	3,867,795
Asset movement reconciliation															
Total capital works property, plant and equipment	2,908,704	2,921,422	2,934,458	2,947,819	3,021,515	3,097,052	3,174,479	3,253,841	3,335,187	3,418,567	3,504,032	3,591,632	3,681,423	3,773,459	3,867,795
Depreciation property, plant and equipment	(1,600,569)	(1,655,058)	(1,655,058)	(1,655,058)	(1,655,058)	(1,872,546)	(1,872,546)	(1,872,546)	(1,872,546)	(1,872,546)	(2,118,614)	(2,118,614)	(2,118,614)	(2,118,614)	(2,128,904)
Net book value of disposed/written off assets	(118,592)	(121,557)	(124,596)	(127,711)	(130,904)	(134,177)	(137,531)	(140,969)	(144,493)	(148,106)	(151,808)	(155,604)	(159,494)	(163,481)	(167,566)
Revaluation of property, plant and equipment (inflation)	5,051,901	0	0	0	0	6,512,425	0	0	0	0	8,235,568	0	0	0	0
Net movement in property, plant and equipment	6,241,444	1,144,807	1,154,804	1,165,050	1,235,553	7,602,754	1,164,402	1,240,326	1,318,148	1,397,915	9,469,178	1,317,414	1,403,315	1,491,364	1,571,323
CAPITAL WORKS - TOTALS															
Capital works															
Total capital works infrastructure	3,666,239	4,246,094	6,198,730	8,273,121	7,911,422	8,819,105	10,021,787	11,535,443	12,983,446	14,044,312	15,166,229	16,352,270	17,605,684	18,929,847	20,328,275
Total capital works property, plant and equipment	2,908,704	2,921,422	2,934,458	2,947,819	3,021,515	3,097,052	3,174,479	3,253,841	3,335,187	3,418,567	3,504,032	3,591,632	3,681,423	3,773,459	3,867,795
Total capital works	6,574,943	7,167,516	9,133,188	11,220,940	10,932,937	11,916,157	13,196,266	14,789,284	16,318,633	17,462,879	18,670,261	19,943,902	21,287,107	22,703,306	24,196,070
Fixed asset movement															
Net movement in infrastructure assets	12,556,773	(449,916)	1,502,720	3,577,111	3,215,412	20,450,678	4,708,684	6,222,340	7,670,343	8,731,209	33,212,793	10,340,981	11,594,395	12,918,558	14,316,986
Net movement in property, plant and equipment	6,241,444	1,144,807	1,154,804	1,165,050	1,235,553	7,602,754	1,164,402	1,240,326	1,318,148	1,397,915	9,469,178	1,317,414	1,403,315	1,491,364	1,571,323
Net movement in fixed assets	18,798,217	694,891	2,657,524	4,742,161	4,450,965	28,053,432	5,873,086	7,462,666	8,988,491	10,129,124	42,681,971	11,658,395	12,997,710	14,409,922	15,888,309

Appendix A10 Forecast Statement of Capital Funding 2023 - 2038

	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31	2031-32	2032-33	2033-34	2034-35	2035-36	2036-37	2037-38
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Capital expenditure															
Infrastructure - roads	2,428,175	3,271,891	5,421,890	7,031,250	6,728,270	7,816,064	9,023,101	10,507,375	11,963,377	12,761,817	13,802,645	14,880,300	15,989,336	17,254,635	18,943,416
Infrastructure - footpaths	53,904	161,563	128,840	593,871	518,952	322,236	300,861	312,798	286,917	531,014	593,316	682,446	807,086	845,718	534,628
Infrastructure - drainage	1,136,160	764,640	600,000	600,000	615,000	630,375	646,134	662,287	678,844	695,815	713,210	731,040	749,316	768,049	787,250
Infrastructure - street furniture	48,000	48,000	48,000	48,000	49,200	50,430	51,691	52,983	54,308	55,666	57,058	58,484	59,946	61,445	62,981
Buildings - specialised	2,400,000	2,400,000	2,400,000	2,400,000	2,460,000	2,521,500	2,584,538	2,649,151	2,715,380	2,783,265	2,852,847	2,924,168	2,997,272	3,072,204	3,149,009
Plant and equipment	508,704	521,422	534,458	547,819	561,515	575,552	589,941	604,690	619,807	635,302	651,185	667,464	684,151	701,255	718,786
Total - Capital expenditure	6,574,943	7,167,516	9,133,188	11,220,940	10,932,937	11,916,157	13,196,266	14,789,284	16,318,633	17,462,879	18,670,261	19,943,902	21,287,107	22,703,306	24,196,070
Funded by:															
Capital grants & contributions															
Infrastructure - roads	853,000	1,005,000	1,005,000	1,005,000	1,005,000	1,005,000	1,005,000	1,005,000	1,005,000	1,005,000	1,005,000	1,005,000	1,005,000	1,005,000	1,005,000
Buildings - specialised	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total - Capital grants & contributions	853,000	1,005,000	1,005,000	1,005,000	1,005,000	1,005,000	1,005,000	1,005,000	1,005,000	1,005,000	1,005,000	1,005,000	1,005,000	1,005,000	1,005,000
Own source funding															
Infrastructure - roads	1,575,175	2,266,891	4,416,890	6,026,250	5,723,270	6,811,064	8,018,101	9,502,375	10,958,377	11,756,817	12,797,645	13,875,300	14,984,336	16,249,635	17,938,416
Infrastructure - footpaths	53,904	161,563	128,840	593,871	518,952	322,236	300,861	312,798	286,917	531,014	593,316	682,446	807,086	845,718	534,628
Infrastructure - drainage	1,136,160	764,640	600,000	600,000	615,000	630,375	646,134	662,287	678,844	695,815	713,210	731,040	749,316	768,049	787,250
Infrastructure - street furniture	48,000	48,000	48,000	48,000	49,200	50,430	51,691	52,983	54,308	55,666	57,058	58,484	59,946	61,445	62,981
Buildings - specialised	2,400,000	2,400,000	2,400,000	2,400,000	2,460,000	2,521,500	2,584,538	2,649,151	2,715,380	2,783,265	2,852,847	2,924,168	2,997,272	3,072,204	3,149,009
Plant and equipment	390,112	399,865	409,862	420,108	430,611	441,375	452,410	463,721	475,314	487,196	499,377	511,860	524,657	537,774	551,218
Total - Own source funding	5,603,351	6,040,959	8,003,592	10,088,229	9,797,033	10,776,980	12,053,735	13,643,315	15,169,140	16,309,773	17,513,453	18,783,298	20,122,613	21,534,825	23,023,502
Borrowings															
Total - Borrowings	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Other (disposals & C/Fwd)															
Plant and equipment	118,592	121,557	124,596	127,711	130,904	134,177	137,531	140,969	144,493	148,106	151,808	155,604	159,494	163,481	167,568
Total - Other (disposals & C/Fwd)	118,592	121,557	124,596	127,711	130,904	134,177	137,531	140,969	144,493	148,106	151,808	155,604	159,494	163,481	167,568
Total Capital Funding	6,574,943	7,167,516	9,133,188	11,220,940	10,932,937	11,916,157	13,196,266	14,789,284	16,318,633	17,462,879	18,670,261	19,943,902	21,287,107	22,703,306	24,196,070

Appendix A11 Forecast Ratios 2023 - 2038

	Target Range		Average	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31	2031-32	2032-33	2033-34	2034-35	2035-36	2036-37	2037-38
LIQUIDITY RATIOS																		
Current ratio	> 1.00	> 1.20	0.56	0.56	0.53	0.48	0.46	0.47	0.50	0.57	0.61	0.61	0.61	0.61	0.61	0.61	0.61	0.61
OPERATING RATIOS																		
Operating surplus ratio	> 1.00%	> 15.00%	12.58%	(4.09%)	(5.96%)	(5.17%)	7.10%	13.96%	13.35%	14.21%	14.91%	16.58%	18.19%	17.97%	19.59%	21.17%	22.72%	24.22%
Own source revenue coverage ratio	> 40.00%	> 60.00%	106.82%	89.16%	87.96%	88.87%	99.99%	107.02%	106.40%	107.42%	108.25%	110.37%	112.50%	112.36%	114.58%	116.84%	119.14%	121.45%
BORROWINGS RATIOS																		
Debt service cover ratio	> 3	> 5	9.00	7.09	5.72	3.68	4.44	4.78	5.67	8.81	31.81	-	-	-	-	-	-	-
FIXED ASSET RATIOS																		
Asset sustainability ratio	> 90.00%	> 110.00%	203.24%	104.42%	112.86%	143.81%	176.68%	172.14%	165.83%	183.65%	205.82%	227.10%	243.02%	229.65%	245.32%	261.84%	279.26%	297.24%
Asset consumption ratio	> 50.00%	> 60.00%	79.41%	70.14%	70.31%	71.00%	72.23%	73.38%	73.89%	75.29%	77.06%	79.19%	81.60%	83.78%	86.31%	89.13%	92.26%	95.60%
Asset renewal funding ratio	> 75.00%	> 95.00%	94.49%	63.41%	73.82%	90.21%	109.81%	135.20%	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

Appendix A12 Forecast Significant Accounting Policies

Basis of Preparation

The Long Term Financial Plan (the Plan) comprises general purpose financial statements which have been prepared in accordance with Australian Accounting Standards (as they apply to local governments and not-for-profit entities) and interpretations of the Australian Accounting Standards Board, and the Local Government Act 1995 and accompanying regulations.

The Local Government Act 1995 and accompanying Regulations take precedence over Australian Accounting Standards where they are inconsistent.

The Local Government (Financial Management) Regulations 1996 specify that vested land is a right-of-use asset to be measured at cost. All right-of-use assets (other than vested improvements) under zero cost concessionary leases are measured at zero cost rather than at fair value. The exception is vested improvements on concessionary land leases such as roads, buildings or other infrastructure which continue to be reported at fair value, as opposed to the vested land which is measured at zero cost. The measurement of vested improvements at fair value is a departure from AASB 16 which would have required the City to measure any vested improvements at zero cost.

Accounting policies which have been adopted in the preparation of this Plan have been consistently applied unless stated otherwise. Except for cash flow and rate setting information, the report has been prepared on the accrual basis and is based on historical costs, modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and liabilities.

Judgements, Estimates and Assumptions

The preparation of the Plan in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that effect the application of policies and reported amounts of assets and liabilities, income and expenses.

The estimates and associated assumptions are based on historical experience and various other factors that are believed to be reasonable under the circumstances; the results of which form the basis of making the judgements about carrying values of assets and liabilities that are not readily apparent from other sources. Actual results may differ from these estimates.

The Local Government Reporting Entity

All funds through which the City controls resources to carry on its functions have been included in the financial statements forming part of the Plan.

In the process of reporting on the local government as a single unit, all transactions and balances between those funds (for example, loans and transfers between funds) have been eliminated.

All monies held in the trust fund are excluded from the forecast financial statements.

Base Year Balances

Balances shown in the Plan as Base Year are as forecast at the time of preparation of the Plan and are based on the current budget and prior year annual financial reporting and may be subject to variation.

Rounding Off Figures

All figures shown in the Plan are rounded to the nearest dollar.

Comparative Figures

Where required, comparative figures have been adjusted to conform with changes in presentation.

Forecast Fair Value Adjustments

All fair value adjustments relating to re-measurement of financial assets at fair value through profit or loss (if any) and changes on revaluation of non-current assets are impacted upon by external forces and not able to be reliably estimated at the time preparation.

Fair value adjustments relating to the re-measurement of financial assets at fair value through profit or loss will be assessed at the time they occur and have not been estimated within the Plan.

It is anticipated, in all instances, any changes upon revaluation of non-current assets will relate to non-cash transactions and as such have been estimated as an inflation adjustment to Other Comprehensive Income, based on the value of the non-current assets forecasted to be held by the City.

Goods and Services Tax (GST)

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office (ATO).

Receivables and payables are stated inclusive of GST receivable or payable. The net amount of GST recoverable from, or payable to, the ATO is included with receivables or payables in the statement of financial position.

Cash flows are presented on a gross basis. The GST components of cash flows arising from investing or financing activities which are recoverable from, or payable to, the ATO are presented as operating cash flows.

Superannuation

The Council contributes to a number of superannuation funds on behalf of employees. All funds to which the Council contributes are defined contribution plans.

Cash and Cash Equivalents

Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks, other short-term highly liquid investments that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value and bank overdrafts.

Trade and Other Receivables

Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and Goods and Services Tax (GST) services performed in the ordinary course of business.

Trade receivables are recognised at original invoice amount less any allowances for uncollectible amounts (i.e. impairment). The carrying amount of net trade receivables is equivalent to fair value as it is due for settlement within 30 days.

Trade receivables are held with the objective to collect the contractual cashflows and therefore measures them subsequently at amortised cost using the effective interest rate method.

Due to the short term nature of current receivables, their carrying amount is considered to be the same as their fair value. Non-current receivables are indexed to inflation, any difference between the face value and fair value is considered immaterial.

The City applies the AASB 9 simplified approach to measuring expected credit losses using a lifetime expected loss allowance for all trade receivables. To measure the expected credit losses, rates receivable are separated from other trade receivables due to the difference in payment terms and security for rates receivable.

Inventories

General

Inventories are measured at the lower of cost and net realisable value.

Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

Land Held for Resale

Land purchased for development and sale is valued at the lower of cost and net realisable value. Cost includes the cost of acquisition, development, borrowing costs and holding costs until completion of development. Finance costs and holding charges incurred after development is completed are expensed.

Gains and losses are recognised in profit or loss at the time of signing an unconditional contract of sale if significant risks and rewards, and effective control over the land, are passed on to the buyer at this point.

Land held for sale is classified as current except where it is held as non-current based on Council's intention to release for sale.

Fixed Assets

Each class of fixed assets within either property, plant and equipment or infrastructure, is carried at cost or fair value less, where applicable, any accumulated depreciation and impairment losses.

Revaluation

Increases in the carrying amount arising on revaluation of assets are credited to a revaluation surplus in equity. Decreases that offset previous increases of the same asset are recognised against revaluation surplus directly in equity. All other decreases are recognised in profit or loss.

Depreciation

The depreciable amount of all fixed assets including buildings but excluding freehold land, are depreciated on a straight-line basis over the asset's useful life from the time the asset is held ready for use. Leasehold improvements are depreciated over the shorter of either the unexpired period of the lease or the estimated useful life of the improvements.

An effective average depreciation rate for each class of asset has been utilised to estimate the forecast depreciation expense for each year. These are provided in the table on the following page.

An asset's carrying amount is written down immediately to its recoverable amount if the asset's carrying amount is greater than its estimated recoverable amount.

Gains and Losses on Disposal

Gains and losses on disposals are determined by comparing proceeds with the carrying amount. These gains and losses are included in profit or loss in the period which they arise.

Employee Benefits

The City's obligations for employees' annual leave, long service leave and isolation leave entitlements are recognised as provisions in the statement of financial position.

Asset Class	Effective average depreciation rate
Buildings non specialised	4.69%
Buildings specialised	2.07%
Furniture and equipment	1.00%
Plant and equipment	5.00%
Infrastructure - roads	1.91%
Infrastructure - footpaths	2.63%
Infrastructure - parks and ovals	3.50%
Infrastructure - street furniture	4.03%
Infrastructure - drainage	2.44%

Short-Term Employee Benefits

Provision is made for the City's obligations for short-term employee benefits. Short-term employee benefits are benefits (other than termination benefits) that are expected to be settled wholly before 12 months after the end of the annual reporting period in which the employees render the related service, including wages, salaries and sick leave. Short-term employee benefits are measured at the (undiscounted) amounts expected to be paid when the obligation is settled.

The City's obligations for short-term employee benefits such as wages, salaries and sick leave are recognised as a part of current trade and other payables in the statement of financial position.

Other Long Term Employee Benefits

Long term employee benefits are measured at the present value of the expected future payments to be made to employees. Expected future payments incorporate anticipated future wage and salary levels, durations of service and employee departures and are discounted at rates determined by reference to market yields at the end of the reporting period on government bonds that have maturity dates that approximate the terms of the obligations. Any remeasurements for changes in assumptions of obligations for other long term employee benefits are recognised in profit or loss in the periods in which the changes occur.

The City's obligations for long term employee benefits are presented as non-current provisions in its statement of financial position, except where the City does not have an unconditional right to defer settlement for at least 12 months after the end of the reporting period, in which case the obligations are presented as current provisions.

Borrowing Costs

Borrowing costs are recognised as an expense when incurred except where they are directly attributable to the acquisition, construction or production of a qualifying asset. Where this is the case, they are capitalised as part of the cost of the particular asset until such time as the asset is substantially ready for its intended use or sale.

Trade and Other Payables

Trade and other payables represent liabilities for goods and services provided to the City prior to the end of the financial year that are unpaid and arise when the City becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured, are recognised as a current liability and are normally paid within 30 days of recognition.

Provisions

Provisions are recognised when the City has a legal or constructive obligation, as a result of past events, for which it is probable that an outflow of economic benefits will result and that outflow can be reliably measured.

Provisions are measured using the best estimate of the amounts required to settle the obligation at the end of the reporting period.

Current and Non-Current Classification

An asset or liability is classified as current if it is expected to be settled within the next 12 months, being the City's operational cycle. In the case of liabilities where the City does not have the unconditional right to defer settlement beyond 12 months, such as vested long service leave, the liability is classified as current even if not expected to be settled within the next 12 months. Inventories held for trading are classified as current or non-current based on the City's intentions to release for sale.

10.0 Other Matters

Preparation

This Plan was prepared for the City of Nedlands by Moore Australia (WA) Pty Ltd.

Reliance

This Plan has been prepared for the exclusive use of the City of Nedlands and for the purposes specified in our letter of engagement and is not to be used for any other purpose or distributed to any other party without Moore Australia WA's prior consent. This Plan is supplied in good faith and reflects the knowledge, expertise and experience of the engagement consultant and is based on the information and representations provided by the City of Nedlands. We accept no responsibility for any loss occasioned by any person acting or refraining from action as a result of reliance on the report, other than the City of Nedlands.

This Plan contains quantitative and qualitative statements, including projections, estimates, opinions and forecasts concerning the anticipated future performance of City of Nedlands and the environment in which it operates ('Forward Looking Statements').

None of these Forward Looking Statements are or will be representations as to future matters. The Forward Looking Statements are, and will be, based on a large number of assumptions and are, and will be, subject to significant uncertainties and contingencies, many, if not all, of which are outside the control of the City of Nedlands. Actual future events may vary significantly from the Forward Looking Statements. Recipients should make their own investigations and enquiries regarding assumptions, uncertainties and contingencies which may affect the City of Nedlands and the impact that a variation in future outcomes may have on the Plan and the City of Nedlands.

Document Management

Version: 2023 - 2038 | V4.1

Status: Draft

Date: 7 March 2023

References

Reference to the following documents made during the preparation of the Long Term Financial Plan.

- City of Nedlands Strategic Community Plan 2028
- City of Nedlands Annual Report 2020/2021
- Australia Bureau of Statistics 2021 Census
- Council website: www.nedlands.wa.gov.au

Disclaimer

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The services provided in terms of this engagement comprise an advisory engagement, which is not subject to assurance or other standards issued by the Australian Auditing and Assurance Standard Board and, consequently no opinions or conclusions are intended to convey assurance either expressed or implied.

Moore Australia Western Australia, a Perth based partnership of trusts ("the firm"), carries on business separately and independently from other Moore Australia member firms around Australia and Moore Global firms worldwide.

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17.2 CPS12.03.23 City of Nedlands Underground Power Business Case

Meeting & Date	Council – 28 March 2023
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	Nil.
Report Author	Stuart Billingham – Manager Financial Services
Director	Michael Cole – Director Corporate Services
Attachments	1. Underground Power Program - Business Case 2. Underground Power Cost Benefit Analysis

Purpose

To present Council with the City of Nedlands Underground Power Business Case and to proceed to community engagement with affected ratepayers.

Recommendation

That Council:

1. receives the City of Nedlands Underground Power Business Case as presented; and
2. authorises the CEO to undertake community engagement with affected ratepayers and to report the results back to Council.

Voting Requirement

Simple Majority.

Background

At its Ordinary Meeting of 22 November 2022, Council received designs and cost estimates for underground power for Hollywood East, Nedlands North and Nedlands West. In addition, Council endorsed the preparation of business case for these projects.

Discussion

The City of Nedlands commenced the installation of underground power in its local government area in 1997 and since then, 78% of the City's residences have been converted to underground power through the delivery of five staged projects.

However, the City still has 1,701 residences in Nedlands North, Nedlands West and Hollywood East that are connected to overhead power.

Underground power is specified in the City's Strategic Community Plan (2018-2028) as one of eight strategic priorities, with Council having passed a resolution for all Underground Power to be completed by June 2026.

The City engaged the services of Whitney Consulting to prepare the business case and ACIL ALLEN Consulting to prepare the Cost Benefit Analysis.

The business case identified the numerous benefits underground power brings to a range of stakeholder groups.

- Benefits to Property Owners (ratepayers)
 - Increased property valuations (research reflects that higher value properties benefit more than properties with lower starting values), as an outcome of
 - Improved visual amenity values
 - Safer local communities due to the installation of new, more energy efficient street lighting
 - Improved reliability of the electricity network
 - Improved quality of the electricity supply
 - Other benefits, such as reduced short term vegetation management costs
- Benefits to Western Power
 - Avoiding costly and complex pole replacement
 - Reduced operating and maintenance costs
 - Reduced costs associated with power interruptions
- Benefits to Local Governments
 - Reduced short term maintenance of streetscapes and verges (tree lopping costs for trees under overhead power lines)
- Benefits to the Wider Community
 - Improved reliability of electricity supply during severe weather events
 - Improved amenity to non-residents
 - Health and safety benefits – reduced electrical contact injuries, reduced motor vehicle and power pole collisions
 - Reduced environmental impact – reduction in use of herbicides (weed control) and pesticides (termite control) around wooden power poles,
 - Improved street lighting – when an area is converted to underground power, new streetlights are designed and installed to meet Australian Standards. These new streetlights have more efficient fixtures and optimized spacing, which delivers brighter and more evenly lit streets, providing up to 15% more efficient street lighting. This may also enhance the local security of an area.

However, the business case also identified that undergrounding of power also comes at a significant financial cost to the City and affected residents.

City staff have worked with Western Power over the past several years to investigate and design a final underground power project to connect all remaining City of Nedlands' residences to underground power (the project).

The latest project cost estimates indicate the required contribution from the City to complete this underground power project is \$19,038,101 (exclusive of the \$940,500 for the design phase that has already been funded by the City). In addition, the City would also need to employ a dedicated delivery Project Manager for the life of the project, at an additional cost to the City.

The City has \$2.5 million in a reserve account but would need to secure the remaining amount through future earnings and borrowings. Doing so comes with a number of implications, which need to be considered before the City commits to such a large budget expense. Implications and required considerations include:

1. Asset ownership – by completing this project, the City will be investing in assets they do not own. Power infrastructure ownership will be maintained by Western Power.
2. Other city assets – to complete this project, the City will need to utilise funds which would normally be used to maintain City assets. This presents a risk to those assets.
3. Ability to secure borrowings – based on the amount of funding required, the City of Nedlands is expected to reach their borrowing capacity in the 2025/26 financial year. It is therefore possible that the WA Treasury Corporation (WATC) and other lenders may not approve that year's loan amount. If that occurred, the project may need to be cancelled or postponed partway through, at significant financial loss and reputational damage to the City of Nedlands.
4. Opportunity cost – through funding the underground power project, the City will likely be unable to fund any other projects for a number of years, due to a lack of funds and borrowing capacity.
5. Impost on ratepayers. Under the City's Underground Power Policy, up to 50% of the City's contribution is recoverable from ratepayers. However, the City would initially pay the full amount, with householder contribution being repaid by affected residents through service charges raised as part of their annual rates notices. The City of Nedlands Finance team have undertaken modelling and based on the latest estimates, the resident's share for each property with existing overhead power would be approximately:
 1. Nedlands North - \$6,569,68
 2. Nedlands West - \$5,771.74
 3. Hollywood East - \$5,712,27

An independent Cost Benefit Analysis (CBA) of this project completed by ACIL Allen in 2023 found there is a significant benefit for the ratepayers receiving underground power, well in excess of the financial and other costs they incur as a collective. However, the City of Nedlands and non-affected ratepayers are left with meeting the net economic and social cost of the program. The CBA identifies that the City of Nedlands and its ratepayers realise a substantial economic and social loss, with a Benefit Cost Ratio of 0.43. This means for

every \$1 of resources the City is contributing to the project, it – and non-benefitting ratepayers – realise just \$0.43 of benefits. By contrast, ratepayers receiving underground power realise a Benefit Cost Ratio of 7.53, on account of higher property values.

As part of its CBA, ACIL Allen sought to replicate the City's financial modelling of the project. ACIL Allen's analysis confirmed the net financial cost to the City of Nedlands of its central case scenario (completing the project within four years, borrowing funds for four years, and recovering a portion of costs from affected ratepayers over four years) \$10.93 million – including the \$4 million proposed to be funded via City of Nedlands cash reserves.

The financial cost of other options (borrowing over seven years and borrowing over ten years) results in a larger financial impact of \$11.65 million and \$12.41 million respectively, due to the increase in interest expenses owing to longer termed loans.

The City considered a number of options in the development of this project. The options were required to align to the agreed planning principles for the City, as well as suiting community needs. Each option comes with a number of benefits, costs and implications, which are discussed in great detail in the Options Assessment section of this business case.

The project has been included in Western Power's current program of works, with the first stage of the project to be commenced in the 2023/24 financial year (pending City of Nedlands approval).

In order to progress this project into the implementation stage, Council needs to give the direction to proceed to community consultation with the residents in the affected area. Following this, the City will provide Western Power with approval to proceed to a construction Request for Quotation process."

Consultation

The City has updated Elected Members on the progress of the remaining underground power project and in November 2022 Council endorsed the preparation of a Underground Power business case.

In preparing the business case, the City engaged the services of Whitney Consulting and ACIL ALLEN to prepare the CBA. City staff have been consulted and input received also from WA Treasury Corporation and Moore Australia (WA) Pty Ltd.

Subject to Council endorsement, further community consultation will be undertaken with residents in the specific project areas. Successful community engagement is based on a framework of principles that respect the right of all community members to be informed, consulted, involved and empowered.

Strategic Implications

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

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

Values **Great Natural and Built Environment**
We protect our enhanced, engaging community spaces, heritage, the natural environment and our biodiversity through well-planned and managed development.

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

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

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

Priority Area

- Underground power

Budget/Financial Implications

The business case identified the significant impact the three underground power projects will have on the Draft Long-Term Financial Plan 2023-2038. The draft LTFP proposes the delivery of underground power over the first four (4) years of the plan. New loans are proposed to be raised for underground power over a 4-year term for the city and residents portions. The net cashflow impact on the City is a reduction of available funding of approximately \$4 million for Road Infrastructure Renewals in the first 4 years of the Plan.

It is worth noting here that the City currently has an estimated infrastructure backlog of \$43 million. The City's asset renewal funding gap/challenges best represented in the LTFP by the Asset renewal ratio as shown below, with the first two years of the LTFP not meeting the minimum acceptable benchmark of 75% and improving in years 3 – 5.

	Target Range		Average	2023-24	2024-25	2025-26	2026-27	2027-28
FIXED ASSET RATIOS								
Asset sustainability ratio	> 90.00%	> 110.00%	203.24%	104.42%	112.86%	143.81%	176.68%	172.14%
Asset consumption ratio	> 50.00%	> 60.00%	79.41%	70.14%	70.31%	71.00%	72.23%	73.38%
Asset renewal funding ratio	> 75.00%	> 95.00%	94.49%	63.41%	73.82%	90.21%	109.81%	135.20%

UGP vs no UGP

If the proposed underground power program, delivered over 4 years, was not to proceed it would free up approximately \$4 million of Municipal funding to go towards other items such as Infrastructure Asset renewals and any associated infrastructure backlogs.

In years 2023/24 to 2030/31 there would also be net saving in loan repayments for all three stages for the City's share of the total costs not covered by UGP service charges approximately \$5.5 million plus loan interest charges. These increases in available funding could also go towards other items such as Infrastructure Asset renewals and any associated Infrastructure backlogs.

Legislative and Policy Implications

[Local Government Act 1995 Section 6.38\(1\)](#)

[Local Government \(Financial Management\) Regulations 1996 Reg 54\(c\)](#)

[Underground Power Policy](#)

Underground Power Procedure

Decision Implications

Should Council endorse this recommendation, the City will proceed with community engagement with affected ratepayers and will report the results back to Council. At that time, after considering feedback from affected ratepayers, Council will then need to decide whether to proceed with the project or not.

If Council does not endorse the recommendations in this report, feedback from Council will determine the next course of action to be taken for the remaining underground power projects areas.

Conclusion

It is recommended Council receives the City of Nedlands Underground Power Business Case as presented. The City Administration will then progress the community engagement and report the results back to Council.

Further Information

Question

Councillor Senathirajah – is there an option where the connection from dome to the house to be paid by the landowner?

Officer Response

The LTFP includes connection costs from the dome to the house being met by the landowner. There will be no charge where a dome already exists.

Question

Councillor Senathirajah - Is there a correlation between GRV and land values?

Officer Response

Generally speaking there is a correlation between GRV and land values.

Question

Is there a benefit (as part of the CBA) to Western Power inheriting the asset that the City pays for?

Officer Response

The Cost Benefit Analysis includes a “Benefits table”. For Western Power major benefits are ‘Avoided replacement and maintenance cost of power infrastructure’.

Question

Councillor Combes – When will community engagement commence if Council approves this at the Ordinary Council Meeting on 28 March 2023.

Officer Response

Community consultation is scheduled to commence after the Catalyse Community Scorecard is completed on 14 April 2023.

Question

Councillor Coghlan – Can you please explain the cost benefit ratio of 1:0.43 vs 1:7.53?

Officer Response

The Cost Benefit Analysis details the Benefit Cost Ratio, meaning for every \$1 spent by the City is receiving an economic and social return of \$0.43. highlighted red as consider low return when benchmarked.

This compares to the estimated benefit for ratepayers receiving underground power of 7.53 for each dollar spent by them.

Question

Councillor Coghlan - Can full submissions be provided to Councillors for the Council Meeting.

Officer Response

It is proposed to provide Elected Members with a summary of the submissions received. There will be 1,701 surveys issued to ratepayers in the three underground project areas.

Question

Mayor Argyle – What interest rate and monthly repayments?

Officer Response

The indicative interest rate from the WA Treasury Corporation is 4.5% pa. The loans are proposed to be semi-annual with the six-monthly interest payable reducing as the principal is repaid.

BUSINESS CASE

UNDERGROUND POWER PROGRAM



City of Nedlands

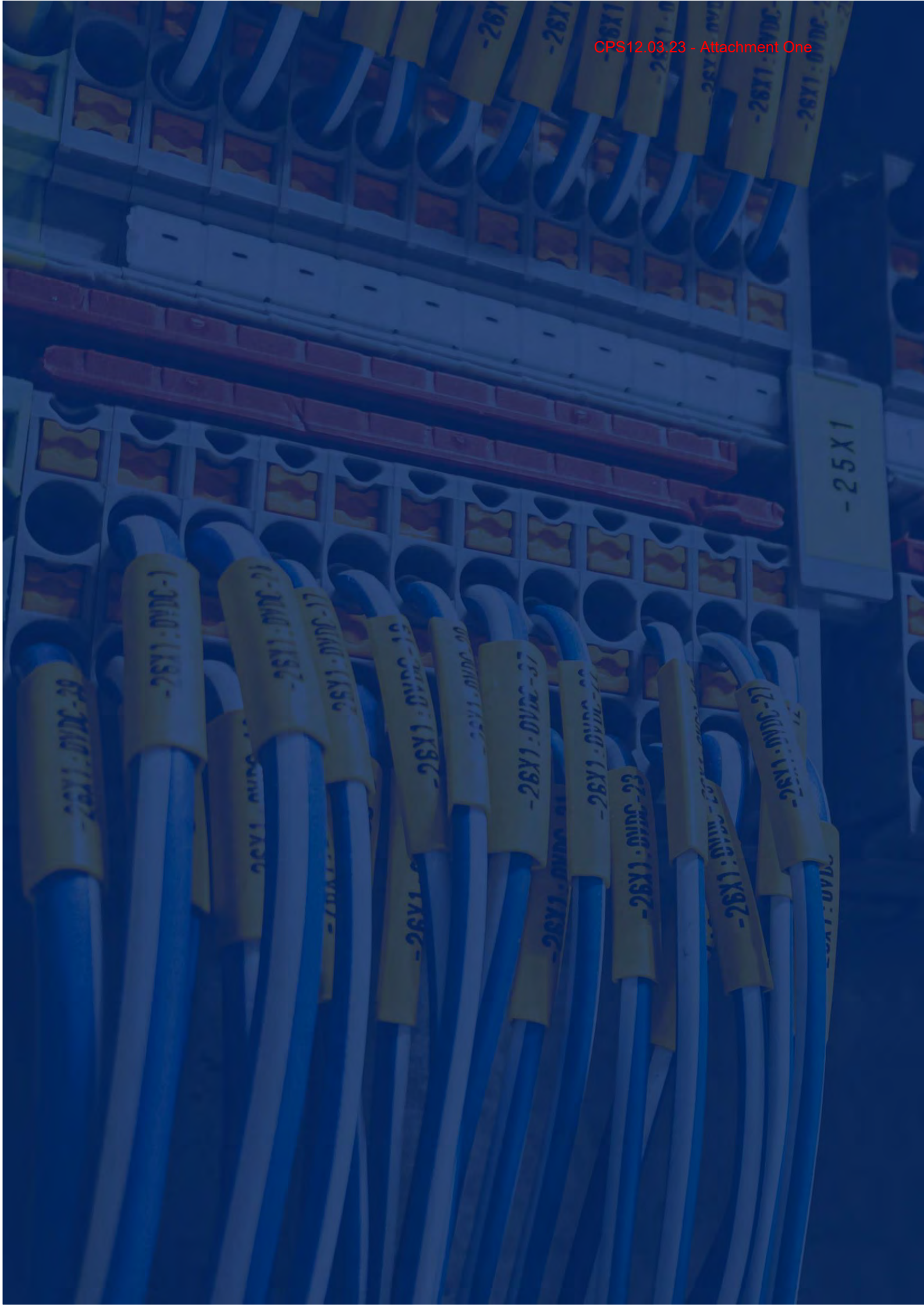


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EXECUTIVE SUMMARY

The City of Nedlands commenced the installation of underground power in its local government area in 1997 and since then, 78% of the City's residences have been converted to underground power through the delivery of five staged projects.

However, the City still has 1,701 residences in Nedlands North, Nedlands West and Hollywood East that are connected to overhead power.

Underground power is specified in the City's Strategic Community Plan (2018-2028) as one of eight strategic priorities, with Council having passed a resolution for all Underground Power to be completed by June 2026¹.

Underground power delivers numerous benefits to a range of stakeholder groups.

- Benefits to Property Owners (ratepayers)
 - Increased property valuations (research reflects that higher value properties benefit more than properties with lower starting values), as an outcome of
 - Improved visual amenity values
 - Safer local communities due to the installation of new, more energy efficient street lighting
 - Improved reliability of the electricity network
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However, the undergrounding of power also comes at a significant financial cost to the City and affected residents.

¹ https://yourvoice.nedlands.wa.gov.au/underground-power/news_feed/update-on-underground-power

City staff have worked with Western Power since late 2020 to investigate and design a final underground power project to connect all remaining City of Nedlands' residences to underground power (the project).

The latest project cost estimates indicate the required contribution from the City to complete this underground power project is \$19,038,101 (exclusive of the \$940,500 for the design phase that has already been funded by the City). In addition, the City would also need to employ a dedicated delivery Project Manager for the life of the project, at an additional cost to the City.

The City has \$4 million to allocate to the project through an Underground Power reserves account but would need to secure the remaining amount through future earnings and borrowings. Doing so comes with a number of implications, which need to be considered before the City commits to such a large budget expense. Implications and required considerations include:

1. Asset ownership – by completing this project, the City will be investing in assets they do not own. Power infrastructure ownership will be maintained by Western Power.
2. Other city assets – to complete this project, the City will need to utilise funds which would normally be used to maintain City assets. This presents a risk to those assets.
3. Ability to secure borrowings – based on the amount of funding required, the City of Nedlands is expected to reach their borrowing capacity in the 2025/26 financial year. It is therefore possible that the WA Treasury Corporation (WATC) and other lenders may not approve that year's loan amount. If that occurred, the project may need to be cancelled or postponed partway through, at significant financial loss and reputational damage to the City of Nedlands.
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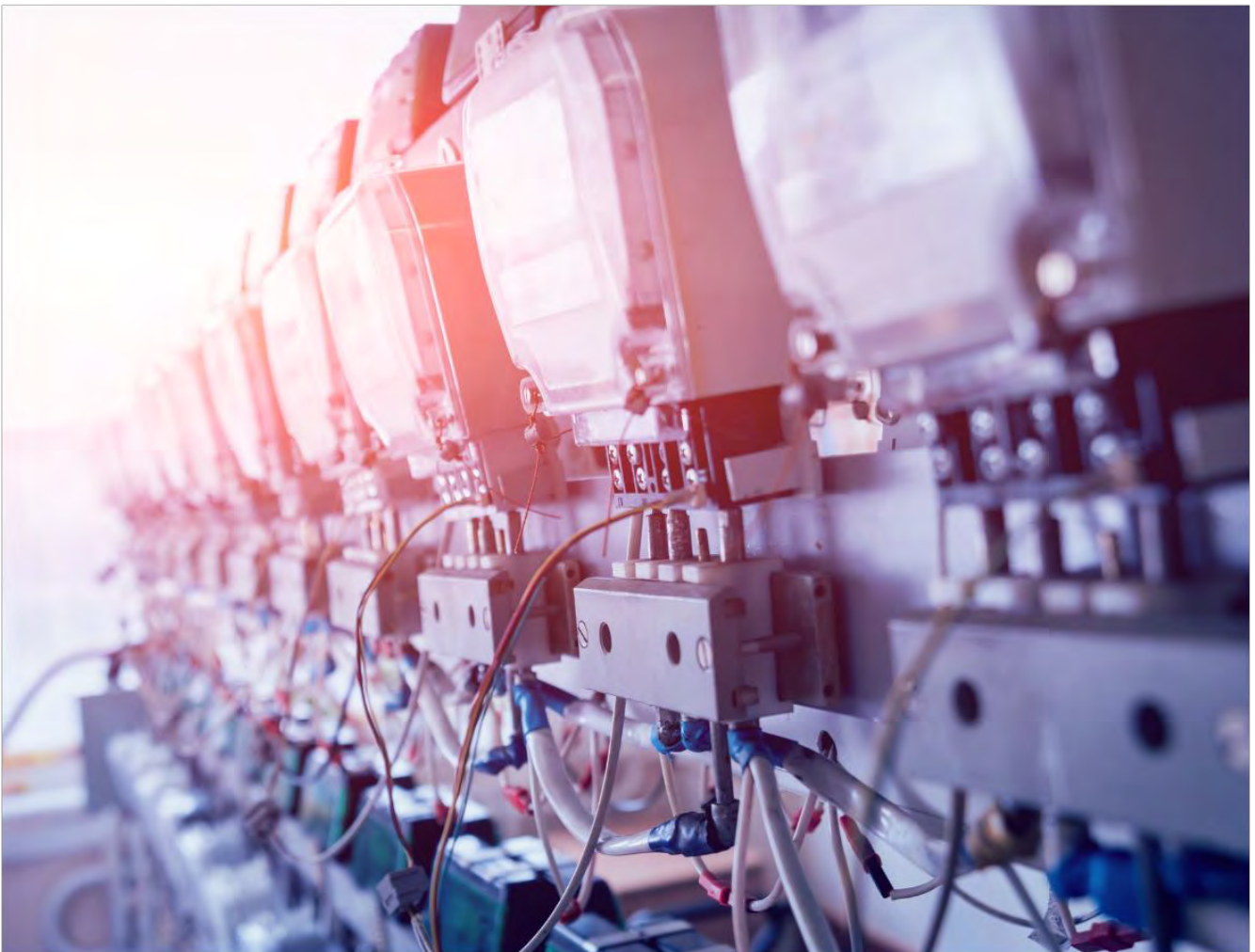
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The project has been included in Western Power's current program of works, with the first stage of the project to be commenced in the 2023/24 financial year (pending City of Nedlands approval).

In order to progress this project into the implementation stage, Council needs to give the direction to proceed to community consultation with the residents in the affected area. Following this, the City will provide Western Power with approval to proceed to a construction Request for Quotation process.



PROJECT SCOPE AND EVALUATION

2.1 PROJECT NEEDS ASSESSMENT

2.1.1 BACKGROUND

The City of Nedlands (the City) is a medium-sized local government within the Perth metropolitan area of Western Australia. It hosts a population of more than 22,000 people living in around 8,400 dwellings². The local government area (LGA) covers the suburbs of Dalkeith, Floreat, Karrakatta, Mount Claremont, Nedlands, Shenton Park and Swanbourne and was established in 1893, making it one of the earliest established areas in Perth.

The City's population has been maintained at a similar level over the past 20 years, with just incremental increases. The residents tend to be well educated and actively engaged in education, with an estimated 56% of residents involved in part-time or full-time education at a secondary or tertiary institution at the time of the 2021 Census, which is 11.5% higher than the national average of 44.5%. The percentage of the population with a Bachelor's Degree or higher is almost 30% higher than the Australian average, at 56.2%, which demonstrates the high education level of City of Nedlands residents³.

This education level is reflected in the socio-economic status of the LGA, with the median income in the City of Nedlands close to double that of average households across Western Australia⁴. Property prices are close to \$2,000,000 for houses and \$600,000 for units, well above WA's typical LGA average prices of approximately \$510,000 for houses and \$324,000 for units⁵.

As a "western suburbs" LGA generally populated by educated and affluent residents, there is a noteworthy degree of expectation regarding the utilities and facilities available in the area, and the standard of upkeep of City assets. The list of assets and services that are required to be administered and maintained by the City includes (but is not limited to) roads, paths, verges, drainage, community services, parks, and recreation centres. As one of the oldest listed LGAs in Western Australia, this area includes at least 21 heritage-listed properties such as Mattie Furphy House in Swanbourne, Graylands Hospital in Mount Claremont, and Peace Memorial Rose Garden in the suburb of Nedlands. Similarly, access to these and other unique features of the LGA is expected to be maintained to a high standard to preserve the aesthetic, functional and residency value of the area.

Asset management (including maintenance) of City assets such as roads and municipal buildings is first and foremost funded by rates, although the City may have access to additional cash through loan arrangements (with interest payable) if necessary. Careful consideration and prudent expenditure are paramount to Council operations, most particularly during times (such as now) when a rate freeze is in place⁶ and the cost of goods (including construction materials), labour, and

² From 2021 Census data at <https://abs.gov.au/census/find-census-data/quickstats/2021/LGA56580>.

³ From 2021 Census data at <https://abs.gov.au/census/find-census-data/quickstats/2021/LGA56580>.

⁴ From Census data for August 2021 at [https://www.abs.gov.au/statistics/labour/earnings-and-working-conditions/employee-earnings/latest-release#:~:text=\(%25%20change%20p.a.\)&text=In%20August%202022%2C%20median%20weekly,women%20working%20full%2Dtime%20increased](https://www.abs.gov.au/statistics/labour/earnings-and-working-conditions/employee-earnings/latest-release#:~:text=(%25%20change%20p.a.)&text=In%20August%202022%2C%20median%20weekly,women%20working%20full%2Dtime%20increased).

⁵ From <https://www.htag.com.au/wa/wa307-city-of-nedlands/> and <https://www.htag.com.au/wa/>.

⁶ From <https://www.perthnow.com.au/local-news/perthnow-western-suburbs/nedlands-plans-freeze-on-rates-instead-of-modest-increase-c-7340059>

goods is increasing. In the City's 2023-2025 Asset Management Plan – Parks, the City's financial position is described as,

"asset rich, and cash poor... liquid assets are significantly tied to the provision and ongoing operation of assets."

This is a bold and limiting statement in regard to the City's available finances, which deserves due consideration when making investment decisions, such as required by this project.

Western Australia's State Underground Power Program (SUPP)

In 1992, the Western Australian Planning Commission (WAPC) implemented a policy which required that all new developments in the South-West Interconnected System (SWIS) be connected to the network using underground power⁷.

In 1994, Perth experienced one of its most serious weather events in recorded history. During the 23rd and 24th of May, land gales of up to 140kmph reached Perth, Mandurah, and WA's south-west, damaging approximately 600 houses over the course of 12 hours. The Insurance Council of Australia valued the recorded damage at a cost of approximately \$34m⁸, which in today's terms would be indexed at close to \$70m⁹; the estimated normalised cost¹⁰ of this event is even higher, cited as approximately \$187m when valued in 2011.

Aside from the houses which were damaged, costs accrued from extensive damage to the power network and the subsequent period for which many homeowners were without power. At one stage, approximately one third of Perth was without power, and restoration works continued for almost a week after the event.¹¹ In a later report, it was determined that an estimated 80% of the power failure was due to overhead lines being damaged by trees and falling branches. As a direct result, the State government introduced the State Underground Power Program (SUPP) in 1996. This program's stated aim was to transform the state's existing overhead power network to an underground network over time.

Following this, a further major weather event occurred in 2010. During the afternoon on March 22nd, severe storms bringing hail at record levels moved through the Perth metro area and WA's south-west. The rapid onset and force of this event impacted on bus, train and air transport services, with the worst of the reported damage following a path between Osborne Park and Crawley – including almost the entire City of Nedlands. The hail was so prolific and so large that it damaged schools and hospitals, shattered residential windows and car windshields, and blocked drains and gutters, which exacerbated flooding. Extensive damage to public and private property resulted in the declaration of an "insurance catastrophe"¹², as well as record levels of power outages: more than 150,000 properties were without power as a direct result of the storm and 300 hazard incidents were reported.¹³

With this event came renewed interest in undergrounding Perth's power network, resulting in an inquiry into the cost and benefits of the SUPP being referred to the WA State Treasurer in April 2010. Relevant findings of this report are included in *Section 2.1.1 Project Benefits*.

⁷ From the Economic Regulation Authority Western Australia's "Inquiry into State Underground Power Program Cost Benefit Study: Final Report"

⁸ From the Australian Disaster Resilience Knowledge Hub, managed by the Australian Institute for Disaster Resilience on behalf of the Australian Government. <https://knowledge.aidr.org.au/resources/severe-storm-perth-mandurah-and-south-west-coast-1994/#:~:text=On%2023%20and%2024%20May,with%20different%20levels%20of%20severity.>

⁹ Calculated using the RBA's Inflation Calculator at <https://www.rba.gov.au/calculator/> for value of \$34m in 1994 adjusted to an equivalent value in 2022.

¹⁰ "Normalised losses are estimates of the cost if historic events were to impact current societal and demographic conditions ...". From Bouwer, L. M. (2019). Observed. In R. Mechler, L.M. Bouwer, Th. Schinko, S. Surmiski, & J. Linnerooth-Bayer (Eds.), *Loss and damage from climate change* (pp. 63–82).

¹¹ Hansard, Legislative Assembly, Wednesday 20 February 2002, p7739 and Bureau of Meteorology, Weather Hazards affecting the Perth area (<http://www.bom.gov.au/wa/sevwx/perth/index.shtml>).

¹² From <https://www.abc.net.au/news/2010-03-23/perth-counts-cost-of-freak-storm/376316>

¹³ From the Australian Disaster Resilience Knowledge Hub, managed by the Australian Institute for Disaster Resilience on behalf of the Australian Government. <https://knowledge.aidr.org.au/resources/storm-severe-storm-perth-western-australia-2010/>

Since inception, the SUPP program has completed at least 100 projects, converting more than 100,000 properties which, combined with the new build, property division and subdivision requirements, has placed more than 65% of the Perth metropolitan area's electrical network underground.¹⁴ However, there are still approximately 370,000 homes in Perth that have overhead powerlines.

The SUPP was managed by the then Public Utilities Office (PUO) within the Department of Finance and sought to improve reliability/security of electricity supply, reduce maintenance costs for Western Power, enhance streetscapes / street amenity and improve streetlighting /community safety. The program required a shared funding contribution arrangement of 25% from the State Government, 25% from Western Power and 50% from landowners. Proposals were compiled by local governments following the announcement of funding rounds, which were assessed against a set of guidelines prepared and released by the PUO. Assessment criteria included factors as follows:

- Regional preference.
- Heritage, tourism, and geographical significance.
- Project budget.
- Funding capacity of the local government and landowners.
- Community support and commitment
- Power system criteria

City of Nedlands Underground Power projects – SUPP proposals

The progress of previous Underground Power projects for the City of Nedlands commenced in 1997 when Council adopted a draft Policy on Underground Power Council Schemes. In doing so, it also authorised the City making a submission to the Office of Energy and Western Power on the basis of a 50% funding contribution.

The State Government announced in January 1998 that the State Underground Power Program would continue after the pilot projects had been completed, but with new guidelines for applications for funding. The guidelines outlined the levels of funding available and the process for prioritising and implementing projects. Proposals would be accepted for major residential projects and localised enhancement projects. The State Government, including Western Power, offered to share funding equally with local authorities, the government would contribute 50% of costs and local authorities would contribute the other 50%.

The City of Nedlands sought to engage with the SUPP, and engaged the services of P&B Engineering in 1997 as a consultant who could suitably interpret and advise on Western Power's preliminary design plans for local above-ground transmission lines. With the consultant's assistance, the City of Nedlands successfully secured SUPP funding and delivered underground power projects to a total of 3400 lots in three stages between 1998 and 2006. In each stage, funding was shared between landowners (50%), and State Government/Western Power (50%). The City of Nedlands did not contribute any funding towards these SUPP underground power projects.

Ratepayers were charged their share by way of service charge. The service charge for each scheme was as follows:

- Stage 1: \$ 2,250 1998
- Stage 2: \$ 2,450 2002
- Stage 3: \$ 2,915 2006

¹⁴ As at November 2022. From: <https://www.wa.gov.au/government/document-collections/state-underground-power-program-2022-23>

Note: There were concessions for multiple dwellings, and commercial properties were charged based on their estimated usage. Property owners were given the option to pay by instalments. Payment by instalments attracted additional interest charges. This applied to all 3 stages.

- Owners of properties in Stage 1 were given a range of payment options stretching up to 10 years.
- Owners of properties in Stages 2 and 3 were given only 4 years to pay their contributions. Those in Stage 2 (West Nedlands) completed their payments in the 2007/08 financial year. Those in Scheme 3 completed their payments in 2009/10.

In 2012, Western Power advised the City of Nedlands that it was not a priority for them to fund underground power projects in the remaining areas of the City because the overhead lines there were already robust and reliable. As such, the City of Nedlands did not receive any funding through the SUPP Program in Rounds 4 or 5.

However, due to the importance of completing underground power in the LGA, on 28 July 2015 Council directed City staff to investigate the feasibility of completing underground power within the City through borrowings and resident contributions, in order to complete the undergrounding of power to the remaining 2400 lots in the City of Nedlands.

In December 2015, the State Government announced Round 6 of the SUPP with new guidelines. Instead of assessing reliability, Western Power now assessed network risk according to the New Facilities Investment Test. The score for this criterion accounted for 50% of the weighting. The other 50% was accounted for by the contribution the LGA was willing to make (25%) and community support for the project (25%).

Western Power gave each LGA a map showing the relative condition (risk assessment) of their overhead network in individual suburbs within their LGA. This was to help each LGA decide which areas within their boundaries they should put forth for the program, based on which areas had assets with the highest risk.

Council submitted three proposals to Round 6 of the SUPP (for the remaining areas of the City):

- Nedlands North (Floreat)
- Nedlands West (Mt Claremont)
- Hollywood East

Despite the City offering to contribute 66% of the cost (4/9ths landowners and 2/9ths Council)¹⁵, the State Government informed the City in January 2017 that it was not successful in securing funding in SUPP Round 6. The reason was that there was a low network risk in those areas because the aerial network was well maintained.

At the time, the City expressed disappointment that the scoring criteria weighted the additional Local Government contribution much less than the network risk. However, based on the results, it seemed unlikely that the City of Nedlands would be successful in future SUPP rounds.

City of Nedlands Underground Power Projects – self-funded

HOLLYWOOD WEST

The City was approached by Western Power in 2016 to be part of a potential underground power project in the Hollywood area. The project included placing the high and low voltage distribution and house connections underground for approximately 600 properties in the Hollywood West area, replacing transformers and pillars and upgraded street lighting to meet Australian Standard specifications (AS1158).

¹⁵ City of Nedlands Council Minutes 26.4.2016

At the Ordinary Council Meeting of Tuesday 20 December 2016, Council accepted a quote from Western Power to complete the detailed design for the Hollywood Underground Power Project (HUPP), and requested City staff to commence a consultation process with the property owners within the HUPP, to be completed by March 2017.

Results of the consultation process were presented to Council at its meeting on 26 April 2017. One of the issues during the consultation was the high number of landowners from the Hollywood Ward outside the project area who expressed disappointment that they were not included despite it being called the Hollywood Underground Power Project. To address this in part, the project was renamed to align with Western Power's project title, and it became the Nedlands (West Hollywood) Underground Power Project.

The City received the final detailed design estimate on 23 May 2017, and Council accepted the proposal. As the project was initiated by the City and outside the State's funding for the SUPP program, the funding provided by Western Power represented only the Net Benefit for Western Power (20%). Following consultation with Councillors, it was decided that the remaining costs, inclusive of the design costs, would be shared equally between the participant landowners and the City.

As such, the contributions to the project were as follows:

- Western Power 20%
- Nedlands (West Hollywood) Underground Power Project ratepayers – 40%
- City of Nedlands – 40%

The individual residential contributions ranged from \$1,386.91 to \$5,977.12 and the commercial contributions ranged from \$1,226.45 to \$21,418.45.

Discounts were offered based on property type, existing underground infrastructure and the pensioner status of the owner. Payments were paid by lump sum or over periods of up to 10 years with interest charged on outstanding amounts.

The project was completed on Tuesday 29 January 2019. It came in on budget and slightly ahead of schedule.

CLAREMONT TRIANGLE AND ALFRED ROAD

Neighbouring LGA, the Town of Claremont, was successful in progressing a customer-funded underground power project in parts of Claremont. The 'Claremont project' was bound to the north by Alfred Road, and to the east by a small triangle of residential properties in Nedlands known as the Claremont Triangle.

During the design of the project, the Town of Claremont and its project partners did not recognise that there were properties within the City of Nedlands that received their power from the aerial network in Claremont.

At a City of Nedlands Council Meeting on 14 November 2017, Council requested City staff conduct community consultation with the landowners within these areas (Claremont Triangle and Alfred Road) to ascertain their level of support to fund underground power to the precinct.

At a Council Meeting on 27 March 2018, Council resolved to advise the Town of Claremont and Western Power that the City would progress with the extension projects to the Town of Claremont Underground Power Project known as Alfred Road and Claremont Triangle. It comprised of a total of 157 properties/dwellings from the City of Nedlands.

The project was managed and delivered by the Town of Claremont, with the City of Nedlands involved as a project partner.

The average contribution per residence was \$2,803.71.

Current Underground Power Project

Over these five past underground power projects (three SUPP funded and two without State Government support), approximately 4157 residences have been converted from overhead to underground power in the City since 1998. This leaves 1,701 residences in the City (~22%) that still have overhead power. These residences were not given priority in the SUPP program and the two subsequent stages because, at the time of consideration, they were in better condition than other areas.

At a Council meeting on 26 February 2019, a motion was carried that Council consider in the forthcoming 2019/20 budget deliberations that \$250,000 be assigned to the preparation of detailed design for the delivery of underground power to the remaining lots across the City.

Stated justification for this was:

1. A detailed design provides a costing for underground power that is +/- 10%. In the past paying less money to Western Power to obtain a cost estimate of +/- 50% has created wildly varying estimates that have proven to be much higher than the final cost of West Hollywood.
2. Information obtained from Western Power via the Hon Bill Marmion's questions in Parliament indicates that Western Power will need to reinforce or replace 138 poles across the City by 2026. This could cost Western Power about \$1.141m. Given the benefits to West Hollywood residents and the City in terms of cost reductions by 'upgrading' a planned project in West Hollywood to replace 84 poles with underground power, it would be beneficial to discuss these plans with Western Power with a view to 'upgrading' this work to underground power.
3. Landowner support for underground power is high as reflected in the 72% in West Hollywood who elected to pay for the cost upfront when it was anticipated that only 25% would.
4. The West Hollywood Underground Power Project delivered through a new approach by Western Power to funding projects outside of SUPP was successful. It came in under budget, was delivered on time and has been transformative of the streetscapes in West Hollywood.
5. Ratepayers raised questions at the 2018 Annual Elector's meeting about the Council's ambitious target to complete underground power by 2030 and whether this really reflected it being the number one priority for Council as stated in the recent Annual Report of the time.
6. If, and when another Round of the State Underground Power Program (SUPP) is announced having a detailed design ready to go if Nedlands secures funding, allows the City to go ahead of schedule of others that do not have a detailed design. This occurred with the Town of Cambridge's successful bid for SUPP Round 6 funding. Being ready with a detailed design is very important because the last time the City secured funding in SUPP (which was Round 3) there was a 2-3-year delay in actual delivery of the project as there was no detailed design. This increased initial cost estimates provided to residents during the consultation on SUPP causing them to challenge the validity of paying the higher price in 2006 with a petition of 228 signatures.

The Community was notified through Your Voice (online platform for community engagement) in January 2020 that the City was progressing with the detailed designs for the 3 remaining areas for the installation of underground power.

At an Ordinary Council Meeting on 28 July 2020, Council:

- Approved an increase in the operations budget from \$180,000 to \$983,260 to fund the detailed design, project planning and contract documentation with a hold point prior to contract advertising for underground power in Nedlands East (Hollywood East), Nedlands North (Floreat) and Nedlands West (Mt Claremont);
- Approved the CEO to authorise Western Power to proceed with the detailed design, project planning and contract documentation for the Nedlands East (Hollywood East), Nedlands

North (Floreat) and Nedlands West (Mt Claremont) underground power projects, with the additional funds required to come from the operational surplus, to be reviewed at the mid-year review, with the balance from the Underground Power Reserve Fund if required.

Design works by Western Power commenced in late 2020 and were complete in early 2022. There were significant delays due to Western Power resourcing issues.

Preliminary primary equipment sites have been identified. These sites have been chosen to allow the power network within the project areas to function correctly, and to keep costs as low as possible. The Primary equipment locations will be subject to Community Consultation with adjacent and nearby properties. The final location may change based on the outcome of this consultation and detailed construction planning.

At a Council Meeting in September 2022 Council requested that when the Long Term Financial Plan is presented to council for adoption, it includes the most financially desirable model to fund the remaining components of the Underground Power Project taking into consideration:

1. Survey feedback
2. Debt servicing
3. Borrowing capacity
4. Reserve balances
5. Asset rationalisation

The City's draft Long Term Financial Plan has been updated in accordance with this direction.

The project now requires final approval from Council to proceed. When approval is granted, Western Power will provide an updated cost estimate to a 10% accuracy after the completion of a Request for Quotation process.



2.1.2 NEEDS ANALYSIS

The need for this project is centred around:

- Reliability of power supply.
- Safety of residents, visitors and workers.
- The aesthetic and environmental value of removing overhead power lines.
- The increased value of properties in areas with underground power.
- The inequity across the City of Nedlands in relation to underground power and the commitment by Councilors to rectify this.

Power Supply Quality and Reliability

The SUPP was created in 1996 in direct response to extreme weather events causing major safety and reliability issues, particularly in relation to the Perth metropolitan overhead power supply network. Despite the best efforts of Western Power to deliver remedial works as needed during and after these events, unpredictable and extreme weather can have a devastating effect on residents and enterprises. Any interruption to essential services, such as power supply, can be distressing for those affected and have significant economic impacts. Extended power outages can also cause secondary impacts, such as loss of food and fresh water supply.

Underground power benefits residents in a number of ways, including a more reliable supply of electricity services due to fewer outages, and better quality of electricity (reduction in lights flickering and electrical appliances being damaged by any fluctuations in the electricity supply).

The Inquiry into State Underground Power Program Cost Benefit Study Final Report, completed for the Economic Regulation Authority (ERAWA) in 2011 (the final report), summarises the impact underground power has on the electrical system in an area,

“Underground power results in more reliable electricity services due to fewer outages during normal weather and severe weather events, such as the storms that hit Perth in March 2010. There are qualitative benefits to the wider community to the extent that there is a reduction in secondary impacts (such as loss of fresh water supply and fresh food) from long power outages caused by severe weather events.

There are improvements in the quality of electricity supply when power cables are placed underground. While some of the benefits to ratepayers associated with an improvement in the quality of electricity supplied are captured in higher house prices, the benefits to Western Power and the wider community cannot be quantified.”¹⁶

However, it must be noted that overhead power can also deliver reliable and safe electricity. In the final report mentioned above, the Economic Regulation Authority states that,

“retrospective undergrounding of power is not an essential service, in that a well-maintained overhead network can deliver reliable and safe electricity. It is therefore important that any SUPP projects that do proceed have benefits that exceed their costs.”¹⁷

As a result, the SUPP program utilised an assessment process to determine whether an underground project would have the required benefits to make the project worthwhile. The SUPP stated that, where existing overhead power networks are still in suitable condition and not exceeding their expected lifespan (which is 40-50 years, similar to those of new underground

¹⁶ Page x, ERAWA's Final Report on the Inquiry into State Underground Power Program Cost Benefit Study.

¹⁷ Page xii ERAWA's Final Report on the Inquiry into State Underground Power Program Cost Benefit Study.

networks¹⁸), the project would need to meet additional conditions to warrant delivery. It is noted that the overhead power network that is the subject of this project is in good condition.

Western Power data demonstrates that the current system is already highly reliable and stable, with the network having an average uptime of 99.991% in 2021/22 in the areas covered by this project¹⁹. As a result, the Cost Benefit Analysis report completed for this project states that there is limited or no system reliability/quality benefit observable from this project due to undergrounding the power.

As a whole though, it is known that underground power systems are more reliable than overhead power systems during weather and other events. Independent consultancy Halcrow Pacific Pty Ltd completed a Technical Assessment as part of the SUPP Cost Benefit Study in 2011. This report summarised the differences in reliability of underground power versus overhead power, stating,

"underground systems are more reliable but overhead systems are more maintainable."²⁰

The reason for underground systems being harder to maintain being that it can be more difficult to find faults and undertake repairs on underground cables. The final report demonstrates this reliability with the following reliability measures recorded for underground power projects completed in Victoria Park South and Wembley Downs:

Reliability measure	Victoria Park South	Wembley Downs
SAIDI (duration of interruption in minutes per connection per year)		
Prior to undergrounding	231	63
After undergrounding	5	20
SAIFI (frequency of interruption per connection per year)		
Prior to undergrounding	2.85	0.62
After undergrounding	0.03	0.09
CAIDI (duration in minutes per interruption)		
Prior to undergrounding	81	102
After undergrounding	146	217

As can be seen, interruptions in supply decreased significantly after power was undergrounded but when an interruption occurred, it took longer to resolve. However, the final report also notes that the benefits to customers, such as reduced SAIDI and SAIFI, are likely to reduce over time due to age and use, reducing overall reliability²¹.

¹⁸ Page 18 ERAWA's Final Report on the Inquiry into State Underground Power Program Cost Benefit Study.

¹⁹ Western Power. 2022. *Western Power Annual Reliability and Power Quality Report 2022*. Accessed online at <http://www.westernpower.com.au>

²⁰ Page 17 Halcrow Pacific Pty Ltd's Technical Assessment as part of the SUPP Cost Benefit Study.

²¹ Page 39, ERAWA's Final Report on the Inquiry into State Underground Power Program Cost Benefit Study.

Given the quality of the current overhead power system and the general benefits of undergrounding power, it is therefore considered that this project is not essential from a reliability and quality of supply perspective, however, it will enhance both the reliability and quality, especially during weather events.

Safety Benefits

Completion of this underground power project will increase the safety of residents and visitors to the City. The removal of overhead power lines removes many of the safety issues experienced during historical storm events. Although there are still components of the network remaining above ground after undergrounding, these are significantly fewer in number and smaller in size, which reduces the risks associated with falling trees and other debris landing on electrical assets during weather events.

In addition, these safety benefits will also be delivered during other high-risk events, such as bushfires. As part of the 2010 Victorian Bushfire Royal Commission's Final Report, it was recommended that all single-wire earth return (SWER) cables and 22kV distribution feeders be progressively replaced with aerial bundled cable, underground systems or other risk-reducing infrastructure.²²

The Inquiry into State Underground Power Program Cost Benefit Study Final Report, (the final report), summarises the potential safety benefits of underground power on an area, stating,

"There is likely to be a reduction in accidental live-wire contact, which can occur when electricity workers or members of the general public come into contact with overhead cables. It is believed that there is less chance of live-wire contact when cables are placed underground, although there is a potential for people to dig into the underground cables, which offsets some of the benefits." And

"Safer street lighting for residents, as the new street lights that are installed are brighter and placed closer together."²³

Whilst the City of Nedlands is already a very low physical crime (ie theft, assault, property damage) jurisdiction amongst Perth suburbs²⁴ and the frequency of accidental live-wire contact is unknown, though expected to be very rare, improving the safety of residents and visitors must be considered an important need for this project.

However, it must be noted that, when overhead electrical poles are removed, they are replaced with new street lighting (hence the safer street lighting benefit). Newly installed lighting infrastructure must be installed closer to roadside curbs than overhead power poles, which could increase the risk of a vehicle collision. These poles do feature a collapsible design which is intended to reduce the likelihood of injury and/or fatality in the event of a collision, however it is questionable as to whether this benefit is enough to offset the increased risk.

ERAWA's final report detailed the following key findings in relation to enhanced safety from undergrounding power:

- Any reductions in electrical contact injuries resulting from retrospective undergrounding of power may be partly offset by injuries from people digging into the underground cables. There is no data available to establish any rate of reduction in electrical contact injuries as a result of undergrounding power.
- For the purposes of assessing the impact of power pole removal on vehicle accidents, sample data relating to 38 suburbs was provided for the 2006-2010 period. Western Power

²² 2009 Victorian Bushfires Royal Commission, July 2010, Final Report Recommendations.

²³ Page viii ERAWA's Final Report on the Inquiry into State Underground Power Program Cost Benefit Study.

²⁴ Western Australian Police. 2022. *Crime Statistics, City of Nedlands 2022-23*. Accessed online at <http://www.police.wa.gov.au/>

provided data on the number of overhead assets, and the Office of Road Safety (ORS) provided data on the frequency, location and type of accident in the Perth metropolitan area. Modelling created from this information indicated that, in order to reduce the likely incidence of accidents where hospitalisation is required by one in a single year, 20,446 overhead connections would need to be converted to underground connections per annum. Given this project will only convert 1701 residences, it can be assumed that no accidents will be reduced due to this project.

As such, it must be assumed that the increased safety benefits as a result of this project will be predominantly limited to better street lighting and will be minimal.

Aesthetic, Environmental and Economic Need

A key need for this project from a community perspective is the aesthetic look of the existing overhead power lines. There are both aesthetic and environmental improvements which come with removing the overhead power system and replacing it with underground power. These include:

- removal of unsightly power poles and lines in such an affluent LGA as the City of Nedlands
- the removal of chemically-treated power poles which are known to leech into the soil
- decreased use of chemicals used for weed control by Western Power
- the replacement of the poles with more efficient lighting and urban greenery which may attract an increased number of local birds, insects and other native fauna to the area

These benefits are summarised in the final report for ERAWA as:

"Improved amenity value (the visual amenity and streetscapes of suburbs are improved when the poles and wires associated with overhead power are removed and more trees can be planted)"

"One of the key benefits of undergrounding existing overhead power lines is the improved aesthetics, through the removal of poles and wires and the planting of more trees which improves the visual amenity and streetscapes of suburbs. While the benefits to ratepayers have been quantified through higher property prices, there is a component of this benefit which is of value to the wider community as well (when they visit areas that have underground power)."

"Undergrounding existing overhead power cables also has a positive effect on the environment, for example through a reduction in the amount of pesticide and herbicide used to protect the power poles and maintain the verges."²⁵

These factors (along with other benefits mentioned such as safety) will improve the aesthetics of the area overall and will have a positive impact on property values in areas which have transitioned to underground power.

As part of the final report, ERAWA engaged Marsden Jacob Associates (MJA) to examine Perth property prices in suburbs that have participated in the SUPP as well as the suburbs that are still serviced largely by overhead power lines.

"MJA's analysis shows that the installation of retrospective underground power has had a positive and significant effect on property prices, which has on average been greater than the cost of installing underground power. However, the extent to which property prices have increased depended on the value of the property, with higher

²⁵ Page x ERAWA's Final Report on the Inquiry into State Underground Power Program Cost Benefit Study.

value properties benefiting more from underground power than lower value properties.”²⁶

Given the higher than average property prices in the City of Nedlands, it can therefore be assumed that this project will result in an increase in property prices that outweighs the cost of the project.

MJA's analysis indicated that the increased property prices have ranged from \$4,840 (for house prices between \$300,000 and \$499,999) to \$29,590 (for house prices greater than \$700,000) – note this is 2010 house values.²⁷

These issues are explored further in the Impact Analysis section of the Business Case, and in the ACIL Allen CBA Report (Attachment 1).



Council Commitments

This increased value of houses in areas with underground power, in combination with the improved network capability of new power infrastructure, has resulted in unequal access to services/infrastructure within the City of Nedlands between the 78% of residences which have underground power and the 1,701 properties which do not.

The Hollywood Underground Power Action Group (HUPAG) is an enthusiastic group of locals keen to see underground power finished across the City of Nedlands, particularly the Hollywood Ward, formed in early 2016. HUPAG wrote a position paper titled “Completion of Underground Power in the City of Nedlands” in October 2016. It states.

“We believe it is self-evident that:

- CoN ratepayers not connected to underground power have an equal right to this 21st century service as previously established within the city south of Stirling Highway.
- After 15 years since the commencement of underground power in CoN, unconnected residents increasingly feel underprivileged by the CoN failures to finalise the program.
- Fundamental fairness demands that individual ratepayer outlays for forthcoming undergrounding be 50% of the cost per lot of underground power at current costs.
- In the absence of State Government funding the CoN has to arrange and raise the funding required to complete the works via a landowner/Council funded scheme²⁸.

As a result, Councillors have committed to rectify this inequity, with several past and present City of Nedlands elected members stating on the public record, that they have stood for election to Council based on a political platform which included pushing for the balance of the City of Nedlands district to complete the retrospective undergrounding of power programs ASAP. As a result, numerous Council meeting minutes and other public documents over the past few years have demonstrated that the City is planning to deliver this project. As such, delivering on commitments made by Councillors and Council is also considered a reason that this project is needed.

²⁶ Page viii ERAWA's Final Report on the Inquiry into State Underground Power Program Cost Benefit Study.

²⁷ Page ix ERAWA's Final Report on the Inquiry into State Underground Power Program Cost Benefit Study.

²⁸ https://73c398fb-ac40-47db-8ad4-274b2126c443.filesusr.com/ugd/359eb4_4a8f2aed17394be38f210f2ad5d8d23a.pdf

2.2 PROJECT DESCRIPTION

As noted, there are 1,701 residences in the City of Nedlands (approximately 22% of total) without underground power.

This project will install underground power to these residences in 3 stages over a 4-year period, as indicated in *Section 3.1 Project Timeframes and Key Milestones*, and as shown on the maps below (Figures 1, 2 and 3).

- Stage 1 construction: Nedlands North – 273 properties (Floreath)
- Stage 2 construction: Nedlands West – 650 properties (Mt Claremont)
- Stage 3 construction: Hollywood East – 778 properties (Hollywood)

Undertaking the works in this order has been identified as likely to result in the highest Western Power contribution (net benefit), as it would avoid having to commence replacement of ageing assets in Hollywood East as part of ongoing maintenance²⁹.

Western Power have confirmed that this project has been included in the current program of works, with the first project to be commenced in the 2023/24 financial year (pending City of Nedlands approval).

The City and Western Power completed the design phase of the three project areas in early 2022, at a cost to the City of \$940,500. Preliminary primary equipment sites (the locations for transformers and switchgear units) have been identified by considering both the engineering requirements and minimising the impact on surrounding residents. These sites have been chosen to allow the power network within the project areas to function correctly, and to keep costs as low as possible. The primary equipment will be located where possible in public open space, and not on residential verges to maintain amenity.

The primary equipment locations will be subject to community consultation with adjacent and nearby properties. The final location may change based on the outcome of this consultation and detailed construction planning.

The Western Power website explains the process for getting power underground, as follows³⁰:

- Installing new underground power cables in the road reserve under verges
- Installing connection pillars (green dome/box), usually at the front corner of a property and the adjacent property
- Installing transformers and switchgear units to manage the distribution of power throughout the area. These are located in parks and public open spaces, or sometimes along property side verges
- Installing an underground connection from the connection pillar to the meter box at each property
- Changing each property over to the new underground system once it's complete and is live, and removing the old overhead conductors
- Designing and installing a new LED streetlight system that meets the latest Australian Standards
- Removing existing wood poles and overhead powerlines (excluding transmission poles and wires)

Following this project, the power infrastructure ownership will be maintained by Western Power. The ownership and management of the streetlight network is unknown and will be discussed

²⁹ City of Nedlands Technical Services Report, July 2020

³⁰ <https://www.westernpower.com.au/faqs/underground-power/underground-power/what-s-involved-in-undergrounding-power/>

between the City and Western Power. Western Power have retained ownership of the light poles in all other areas of the City that have underground power, the City of Nedlands Council Policy on Underground Power says, "the City will seek to install, own and manage the street light network and update to the latest lighting technologies including smart control".

The City of Nedlands Administration has developed the financial funding model which determines the delivery and timing of this project (as outlined in this business case). In order to progress this project into the implementation stage, Council needs to provide final approval.

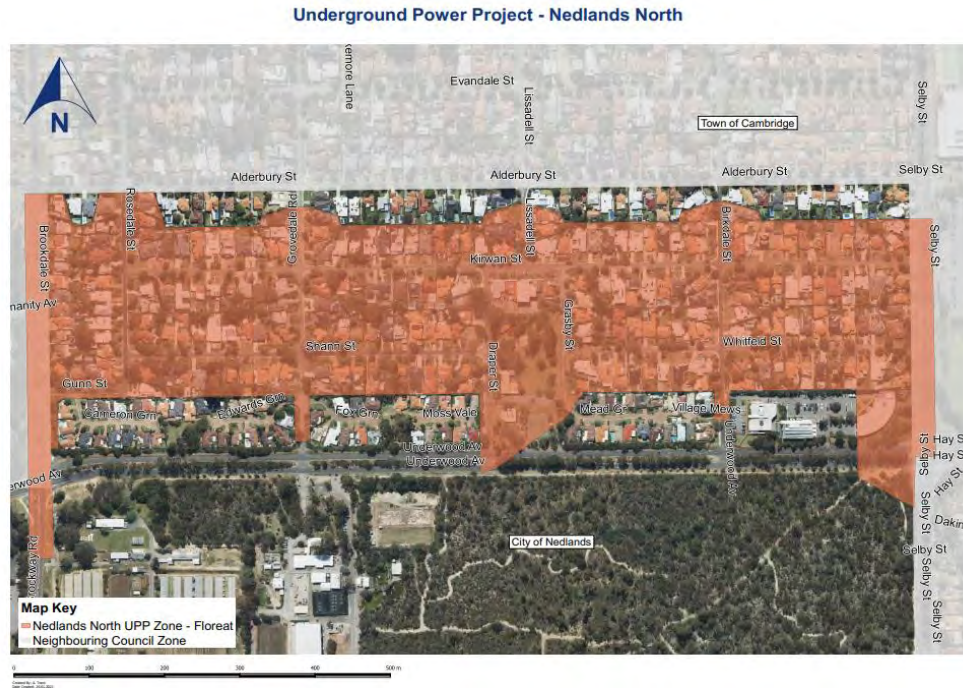


FIGURE 1 UNDERGROUND POWER PROJECT - NEDLANDS NORTH

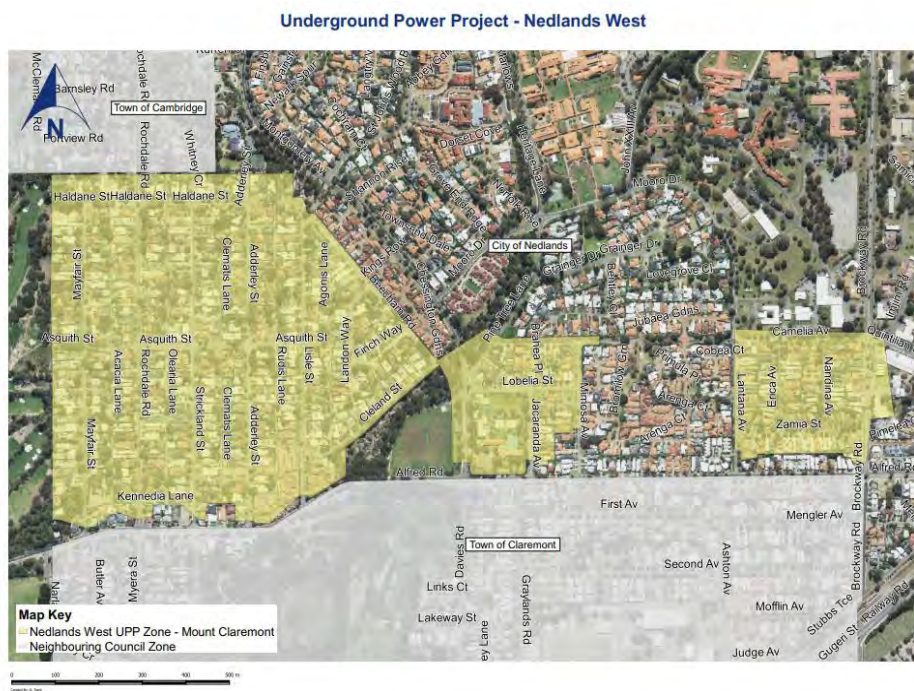


FIGURE 2 UNDERGROUND POWER PROJECT - NEDLANDS WEST

Underground Power Project - Hollywood East



FIGURE 3 UNDERGROUND POWER PROJECT - HOLLYWOOD EAST

2.2.1 PROJECT BENEFITS, COSTS AND IMPLICATIONS

Underground power delivers a number of benefits to residents, local governments, Western Power and the wider community. However, it also comes at a considerable financial cost, and the opportunity cost of spending funds on underground power at the expense of other assets needs to be considered.

In 2011, the Economic Regulation Authority (ERAWA) was engaged by the WA State Treasurer to undertake an inquiry into the overall costs and benefits of the State Underground Power Program (SUPP) – this resulted in the final report that has been mentioned in this business case. Although dated, findings from this inquiry identified the following benefits and costs of retrospective underground power projects that are still relevant today.

Benefits

- Benefits to Property Owners (ratepayers)
 - Increased property valuations (research reflects that higher value properties benefit more than properties with lower starting values) as a result of:
 - Improved visual amenity values
 - Safer local communities due to the installation of new, more energy efficient street lighting
 - Improved reliability of the electricity network
 - Improved quality of the electricity supply
 - Other benefits, such as reduced short term vegetation management costs
- Benefits to Western Power
 - Reduced operating and maintenance costs
 - Reduced costs associated with power interruptions
- Benefits to Local Governments
 - Reduced short term maintenance of streetscapes and verges (tree lopping costs for trees under overhead power lines)
- Benefits to the Wider Community
 - Improved reliability of electricity supply during severe weather events
 - Improved amenity to non-residents
 - Health and safety benefits – reduced electrical contact injuries, reduced motor vehicle and power pole collisions
 - Reduced environmental impact – reduction in use of herbicides (weed control) and pesticides (termite control) around wooden power poles,
 - Improved street lighting – when an area is converted to underground power, new street lights are designed and installed to meet Australian Standards. These new street lights have more efficient fixtures and optimized spacing, which delivers brighter and more evenly lit streets, providing up to 15% more efficient street lighting. This may also enhance the local security of an area.

In addition to the general benefits of underground power that this project will deliver, there are also some benefits specific to the City of Nedlands.

As a well-established LGA with residents who have higher formal education and wealth than the state average and tend to be well informed, the community demand a high level of service from the City of Nedlands. As such, local political campaigns and election commitments are considered to be very important to residents and elected councillors. Some elected representatives have made a commitment that the final underground power project for the City of Nedlands will be completed, based on feedback from local residents. Acting on these commitments will deliver on promises made to the community and, as such, is considered to be a project benefit.

In addition, this project will complete the final undergrounding of power in the City, meaning that no further such projects will be required in the future and the entire local government area will have underground power connected – another benefit of this project that is specific to the City of Nedlands.



Costs

The ERAWA final report identified the two types of costs associated with retrospective underground power projects as follow:

- The upfront costs of removing overhead distribution infrastructure and all of the direct costs to place the infrastructure overhead, including,
 - Removal of existing overhead infrastructure (poles, cables etc)
 - Boring and trenching
 - Installation (labour and materials)
 - Service connections to residences
 - Reinstatement of lawns, footpaths etc
 - Installation of new streetlights
 - Transformers and other underground power related infrastructure
- The indirect costs of any negative effects when the infrastructure is placed underground, such as,
 - Costs associated with soil erosion when overhead distribution infrastructure is removed and replaced with underground power
 - Costs associated with the increased exposure to dig-ins when cables placed underground
 - Although it may be more difficult to find faults and undertake repairs on underground cables and affected customers are likely to face longer supply interruption times, this is expected to be offset by lower maintenance requirements

In addition to the upfront costs of removing overhead distribution infrastructure and all of the indirect costs associated with placing the infrastructure underground, this project would also require the City to fund:

- Additional human resources – the City will need to employ a Full Time Project Manager for 4 years, at a cost of \$100,000 per year in remuneration, plus a car and associated on costs
- Additional costs to the City with respect to raising and servicing new loans/borrowing costs
- Potential future increases in roads and drainage maintenance costs and sweeping associated with leaf litter from trees growing bigger canopies

The latest project cost estimates indicate the required contribution from the City of Nedlands to complete this underground power project is \$19,038,101 (exclusive of the \$940,500 for the design

phase that has already been funded by the City). This is a significant financial undertaking, which will have implications on other areas of the City's responsibilities.

Implications

Although this project will deliver a number of benefits, as detailed, there are also implications that need to be considered before the City commits to completing the project.

1. Asset Ownership

It is noted that, by completing this project, the City of Nedlands will be investing in assets that they do not own. Power infrastructure ownership is maintained by Western Power, which will be a key recipient of benefits from the project through lowered operational costs, emergency response management, complaints handling and verge maintenance requirements. The opportunity cost of the City spending money on assets that are not owned by them and are not their core business, at the expense of funding other City assets, should be considered.

2. Roads Maintenance

In allocating the City of Nedlands' funding contribution for this project, the City's Long Term Financial Plan has utilised funding from the Roads Capex Renewals to fund this Underground Power project. As such, the Plan clearly shows there will need to be a significant reduction on funds spent on roads over the next 3 years.

The current capital works budget indicates that \$5.8 million is needed to fund road maintenance each year. However, if the underground power project proceeds, the Long Term Financial Plan can only allocate the following capital expenditure to roads over the next 3 years:

- 2023/24 - \$2,428,175
- 2024/25 - \$3,271,891
- 2025/26 - \$5,421,890

Removing maintenance funding from roads in order to fund this underground power project will result in the degradation of the roads in the City and create a backlog of required works on road renewal.

In assessing whether this is an acceptable implication or not, it is noted that the City of Nedlands Asset Management Plan – roads, 2023-25 states,

“the principal road asset types of pavements, surface, kerb, and subgrade are overwhelmingly in average or better condition based on the 2021 surface condition survey”, and that “there are no road asset risks identified as high or extreme at this time.”

However, it also states that 30% of the road network was constructed prior to the keeping of good asset records and has unknown characteristics, that older roads were built for lighter vehicles and that unknown and older pavements may be subject to rapid change if exposed to heavy traffic.

As such, the impact of such a significant reduction in spending on road maintenance is unknown and comes with the following risks, which could have a significant financial and reputational impact on the City of Nedlands:

- Asset failure causing loss of service
- Public safety – minor or major accident, up to and including death
- Public liability claims
- Not continuing road maintenance could cause major damage to roads which would require increased expenditure to fix in the long term

Additionally, it is noted that a reduction in roads maintenance spending is contrary to one of the key strategic priorities outlined in the City's 2019-2029 Asset Management Strategy, which is to "Maintain investment in roads, footpaths, cycleways and drainage".

3. Other City Assets

While the draft Long Term Financial Plan indicates that roads renewal will be the only budget line item that suffers from reduced funding as a result of completing this Underground Power project, the alternative would be to spread the impact of reduced funding across a variety of different assets. This would lessen the impact and risk related to roads maintenance but will result in impacts on other City assets.

The current draft Long Term Financial Plan has capacity to maintain and renew existing infrastructure. However, several proposed projects under investigation are not yet included:

- Drainage Upgrades
- Laneway upgrades
- Riverwall/foreshore management
- Community facilities upgrades (some with CSRFF matching grant funds), including Hollywood Bowling Club, Lawler Park (Hackett Hall) and Melvista

As a key role of local government, the City of Nedlands is required to ensure that sufficient funds are allocated for the operation, maintenance and refurbishment/replacement of all its existing assets. The main asset-based services the City is expected to provide include:

- Transport (roads, car parks, paths, bridges, drainage)
- Property services (drainage, civil earthworks/retaining, service corridors, etc)
- Civic Buildings (City administration building, depot, major and minor buildings)
- Recreation Facilities (aquatic centres, sporting facilities, open space, etc.)
- Community/Cultural services (community centres, social/aged care, heritage sites, etc.)
- Security services (fences, lights, cameras, signs, etc.)
- Environmental protection (trees, vegetation, waste management, conservation, etc)

The asset renewal funding ratio – which indicates whether the local government has the financial capacity to fund asset renewal as required – can be a key benchmark used by State Government and other funding bodies when assessing requests for grant funding.

The City's Long Term Financial Plan says that the target range for the asset renewal funding ratio is between 75-95%. By funding underground power, the asset renewal funding ratio will fall to 63.41% in 2023-24, with an improvement in 2024-25 to 73.82%, which is still below the minimum standard.

Being below the benchmark will likely raise concerns regarding the City's ability to maintain its assets amongst lending bodies. As such, the City should be prepared not to receive grant funding for projects to build new or refurbished assets over the short term while their asset renewal ratio is low.

Additionally, a review of the City of Nedlands Asset Management Plans reveals that (with the exception of roads, which have already been discussed) there are some identified issues with regards to some other asset areas, as follows:

- The City of Nedlands Asset Management Plan (buildings) identified the following issues and potential consequences:
 - Issue: lack of comprehensive structural inspections.
Consequence: without structural inspections and data, unseen issues such as rust in structural elements, wood rot, faulty wiring and similar will not be identified. There is a possibility of catastrophic failure in extreme circumstances.
 - Issue: Dalkeith Hall's age and need for substantive renewal.

Consequence: the Hall requires substantive work but value for money needs to be assessed.

- Issue: Ownership and management issues.

Consequence: there are some identified buildings on public land nominated as being privately owned, funded and managed. This is unusual and may have hidden risks and liabilities.

- The City of Nedlands Asset Management Plan (drainage) identified that drainage standard of service is less than expectations with possible consequences including potential complaints, damages, claims and similar. Noteworthy here is the fact that, without overhead power, trees will be able to grow bigger canopies and some species will drop more leaves, which may affect sub surface road drainage efficiencies. As such, it is not recommended that the City reduce funding on an asset which is already sub-standard, especially when the money is being redirected towards a project which may further compromise said asset.

Further consideration of the upgrade of these facilities would need to be deferred until more funding became available and/or the City had sufficient borrowing capacity.

The draft Long Term Financial Plan indicates that the City currently has an infrastructure backlog of \$43 million that could benefit from those funds. The table below, 'All assets Capital Investment Need' - which includes the backlog of asset renewal required - has been smoothed to remove large year to year spikes. The backlog has been spread over years 2022-2031, with the figures in the table being the sum of the smoothed backlog and the renewal that would otherwise be required in that year.

Of the \$14M the plan states was required in 2022, only \$5.2M of renewal was funded and is currently being delivered by the City. As such, the current backlog will be increased by a nearly \$9 million carryover to the 2023/24 financial year, without the added impact of funding the underground power project.

	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031
All assets Capital Investment Need (M)	\$14.32	\$12.04	\$18.09	\$16.93	\$16.94	\$19.35	\$20.58	\$16.7	\$17.38	\$12.00

If this project progresses, it will add further to the backlog. As such the implications of completing this project on other City assets therefore needs to be considered.

4. Ability To Secure Funding

The City has approximately \$4M set aside for this project in a reserve account. As such, the City would need to borrow the remaining amount in order to pay its share of project costs.

Based on the Council resolution to complete all 3 stages of this project in 4 years, the City's Manager of Financial Services worked with the WA Treasury Corporation (WATC) to estimate the borrowing capacity of the City to determine if they will be able to borrow the required funds for the project.

Under the Council's current Underground Power Policy, up to 50% of the City's contribution is recoverable from ratepayers. However, it is assumed that the City would initially pay for the household contribution (which is consistent with how Western Power expects the undergrounding

of power scheme to operate) and this would be repaid by affected residents through service charges raised as part of their annual rates notice.

As such, the City would need to secure 6 loans to cover the 3 stages of the project – 3 loans to cover their share of the project costs (for stages 1, 2 and 3), and 3 loans to temporarily pay for the contribution of the affected residents, as follows:

- Stage 1 Loan 1: \$691,757 in 2023/24 to cover the City's portion of this stage.
- Stage 1 Loan 2: \$807,084 in 2024/25 to cover the ratepayer portion of this stage, which would be paid back by UGP service charges raised.
- Stage 2 Loan 3: \$2,078,859 in 2024/25 to cover the City's portion of this stage.
- Stage 2 Loan 4: \$1,406,863 in 2025/26 to cover the ratepayer portion of this stage, which would be paid back by UGP service charges raised.
- Stage 3 Loan 5: \$2,784,435 in 2025/26 to cover the City's portion of this stage.
- Stage 3 Loan 6: \$1,666,555 in 2026/27 to cover the ratepayer portion of this stage, which would be paid back by UGP service charges raised.

Figures from the City's Draft Long Term Financial Plan (Attachment 1) were entered into WATC's Indicative Additional Debt Capacity Calculator. The calculations show that, in addition to the loans raised for the Underground Power projects, the City would have the capacity to borrow:

- \$5,281,018 in the 2023/24 financial year
- \$2,260,726 in the 2024/25 financial year

In the 2025/26 financial year, the City reaches borrowing capacity. This means that WATC may not approve the 2025/26 year requested loan amount of \$4.115M as this loan amount would put the City at capacity. If this happened, the project may need to be cancelled or postponed leading to financial loss related to having started but not completed the project and very high levels of community dissatisfaction.

However, it must be noted that the City's Debt Service Coverage Ratio (DSCR) is 4.5X in 2025/26 when the minimum target is 3.0X. The DSCR is the measurement of a local government's ability to produce enough cash to cover its debt payments. The higher the ratio is, the easier it is for a local government to obtain a loan. The Local Government Operational Guidelines Financial Ratios (Number 18 – June 2013) says that "a basic standard is achieved if the ratio is greater than or equal to two. An advanced standard is achieved if the ratio is greater than five".³¹ As such, the chances of being unable to obtain a loan with the City having such a high DSCR are lessened.

As loans are paid down over time, borrowing capacity returns in 2026/27, with the City able to borrow \$832,245.

5. Cost Uncertainty

The latest formal cost estimate from Western Power (WP) states the project total cost is \$28.7M including both WP net benefit amount and the City's contribution. Should Council decide to proceed with this project, Western Power will provide an updated cost estimate to a 10% accuracy after the completion of a Request for Quotation process.

Even if the City is successful in obtaining loans to pay for their share of these works, there is the risk of rapidly increasing costs due to supply cost rises for transport and materials, as well as increasing rates and scarcity of labour. There will also be subsequent interest payable on all loan amounts, which is likely to throw the City's budget further into challenging territory.

³¹ https://www.dlgsc.wa.gov.au/docs/default-source/local-government/operational-guidelines/operational-guideline-18-financial-ratios.pdf?sfvrsn=2d69f3d9_1

If the project runs over budget, the City would need to find the additional money by increasing borrowings (which, as noted above, may not be possible), or by increasing the amount that affected residents and taxpayers need to pay, which would lead to high ratepayer dissatisfaction.

6. Ongoing Post-Project Implications

The City’s draft Long Term Financial Plan, 2023-38, states the finances of the City are impacted heavily in the initial years by the implementation of underground power, resulting in the variations in the initial years of the plan as shows in the chart below.

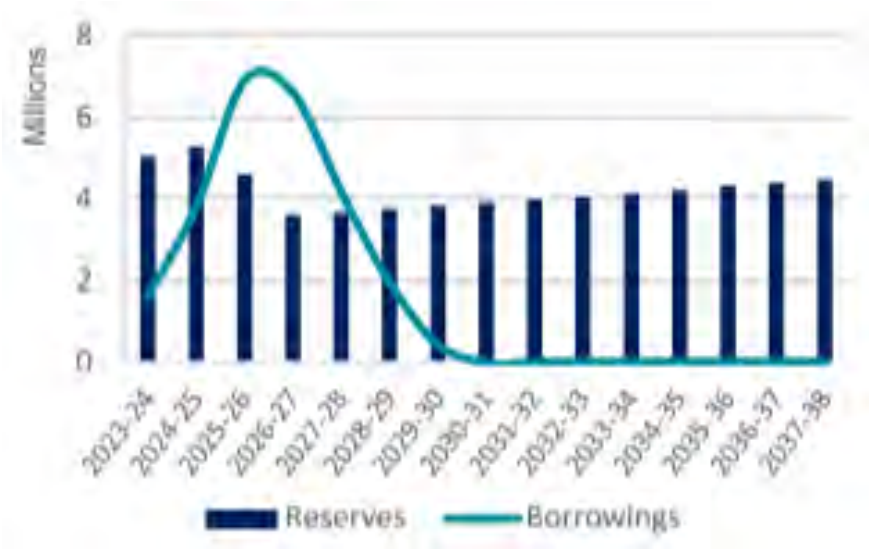


FIGURE 4 - FORECAST BORROWINGS AND CASH RESERVES (SOURCE: LONG TERM FINANCIAL PLAN)

Borrowing and reserves will be used to pay for the 3 phases of this underground power project (as indicated above) in 2023/24, 2024/25 and 2025/26 with service charges utilised to repay the borrowings in the 6 years following the start of the works being undertaken.

By funding the underground power project, the City will have limited capacity for borrowing money to fund other projects in the next few years. Figure 5 below indicates that the City’s borrowing capacity grows towards the middle of the plan, in line with the repayment of the planned borrowings.

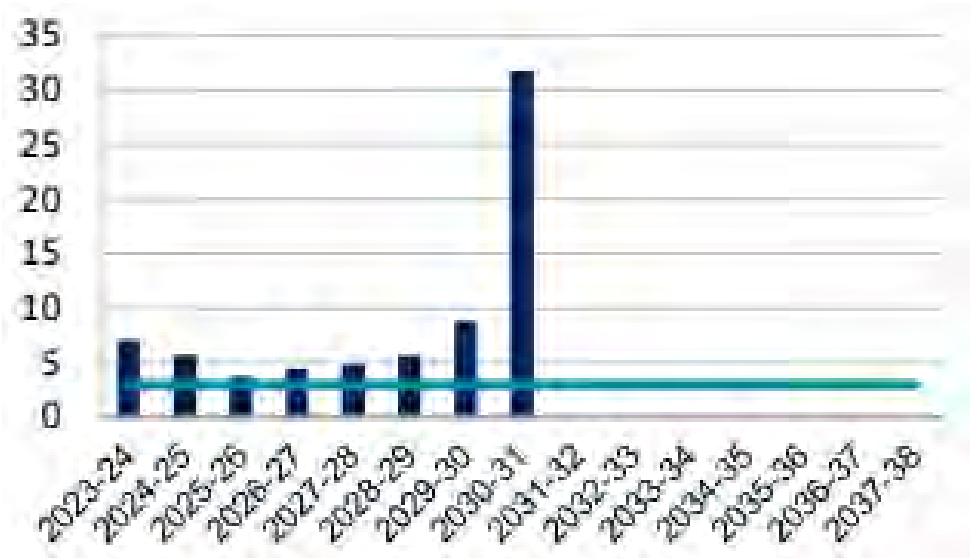


FIGURE 5 DEBT SERVICE COVER RATIO (SOURCE: LONG TERM FINANCIAL PLAN)

As such, although there are a number of benefits to this project, the costs and implications must also be considered. An independent Cost Benefit Analysis of this project has been undertaken and

is attached (Attachment 1). Refer to *Section 2.6 Economic and Financial Analysis/Cost Benefit analysis* for a summary of the CBA and further details on the quantified benefits and costs of this project.

7. Impost on Ratepayers

Under the City's Underground Power Policy, up to 50% of the City's contribution is recoverable from ratepayers. However, the City would initially pay the full amount, with householder contribution being repaid by affected residents through service charges raised as part of their annual rates notices. The City of Nedlands Finance team have undertaken modelling and based on the latest estimates, the resident's share for each property with existing overhead power would be approximately:

4. Nedlands North - \$6,569,68
5. Nedlands West - \$5,771.74
6. Hollywood East - \$5,712,27

Community consultation undertaken by the City in 2017 prior to its last underground power project indicated around 30% of ratepayers were unwilling to pay and the current fiscal climate is such that cost of living pressures are high, it is expected that there will be significant dissatisfaction amongst some of the affected ratepayers at this extra cost.



2.3 POLICY AND STRATEGIC FRAMEWORK

This project is aligned to a number of the City's and WA State Government policies and strategies.

City of Nedlands Community Strategic Plan 2018-2028

On 22 May 2018, the City of Nedlands' Council approved the Strategic Community Plan, which is described as "a long-term plan where Council has considered its vision, values, aspirations and priorities while also considering the challenge of balancing community aspirations, service delivery levels, priorities and affordability." This Strategic Community Plan builds on the previous plan and progresses the City towards "Our Vision 2030" outcomes.

A number of the "Our Vision 2030" outcomes resulted in the identification of ideas and strategic actions which are directly or indirectly related to a transition to underground power, including:

- "retain our green, leafy, tree-lined streets and gardens;
- manage environment – (underground power, street trees, seats, water fountains) to facilitate walking; and
- feeling safe on the streets with lots of people about."

This is reflected in the Community Strategic Plan, which includes "underground power" as one of eight items specified as part of "Council's overall strategic priorities".

There is no question that transitioning the remaining 22% of properties to underground power is in direct alignment with the specific outcomes identified by council planning documents.

City of Nedlands Underground Power Policy

The City's Underground Power Policy, amended on 26 June 2018, includes the following statements:

1. The Council supports the undergrounding of overhead power distribution that currently exists within the City of Nedlands and will both advocate to the State Government at every opportunity to achieve this and partner with relevant agencies on the planning and delivery of underground power;
2. The City will identify strategies for the funding of the underground power installation which minimise the cost to the City and property owners;
3. The City will develop a program to deliver the undergrounding of power to areas where overhead power currently exists in the shortest possible timeframe; and
4. The Council supports a method of equally distributing the costs for underground power projects as follows:
 - a) State Underground Power Project (50%) funded by State/City and 50% funded by property owner; or
 - b) Local Government client funded underground power project funded by Western Power, the City and property owners with negotiated contributions.
5. The method of distributing the contribution by the property owner is included in the Underground Power Procedure.
6. The City will seek to install, own and manage the street light network and update to the latest lighting technologies including smart control.

Western Power / WA State Government

Western Power is a Western Australian State Government owned corporation responsible for building, maintaining and operating the state's electricity network. This project is heavily aligned to Western Power's Corporate Strategy 2021 – 2031. Their Corporate Strategy Action "Optimising our

transition to the modular grid" includes partnering with local governments to underground power under the action "Underground meshed urban areas through financial partnerships with local communities".

In a demonstration of its commitment to increase underground power in WA, in November 2022, the State Government launched the latest in its underground power programs, the Targeted Underground Power Program (TUPP).

The four-year program will initially focus on the Town of Victoria Park, City of Vincent, City of Stirling, City of Bayswater, Town of Bassendean, City of Swan, Shire of Mundaring, City of Canning, City of Fremantle, City of Melville, City of Rockingham and City of Mandurah.

The TUPP is funded by Western Power and relevant local government authorities; with the State Government's tiered funding based on socio-economic indicators. Areas are selected based on which areas have the highest density of aging overhead assets. Given the age of the City of Nedlands assets, it has not been selected as a priority at this time.

2.4 STAKEHOLDER ENGAGEMENT AND CONSULTATION

The City of Nedlands has consulted with Council and Western Power on the specifics of this project and has consulted broadly with the Nedlands community on underground power over the years. For example, the community was notified through Your Voice (the City's online community engagement hub) in January 2020 that the City was progressing with the detailed designs for the 3 remaining areas for the installation of underground power.

If the City progresses this project, further consultation with the residents in the affected areas will take place. This engagement will include:

- Communicating why Underground Power is needed
- Ensuring the community understands the benefits, costs, risks and implications of the Underground Power Project
- Gaging community awareness of the project
- Gaging community willingness to go ahead with the project
- Confirming the amount residents would be required to pay
- Establish how residents are willing to pay
- Outlining expected timeline for completing the project
- Advantages/disadvantages of running the 3 project areas concurrently

The Economic Regulation Authority WA (ERA) 2011 inquiry final report states that there was a clear trend that ratepayers in higher property value areas were more willing to pay for undergrounding of power. This is to be expected given owners of higher value properties benefit more in post installation property value increases than owners of lower value properties.

Hence, ratepayer political support for the undergrounding of power in the City is anticipated to be high. The Nedlands community was first consulted about underground power in 1998. A survey questionnaire was hand delivered to all residential properties and businesses within the City during January 1998. 1757 (25%) of residents/businesses responded, with 1503 (85%) in favour of underground power. Of the 254 objections, most related to cost, enquiries about transmission lines, objection to paying towards upgrading Western Power infrastructure, that they were too old to gain benefit from it, that there was already existing underground power in the street or that more information was required before making a decision.

In April and May 2014 an extensive public consultation was undertaken. Key outcomes of the consultation were:

- Total number of surveys released: 2,595

- Total number of responses: 1,062
- Response rate = 41%
- 53% of 1036 respondents felt underground power was quite important or extremely important
- 76% of 613 respondents felt that underground power would improve amenity
- 62% of 750 respondents said they would not be willing to pay the full cost (\$17,000)
- On payment options, 251 responses were received indicating that 11% would prefer to pay through deferral (on sale of property), 58% would prefer to pay in installments and 31% would prefer to pay in one payment

The community was consulted again in 2017 when residents in the following 2 areas were surveyed:

- Claremont Triangle Underground Power Project
- West Hollywood Underground Power Project

The Claremont Triangle survey returned 26 responses. There was a big variation in how important respondents believed underground power to be, ranging from not important (11 responses) to very important (7 responses). With regards to paying for the installation, 11 respondents preferred instalments over a 10-year period, 9 respondents preferred one upfront payment, and 9 respondents said they were not willing to pay at all.

With regards to the West Hollywood Underground Power Project consultation, the City commenced the detailed design consultation on 15 June 2017. The survey provided a detailed design cost estimate contribution for each landowner in accordance with the cost distribution established in the City of Nedlands Underground Power Policy. The survey form simply provided a "support" or "do not support" option for the proposed project.

There were 593 letters distributed, 283 were returned representing 47.7% of the West Hollywood Underground Power Project landowners. The project was supported by 67.9% of respondents.

An online survey was also provided via Your Voice (the City's online engagement platform) for the Hollywood area. The survey returned 197 responses with large variation in how important residents believed underground power to be, as follows:

- Not important at all (67 respondents)
- Quite important (55)
- Extremely important (38)
- Not very important (15)

With regards to paying for the installation, the preferences were:

- Instalments over 10 years (61 respondents)
- Unwilling to pay (55)
- Instalments over 5 years (38)
- One upfront payment (25)

It is noted that this project will require a significant contribution from affected ratepayers of around \$6,000. Given the community consultation in 2017 indicated around 30% of ratepayers were unwilling to pay and the current fiscal climate is such that cost of living pressures are high, it is expected that there will be significant dissatisfaction amongst some of the affected ratepayers at this extra cost.

The City of Nedlands has been in regular contact with Western Power regarding this project. Western Power engaged Alliance Power & Data Pty Ltd (APD) to complete the design of this project in early 2022. Western Power has clarified that the three stages of this project have been included in Western Power's current program of works.

Once the City of Nedlands provides Western Power with approval to proceed, Western Power will carry out a construction RFQ which will provide confirmation of budget (to 10% accuracy) and timings in conjunction with the construction contractor.

2.5 PROJECT DELIVERABLES

The outputs and outcomes of this project are detailed in the tables below.

	Outputs	Performance Measure	Performance Measure method
1	Underground Power Project delivered to remaining 1,701 properties in City of Nedlands	Completed in accordance with the timeframes, budget and project description identified in this business case.	Practical completion certificate Photos

TABLE 1 – OUTPUTS

	Outcomes	Performance Measure	Performance Measure method
1	Increased reliability and quality of the electrical network	Number and duration of power outages	Feedback from affected residents/surveys Western Power data on power outages
2	Increased property values	Average house price of properties in the upgrade areas	REIWA average house price data
3	Improved visual amenity values	Community and visitor satisfaction with the visual outcome of the project	Photos Feedback from affected residents/surveys
4	Reduced short term maintenance of streetscapes and verges	Decrease short-term cost of maintenance of streetscapes and verges	City of Nedlands financial data
5	Improved street lighting	Street lighting coverage and LUX level	Lighting consultant audit

TABLE 2 – OUTCOMES

2.6 ECONOMIC AND FINANCIAL ANALYSIS/ COST BENEFIT ANALYSIS

The City of Nedlands engaged independent economics advisory firm ACIL Allen to undertake a Cost Benefit Analysis (CBA) of the proposed project. A CBA is commonly used to measure the impact of policy or infrastructure, by quantifying the extent to which a particular intervention changes measurable outcomes. It places a dollar value on a stream of benefits and costs which are forecast to occur as a result of the investment.

A detailed overview of the CBA, discussion of the approach and methodology, and a comprehensive description of inputs, assumptions and outputs, is provided in Attachment 3. A summary of the approach and methodology and presentation of the results is provided in the remainder of this section.

The CBA is based on the assessment of benefits and costs as they relate to individual constituencies / stakeholder groups relevant to the investment proposal. These are:

- Ratepayers receiving underground power (Residents)
- The City of Nedlands and non-recipient ratepayers (Nedlands / The City)
- Western Power, and the State more broadly (Western Power)

There are seven costs and five benefits quantified within the CBA framework. These are summarised below, alongside details of how they map to the three constituencies introduced above:

Costs		
Name	Description	Who is impacted
Upfront investment costs	The gross payments required to be made by Nedlands to Western Power	Nedlands
Cost of capital	Measured as the interest expense on borrowings	Nedlands
Project manager expenditure	PM spend in each year the program is being rolled out	Nedlands
Opportunity cost of foregone capital works	Measured as an upfront additional charge equal to the rate of opportunity cost multiplied by the net long run cost of the program to the City	Nedlands
Upfront investment costs	The share of program costs met by Western Power, charged up front	Western Power
Service charges payable	The resident contributions to fund part of the City's share of the program cost	Residents
Additional rates burden	A reallocation of the long run rates burden payable by residents receiving underground power due to property value uplift	Residents

Benefits		
Name	Description	Who is impacted
Service charges received	The resident contributions to fund part of the City's share of the program	Nedlands
Avoided tree-trimming cost	Avoided annual tree maintenance expenditure due to removal of tree risk around powerlines	Nedlands
Property value uplift	The increase in property values owing to visual amenity, service continuity, and other factors	Residents
Avoided replacement and maintenance cost for power infrastructure	Set at the share of program costs met by Western Power, given this is how they determine their willingness to pay	Western Power
Avoided road safety crashes	Reduction in the societal cost / burden of vehicle-power pole accidents	Western Power (State at large)

Other benefits and costs described earlier in the business case are either too small to reliably quantify given the scope of the program (ie 1701 properties) or are generally unquantifiable benefits/costs. Further commentary on this issue is provided in Attachment 3.

It is important to note ACIL Allen has adapted the approaches and methodologies of past underground power CBA reports to the City of Nedlands' current project. The single largest benefit is in relation to property value uplifts. In a traditional CBA, property values are not considered a genuine benefit, as in a classical framework the uplift in value can only be realised in the event a transaction occurs. When this transaction occurs, the seller may monetise their asset for a higher value than prior to the change, but this comes at a direct cost to the buyer of the asset – netting out the gain across society.

However, given the frame of reference for this CBA is to assess **how benefits and costs map to particular constituencies**, this value has been retained. If the CBA were to examine the State-wide, societal net benefit / cost of the program, property value uplift would be removed in favour of an alternative approach to monetizing visual amenity.

A summary of the results for individual constituency groups is provided below.

Recipients Of Underground Power

Overall, the CBA finds the recipients of underground power realise a present value (at 7% discount rate) of benefits of \$74.28 million, against a present value of costs of \$9.87 million in real 2023 dollar terms. This results in a net benefit of \$64.41 million in present value terms, and a Benefit Cost Ratio of 7.53. This suggests for every \$1 of economic and social cost incurred by the recipients of underground power, they realise a return of \$7.53. A summary of the costs and benefits is provided below.

Residents	
Cost	
Investment cost	(\$8.35)
Additional rates burden shared	(\$1.51)
Total costs	(\$9.87)
Benefit	
Property value uplift	\$74.28
Total benefits	\$74.28
Net	
Net benefit / (cost)	\$64.41
BCR	7.53

Western Power / State

Western Power / the State at large realise a present value (at 7% discount rate) of benefits of \$13.43 million, against a present value of costs of \$12.87 million in real 2023 dollar terms. This results in a net benefit of \$0.56 million in present value terms, and a Benefit Cost Ratio of 1.04. This suggests for every \$1 of economic and social cost incurred by the recipients of underground power, they realise a return of \$1.04. A summary of the costs and benefits is provided below.

Western Power / State	
Cost	
Investment cost	(\$12.87)
Total costs	(\$12.87)
Benefits	
Avoided replacement and maintenance	\$12.87
Avoided road safety crashes	\$0.56
Total benefits	\$13.43
Net	
Net benefit / (cost)	\$0.56
BCR	1.04

City Of Nedlands / Non-Recipient Ratepayers

The CBA finds the City of Nedlands / non-recipient ratepayers realise a present value (at 7% discount rate) of benefits of \$8.70 million, against a present value of costs of \$20.23 million in real 2023 dollar terms. This results in a net cost of \$11.52 million in present value terms, and a Benefit Cost Ratio of 0.43. This suggests for every \$1 of economic and social cost incurred by the recipients of underground power, they realise a loss of \$0.57. A summary of the costs and benefits is provided below.

Nedlands	
Cost	
Investment capital cost	(\$18.72)
Investment interest cost	(\$0.81)
Project manager	(\$0.37)
Opportunity cost of foregone long term financial c	(\$0.32)
Total costs	(\$20.23)
Benefit	
Payments from residents	\$8.35
Avoided tree trimming costs	\$0.35
Total benefits	\$8.70
Net	
Net benefit / (cost)	(\$11.52)
BCR	0.43

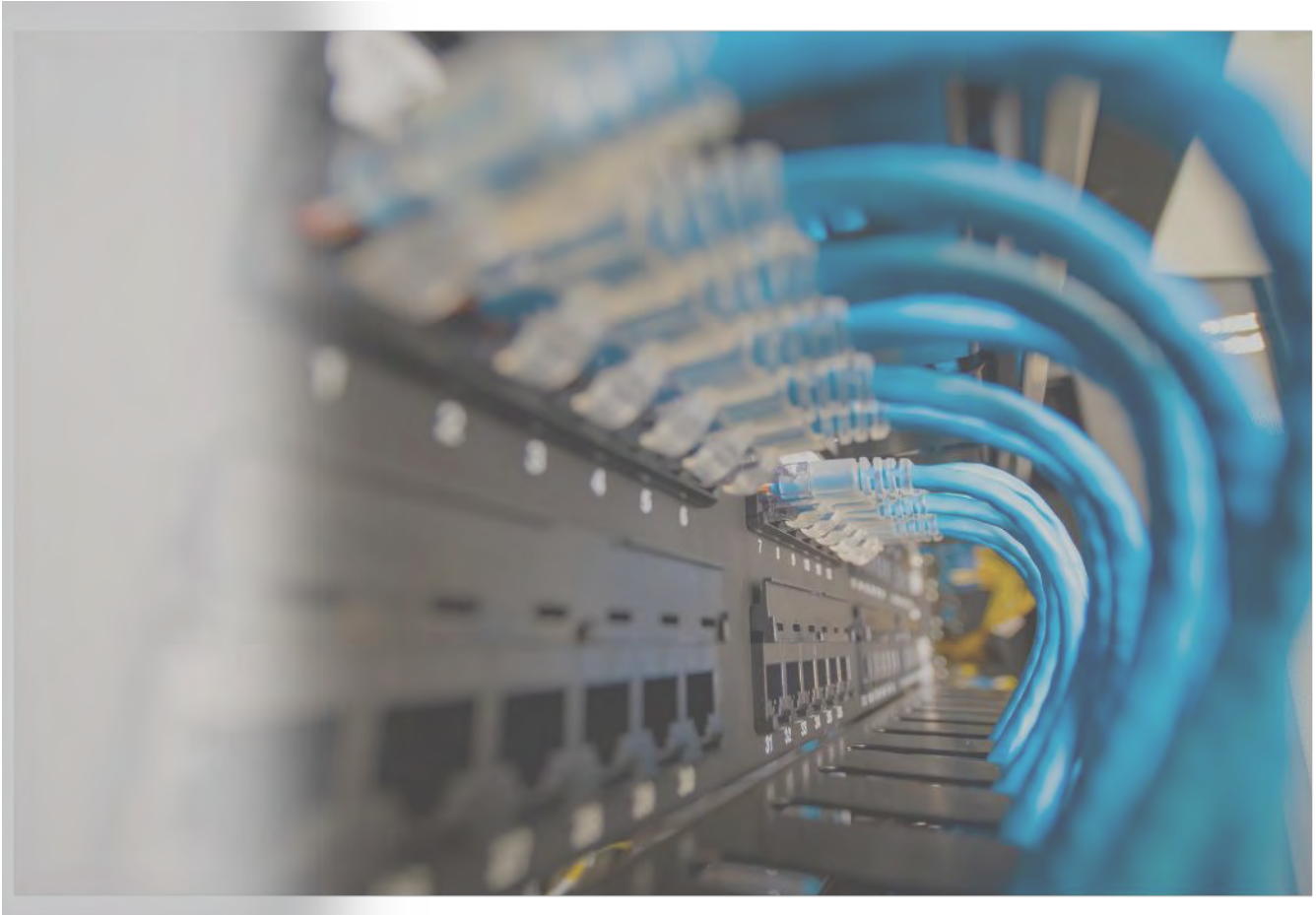
Implications of the CBA

Overall, the quantitative CBA suggests the recipients of investment flowing from the underground power program realise substantial benefits in the form of improvements to the value of their property. This comes at a relatively modest cost all things being equal, due to the financial contributions made by Western Power and the City of Nedlands. It is important to point out that these ratepayers will wear a modest increase in the share of the City's Required Rates Yield in the medium term due to the reallocation of relative property values to them, all things being equal.

Western Power achieves a broadly balanced outcome, on account of the structure of its willingness to pay. According to information made available by Western Power, the value of its financial contribution to any power undergrounding project is based exclusively on its internal valuation of the financial benefit it can realise. Through this policy Western Power does not realise material net gains, but also does not realise losses, and caps its financial contribution.

As a result, the City of Nedlands carries a significant share of both the financial, and economic and social, costs flowing from the program. A decision to progress the project as it is currently constructed, and with the current funding mix, results in non-recipient ratepayers shouldering a substantial burden in order for a cohort of residents to realise significant gains.

While there are intertemporal equity considerations at play – many residents have enjoyed the gains associated with underground power for some time, likely at the cost of the City and other ratepayers – the size of the disparity between financial cost shares and economic and social benefits suggests there may be merit in exploring alternative options to ease the burden on City ratepayers.



2.7 ASSESSMENT OF OPTIONS

The City of Nedlands considered a number of options in the development of this project. The options needed to align to the agreed planning principles for the City, as well as suiting community needs. Some, but not all of the options are detailed below.

Option 1 – Do Nothing

This option involves making the decision not to undertake the project at this time and to leave the overhead power system in situ. This option is contrary to commitments made to the community by Council and will not deliver any of the benefits detailed in this business case – nor will it require the cost outlay, acceptance of risk and implications that are detailed in this document. Taking no action has the following implications:

- Affordability - no cost outlay, sunken cost of \$940,500 for project design works, more money available for City assets.
- Political - failure of the City to deliver the goal of Underground Power may lead to high ratepayer dissatisfaction. No political risk due to ratepayers being asked to fund part of the project.
- Level of financial risk to the City – Low.
- None of the implications related to road maintenance, other city assets and opportunity cost.

Option 2 – Postpone The Underground Power Project

With nearly 80% of residences in the City having underground power, it would be expected that the remaining residences will eventually receive underground power. As such, the question is less about "should we do this project?" than "when should we do this project?"

If the City chooses not to go ahead with this project now, it does not mean that the 3 identified project areas will never receive underground power. The future options for undergrounding power in the project areas are as follows:

- Apply for future rounds of SUPP
- Apply for the Targeted Underground Power Program (TUPP)
- Carry out Option 3, 4 or 5, but in the future.

SUPP – The three project areas have been unsuccessful in receiving funding through this program in the past therefore it is unlikely that they will receive future funding through SUPP (especially given the program will conclude in 2024, to be replaced by TUPP).

The homes in Hollywood East, Nedlands North and Nedlands West were not given priority in the SUPP program as, at the time of consideration, they were in better condition than other areas.

TUPP – key features of the TUPP program include prioritising project areas with a high density of aging overhead assets. This program includes a State Government contribution to support project in lower socio-economic project areas.

With these guidelines in mind, it seems unlikely that the City of Nedlands would be successful in receiving funding through TUPP in the near future. However, when the existing overhead power assets age, it is expected the City will become a priority. The concern here is that, as the assets age the reliability of supply and safety risk will increase and, by the time the City is a priority, TUPP may have ceased and City ratepayers would likely be highly dissatisfied with the quality of their power supply.

Option 2 has the following implications:

- **Affordability** – no cost outlay, more money available for City assets. However, the City has already outlaid a substantial amount of money (\$940,500) for the design phase of this project. If the City postpones the project, the designs will become out of date and this money will be wasted as a re-design will need to occur prior to project delivery. It is noted, however, that these are sunk costs and there is no extra cost outlay for this option. It must also be noted though, that if the City decides to postpone this project, there will likely be increases in material costs and other contractor costs in the future, which may result in an increased financial impost of doing the project at a later date.
- **Political** – failure of the City to deliver the goal of underground power in the near future may lead to high ratepayer dissatisfaction. No political risk due to ratepayers being asked to fund part of the project.
- **Level of financial risk to the City** – Low.
- **None of the implications related to road maintenance, other city assets and opportunity cost** – until the decision is made to complete the project.

Option 3 – Complete The Project As Per This Business Case

This option will complete the project in 3 stages over 4 years with service charges to ratepayers over 4 years, as described in *Section 2.2 Project Description*. All benefits and costs of this option are as per this business case.

This option will have the following implications:

- **Affordability** - high impact on City cashflows and reduced borrowing capacity, lost opportunities to fund other projects. The City will need to employ 1FTE Project Manager.

Costs associated with this would be \$100,000 per year in remuneration, plus a vehicle and associated on costs over a 4-year period.

- Political - High ratepayer satisfaction with project delivered in a short timeframe. Likely to be high dissatisfaction from some ratepayers given their requirement to contribute financially to the project.
- Level of financial risk to the City – high.
 - This option comes with a high risk because City borrowing capacity may be reached and funding commitments for future stages may not be able to be funded through borrowing by the City.
 - Service charges repayments by ratepayers may not be achieved given the current economy and a possibly future worsening economy.
 - It is expected that City cashflows will be impacted.
 - Likely that the City will be required to reject or postpone other projects while this project is funded/repaid.

Option 4 – Complete The Project Over 7 Years

An alternative option to complete the project with less risk to the City would be to stagger the commencement of each project over a longer period of time, commencing with Nedlands North (Floreat). The timeframe can be either 7 years (this option) or 10 years (Option 5 below). The risk of these options is the continued escalation of price of delivering underground power in those remaining project areas.

Option 4 will complete the project in 3 stages over 7 years, with service charges to ratepayers over 7 years. The benefits of this option are as per this business case, with the costs likely being higher due to cost escalation and project manager costs.

This option will have the following implications:

- Affordability - reduced impact (though still a considerable impact) on City cashflows and less impact on borrowing capacity as loan debt raised over 7 years and paid down over 7 years. The cost of this option overall is expected to be higher than Option 3 due to project cost increases and future inflation. Additionally, if this option is chosen, the City would need to employ project managers to carry out each stage separately. This would be inefficient and costly, as it is not expected that the same project manager would be able to be employed for each stage, thus requiring onboarding, training and knowledge transfer for each new stage.
- Political - Moderate ratepayer satisfaction/dissatisfaction as project delivery over 7 years, which may be slower than residents would like. However, if residents know their stage is programmed and coming, they may be willing to wait for delivery. Possible dissatisfaction in the project area that is delivered last. The longer time to repay costs will lessen ratepayer dissatisfaction at having to contribute financially (especially given current cost of living pressures).
- Level of financial risk – moderate.
 - More conservative assumptions – all loans being over 7 years lowers the risk – borrowing capacity improved as longer timeframe to pay down loan debt before raising more loan debt for next stage. Reduced risk of reaching borrowing capacity and funding commitments not able to be funded by the City.
 - Service charges repayment assumptions over 7 years is more conservative (therefore less risk of not being achieved)
 - Reduced risk to City cashflows due to longer timeframe for funding/loans.
- Implications relating to road maintenance, other City assets and opportunity cost may still be experienced but will be lessened due to improved cashflow.

Option 5 – Complete the project over 10 years

This option will complete the project in 3 stages over 10 years, with service charges to ratepayers over 10 years. The benefits of this option are as per this business case, with the costs likely being higher due to cost escalation and project manager costs.

This option will have the following implications:

- Affordability - reduced impact on City cashflows and less impact on borrowing capacity as loan debt raised over 10 years and paid down over 10 years. The cost of this option overall is expected to be higher than Option 3 due to project cost increases and future inflation. Additionally, if this option is chosen, the City would need to employ project managers to carry out each stage separately. This would be inefficient and costly, as it is not expected that the same project manager would be able to be employed for each stage, thus requiring onboarding, training and knowledge transfer for each new stage.
- Political - high ratepayer dissatisfaction as project delivery over 10 years is too long. It is expected that residents would like stages delivered and programmed sooner - waiting for up to 10 years for delivery of stage 3 is likely to result in dissatisfaction. The longer time to repay costs will lessen ratepayer dissatisfaction at having to contribute financially but this will possibly be mitigated by not receiving the benefits for such a long time.
- Level of financial risk – moderate
 - Most conservative assumptions - all loans being granted over 10 years comes with lower risk as borrowing capacity is improved with the longer timeframe to pay down loan debt before raising more loan debt for next stage.
 - Reduced risk of reaching borrowing capacity and funding commitments not able to be funded by the City.
 - Service charges repayment assumptions over 10 years more conservative (therefore less risk of not being achieved)
 - Reduced risk to City cashflows due to longer timeframe for funding/loans.
- Implications relating to road maintenance, other City assets and opportunity cost may still be experienced but will be significantly lessened due to improved cashflow.



The options considered in the development of this project are summarised in the table below.

Option	Benefits	Implications/risks	Cost
1. Do Nothing	<ul style="list-style-type: none"> No cost outlay Low financial risk No impost on ratepayers 	High ratepayer dissatisfaction	\$0.
2. Postponement of planned project	<ul style="list-style-type: none"> No cost outlay Low financial risk No impost on ratepayers Chance for City to apply for future stages of TUPP, which would significantly decrease financial outlay from City and residents 	<ul style="list-style-type: none"> High ratepayer dissatisfaction Risk that City will not receive additional funding through TUPP 	<ul style="list-style-type: none"> Sunken cost of \$940,500 \$0 now Potential loss of up to \$940,500 outlaid for design Probable significant increase in cost
3. Fund project over 4 years	<ul style="list-style-type: none"> All project benefits as per business case High ratepayer satisfaction Project completed quickly City of Nedlands engage PM ongoing for a 4 year period 	<ul style="list-style-type: none"> High cost High risk in terms of borrowings/loans and City cashflow Lost opportunity to spend money on other projects Ratepayer dissatisfaction at high cost to them 	\$19,978,601 (inc \$940,500 already spent) plus \$400,000 for PM.
4. Fund the project over 7 years	<ul style="list-style-type: none"> All project benefits as per business case Reduced risk to City cashflows Less impact on borrowing capacity Service charges repayments have less impact on ratepayers 	<ul style="list-style-type: none"> Increased costs and inefficiency associated with employment of PM over longer period Increased costs due to cost escalation 	Higher than Option 3
5. Fund the project over 10 years	<ul style="list-style-type: none"> All project benefits as per business case Reduced risk to City cashflows Less impact on borrowing capacity Service charges repayments have less impact on ratepayers 	<ul style="list-style-type: none"> Increased cost and inefficiency associated with employment of PM over longer period Increased costs due to cost escalation High ratepayer dissatisfaction at project timeframe 	Higher than Option 3 and 4

TABLE 3 – OPTIONS ASSESSMENT

2.8 FUNDING STRATEGY

The total cost of this project is \$28,727,374. Western Power is offering a Net Benefit discount which accounts for approximately 30% of total project costs.

This brings the total cost of this project, payable by the City to \$19,978,601 (this includes \$940,500 in design costs, which have already been paid by the City). The remaining \$19,038,101 is intended to be funded through contributions (reserves) and borrowings from the City of Nedlands and residents in the affected areas.

The current balance in the City's Underground Power Reserve is \$4 million, leaving \$15,038,101 to be funded from future earnings or loans.

Under the Council's current Underground Power Policy, up to 50% of the City's contribution is recoverable from ratepayers. However, it is assumed the City will initially pay for the household contribution (which is consistent with how Western Power expects the undergrounding of power scheme to operate) and this would be repaid by affected residents through service charges raised as part of their annual rates notice.

Given ratepayers can repay the debt over a period of up to 10 years, it is recommended that ratepayer contributions be funded via separate loans. As such, the City would take out 6 loans to cover the outstanding balance of this project – 3 loans to cover the City's share of the project costs (for stages 1, 2 and 3), and 3 loans to pay for the contribution of the affected residents, as follows:

- Stage 1 Loan 1: \$691,757 in 2023/24 to cover the City's portion of this stage.
- Stage 1 Loan 2: \$807,084 in 2024/25 to cover the ratepayer portion of this stage, which would be paid back by service charges raised.
- Stage 2 Loan 3: \$2,078,859 in 2024/25 to cover the City's portion of this stage.
- Stage 2 Loan 4: \$1,406,863 in 2025/26 to cover the ratepayer portion of this stage, which would be paid back by service charges raised.
- Stage 3 Loan 5: \$2,784,435 in 2025/26 to cover the City's portion of this stage.
- Stage 3 Loan 6: \$1,666,555 in 2026/27 to cover the ratepayer portion of this stage, which would be paid back by service charges raised.

The City's Manager of Financial Services worked with the WA Treasury Corporation (WATC) to estimate the borrowing capacity of the City to determine if they would be able to borrow the required funds for this project. Details of this consultation are outlined in the Implications section (Point 4 Ability to Secure Loan) of *Section 2.2.2 Project Benefits, Costs and Implications*.



2.8.1 PROJECT BUDGET

Western Power has provided a project estimate for the works at a 30% accuracy, based on current market conditions and recent projects. A breakdown of the latest formal project cost estimate is shown in the table below.

	Capex	WP Net Benefit/contribution	LGA to fund Capex	Opex	Design Costs (already paid)	LGA Total Funding (Capex + Opex + design)
Hollywood East	\$13,166,764	\$6,333,189	\$6,833,575	\$1,663,295	\$391,422	\$8,888,292
Nedlands North	\$5,538,880	\$2,637,168	\$2,901,712	\$481,802	\$203,527	\$3,587,041
Nedlands West	\$10,021,730	\$3,904,338	\$6,117,392	\$1,040,325	\$345,551	\$7,503,268
TOTAL	\$28,727,374	\$12,874,696	\$15,852,678	\$3,185,422	\$940,500	\$19,978,601

TABLE 4 - PROJECT COST ESTIMATE

The Capex portion of the project is the construction of the Western Power network and assets. This involves the transformers, interface to existing network and underground cabling in the streets to the green "domes". The Opex portion is the new underground connections from the green domes to the properties. That portion of the network is not a Western Power asset so is generally funded by the Council and property owner.

Should Council decide to proceed with the project, Western Power will provide an updated cost estimate to a 10% accuracy after the completion of a Request for Quotation process. This process can only commence after Council provides this direction. However, it is likely that the updated cost estimate will result in a significant increase of around \$8 million, which is expected to increase the City's funding by around \$6 million (inclusive of ratepayer contribution).

2.8.2 RESIDENT CONTRIBUTION

The 3 project areas have the following numbers of properties within their boundaries:

1. Nedlands North - 157 allotments with 273 properties in total (259 residential, 14 commercial).
2. Nedlands West - 339 allotments with 650 properties in total (637 residential, 9 commercial, 4 government).
3. Hollywood East - 542 allotments with 778 properties in total (750 residential, 1 residential/commercial, 22 commercial, 5 government).

A cost allocation per property will require a Council decision as this cost would depend on how the City chooses to fund the projects. A further breakdown of the probable cost split is shown in Table 5 below using Project cost/number of properties and then a 50:50 split between the City and property owner. This table does not take into consideration properties which already have an underground connection from an existing dome and the meter box.

Project Name	Total LGA Contribution (Capex + Opex + design)	Number of properties	Contribution per property	50:50 share
Nedlands North	\$3,587,041	273	\$13,139.34	\$6,569.68
Nedlands West	\$7,503,268	650	\$11,543.49	\$5,771.74
Hollywood East	\$8,888,292	778	\$11,424.54	\$5,712.27

TABLE 5 COST SPLIT BETWEEN LGA AND PROPERTY OWNER

Note: The figures detailed are indicative only. A considerable amount of work is required to determine the final costs charged to residents to take into consideration a range of discounts offered to individual properties, e.g. already have a connection, proximity of transmission lines.

Preliminary analysis indicates that discounts due to proximity to remaining transmission lines or Primary Equipment sites will affect each project as follows:

1. Nedlands North – approx. 10% of properties
2. Nedlands West – approx. 19% of properties
3. Hollywood East – approx. 4% of properties

It is assumed that the City would initially pay for the household contribution, which is consistent with how Western Power expects the undergrounding of power scheme to operate and would require the City to coordinate payment from the households.

The simplest way to manage these payments is through giving each affected property a service charge as part of their annual rates notices equal to their repayment. This then becomes a mandatory payment.

Service charges received are credited to a Reserve Account and all loan repayments are made from the Reserve Account. If the scheme is managed in such a way that gives ratepayers the option to pay in full, or when the property is sold, such payments can be held in the Reserve Account and drawn down as required. Interest can be earned on the Reserve Account. Where payments are made in full they may assist in carrying any costs to carry the debt and recoup it each year.

It is noted that, until affected ratepayer engagement occurs as part of the project delivery, it is unknown what level of dissatisfaction is likely to occur among residents who will receive this additional charge on their rates.

2.8.3 SUSTAINABILITY AND ONGOING VIABILITY

This project will deliver ongoing benefits to Western Power in the form of reduced operating and maintenance costs and reduced costs associated with power interruptions.

It will also lead to reduced short term maintenance costs for the City of Nedlands, as well as reduced power costs due to the installation of the latest lighting technologies including smart control.

There is expected to be a reduction in funds spent by the City of Nedlands on street/powerline pruning from \$70,000 per year to \$40,000 per year.

However, there will be increased expenditure of \$7,000 on sweeping and \$2000 on drainage cleaning works. This is due to the fact that, with the removal of power lines, trees will be able to grow bigger canopies, some of which will drop more leaves. This will increase leaf litter on roads and affect sub surface road drainage efficiencies (e.g. road drainage grates may become fully or partially blocked more often by more leaves during rain events).

The City is also expected to see minor annual savings through a reduction in power costs from the installation of a new LED streetlight system that meets the latest Australian Standards. However, the savings amounts are unknown.

As such, there are estimated to be minimal savings for the City of Nedlands, which will likely be mitigated by the loan repayment costs in the short term.

2.9 RISK ANALYSIS

The below risk matrix has been used to assess the risks associated with this project.

	CONSEQUENCE				
LIKELIHOOD	Insignificant (1)	Minor (2)	Moderate (3)	Major (4)	Extreme (5)
Rare (1)	Low	Low	Low	Low	Low
Unlikely (2)	Low	Low	Low	Medium	Medium
Possible (3)	Low	Low	Medium	Medium	Medium
Likely (4)	Low	Medium	Medium	High	High
Almost certain (5)	Low	Medium	Medium	High	Extreme

Risk	Likelihood	Consequence	Risk Score	Mitigation
Unable to secure loans	Possible	Extreme	Medium	<ul style="list-style-type: none"> Maintain open communication with lending bodies. Project may need to be re-scoped to be delivered over longer timeframe. Cancellation or postponement of the Underground power project leading to reduction in service levels and community dissatisfaction

Risk	Likelihood	Consequence	Risk Score	Mitigation
Budget increases with updated cost estimate	Almost Certain	Major	High	<ul style="list-style-type: none"> City need to increase borrowings Affected residents and taxpayers need to pay more than expected Cancellation or postponement of the Underground power project leading to reduction in service levels and community dissatisfaction
Cost overruns	Possible	Major	Medium	<ul style="list-style-type: none"> Seek additional funding/borrowing options from Shire Council Leave longer gaps between the 3 stages Western Power to provide more updated cost estimated with 10% accuracy once project is approved by Council
Delays in project commencement	Possible	Minor	Low	<ul style="list-style-type: none"> The 3 project areas have been included in Western Power's current program of works Finalise planning and ensure Western Power receive approval to proceed ASAP
Significant delays due to weather	Possible	Minor	Low	<ul style="list-style-type: none"> Ensure sufficient contingency in construction schedule Schedule external works during spring/summer period Ensure all insurances are kept up to date
Public liability matters	Unlikely	Moderate	Low	<ul style="list-style-type: none"> Ensure all insurances are kept up to date Ensure OSH practices are followed
Quality of roads and/or other City assets deteriorates as a result of reduced funding	Likely	Moderate	Medium	<ul style="list-style-type: none"> Ensure ongoing inspection of City assets that lose funding Open communication with the community to mitigate their dissatisfaction with quality of City assets

TABLE 6 – RISK ASSESSMENT

IMPLEMENTATION STRATEGY

3.1 PROJECT TIMEFRAME AND KEY MILESTONES

This project has been included in Western Power's current program of works, with the first project to be commenced in the 2023/24 financial year (pending City of Nedlands approval). Further delays to the planning phase however may mean that other projects being progressed by Western Power would become ready for delivery and therefore supplant this project, which may impact the delivery timeframes.

The below timeframes are based on Council agreeing to proceed with the project at the March 2023 Council meeting.

Main Activities / Milestone	Milestone Date
Project Approval	March Council Meeting, 2023
Community consultation starts	1 April 2023
Community consultation ends	30 April 2023
Western Power (WP) commence RFQ process	1 June 2023
WP RFQ process finishes	30 September 2023
Relocation works contract (RWC)	1 October 2023
Present RWC to Council and execute RWC	1 December 2023
Engagement of Construction contractor	15 December 2023
Preplanning state	1 January 2024
Stage 1 construction starts (Floreat)	1 April 2024
Preplanning stage 2 (Mt Claremont) and close out of stage 1 – 12 weeks	30 September 2024
Stage 2 (Mt Claremont) construction	1 October 2024
Preplanning Stage 3 (Hollywood East) and closeout of Stage 2 – 12 weeks	8 July 2025
Stage 3 construction	9 July 2025
Close out Stage 3	2 September 2026
Project Completion	28 October 2026

TABLE 7 – KEY MILESTONES

3.2 PROJECT MANAGEMENT

The City will employ a dedicated full-time Project Manager (PM) to manage this project. This position will be filled by a PM with experience in planning or delivering an underground power project. Costs associated with employing a full-time PM include \$100,000 per year in remuneration, plus a vehicle and associated on costs.

The City will advertise the position of Underground Power Project Manager on its website, with applications to be received online via the City's recruitment portal. The most competitive candidates who demonstrate they meet the requirements of the role will be shortlisted for an interview, before the successful candidate is chosen.

The City will allocate overall oversight of the Project to senior officers at the City of Nedlands, with a Project Director and Project Sponsor proposed.

The management team will be responsible for liaising with Western Power and affected residents, managing the planning, construction and delivery of this project to time, to standard and within budget. The management team will report monthly to Council throughout this project.

The City's Project Management department has recent history in delivering Public Infrastructure works up to \$2.5M (Swanbourne Surf Club Upgrade - \$2.5M, Waratah Av rehabilitation - \$1.5M) with individual project members having extensive experience in Civil and Building works.

3.3 PROJECT DELIVERY

In order to progress this project, Council needs to give the direction to proceed to community consultation. This engagement, which will be carried out with residents in the affected areas, will include:

- Communicating why Underground Power is needed
- Ensuring the community understands the benefits, costs, risks and implications of the Underground Power Project
- Gaging community awareness of the project
- Gaging community willingness to go ahead with the project
- Confirming the approximate amount residents would be required to pay
- Establish how residents are willing to pay
- Outlining expected timeline for completing the project
- Advantages/disadvantages of running the 3 project areas concurrently

Following positive community consultation, the City will provide Western Power with approval to proceed to a construction RFQ, following which Western Power will provide confirmation of timings in conjunction with the construction contractor.

Western Power has confirmed that this project to deliver underground power to the remaining 1,701 residences in the City of Nedlands over 3 stages – has been included in its current program of works, with the first project to be commenced in the 2023/24 financial year (pending City of Nedlands' approval).

However, delays to the planning phase may mean that other projects being progressed by Western Power would become ready for delivery and therefore move in front of the Nedlands projects, which may impact the delivery timeframes.

SUPPORTING DOCUMENTS

The below supporting documents are attached to this business case.

- Attachment 1: Cost Benefit Analysis





City of Nedlands

www.nedlands.wa.gov.au

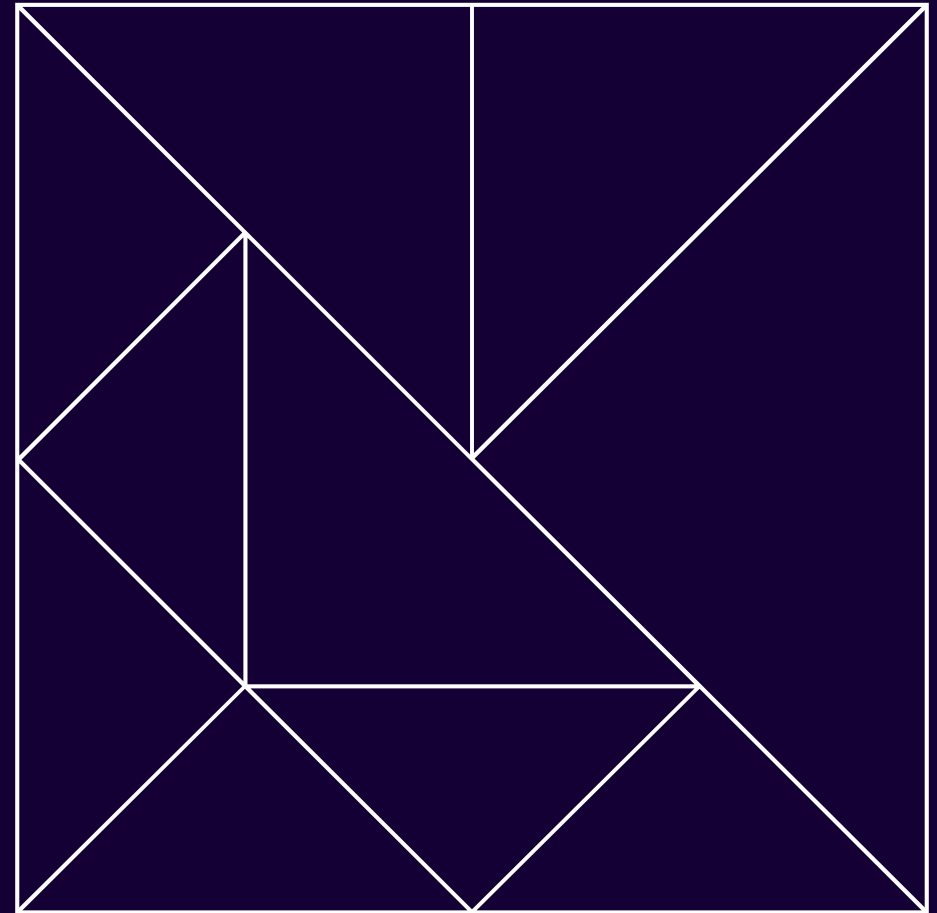


City of Nedlands

3 March 2023

Cost Benefit Analysis of Underground Power Project for the City of Nedlands

Final Report



ACIL ALLEN

ACIL Allen was engaged by the City of Nedlands to conduct an independent Cost Benefit Analysis ('CBA') of an underground power project impacting 1,701 residential properties, as part of the development of a business case. Overall, while ACIL Allen found there is a significant benefit for the ratepayers receiving underground power, well in excess of the financial and other costs they incur as a collective, the City of Nedlands and non-affected ratepayers are left with meeting the net economic and social cost of the program.

The City of Nedlands is considering a project to replace overhead electricity distribution infrastructure with underground distribution infrastructure to 1,701 lots within the City's boundaries. The project is a substantial undertaking for the City, with an estimated total financial cost of close to \$30 million.

ACIL Allen was engaged by the City to conduct an independent Cost Benefit Analysis ('CBA') of the project, as part of the development of a business case. ACIL Allen applied an approach which has been used regularly to assess underground power projects in Western Australia, contextualising it to the specifics of the City's situation.

The proposed funding split is ~40% Western Power, and ~30% each for benefitting residents and the City of Nedlands (with the City incurring additional non-recovered costs). This is based on the application of various policies, including the willingness to pay of Western Power.

Overall, ACIL Allen found **there is a significant benefit for the ratepayers receiving underground power, well in excess of the financial and other costs they incur as a collective.**

However, the City of Nedlands and non-affected ratepayers are left with meeting the net economic and social cost of the program. The CBA identifies that the City of Nedlands and its ratepayers realise a substantial economic and social loss, with a Benefit Cost Ratio of 0.43. This means for every \$1 of resources the City is contributing to the project, it – and non-benefitting ratepayers – realise just \$0.43 of benefits (Figure ES1).

By contrast, ratepayers receiving underground power realise a Benefit Cost Ratio of 7.53, on account of higher property values.

Western Power achieves a broadly balanced outcome, on account of the structure of its willingness to pay. According to information made available by Western Power, the value of its financial contribution to any power undergrounding project is based exclusively on its internal valuation of the financial benefit it can realise.

As a result, the City of Nedlands carries a significant share of both the financial, and economic and social, costs flowing from the program. A decision to progress the program as it is currently constructed, and with the current funding mix, results in non-recipient ratepayers financing a significant gain which is realised by residents receiving underground power.

Key inputs and assumptions

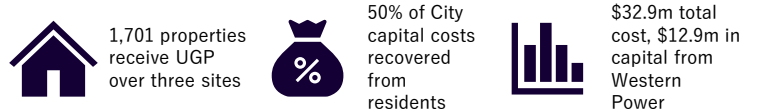
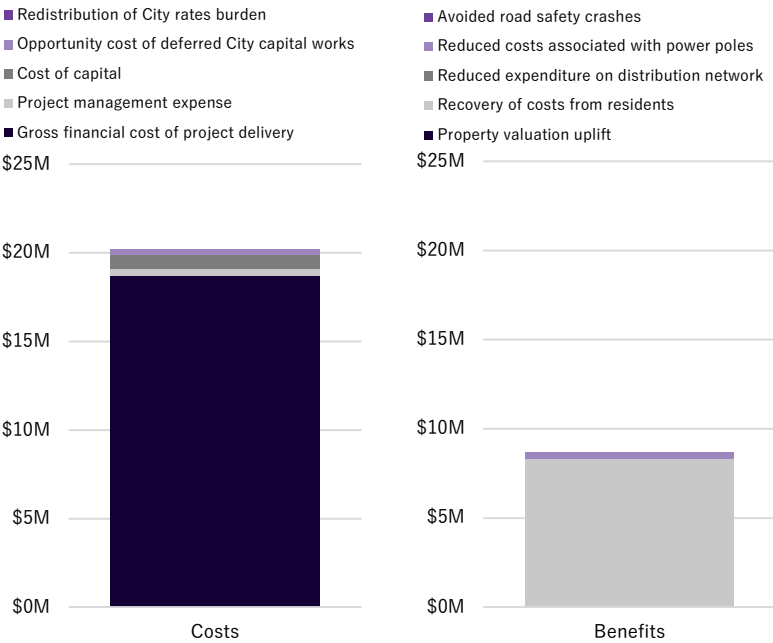


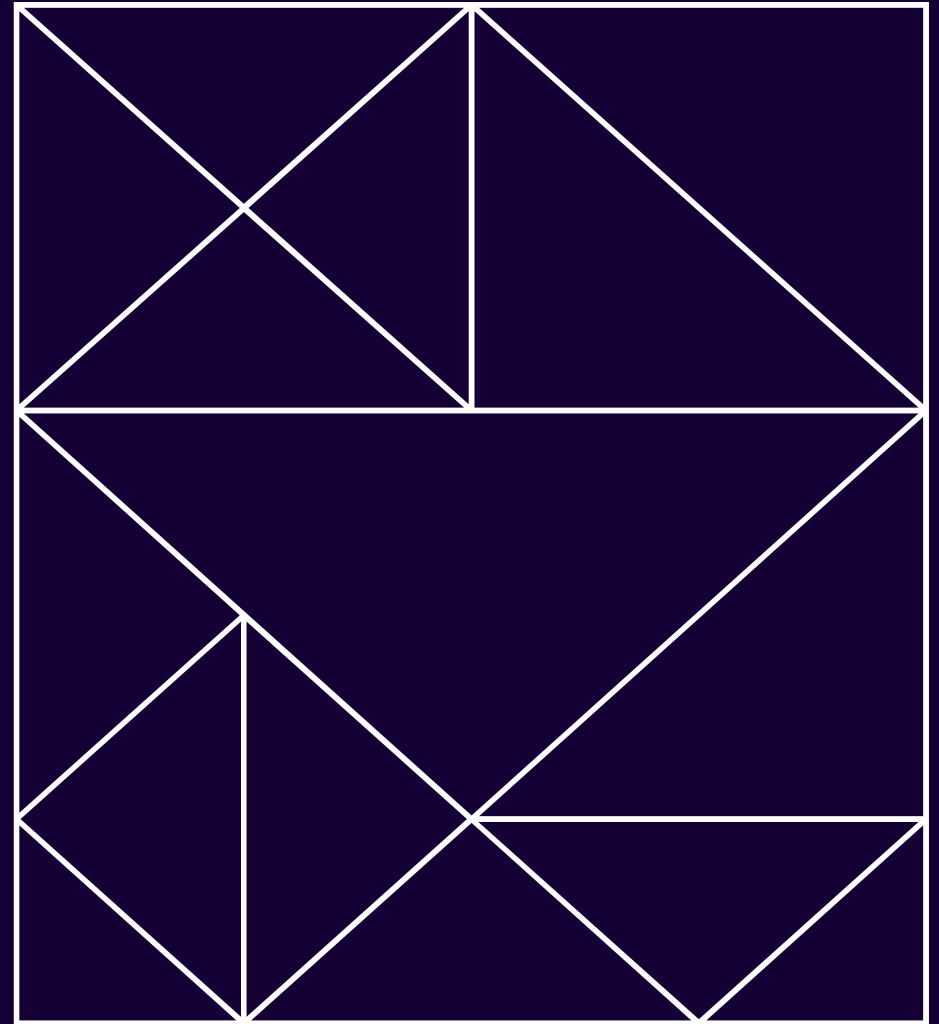
Figure ES1: CBA result for City of Nedlands / non-recipient ratepayers

Costs	Benefits	Net benefit/ cost	BCR
\$20.23m	\$8.70m	(\$11.52m)	0.43



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Contact details	17



The purpose of this report is to provide an independent assessment of a proposed Underground Power (‘UGP’) project being considered by the City of Nedlands. ACIL Allen has developed a Cost Benefit Analysis (‘CBA’), based on the application of past assessments of similar programs in a Western Australian context, contextualised to the situation in Nedlands.

Project context

Over the past 40 years, Western Power, the State Government, and Local Governments across Western Australia, have sought to transform historic overhead power distribution networks into underground networks – in line with contemporary approaches in greenfield sites.

The City of Nedlands, an inner city Local Government Area in the Perth Metropolitan Area, has achieved close to 80% coverage of underground power to residents. Some 1,701 individual lots remain serviced by overhead powerlines.

The City is investigating a project to “underground” the power distribution network for these remaining lots, over a four year period from 2023-24 to 2027-28. This investigation is supported by a business case, which will be considered by the City’s Council in 2023. The project is named the Nedlands Underground Power (‘UGP’) Project.

ACIL Allen has been engaged to undertake an independent Cost Benefit Analysis (‘CBA’) of the proposal, and to undertake related analysis in support of consideration of the business case. Further details on the program are provided in the business case.

The central objective of the business case is to provide an independent, quantitative perspective on the extent to which the benefits of undergrounding electricity distribution networks in the planned locations can be expected to outweigh the costs – and to ascertain where the benefits and costs flow.

This report presents the CBA framework, inputs and assumptions, outputs and advice flowing from the CBA, for consideration by the City’s business case advisor, the City’s administration, and City Council.

Methodology

In order to better understand these benefits, ACIL Allen was commissioned by the City of Nedlands to undertake analysis the UGP project to better understand how the costs of installation compared to the benefits of doing so over time, and how these benefits and costs map to individual stakeholder groups.

ACIL Allen has therefore made use of a Cost Benefit Analysis (CBA) framework to present the known and anticipated quantifiable benefits and costs of an investment to host such an event.

The purpose of this report is to form the evidence base as a key input into the City of Nedlands’ Business Case regarding the UGP project.

In addition to this introduction, the report is structured as follows:

- ACIL Allen’s Cost Benefit Analysis framework;
- Summary of results (by scenario);
- Discussion of non-quantified impacts;
- Conclusion;
- Technical appendix describing the inputs and assumptions.

A list of the terms and acronyms used throughout this report are presented in Table 1.

Table 1: Acronyms and terms

Acronym/ term	Meaning
\$m	Million dollars
BCR	Benefit Cost Ratio
CBA	Cost Benefit Analysis
City	The City of Nedlands
ERA	Economic Regulatory Authority
UGP project	Underground Power project

Cost Benefit Analysis framework

CPS12.03.23 - Attachment Two

ACIL Allen has made use of CBA to assess the economic, financial and other benefits and costs associated with the installation and operation of a proposed Underground Power project within the City of Nedlands. A CBA allows for a transparent appraisal of the economic, financial and other costs and benefits associated with the investment decision. Our approach is summarised in **Figure 1**.

ACIL Allen has quantified a number of **high confidence** costs and benefits, utilising the best available information and a series of inputs and assumptions developed with and approved by the City of Nedlands.

Costs and benefits have also been informed by previous reports such as the Economic Regulatory Authority's ('ERA') *Inquiry into State Underground Power Program Cost Benefit Study* (2011).

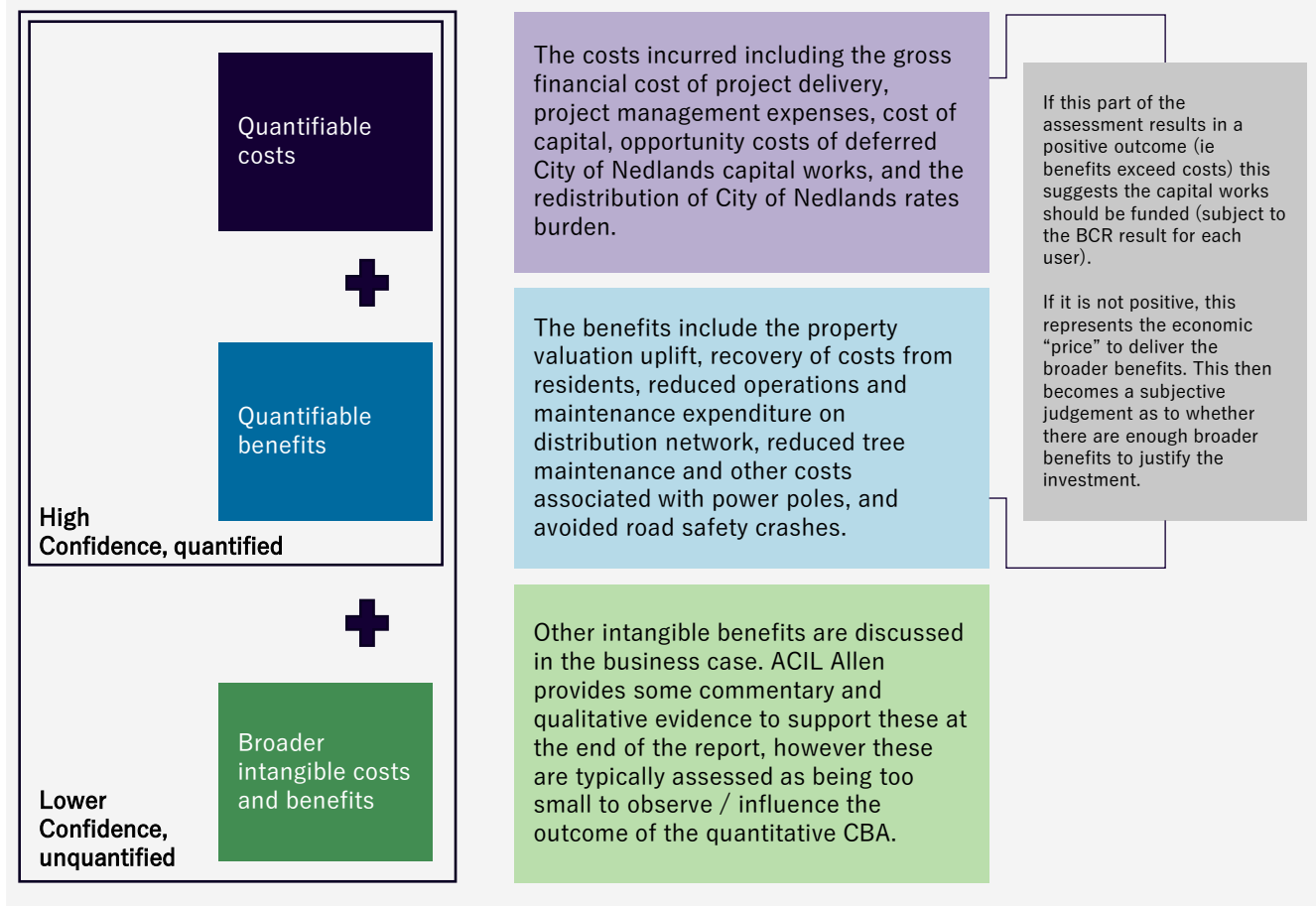
The costs quantified by ACIL Allen include:

- Gross financial cost of project delivery
- Project management expense
- Cost of capital
- Opportunity cost of deferred City of Nedlands capital works, and
- Redistribution of City of Nedlands rates burden.

The benefits quantified by ACIL Allen include:

- Property valuation uplift
- Recovery of costs from residents
- Reduced operations and maintenance expenditure on distribution network
- Reduced tree maintenance and other costs associated with power poles, and
- Avoided road safety crashes.

Figure 1: Our approach



Costs and benefits to be measured

CPS12.03.23 - Attachment Two

The CBA framework identifies seven quantifiable costs and five quantifiable benefits. These are introduced below, alongside details of how they map to the three constituencies including the City of Nedlands, Western Power, and residents that will be impacted by the UGP project. This framework includes a range of transfers between constituencies, meaning it is not possible to sum all benefits and costs together to realise an overall result. This is not relevant for the City's business case, but is presented for completeness in this report.

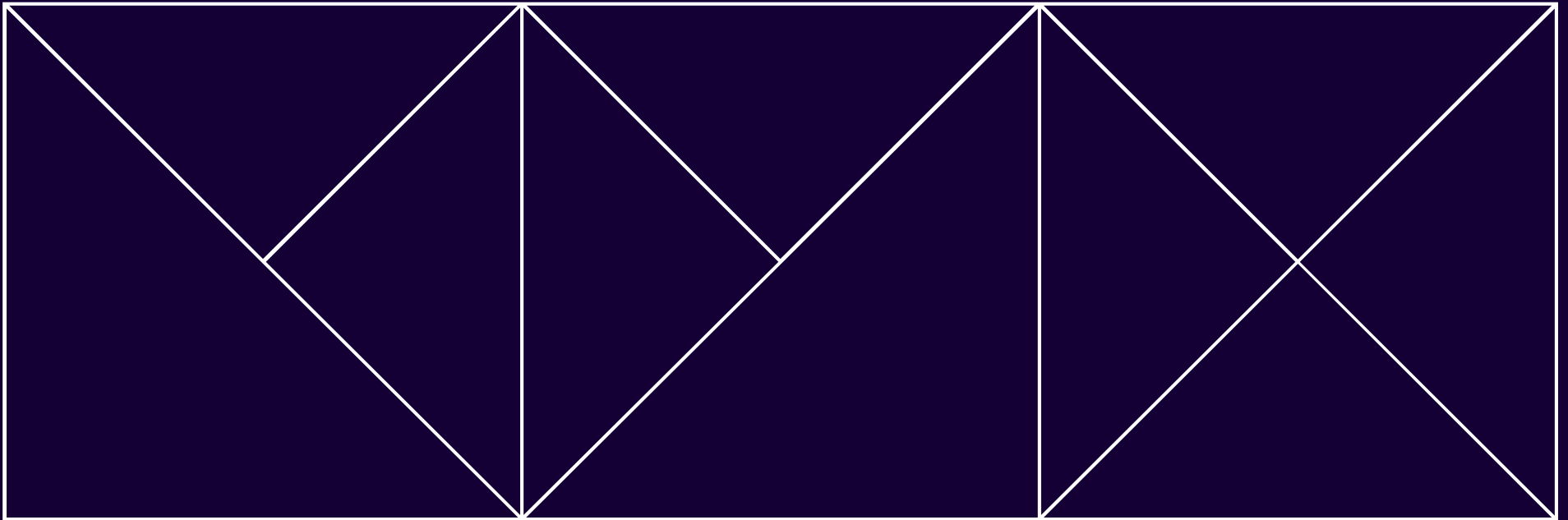
Table 2: Summary of quantified costs

Cost	Description	Who is impacted
Gross financial cost of project delivery	The gross payments required to be made by Nedlands to Western Power	City of Nedlands
Cost of capital	Measured as the interest expense on borrowings	City of Nedlands
Project management expense	Project manager spend in each year the program is being rolled out	City of Nedlands
Opportunity cost of deferred City capital works	Measured as an upfront additional charge equal to the rate of opportunity cost multiplied by the net long run cost of the program to the City	City of Nedlands
Upfront investment costs	The share of program costs met by Western Power, charged up front	Western Power
Service charges payable	The resident contributions to fund part of the City's share of the program cost	Residents
Redistribution of City rates burden	A reallocation of the long run rates burden payable by residents receiving underground power due to property value uplift	Residents

Table 3: Summary of quantified benefits

Benefit	Description	Who is impacted
Service charges receives	The resident contributions to fund part of the City's share of the program	City of Nedlands
Avoided tree trimming costs	Avoided annual tree maintenance expenditure due to removal of tree risk around powerlines	City of Nedlands
Property value uplift	The increase in property values owing to visual amenity, service continuity, and other factors	Residents
Avoided replacement and maintenance cost for power infrastructure	Set at the share of program costs met by Western Power, given this is how they determine their willingness to pay	Western Power
Avoided road safety crashes	Reduction in the societal cost / burden of vehicle power pole accidents	Western Power / State

Results



Cost Benefit Analysis results (1/5): Residents receiving underground power

CPS12/13/23 - Attachment Two

This analysis reflects the perspective of the City of Nedlands residents who receive underground power. ACIL Allen’s assessment is residents receiving underground power in this program realise a significant net benefit, worth \$64.41 million. This is due to the significant uplift in property value associated with the program, compared to the smaller financial contribution made.

ACIL Allen’s Cost Benefit Analysis modelling suggests a decision to invest in underground power would have a **net economic and social benefit of \$64.41 million for the City of Nedlands residents who receive underground power.**

The assessment is based on economic and financial costs of an estimated \$9.87 million, offset by measurable benefits of \$74.28 million. This results in a **Benefit Cost Ratio (‘BCR’) of 7.53**, meaning for every \$1 spent, residents are receiving an economic and social return of \$7.53. The result is driven by an uplift in property value, estimated at \$74.28 million.

The benefit is reduced somewhat by the financial cost benefitting residents will be asked to contribute towards the overall project (\$8.35 million in present value terms), alongside an increase in these residents’ share of the City of Nedlands’ rate yield (\$1.51 million). The latter cost arises due to the way the rates yield is distributed (based on property values), with the UGP increasing benefitting resident property values with no change elsewhere.

Figure 2: Costs, Residents receiving UGP, \$m

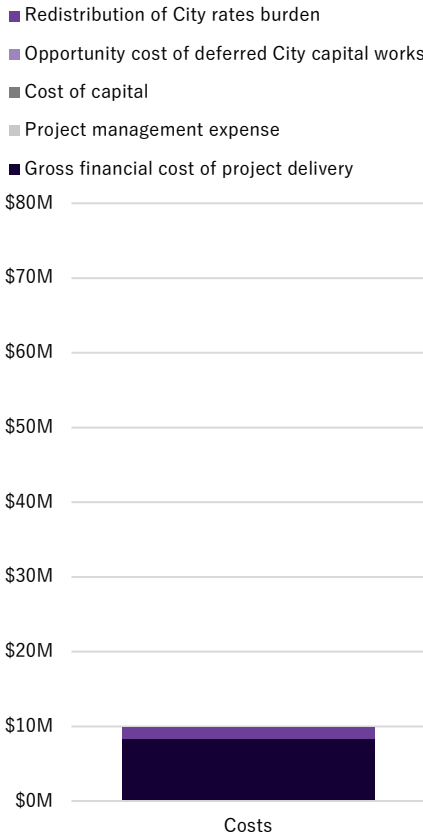


Figure 3: Benefits, Residents receiving UGP, \$m

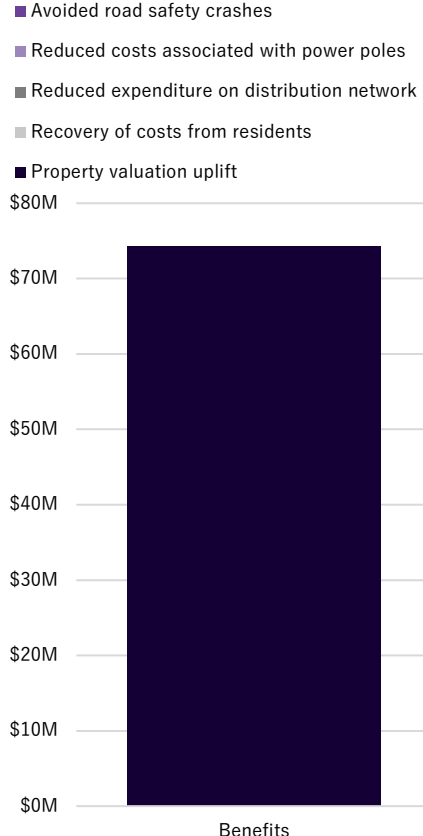


Table 1: Costs and benefits, \$ million

Costs		\$, AUD
Gross financial cost of project delivery		8.35
Project management expense		
Cost of capital		
Opportunity cost of deferred City capital works		
Redistribution of City rates burden		1.51
Total costs		9.87
Benefits		\$, AUD
Property valuation uplift		74.28
Recovery of costs from residents		
Reduced expenditure on distribution network		
Reduced costs associated with power poles		
Avoided road safety crashes		
Total benefits		74.28
Net benefits		64.41
Benefit Cost Ratio (BCR)		7.53

Cost Benefit Analysis results (2/5): City of Nedlands

This analysis reflects the perspective of the City of Nedlands. ACIL Allen finds the City realises a net economic and social loss of \$11.52 million in present value terms, due to the cost of the City’s share of the program (plus other costs like project management, the cost of capital, and opportunity cost of deferred capital works) outweighing the benefits.

ACIL Allen’s Cost Benefit Analysis modelling suggests a decision to invest in underground power would have a **net economic and social cost of \$11.52 million for the City of Nedlands**.

The assessment is based on economic and financial costs of an estimated \$20.23 million, offset by measurable benefits of \$8.70 million. This results in a **BCR of 0.43**, meaning for every \$1 spent, the City is receiving an economic and social return of \$0.43.

The result is largely driven by the high gross financial cost of project delivery (\$18.72 million), and a combination of other costs such as project management expenses, the cost of capital, and the opportunity costs of deferred City of Nedlands capital works.

The City of Nedlands is assessed to receive one major benefit in the form of cost recovery from residents (\$8.35 million), plus a smaller benefit in the form of reduced costs and maintenance associated with power poles (\$0.35 million).

Figure 4: Costs, City of Nedlands, \$m

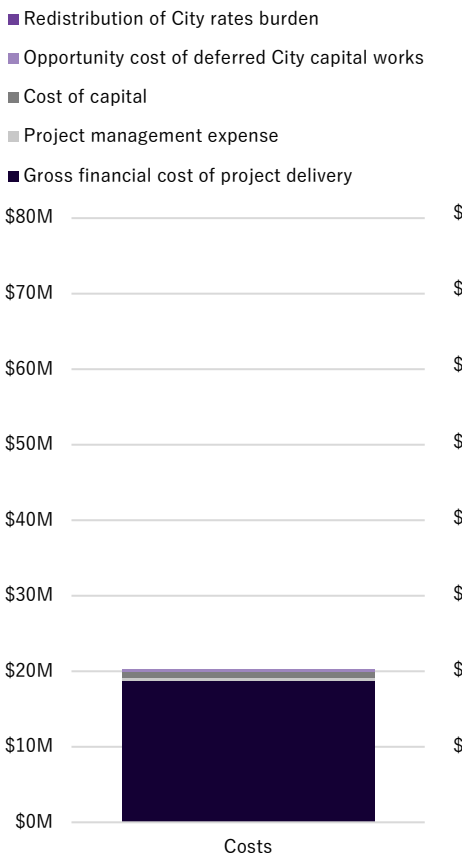


Figure 5: Benefits, City of Nedlands, \$m

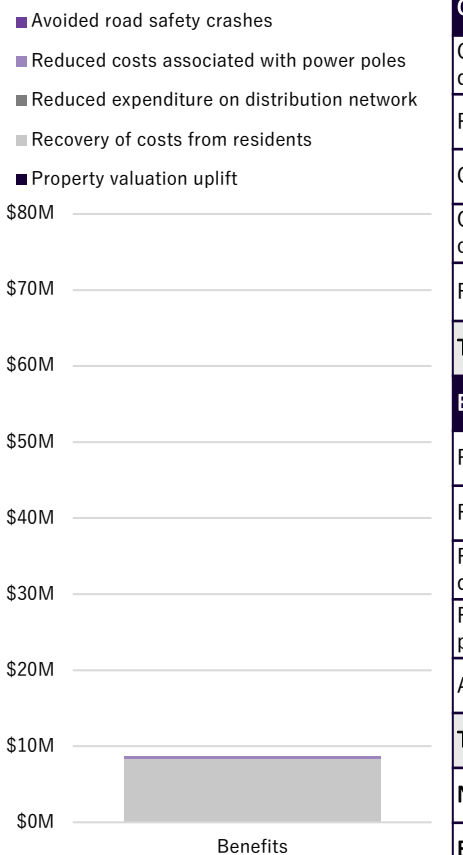


Table 2: Costs and benefits, \$ million

Costs	\$, AUD
Gross financial cost of project delivery	18.72
Project management expense	0.37
Cost of capital	0.81
Opportunity cost of deferred City capital works	0.32
Redistribution of City rates burden	
Total costs	20.23
Benefits	\$, AUD
Property valuation uplift	
Recovery of costs from residents	8.35
Reduced expenditure on distribution network	
Reduced costs associated with power poles	0.35
Avoided road safety crashes	
Total benefits	8.70
Net benefits	(11.52)
Benefit Cost Ratio (BCR)	0.43

This analysis reflects the perspective of Western Power (or the State of Western Australia). ACIL Allen finds Western Power achieves a broadly balanced outcome overall, with a net benefit of \$0.56 million in present value terms. The balanced outcome is due to Western Power’s largest benefit (avoided future expenditure on overhead power) being equal to their willingness to fund the cost of the program.

ACIL Allen’s Cost Benefit Analysis modelling suggests a decision to invest in underground power would have a **net economic and social benefit of \$0.56 million for the Western Power**.

The assessment is based on economic and financial costs of an estimated \$12.87 million, offset by measurable benefits of \$13.43 million. This results in a **BCR of 1.04**, meaning for every \$1 spent, Western Power is receiving an economic and social return of \$1.04.

The result is driven by Western Power’s share of the funding to deliver the program (\$12.87 million), which is based on the organisation’s assessment of the long term financial benefit of undergrounding power.

By definition, Western Power is assessed to receive one major benefit in the form of a reduction in expenditure on the distribution network (\$12.87 million), plus a smaller benefit in the form of avoided road safety crashes (\$0.56 million).

Figure 6: Costs, Western Power / State, \$m



Figure 7: Benefits, Western Power / State, \$m



Table 3: Costs and benefits, \$ million

Costs		\$, AUD
Gross financial cost of project delivery		12.87
Project management expense		
Cost of capital		
Opportunity cost of deferred City capital works		
Redistribution of City rates burden		
Total costs		12.87
Benefits		\$, AUD
Property valuation uplift		
Recovery of costs from residents		
Reduced expenditure on distribution network		12.87
Reduced costs associated with power poles		
Avoided road safety crashes		0.56
Total benefits		13.43
Net benefits		0.56
Benefit Cost Ratio (BCR)		1.04

Cost Benefit Analysis results (4/5): Spillovers^

This analysis accounts for the spillovers associated with an investment in underground power. In this case, a spillover impact is the impact on parties outside of the directly impacted residents, the City of Nedlands, and Western Power. The spillover analysis is not directly relevant to consideration by the City, however, is important to determination of the overall net benefit of the program as it captures the transfers inherent in certain benefits and costs.

ACIL Allen’s Cost Benefit Analysis modelling suggests a decision to invest in underground power would have a **net economic and social spillover cost of \$72.77 million**.

The assessment is based on economic and financial costs of an estimated \$74.28 million, offset by measurable benefits of -\$1.51 million. This results in a **Benefit Cost Ratio of 0.02**, meaning for every \$1 spent, there is an economic and social return of \$0.02 in terms of spillovers.

The result is solely driven by the distribution of property gains realised by residents receiving underground power, which are only realised in the event someone purchases the property in the future – effectively acting as a transfer within an overall CBA framework.

Spillovers are included to "close the loop" on impacts which are transfers within the framework, which are benefits or costs to parties outside of the framework. This is for the purpose of providing an overall BCR for the project only.

Figure 8: Costs, Spillovers^, \$m

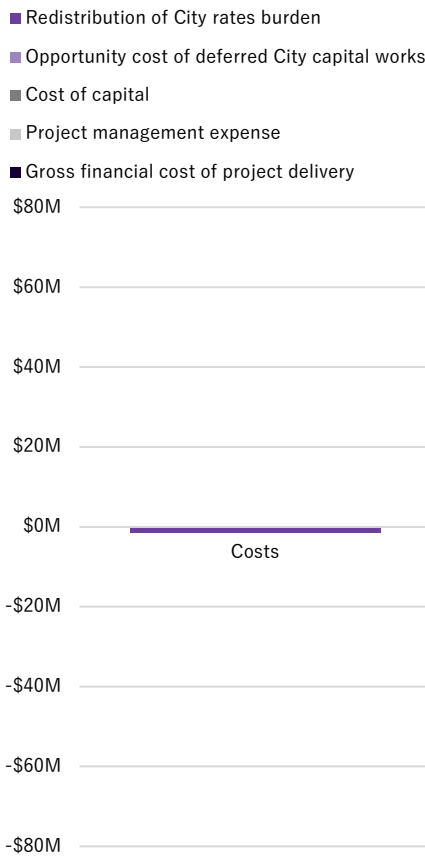


Figure 9: Benefits, Spillovers^, \$m

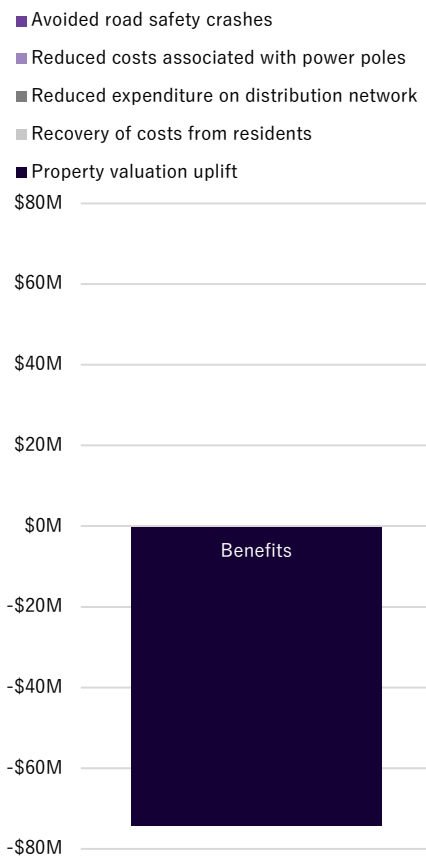


Table 4: Costs and benefits, \$ million

Costs		\$, AUD
Gross financial cost of project delivery		
Project management expense		
Cost of capital		
Opportunity cost of deferred City capital works		
Redistribution of City rates burden	1.51	
Total costs	1.51	
Benefits		\$, AUD
Property valuation uplift	(74.28)	
Recovery of costs from residents		
Reduced expenditure on distribution network		
Reduced costs associated with power poles		
Avoided road safety crashes		
Total benefits	(74.28)	
Net benefits	(72.77)	
Benefit Cost Ratio (BCR)	0.02	

^ The spillovers in the CBA represent the realisation of gains and losses to parties outside of the three constituencies which are directly relevant to the City's business case.

Cost Benefit Analysis results (5/5): Total

This analysis reflects the overall or total result of the UGP project within the City of Nedlands. This view of the CBA nets off benefits and costs which are a transfer within the individual stakeholder assessments presented above (including property value, cost recovery charges, and the rates burden redistribution). The assessment suggests the program delivers limited quantifiable benefits on an overall basis.

ACIL Allen’s Cost Benefit Analysis modelling suggests a decision to invest in underground power would have a **net economic and social cost of \$19.32 million in total**.

The assessment is based on economic and financial costs of \$33.10 million, offset by measurable benefits of \$13.78 million. This results in a **BCR of 0.42**, meaning for every \$1 spent, there is an economic and social return of \$0.42.

The result is largely driven by the gross financial cost of project delivery (\$31.6 million) across all stakeholders, and a combination of other costs including project management expenses (\$0.37 million), the cost of capital (\$0.81 million), and the opportunity costs of deferred City of Nedlands capital works (\$0.32 million).

These costs are offset by a reduction in expenditure on the distribution network (\$12.87 million), plus smaller benefits from a reduction in costs associated with power poles, and avoided road safety crashes.

Figure 10: Costs, Total, \$m

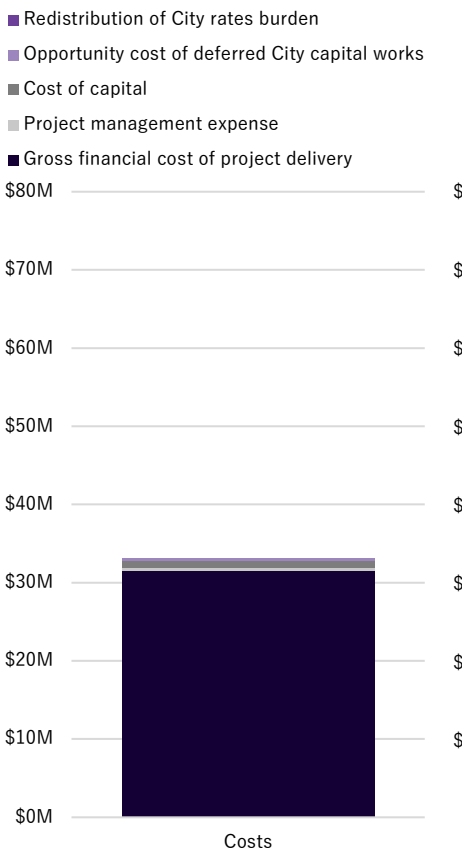


Figure 11: Benefits, Total, \$m



Table 5: Costs and benefits, \$ million

Costs		\$, AUD
Net financial cost of delivery		31.60
Project management expense		0.37
Cost of capital		0.81
Opportunity cost of deferred City capital works		0.32
Redistribution of City rates burden		
Total costs		33.10
Benefits		\$, AUD
Property valuation uplift		
Recovery of costs from residents		
Reduced expenditure on distribution network		12.87
Reduced costs associated with power poles		0.35
Avoided road safety crashes		0.56
Total benefits		13.78
Net benefits		(19.32)
Benefit Cost Ratio (BCR)		0.42

ACIL Allen have also addressed a list of qualitative costs and benefits that may arise as a result of the UGP project. These have previously been identified by ERAWA's *Inquiry into State Underground Power Program Cost Benefit Study 2011* and have been reassessed by ACIL Allen according to their knowledge of this UGP project relevant to the City of Nedlands. These benefits and costs are either too small to reliably quantify given the scope of the program (ie 1,701 properties) or are generally unquantifiable.

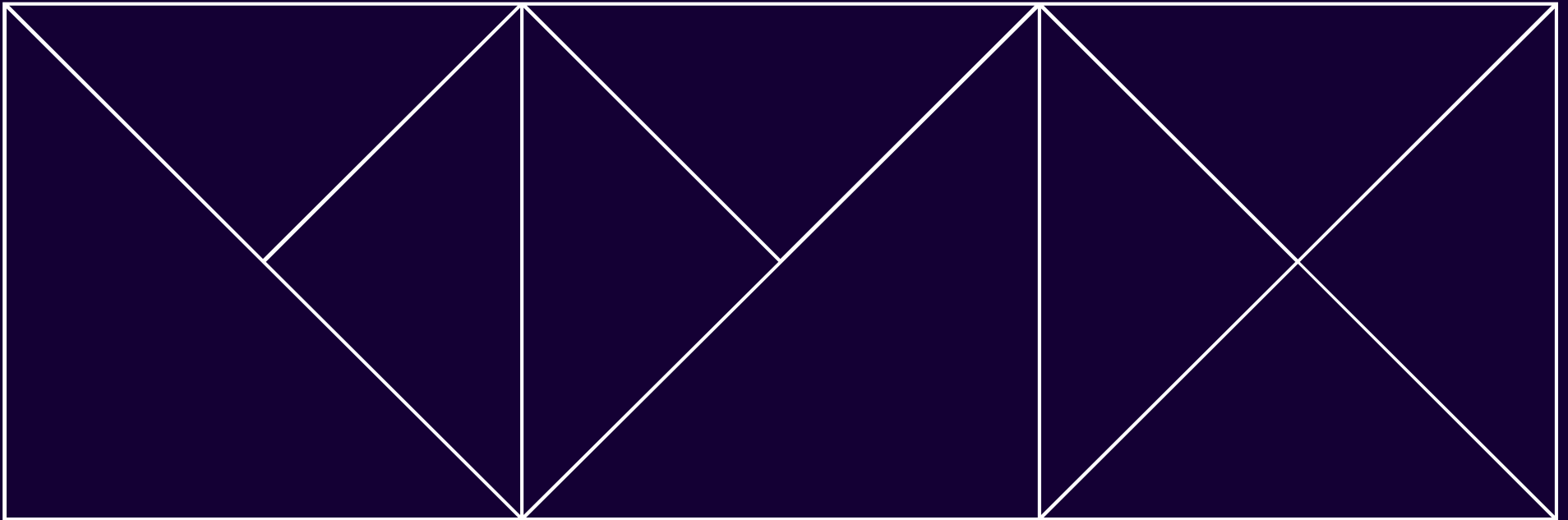
Table 6: List of non quantified costs

Qualitative cost	Commentary	ACIL Allen assessment
Soil erosion	"Soil erosion when overhead distribution infrastructure is removed and replaced with underground power." (ERA).	Too small to reliably quantify given the scope of the program and difficult to quantify.
Increased exposure to dig-ins	"The increased exposure to dig-ins when cables are placed underground, but these costs are likely to be at least partially offset by the reduced electrical contact injuries associated with overhead power systems." (ERA).	This cost is addressed by Western Power's net financial impact assessment (ie is accounted for)
Longer repair times	Damage to underground power lines can take longer to repair as a fault must be located before digging up to work on restoring power (various).	Too small to reliably quantify given the scope of the program and difficult to quantify.

Table 7: List of non quantified benefits

Qualitative benefit	ERAWA commentary	ACIL Allen assessment
Increase in the reliability of electricity services	"Underground power results in more reliable electricity services due to fewer outages during normal weather and severe weather events, such as the storms that hit Perth in March 2010. There are qualitative benefits to the wider community to the extent that there is a reduction in secondary impacts (such as loss of fresh water supply and fresh food) from long power outages caused by severe weather events."	Western Power's reliability in the Inner City region was assessed as 99.991% in FY22. The impacts on overall network supply would be too small to identify. Impacts on residents are accounted for in property values.
Improvements in the quality of electricity supply	"There are improvements in the quality of electricity supply when power cables are placed underground. While some of the benefits to ratepayers associated with an improvement in the quality of electricity supplied are captured in higher house prices, the benefits to Western Power and the wider community cannot be quantified." (ERA).	ACIL Allen agrees with the ERA's assessment.
Positive effects on the environment	"Undergrounding existing overhead power cables also has a positive effect on the environment, for example through a reduction in the amount of pesticide and herbicide used to protect the power poles and maintain the verges." (ERA).	Too small to reliably quantify given the scope of the program and difficult to quantify.
Reduction in accidental live-wire contact	"There is likely to be a reduction in accidental live-wire contact, which can occur when electricity workers or members of the general public come into contact with overhead cables. It is believed that there is less chance of live-wire contact when cables are placed underground, although there is a potential for people to dig into the underground cables, which offsets some of the benefits." (ERA).	ACIL Allen agree with ERAWA's assessment. Too small to reliably quantify given the scope of the program and difficult to quantify.
Improved visual amenity	"One of the key benefits of undergrounding existing overhead power lines is the improved aesthetics, through the removal of poles and wires and the planting of more trees which improves the visual amenity and streetscapes of suburbs. While the benefits to ratepayers have been quantified through higher property prices, there is a component of this benefit which is of value to the wider community as well (when they visit areas that have underground power)." (ERA).	This benefit is likely to be captured in the uplift in property values. Too small to reliably quantify given the scope of the program and difficult to quantify.

Modelling inputs and assumptions



In order to complete the Cost Benefit Analysis, ACIL Allen developed a range of inputs and assumptions. The overarching inputs and assumptions and key inputs and assumptions used to populate the Cost Benefit Analysis framework's costs are presented below.

Table 7: Overarching inputs and assumptions

Assumption	Value	Source and discussion
Reporting type	Financial year	ACIL Allen to align with State Budget cycles and State Government statutory reporting cycle.
Modelling type	Nominal terms	ACIL Allen, to align with contemporary practice and requirement to consider a 7.00% discount rate.
Modelling period	30 years	ACIL Allen
Discount rate	4.50%	Department of Treasury, in line with business case assessment requirements.

Table 8: Inputs and assumptions for quantified costs

Assumption	Value	Source and discussion
UGP properties – Hollywood East	778	City of Nedlands, installation from Oct-2025 to Nov-2026
UGP properties – Nedlands North	273	City of Nedlands, installation from Jan-2024 to Jul-2024
UGP properties – Hollywood West	650	City of Nedlands, installation from Oct-2024 to July-2025
Total cost – Hollywood East	\$15.22m	City of Nedlands, includes capital, operational, and design costs
Total cost – Nedlands North	\$6.22m	City of Nedlands, includes capital, operational, and design costs
Total cost – Hollywood West	\$11.41m	City of Nedlands, includes capital, operational, and design costs
Total cost	\$32.85m	Sum of above
Western Power capital contribution	\$12.87m	City of Nedlands
Total City of Nedlands cost	\$19.98m	City of Nedlands
City of Nedlands loan terms	4 years, 4.50%	City of Nedlands, P&I loan term WATC
Opportunity cost	4.40%	As per business case assessment requirements.
Project manager costs	\$100,000 pa over 4 years	City of Nedlands, ACIL Allen

In order to complete the Cost Benefit Analysis, ACIL Allen developed a range of inputs and assumptions. The key inputs and assumptions used to populate the Cost Benefit Analysis framework to assess the quantifiable benefits are presented below.

Table 9: Inputs and assumptions for quantified benefits

Assumption	Value	Source and discussion
Tree trimming saving per property	\$18.59 pa	ACIL Allen, present value terms (2023), adapted from ERAWA, Inquiry into State Underground Power Program Cost Benefit Study 2011, indexed annual tree pruning cost of \$13.35 per lot to 2023 dollars (ABS Cat. 6401.0).
Avoided car crash savings, per property	\$29.77 pa	ACIL Allen, present value terms (2023), adapted from ERAWA, Inquiry into State Underground Power Program Cost Benefit Study 2011, page ix Avoided Vehicle Collisions with Power Poles, \$13.0 million (2010 value) over 15 years indexed (ABS Cat. 6401.0 CPI Australia) to 2023 dollars using the cost saving per property per year value.
Avoided replacement and maintenance	\$12.87m	Western Power, via City of Nedlands
Property valuation uplift	3.50%	ERAWA, Inquiry into State Underground Power Program Cost Benefit Study 2011, Table 5.8 Variability in the Value of Underground Power by House Price, indexed house values to 2023 values applied to percentage of mean sale price. City of Nedlands sales price data.
Median property sales price – Hollywood East	\$1.41m	City of Nedlands
Median property sales price – Nedlands North	\$1.48m	City of Nedlands
Median property sales price – Hollywood West	\$1.35m	City of Nedlands
Payments from residents	50%	50% of the capital costs for the UGP project is funded by City of Nedlands residents over a four year period

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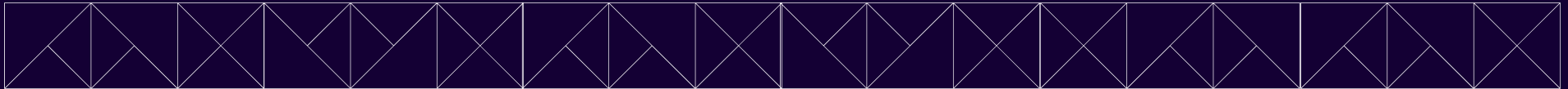
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17.3 CPS13.03.23 Monthly Financial Report – February 2023

Meeting & Date	Council Meeting – 28 March 2023
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	Nil.
Report Author	Lauren Fitzgerald – Senior Accountant Financial Services
Director/CEO	Michael Cole – Director Corporate Services
Attachments	<ol style="list-style-type: none"> 1. Statement of Financial Activity – 28 February 2023 2. Statement of Net Current Assets – 28 February 2023 3. Statement of Comprehensive Income – 28 February 2023 4. Statement of Financial Position – 28 February 2023 5. Reserve Movements – 28 February 2023 6. Borrowings – 28 February 2023 7. Capital Works Program – 28 February 2023

Purpose

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

Recommendation

That Council receive the Monthly Financial Report for 28 February 2023.

Voting Requirement

Simple Majority.

Background

Nil.

Discussion

The monthly financial management report meets the requirements of regulation 34(1), 34(3), and 34(5) of the *Local Government (Financial Management) Regulations 1996*.

The attached report shows the month end position as at the end of February 2023. Please note that the opening position is a preliminary result for the year ended 30 June 2022 as the Financial Statements for 2021/22 are still being finalised and as a result will be subject to change. The municipal closing surplus as at 28 February 2023 is \$11,980,041 which is a \$4,368,874 favourable variance, compared to a budgeted surplus for the same period of \$7,611,168.

The operating revenue at the end of February 2023 was \$33,374,460 which represents a \$765,858 unfavourable variance compared to the year-to-date budget, primarily in operating grants, subsidies, and contributions.

The operating expense at the end of February 2023 was \$24,025,921, which represents a \$1,728,025 favourable variance compared to the year-to-date budget, primarily in employee costs, and materials and contracts.

The attached Statement of Financial Activity compares Actuals with Amended Budget by Nature or Type as per regulation 34 (3) of the *Local Government Financial Management Regulations 1996*. Material variances, as defined by a previous decision of Council, from the budget of revenue and expenditure are detailed below.

Operating Activities

Operating grants, subsidies, and contributions

Unfavourable variance of \$1,028,641 primarily due to timing of revenue recognition of Nedlands Community Care grants of \$1,138,224.

Fees and charges

No variance analysis required as variance to budget is less than 10%.

Service charges

No variance analysis required as variance to budget is less than \$20,000.

Interest earnings

No variance analysis required as variance to budget is less than 10%.

Other revenue

Favourable variance of \$69,932 primarily due to CDS payments for waste of \$59,201.

Employee costs

No variance analysis required as variance to budget is less than 10%.

Materials and contracts

Favourable variance of \$1,652,913 primarily due to contract services for waste of \$482,857, parks maintenance \$351,607, buildings maintenance of \$236,358.

Utility charges

Unfavourable variance of \$111,849 primarily due to timing of water and electricity bills.

Depreciation and amortisation

No variance analysis required as variance to budget is less than 10%.

Insurance expenses

No variance analysis required as variance to budget is less than \$20,000 and 10%.

Interest expenses

No variance analysis required as variance to budget is less than \$20,000 and 10%.

Other expenditure

Unfavourable variance of \$127,522 primarily due to timing of sundry purchasing in the Information Technology business unit.

Loss on disposal of assets

No variance analysis required as variance to budget is less than \$20,000 and 10%.

Investing Activities**Non-operating grants, subsidies, and contributions**

Favourable variance of \$408,694 primarily due to grant revenue recognised ahead of schedule.

Proceeds from disposal of assets

No variance analysis required as variance to budget is less than \$50,000.

Purchase of property, plant, and equipment

No variance analysis required as variance to budget is less than 20%.

Purchase and construction of infrastructure

No variance analysis required as variance to budget is less than 20%.

Payments for intangible assets

Favourable variance of \$418,244 primarily due vacant positions within the OneCouncil team and rescheduling of consultant bookings.

Financing Activities**Repayment of borrowings**

No variance analysis required as variance to budget is less than \$20,000 and 10%.

Recoup from self-supporting loans

No variance analysis required as variance to budget is less than \$20,000 and 10%.

Payment for principal portion of lease liability

No variance analysis required as variance to budget is less than \$20,000.

Transfer to reserves

Unfavourable variance of \$1,232,122 due to timing of transfers being processed.

Transfer from reserves

No variance analysis required as variance to budget is less than \$20,000 and 10%.

Rates

No variance analysis required as variance to budget is less than 10%.

Outstanding rates debtors are \$5,648,647 as at 28 February 2023 compared to \$3,367,000 as at 28 February 2022. Breakdown as follows:

Receivable	28-Feb-23 (\$)	28-Feb-22 (\$)	Variance (\$)
Rates & UGP	5,027,659	2,758,000	2,269,659
Rubbish & Pool	95,473	93,000	2,473
Pensioner Rebates	432,567	431,000	1,567
ESL	92,769	85,000	7,769
Total	5,648,467	3,367,000	2,281,467

Employee Data

Description	Number
Full time / Part time / Casual Head - Total Headcount	187.0
Establishment (Budgeted FTE)	169.0
Occupied positions (FTE)	150.4
Casual positions (FTE)	9.5
Contract employees - temporary/agency (FTE)	5.0
Resignations (employee number)	2.0

The figures reported are as at the end of the calendar month of February.

Consultation

N/A

Strategic Implications

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

Vision	Our city will be an environmentally sensitive, beautiful and inclusive place.
Values	Great Governance and Civic Leadership We value our Council's quality decision-making, effective and innovative leadership, transparency, accountability, equity, integrity and wise stewardship of the community's assets and resources. We have an involved community and collaborate with others, valuing respectful debate and deliberation.

The 2022/23 approved budget is in line with the City's strategic direction and was prepared in line with the City's level of tolerance of risk and it is managed through budgetary review and control. The budget was based on a 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. Our operations and capital spend, and income is undertaken in line with and measured against the budget. This ensures that there is an equitable distribution of benefits in the community.

Budget/Financial Implications

At the Special Council Meeting on 11 August 2022, item CPS36.08.22, Council adopted the following thresholds for the reporting of material financial variances in the monthly statement of financial activity reports:

- a. Operating items – Greater than 10% and a value greater than \$20,000
- b. Capital items – Greater than 10% and a value greater than \$50,000

Pursuant to regulation 34(5) of the *Local Government (Financial Management) Regulations 1996*, and *Australian Accountings Standard AASB 1031 Materiality*.

Legislative and Policy Implications

[Local Government Act 1995, Local Government \(Financial Management\) Regulations 1996, and Australian Accounting Standards.](#)

Decision Implications

Nil.

Conclusion

The municipal surplus as at 28 February 2023 is \$11,980,041 which is favourable, compared to a budgeted surplus for the same period of \$7,611,168 being a 57.40% variance.

The operating revenue at the end of February 2023 was \$33,374,460 which represents a \$765,858 or 2.24% unfavourable variance compared to the year-to-date budget of \$34,140,318, primarily in operating grants, subsidies, and contributions.

The operating expense at the end of February 2023 was \$24,025,921, which represents a \$1,728,025 or 6.71% favourable variance compared to the year-to-date budget of \$25,753,946, primarily in materials and contracts and employee costs.

Further Information

Nil.



City of Nedlands Statement of Financial Activity

By Nature or Type
For the Period 01-Jul-2022 to 28-Feb-2023

	Adopted Budget	Amended Budget	Amended Budget YTD	Actuals YTD	Variance (\$) YTD	Variance (%) YTD
Operating Activities						
Net current assets - Opening surplus/(deficit)	2,518,831	3,300,420	3,300,420	3,300,420	0	0.00%
Revenue						
Operating grants, subsidies, and contributions	2,374,464	1,868,864	1,390,598	361,957	(1,028,641)	-73.97%
Fees and charges	7,999,894	7,717,410	6,374,794	6,534,255	159,461	2.50%
Service charges	0	31,373	20,912	33,085	12,173	58.21%
Interest earnings	373,371	789,842	514,934	556,068	41,134	7.99%
Other revenue	326,560	282,601	198,215	268,147	69,932	35.28%
Profit on disposal of assets	0	0	0	0	0	No Budget
	11,074,289	10,690,090	8,499,453	7,753,512	(745,941)	-8.78%
Expenses						
Employee costs	(16,400,146)	(16,393,322)	(11,786,803)	(11,061,113)	725,690	-6.16%
Materials and contracts	(12,668,047)	(13,255,948)	(8,555,702)	(6,902,789)	1,652,913	-19.32%
Utility charges	(943,574)	(777,586)	(496,308)	(608,157)	(111,849)	22.54%
Depreciation and amortisation	(6,538,604)	(6,458,604)	(4,305,736)	(4,250,574)	55,162	-1.28%
Insurance expenses	(466,808)	(404,821)	(419,725)	(409,258)	10,467	-2.49%
Interest expenses	(77,770)	(77,770)	(64,649)	(64,418)	231	-0.36%
Other expenditure	(928,551)	(856,660)	(602,090)	(729,612)	(127,522)	21.18%
Loss on disposal of assets	(44,871)	(44,871)	0	0	0	No Budget
	(38,068,371)	(38,269,581)	(26,231,013)	(24,025,921)	2,205,092	-8.41%
Non-cash amounts excluded from operating activities	6,583,475	6,503,475	4,235,797	4,325,025	89,228	2.11%
Amount attributable to operating activities	(17,891,776)	(17,775,596)	(10,195,343)	(8,646,964)	1,548,380	-15.19%
Investing Activities						
Non-operating grants, subsidies, and contributions	3,669,804	3,893,959	193,655	602,349	408,694	211.04%
Proceeds from disposal of assets	96,700	199,927	69,939	24,091	(45,848)	-65.55%
Purchase of property, plant, and equipment	(3,466,201)	(3,709,716)	(1,595,902)	(1,384,581)	211,321	-13.24%
Purchase and construction of infrastructure	(7,769,390)	(8,159,537)	(3,275,811)	(2,666,014)	609,797	-18.62%
Purchase of right of use assets	0	(21,483)	(21,483)	(21,483)	0	0.00%
Purchase of intangible assets	(1,834,198)	(1,742,198)	(1,019,288)	(601,044)	418,244	-41.03%
Amount attributable to investing activities	(9,303,285)	(9,539,048)	(5,648,890)	(4,046,682)	1,602,208	-28.36%
Financing Activities						
Repayment of borrowings	(1,109,194)	(1,109,194)	(824,453)	(824,451)	2	0.00%
Principal portion of new lease liability	0	21,483	21,483	21,483	(0)	0.00%
Recoup from self supporting loans	18,506	18,506	9,253	8,714	(539)	-5.82%
Payments for principal portion of lease liability	(65,506)	(65,506)	(49,125)	(42,504)	6,621	-13.48%
Transfers to reserves	(1,239,743)	(1,555,338)	(1,342,622)	(110,500)	1,232,122	-91.77%
Transfers from reserves	3,771,605	4,185,300	0	0	0	No Budget
Amount attributable to financing activities	1,375,668	1,495,251	(2,185,464)	(947,258)	1,238,205	-56.66%
Surplus/(deficit) before imposition of general rates	(25,819,393)	(25,819,393)	(18,029,697)	(13,640,904)	4,388,793	-24.34%
Total amount raised by general rates	25,819,393	25,819,393	25,640,865	25,620,945	(19,920)	-0.08%
Surplus/(deficit) after imposition of general rates	0	0	7,611,168	11,980,041	4,368,874	57.40%



City of Nedlands

Net Current Assets

	Balance As At 1-Jul-22	Balance As At 28-Feb-23
Current Assets		
Cash and cash equivalents	6,159,497	3,372,874
Other Financial Assets	12,118,917	20,521,931.99
Trade and other receivables	1,856,851	6,425,828
Inventories	40,738	144,934
Contract Assets	0	0
Total Current Assets	20,176,003	30,465,568
Current Liabilities		
Trade and other payables	(5,061,932)	(5,717,400)
Lease Liabilities	(65,506)	(26,639)
Borrowings	(1,136,520)	(312,069)
Provisions	(2,942,779)	(2,698,634)
Other liabilities	(590,595)	(1,687,429)
Total Current Liabilities	(9,797,332)	(10,442,171)
Adjustments to NCA		
Less: Reserves	(8,263,144)	(8,373,644)
Less: Self Supporting Loans	(17,133)	(8,419)
Add: Borrowings	1,136,520	312,069
Add: Leases	65,506	26,639
Total Adjustments	(7,078,251)	(8,043,355)
Net Current Assets	3,300,420	11,980,042



City of Nedlands

Statement of Comprehensive Income

By Nature or Type
For the Period 01-Jul-2022 to 28-Feb-2023

	Adopted Budget	Amended Budget	Amended Budget YTD	Actuals YTD	Variance (\$) YTD	Variance (%) YTD
Revenue						
Rates	25,819,393	25,819,393	25,640,865	25,620,948	(19,917)	-0.08%
Operating grants, subsidies and contributions	2,374,464	1,868,870	1,390,598	361,957	(1,028,641)	-73.97%
Fees and charges	7,999,894	7,717,417	6,374,794	6,534,255	159,461	2.50%
Service charges	0	31,369	20,912	33,085	12,173	58.21%
Interest earnings	373,371	789,845	514,934	556,068	41,134	7.99%
Other revenue	326,560	282,611	198,215	268,147	69,932	35.28%
	36,893,682	36,509,505	34,140,318	33,374,460	(765,858)	-2.24%
Expenses						
Employee costs	(17,564,645)	(17,550,362)	(11,786,803)	(11,061,113)	725,690	-6.16%
Materials and contracts	(12,728,329)	(13,477,414)	(8,555,702)	(6,902,789)	1,652,913	-19.32%
Utility charges	(943,574)	(777,531)	(496,308)	(608,157)	(111,849)	22.54%
Depreciation and amortisation	(6,538,604)	(6,458,603)	(4,305,736)	(4,250,574)	55,162	-1.28%
Insurance expenses	(471,420)	(409,127)	(419,725)	(409,258)	10,467	-2.49%
Other expenditure	(928,551)	(856,660)	(602,090)	(729,612)	(127,522)	21.18%
Interest expenses	(77,770)	(77,770)	(64,649)	(64,418)	231	-0.36%
Overhead costing	1,229,394	1,213,905	477,171	0	(477,171)	-100.00%
Activity Based Costings	0	0	(104)	0	104	-100.00%
	(38,023,499)	(38,393,562)	(25,753,946)	(24,025,921)	1,728,025	-6.71%
Net Operating	(1,129,817)	(1,884,057)	8,386,372	9,348,539	962,167	11.47%
Non-operating grants, subsidies and contributions	3,669,804	3,783,459	193,655	602,349	408,694	211.04%
Loss on Disposal of Assets	(44,871)	(44,871)	0	0	0	No Budget
	3,624,933	3,738,588	193,655	602,349	408,694	211.04%
Net Result for the Period	2,495,116	1,854,531	8,580,027	9,950,888	1,370,861	15.98%
Other Comprehensive Income						
	0	0	0	0	0	No Budget
Total Other Comprehensive Income	0	0	0	0	0	No Budget
Total Comprehensive Income for the Period	2,495,116	1,854,531	8,580,027	9,950,888	1,370,861	15.98%



City of Nedlands Statement of Comprehensive Income

By Business Unit
For the Period 01-Jul-2022 to 28-Feb-2023

	Adopted Budget	Amended Budget	Amended Budget YTD	Actuals YTD	Variance (\$ YTD)	Variance (%) YTD
Revenue						
Office of the CEO	35,000	40,000	40,000	6,760	(33,240)	-83.10%
Human Resources	0	2,640	1,760	2,635	875	49.69%
Corporate Services	27,639,106	27,662,941	26,921,383	26,702,397	(218,986)	-0.81%
Information & Communication Technology	119,184	119,184	79,456	93,946	14,490	18.24%
Community Support Services	2,732,202	2,224,781	1,557,759	835,019	(722,740)	-46.40%
Community Development	440,556	567,404	417,136	479,947	62,811	15.06%
Urban Planning	706,508	656,505	437,672	460,730	23,058	5.27%
Building Services	847,900	830,001	628,664	647,842	19,178	3.05%
Health & Compliance	541,764	542,373	324,667	390,351	65,684	20.23%
Technical Services	0	33,289	22,192	35,003	12,811	57.73%
City Projects & Programs	39,378	39,384	26,256	106,976	80,720	307.43%
Park Services	82,492	82,492	54,828	77,705	22,877	41.72%
Assets	3,709,592	3,708,511	3,628,545	3,535,149	(93,396)	-2.57%
	36,893,682	36,509,505	34,140,318	33,374,460	(765,858)	-2.24%
Expenses						
Office of the CEO	(1,736,273)	(1,773,678)	(1,220,501)	(968,098)	252,403	-20.68%
Human Resources	0	(2,638)	(41,633)	(574,226)	(532,593)	1279.26%
Communication & Engagement	(497,283)	(470,594)	(315,021)	(188,816)	126,205	-40.06%
Corporate Services	(1,025,234)	(1,107,463)	(681,984)	(1,513,330)	(831,346)	121.90%
Information & Communication Technology	(133,184)	(133,194)	(95,725)	(2,022,575)	(1,926,850)	2012.90%
Community Support Services	(4,681,652)	(4,589,419)	(3,031,382)	(2,173,567)	857,815	-28.30%
Community Development	(1,381,218)	(1,343,725)	(870,650)	(733,786)	136,864	-15.72%
Customer & Community Services	0	0	0	0	0	No Budget
Planning & Development Services	(305,713)	(306,250)	(204,388)	(204,202)	186	-0.09%
Urban Planning	(2,698,680)	(2,681,803)	(1,792,993)	(1,056,545)	736,448	-41.07%
Building Services	(1,419,217)	(1,443,817)	(964,082)	(628,557)	335,525	-34.80%
Health & Compliance	(2,921,431)	(2,885,936)	(1,900,020)	(1,479,579)	420,441	-22.13%
Technical Services	(700,871)	(600,752)	(406,415)	(284,261)	122,154	-30.06%
City Projects & Programs	(9,611,163)	(9,673,119)	(6,652,223.00)	(5,916,824)	735,399	-11.05%
Park Services	(6,277,662)	(6,415,197)	(4,258,184)	(3,034,264)	1,223,920	-28.74%
Assets	(4,633,918)	(4,965,977)	(3,318,745)	(3,247,291)	71,454	-2.15%
	(38,023,499)	(38,393,562)	(25,753,946)	(24,025,921)	1,728,025	-6.71%
Net Operating	(1,129,817)	(1,884,057)	8,386,372	9,348,539	962,167	11.47%
Non-operating grants, subsidies and contributions						
Urban Planning	0	110,500	110,500	110,500	(0)	0.00%
City Projects & Programs	3,650,754	3,653,909	83,155	491,849	408,694	491.48%
Park Services	19,050	19,050	0	0	0	No Budget
Loss on Disposal of Assets						
Assets	(44,871)	(44,871)	0	0	0	No Budget
	3,669,804	3,783,459	193,655	602,349	408,694	211.04%
Net Result for the Period	2,495,116	1,854,531	8,580,027	9,950,888	1,370,861	15.98%
Other Comprehensive Income						
	0	0	0	0	0	No Budget
Total Other Comprehensive Income	0	0	0	0	0	No Budget
Total Comprehensive Income for the Period	2,495,116	1,854,531	8,580,027	9,950,888	1,370,859	15.98%



City of Nedlands

Statement of Financial Position

	Balance As At 1-Jul-22	Balance As At 28-Feb-23
Assets		
Current Assets		
Cash and cash equivalents	(6,159,497)	(3,372,874)
Other Financial Assets	(12,118,917)	(20,521,932)
Trade and other receivables	(1,856,850)	(6,425,828)
Inventories	(40,738)	(144,934)
Contract Assets	0	0
Total Current Asstes	(20,176,003)	(30,465,568)
Non Current Assets		
Trade and other receivables	(1,301,176)	(1,215,430)
Other Financial Assets	(195,875)	(171,784)
Property, plant and equipment	(119,305,582)	(119,427,983)
Infrastructure	(92,586,194)	(92,293,808)
Right of Use Assets	(84,318)	(76,033)
Intangible assets	(973,400)	(1,574,444)
Total Non Current Assets	(214,446,545)	(214,759,482)
Total Assets	(234,622,548)	(245,225,050)
Liabilities		
Current Liabilities		
Trade and other payables	5,136,478	5,717,400
Lease Liabilities	65,506	26,639
Borrowings	1,136,520	312,069
Grant and contract liabilities	590,592	1,561,441
Provisions	2,886,568	2,698,634
Other liabilities	(18,333)	125,988
Total Current Liabilities	9,797,332	10,442,171
Non Current Liabilities		
Trade and other payables	89,974	78,905
Borrowings	1,572,473	1,572,473
Lease Liabilities	142,099	159,945
Provisions	364,244	364,244
Total Non Current Liabilities	2,168,790	2,175,567
Total Liabilities	11,966,121	12,617,738
Equity		
Retained surplus	86,260,569	96,100,955
Reserves - cash backed	8,263,144	8,373,644
Revaluation surplus	128,132,713	128,132,713
Total Equity	222,656,427	232,607,312



City of Nedlands Reserve Movements

For the Period 1-Jul-2022 to 28-Feb-2023

Reserve	Adopted Budget				Amended Budget				Actuals YTD			
	Opening Balance	Transfer To	Transfer From	Closing Balance	Opening Balance	Transfer To	Transfer From	Closing Balance	Opening Balance	Transfer To	Transfer From	Closing Balance
Plant Replacement Reserve	284,544	695	(249,800)	35,439	284,544	1,498	(255,241)	30,801	284,528	0	0	284,528
City Development Reserve	1,439,166	1,507	(1,363,811)	76,862	1,439,166	3,241	(1,064,407)	378,000	1,439,110	0	0	1,439,110
North Street Reserve	136,868	2,737	0	139,605	136,868	5,882	0	142,750	136,636	0	0	136,636
Welfare Reserve	827,286	16,546	0	843,832	827,286	35,576	(117,000)	745,862	826,605	0	0	826,605
Service Reserve	12,794	256	0	13,050	12,794	546	0	13,340	12,590	0	0	12,590
Insurance Reserve	65,452	1,309	0	66,761	65,452	2,810	0	68,262	65,457	0	0	65,457
Underground Power Projects	2,191,096	954,599	(598,777)	2,546,918	2,191,096	1,004,996	(598,777)	2,597,315	2,189,974	0	0	2,189,974
Waste Management Reserve	1,291,004	139,845	(255,000)	1,175,849	1,291,004	222,639	(220,000)	1,293,643	1,290,573	0	0	1,290,573
Building Replacement Reserve	563,328	11,267	(532,867)	41,728	563,328	24,226	(559,397)	28,157	562,932	0	0	562,932
Swanbourne Development Reserve	135,429	2,709	0	138,138	135,429	5,825	(140,000)	1,254	135,379	0	0	135,379
Public Art Reserve	73,227	1,465	(40,000)	34,692	73,227	3,146	(40,000)	36,373	73,213	0	0	73,213
Business System Reserve	243,276	1,100	(188,279)	56,097	243,276	2,367	(418,279)	(172,636)	243,141	0	0	243,141
All Abilities Play Space	413,452	8,269	0	421,721	413,452	17,774	0	431,226	413,558	0	0	413,558
Major Projects	589,682	11,794	(395,000)	206,476	589,682	25,352	(615,000)	34	589,449	0	0	589,449
Lawler Park Infrastructure Reserve	4	0	0	4	4	0	0	4	0	0	0	0
Public Open Space Reserve	0	0	0	0	0	110,500	0	110,500	0	110,500	0	110,500
PRCC Reserve	143,746	85,645	(148,071)	81,320	143,746	88,957	(157,199)	75,504	0	0	0	0
Reserve Total	8,410,354	1,239,743	(3,771,605)	5,878,492	8,410,354	1,555,335	(4,185,300)	5,780,389	8,263,144	110,500	0	8,373,644



City of Nedlands Borrowings

For the Period 1-Jul-2022 to 28-Feb-2023

Loan Description	Loan Number	Institution	Interest Rate	Opening Balance	Adopted Budget			Interest	Actuals YTD			
					Repayment	Closing Balance			Opening Balance	Repayment	Closing Balance	Interest
Road Infrastructure	179	WATC	6.04%	285,748	(138,593)	147,155		(14,159)	285,749	(103,162)	182,587	(11,402)
Building Infrastructure	183	WATC	2.80%	537,226	(178,521)	358,705		(13,130)	537,226	(130,150)	407,076	(10,301)
Building Infrastructure	184	WATC	3.12%	519,065	(110,879)	408,186		(14,537)	519,065	(106,525)	412,540	(11,320)
Building Infrastructure	185	WATC	3.12%	245,662	(67,484)	178,178		(6,880)	245,662	(50,416)	195,246	(5,357)
Dalkeith Bowling Club	186	WATC	3.07%	50,272	(14,940)	35,332		(1,372)	50,272	(7,413)	42,859	(744)
Underground Power - City of Nedlands	187	WATC	2.64%	512,598	(512,598)	0		(6,781)	512,598	(340,607)	171,991	(5,646)
Underground Power - West Hollywood	188	WATC	3.07%	446,816	(68,955)	377,861		(13,717)	446,816	(68,955)	377,860	(13,717)
Underground Power - Alfred & Mt Claremont	189	WATC	3.07%	65,261	(10,071)	55,190		(2,003)	65,260	(10,071)	55,189	(2,003)
Underground Power - Alderbury	190	WATC	3.07%	46,346	(7,153)	39,193		(1,423)	46,347	(7,153)	39,195	(1,423)
				2,708,994	(1,109,194)	1,599,800		(74,002)	2,708,993	(824,451)	1,884,542	(61,913)



City of Nedlands Capital Works Program

For the Period 1-Jul-2022 to 28-Feb-2023

Project Description	Adpoted Budget	Amended Budget	Actuals YTD
Education Buildings			
PRCC Cabinetry and storage	160,298	169,426	0
Total	160,298	169,426	0
Health Buildings			
Nedlands Child health Centre(reroof)	137,280	205,874	0
Total	137,280	205,874	0
Recreation			
Allen Park Cottage Stage 2 Building upgr	75,465	86,844	0
Swanbourne Surf Life Saving Ext SNSLSC b	2,542,969	2,682,967	1,196,688
Total	2,618,434	2,769,811	1,196,688
Sports Facilities			
Adam Armstrong Pavillion Buildin Solar P	0	0	(455)
Total	0	0	(455)
Other Buildings			
City wide air-conditioning program	36,058	9,582	5,693
City wide flooring program	47,933	49,160	0
City wide painting program	42,385	42,979	6,250
Nedlands Library - External Upgrades	50,313	33,422	22,490
Total	176,689	135,143	34,433
Environmental Renewal			
Perth Flying Squadron Foreshore Rehab	0	105,956	91,340
Total	0	105,956	91,340
Park Development Renewal			
Public Arts Work	40,000	40,000	29,290
Lawler Park	39,974	0	1,075
Hamilton Park - UG irrigation system	0	18,356	16,840
Hamilton Park - Renew Garden Beds	0	55,296	48,387
Greenway - Foreshore Reserve 28307	27,403	32,270	0
Groundwater Bore Renewal	121,130	142,641	0
Urban Forest Strategy	173,220	176,640	0
College Park- Renew Central Capable Cab	7,607	8,958	0
Total	409,334	474,161	95,592

Project Description	Adpoted Budget	Amended Budget	Actuals YTD
Drainage Construction			
Soakwell Install - 1 Birdwood Parade	29,851	29,000	2,463
Soakwell Install - 28 Watkins Road	29,851	29,000	2,463
Soakwell Install - 71 Philip Road	14,215	13,809	1,802
Soakwell Install - 33 Beatrice Road	38,380	37,285	2,463
Soakwell Install - 65 Hobbs Avenue	22,743	22,095	980
Soakwell Install 80-82 Monash Avenue	76,760	74,570	3,454
Total	211,800	205,759	13,623
Drainage Renewel			
Drainage Implementation	190,245	219,437	51,395
Drainage Renewal	59,229	57,539	18,205
Flood Mitigation Design	236,914	230,155	0
Civil Works - 27 Loftus Street	7,108	6,905	83
Civil Works - 66 Archdeacon Street	7,108	6,905	857
Civil Works - 69 Bruce Street	14,214	13,809	83
Total	514,818	534,750	70,623
Road Improvements			
Investigation and Design	296,143	287,695	3,430
Total	296,143	287,695	3,430
Road Rehabilitation			
Foreshore Workshop	0	0	2,580
Brockway Rd - Lemnos to Underwood	0	31,115	27,038
Alfred Rd-Rochdale Rd intersection	357,740	299,202	246,688
Waratah - Road Resurfacing Project	1,048,732	1,141,144	1,337,451
Waratah Footpath Renewal Project	499,815	575,176	0
Portland St - Stirling Hwy to Karella St	520,194	577,806	529,792
Montgomery Avenue	92,000	119,594	103,924
Smyth Road Rehabilitation	2,298,067	2,232,511	59,167
Rochdale Road Rehabilitation	1,081,537	1,050,684	31,220
Aberdare Road (1) - Subiaco boundary	56,183	56,183	0
Carrington Street Parking Contrib	17,000	17,000	0
Total	5,971,268	6,100,415	2,337,861
Road Renewal			
Aberdare Road (2) - Subiaco boundary	29,183	29,183	0
Total	29,183	29,183	0
Footpath Construction			
Whadjuck Trail Footpath	0	140,000	0
Total	0	140,000	0

Project Description	Adpoted Budget	Amended Budget	Actuals YTD
Footpath Rehabilitation			
Broome Street	19,592	0	0
Birdwood P path(bushland to Tawarri)	62,252	61,618	53,545
Total	81,844	61,618	53,545
Parks Plant			
1DWC369:Hino Mowing Unit 1	75,000	75,000	0
1DWC370: Hino Mowing Unit 2	75,000	75,000	0
Massey Furguson 5609 4WD Turf Tractor	87,500	106,160	77,160
Total	237,500	256,160	77,160
Waste Plant			
FOGO Implementation	255,000	220,000	0
Total	255,000	220,000	0
Other Plant & Equipment			
Fleet Item 134	0	39,306	39,306
1GJZ462:Subaru Forester Wagon-L	39,000	39,000	0
1BK0449:Toyota Hi Ace Commuter Bus	70,000	0	0
Fleet Item 135	0	0	37,449
Total	109,000	78,306	76,755
IT capital			
OneCouncil Solution	1,542,919	1,595,919	595,111
Azure Migration	25,000	20,000	0
CCTV Management System	15,000	0	0
CAD Station Upgrade	5,000	0	0
Conference Room Interactive Screens	75,000	0	0
iPads for Councillors	12,000	0	0
Libraries, NCC & PRCC hardware	15,000	0	0
NTI XL2 Sound Level Meter and Net Box	1,279	1,279	0
Councilor Chambers Upgrade	15,000	75,000	0
The Client Alternative	15,000	15,000	0
WiFi Upgrade	10,000	10,000	4,772
Other IT Capital	0	0	1,161
Civica Authority Upgrade from 6 to 7	100,000	100,000	0
Setup AutoImage - online infringements	10,000	0	0
LMS Software	20,000	0	0
Communications Infrastructure Improvement	0	20,000	0
Total	1,861,198	1,837,198	601,044
Capital Work Progam Total	13,069,789	13,611,455	4,651,639

17.4 CPS14.03.23 Monthly Investment Report – February 2023

Meeting & Date	Council Meeting – 28 March 2023
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	Nil.
Report Author	Lauren Fitzgerald – Senior Accountant Financial Services
Director/CEO	Michael Cole – Director Corporate Services
Attachments	1. Investment Report for the period ended 28 Feb 2023

Purpose

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

Recommendation

That Council receive the Investment Report for the period ended 28 February 2023.

Voting Requirement

Simple Majority.

Background

Nil.

Discussion

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

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

The Investment Summary shows that as at 28 February 2023 and 28 February 2022 the City held the following funds in investments:

Funds	28-Feb-23 (\$)	28-Feb-22 (\$)
Municipal	2,127,138	10,056,409
Reserve	8,373,644	6,019,872
Total Investments	10,500,782	16,076,281

The total interest earned from investments as at 28 February 2023 was \$197,170, comprising of \$170,651 received at maturity and \$26,519 accrued.

The Investment Portfolio comprises holdings in the following institutions:

Financial Institution	Funds Invested	Proportion of Portfolio
NAB	\$ 3,526,218	33.58%
WBC	\$ 4,079,657	38.85%
ANZ	\$ 1,126,712	10.73%
CBA	\$ 1,768,195	16.84%
Total	\$ 10,454,851	100.00%



Consultation

N/A.

Strategic Implications

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

Vision	Our city will be an environmentally sensitive, beautiful and inclusive place.
Values	Great Governance and Civic Leadership We value our Council's quality decision-making, effective and innovative leadership, transparency, accountability, equity, integrity and wise stewardship of the community's assets and resources. We have an involved community and collaborate with others, valuing respectful debate and deliberation.

Budget/Financial Implications

The February 2023 YTD Actual interest income from investments is \$197,170 compared to the February 2023 YTD Budget of \$246,106

Legislative and Policy Implications

[Investment of Council Funds Council Policy](#)

Decision Implications

N/A.

Conclusion

The Investment Report is presented to Council.

Further Information

Nil.



City of Nedlands Investments

For the Period 1-Jul-2022 to 28-Feb-2023

Bank	Interest Rate	Investment Date	Maturity Date	Term (Months)	Invested Amount	Accrued Interest
Westpac Banking Corporation	4.16%	23/02/2023	23/05/2023	3	70,204	40
Westpac Banking Corporation	4.16%	23/02/2023	23/05/2023	3	143,026	82
Westpac Banking Corporation	4.16%	23/02/2023	23/05/2023	3	139,050	79
Westpac Banking Corporation	3.54%	9/01/2023	9/04/2023	3	2,042,585	9,761
Westpac Banking Corporation	1.05%	1/02/2023	28/02/2023	1	1,085,634	0
Westpac Banking Corporation	3.61%	4/02/2023	4/05/2023	3	599,158	1,580
National Australia Bank	4.10%	15/02/2023	16/05/2023	3	1,199,632	1,752
National Australia Bank	4.10%	13/02/2023	15/05/2023	3	289,096	3,094
National Australia Bank	4.15%	21/02/2023	22/05/2023	3	2,037,491	1,625
Commonwealth Bank Australia	4.12%	31/01/2023	2/05/2023	3	35,266	115
Commonwealth Bank Australia	3.66%	28/11/2022	2/03/2023	3	67,008	618
Commonwealth Bank Australia	4.12%	31/01/2023	2/05/2023	3	145,205	473
Commonwealth Bank Australia	4.12%	31/01/2023	2/05/2023	3	32,418	137
Commonwealth Bank Australia	4.05%	19/01/2023	19/04/2023	3	326,226	1,448
Commonwealth Bank Australia	4.13%	27/01/2023	27/04/2023	3	357,761	1,295
Commonwealth Bank Australia	3.66%	28/11/2022	2/03/2023	3	15,975	147
Commonwealth Bank Australia	4.12%	31/01/2023	2/05/2023	3	624,018	2,033
Commonwealth Bank Australia	4.05%	19/01/2023	19/04/2023	3	137,778	612
Commonwealth Bank Australia	3.66%	28/11/2022	2/03/2023	3	26,541	245
Australia & New Zealand Banking Group	2.69%	11/01/2023	11/04/2023	3	118,408	419
Australia & New Zealand Banking Group	2.69%	18/01/2023	18/04/2023	3	1,008,304	965
Total					10,500,782	26,519

17.5 CPS15.03.23 List of Accounts Paid – February 2023

Meeting & Date	Council Meeting – 28 March 2023
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	Nil.
Report Author	Lauren Fitzgerald – Senior Accountant
Director/CEO	Michael Cole - Director Corporate Services
Attachments	1. Creditor Payment Listing – February 2023; and 2. Credit Card and Purchasing Card Payments – February 2023

Purpose

The purpose of this report is to present list of accounts paid for the month of February 2023.

Recommendation

Council receives the List of Accounts Paid for the month of February 2023.

Voting Requirement

Simple Majority.

Background

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

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

Discussion

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

Consultation

Nil.

Strategic Implications

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

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

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

Priority Area

Nil.

Budget/Financial Implications

The payments are made in accordance with the approved budget.

Legislative and Policy Implications

In accordance with regulation 13 of the [Local Government \(Financial Management\) Regulations 1996](#) administration is required to present the List of Accounts Paid for the month of September 2022 to Council.

Decision Implications

Nil.

Conclusion

The List of Accounts Paid for the months of February 2023 complies with the relevant legislation and can be received by Council (see attachments).

Further Information

Nil.



City of Nedlands - List of Accounts Paid

For the Period 01-Feb-2023 to 28-Feb-2023

Payment Reference	Payment Date	Creditor Number	Creditor Name	Payment Amount
Creditor EFT				2,497,992.81
102105	2/02/2023	10001	Australian Taxation Office	138,710.00
FORTNIGHT 29/01/2023	Withholding Tax (PAYG)			131,762.00
FORTNIGHT 29/01/2023	Extra Tax			970.00
FORTNIGHT 29/01/2023	HELP			1,372.00
FORTNIGHT 29/01/2023	TSL			4,606.00
102106	2/02/2023	10002	Child Support Registrar	755.86
FORTNIGHT 29/01/2023	Child Support Agency			755.86
102107	2/02/2023	10003	Australian Services Union	67.70
FORTNIGHT 29/01/2023	Australian Services Union			67.70
102108	2/02/2023	10004	City of Nedlands - Social Club	282.00
FORTNIGHT 29/01/2023	Social Club			282.00
102109	2/02/2023	10005	Easi	5,249.77
FORTNIGHT 29/01/2023	Novated Lease Easifleet - Pre Tax			2,423.31
FORTNIGHT 29/01/2023	Novated Lease Easifleet- Post Tax			2,826.46
102110	2/02/2023	10006	Westpac Banking Corporation	77,757.43
FORTNIGHT 29/01/2023	Employee Additional Contrib Pre Tax (\$)			2,990.00
FORTNIGHT 29/01/2023	Employee Additional Contrib Pre Tax (%)			10,517.23
FORTNIGHT 29/01/2023	Employee Additional Contrib Post Tax (%)			226.70
FORTNIGHT 29/01/2023	SGC Employer Contribution			1,791.47
FORTNIGHT 29/01/2023	SGC Employer Contribution			777.18
FORTNIGHT 29/01/2023	SGC Employer Contribution			1,761.80
FORTNIGHT 29/01/2023	SGC Employer Contribution			500.54
FORTNIGHT 29/01/2023	SGC Employer Contribution			1,238.17
FORTNIGHT 29/01/2023	SGC Employer Contribution			3,572.01
FORTNIGHT 29/01/2023	SGC Employer Contribution			884.85



City of Medford - List of Accounts Paid

For the Period 01-Feb-2023 to 28-Feb-2023

Payment Reference	Payment Date	Creditor Number	Creditor Name	Payment Amount
FORTNIGHT 29/01/2023			SGC Employer Contribution	555.72
FORTNIGHT 29/01/2023			SGC Employer Contribution	4,182.23
FORTNIGHT 29/01/2023			SGC Employer Contribution	1,132.22
FORTNIGHT 29/01/2023			SGC Employer Contribution	1,297.22
FORTNIGHT 29/01/2023			SGC Employer Contribution	572.99
FORTNIGHT 29/01/2023			SGC Employer Contribution	823.61
FORTNIGHT 29/01/2023			SGC Employer Contribution	2,120.59
FORTNIGHT 29/01/2023			SGC Employer Contribution	3,158.51
FORTNIGHT 29/01/2023			SGC Employer Contribution	2,382.68
FORTNIGHT 29/01/2023			SGC Employer Contribution	494.89
FORTNIGHT 29/01/2023			SGC Employer Contribution	169.65
FORTNIGHT 29/01/2023			SGC Employer Contribution	972.78
FORTNIGHT 29/01/2023			SGC Employer Contribution	329.10
FORTNIGHT 29/01/2023			SGC Employer Contribution	354.75
FORTNIGHT 29/01/2023			SGC Employer Contribution	304.25
FORTNIGHT 29/01/2023			SGC Employer Contribution	1,138.19
FORTNIGHT 29/01/2023			SGC Employer Contribution	2,164.82
FORTNIGHT 29/01/2023			SGC Employer Contribution	785.25
FORTNIGHT 29/01/2023			SGC Employer Contribution	3,234.83
FORTNIGHT 29/01/2023			SGC Employer Contribution	2,534.71
FORTNIGHT 29/01/2023			SGC Employer Contribution	439.35
FORTNIGHT 29/01/2023			SGC Employer Contribution	2,141.83
FORTNIGHT 29/01/2023			SGC Employer Contribution	898.74
FORTNIGHT 29/01/2023			SGC Employer Contribution	1,208.29
FORTNIGHT 29/01/2023			SGC Employer Contribution	1,335.69
FORTNIGHT 29/01/2023			SGC Employer Contribution	1,518.97
FORTNIGHT 29/01/2023			SGC Employer Contribution	1,541.05
FORTNIGHT 29/01/2023			SGC Employer Contribution	5,265.31
FORTNIGHT 29/01/2023			SGC Employer Contribution	1,204.76
FORTNIGHT 29/01/2023			SGC Employer Contribution	2,743.71
FORTNIGHT 29/01/2023			SGC Employer Contribution	420.57
FORTNIGHT 29/01/2023			SGC Employer Contribution	764.31
FORTNIGHT 29/01/2023			SGC Employer Contribution	1,279.09
FORTNIGHT 29/01/2023			Employer Contribution (Additional)	71.94



City of Medford - List of Accounts Paid

For the Period 01-Feb-2023 to 28-Feb-2023

Payment Reference	Payment Date	Creditor Number	Creditor Name	Payment Amount
FORTNIGHT 29/01/2023	Employer Contribution (Additional)			257.11
FORTNIGHT 29/01/2023	Employer Contribution (Additional)			88.70
FORTNIGHT 29/01/2023	Employer Contribution (Additional)			304.36
FORTNIGHT 29/01/2023	Employer Contribution (Additional)			377.57
FORTNIGHT 29/01/2023	Employer Contribution (Additional)			90.89
FORTNIGHT 29/01/2023	Employer Contribution (Additional)			109.14
FORTNIGHT 29/01/2023	Employer Contribution (Additional)			41.76
FORTNIGHT 29/01/2023	Employer Contribution (Additional)			56.71
FORTNIGHT 29/01/2023	Employer Contribution (Additional)			76.98
FORTNIGHT 29/01/2023	Employer Contribution (Additional)			338.74
FORTNIGHT 29/01/2023	Employer Contribution (Additional)			110.02
FORTNIGHT 29/01/2023	Employer Contribution (Additional)			67.57
FORTNIGHT 29/01/2023	Employer Contribution (Additional)			57.95
FORTNIGHT 29/01/2023	Employer Contribution (Additional)			91.62
FORTNIGHT 29/01/2023	Employer Contribution (Additional)			197.61
FORTNIGHT 29/01/2023	Employer Contribution (Additional)			422.99
FORTNIGHT 29/01/2023	Employer Contribution (Additional)			218.83
FORTNIGHT 29/01/2023	Employer Contribution (Additional)			41.77
FORTNIGHT 29/01/2023	Employer Contribution (Additional)			54.97
FORTNIGHT 29/01/2023	Employer Contribution (Additional)			170.77
FORTNIGHT 29/01/2023	Employer Contribution (Additional)			66.47
FORTNIGHT 29/01/2023	Employer Contribution (Additional)			431.15
FORTNIGHT 29/01/2023	Employer Contribution (Additional)			127.50
FORTNIGHT 29/01/2023	Employer Contribution (Additional)			86.73
FORTNIGHT 29/01/2023	Employer Contribution (Additional)			66.97
102111	2/02/2023	10007	Becarwise	1,639.17
FORTNIGHT 29/01/2023	Novated Lease Becarwise - Pre Tax			763.05
FORTNIGHT 29/01/2023	Novated Lease Becarwise- Post Tax			876.12
102112	2/02/2023	10008	Advantech Mobile Auto Electrics	741.00
985	Fleet 1376 Electrical issues			741.00
102113	2/02/2023	10013	Alinta Energy	165.75



CITY OF NEDLANDS - LIST OF ACCOUNTS PAID

For the Period 01-Feb-2023 to 28-Feb-2023

Payment Reference	Payment Date	Creditor Number	Creditor Name	Payment Amount
552359310	Lot 5837 Beatrice Rd DALKEITH			14.70
550999733	Lot 6987 Montgomery Ave MOUNTCLAREMONT			151.05
102114	2/02/2023	10025	Boc Limited	23.94
4033125063	Gas Bottle Rental			23.94
102115	2/02/2023	10028	Bunnings Group Limited	52.82
2260/00145855	Materials			97.61
102116	2/02/2023	10034	Chubb Fire & Security Pty Ltd	61.88
2822299	Tresillian - Fire Panels 2021/22			61.88
102117	2/02/2023	10043	Western Australia Police Force	68.00
127086292	Volunteer National Police Certificates			68.00
102118	2/02/2023	10046	Toll Global Express-2085472(IPEC Pty	433.37
P60774135	Standing order Toll Global Express Cust			433.37
102119	2/02/2023	10049	Dalkeith Tennis Club	49,645.00
31012023	Final payment of CSRFF grant to Dalke			49,645.00
102120	2/02/2023	10053	Landgate	733.20
1220247	Landgate Searches - Sept 2022			394.80
1244247	Land Information			169.20
1251247	Land Information			169.20
102121	2/02/2023	10056	Ellenby Tree Farm Pty Ltd	4,015.00
32495	Tree Pruning at Waratah			4,015.00
102122	2/02/2023	10057	Elliotts Filtration (Previously	2,135.98
F27365	Filter repairs Montario Quarter			1,853.28
F27224	Filtration servicing			282.70
102123	2/02/2023	10070	J Blackwood & Son Ltd	367.22



CITY OF NEDLANDS - LIST OF ACCOUNTS PAID

For the Period 01-Feb-2023 to 28-Feb-2023

Payment Reference	Payment Date	Creditor Number	Creditor Name	Payment Amount
SI03701420	Septone Hand Cleaner			73.24
SI03691041	PPE Uniform for Steve Crossman			123.68
SI03720044	Prosafes Cone Bar Retractable			170.30
102124	2/02/2023	10077	L & T Venables Pty Ltd	73.46
10052421	1 Box 249110 NUT NYLOC HEX UNF 5/8			73.46
102125	2/02/2023	10098	Canon Production Printing Australia (Old)	525.10
INV-50855	Service Charge Colourwave 550			262.55
INV-50854	Service Charge Colourwave 550			262.55
102126	2/02/2023	10102	Fulton Hogan Industries Pty Ltd	3,590.40
17243788	x2 Pallets of cold mix			3,590.40
102127	2/02/2023	10116	St John Ambulance Western Australia Ltd.	160.00
FAINV01036951	Provide First Aid 1 Day for 3 officers			160.00
102128	2/02/2023	10122	Telstra Corporation Ltd	586.09
3043361421- NOV 2022	04 Nov 2022-3 Dec 2022			20.00
1315114130- DEC 2022	December 2022			506.09
3043361421- OCT 2022	October 2022			20.00
3043361421- DEC 2022	December 2022			20.00
3043361421- JAN 2023	January 2023			20.00
102129	2/02/2023	10136	Westbooks	2,133.15
331860	Local stock items			52.46
332656	Local stock items			128.27
332310	Local stock items			597.46
332932	Nedlands Junior Local Stock			27.27
332933	Local stock items			39.40
332934	Local stock items			85.26
333033	Nedlands Junior Local Stock			24.49
333036	Local stock items			14.15
333035	Local stock items			57.84



City of Nedlands - List of Accounts Paid

For the Period 01-Feb-2023 to 28-Feb-2023

Payment Reference	Payment Date	Creditor Number	Creditor Name	Payment Amount
333117	Local stock items			60.87
333118	Local stock items			40.57
333119	Nedlands Junior Local Stock			31.48
333211	Local stock items			79.07
333216	Local stock items			85.93
333217	Nedlands Junior Local Stock			34.98
333402	Nedlands adult local stock			55.27
333340	MtC Library local stock			272.18
333401	Nedlands Library local stock			31.50
333403	MtC Library local stock			68.57
332657	Nedlands Junior Local Stock			346.13
102130	2/02/2023	10144	Addstyle Constructions Pty Ltd	
654448	Verge Bond			1,700.00
654651	Verge Bond			1,700.00
102131	2/02/2023	10183	Water Corporation	
9016473946	Bill ID - 0069			92.21
9011837667	Bill ID - 0087			18.98
9010249468	Bill ID - 0095			13.56
9001459017	Bill ID - 0117			116.62
9001458743	Bill ID - 0111			13.56
9001458620	Bill ID - 0117			59.66
9001458444	Bill ID - 0120			279.34
9001455403	Bill ID - 0113			214.25
9001453731	Bill ID - 0140			258.02
9001450303	Bill ID - 0113			16.27
9001448684	Bill ID - 0114			59.66
9001448625	Bill ID - 0113			8.14
9001444608	Bill ID - 0141			391.13
9001442397	Bill ID - 0139			492.87
9001453723	Bill ID - 0231			389.40
9016515501	Bill ID - 0073			73.22
9001442389	Bill ID - 0205			220.98



City of Nedlands - List of Accounts Paid

For the Period 01-Feb-2023 to 28-Feb-2023

Payment Reference	Payment Date	Creditor Number	Creditor Name	Payment Amount
9023255963	Bill ID - 0026			40.68
9022779458	JOHN XXIII AVMOUNT CLAREMONT Lot 503 RES			767.50
9016473890	Bill ID 0070			62.38
9001474401	Bill ID - 0132			391.13
9001474380	Bill ID - 0132			97.14
9001470689	Bill ID - 0066			354.36
9001453432	Bill ID - 0143			802.89
9001442389	Bill ID - 0204			781.47
102132	2/02/2023	10198	Western Power Corporation - Other	5,004.31
CORPB0642647	Vegetation Removal			957.69
CORPB0642223	Vegetation Removal			1,329.08
CORPB0637565	Tree pruning away from Powerlines			599.47
CORPB0637561	Tree pruning away from Powerlines			1,315.06
CORPB0638909	Vegetation Removal by Western Power			803.01
102133	2/02/2023	10199	Hays Specialist Recruitment Aust Pty Ltd	3,695.10
51408402	Temp Admin & Events Officer EHouwert			1,532.77
51408403	Agency Staff Cover			2,162.33
102134	2/02/2023	10246	Bolinda Publishing Pty Ltd	500.05
281894	Nedlands Library adult TB and LP			238.34
281895	MtC Library adult TB and LP			261.71
102135	2/02/2023	10255	Cr B G Hodsdon	1,988.42
FEBRUARY 2023	Member Allowance			1,984.25
FEBRUARY 2023	Travel and accommodation			4.17
102136	2/02/2023	10296	Connect Call Centre Services (Previous	607.75
1759	Telephone services - Dec 2022			607.75
102137	2/02/2023	10304	Synergy	73,696.47
801340050	3000192487			8,994.24
401930540	2089697563			148.90



CITY OF NEDLANDS - LIST OF ACCOUNTS PAID

For the Period 01-Feb-2023 to 28-Feb-2023

Payment Reference	Payment Date	Creditor Number	Creditor Name	Payment Amount
653311790	Invoice No: 2089714134			158.93
968214430	Invoice No: 2021749415			607.86
313447070	2077717142			65.42
380380600	2001771174			2,076.11
380 380 410	2001771173			1,743.09
392417010	2089704954			3,226.44
380380220	2001771172			1,398.28
380380790	2001771175			855.37
214579230	2017731058			44,549.67
844348590	18 Nov 2022 - 20 Jan 2023			181.56
239411960	2089704290			311.47
801870080	3000188215			4,373.52
801870080	3000190066			5,005.61
102138	2/02/2023	10323	McGees Property	2,200.00
30829	Market rental valuation - 97-99 Waratah			2,200.00
102139	2/02/2023	10335	Raeco/CEI Pty Ltd	671.99
583403	Stationery supplies book tape Nedlands			671.99
102140	2/02/2023	10353	Western Power Corporation - Project	1,734.55
CORPB0643443	Vegetation Removal - 79 Meriwa Street			1,734.55
102141	2/02/2023	10354	Green Steam Australia Pty Ltd	7,150.00
GSA-3062	Mowing Services			7,150.00
102142	2/02/2023	10361	Mrs R Ratnawibhushana	16.77
177774	Entertainment Grand parents day			16.77
102143	2/02/2023	10379	Cr V R Senathirajah	1,988.42
FEBRUARY 2023	Member Allowance			1,984.25
FEBRUARY 2023	Travel and accommodation			4.17
102144	2/02/2023	10389	Harvey Fresh	64.45



CITY OF NEDLANDS - LIST OF ACCOUNTS PAID

For the Period 01-Feb-2023 to 28-Feb-2023

Payment Reference	Payment Date	Creditor Number	Creditor Name	Payment Amount
235031276	Standing order for Admin Milk - FY 22/23			64.45
102145 00017328	2/02/2023 New Controller College Park	10402	DU Electrical Pty Ltd	954.80 954.80
102146 INV-2555	2/02/2023 Fire Risk Management Allen Park	10419	Sustainable Outdoors	5,176.88 5,176.88
102147 00001956	2/02/2023 Mowing Services	10450	Commercial & Industrial Mowing	825.00 825.00
102148 FEBRUARY 2023 FEBRUARY 2023 FEBRUARY 2023	2/02/2023 Deputy Mayor Allowance Meeting Allowance Travel and accommodation	10455	Deputy Mayor L McManus	3,341.30 1,352.88 1,984.25 4.17
102149 149907	2/02/2023 Toilet cleaning	10457	Instant Products Hire	137.40 137.40
102150 00012510 00012433 00012671 00012690 00012713	2/02/2023 City Wide Drainage Eduction City Wide Eduction City Wide Eduction City Wide Drainage Eduction City Wide Sweeping	10483	Drainflow Services Pty Ltd	29,237.27 4,620.33 2,416.79 781.90 971.45 20,446.80
102151 95276785	2/02/2023 Turf Supplies	10512	West Coast Turf	15,675.00 15,675.00
102152 FEBRUARY 2023 FEBRUARY 2023	2/02/2023 Member Allowance Travel and accommodation	10516	Cr K A Smyth	1,988.42 1,984.25 4.17
102153	2/02/2023	10554	Action Interiors	4,631.00



CITY OF NEDLANDS - LIST OF ACCOUNTS PAID

For the Period 01-Feb-2023 to 28-Feb-2023

Payment Reference	Payment Date	Creditor Number	Creditor Name	Payment Amount
00017686	Depot office install			2,959.00
00017685	Ceiling Repairs			1,672.00
102154	2/02/2023	10564	IPWEA Limited	1,232.00
33349	Training Steve Crossman			1,232.00
102155	2/02/2023	10612	Data Documents	566.50
12013	2023 Summer Concerts Printing			566.50
102156	2/02/2023	10688	Officeworks Ltd	195.00
605327536	MK295 Combo			195.00
102157	2/02/2023	10693	Boyan Electrical Services	1,579.70
44373	Swanbourne Reserve - Corner of Marine Pa			919.15
46259	Harris Park - Supply and replace 1x 125w			161.89
46208	Install power meter for PRCC			498.66
102158	2/02/2023	10731	Bore Stain West /Powell's Pressure	1,265.00
1	Cleaning of Park Name Signs			1,265.00
102159	2/02/2023	10742	Cr A W Mangano	1,988.42
FEBRUARY 2023	Member Allowance			1,984.25
FEBRUARY 2023	Travel and accommodation			4.17
102160	2/02/2023	10803	Carramar Resource Industries	3,388.00
INV-71197	Supply and deliver 70m3 of sand			3,388.00
102161	2/02/2023	10804	Ilsa Smith	800.00
182	PA Affinity Club Activities Jan-Mar 2023			800.00
102162	2/02/2023	10842	Retro Roads - Tagsat Pty Ltd	1,577.85
01706836	Pavement marking on Williams Road			1,577.85
102163	2/02/2023	10881	New Ground Water Services Pty Ltd	3,162.17



CITY OF MANDURAH - LIST OF ACCOUNTS PAID

For the Period 01-Feb-2023 to 28-Feb-2023

Payment Reference	Payment Date	Creditor Number	Creditor Name	Payment Amount
1094749	Complete Design, then supply and instal		1,380.72	
1095944	Supply and replace filtration controller		1,781.45	
102164	2/02/2023	10925	Westend Plumbing & Gas	786.50
INV-13843	Repair toilet		181.50	
INV-13869	Supply & Install new Float Valve		330.00	
INV-13866	Unblock toilet at the Rose Garden		275.00	
102165	2/02/2023	10954	Colour Flow Painting Services	4,917.00
CFP2327	Painting works at Depot front offices		4,917.00	
102166	2/02/2023	10979	Active Pest Management WA Pty Ltd	1,562.00
1644APM	College Park - Quarterly/ Termites		176.00	
1640APM	JC Smith - 6 Monthly Service - Aug 22/23		220.00	
1639APM	Tresillian Visual Termite Inspection		440.00	
1621APM	John Leckie 22/23		330.00	
1643APM	NCC - Termites Jan 23		198.00	
1642APM	NCC Dalkeith Hall - Termites - Jan 23		198.00	
102167	2/02/2023	11016	Cr R A Coghlan	1,888.42
FEBRUARY 2023	Travel and accommodation		4.17	
FEBRUARY 2023	Member Allowance		1,884.25	
102168	2/02/2023	11021	Cr F Bennett	1,988.42
FEBRUARY 2023	Member Allowance		1,984.25	
FEBRUARY 2023	Travel and accommodation		4.17	
102169	2/02/2023	11034	Richard Leake	131.20
10012023	Vol. Vehicle Reimbursement		131.20	
102170	2/02/2023	11087	Beacon Equipment	952.45
68465	Fleet 265 Repairs		952.45	
102171	2/02/2023	11091	Curtains & Blinds 4 U	275.00



CITY OF NEDLANDS - LIST OF ACCOUNTS PAID

For the Period 01-Feb-2023 to 28-Feb-2023

Payment Reference	Payment Date	Creditor Number	Creditor Name	Payment Amount
2023226	Replace old blind			275.00
102172	2/02/2023	11184	Cr N R Youngman	1,988.42
FEBRUARY 2023	Member Allowance			1,984.25
FEBRUARY 2023	Travel and accommodation			4.17
102173	2/02/2023	11192	Veolia Recycling & Recovery Pty Ltd (Suez)	184,337.60
166500	Residential Waste collection(JUL-DEC22)			184,337.60
102174	2/02/2023	11214	Roof Checks W.A.	1,960.00
211	Mt Claremont CC / Library / Playgroup -			270.00
218	Depot - Gutter Cleaning 2022 - 3 Monthl			510.00
216	Tresillian - Gutter Cleaning 2022 - Mon			280.00
214	Nedlands Library - Gutter Cleaning 2022			210.00
215	Drabble House - Gutter Cleaning 2022 -			210.00
217	PRCC - Gutter Cleaning 2022 - 3 Monthly			210.00
213	Mt Claremont CC / Library / Playgroup -			270.00
102175	2/02/2023	11227	Larrikin House Pty Ltd	1,045.00
120925	Junior local stock items			340.00
120926	Junior local stock items			330.00
120927	Junior local stock items			375.00
102176	2/02/2023	11270	Mayor F E Argyle	8,076.34
FEBRUARY 2023	Mayor Allowance			5,411.50
FEBRUARY 2023	Meeting Allowance			2,660.67
FEBRUARY 2023	Travel and accomodation			4.17
102177	2/02/2023	11275	Life Choice Fitness	400.00
141222	PA Affinity Club Tai Chill January 2023			200.00
25123	Affinity Club's Tai Chill in Dec 2022			200.00
102178	2/02/2023	11298	XX Engineering Pty Ltd T/As Atelier JV	1,045.00
1321	Site Inspection and Report			1,045.00



CITY OF NEDLANDS - LIST OF ACCOUNTS PAID

For the Period 01-Feb-2023 to 28-Feb-2023

Payment Reference	Payment Date	Creditor Number	Creditor Name	Payment Amount
102179 INV-1340 19	2/02/2023 Carrington St Euc reduction from light Emergency call out-23 Stanley. Rangers	11307	Liveable Group Pty Ltd T/A Professional 638.00 1,023.00	1,661.00
102180 FEBRUARY 2023 FEBRUARY 2023	2/02/2023 Member Allowance Travel and accommodation	11352	Cr Olinka Combes 1,984.25 4.17	1,988.42
102181 FEBRUARY 2023 FEBRUARY 2023	2/02/2023 Travel and accommodation Member Allowance	11369	Cr Blane Brackenridge 4.17 1,984.25	1,988.42
102182 FEBRUARY 2023 FEBRUARY 2023	2/02/2023 Member Allowance Travel and accommodation	11370	Cr H Amiry 1,984.25 4.17	1,988.42
102183 JNH-15	2/02/2023 PA Affinity Club Ukelele Jan - Mar 2023	11380	John Heyworth 80.00	80.00
102184 INV-1917	2/02/2023 Asphalt Repairs City Wide	11486	J and M Asphalt Pty Ltd 9,232.65	9,232.65
102185 INV-0173	2/02/2023 Drainage lid upgrade Mooro Dr	11487	Comex Civil Pty Ltd 5,368.00	5,368.00
102186 PH-01401	2/02/2023 Planning Services - 37B Kinninmont	11524	Planning Horizons 990.00	990.00
102187 091805743 21549271	2/02/2023 Interior Plantscape Rental for the Depot Interior Plantscape Rental for Admin	11539	Ambius 273.74 364.58	638.32
102188	2/02/2023	11555	LG People and Culture	7,150.00



CITY OF NEDLANDS - LIST OF ACCOUNTS PAID

For the Period 01-Feb-2023 to 28-Feb-2023

Payment Reference	Payment Date	Creditor Number	Creditor Name	Payment Amount
177			CEO Performance Review	7,150.00
102189	2/02/2023	11560	Oliver Basson	1,988.42
FEBRUARY 2023			Meeting allowance	1,984.25
FEBRUARY 2023			Travel and accommodation	4.17
102190	2/02/2023	11572	QED Environmental Services Pty Ltd	671.00
252647			Depot Asbestos testing	671.00
102191	2/02/2023	11573	Veale Auto Parts	118.00
1870584			20LT AdBlu	118.00
102192	2/02/2023	11580	Perth Radiological Clinic	228.30
4899769			Non-WC Medical Payment	228.30
102193	2/02/2023	11582	BG&E Pty. Ltd.	60,183.20
A01000031669			Smythe Rd and Aberdare Rd Rehab Design	20,279.60
A01000031938			Smythe Rd and Aberdare Rd Rehab Design	17,991.60
A01000031670			Rochdale Rd Mount Claremont Design	14,737.80
A01000031939			Rochdale Rd Mount Claremont Design	7,174.20
102194	2/02/2023	11584	Vigilant Traffic Management Group Pty. Ltd.	465.36
00005849			Traffic Management Road Maintenance	465.36
102195	2/02/2023	11614	Ken Adam Design & Planning Consultant	8,500.00
003-2022			SDAU Assistance	8,500.00
102208	6/02/2023	11268	Kyocera Document Solutions Pty Ltd	5,670.19
INV-80239-B7P3M2			Principal repayment of lease - Plotter	479.60
INV-81977-K5Q1T5			Principal repayment of lease - Plotter	479.60
20625024			Principal repayment of lease	4,710.99
102209	10/02/2023	10013	Alinta Energy	102.10
131998793			Lot 1 Odern Cres SWANBOURNE	42.05



City of Stirling - List of Accounts Paid

For the Period 01-Feb-2023 to 28-Feb-2023

Payment Reference	Payment Date	Creditor Number	Creditor Name	Payment Amount
531000688	118 Kirkwood Rd SWANBOURNE			60.05
102210	10/02/2023	10021	Australia Post - 9484754	127.76
1012152776	Postage Charges			127.76
102211	10/02/2023	10024	Benara Nurseries	487.52
441831	Rosmarinus 'Tuscany Blue'			487.52
102212	10/02/2023	10028	Bunnings Group Limited	68.64
2433/00735689	Materials			68.64
102213	10/02/2023	10029	Bunzl Limited	1,499.28
X329543	Hygienic supplies for various buildings			1,499.28
102214	10/02/2023	10034	Chubb Fire & Security Pty Ltd	553.87
2713881	Admin - Fire Panels 2021/22			61.88
2713883	NCC - Fire Panels 2021/22			61.88
2713876	College Park Fire Pump Shed Maintenance			98.18
2678692	College Park Fire Pump Shed Maintenance			28.60
2713882	Tresillian - Fire Panels 2021/22			61.88
2713878	College Park Fire Pump Shed Maintenance			28.60
2713879	College Park Fire Pump Shed Maintenance			40.15
2678694	College Park Fire Pump Shed Maintenance			28.60
2713877	College Park Fire Pump Shed Maintenance			75.35
2678695	College Park Fire Pump Shed Maintenance			40.15
2713880	College Park Fire Pump Shed Maintenance			28.60
102215	10/02/2023	10038	City of Stirling	1,356.00
443	Meals to be delivered to NCC in Dec 2022			684.00
471	Meals to be delivered to NCC in Nov 2022			672.00
102216	10/02/2023	10052	Tillys Home Helpers	522.50
15540	Gardening to CHSP clients in July 2022			522.50



CITY OF NEDLANDS - LIST OF ACCOUNTS PAID

For the Period 01-Feb-2023 to 28-Feb-2023

Payment Reference	Payment Date	Creditor Number	Creditor Name	Payment Amount
102217	10/02/2023	10057	Elliotts Filtration (Previously	848.10
F27508	Filtration servicing		282.70	
F27503	Filtration servicing		282.70	
F27595	Filtration servicing		282.70	
102218	10/02/2023	10070	J Blackwood & Son Ltd	211.46
SI03788358	PPE- Parks Staff		211.46	
102219	10/02/2023	10076	Kleenit Pty Ltd	1,001.00
157471	Graffiti removal - Underwood Avenue		132.00	
157485	Graffiti removal Mt Claremont Changeroom		308.00	
157494	Graffiti removal - 158 Stirling Highway		132.00	
157493	Graffiti Removal - Brockway Road		165.00	
157461	Graffiti removal - Stubbs Terrace		132.00	
157420	Graffiti removal - 27 Broadway		132.00	
102220	10/02/2023	10088	McIntosh & Son WA	294.14
1774536	Fleet 262 Belts		294.14	
102221	10/02/2023	10089	McLeods Barristers & Solicitors	5,618.05
126843 - OCTOBER 2022	Matter No:49997		1,560.90	
126754- OCT 22	Matter No: 50015		3,157.90	
128301	Matter No: 50282		899.25	
102222	10/02/2023	10134	Wattleup Tractors	84,876.00
22178	Trade of Fleet 184 Tractor		84,876.00	
102223	10/02/2023	10136	Westbooks	344.25
333589	Nedlands Library local stock		78.37	
333588	Mt Claremont Library local stock		161.63	
333590	Nedlands adult local stock		104.25	
102224	10/02/2023	10139	Western Metropolitan Regional Council	1,055.95
M-2301408	Council greenwaste disposal 2022/23		603.47	



CITY OF NEDLANDS - LIST OF ACCOUNTS PAID

For the Period 01-Feb-2023 to 28-Feb-2023

Payment Reference	Payment Date	Creditor Number	Creditor Name	Payment Amount
M-2301207	Bushcare greenwaste disposal 2022/23			452.48
102225 664210	10/02/2023 Verge Bond	10144	Addstyle Constructions Pty Ltd	1,700.00 1,700.00
102226 104896	10/02/2023 Jan 2023 Citizenship equipment	10160	Hire Society	646.18 646.18
102227 9018438431 9017842942 9011328467 9008766896 9001485434 9001483770 9001480836 9001480350 9001478795	10/02/2023 Bill ID - 0067 Bill ID - 0075 Bill ID - 0084 Bill ID - 0107 Bill ID - 0024 Bill ID - 0142 Bill ID - 0135 Bill ID - 0138 Bill ID - 0123	10183	Water Corporation	3,008.50 43.39 533.94 27.12 124.75 284.76 1,359.93 13.56 349.85 271.20
102228 00031760	10/02/2023 Chainsaw Training	10193	Kelyn Training Services	295.00 295.00
102229 CD-3471746	10/02/2023 Admin - Rheem 10L Lazer Staff Kitchen	10200	Waterlogic Australia	106.51 106.51
102230 1000-1201-2023	10/02/2023 Calibration of NTI XL2	10210	NVMS Pty Ltd	605.00 605.00
102231 24671219	10/02/2023 2023 Summer Concerts Lawler Park	10228	Kennards Hire Pty Ltd	783.00 783.00
102232 282269	10/02/2023 Nedlands Library adult TB and LP	10246	Bolinda Publishing Pty Ltd	140.21 140.21



City of Nedlands - List of Accounts Paid

For the Period 01-Feb-2023 to 28-Feb-2023

Payment Reference	Payment Date	Creditor Number	Creditor Name	Payment Amount
102233	10/02/2023	10256	A Barrett	550.00
26012023	Public Art Consultancy		550.00	
102234	10/02/2023	10273	West Tip Waste Control Pty Ltd	117,443.82
00064448	Disposal of hardwaste bulk rubbish 2022		20,338.10	
00064447	Bulk rubbish hardwaste collection 2022		25,377.08	
00064446	Disposal of hardwaste bulk rubbish 2022		12,192.06	
00064449	Bulk rubbish hardwaste collection 2022		25,644.44	
00064445	Bulk rubbish hardwaste collection 2022		15,510.73	
00064450	Disposal of hardwaste bulk rubbish 2022		17,906.41	
00070114	John XXIII Bin		475.00	
102235	10/02/2023	10302	Wilson Security	623.37
W00301906	Nedlands library evening patrol 3 months		386.30	
W00301905	MTC Library evening patrol 6 months		237.07	
102236	10/02/2023	10304	Synergy	62,696.66
301696720	2061731876		137.08	
131596660	2041741170		377.49	
331018820	2021754753		159.29	
338661150	2065733582		2,877.84	
856995430 - JAN 2023	2081728718		1,707.07	
214579230	2049739946		46,138.22	
801340050	3000194213		11,299.67	
102237	10/02/2023	10318	Perth Irrigation Centre	421.10
H8928	Irrigation Valve for Melvista Oval		421.10	
102238	10/02/2023	10319	Claremont Nedlands Cricket Club	20,779.00
07022023	Turf Wicket Management		20,779.00	
102239	10/02/2023	10329	Flexipole Industries Pty Ltd	1,172.88
00002861	Swanbourne Grass Car Park Fencing works		1,172.88	



CITY OF MEDUNUS - LIST OF ACCOUNTS PAID

For the Period 01-Feb-2023 to 28-Feb-2023

Payment Reference	Payment Date	Creditor Number	Creditor Name	Payment Amount
102240 SIN000088352	10/02/2023 ARUBA AP-515	10383	Data#3 Limited	5,249.73
			5,249.73	
102241 235265223 235282948	10/02/2023 Standing order for Admin Milk - FY 22/23 Standing order for Admin Milk - FY 22/23	10389	Harvey Fresh	99.65
			64.45	
			35.20	
102242 AL04536769	10/02/2023 14-inch Macbook Pro M2 - Space Gray	10393	Apple Pty Ltd	4,999.01
			4,999.01	
102243 42182	10/02/2023 Fencing around John XXIII	10398	Centurion Temporary Fencing	1,732.50
			1,732.50	
102244 00003169	10/02/2023 Beach cleaning- Swanbourne	10407	Nu-Trac Rural Contracting	822.00
			822.00	
102245 2501173 2547304	10/02/2023 Water Cooler Rent 15L cooler water bottle	10435	West Coast Spring Water P/L	150.25
			140.00	
			10.25	
102246 72	10/02/2023 Trip Hazard removal - Hollywood Tennis	10436	Dave's Landscaping & Brickpaving	420.00
			420.00	
102247 00001955	10/02/2023 Mowing Services	10450	Commercial & Industrial Mowing	4,048.00
			4,048.00	
102248 151303	10/02/2023 Toilet Hire 2023 Summer Concert 50937	10457	Instant Products Hire	1,492.66
			1,492.66	
102249 93386714	10/02/2023 Archive Record Storage	10467	The Information Management Group Pty Ltd	895.58
			895.58	
102250 00012798	10/02/2023 City Wide Drainage Education	10483	Drainflow Services Pty Ltd	8,174.43
			1,255.78	



City of Mandurah - List of Accounts Paid

For the Period 01-Feb-2023 to 28-Feb-2023

Payment Reference	Payment Date	Creditor Number	Creditor Name	Payment Amount
00012803	City Wide Drainage Eduction		710.82	
00012822	City Wide Drainage Eduction		1,066.23	
00012855	City Wide Drainage Eduction		758.21	
00012241	City Wide Drainage Eduction		2,487.87	
00012875	City Wide Drainage Eduction		1,184.70	
00012836	City Wide Drainage Eduction		710.82	
102251	10/02/2023	10506	Dept of Planning, Lands and Heritage - DAP Application Fee	5,815.00
DA22-83640	DAP/23/02424		5,815.00	
102252	10/02/2023	10517	Insight Enterprises Australia Pty Ltd	1,537.38
100385361	SO - for Microsoft Azure - SharePoint S		1,537.38	
102253	10/02/2023	10522	All Fencing Perth	3,400.00
16867	Variation for vegetation removal		2,750.00	
16868	Variation for additional plinths		650.00	
102254	10/02/2023	10547	Subaru Osborne Park	1,050.00
SUCSS364564	Fleet 1387 Cargo Barrier		1,050.00	
102255	10/02/2023	10561	Internode Pty Ltd	2,950.50
102	Internode IDC COLO: Full Rack Next DC		2,950.50	
102256	10/02/2023	10584	Rubek Automatic Doors	1,287.00
00030359	Auto-door service at Admin		1,287.00	
102257	10/02/2023	10608	Corsign WA Pty Ltd	1,138.50
00072512	Install mirrors in laneway		495.00	
00072392	Swing stands		643.50	
102258	10/02/2023	10611	G Tuke	240.00
00000172	Affinity Club Line Dancing Dec 2022		240.00	
102259	10/02/2023	10612	Data Documents	236.50



CITY OF NEDLANDS - LIST OF ACCOUNTS PAID

For the Period 01-Feb-2023 to 28-Feb-2023

Payment Reference	Payment Date	Creditor Number	Creditor Name	Payment Amount
12068	Jan 2023		Citizenship printing brochures	236.50
102260	10/02/2023	10626	Byprogress Pty Ltd T/A Monsterball	1,820.00
12106389			Bouncy castle - FlipShore youth event	860.00
12606513			2023 Summer Concerts Lawler Park	320.00
12606521			2023 Summer Concerts Allen Park	320.00
12606515			2023 Summer Concerts Masons Gardens	320.00
102261	10/02/2023	10638	All State Kerbing & Concrete	660.00
00014890			City Wide Kerbing Repairs	660.00
102262	10/02/2023	10667	CTI Couriers Pty Ltd	534.20
CISC4551749			Courier between WSLG JAN Ned	534.20
102263	10/02/2023	10688	Officeworks Ltd	363.80
604982350			2023 Diaries - Parks Depot Staff	174.51
605756255			Depot Stationery Order	189.29
102264	10/02/2023	10689	Illion Australia Pty Ltd	184.80
NEDLAN-537968			Tenderlink advertising of RFT 2022-23.16	184.80
102265	10/02/2023	10693	Boyan Electrical Services	4,988.50
43909			Underground cable for artwork	4,438.50
44970			Light Audit	550.00
102266	10/02/2023	10701	ASC Tech Holdings Pty Ltd	1,800.00
439			Daran Park Lakes- Soil zyme	1,800.00
102267	10/02/2023	10713	Soft Landing	1,886.50
INV72617			SO - Mattress collection (Nov-Dec 2022)	1,886.50
102268	10/02/2023	10724	TechnologyOne	2,365.00
217701			GIS CONSULTANCY	2,365.00



City of Nedlands - List of Accounts Paid

For the Period 01-Feb-2023 to 28-Feb-2023

Payment Reference	Payment Date	Creditor Number	Creditor Name	Payment Amount
102269	10/02/2023	10733	TPG Telecom	5,121.16
18723321	TPG Telecom - Internet Service		5,121.16	
102270	10/02/2023	10735	WINC Australia Pty Ltd (Previous name	1,104.39
9041459796	Stationery for Admin Building - Non GST		336.03	
9041438647	Stationery supplies Mt Claremont Library		290.40	
9041435453	Stationery supplies Nedlands Library		421.72	
9041604793	Stationery for Admin Building FY22/23		56.24	
102271	10/02/2023	10761	Australian Training Management Pty Ltd	300.00
23212	Provide First Aid and CPR		150.00	
23219	Provide First Aid and CPR		150.00	
102272	10/02/2023	10769	Southern Cross Protection Pty Ltd	127.29
484975	Cash & Cheque management services		95.47	
486106	Cash & Cheque management services		31.82	
102273	10/02/2023	10804	Ilsa Smith	140.00
181	Chair pilates (Day Centre) in Jan 2023		140.00	
102274	10/02/2023	10979	Active Pest Management WA Pty Ltd	5,368.00
1616APM	Public Toilets pest/termites treatment		88.00	
1617APM	Public Toilets pest/termites treatment		88.00	
1645APM	Public Toilets pest/termites treatment		88.00	
1654APM	Maisonettes - Termites Jan 23		396.00	
1651APM	Depot - Termites - Jan 23		440.00	
1671APM	NCC - Station Checks - Monthly 22-23		121.00	
1646APM	Hackett Quarterly/Termites		176.00	
1647APM	PRCC 22/23		198.00	
1649APM	Cottage - Termites - Jan 23		198.00	
1650APM	Nedlands Child Health -Quarterly Service		176.00	
1672APM	NCC - Quarterly Service - Aug/Nov/Feb/M		198.00	
1674APM	John Leckie Pest Control 22/23		330.00	
1679APM	Mt Claremont Oval 22/23		176.00	



CITY OF INVERCARGILL - LIST OF ACCOUNTS PAID

For the Period 01-Feb-2023 to 28-Feb-2023

Payment Reference	Payment Date	Creditor Number	Creditor Name	Payment Amount
1687APM	Admin - 6 monthly Service Aug 22/Feb 23			440.00
1688APM	Cottage - 6 monthly Service			176.00
1691APM	Drabble House - 6 monthly/Termite			297.00
1689APM	JC Smith 22/23			198.00
1686APM	Public Toilets pest/termite treatment			88.00
1685APM	College Park - Quarterly/ Termites			176.00
1684APM	Depot - 6 monthly Service Aug 22/Feb 23			440.00
1683APM	Hackett Quarterly/Termite			176.00
1682APM	Public Toilets pest/termite treatment			88.00
1690APM	Nedlands Child Health - Quarterly Servi			176.00
1681APM	Tresillian 22/23			440.00
102275	10/02/2023	10981	Rhonda Breen	
186	TAC School Holiday Program T1 2023			684.00
102276	10/02/2023	11088	OtagoIT Pty Ltd	
0000363	Tresillian Website Monthly Mgmt Fee			616.00
102277	10/02/2023	11182	Brownes Dairy	
16968075	Standing order - Depot milk delivery			57.60
16988536	Standing order - Depot milk delivery			57.60
102278	10/02/2023	11185	Wild Honey Australia	
001763	Remove Bees at Dot Bennett			550.00
102279	10/02/2023	11192	Veolia Recycling & Recovery Pty Ltd (Suez)	
166547	Residential Waste collection(JUL-DEC22)			214,684.26
51575541	Waste Disposal - Res&comm(JUL-DEC22)			38,750.01
52009357	Bulk commercial bulk bins (JUL-DEC22)			886.41
102280	10/02/2023	11214	Roof Checks W.A.	
212	Hollywood Toilets - Gutter Cleaning 202			210.00
102281	10/02/2023	11291	CMS Engineering Pty Ltd	
				400.12



City of Nedlands - List of Accounts Paid

For the Period 01-Feb-2023 to 28-Feb-2023

Payment Reference	Payment Date	Creditor Number	Creditor Name	Payment Amount
886662			Investigate ducted ac system issues	203.50
886784			Nedlands Lib Monthly Humidifier Service	98.31
886787			Nedlands Lib Monthly Humidifier Service	98.31
102282	10/02/2023	11307	Liveable Group Pty Ltd T/A Professional	12,570.25
INV-1022			113 Dalkeith Rd drainage sump dismantle	3,110.25
INV-1295			Tree pruning works Birdwood Pde	5,280.00
INV-1344			Fire risk pruning work Swanbourne Estate	4,180.00
102283	10/02/2023	11321	Conway Highbury Pty Ltd	704.00
750			Ward and Representation Review	704.00
102284	10/02/2023	11336	Troy Yiakalis Landscapes	154.00
11751			Garden and Ground Maintenece - Maisonet	154.00
102285	10/02/2023	11368	SpacetoCo	1,980.00
INV-0453			Annual online booking system fee	1,980.00
102286	10/02/2023	11374	Western Suburbs Cricket Club Inc	27,108.95
07022023			Turf Wicket Management	27,108.95
102287	10/02/2023	11386	Swanbourne Cricket Club	16,506.00
07022023			Turf Wicket Management	16,506.00
102288	10/02/2023	11390	Denise Pepper Matt McVeigh	5,500.00
HCWT31012023			Stage 3 & 4 -of HWT Artwork commission	5,500.00
102289	10/02/2023	11398	R & J Marinich Pty Ltd T/as Totally	148.50
INV-12704			4 in 1 Utility Jacket & Vest	148.50
102290	10/02/2023	11421	Infobase Learning Australia	2,190.10
20143326			Transparent Language Renewal 2023	2,190.10
102291	10/02/2023	11444	Food Safety Co	495.00



CITY OF NEDLANDS - LIST OF ACCOUNTS PAID

For the Period 01-Feb-2023 to 28-Feb-2023

Payment Reference	Payment Date	Creditor Number	Creditor Name	Payment Amount
INV-0073	Annual food audit			495.00
102292 45258232	10/02/2023 Program resources	11445	Educating Kids Pty Ltd	298.05 298.05
102293 INV-0176	10/02/2023 Replace damaged lid	11487	Comex Civil Pty Ltd	979.00 979.00
102294 700112	10/02/2023 Surf Club Construction	11489	Swan Group WA	261,476.75 261,476.75
102295 10012255 10001361	10/02/2023 Home support to CHSP clients Aug 2022 Home support to CHSP clients Dec 2022	11498	Carealot Home Health Services Pty Ltd	192.50 115.50 77.00
102296 RF62-23	10/02/2023 PA Affinity Club ZUMBA Gold Jan - Mar 23	11501	Rumbafit	200.00 200.00
102297 9977 9981 9980 9979	10/02/2023 Tresillian - Water Unit Hire & Maintain Admin Comms - Water Unit hire & service Mt Claremont Library - Water Unit hire John XXIII - Water Unit hire & maintain	11567	JMAP Enterprises Pty Ltd t/a Aqual Filter Services	198.00 49.50 49.50 49.50 49.50
102298 305417	10/02/2023 Mt Claremont Library newspapers 6 months	11579	Delisha Distributors Pty Ltd	100.40 100.40
102299 00005871	10/02/2023 Traffic Managment Drainage	11584	Vigilant Traffic Management Group Pty. Ltd.	1,450.36 1,450.36
102300 TAC7223_001	10/02/2023 TAC - Tutor Fees - T1 2023	11593	Swalo Ceramics	832.00 832.00
102301	10/02/2023	11616	Mahjae Pty Ltd T/A Whitney Consulting	20,878.00



City of Nedlands - List of Accounts Paid

For the Period 01-Feb-2023 to 28-Feb-2023

Payment Reference	Payment Date	Creditor Number	Creditor Name	Payment Amount
INV-0530			Underground Power Business Case	20,878.00
102302	10/02/2023	11618	Advanced Spatial Technologies	4,400.00
00001021			Bluebeam Revu Standard Renewal	4,400.00
102303	10/02/2023	11620	AIT Specialists Pty Ltd	3,030.41
INV-12801			Fuel Tax Credit Review services	3,030.41
102310	16/02/2023	10001	Australian Taxation Office	142,706.00
FORTNIGHT 12/02/2023			Withholding Tax (PAYG)	135,222.00
FORTNIGHT 12/02/2023			Extra Tax	970.00
FORTNIGHT 12/02/2023			HELP	1,466.00
FORTNIGHT 12/02/2023			TSL	5,048.00
102311	16/02/2023	10002	Child Support Registrar	755.86
FORTNIGHT 12/02/2023			Child Support Agency	755.86
102312	16/02/2023	10003	Australian Services Union	67.70
FORTNIGHT 12/02/2023			Australian Services Union	67.70
102313	16/02/2023	10004	City of Nedlands - Social Club	282.00
FORTNIGHT 12/02/2023			Social Club	282.00
102314	16/02/2023	10005	Easi	5,438.67
FORTNIGHT 12/02/2023			Novated Lease Easifleet - Pre Tax	2,496.98
FORTNIGHT 12/02/2023			Novated Lease Easifleet- Post Tax	2,941.69
102315	16/02/2023	10006	Westpac Banking Corporation	78,524.98
FORTNIGHT 12/02/2023			Employee Additional Contrib Pre Tax (\$)	2,990.00
FORTNIGHT 12/02/2023			Employee Additional Contrib Pre Tax (%)	10,830.03
FORTNIGHT 12/02/2023			Employee Additional Contrib Post Tax (%)	225.72
FORTNIGHT 12/02/2023			SGC Employer Contribution	1,933.47
FORTNIGHT 12/02/2023			SGC Employer Contribution	796.46
FORTNIGHT 12/02/2023			SGC Employer Contribution	1,795.09



City of Medford - List of Accounts Paid

For the Period 01-Feb-2023 to 28-Feb-2023

Payment Reference	Payment Date	Creditor Number	Creditor Name	Payment Amount
FORTNIGHT 12/02/2023		SGC Employer Contribution		496.18
FORTNIGHT 12/02/2023		SGC Employer Contribution		1,238.17
FORTNIGHT 12/02/2023		SGC Employer Contribution		3,572.01
FORTNIGHT 12/02/2023		SGC Employer Contribution		884.85
FORTNIGHT 12/02/2023		SGC Employer Contribution		555.72
FORTNIGHT 12/02/2023		SGC Employer Contribution		4,182.23
FORTNIGHT 12/02/2023		SGC Employer Contribution		1,132.22
FORTNIGHT 12/02/2023		SGC Employer Contribution		1,426.50
FORTNIGHT 12/02/2023		SGC Employer Contribution		572.99
FORTNIGHT 12/02/2023		SGC Employer Contribution		823.61
FORTNIGHT 12/02/2023		SGC Employer Contribution		2,001.87
FORTNIGHT 12/02/2023		SGC Employer Contribution		3,307.19
FORTNIGHT 12/02/2023		SGC Employer Contribution		2,503.86
FORTNIGHT 12/02/2023		SGC Employer Contribution		494.89
FORTNIGHT 12/02/2023		SGC Employer Contribution		169.65
FORTNIGHT 12/02/2023		SGC Employer Contribution		1,061.12
FORTNIGHT 12/02/2023		SGC Employer Contribution		329.10
FORTNIGHT 12/02/2023		SGC Employer Contribution		354.75
FORTNIGHT 12/02/2023		SGC Employer Contribution		304.25
FORTNIGHT 12/02/2023		SGC Employer Contribution		1,138.19
FORTNIGHT 12/02/2023		SGC Employer Contribution		2,338.67
FORTNIGHT 12/02/2023		SGC Employer Contribution		804.08
FORTNIGHT 12/02/2023		SGC Employer Contribution		3,093.82
FORTNIGHT 12/02/2023		SGC Employer Contribution		2,675.44
FORTNIGHT 12/02/2023		SGC Employer Contribution		439.35
FORTNIGHT 12/02/2023		SGC Employer Contribution		2,141.83
FORTNIGHT 12/02/2023		SGC Employer Contribution		898.74
FORTNIGHT 12/02/2023		SGC Employer Contribution		1,153.46
FORTNIGHT 12/02/2023		SGC Employer Contribution		1,390.24
FORTNIGHT 12/02/2023		SGC Employer Contribution		1,454.45
FORTNIGHT 12/02/2023		SGC Employer Contribution		1,523.95
FORTNIGHT 12/02/2023		SGC Employer Contribution		5,192.04
FORTNIGHT 12/02/2023		SGC Employer Contribution		1,204.76
FORTNIGHT 12/02/2023		SGC Employer Contribution		2,540.83



City of Medford - List of Accounts Paid

For the Period 01-Feb-2023 to 28-Feb-2023

Payment Reference	Payment Date	Creditor Number	Creditor Name	Payment Amount
FORTNIGHT 12/02/2023	SGC Employer Contribution			420.57
FORTNIGHT 12/02/2023	SGC Employer Contribution			764.31
FORTNIGHT 12/02/2023	SGC Employer Contribution			1,279.09
FORTNIGHT 12/02/2023	Employer Contribution (Additional)			71.94
FORTNIGHT 12/02/2023	Employer Contribution (Additional)			263.45
FORTNIGHT 12/02/2023	Employer Contribution (Additional)			88.70
FORTNIGHT 12/02/2023	Employer Contribution (Additional)			304.36
FORTNIGHT 12/02/2023	Employer Contribution (Additional)			377.57
FORTNIGHT 12/02/2023	Employer Contribution (Additional)			90.89
FORTNIGHT 12/02/2023	Employer Contribution (Additional)			109.14
FORTNIGHT 12/02/2023	Employer Contribution (Additional)			41.76
FORTNIGHT 12/02/2023	Employer Contribution (Additional)			56.71
FORTNIGHT 12/02/2023	Employer Contribution (Additional)			78.74
FORTNIGHT 12/02/2023	Employer Contribution (Additional)			372.12
FORTNIGHT 12/02/2023	Employer Contribution (Additional)			121.11
FORTNIGHT 12/02/2023	Employer Contribution (Additional)			67.57
FORTNIGHT 12/02/2023	Employer Contribution (Additional)			57.95
FORTNIGHT 12/02/2023	Employer Contribution (Additional)			91.62
FORTNIGHT 12/02/2023	Employer Contribution (Additional)			170.75
FORTNIGHT 12/02/2023	Employer Contribution (Additional)			455.21
FORTNIGHT 12/02/2023	Employer Contribution (Additional)			218.83
FORTNIGHT 12/02/2023	Employer Contribution (Additional)			31.33
FORTNIGHT 12/02/2023	Employer Contribution (Additional)			64.13
FORTNIGHT 12/02/2023	Employer Contribution (Additional)			165.14
FORTNIGHT 12/02/2023	Employer Contribution (Additional)			70.16
FORTNIGHT 12/02/2023	Employer Contribution (Additional)			438.85
FORTNIGHT 12/02/2023	Employer Contribution (Additional)			127.50
FORTNIGHT 12/02/2023	Employer Contribution (Additional)			86.73
FORTNIGHT 12/02/2023	Employer Contribution (Additional)			66.97
102316	16/02/2023	10007	Becarwise	1,639.17
FORTNIGHT 12/02/2023	Novated Lease Becarwise - Pre Tax			763.05
FORTNIGHT 12/02/2023	Novated Lease Becarwise- Post Tax			876.12



City of Nedlands - List of Accounts Paid

For the Period 01-Feb-2023 to 28-Feb-2023

Payment Reference	Payment Date	Creditor Number	Creditor Name	Payment Amount
102317 X351769	16/02/2023 City Hygiene Supplies for Nedlands Library	10029	Bunzl Limited 2,136.49	2,136.49
102318 735	16/02/2023 Meals to be delivered to NCC in Aug 2022	10038	City of Stirling 804.00	804.00
102319 381384	16/02/2023 Schedule revaluation	10053	Landgate 427.27	427.27
102320 17979	16/02/2023 Month - Laundry	10079	Lightning Laundry 231.00	231.00
102321 128076 128212 128168	16/02/2023 Matter No: 50004 Matter No: 49997 Matter No: 49907	10089	McLeods Barristers & Solicitors 235.31 1,740.18 1,000.07	2,975.56
102322 45075788 45084637	16/02/2023 Program resources Program resources	10091	Modern Teaching Aids Pty Ltd 120.95 9.30	130.25
102323 293572	16/02/2023 Fleet 109 Service Kit	10104	WA Hino Sales & Service 2,102.94	2,102.94
102324 214411	16/02/2023 3rd Instalment Notice 2022/23	10143	Zipform Pty Ltd 1,753.69	1,753.69
102325 P3235 P3260	16/02/2023 Maintenance Allen Park December Beaton, DCR and Sunset FS Eco-zone work	10174	Green Skills (Eco Jobs) 4,424.13 4,306.76	8,730.89
102326 9001409802 9001398891	16/02/2023 Bill ID - 0112 Bill ID - 0117	10183	Water Corporation 13.56 683.40	2,176.24



CITY OF NEDLANDS - LIST OF ACCOUNTS PAID

For the Period 01-Feb-2023 to 28-Feb-2023

Payment Reference	Payment Date	Creditor Number	Creditor Name	Payment Amount
9001405115	Bill ID - 0150			929.64
9001409423	Bill ID - 0128			204.00
9001398891 - 6 DEC	Bill ID - 0116			345.64
102327	16/02/2023	10199	Hays Specialist Recruitment Aust Pty Ltd	10,234.95
51435929	Temp Admin & Events Officer EHouwert			2,517.16
51435930	Agency Staff Cover			2,104.66
51435931	Agency Staff Cover			1,758.69
51435928	Casual employee			1,927.22
51447871	Casual employee			1,927.22
102328	16/02/2023	10260	Men In Harmony Barbershop Chorus Inc	300.00
1	Entertainment for Citizenship Ceremony			300.00
102329	16/02/2023	10273	West Tip Waste Control Pty Ltd	91,370.90
00064451	Bulk rubbish hardwaste collection 2022			12,414.09
00064452	Disposal of hardwaste bulk rubbish 2022			9,475.77
00064453	Bulk rubbish hardwaste collection 2022			15,969.28
00064454	Disposal of hardwaste bulk rubbish 2022			9,692.47
00064455	Bulk rubbish hardwaste collection 2022			24,936.81
00064456	Disposal of hardwaste bulk rubbish 2022			18,882.48
102330	16/02/2023	10302	Wilson Security	2,737.10
W00301185	Weekday open/close Swanbourne Car Park			297.00
W00301305	Weekday open/close Swanbourne Car Park			396.00
W00301635	Weekday open/close Swanbourne Car Park			495.00
W00301826	Jo Wheatley open and close			302.50
W00302160	Weekday open/close Swanbourne Car Park			495.00
W00301907	Swanbourne Overflow Car Park Security			355.60
W00302291	Weekday open/close Swanbourne Car Park			396.00
102331	16/02/2023	10304	Synergy	1,574.91
239411960	Account period 13 Jan 2023 - 09 Feb 2023			279.10
380380220	2037748851			1,295.81



CITY OF NEDLANDS - LIST OF ACCOUNTS PAID

For the Period 01-Feb-2023 to 28-Feb-2023

Payment Reference	Payment Date	Creditor Number	Creditor Name	Payment Amount
102332	16/02/2023	10311	Mr N Collard	450.00
1	Jan 2023 Citizenship welcome to country			450.00
102333	16/02/2023	10332	Natural Area Consulting Management	29,360.99
00019222	2022-23 Cottesloe Golf Bush Maintenance			4,534.86
00019223	1 day fortnight watering Mt C Oval Bush			2,857.32
00019229	Masons Gardens Box Elder Maintenance			5,982.48
00019252	1 day fortnight watering Mt C Oval Bush			2,852.75
00019262	Birdwood Maintenance January - June			7,873.98
00019318	3 days Seed Collection 2022-23			2,441.67
00019344	1 day fortnight watering Mt C Oval Bush			1,910.96
00019463	2022-23 Cottesloe Golf Bush Maintenance			906.97
102334	16/02/2023	10383	Data#3 Limited	396.79
SIN000092505	Meraki MR Enterprise License 1YR			396.79
102335	16/02/2023	10389	Harvey Fresh	67.51
235337889	Standing order for Admin Milk - FY 22/23			67.51
102336	16/02/2023	10397	Mowmaster Turf Equipment	1,330.30
00065746	Fleet 187 Repairs			1,330.30
102337	16/02/2023	10419	Sustainable Outdoors	4,675.00
INV-2573	Greenways Maintenance			4,675.00
102338	16/02/2023	10429	Sonic HealthPlus Pty Ltd	462.85
PC200840	Blanket for Sonic Medicals			228.85
PC212742	Blanket for Sonic Medicals			234.00
102339	16/02/2023	10430	South East Regional Centre for Urban	12,779.87
00004996	1 day fortnight watering Pt Resolution			4,846.30
00004998	PVG weeding Shenton Bushland			7,933.57



CITY OF NEDLANDS - LIST OF ACCOUNTS PAID

For the Period 01-Feb-2023 to 28-Feb-2023

Payment Reference	Payment Date	Creditor Number	Creditor Name	Payment Amount
102340 93386715	16/02/2023 On Demand Records Digitisation Services	10467	The Information Management Group Pty Ltd 123.20	123.20
102341 14022023 - MR F TIZON	16/02/2023 Vol. Vehicle Reimbursement	10500	Mr F Tizon 192.80	192.80
102342 14022023 - K. SMYTH	16/02/2023 Conference Registration	10516	Cr K A Smyth 195.00	195.00
102343 INV0120438	16/02/2023 Dawes Park August 2022 - Jun 2023	10556	Skyline Landscape Services 3,553.00	3,553.00
102344 00072361	16/02/2023 Warning sticker for carousel turn wheel	10608	Corsign WA Pty Ltd 104.50	104.50
102345 12606533	16/02/2023 2023 Summer Concerts Dot Bennett Park	10626	Byprogress Pty Ltd T/A Monsterball 320.00	320.00
102346 25276	16/02/2023 Master Plan Lawler Park works	10628	Emerge Associates 1,182.50	1,182.50
102347 46515 46501 46332	16/02/2023 Replace PE cell BM shed Replace 4ft LED batten light Install new 15A power to oven	10693	Boyan Electrical Services 243.29 256.49 336.58	836.36
102348 1340-02 1340-VO02	16/02/2023 Melvista Nature Play Remedial Works Melvista Park Playground Variance 2	10704	Budo Group Pty Ltd 668.25 2,150.28	2,818.53
102349 CN 06	16/02/2023 Front vehicle gate repair at the Depot	10810	JB Automation Supplies 110.00	110.00
102350	16/02/2023	10880	Horizon West Landscape & Irrigation Pty	5,868.50



City of Nedlands - List of Accounts Paid

For the Period 01-Feb-2023 to 28-Feb-2023

Payment Reference	Payment Date	Creditor Number	Creditor Name	Payment Amount
00011219	Spray out of turf Hamilton Park Gardens			1,573.00
00011218	General Gardening January 2023			4,295.50
102351	16/02/2023	10909	Richards Tyrepower	1,050.00
3326465	Fleet 266 Tyres			300.00
3332873	Fleet 1374 Tyres			600.00
3333536	Fleet 1379 Tyre Repair			50.00
3333244	Fleet 1387 Tyre Repair			50.00
3332558	Fleet 616 Tyre Repair			50.00
102352	16/02/2023	10925	Westend Plumbing & Gas	467.50
INV-13722	Repair faulty hot water unit			467.50
102353	16/02/2023	11012	Aussie Broadband Pty Ltd	4,930.50
23602744	NBN Enterprise service- Jan 23 - June 23			4,930.50
102354	16/02/2023	11038	Bob Cooper Snake R&R Training	396.00
R2908	Snake Handling Training			396.00
102355	16/02/2023	11167	Debora Gregorio	342.00
07 1 23	TAC School Holiday Program T1 2023			342.00
102356	16/02/2023	11307	Liveable Group Pty Ltd T/A Professional	12,650.00
INV-1355	Tree pruning works Hollywood Reserve			6,380.00
INV-1341	Tree Pruning Hollywood Reserve			6,270.00
102357	16/02/2023	11486	J and M Asphalt Pty Ltd	6,004.80
INV-1921	Asphalt repairs			6,004.80
102358	16/02/2023	11508	Jill Porter	62.40
13022023 - JILL PORTER	Volunteer vehicle reimbursement			62.40
102359	16/02/2023	11569	Gresley Abas	6,410.25
2231-04	Superintendency services - Surf Club			6,410.25



CITY OF NEDLANDS - LIST OF ACCOUNTS PAID

For the Period 01-Feb-2023 to 28-Feb-2023

Payment Reference	Payment Date	Creditor Number	Creditor Name	Payment Amount
102360 214411	16/02/2023 Agency supplying contract CSO	11615	Horner Recruitment	2,200.69
102361 NOVEMBER 2022 DISCREPANCY	21/02/2023 BSL Levy November 2022	11018	Dept of Mines, Industry Regulation and	335.43
102362 FORTNIGHT 12/02/2023 FORTNIGHT 15/02/2023	23/02/2023 Withholding Tax (PAYG) Withholding Tax (PAYG)	10001	Australian Taxation Office	6,198.00
102363 FORTNIGHT 12/02/2023 FORTNIGHT 15/02/2023 FORTNIGHT 15/02/2023	23/02/2023 SGC Employer Contribution SGC Employer Contribution SGC Employer Contribution	10006	Westpac Banking Corporation	321.31
102364 441535710 977901950	23/02/2023 14 Nov 22 - 15 Feb 23 14 Nov 22 - 15 Feb 23	10013	Alinta Energy	108.45
102365 2433/00173488	23/02/2023 Materials	10028	Bunnings Group Limited	102.58
102366 SI03695006	23/02/2023 Prosafe Traffic Cones	10070	J Blackwood & Son Ltd	287.41
102367 T12822	23/02/2023 Supply drawer units	10072	J & K Hopkins	458.00
102368 128302 128263	23/02/2023 Matter No: 50425 Matter No: 49977	10089	McLeods Barristers & Solicitors	3,379.20
102369	23/02/2023	10099	Optus Billing Services Pty Ltd	4,818.02



City of Nedlands - List of Accounts Paid

For the Period 01-Feb-2023 to 28-Feb-2023

Payment Reference	Payment Date	Creditor Number	Creditor Name	Payment Amount
000332709143			Optus Mobile-Shared Data & Teams Calling	4,818.02
102370	23/02/2023	10136	Westbooks	590.39
333879			MtC Library local stock	133.81
333877			MtC Library local stock	103.57
333880			Nedlands Library local stock	24.49
333878			Nedlands adult local stock	328.52
102371	23/02/2023	10183	Water Corporation	10,011.38
9001453723			Bill ID - 0232	69.21
9022779458			Bill ID - 0031	1,570.82
9001411961			Bill ID - 0112	208.82
9001412833			Bill ID - 0200	529.85
9001412868			Bill ID - 0134	530.04
9001415778			Bill ID - 0115	444.77
9001416797			Bill ID - 0114	10.85
9001418119 - FEBRUARY			Bill ID - 0110	8.14
9014026229			Bill ID - 0079	143.28
9001410555			Bill ID - 0132	1,582.90
9001399093			Bill ID - 0128	396.70
9001482217			Bill ID - 0133	647.39
9001482049			Bill ID - 0140	798.67
9001409431			Bill ID - 0125	372.29
9001409415			Bill ID - 0124	470.52
9014026245			Bill ID - 0078	840.72
9014584802			Bill ID - 0090	813.42
9014056348 - FEBRUARY			Bill ID - 0084	29.83
9001412833 - DEC			Bill ID - 0199	543.16
102372	23/02/2023	10192	Australia Post - 670192	1,775.35
1012167018			Postage Charges	1,775.35
102373	23/02/2023	10199	Hays Specialist Recruitment Aust Pty Ltd	8,747.29
51422815			Pay for agency staff	2,132.27



CITY OF NEDLANDS - LIST OF ACCOUNTS PAID

For the Period 01-Feb-2023 to 28-Feb-2023

Payment Reference	Payment Date	Creditor Number	Creditor Name	Payment Amount
51449366	Casual employee			2,567.73
51449368	David Graham pay			2,162.33
51449367	Temp Admin & Events Officer EHouwert			1,884.96
102374	23/02/2023	10223	Local Government Professionals Australia	1,550.00
35163	LG Finance Professionals Conference			1,550.00
102375	23/02/2023	10228	Kennards Hire Pty Ltd	783.00
24697702	2023 Summer Concerts Masons Gardens			783.00
102376	23/02/2023	10234	Turf Care WA Pty Ltd	3,432.00
INV-5492	Synthetic mat pick up and wicket service			2,574.00
INV-5493	Wicket Mat Service			858.00
102377	23/02/2023	10304	Synergy	7,095.59
392417010	2045745378			2,690.96
380380790	2037748854			810.25
380380600	2037748853			1,851.81
380380410	2037748852			1,688.70
313447070 - FEB	2033760501			53.87
102378	23/02/2023	10318	Perth Irrigation Centre	58.50
H9274	Irrigation Materials			58.50
102379	23/02/2023	10358	Allerding & Associates	776.04
2023-78	Assistance with SAT Case - 20 Curlew			776.04
102380	23/02/2023	10374	Dept of Transport - Information Fees Application	631.40
8041048	Disclosure of Information Fees			631.40
102381	23/02/2023	10393	Apple Pty Ltd	201.30
AL07263273	Apple Pencil 2nd Generation			201.30
102382	23/02/2023	10430	South East Regional Centre for Urban	12,564.48



CITY OF MANDURAH - LIST OF ACCOUNTS PAID

For the Period 01-Feb-2023 to 28-Feb-2023

Payment Reference	Payment Date	Creditor Number	Creditor Name	Payment Amount
00005028	Watering part day fortnightly Shenton			9,333.61
00005029	Shenton maintenance Jan - June			3,230.87
102383	23/02/2023	10435	West Coast Spring Water P/L	10.25
2578868	15L cooler water bottle			10.25
102384	23/02/2023	10441	Australia Post - 604909	1,936.26
1012166099	Postage charges			1,936.26
102385	23/02/2023	10447	Mrs N M Ceric	60.00
22022023	Mobile Reimbursement December&January 23			60.00
102386	23/02/2023	10456	G M S Security (WA) Pty Ltd	10,593.00
INV-19727	Pemacon installation to security systems			9,900.00
INV-19698	Security upgrades and equipment repairs			693.00
102387	23/02/2023	10457	Instant Products Hire	1,492.66
151391	Toilet Hire 2023 Summer Concert 50941			1,492.66
102388	23/02/2023	10483	Drainflow Services Pty Ltd	54,431.37
00012885	City Wide Drainage Eduction			4,122.76
00012227	City Wide Drainage Eduction			1,042.54
00012911	City Wide Drainage Eduction			829.29
00012907	City Wide Drainage Eduction			4,691.41
00012904	City Wide Drainage Eduction			1,113.61
00012916	City Wide Drainage Eduction			2,345.71
00012930	City Wide Drainage Eduction			592.35
00012932	City Wide Drainage Eduction			1,848.13
00012978	City Wide Sweeping			20,446.80
00012976	City Wide Eduction			402.80
00012952	City Wide Drainage Eduction			781.90
00012961	City Wide Drainage Eduction			924.07
00012635	Drainage Construction Upgrade Works			15,290.00



City of Maitland - List of Accounts Paid

For the Period 01-Feb-2023 to 28-Feb-2023

Payment Reference	Payment Date	Creditor Number	Creditor Name	Payment Amount
102389 4182705	23/02/2023 Gear Oil	10551	Valvoline Australia Pty Ltd	890.41
102390 219	23/02/2023 Repairs on park furniture	10570	Newton-Burriss Carpentry	396.00
102391 00073042	23/02/2023 Parking sign order	10608	Corsign WA Pty Ltd	429.00
102392 46172 46607 46583 46540 10002529 43794	23/02/2023 Electrical work - Adam Armstrong Move GPO front office Replace 5 LED 4ft battens, fix 1 fitting Attend to light issue at MTCC street light repairs various Faulty sports light timer at Dawes Park	10693	Boyan Electrical Services	11,256.48
102393 9041638010 9041727500	23/02/2023 Stationery for Admin Building - Non GST DISPOSIBLE CUPS & PLATES	10735	WINC Australia Pty Ltd (Previous name	522.87
102394 INV-70563	23/02/2023 Sand Supplies	10803	Carramar Resource Industries	792.00
102395 168 172 169 170 171	23/02/2023 Standing Order - 8 Fortnightly mowing se Standing Order - 8 Fortnightly mowing se Mowing services - Annie Dorrington Park Standing Order - 8 Fortnightly mowing se Mowing services - Annie Dorrington Park	10817	Mowmentum	870.00
102396 00035614 00035543	23/02/2023 Cleaning services Jan-Jun Adam A Cleaning Service March-June - Haldane H	10869	CSCH Pty Ltd T/A Charles Service Company	43,353.08



City of Nedlands - List of Accounts Paid

For the Period 01-Feb-2023 to 28-Feb-2023

Payment Reference	Payment Date	Creditor Number	Creditor Name	Payment Amount
00035617	Cleaning services from Feb - Jun - Dece			2,514.05
00035618	Cleaning services from Feb - Jun - Admi			5,363.84
102397	23/02/2023	10878	Cupid Catering	1,606.00
IN00000002946	Jan 2023 Citizenship catering			1,606.00
102398	23/02/2023	10917	4Cabling Pty Ltd	39.67
2718181	Supply cables front office desking			39.67
102399	23/02/2023	10925	Westend Plumbing & Gas	165.00
INV-13931	JWAAPS - Leaking Drink Fountain			165.00
102400	23/02/2023	10979	Active Pest Management WA Pty Ltd	2,255.00
1655APM	108 Smyth Rd - Termites 23			242.00
1675APM	Mt Claremont Community - 6 Monthly Serv			198.00
1676APM	Mt Claremont Library - 6 Monthly Servic			132.00
1677APM	Mt Claremont Playgroup 22/23			132.00
1678APM	Haldane House - 6 Monthly Service - Aug			220.00
1692APM	Public Toilets pest/termites treatment			88.00
1693APM	Public Toilets pest/termites treatment			88.00
1694APM	Public Toilets pest/termites treatment			88.00
1695APM	Allen Park - 6 Monthly Service - Aug 22			176.00
1696APM	PRCC 22/23			176.00
1697APM	Adam Armstrong 6 monthly service 2022-23			297.00
1698APM	Public Toilets pest/termites treatment			88.00
1699APM	Nedlands Library - 6 Monthly Service -			330.00
102401	23/02/2023	11034	Richard Leake	169.60
20022023	Vol. Vehicle Reimbursement			169.60
102402	23/02/2023	11268	Kyocera Document Solutions Pty Ltd	5,190.59
90642175	Principal repayment of lease			4,710.99
INV-84243-M9C9R2	Principal repayment of lease - Plotter			479.60



City of Medunus - List of Accounts Paid

For the Period 01-Feb-2023 to 28-Feb-2023

Payment Reference	Payment Date	Creditor Number	Creditor Name	Payment Amount
102403 00005691	23/02/2023 Maintenance of Irrigation - Montario	11409	Pipeline Irrigation	1,331.00
102404 INV-0177 INV-0183 INV-0184	23/02/2023 17 Asquith St Raise 5 lids soakwells for drainage	11487	Comex Civil Pty Ltd	22,859.10
102405 21553174 21553173	23/02/2023 Interior Plantscape Rental for the Depot Interior Plantscape Rental for Admin	11539	Ambius	638.32
102406 192376	23/02/2023 Supply lockers	11571	Rynat Industries Australia Pty Ltd	2,092.20
102407 A01000032951	23/02/2023 Smythe Rd and Aberdare Rd Rehab Design	11582	BG&E Pty. Ltd.	10,474.20
102408 00005893	23/02/2023 Traffic Managment Drainage	11584	Vigilant Traffic Management Group Pty. Ltd.	1,017.84
102409 546874	23/02/2023 Repair Fleet 833 Honda Gen set as per q	11610	Powerhouse Holdings Australia Pty Ltd	1,645.52
102410 214582	23/02/2023 Agency supplying contract CSO	11615	Horner Recruitment	1,613.84
102411 INV-12825	23/02/2023 Standing order - Monthly Fuel Tax Credit	11620	AIT Specialists Pty Ltd	416.57
102415 2791566 2790269 2857138	28/02/2023 Blanket for Sonic Medicals Blanket for Sonic Medicals Blanket for Sonic Medicals	10429	Sonic HealthPlus Pty Ltd	1,085.70



CITY OF NEDLANDS - LIST OF ACCOUNTS PAID

For the Period 01-Feb-2023 to 28-Feb-2023

Payment Reference	Payment Date	Creditor Number	Creditor Name	Payment Amount
102416 DECEMBER 2022 DISCREPANCY	28/02/2023 BSL Levy December 2022 Discrepancy	11018	Dept of Mines, Industry Regulation and 271.55	271.55
Sundry EFT				19,398.44
102196 1985- GLEN BRENNAN	2/02/2023 Hall Bond Deposit Refund JC Smith	99998	Glen Brennan Hall Bond Deposit Refund JC Smith	155.00
102197 1227- GLEN BRENNAN	2/02/2023 Key Bond Deposit Refund JC Smith	99998	Glen Brennan Key Bond Deposit Refund JC Smith	84.00
102198 REFUND2023-18	2/02/2023 Refund - Rebate paid	99998	R W Rae Refund - Rebate paid	1,010.10
102199 REFUND2023-17	2/02/2023 Refund - Amalgamation - Historical	99998	Nicheliving Projects Pty Ltd Refund - Amalgamation - Historical	603.15
102200 REFUND2023-16	2/02/2023 Paid 2nd Instalment before sale	99998	Nicheliving Projects Pty Ltd Paid 2nd Instalment before sale	557.39
102201 SALLYANN DE FREITAS	2/02/2023 Ipad purchase Salary Sacrifice	99998	Sallyann De Freitas Ipad purchase Salary Sacrifice	1,836.00
102202 24012023	2/02/2023 Diesel - Fuel for 1GFU283	99998	Greg Lightfoot Diesel - Fuel for 1GFU283	78.90
102203 681958	2/02/2023 Infrastructure Bond	99998	Marcus R Lemin Infrastructure Bond 2023	2,000.00
102204 666813	2/02/2023 Construction Bond	99998	Gary Smith Construction Bond - 1	1,700.00
102205	2/02/2023	99998	Mrs FC Marshall Staines	1,700.00



CITY OF NEDLANDS - LIST OF ACCOUNTS PAID

For the Period 01-Feb-2023 to 28-Feb-2023

Payment Reference	Payment Date	Creditor Number	Creditor Name	Payment Amount
666812	Construction Bond		Construction Bond - 1	1,700.00
102206	2/02/2023	99998	Miss Samantha Edwards	140.00
00803360	Farewell Gift Andrew Dickson		Farewell Gift Andrew	140.00
102207	2/02/2023	99998	Lucy Elizabeth Gunzburg	1,700.00
637918	Verge Bond		Verge Bond 63 Wood	1,700.00
102304	10/02/2023	99998	H.M & R.E Rosario	150.00
12100 - HUGH ROSARIO	Partial Dog Registration fees refund		Partial Dog Registrati	150.00
102305	10/02/2023	99998	Bellagio Homes Pty Ltd	1,700.00
656156	Verge Bond		Verge Bond - 7 Burw	1,700.00
102306	10/02/2023	99998	Tomas M Lang	1,700.00
637754 - TOMAS M LANG	Verge Bond		Verge Bond 41B Wel	1,700.00
102307	10/02/2023	99998	MR T J SLEIGHT & MRS J M SLEIGHT	1,700.00
665980 - TIMOTHY J SLEIGHT	Verge Bond		Verge Bond 23 Loftus	1,700.00
102308	10/02/2023	99998	Robyn Clark	310.00
07022023 - ROBYN CLARK	Childcare Fees Refund		Childcare Fees Refur	310.00
102309	10/02/2023	99998	Josh Neervoort	250.00
27012023	Youth Grant - Sport National Triathlon		Youth Grant - Sport N	250.00
102412	23/02/2023	99998	Edward Litton & Lydia Louise Litton	173.90
INTERIM NOTICE - 2022-2023	Refund - Interim notice - Bin downsize		Refund - Interim notic	173.90
102413	23/02/2023	99998	J L Young	150.00
16022023 - JULIE YOUNG	Partial Dog Registration fees refund		Partial Dog Registrati	150.00
102414	23/02/2023	99998	R U Developments	1,700.00
638289	Verge Bond		Verge Bond 32 Mayfa	1,700.00



CITY OF NEDLANDS - LIST OF ACCOUNTS PAID

For the Period 01-Feb-2023 to 28-Feb-2023

Payment Reference	Payment Date	Creditor Number	Creditor Name	Payment Amount
Creditor Cheque				2,563.60
71262	1/02/2023	10133	West Australian Newspaper Ltd	83.60
25012023	6 monthly Newspaper Subscription		83.60	
71263	10/02/2023	99997	Sundry Creditor - Petty Cash	1,240.00
TRESILLIAN MM TERM 1 -2023	6 February 2023 – 31 March 2023		1,240.00	
71265	21/02/2023	99997	Sundry Creditor - Petty Cash	1,240.00
TRESILLIAN TERM 1 - 2023	Tresillian Arts Centre		1,240.00	
Sundry Cheque				2,678.14
71264	10/02/2023	99999	Averna Homes Pty Ltd	2,678.14
17012023- AVERNA HOMES PTY LTD	Refund BA fee- Receipt # 685896 & 685895		Refund BA fee- Rece	2,678.14
Direct Debit				104,265.30
100156	1/02/2023	10141	Westpac Banking Corporation	790.41
3537598993	WBC Bank Activity Fee February 2023		790.41	
100157	1/02/2023	10141	Westpac Banking Corporation	13,887.28
JANUARY 2022	PC and CC JANUARY 2023		13,892.28	
100158	1/02/2023	10141	Westpac Banking Corporation	5.00
JANUARY 2022	PC and CC JANUARY 2023		13,892.28	
100159	1/02/2023	10141	Westpac Banking Corporation	22.00
25776758	WBC Merchant Fee January 2023		22.00	
100160	1/02/2023	10141	Westpac Banking Corporation	22.00
25776782	WBC Merchant Fee January 2023		22.00	



CITY OF MANDURAH - LIST OF ACCOUNTS PAID

For the Period 01-Feb-2023 to 28-Feb-2023

Payment Reference	Payment Date	Creditor Number	Creditor Name	Payment Amount
100161 25817925	1/02/2023 WBC Merchant Fee January 2023	10141	Westpac Banking Corporation 22.00	22.00
100162 25860362	1/02/2023 WBC Merchant Fee January 2023	10141	Westpac Banking Corporation 22.00	22.00
100163 25712720	1/02/2023 WBC Merchant Fee January 2023	10141	Westpac Banking Corporation 48.75	48.75
100164 25712951	1/02/2023 WBC Merchant Fee January 2023	10141	Westpac Banking Corporation 48.75	48.75
100165 25712969	1/02/2023 WBC Merchant Fee January 2023	10141	Westpac Banking Corporation 48.75	48.75
100166 25712738	1/02/2023 WBC Merchant Fee January 2023	10141	Westpac Banking Corporation 51.49	51.49
100167 25776774	1/02/2023 WBC Merchant Fee January 2023	10141	Westpac Banking Corporation 719.74	719.74
100168 25709627	1/02/2023 WBC Merchant Fee January 2023	10141	Westpac Banking Corporation 873.76	873.76
100169 MFEEJAN23	3/02/2023 CBA MER FEE JANUARY 2023	11506	Commonwealth Bank Australia (CBA) 71.37	71.37
100170 LOAN183JAN	6/02/2023 LOAN 183 WATC 20230206	11507	Western Australia Treasury Corporation (WATC) 46,816.89	46,816.89
100171 LOAN179FEB	15/02/2023 LOAN 179 WATC 20230215	11507	Western Australia Treasury Corporation (WATC) 38,188.13	38,188.13
100172	15/02/2023	11506	Commonwealth Bank Australia (CBA)	13.48



City of Nedlands - List of Accounts Paid

For the Period 01-Feb-2023 to 28-Feb-2023

Payment Reference	Payment Date	Creditor Number	Creditor Name	Payment Amount
0245807JAN	BPNT DIR DR TRANS FEES-0245807 JAN 2023			13.48
100173	20/02/2023	10524	Business Fuel Cards Pty Ltd	2,613.50
305708523	01 Jan 2023-31 Jan 2023			2,613.50
Credit Card Refunds				2,075.00
100042	1/02/2023	99996	Sundry Creditor - Purchase Cards	656.50
TRESIREF31	Tresillian DTS EFT Refund 20230131			656.50
100043	3/02/2023	99996	Sundry Creditor - Purchase Cards	49.50
TRESREF2/3	Tresillian DTS EFT Refund 20230203			49.50
100047	7/02/2023	99996	Sundry Creditor - Purchase Cards	572.50
TRESREF3/2	Tresillian DTS EFT Refund 20230207			572.50
100048	10/02/2023	99996	Sundry Creditor - Purchase Cards	181.50
TRESREF9/2	Tresillian DTS EFT Refund 20230210			181.50
100049	17/02/2023	99996	Sundry Creditor - Purchase Cards	172.00
TRESREF16/	Tresillian DTS EFT Refund 20230217			172.00
100050	20/02/2023	99996	Sundry Creditor - Purchase Cards	443.00
TRESREF17/	Tresillian DTS EFT Refund 20230220			443.00
Payroll				849,863.11
FORTNIGHT 12/02/2023	12/02/2023	109000900010010	City of Nedlands	432,491.06
FORTNIGHT 12/02/2023	Additional Bank 1			9,250.00
FORTNIGHT 12/02/2023	Additional Bank 2			950.00
FORTNIGHT 12/02/2023	Net Pay			411,443.97
FORTNIGHT 12/02/2023	Additional Bank 1			250.00
FORTNIGHT 12/02/2023	Net Pay			10,597.09



City of Nedlands - List of Accounts Paid

For the Period 01-Feb-2023 to 28-Feb-2023

Payment Reference	Payment Date	Creditor Number	Creditor Name	Payment Amount
FORTNIGHT 15/02/2023	15/02/2023	109000900010010	City of Nedlands	2,244.69
FORTNIGHT 15/02/2023	Net Pay			2,244.69
FORTNIGHT 26/02/2023	26/02/2023	109000900010010	City of Nedlands	415,127.36
FORTNIGHT 26/02/2023	Additional Bank 1			8,950.00
FORTNIGHT 26/02/2023	Additional Bank 2			950.00
FORTNIGHT 26/02/2023	Net Pay			405,227.36
TOTAL PAYMENTS				3,478,836.40

Payments to Cash at Bank Reconciliation

Payment Type	Report	General Ledger	Variance
Cheque	5,241.74	(5,241.74)	0.00
EFT	2,517,391.25	(2,517,391.25)	0.00
Direct Debit	104,265.30	(104,265.30)	0.00
Credit Card Refunds	2,075.00	(2,075.00)	0.00
Payroll	849,863.11	(849,863.11)	0.00
Cancel Payment	0.00	0.00	0.00
Total	3,478,836.40	(3,478,836.40)	0.00

City of Nedlands

Purchasing & Credit Card Payments - Feb 2023 (Statement period 30 Jan 2023 to 27 Feb 2023)

Date	Supplier	Description	AUD
30/01/2023	CITY OF PERTH	Fee For Obstruction Permit From Cop	80.00
30/01/2023	CITY OF PERTH	Fee For Obstruction Permit From Cop	99.00
30/01/2023	ARCHISNAPPER	Phone Application - Projects	48.11
30/01/2023	ARCHISNAPPER	Bank Charges	1.47
6/02/2023	MAIN ROADS WA DON AITK	Assets Team Training	979.00
27/02/2023	CARD FEE	Card Fee	5.00
10/02/2023	MISS MAUD	Receipt - Miss Maud	138.15
20/02/2023	BUNNINGS 483000	Receipt - Bunnings Receipt	7.94
23/02/2023	UNSW	Tax Invoice - Unsw	770.00
27/02/2023	CARD FEE	Card Fee	5.00
30/01/2023	4Cabling Osborne P	Adaptors For HDMI Meeting Rooms	22.86
2/02/2023	BUNNINGS 483000	Cover Plate Replacements	45.45
1/02/2023	J & K HOPKINS	Furniture Front Office	1,175.00
2/02/2023	CNW PTY LTD	Cabling Supplies	183.11
3/02/2023	OFFICEWORKS 0602	Meeting Room Signage	16.16
6/02/2023	J & K HOPKINS	Replacement Damaged Chair Sam As Manager Request	289.00
7/02/2023	4Cabling Osborne P	Display Cables Front Office Depot	60.10
9/02/2023	BUNNINGS 483000	Hooks And Magnetic Latch Office Areas	31.24
8/02/2023	Jaycar Osborne Park	Cable For Depot Meeting Room	119.00
13/02/2023	HARVEY NORMAN AV/IT	Replacement Hot Water Urn	320.00
23/02/2023	4Cabling	Cable Meeting Room Dvi To Display	11.94
27/02/2023	BUNNINGS 483000	Tv Coax Cables For Tv	12.00
27/02/2023	CARD FEE	Card Fee	5.00
27/02/2023	CSP GROUP PTY LTD	Throw Line. Carabiner.	152.20
27/02/2023	CARD FEE	Card Fee	5.00
7/02/2023	THE DOWNS IGA	Ice For Summer Concerts	8.99
27/02/2023	CARD FEE	Card Fee	5.00
27/02/2023	CARD FEE	Card Fee	5.00
9/02/2023	COLES 0299	Dog Treats For Ranger Vehicles	45.60
10/02/2023	MOBILE TECH CLAREMONT	Screen Covers For Ranger Phones	126.88
20/02/2023	5.11 Australia Pty Ltd	Ranger Uniform Shirts X 7	419.96
27/02/2023	CARD FEE	Card Fee	5.00
15/02/2023	Barretts Bakery	Catering Wslg Systems Mtg & Staff Mtg	42.00
27/02/2023	CARD FEE	Card Fee	5.00
2/02/2023	BLITZFIELD ENTERPRIS	Monthly Menu	5.90
2/02/2023	OFFICEWORKS 0602	Program Resources/Portfolios	186.01
2/02/2023	OFFICEWORKS 0602	Program Resources/Portfolios	0.07
13/02/2023	BUNNINGS 483000	Sustainability Program	53.80
15/02/2023	PAYPAL	Leadership Training	196.90
20/02/2023	STIRLING DRIVE IN PH	Nappy Cream	43.96
21/02/2023	TAYLOR RD IGA	Afternoon Tea	18.66
27/02/2023	TAYLOR RD IGA	Children Meal PRCC	14.65
27/02/2023	CARD FEE	Card Fee	5.00
27/02/2023	CARD FEE	Card Fee	5.00
7/02/2023	EZI*AUSTRALIAN INSTITU	Traffic And Planning Management Course For Sultan	45.00
21/02/2023	OFFICEWORKS 0602	Stationery Diaries For Staff	113.22
27/02/2023	BUNNINGS 309000	Gift Card Staff Leaving After Long Service	100.00
27/02/2023	CARD FEE	Card Fee	5.00
6/02/2023	OFFICEWORKS 0602	Positive Ageing Office Supplies	135.96
6/02/2023	OFFICEWORKS 0602	Positive Ageing Office Supplies	27.52
7/02/2023	BLITZFIELD ENTERPRIS	Office Supplies	5.50
13/02/2023	ST JOHN AMBULANCE AU	St John Ambulance	151.95
16/02/2023	EZI*Movie Tkts	Ezimovie Tickets 14.2.23 postive ageing	34.00
22/02/2023	NEDLANDS LIBRARY	Nedlands Library Service 21.2.23	20.00
24/02/2023	COLES 0489	Coles 23.2.23	19.50
24/02/2023	Games World Whitfords	Games World 23.2.23	59.97

City of Nedlands

Purchasing & Credit Card Payments - Feb 2023 (Statement period 30 Jan 2023 to 27 Feb 2023)

Date	Supplier	Description	AUD
27/02/2023	CARD FEE	Card Fee	5.00
30/01/2023	TWILIO INC	Twilio SMS Service For One council	331.86
30/01/2023	TWILIO INC	Foreign Transaction Fee	9.96
6/02/2023	ATLASSIAN	Feb 2023 - Atlassian Cloud And Confluence License	876.85
6/02/2023	ATLASSIAN	Foreign Transaction Fee	26.30
14/02/2023	WWW.RECKON.COM	2023 Feb - Reckon Tresillian Pos	87.00
15/02/2023	MSFT * E0200M127E	2023 Jan - Azure- Payg-Cc-SQL	1,302.14
15/02/2023	ATLASSIAN	2023 Feb-March-Atlassian Access Cloud 30 Users	191.23
15/02/2023	ATLASSIAN	Foreign Transaction Fee	5.73
20/02/2023	MICROSOFT*365	Ms Advance Comm-Credit Note-Cancelled Subscription	- 0.50
20/02/2023	MSFT *<E0700MDC05>	2023 Feb Ms Teams - Direct Subscription Cancelled	8.19
27/02/2023	CARD FEE	Card Fee	5.00
24/02/2023	BUNNINGS 483000	Ranger Equipment	283.46
27/02/2023	CARD FEE	Card Fee	5.00
6/02/2023	KMART 1139	Adult Local Stock	20.00
8/02/2023	SP JB HI-FI ONLINE	Adult DVDs	404.64
8/02/2023	SP JB HI-FI ONLINE	Shipping	14.98
9/02/2023	BOOKTOPIA PTY LTD	Adult Local Stock	70.25
9/02/2023	BOOKTOPIA PTY LTD	Shipping	9.99
27/02/2023	AMAZON AU	Adult Local Stock	55.04
24/02/2023	BOFFINS BOOKSHOP PTY LTD	Local Adult Stock	87.23
24/02/2023	BOFFINS BOOKSHOP PTY LTD	Postage	7.95
27/02/2023	CARD FEE	Card Fee	5.00
3/02/2023	LGPA	360° View Of The Sdau - Lgpa Breakfast	255.00
3/02/2023	PLANNING INSTITUTE OF AUS	Pia Membership - M Morskate	236.76
27/02/2023	CARD FEE	Card Fee	5.00
13/02/2023	KMART	Macrame Plywood Frames	63.00
13/02/2023	KMART	Delivery	10.00
27/02/2023	CARD FEE	Card Fee	5.00
15/02/2023	ALH VENUES/43 RAILWAY ROA	Meals For Clients On Account And Volunteers	154.00
20/02/2023	HAMED & FROUZAN RAHI	Clients On Account Lunches	78.65
27/02/2023	CARD FEE	Card Fee	5.00
30/01/2023	BUNNINGS 453000	Cleaning Supplies	36.00
8/02/2023	BUNNINGS 453000	Buckets For Ceramics Room	16.00
10/02/2023	BUNNINGS 483000	Bunnings Drill Bits For Easel Assembly	7.74
16/02/2023	NESPRESSO	Coffee For Staff Kitchen	117.40
27/02/2023	CARD FEE	Card Fee	5.00
6/02/2023	LinkedIn 7915292866	LinkedIn Job Promotions - Ref 01, 05 & 14/2023	438.49
27/02/2023	CARD FEE	Card Fee	5.00
16/02/2023	SP RAWLINSONS	National Construction Cost Guide	510.00
27/02/2023	CARD FEE	Card Fee	5.00
1/02/2023	MISS MAUD	Wfpic Workshop - 1 Feb 2023	197.10
6/02/2023	SurveyMonkeyCore	Survey Monkey	395.52
7/02/2023	MISS MAUD	Councillor Concept Forum - 7 Feb 2023	197.10
7/02/2023	MISS MAUD	Councillor Concept Forum 8 Feb 2023	225.65
9/02/2023	MISS MAUD	Concept Forum - 9 Feb 2023	228.10
9/02/2023	MISS MAUD	First Aid Training - 9 Feb 2023	287.45
14/02/2023	MISS MAUD	Emt Lunch Meeting - 16 February 2023	130.20
15/02/2023	MISS MAUD	Concept Forum - 21 Feb 2023	236.75
15/02/2023	MISS MAUD	Council Meeting Agenda Forum - 14 Feb 2023	236.75
21/02/2023	MISS MAUD	Wfpic Meeting - 22 Feb 2023	196.80
21/02/2023	MISS MAUD	Wfpi Committee Meeting 1 March 2023	237.30
27/02/2023	CARD FEE	Card Fee	5.00
27/02/2023	CARD FEE	Card Fee	5.00
23/02/2023	SAFETYCULTURE	Annual Subscription	250.80
27/02/2023	CARD FEE	Card Fee	5.00

City of Nedlands

Purchasing & Credit Card Payments - Feb 2023 (Statement period 30 Jan 2023 to 27 Feb 2023)

Date	Supplier	Description	AUD
15/02/2023	WA POLICE CHECK/POST	WA Police Check A Greentree	58.70
27/02/2023	CARD FEE	Card Fee	5.00
7/02/2023	WOOLWORTHS/FLOREAT PARK S	Cleaning Products	17.30
8/02/2023	Lawleys Bakery Cafe	Off-Site Catering	10.42
14/02/2023	Barrett's Bakery	Catering For Activity	45.00
23/02/2023	Games World Claremont	Resources For Affinity Club Activities	265.96
23/02/2023	Lawleys Bakery Cafe	Positive Ageing Catering	12.70
27/02/2023	CARD FEE	Card Fee	5.00
30/01/2023	TOTALLY WORKWARE MH	Ppe Clothing	224.13
2/02/2023	BUNNINGS 454000	Threshold Ramps	168.76
2/02/2023	BUNNINGS 309000	Structural Pine	162.75
17/02/2023	BUNNINGS 483000	New Lock	34.95
17/02/2023	ASKO APPLIANCES	Asko Dishwasher	1,899.00
20/02/2023	MULTI FIX BOLTS SCRE	Adhesive And Cutting Discs.	117.59
27/02/2023	CARD FEE	Card Fee	5.00
27/02/2023	CARD FEE	Card Fee	5.00
30/01/2023	BUNNINGS 454000	Centre Cleaning Appliances	43.99
30/01/2023	THE SPICE MERCHANTS	Children'S Lunches	6.99
30/01/2023	TAYLOR RD IGA	Children'S Afternoon Tea	22.80
31/01/2023	COLES 0299	Centre Cleaning Appliances	9.00
31/01/2023	COLES 0299	Centre Cleaning Appliances	46.10
31/01/2023	TAYLOR RD IGA	Children'S Morning Tea	6.16
1/02/2023	JACK'S WHOLEFOODS &	Children'S Lunch/Morn/Afternoon Tea	0.25
1/02/2023	JACK'S WHOLEFOODS &	Children'S Lunch/Morn/Afternoon Tea	150.31
2/02/2023	BUNNINGS 454000	Children'S Program Resources	36.96
2/02/2023	TAYLOR RD IGA	Children'S Afternoon Tea	6.00
2/02/2023	Woolworths Online	Children'S Monthly Lunches	138.45
3/02/2023	BLITZFIELD ENTERPRIS	Children'S Lunch And Afternoon Tea	38.77
7/02/2023	TAYLOR RD IGA	Children'S Lunches	18.68
8/02/2023	FARMER JACKS WOODLAN	Children'S Morning/Afternoon Meals	0.25
8/02/2023	FARMER JACKS WOODLAN	Children'S Morning/Afternoon Meals	169.10
8/02/2023	BLITZFIELD ENTERPRIS	Children'S Afternoon/ Morning Tea	0.44
8/02/2023	BLITZFIELD ENTERPRIS	Children'S Afternoon/ Morning Tea	44.84
9/02/2023	FARMER JACKS WOODLAN	Children'S Lunches/ Afternoon/ Morning Tea	105.56
10/02/2023	BLITZFIELD ENTERPRIS	Children'S Afternoon Tea	6.00
13/02/2023	FULLIFE HERDSMAN 7 DA	Children'S Emergency Centre Medication	120.00
14/02/2023	BLITZFIELD ENTERPRIS	Children'S Afternoon Tea	8.97
14/02/2023	BLITZFIELD ENTERPRIS	Children'S Afternoon Tea /Lunch	34.73
16/02/2023	ENROLMY.CO* MANDARIN S	Program Activity For Children	134.44
20/02/2023	KMART 1139	Children'S Program Resources	90.00
22/02/2023	FARMER JACKS WOODLAN	Children'S Afternoon/ Morning/Lunch	174.09
22/02/2023	BLITZFIELD ENTERPRIS	Children'S Afternoon Tea	12.43
22/02/2023	BLITZFIELD ENTERPRIS	Children'S Afternoon Tea	26.72
24/02/2023	Woolworths Online	Children'S Monthly Food	349.65
27/02/2023	PRIME PRODUCTS	Children'S Lunches	53.65
27/02/2023	CARD FEE	Card Fee	5.00
30/01/2023	AMPOL NEDLANDS 55130F	Ice - Citizenship Ceremony 2023	5.00
3/02/2023	SPOTLIGHT PTY LTD	Art Easels - Tresillian Arts Centre	474.95
6/02/2023	OXLADE ART SUPPLIES	Art Supplies - Tresillian Arts Centre Course Mate	551.29
7/02/2023	SURVEYMONK* T 43832365	Satisfaction Surveys	99.00
13/02/2023	FACEBK JYB9NK3RA2	Facebook Ads - Summer Concerts	30.90
21/02/2023	BWS/80 STIRLING HIGHWAY	Public Art Opening - Event 20022023	140.00
21/02/2023	COLES 0299	Public Art Opening - Event 20022023	14.07
27/02/2023	WOOLWORTHS/80 BULWER STRE	Water - Summer Concerts In The Parks 2023	13.35
27/02/2023	CARD FEE	Card Fee	5.00
27/02/2023	CARD FEE	Card Fee	5.00

City of Nedlands

Purchasing & Credit Card Payments - Feb 2023 (Statement period 30 Jan 2023 to 27 Feb 2023)

Date	Supplier	Description	AUD
27/02/2023	CARD FEE	Card Fee	5.00
13/02/2023	Reg Now*HBF RUN	Staff Wellbeing - Hbf Run For A Reason	100.00
27/02/2023	CARD FEE	Card Fee	5.00
1/02/2023	TAYLOR RD IGA	Catering	11.70
27/02/2023	CARD FEE	Card Fee	5.00
8/02/2023	PLANNING INSTITUTE OF AUS	Precinct Training M Morskate & N Blumenthal	670.00
16/02/2023	Mailchimp	Email Notices	100.20
16/02/2023	Mailchimp	Foreign Transaction Fee	3.01
27/02/2023	CARD FEE	Card Fee	5.00
1/02/2023	Kingsley Tavern	31.1.23 Kingsley Tavern Client And Volunteer Lunch	82.00
1/02/2023	Kingsley Tavern	31.1.23 Kingsley Tavern Client And Volunteer Lunch	76.00
6/02/2023	THE CRAIGIE TAVERN	2.2.23 Craigie Tavern Client And Volunteer Lunch C	60.00
8/02/2023	COLES ONLINE	3.2.2023 Coles Ncc Client And Volunteer Monthly Ce	155.87
8/02/2023	COLES ONLINE	3.2.2023 Coles Ncc Client And Volunteer Monthly Ce	121.73
7/02/2023	BLITZFIELD ENTERPRIS	6.2.23 IGA Dalkeith Client And Volunteer Costs (1)	28.50
8/02/2023	SUBWAY CLAREMONT	6.2.23 Subway Client And Volunteer Lunch Costs	47.00
8/02/2023	Pasta in the Valley	7.2.23 Pasta The Valley Client And Volunteer Lunch	90.09
8/02/2023	Pasta in the Valley	7.2.23 Pasta The Valley Client And Volunteer Lunch	0.90
8/02/2023	Pasta in the Valley	7.2.23 Pasta In The Valley Client And Volunteer Lu	74.91
8/02/2023	Pasta in the Valley	7.2.23 Pasta In The Valley Client And Volunteer Lu	0.92
17/02/2023	Mt Henry Tavern	16.2.23 Mt Henry Tavern Client And Volunteer Lunch	79.50
23/02/2023	THE CRAIGIE TAVERN	22.2.23 Craigie Tavern Client And Volunteer Lunch	96.00
27/02/2023	METRO PETROLEUM MALAGA	26.2.2023 Malaga Petroleum Lost Receipt Documentat	6.70
27/02/2023	CARD FEE	Card Fee	5.00
27/02/2023	CARD FEE	Card Fee	5.00
10/02/2023	Cafe Des Delices	Refreshments For Work Teams	25.90
13/02/2023	Archie & Max	Refreshments For Volunteers	58.20
13/02/2023	Archie & Max	Refreshments For Volunteers	0.50
27/02/2023	CARD FEE	Card Fee	5.00
			23,253.37

18. Divisional Reports – Reports from the Audit & Risk Committee Report No's AR02.23 to AR04.02.23 & ARC05.03.23

18.1 ARC02.02.23 Internal Audit – Financial Management Review

Meeting & Date	Council Meeting – 28 March 2023 Audit & Risk Committee – 20 February 2023
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	Nil.
Report Author	Stuart Billingham – Manager Financial Services
Director	Michael Cole Director Corporate Services
Attachments	1. Financial Management Review 2023 - See appendix 2 of Item ARC01.02.23 Moore Aust Report

Purpose

To present to the Auditor's report on the appropriateness and effectiveness of the financial management systems and procedures at the City of Nedlands as recommended by the Audit & Risk Committee.

Committee Recommendation / Recommendation

That the Audit & Risk Committee recommends that Council:

1. notes the auditors report on the review of the City's financial management and procedures; and
2. notes the management responses to those comments and recommendations.

Voting Requirement

Simple Majority.

Background

1. The *Local Government (Financial Management) Regulations 1996* regulation 5(2)(c), requires the Chief Executive Officer to undertake Financial Management Reviews regularly (and not less than once in every three years). The main purpose of a Financial Management Review (FMR) is to examine the appropriateness and effectiveness of the financial management systems and procedures of the City.

2. Through a formal request for quote process, Moore Australia (WA) Pty Ltd was appointed to undertake the financial management audit. The audit covered the period ending December 2022.
3. The Auditors report did not find any major issues with processes however matters for improvement were identified as shown in the table below:

	Summary of Findings				Recommendations
Risk Rating	Total	High	Medium	Low	Total
Purchase Payments and Payables	1	-	1	-	1 - 2
Bank Reconciliations	1	-	-	1	3 - 4
Trust Funds	1	-	1	-	5 - 7
Contract and Tender Register	1	-	1	-	8 - 9
Investments	1	-	-	1	10
Purchasing Cards	5	-	4	1	10 - 17
Total	10	-	7	3	

Consultation

Moore Australia (WA) Pty Ltd, Director Corporate Services, Manager Financial Services, Senior Project Accountant, Coordinator Revenue, Finance Officer Revenue, Finance Officer Accounts Payable and Coordinator Procurement and Contracts.

Strategic Implications

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

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

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

Great Governance and Civic Leadership

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

Budget/Financial Implications

There are no budget or financial implications to this report.

Legislative and Policy Implications

The following legislation is adhered to:

[Regulation 5\(2\)\(c\) of the Local Government \(Financial Management\) Regulations 1996](#)

Decision Implications

Nil.

Conclusion

That the Audit & Risk Committee recommends that Council:

1. notes the auditors report on the review of the City's financial management and procedures.
2. notes the management responses to those comments and recommendations.

Further Information

Nil.

INTERNAL AUDIT FINANCIAL MANAGEMENT REVIEW

City of Nedlands

27 January 2023



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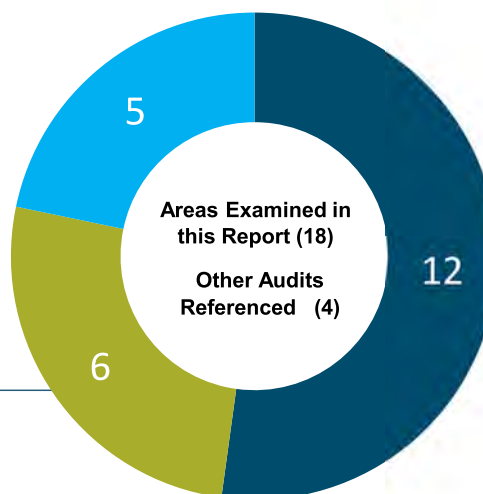


1. EXECUTIVE SUMMARY

1.1. Background

This review included a high-level understanding of the key financial systems that support the financial processes undertaken by the City and the performance of review procedures designed to evaluate the appropriateness and effectiveness of the control environment of the City's financial management system. The procedures performed for each area in respect of the review have been included in [Appendix 1](#). We did not necessarily examine compliance with provisions of the Act or Regulations, which were not financial in nature.

Areas Examined in this report	Areas where controls and procedures are noted effective and are appropriate for the City's current scope of operations	<ul style="list-style-type: none"> • Receipts and Receivables • Minutes and Meetings • Cost and Administration • Financial Reports • Budget • Rates • Plan for the Future • Insurance • Inventory • Borrowings • Payroll • General Journals
	Areas where improvements are required	<ul style="list-style-type: none"> • Purchase, Payable, Payment • Bank Reconciliations • Trust Funds • Tender Register • Investments • Purchasing Cards
	(Other Audit Reports) Areas covered in other audit reports completed or issued	<ul style="list-style-type: none"> • Fixed Assets • Financial Register • Audit Committee • Storage of records • Delegations



1.2. Overall Findings

Based on the review procedures performed, we did not find any major issues with the processes related to the Financial Management of the City. However, we found some matters for improvement with the corresponding rating summarised in the below chart. The details of the observations and the relevant recommendations can be found in [Section 3 Observation and Recommendations](#)





1. EXECUTIVE SUMMARY (CONTINUED)

1.3. Positive Observations

Throughout the course of the engagement, there are areas we noted to be commendable as part of this audit engagement. These include the following:

- Timely submission of the documents and information as part of the initial requirements.
- The willingness of the staff involved in this audit to immediately implement the recommendation as identified wherever applicable during this audit to ensure that procedures are aligned with existing better practices.

1.4. Related Internal Audits

We have requested but we have not received a copy of the previous Financial Management Review

1.5. Acknowledgement

We would like to thank the City's personnel for the assistance that has been extended during the engagement. Key personnel contracted are outlined in [Appendix 2](#).

1.6. Summary of Results

The table below presents the results where matters for improvement are identified. Details are reflected in [Section 3 Observation and Recommendations](#).

	Summary of Findings				Recommendations
Risk Rating	Total	High	Medium	Low	Total
Purchase Payments and Payables	1	-	1	-	1 - 2
Bank Reconciliations	1	-	-	1	3 - 4
Trust Funds	1	-	1	-	5 - 6
Contract and Tender Register	1	-	1	-	7 - 8
Investments	1	-	-	1	9
Purchasing Cards	5	-	4	1	10 - 16
Total	10	-	7	3	

2. SCOPE AND APPROACH

2.1 Objective and Scope

The objective of our review as outlined in our engagement letter dated 9 November 2022 is to provide a report, based on our understanding of the City and associated risks, to the Chief Executive Officer on the appropriateness and effectiveness of the City's financial management systems and procedures as required by Financial Management Regulation 5(2)(c). To this end, we examined the following financial systems and processes of the City covering the period 1 July 2021 to 30 June 2022 as agreed with the City's Management. **The areas reviewed are listed below:**

• Purchases, Payments, and Payables	• Plan for the Future
• Receipts and Receivables	• Tender Register
• Payroll	• Budgets
• Rates	• Insurance
• Bank reconciliations	• Borrowings
• Trust Funds	• Inventory
• Cost and Administration Allocations	• Investments
• Minutes and Meetings	• General Journals
• Financial Reports	• Purchasing cards*

2.2 Detailed Review of Purchasing Cards*

A detailed review was performed for the purchasing cards in accordance with a Statement of Scope signed 21 October 2022. The scope for this element of the engagement is:

- Management of purchasing cards on recruitment and termination;
- Volume of purchasing cards within the City;
- Roles and responsibilities, including segregation of duties;
- Review of policies, procedures, manuals, and guidelines that govern the management of purchasing cards, and reporting of non-compliances
- Delegations of authority for management, usage, and approval
- Value for Money, Efficiency, and Risk, where possible;
- Acquittal process of purchasing card transactions;
- Compliance with legislation and better practice principles and OAG tabled reports

2.3 Reference to Previous Reports

The review did not include detailed procedures performed in prior internal audits and those performed in recent times. Readers should refer to these reports for details of work performed and results of the reviews. These include:

• Fixed Assets	Asset Management Audit
• Financial Register	Conflict of Interest Audit
• Audit Committee	Review of Effectiveness of the Audit and Risk Committee
• Storage of records	Records Management Audit
• Delegations	Regulation 17 Audit

2.4 Approach

The methodologies applied in this review were a combination of several audit techniques to match the agreed audit objectives and scope. This review was conducted with the following approach:

- Entrance meetings and discussions with relevant stakeholders;
- Interview and meeting with different process owners who are involved in the process to understand the current environment, challenges, and opportunities;
- Review of the policies and procedures;
- Review of documents and sample testing where appropriate;
- Issuance of draft report to Management;
- Exit Meeting with Management to discuss key findings and recommendations;
- Receipt of Management feedback and comments; and
- Issuance of final report to the Audit and Risk Committee and Management.

2. SCOPE AND APPROACH

2.5 Limitations of Scope

Our work is limited by the following:

- The scope of our services and any deliverables will be limited to carrying out internal audit assignments in accordance with the strategic internal audit plan approved by the Audit and Risk Committee. We will only cover the scope of work approved by the Audit and Risk Committee and unless additional areas are specifically agreed with the Audit and Risk Committee during the year;
- The scope of work for this engagement as approved by Management in our Statement of Scope signed on 9 November 2022;
- Due to the inherent limitations of any internal control structure, we do not warrant that all weaknesses, fraud, error, or non-compliance in your control structures were detected during the course of the Engagement;
- Any testing under the Engagement is performed on a sample basis and is not conducted continuously;
- Any projections as to the assessment of the control structures in future periods are subject to the risk that the structures may become inadequate as a result of changes in conditions, or that the degree of compliance with them may deteriorate; and
- We conducted appropriate tests of key controls within our scope. Our findings only relate to the period of testing undertaken during our review and cannot be relied upon to be representative of the operation of control procedures prior to or after this period.
- The review constitutes an advisory engagement which is not subject to assurance or other standards issued by the Australian Auditing and Assurance Standard Board and, consequently no opinions or conclusions are intended to convey assurance, either expressed or implied.

2.6 Summary of Results

The table below shows a summary of findings within this report.

Findings		Governance	Information Systems	People	Process	Total FMR Findings
1	Purchase Payments and Payables	-	-	-	1	1
2	Bank Reconciliations	-	-	-	1	1
3	Trust Funds	-	-	-	1	1
4	Contract and Tender Register	-	-	-	1	1
5	Investments	-	-	-	1	1
6	Purchasing Cards	1	-	1	3	5
Total		1	-	1	8	10

2.7 Reference to Previous Internal Audit Reports

The table below shows the observations in the previous internal audit engagements that are referenced in this audit report. This report should be read in accordance with these reports.

Tabled Reports		FY	Governance	Information Systems	People	Process	Total Internal Audit Findings
1	Asset Management	2022	4	1	-	4	9
2	Effectiveness of Audit and Risk Committee	2022	4	-	5	5	14
3	Records Management	2021	5	1	1	2	9
4	Regulation Engagement 17	2022	6	-	2	4	12
Total			19	2	8	15	44

3 OBSERVATIONS AND RECOMMENDATIONS

PURCHASES, PAYMENTS, AND PAYABLES

Effectiveness of internal controls on purchase, payments, and payables		Rating
Finding 1.	Control gaps in purchase order and quotation requirements	MEDIUM
<p>We reviewed the policies and procedures applicable to the purchases, payments, and payables to ensure that it is aligned as per the requirements of the financial management regulation. We also selected and tested a sample of transactions to determine whether purchases were authorised, and payments were supported, invoices and correctly allocated. Our test on the samples revealed few exceptions as follow:</p> <p>A. We found instances where the PO amount did not match the invoice amount. This error was due to the Purchase Order where it reflects the amount as inclusive of GST instead of adding it separately. This variation normally should not occur in the transaction between the purchase order and the invoice if the controls are working effectively. However, the City's Purchasing of Good and Service policy on variations between the Purchase Order and the Invoice requires to amend purchase order if the variance is above 10% or \$1,000 or higher. In the exception identified, it requires no amendment on the PO as it is lower than the threshold.</p> <p>B. Instances were noted where the Purchase Order for kitchen supplies included items that are classified as IT equipment which should have been excluded.</p> <p>C. Instances were noted where the minimum 3 quotations requirement (for \$40,000 to \$149,999 threshold) were not met. Although four (4) suppliers were invited but only (two) 2 provided the quotations while the remaining two did not meet the deadline – but there was no evidence of follow up sent to these suppliers or any evidence of rejection letters from the Supplier explaining the justification of refusal to provide quotation.</p> <p>IMPLICATION</p> <p>Unauthorised payments if payments do not align to approved purchase orders. Inaccurate financial management information</p>		
<p>Management Comment</p> <p>Purchases, Payments, and Payable internal controls and processes (officer training) to be improved to resolve GST (point A) and Classification (point B) issues identified above.</p> <p>Monitoring to be increased by Finance Department of Organisational compliance with City Purchasing Policy (Point C).</p> <p>If suppliers do not provide quotation, then unlikely supplier will provide explanation why they did not provide quote, hence also unlikely they will also provide rejection letter.</p> <p>It is noted that this is not a statutory requirement, however considered best practice and the City officer will seek feedback where possible.</p>		

Recommendations	Agreed Action	Action Owner	Target Date
1. Ensure that the purchase order category is accurate when procuring the services or goods. Consider implementing a 3-way match between (PO, Invoice and Payments).	1.Procedures to be improved to ensure correct category selected when procuring services or goods in future. 3 way matching (PO, Invoice and Payment) to be investigated in One Council if possible and implemented.	Manager Financial Services	June 2023
2. Ensure adherence to the policy of minimum quotations. Obtain evidence of refusal if the Supplier could not provide the quotation.	2. Finance Department to increase monitoring of Organisational compliance with City Purchasing policy.		

3. OBSERVATIONS AND RECOMMENDATIONS (CONT.)

BANK RECONCILIATIONS

Accuracy and Completeness of Bank Reconciliations			Rating
Finding 2.	Inconsistencies in the signoffs of the bank reconciliation and few unresolved long outstanding reconciling items		LOW
<p>We reviewed the procedures related to bank reconciliations and examined samples to ensure that bank reconciliations are complete and timely. Our review of the samples revealed minor gaps as follow:</p> <p>A. There was an inconsistency in the review of the bank reconciliation monthly approvals. Although we noted the bank reconciliation was prepared and complete for the entire duration of the period under review (Jul 2021 to Jun 2022), we noticed that there were no documented signoffs from the Manager Financial Services on the four (4) months of the bank reconciliation from March 2022 to Jun 2022 as required by City's procedure. This reduction in the number of approvals is a change in the review controls that should have been reflected in the procedure.</p> <p>B. The bank reconciliation of the Municipal bank account has long outstanding reconciling items that are dated back to 2018 and are still included in the year 2022 bank reconciliation. Although, we were informed by the Officer in charge of the bank reconciliation these reconciling items are currently being reviewed and adjustments will be made on these items, we believe that this should be completed immediately soon to close out long outstanding reconciling items. The independent approval of the bank reconciliation should have requested this to be performed in a more timely basis as sound financial management controls, and to identify fraud, corruption and error on a timely basis. In saying this we do not doubt the integrity of Management or staff members.</p> <p>IMPLICATION</p> <p>Documented signoffs is a key approval control and the absence of which may indicate a lack of review which will eventually increase likelihood of undetected fraud, corruption and errors within the City.</p>			
Management Comment			
<p>A. Bank Reconciliations since March 2022 no longer reviewed by Manager Financial Services, moving forward bank reconciliations now prepared by Finance Officer-Revenue and reviewed by either Coordinator – Revenue or Senior Accountant independent of preparer. Internal operational procedures now updated to reflect change in Officer reviewing Bank Reconciliations each month City Procedure. In absence of reviewing officer Finance Manager still reviews and signs off.</p> <p>B. Long outstanding Bank Reconciliation items back to 2018 are being reviewed and addressed and majority of items appear to be bonds unrepresented stale cheques to be cancelled and new method of payment to be arranged such as EFT.</p>			
Recommendations	Agreed Action	Action Owner	Target Date
3. Update the procedure to mention signoff requirements in bank reconciliation to ensure consistency.	Procedures to be updated	Manager Financial Services	June 2023

4. Review and resolve the long outstanding reconciling items that are more than 1 month.

Old outstanding items to be addressed. Contact payees to advise unclaimed stale cheques cancelled and advise alternative means of payment wherever applicable such as EFT.

3. OBSERVATIONS AND RECOMMENDATIONS (CONT.)

TRUST FUNDS

Managing and Maintenance of Trust Fund Account		Rating
Finding 3.	Lack of adequate controls for trust funds	MEDIUM
<p>We reviewed the procedures and examined through testing a sample of receipts and refunds to determine proper accountability specific to the trust fund accounts. Our test revealed few observations as follow:</p> <p>A. No detailed breakdown of the accounts in the Trust Fund Register. As of June 2022, there were seven (7) accounts reflected in the 'Trust Monthly Reconciliation' that include (1) Footpath deposits (2) Halls bonds (3) Key bonds (4) Miscellaneous (5) Tresillian bonds (6) Unclaimed monies (7) Subdivision crossover bonds.</p> <p>However, the detailed breakdown of these accounts was not attached to the recon statement as we have to request for the account details separately. On a sample basis, we verified details of Footpath deposits, unclaimed monies and miscellaneous account – and found that there were balances in 2002 & 2005 for miscellaneous, and balances in 2007 & 2008 for unclaimed monies. A major portion of this balance represents unclaimed or cancelled cheques but there was no evidence of notification sent to the account holders informing payees of the alternative means of action to be taken to claim these monies.</p> <p>B. Documented signoffs evidencing review and approval of the trust fund reconciliation was also reduced from three (3) to two (2) Officers without the Manager Financial Services signature on reconciliations from February 2022 to June 2022. <i>We were informed that the change in signoffs was decided earlier where the signoff by the Manager Finance was not required and wasn't adding any value. We were also informed that the signoff process was changed where one officer will prepare the recon and the coordinator will signoff – but in the absence of the coordinator – the Manager will signoff.</i> This change in the review process should be included in the procedure wherever applicable.</p>		
<p>IMPLICATION</p> <p>Non-compliance with legislation</p> <p>Without a separate trust fund account maintained, this could increase the risk of transactions being combined with the regular funds leading to difficulty in accounting for trust funds particularly for old deposits or bonds.</p>		
<p>Management Comment</p> <p>A. Trust Funds actually now called “Bonds and Deposits” since 2019 old balances to be investigated and resolved</p> <p>B. Reconciliation Procedure to be updated to reflect new review process adopted</p>		

Recommendations	Agreed Action	Action Owner	Target Date
<p>5. Ensure regular availability of the detailed breakdown of trust funds and include it in the trust fund reconciliation document. Review the long outstanding recon items and check if these are still valid or not. Contact payees to advise unclaimed cheques and advise alternative means of payment wherever applicable.</p> <p>6. Update the procedure to mention signoff requirements in trust fund reconciliation to ensure consistency.</p>	<p>1. Full review of bonds to be undertaken and reconciled, with</p> <p>2. Procedure to be updated with new review processes.</p>	Manager Financial Services	June 2023

3. OBSERVATIONS AND RECOMMENDATIONS (CONT.)

CONTRACT AND TENDER REGISTERS

Completeness of the contract and tender registers		Rating
Finding 4.	Incomplete documentation related to contract extensions and incomplete registers maintained	MEDIUM

Complete documentation relating to the original contracts, amendments, variations, and extensions is critical to ensure that these are available and accessible at any time as these documents are the basis for the supply of goods and services over an extended period. Based on our review of tenders on sample basis, we found the following:

- A. Evidence of contract extensions for two (2) years from November 2020 to November 2022 related to the cleaning services between the City of Nedlands and Charles Services Company is not available. We were informed by the Procurement Officer that the documents could not be located which may be potentially an indication of inadequate records management or oversight on the subsequent contract extensions.

Contract Term	Availability of Contract and Extension
19/Nov/18 to 18/Nov/19	Original contract
19/Nov/19 to 18/Nov/20	Extension of contract for 12 months is available
19/Nov/20 to 18/Nov/21	No extension of contract available
19/Nov/22 to 18/Nov/22	No extension of contract available
19/Nov/22 to 18/Nov/23	Pending negotiation – contract is not finalised

- B. From the sample selected, we found that RFP0618/0626 is a tender for three (3) years starting from the year 2019 to 2022 specific to insurance services that should have been added in the tender register list but was not reflected clearly on the list.
- C. There was no process of regular review of the Contract Register and Tender Register along with the evidence of its review. The 'Contract Register' was last updated on 15 Nov 2022 but the information on who reviewed it and signoffs was not available. Also, the 'RFT Register' has no information about its update date and reviewer information.
- D. We found instances of blank data fields in the Contract Register and in the Tender Register fields which were not filled in to ensure completeness of the registers.

IMPLICATION

Non-compliance with policy

If these contract documents are not available to verify the scope of services or the agreed rates, it could increase the risks of financial losses due to continuance of services without the applicable contract that protect both parties in the event of default or breach in terms and conditions. Ineffective contract and tender management Fraud, corruption, and error may not be detected on a timely basis with inadequate financial management information

Management Comment

City of Nedlands staff are in an ongoing process of tracking down missing historical Contracts and Tenders registers information, once located the appropriate registers are updated to improve their completeness. Moving forward internal procedures now capture all the required new Contracts and Tenders information to ensure completeness, which is now located in one single repository.

Recommendations	Agreed Action	Action Owner	Target Date
<p>7. Contracts with extension clauses should be properly supported with evidence that is signed by both parties. Retrieve and file contract extensions in a centralised repository that is easily accessible.</p> <p>8. Update both the contract and tender registers to reflect complete information of all contracts and tenders respectively.</p>	<p>1. Currently all contracts with extensions have a letter sent to supplier when City exercises extension clauses. Mutual agreement by both parties documented rather than a doc signed by both parties. Historical contracts to be retrieved and filed in a centralised records repository, accessible by authorised staff.</p> <p>2. Contract and Tender Registers both to be updated to reflect complete information.</p>	Manager Financial Services	June 2023

3. OBSERVATIONS AND RECOMMENDATIONS (CONT.)

INVESTMENTS

Adequacy of policies pertaining to investments			Rating
Finding 5.	Updates required related to investment policy		LOW
<p>We reviewed the policy and procedures related to investments to identify gaps wherever applicable. The results of our tests revealed exceptions as follow:</p> <p>A. We found that some investments were split into different parts, but the existing investment policy is silent about any conditions related to splitting of investments accounts and how these are managed and approved for any rollover going forward.</p> <p>B. The 'Investment of Council Funds' was last reviewed and approved in May 2017 and should be reviewed on a timely basis and at least every 2 years or more regular if the need arises such as legislative changes etc.</p>			
<p>IMPLICATION</p> <p>Unapproved investments Lack of clarity on the approvals of investment roll-over may put the City in undesirable position where investment could be renewed earning a lower interest.</p>			
<p>Management Comment</p> <p>City finance officers currently adhere to the City of Nedlands 'Investment of Council Funds Policy' and 'Investment of Council Funds City Procedure' when investing and reinvesting City funds.</p>			
Recommendations	Agreed Action	Action Owner	Target Date
<p>9. Update the Investment of Council Fund procedure to include:</p> <ul style="list-style-type: none"> exemptions to roll-over approvals clarity of procedures related to the splitting and classification of investment accounts. review cycles along with the roles and responsibilities of the approvers and initiators. 	Review and update Investment Policy and Procedure as per recommendation.	Manager Financial Services	September 2023

Background on Purchasing Cards*

The internal controls applicable to the Purchasing Cards are key elements in the Financial Management Review (FMR) and form part of its overall internal control environment. The risks associated with the purchasing cards are high due to several reasons as follow:

- (1) the ease of use in procuring the desired services or goods without the need of pre-approval
- (2) clarity on the nature of services or goods that can be paid using the card
- (3) the means of purchase that can be done online
- (4) the extent of commitment that can happen when using the cards to procure services that extend over a long period without undergoing reauthorisation procedures
- (5) the frequency of payments that can be made daily, weekly, or monthly
- (6) the monitoring controls that should be in place to ensure that usage of cards is authorised and transactions are made for business purposes only

We presented below data analytics snapshots of purchasing cards to provide a brief background at the City of Nedlands. We also prepared and attached in [Appendix 3](#) of this report the Purchasing Card Process Maps to understand the process-level internal controls that should be in place to mitigate inherent risks involved.

Figure 1: Cardholder by business unit

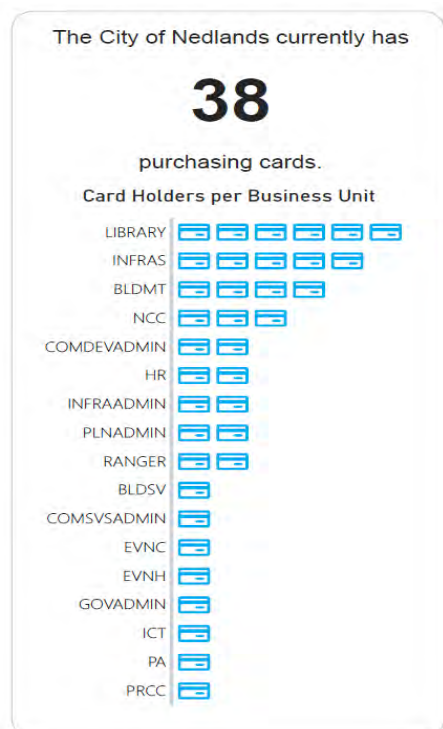


Figure 2: Summary by volume and cost

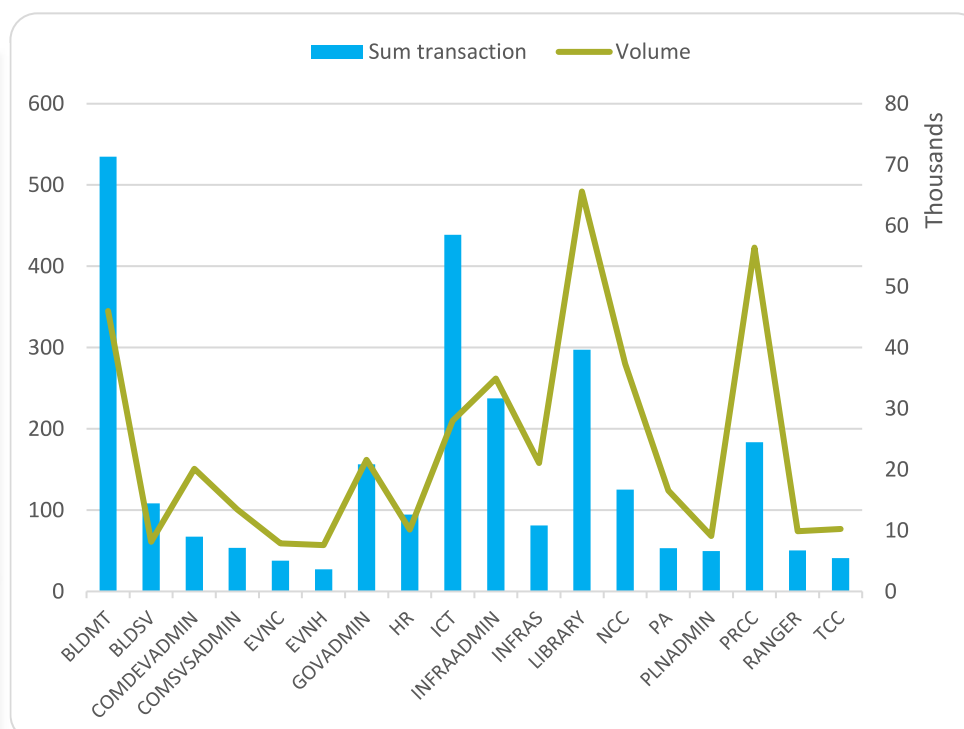
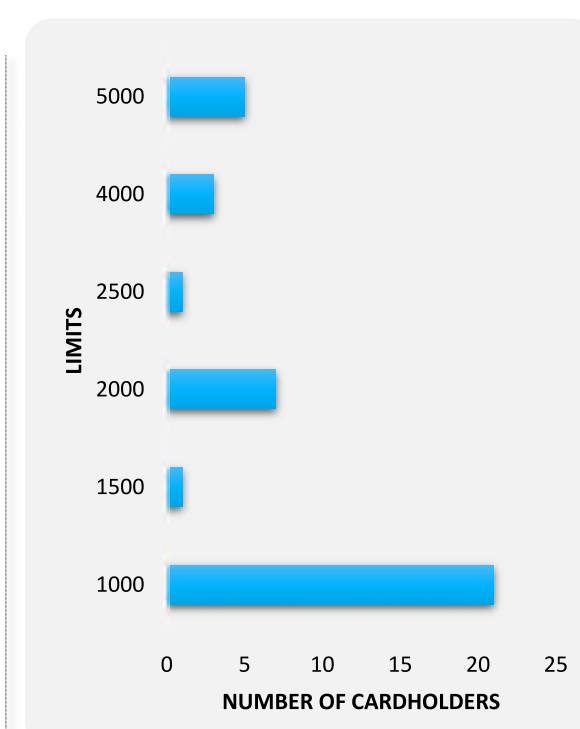


Figure 3: Limits by cardholders



3. OBSERVATIONS AND RECOMMENDATIONS (CONT.)

PURCHASING CARDS

Extent of compliance with the Purchasing Card Procedures			Rating
Finding 6. Observations that are deemed noncompliance with the requirements in the procedures			MEDIUM
<p>The City introduced and published the 'Use of Corporate Purchasing Cards' procedure in June 2016 with the aim of improving the City's efficiency by eliminating time-consuming paper-based ordering and payment methods for low value purchases. We selected and tested few sample transactions to validate full compliance between the requirements in the procedures and the actual practice of approvals, utilization, and documentation of the purchases made using the corporate purchase cards issued by the City. We found few differences as follow:</p>			
Procedure Reference	Specific Details in the Procedure	Actual Practice	Audit Comments on the extent of noncompliance
Page 2 Purchasing Card Usage	<i>"Prior approval must be obtained from the Manager of the card holder before the purchase is taken"</i>	For all samples selected and tested, the review happens at the reconciliation stage after the purchase is already made. No evidence of pre-approval before the purchase is made.	Pre-approval protocols prior to purchase is not complied with.
Page 3 Purchasing Card Usage	<i>"Purchasing card shall not be used for the card holder's personal benefit, including participation in incentive schemes e.g., Frequent Flyers."</i>	We found two (2) samples out of (15) where reward schemes were used at the time of purchase. We found these at the bottom of the receipts provided for our review.	<p>The use of rewards schemes by an individual at the time of purchase is an indication of non-compliance with policy and evidence a personal benefit was received by an employee. We are not suggesting that this was intentional non-compliance or a employee intentionally seeking a personal benefit and is potentially a training and awareness opportunity.</p> <p>As we selected only a sample of 15 transactions, similar noncompliance could exist in other transactions not selected for sample.</p>

Page 2 Purchasing Limits &	<i>Purchasing cards may be used for transactions not exceeding \$1,000.</i>	Out of the samples tested, we found one instance of purchase that exceeded the \$1,000 thresholds – dated 24 th March 2022, Ref MSFT* <E0200HU76Q> ICT for an amount of \$1,402.50 for Software – SQL Azure subscription.	Potential noncompliance with policy.
Page 2 Anti Avoidance Provision	<i>Any purchase transaction exceeding \$1,000 shall be processed via a purchase order in accordance with the procedures for purchasing goods and services</i>		

Management Comment

City Use of Corporate Purchasing Card Procedures to be updated to reflect recommendations below. A max limit of 2 cards to be introduced on individual Business Units on the number of purchase cards they can be issued.

Recommendations	Agreed Action	Action Owner	Target Date
<p>10. Update the purchasing card procedure to reflect changes from pre-approval to post-approval.</p> <p>11. Provide training and awareness to all staff but specifically purchasing cardholders to remind them of the purchasing card policy addressing internal audit findings such as rewards scheme's restrictions and thresholds for use.</p> <p>12. Regular review the purchasing card transactions above the \$1,000 threshold and obtain justification as part of the approval process. Explore options of imposing transactional limit with the card if possible.</p>	<ol style="list-style-type: none"> 1. Update purchasing card procedures as recommended. 2. Existing holders of City purchase cards to be reminded of requirements and responsibilities under Use of Corporate purchasing cards officer to sign form acknowledging and agreeing to abide by rules. New card holders to be approved by Manager Finance and provided a copy of 'Use of Corporate Purchasing Card requirements as above to sign also. 3. Reviews to be undertaken for transactions over \$1,000. Options to be explored for transactional limits. 	Manager Financial Services	June 2023

3. OBSERVATIONS AND RECOMMENDATIONS (CONT.)

PURCHASING CARDS

Completeness of policy and procedures		Rating
Finding 7.	Updates required on the 'Use of Corporate Purchasing Card' document	MEDIUM
<p>It is important to regularly review and update the policies and procedures to ensure that they are in compliance with legislation appropriate, relevant effective. This can also improve not just the awareness of the Officers and cardholders involved but also streamline the processes to match actual practices with written guidelines – therefore increasing the overall efficiency which will result to additional cost savings.</p> <p>We reviewed the 'Use of Corporate Purchasing Card' to identify any improvement opportunities such as inconsistencies, changes in the procedures, its review cycle, custody, and any relevant information that may require changes. We also conducted inquiries and discussions with the relevant parties to understand the nature and extent of activities performed and compared these with the existing procedures.</p> <p>Based on these tests, we found the following items:</p>		
Observations		Risk involved
The procedure document has not been updated since June 2016 – that is over 6 years old		Recent changes to the process, approval workflows or requirements may not be captured in the documents.
Lack of information on review cycle. It is a good governance to review the procedures every 2 years (as the upper limit) or anytime when major changes are identified such as legislative changes.		Lack of enforcement mechanism on the review protocols may promote complacency.
No information is included in the procedure on the custody of purchasing cards, particularly the handling of the inactive or unused cards. This also include updates on the details of the cardholders if the cards are passed from one holder to another without complete monitoring controls in place.		Difficulty in initiating changes as no one is designated as responsible. Custody of purchasing cards may not be secure and may present a risk of unauthorised use if there is unlawful access.
Procedure does not provide information on what to do in situations where the cardholder is on extended leave. Purchasing cards should be handed back to the City prior to extended leave which should be defined in the policy.		There is a risk of unauthorised use in the period of extended leave. When staff are on a extended leave, the card may become idle and unused, where it could have been delegated to someone else for operational purposes.

IMPLICATION

Outdated procedures can increase the likelihood of irregularity that can lead to potential financial losses. This can also cause confusion amongst the cardholders about complying with the requirements if changes thereof are not fully written and communicated.

Management Comment

City Use of Corporate Purchasing Card Procedures to be updated to reflect recommendations below.

Recommendations	Agreed Action	Action Owner	Target Date
<p>13. Implement the following changes to the Use of Corporate Purchasing Card Procedures. Ensure there is regular training and awareness of the procedures to all relevant officers in the City.</p> <ul style="list-style-type: none"> Lack of information on review cycle. No information is included in the procedure on the custody of purchasing cards and roles to initiate and approve updates. Procedure does not provide information on what to do in situations where the cardholder is on extended leave. 	<ul style="list-style-type: none"> Procedure to be updated to reflect existing holders of City purchase cards to be reminded of requirements and responsibilities under Use of Corporate purchasing cards officer to sign form acknowledging and agreeing to abide by rules. New card holders to be approved by Manager Finance and provided a copy of 'Use of Corporate Purchasing Card requirements as above to sign also. 6 monthly Review cycle to be updated in procedure. Procedure to be updated to reflect custody of purchasing cards and roles to initiate and approve updates by Finance Manager Procedure to be updated to reflect cardholders on extended leave over 4 weeks are to surrender purchasing card to relevant Business unit Functional Manager whilst on extended periods of leave. 	Manager Financial Services	June 2023

3. OBSERVATIONS AND RECOMMENDATIONS (CONT.)

PURCHASING CARDS

Category of expenses paid by the Purchasing Card	Rating
Finding 8. Potential recurring subscriptions that could extend over long period paid for via the purchasing card	LOW

The 'Use of Purchasing Card' procedure document has provided some exclusion on the type of expense that should not be paid via the card such as purchase of fuel and personal expenses – but it is not clear about the subscription-based expenses. Expenses that are subscription-based are usually long-term commitments that extend over a period of few years, and if its cumulative value is calculated, the amount could easily exceed the \$1,000 thresholds.

Based on the data analysis we performed, we found a few transactions presented below that are subscriptions but paid for using the purchasing card.

ID	Statement Date	Merchant Name	Employee ID	Business Unit	Transaction Amount (\$)	Description
1	5/07/2021	MSFT *<E0200EQEI2>	2409	ICT	697.76	Software-Azure Subscription
2	24/03/2022	MSFT *<E0200HU76Q>	2409	ICT	1402.54	Software- SQL Azure subscription
3	17/06/2022	PAYMATE*SPUN	608	LIBRARY	200.00	Spydus user group subscription
4	4/07/2022	WIX.COM 1002908189	178	ICT	958.90	Tresillian Wix subscription

Because of the limitation of the period of review, which is one year – we could not validate if these were either a one-off transaction which happened only once or whether these transactions reoccur in the next period. However, it is critical to revisit and update the procedure document to provide guidance on the action plan required related to subscription-based fees that could extend over multiple years without undergoing additional level of approvals as the charges are automatically charged in the card.

IMPLICATION

Increase the likelihood of large financial commitment over an extended period of time without the need of additional approvals.

Management Comment

'Use of purchasing card procedure' to be updated to permit subscription-based fees on purchase cards. Most software subscription fees are only renewable for 12 months at a time and preferred online payment method usually on a credit card and renewed each year either automatically or by request. Where subscription auto renewals are in place procedures need to be in place to ensure when City cancels subscription where use of software ceases auto payment also is cancelled.

Recommendations	Agreed Action	Action Owner	Target Date
14. Update the procedure on purchasing cards to clearly define subscription-based charges.	Update procedure on purchasing cards to define subscription-based fees.	Manager Financial Services	June 2023

3. OBSERVATIONS AND RECOMMENDATIONS (CONT.)

PURCHASING CARDS

Number of Purchasing Cardholders and Volume of Transactions		Rating
Finding 9.	Re-evaluation of purchasing cards required	MEDIUM

We calculated the volume and cost of purchase transactions for each business unit and evaluated it with the number of purchasing cards that are available for use. We found out that there are a total of **38** active purchasing cards allocated to these business units for use – but the number of purchasing cards held by each division varies. We noticed that some business units have a higher number of purchasing cards despite having a low volume and value of transactions – which pertains particularly to **'BLDMT'**, **'INFRAS'** and **'LIBRARY'**. But there was no evidence, (for example, a business case that justifies the granting of more cards to a few business units) to ensure that there is valid rationale behind these card numbers.

We understand that the last formal review of purchasing cards was performed in June 2016 which was over six (6) years ago and has not reflected any requirements about the need of any business unit case justification prior to granting the card to the business units. The summary and volume of transaction from 1 Jul 2021 to 31 Oct 2022.

Business Unit	EVNH	EVNC	TCC	PA	COMSVSADMIN	BLDSV	GOVADMIN	ICT	NCC
Number of cards (A)	1	1	1	1	1	1	1	1	3
# Volume (B)	57	59	77	124	101	61	162	210	280
Total Cost (C)	3,630	5,047	5,459	7,073	7,144	14,438	20,850	58,478	16,714
Average cost per transaction (C/B)	64	86	71	57	71	237	129	278	60
Average volume per card (B/A)	57	59	77	124	101	61	162	210	93
Business Unit	PLNADMIN	RANGER	HR	PRCC	COMDEVADMIN	INFRAADMIN	BLDMT	INFRAS	LIBRARY
Number of cards (A)	2	2	2	2	2	2	4	5	6
# Volume (B)	68	74	76	423	151	262	345	158	492
Total Cost (C)	6,606	6,704	12,596	24,480	8,994	31,677	71,320	10,820	39,672
Average cost per transaction (C/B)	97	91	166	58	60	121	207	68	81
Average volume per card (B/A)	34	37	38	212	76	131	86	32	82

IMPLICATION

Increase the likelihood of large financial commitment over an extended period of time without the need of additional approvals.

Management Comment

Formal review of City purchasing cards to be undertaken this year, of the adequacy of the number of purchasing cards in each business unit and effectiveness of the purchasing card process.

Recommendations**Agreed Action****Action Owner****Target Date**

15. Perform a regular review of the adequacy of the number of purchasing cards in each business unit and effectiveness of the purchasing card process document this consideration and review.

Internal procedures to be updated to ensure purchasing cards numbers and effectiveness are reviewed

Manager Financial Services

June 2023

3. OBSERVATIONS AND RECOMMENDATIONS (CONT.)

PURCHASING CARDS

Complete documentation of Cancelled Purchasing Cards		Rating
Finding 10.	Lack of adequate documentation on handover and cancellation of purchasing cards	MEDIUM

We understand that the purchasing cards are in the name of the cardholders. Whenever the cardholder ceased to be part of the City, the purchasing cards must be handed over to be cancelled with the bank to ensure that the card is closed and cannot be used anymore by an unauthorised person.

We tested the timeliness of cancellation and the availability of documented evidence to ensure adequacy of audit trail. Based on the samples tested, we found some reportable matters as follow

- Evidence of card cancellation such as requests, bank letters are not available
- Handover document the shows who receive the card, and on which date the card was handed over are missing in few of the samples
- In general, there is an inconsistent and lack of mandatory documentation requirements relating to the cancellation process of purchasing

Cardholder	Date of Internal Notice leaving Nedlands	Effective last date (A)	Evidence of handover of card	Card Handover Date	Evidence of Cancellation service request with the bank (B)	Difference (A-B)
Madison Newby	12/08/2021	01/09/2021	Not provided	Not provided	06/09/2021	5 days
Rajan Sharma	No evidence	No evidence	Yes	11/05/2022	Not provided	Cannot calculate
Ed Herne	18/02/2022	18/02/2022	Yes	Undated	Not provided	Cannot calculate
Neil McGuiness	24/08/2021	No evidence	Yes	23/06/2021	Not provided	Cannot calculate
Brendon Capriotti	No evidence	No evidence	Not provided	Not provided	21/7/2021	Cannot calculate

We were informed that the person who was the main point of contact and the primary responsible for the card cancellation process has ceased employment in the City - which influenced the adequacy of documentation provided. However, we believe that regardless of the person involved, the process has to be robust enough to ensure that process-level internal controls are complied with at all times.

IMPLICATION

Potential financial loss to the City

Management Comment

Processes for managing the cancellation of purchasing cards when staff leave the employment of the City to be updated to ensure that process-level internal controls are robust and complied with at all times. Terminated staff exit interview checklist now includes checkbox for credit card/purchase card to be retrieved.

Recommendations	Agreed Action	Action Owner	Target Date
16. Review list of purchasing cards that belong to terminated employees and ensure these are cancelled on a timely basis. Ensure this is performed on a timely basis for all future terminated employees. File the evidence of handover, cancellation request, and proof of cancellation completely. Include in the purchasing procedure document the mandatory filing requirements for cancellation.	Undertake review of terminated employee purchase cards processes to ensure compliance and evidence of handover, cancellation request, and proof of cancellation are captured in the City's records system.	Manager Financial Services	June 2023

4 OTHER

4.1. Disclaimers

Moore Australia (WA) Pty Ltd as agent, an independent member of Moore Global Network Limited, and a Perth based partnership of trusts carries on business separately and independently from other Moore Global Network Limited member firms worldwide.

Services provided under this engagement are provided by Moore Australia (WA) Pty Ltd as agent and not by any other independent Moore Global Network Limited member firms worldwide. No other independent Moore Global Network Limited member has any liability for services provided.

4.2. Basis of Use

This report has been prepared in accordance with the objectives and approach agreed in the engagement document and subject to the following limitations:

- Other than use by you for the purpose, our report cannot be issued, accessed, or relied upon by any third party without our prior written approval. Furthermore, neither the report nor extracts from it will be included in any document to be circulated to other third parties without our prior written approval of the use, form, and context in which it is proposed to be released. We reserve the right to refuse to grant approval to issue the reporting to any other party.
- Our internal audit work was performed in accordance with the International Standards for the Professional Practice of Internal Auditing contained in the International Professional Practices Framework issued by the Institute of Internal Auditors. It did not constitute an audit or review in accordance with standards issued by the Auditing and Assurance Standards Board and accordingly no such assurance under those standards is provided in this report.
- The matters raised in this report are only those which came to our attention while performing our procedures and are not necessarily a comprehensive statement of all the weaknesses that exist or improvements that might be made. We cannot, in practice, examine every activity and procedure, nor can we be a substitute for management's responsibility to maintain adequate controls over all levels of operations and their responsibility to prevent and detect irregularities, including fraud. Accordingly, management should not rely on our report to identify all weaknesses that may exist in the systems and procedures under examination, or potential instances of non-compliance that may exist.

- We believe that the statements made in this report are accurate, but no warranty of completeness, accuracy or reliability is given in relation to statements and representations made by, and the information and documentation provided by, Management and personnel. We have indicated within this report the sources of the information provided. We have not sought to independently verify those sources unless otherwise noted within the report. We are under no obligation in any circumstance to update this report, in either oral or written form, for events occurring after the report has been issued in final form unless specifically agreed with the client. The Internal Audit findings expressed in this report have been formed on the above basis.
- Recommendations for improvement should be assessed by management for their full commercial impact, before they are implemented.

4.3. Conflicts of Interest

The firm is not aware of any existing or potential relationship, transaction or holding that would compromise its objectivity in the conduct of the services rendered. Should the possibility of a perceived or actual conflict arise the matter would be raised with the Chief Executive Officer immediately and activities suspended until the issue was resolved to your satisfaction.

4.4. Liability

Moore Australia (WA) Pty Ltd trading as agent – ABN 99 433 544 961, an independent member of Moore Global Network Limited - members in principal cities throughout the world.

Liability limited by a scheme approved under Professional Standards Legislation.

APPENDIX 1: KEY TO SIGNIFICANCE OF RISK RATING

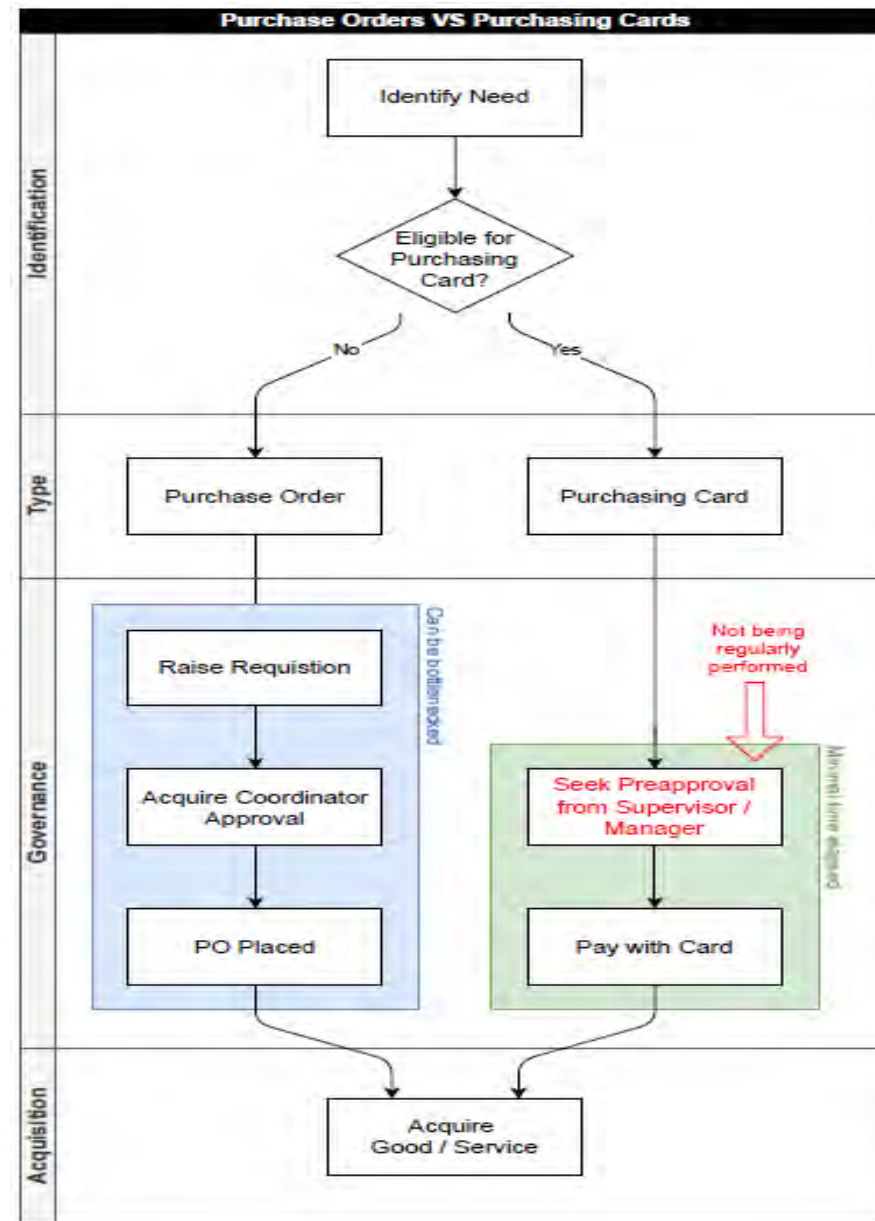
Rating	Definition	Guidance	Action required
High	Issue represents a control weakness, which could cause or is causing major disruption of the process or major adverse effect on the ability of the process to achieve its objectives.	<ul style="list-style-type: none"> Material errors and departures from the organisation's policies and procedures; Financial management / accountability / probity concerns; Non-compliance with governing legislation and regulations may result in fines or other penalties; and Collective impact of many moderate or low issues. 	<ul style="list-style-type: none"> Requires significant senior management intervention and may require significant mobilisation of resources, including external assistance; and A detailed plan of action to be approved by Management with resolution within 30 days.
Medium	Issue represents a control weakness, which could cause or is causing moderate adverse effect on the ability of the process to meet its objectives.	<ul style="list-style-type: none"> Events, operational, business, and financial risks could expose the organisation to losses could be marginally material to the organisation; and Departures from best practice management procedures, processes. 	<ul style="list-style-type: none"> Requires substantial management intervention and may require possible external assistance; and Timeframe for action is subject to competing priorities and cost benefit analysis but should not exceed 3 months.
Low	Issue represents a minor control weakness, with minimal but reportable impact on the ability to achieve process objectives.	<ul style="list-style-type: none"> Events, operational and business risks could expose the organisation to losses which are not material due to the low probability of occurrence of the event and insignificant impact on the operating capacity, reputation, and regulatory compliance; and Departures from management procedures, processes, however, appropriate monitoring and governance generally mitigates these risks. 	<ul style="list-style-type: none"> Requires management attention and possible use of external resources; and Minor treatment is desirable. Action should be completed within 6 months.

APPENDIX 2: KEY PERSONNEL CONTACTED

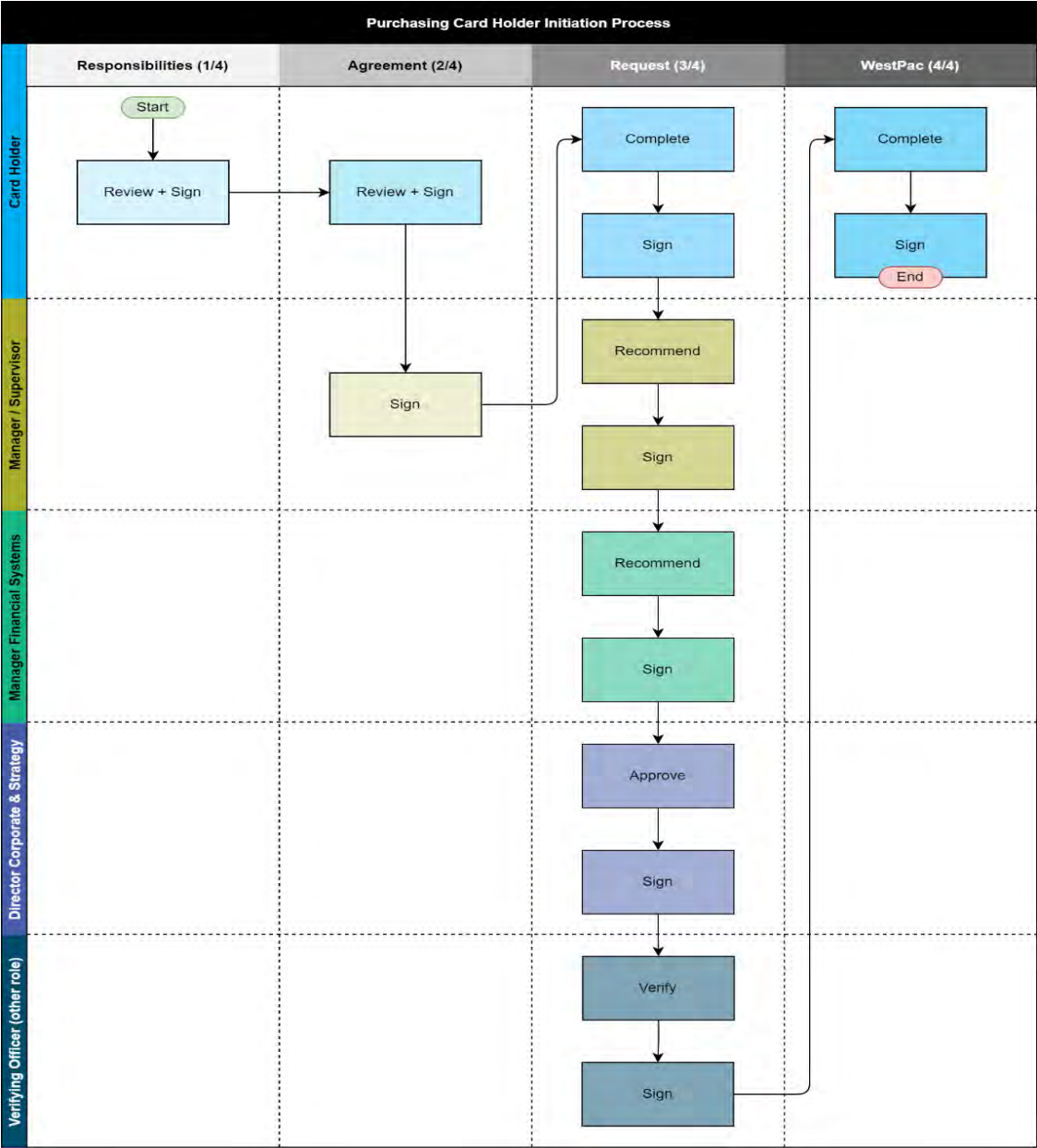
We would like to thank the following personnel for their assistance in the conduct of this internal audit.

Name	Role
Mike Cole	Director Corporate Services
Stuart Billingham	Manager Financial Services
Lauren Fitzgerald	Senior Project Accountant
Qurban Ali	Coordinator Revenue
Tara Moore	Finance Officer Revenue
Purvi Chudasama	Finance Officer Accounts Payable
Nathaly Alvarez	Coordinator Procurement and Contracts

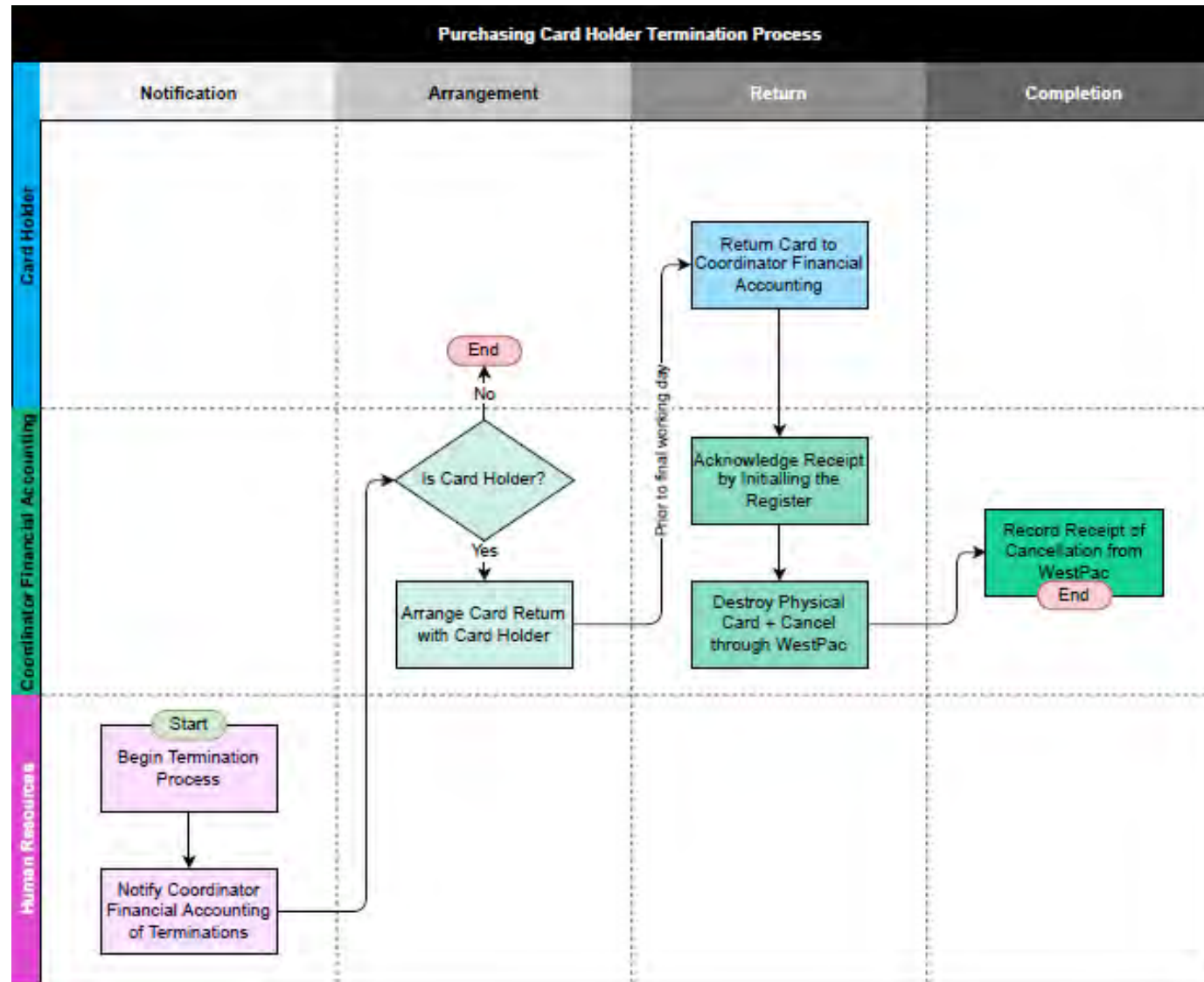
APPENDIX 3: PURCHASING CARDS PROCESS MAPS



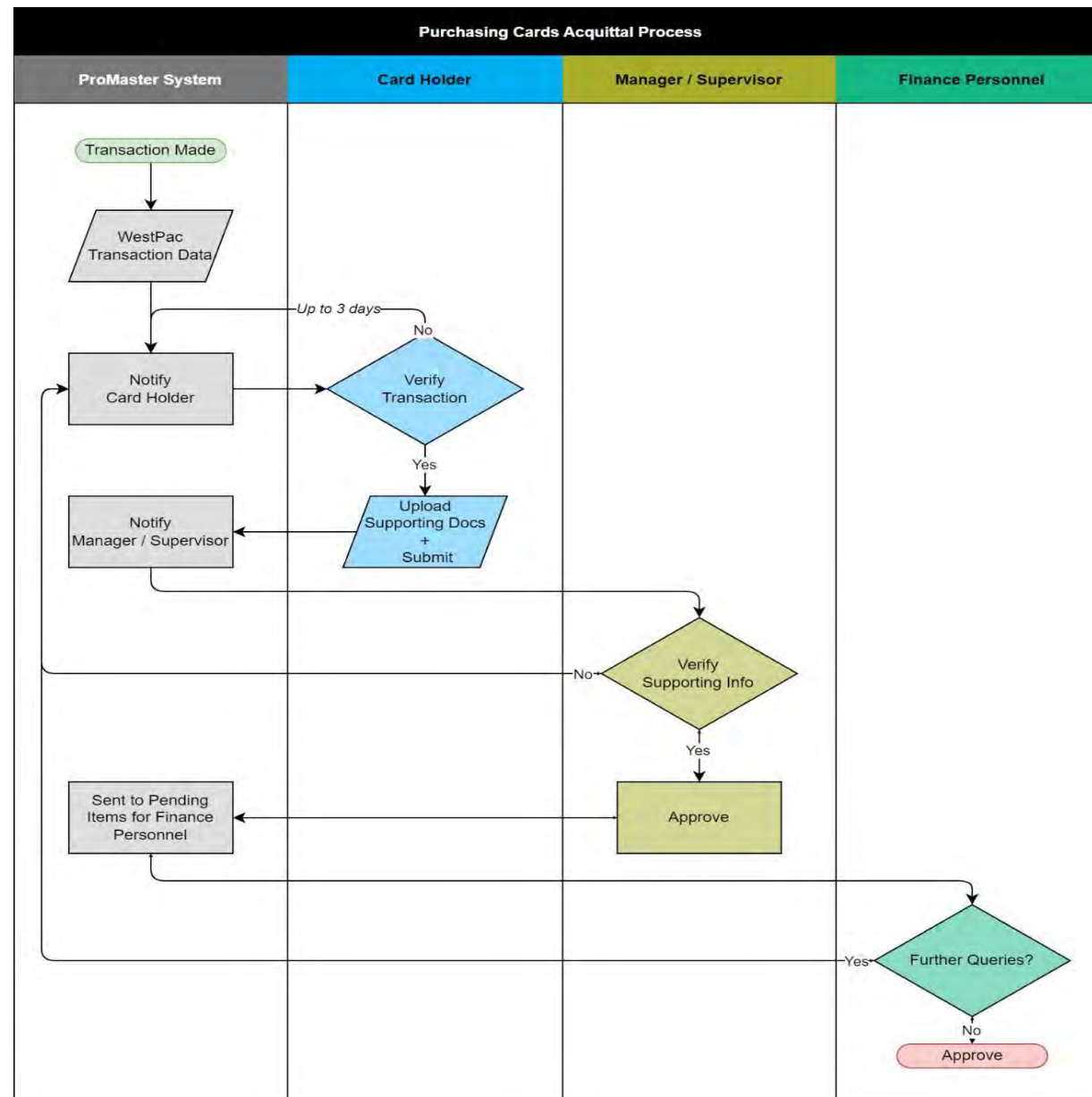
PURCHASING CARD INITIATION PROCESS MAP



PURCHASING CARD TERMINATION PROCESS MAP



PURCHASING CARD ACQUITTAL PROCESS MAP



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HELPING YOU THRIVE IN A CHANGING WORLD

INTERNAL AUDIT FINANCIAL MANAGEMENT REVIEW

City of Nedlands

27 January 2023



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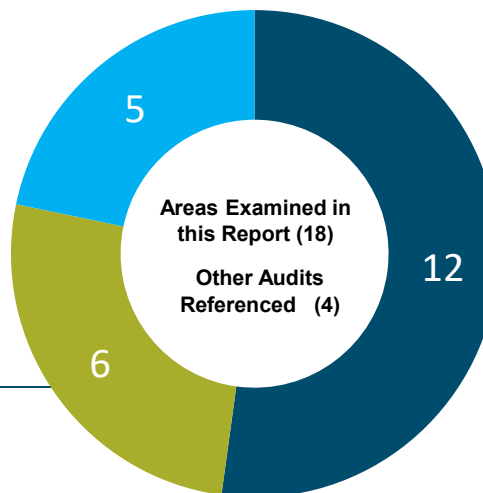
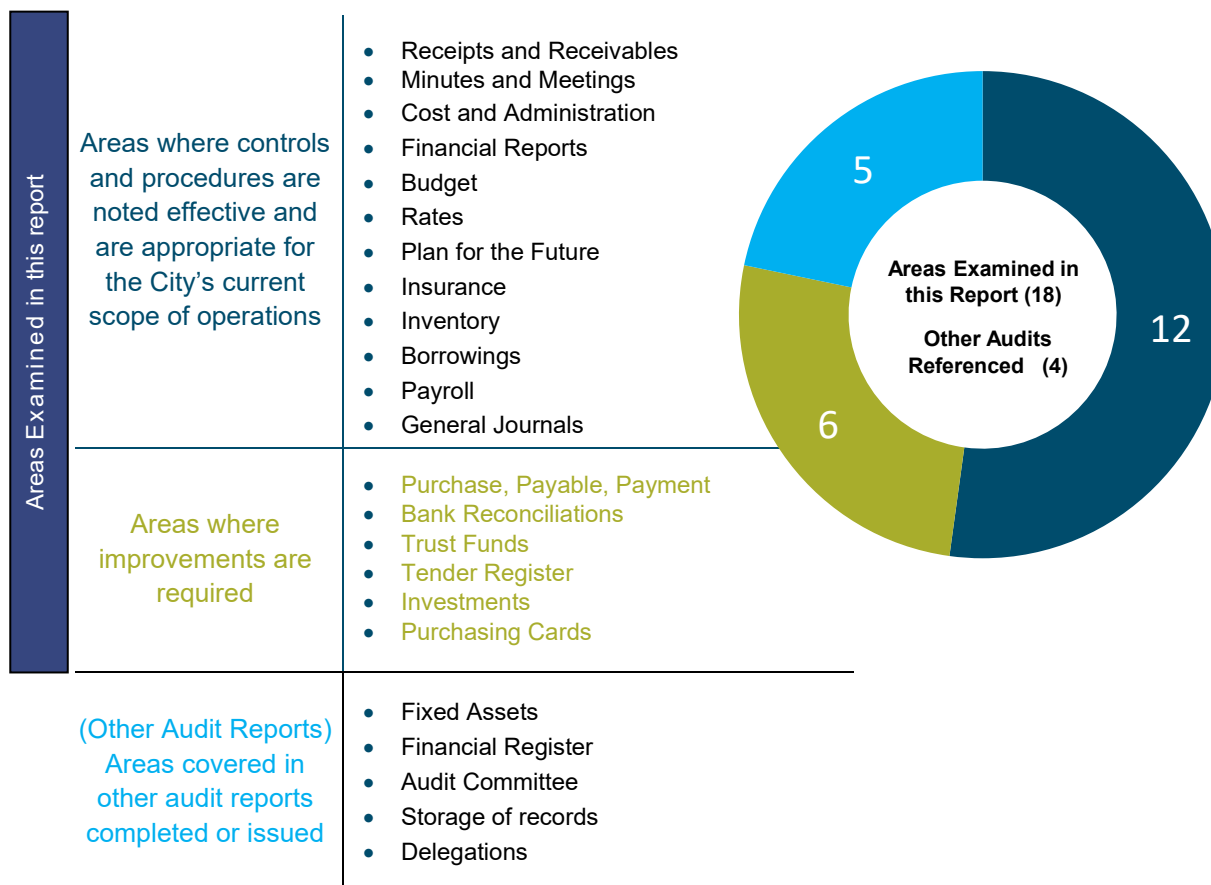
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1. EXECUTIVE SUMMARY

1.1. Background

This review included a high-level understanding of the key financial systems that support the financial processes undertaken by the City and the performance of review procedures designed to evaluate the appropriateness and effectiveness of the control environment of the City's financial management system. The procedures performed for each area in respect of the review have been included in [Appendix 1](#). We did not necessarily examine compliance with provisions of the Act or Regulations, which were not financial in nature.



1.2. Overall Findings

Based on the review procedures performed, we did not find any major issues with the processes related to the Financial Management of the City. However, we found some matters for improvement with the corresponding rating summarised in the below chart. The details of the observations and the relevant recommendations can be found in [Section 3 Observation and Recommendations](#)





1. EXECUTIVE SUMMARY (CONTINUED)

1.3. Positive Observations

Throughout the course of the engagement, there are areas we noted to be commendable as part of this audit engagement. These include the following:

- Timely submission of the documents and information as part of the initial requirements.
- The willingness of the staff involved in this audit to immediately implement the recommendation as identified wherever applicable during this audit to ensure that procedures are aligned with existing better practices.

1.4. Related Internal Audits

We have requested but we have not received a copy of the previous Financial Management Review

1.5. Acknowledgement

We would like to thank the City's personnel for the assistance that has been extended during the engagement. Key personnel contracted are outlined in [Appendix 2](#).

1.6. Summary of Results

The table below presents the results where matters for improvement are identified. Details are reflected in [Section 3 Observation and Recommendations](#).

	Summary of Findings				Recommendations
Risk Rating	Total	High	Medium	Low	Total
Purchase Payments and Payables	1	-	1	-	1 - 2
Bank Reconciliations	1	-	-	1	3 - 4
Trust Funds	1	-	1	-	5 - 6
Contract and Tender Register	1	-	1	-	7 - 8
Investments	1	-	-	1	9
Purchasing Cards	5	-	4	1	10 - 16
Total	10	-	7	3	

2. SCOPE AND APPROACH

2.1 Objective and Scope

The objective of our review as outlined in our engagement letter dated 9 November 2022 is to provide a report, based on our understanding of the City and associated risks, to the Chief Executive Officer on the appropriateness and effectiveness of the City's financial management systems and procedures as required by Financial Management Regulation 5(2)(c). To this end, we examined the following financial systems and processes of the City covering the period 1 July 2021 to 30 June 2022 as agreed with the City's Management. **The areas reviewed are listed below:**

• Purchases, Payments, and Payables	• Plan for the Future
• Receipts and Receivables	• Tender Register
• Payroll	• Budgets
• Rates	• Insurance
• Bank reconciliations	• Borrowings
• Trust Funds	• Inventory
• Cost and Administration Allocations	• Investments
• Minutes and Meetings	• General Journals
• Financial Reports	• Purchasing cards*

2.2 Detailed Review of Purchasing Cards*

A detailed review was performed for the purchasing cards in accordance with a Statement of Scope signed 21 October 2022. The scope for this element of the engagement is:

- Management of purchasing cards on recruitment and termination;
- Volume of purchasing cards within the City;
- Roles and responsibilities, including segregation of duties;
- Review of policies, procedures, manuals, and guidelines that govern the management of purchasing cards, and reporting of non-compliances
- Delegations of authority for management, usage, and approval
- Value for Money, Efficiency, and Risk, where possible;
- Acquittal process of purchasing card transactions;
- Compliance with legislation and better practice principles and OAG tabled reports

2.3 Reference to Previous Reports

The review did not include detailed procedures performed in prior internal audits and those performed in recent times. Readers should refer to these reports for details of work performed and results of the reviews. These include:

• Fixed Assets	Asset Management Audit
• Financial Register	Conflict of Interest Audit
• Audit Committee	Review of Effectiveness of the Audit and Risk Committee
• Storage of records	Records Management Audit
• Delegations	Regulation 17 Audit

2.4 Approach

The methodologies applied in this review were a combination of several audit techniques to match the agreed audit objectives and scope. This review was conducted with the following approach:

- Entrance meetings and discussions with relevant stakeholders;
- Interview and meeting with different process owners who are involved in the process to understand the current environment, challenges, and opportunities;
- Review of the policies and procedures;
- Review of documents and sample testing where appropriate;
- Issuance of draft report to Management;
- Exit Meeting with Management to discuss key findings and recommendations;
- Receipt of Management feedback and comments; and
- Issuance of final report to the Audit and Risk Committee and Management.

2. SCOPE AND APPROACH

2.5 Limitations of Scope

Our work is limited by the following:

- The scope of our services and any deliverables will be limited to carrying out internal audit assignments in accordance with the strategic internal audit plan approved by the Audit and Risk Committee. We will only cover the scope of work approved by the Audit and Risk Committee and unless additional areas are specifically agreed with the Audit and Risk Committee during the year;
- The scope of work for this engagement as approved by Management in our Statement of Scope signed on 9 November 2022;
- Due to the inherent limitations of any internal control structure, we do not warrant that all weaknesses, fraud, error, or non-compliance in your control structures were detected during the course of the Engagement;
- Any testing under the Engagement is performed on a sample basis and is not conducted continuously;
- Any projections as to the assessment of the control structures in future periods are subject to the risk that the structures may become inadequate as a result of changes in conditions, or that the degree of compliance with them may deteriorate; and
- We conducted appropriate tests of key controls within our scope. Our findings only relate to the period of testing undertaken during our review and cannot be relied upon to be representative of the operation of control procedures prior to or after this period.
- The review constitutes an advisory engagement which is not subject to assurance or other standards issued by the Australian Auditing and Assurance Standard Board and, consequently no opinions or conclusions are intended to convey assurance, either expressed or implied.

2.6 Summary of Results

The table below shows a summary of findings within this report.

Findings		Governance	Information Systems	People	Process	Total FMR Findings
1	Purchase Payments and Payables	-	-	-	1	1
2	Bank Reconciliations	-	-	-	1	1
3	Trust Funds	-	-	-	1	1
4	Contract and Tender Register	-	-	-	1	1
5	Investments	-	-	-	1	1
6	Purchasing Cards	1	-	1	3	5
Total		1	-	1	8	10

2.7 Reference to Previous Internal Audit Reports

The table below shows the observations in the previous internal audit engagements that are referenced in this audit report. This report should be read in accordance with these reports.

Tabled Reports		FY	Governance	Information Systems	People	Process	Total Internal Audit Findings
1	Asset Management	2022	4	1	-	4	9
2	Effectiveness of Audit and Risk Committee	2022	4	-	5	5	14
3	Records Management	2021	5	1	1	2	9
4	Regulation Engagement 17	2022	6	-	2	4	12
Total			19	2	8	15	44

3 OBSERVATIONS AND RECOMMENDATIONS

PURCHASES, PAYMENTS, AND PAYABLES

Effectiveness of internal controls on purchase, payments, and payables		Rating
Finding 1.	Control gaps in purchase order and quotation requirements	MEDIUM
<p>We reviewed the policies and procedures applicable to the purchases, payments, and payables to ensure that it is aligned as per the requirements of the financial management regulation. We also selected and tested a sample of transactions to determine whether purchases were authorised, and payments were supported, invoices and correctly allocated. Our test on the samples revealed few exceptions as follow:</p> <p>A. We found instances where the PO amount did not match the invoice amount. This error was due to the Purchase Order where it reflects the amount as inclusive of GST instead of adding it separately. This variation normally should not occur in the transaction between the purchase order and the invoice if the controls are working effectively. However, the City's Purchasing of Good and Service policy on variations between the Purchase Order and the Invoice requires to amend purchase order if the variance is above 10% or \$1,000 or higher. In the exception identified, it requires no amendment on the PO as it is lower than the threshold.</p> <p>B. Instances were noted where the Purchase Order for kitchen supplies included items that are classified as IT equipment which should have been excluded.</p> <p>C. Instances were noted where the minimum 3 quotations requirement (for \$40,000 to \$149,999 threshold) were not met. Although four (4) suppliers were invited but only (two) 2 provided the quotations while the remaining two did not meet the deadline – but there was no evidence of follow up sent to these suppliers or any evidence of rejection letters from the Supplier explaining the justification of refusal to provide quotation.</p> <p>IMPLICATION</p> <p>Unauthorised payments if payments do not align to approved purchase orders. Inaccurate financial management information</p>		
<p>Management Comment</p> <p>Purchases, Payments, and Payable internal controls and processes (officer training) to be improved to resolve GST (point A) and Classification (point B) issues identified above.</p> <p>Monitoring to be increased by Finance Department of Organisational compliance with City Purchasing Policy (Point C).</p> <p>If suppliers do not provide quotation, then unlikely supplier will provide explanation why they did not provide quote, hence also unlikely they will also provide rejection letter.</p> <p>It is noted that this is not a statutory requirement, however considered best practice and the City officer will seek feedback where possible.</p>		

Recommendations	Agreed Action	Action Owner	Target Date
1. Ensure that the purchase order category is accurate when procuring the services or goods. Consider implementing a 3-way match between (PO, Invoice and Payments).	1.Procedures to be improved to ensure correct category selected when procuring services or goods in future. 3 way matching (PO, Invoice and Payment) to be investigated in One Council if possible and implemented.	Manager Financial Services	June 2023
2. Ensure adherence to the policy of minimum quotations. Obtain evidence of refusal if the Supplier could not provide the quotation.	2. Finance Department to increase monitoring of Organisational compliance with City Purchasing policy.		

3. OBSERVATIONS AND RECOMMENDATIONS (CONT.)

BANK RECONCILIATIONS

Accuracy and Completeness of Bank Reconciliations			Rating
Finding 2.	Inconsistencies in the signoffs of the bank reconciliation and few unresolved long outstanding reconciling items		LOW
<p>We reviewed the procedures related to bank reconciliations and examined samples to ensure that bank reconciliations are complete and timely. Our review of the samples revealed minor gaps as follow:</p> <p>A. There was an inconsistency in the review of the bank reconciliation monthly approvals. Although we noted the bank reconciliation was prepared and complete for the entire duration of the period under review (Jul 2021 to Jun 2022), we noticed that there were no documented signoffs from the Manager Financial Services on the four (4) months of the bank reconciliation from March 2022 to Jun 2022 as required by City's procedure. This reduction in the number of approvals is a change in the review controls that should have been reflected in the procedure.</p> <p>B. The bank reconciliation of the Municipal bank account has long outstanding reconciling items that are dated back to 2018 and are still included in the year 2022 bank reconciliation. Although, we were informed by the Officer in charge of the bank reconciliation these reconciling items are currently being reviewed and adjustments will be made on these items, we believe that this should be completed immediately soon to close out long outstanding reconciling items. The independent approval of the bank reconciliation should have requested this to be performed in a more timely basis as sound financial management controls, and to identify fraud, corruption and error on a timely basis. In saying this we do not doubt the integrity of Management or staff members.</p> <p>IMPLICATION</p> <p>Documented signoffs is a key approval control and the absence of which may indicate a lack of review which will eventually increase likelihood of undetected fraud, corruption and errors within the City.</p>			
Management Comment			
<p>A. Bank Reconciliations since March 2022 no longer reviewed by Manager Financial Services, moving forward bank reconciliations now prepared by Finance Officer-Revenue and reviewed by either Coordinator – Revenue or Senior Accountant independent of preparer. Internal operational procedures now updated to reflect change in Officer reviewing Bank Reconciliations each month City Procedure. In absence of reviewing officer Finance Manager still reviews and signs off.</p> <p>B. Long outstanding Bank Reconciliation items back to 2018 are being reviewed and addressed and majority of items appear to be bonds unrepresented stale cheques to be cancelled and new method of payment to be arranged such as EFT.</p>			
Recommendations	Agreed Action	Action Owner	Target Date
3. Update the procedure to mention signoff requirements in bank reconciliation to ensure consistency.	Procedures to be updated	Manager Financial Services	June 2023

4. Review and resolve the long outstanding reconciling items that are more than 1 month.	Old outstanding items to be addressed. Contact payees to advise unclaimed stale cheques cancelled and advise alternative means of payment wherever applicable such as EFT.		
--	--	--	--

3. OBSERVATIONS AND RECOMMENDATIONS (CONT.)

TRUST FUNDS

Managing and Maintenance of Trust Fund Account		Rating
Finding 3.	Lack of adequate controls for trust funds	MEDIUM
<p>We reviewed the procedures and examined through testing a sample of receipts and refunds to determine proper accountability specific to the trust fund accounts. Our test revealed few observations as follow:</p> <p>A. No detailed breakdown of the accounts in the Trust Fund Register. As of June 2022, there were seven (7) accounts reflected in the 'Trust Monthly Reconciliation' that include (1) Footpath deposits (2) Halls bonds (3) Key bonds (4) Miscellaneous (5) Tresillian bonds (6) Unclaimed monies (7) Subdivision crossover bonds.</p> <p>However, the detailed breakdown of these accounts was not attached to the recon statement as we have to request for the account details separately. On a sample basis, we verified details of Footpath deposits, unclaimed monies and miscellaneous account – and found that there were balances in 2002 & 2005 for miscellaneous, and balances in 2007 & 2008 for unclaimed monies. A major portion of this balance represents unclaimed or cancelled cheques but there was no evidence of notification sent to the account holders informing payees of the alternative means of action to be taken to claim these monies.</p> <p>B. Documented signoffs evidencing review and approval of the trust fund reconciliation was also reduced from three (3) to two (2) Officers without the Manager Financial Services signature on reconciliations from February 2022 to June 2022. <i>We were informed that the change in signoffs was decided earlier where the signoff by the Manager Finance was not required and wasn't adding any value. We were also informed that the signoff process was changed where one officer will prepare the recon and the coordinator will signoff – but in the absence of the coordinator – the Manager will signoff.</i> This change in the review process should be included in the procedure wherever applicable.</p>		
<p>IMPLICATION</p> <p>Non-compliance with legislation</p> <p>Without a separate trust fund account maintained, this could increase the risk of transactions being combined with the regular funds leading to difficulty in accounting for trust funds particularly for old deposits or bonds.</p>		
<p>Management Comment</p> <p>A. Trust Funds actually now called “Bonds and Deposits” since 2019 old balances to be investigated and resolved</p> <p>B. Reconciliation Procedure to be updated to reflect new review process adopted</p>		

Recommendations	Agreed Action	Action Owner	Target Date
<p>5. Ensure regular availability of the detailed breakdown of trust funds and include it in the trust fund reconciliation document. Review the long outstanding recon items and check if these are still valid or not. Contact payees to advise unclaimed cheques and advise alternative means of payment wherever applicable.</p> <p>6. Update the procedure to mention signoff requirements in trust fund reconciliation to ensure consistency.</p>	<p>1. Full review of bonds to be undertaken and reconciled, with</p> <p>2. Procedure to be updated with new review processes.</p>	Manager Financial Services	June 2023

3. OBSERVATIONS AND RECOMMENDATIONS (CONT.)

CONTRACT AND TENDER REGISTERS

Completeness of the contract and tender registers		Rating
Finding 4.	Incomplete documentation related to contract extensions and incomplete registers maintained	MEDIUM

Complete documentation relating to the original contracts, amendments, variations, and extensions is critical to ensure that these are available and accessible at any time as these documents are the basis for the supply of goods and services over an extended period. Based on our review of tenders on sample basis, we found the following:

- A. Evidence of contract extensions for two (2) years from November 2020 to November 2022 related to the cleaning services between the City of Nedlands and Charles Services Company is not available. We were informed by the Procurement Officer that the documents could not be located which may be potentially an indication of inadequate records management or oversight on the subsequent contract extensions.

Contract Term	Availability of Contract and Extension
19/Nov/18 to 18/Nov/19	Original contract
19/Nov/19 to 18/Nov/20	Extension of contract for 12 months is available
19/Nov/20 to 18/Nov/21	No extension of contract available
19/Nov/22 to 18/Nov/22	No extension of contract available
19/Nov/22 to 18/Nov/23	Pending negotiation – contract is not finalised

- B. From the sample selected, we found that RFP0618/0626 is a tender for three (3) years starting from the year 2019 to 2022 specific to insurance services that should have been added in the tender register list but was not reflected clearly on the list.
- C. There was no process of regular review of the Contract Register and Tender Register along with the evidence of its review. The 'Contract Register' was last updated on 15 Nov 2022 but the information on who reviewed it and signoffs was not available. Also, the 'RFT Register' has no information about its update date and reviewer information.
- D. We found instances of blank data fields in the Contract Register and in the Tender Register fields which were not filled in to ensure completeness of the registers.

IMPLICATION

Non-compliance with policy

If these contract documents are not available to verify the scope of services or the agreed rates, it could increase the risks of financial losses due to continuance of services without the applicable contract that protect both parties in the event of default or breach in terms and conditions. Ineffective contract and tender management Fraud, corruption, and error may not be detected on a timely basis with inadequate financial management information

Management Comment

City of Nedlands staff are in an ongoing process of tracking down missing historical Contracts and Tenders registers information, once located the appropriate registers are updated to improve their completeness. Moving forward internal procedures now capture all the required new Contracts and Tenders information to ensure completeness, which is now located in one single repository.

Recommendations	Agreed Action	Action Owner	Target Date
<p>7. Contracts with extension clauses should be properly supported with evidence that is signed by both parties. Retrieve and file contract extensions in a centralised repository that is easily accessible.</p> <p>8. Update both the contract and tender registers to reflect complete information of all contracts and tenders respectively.</p>	<p>1. Currently all contracts with extensions have a letter sent to supplier when City exercises extension clauses. Mutual agreement by both parties documented rather than a doc signed by both parties. Historical contracts to be retrieved and filed in a centralised records repository, accessible by authorised staff.</p> <p>2. Contract and Tender Registers both to be updated to reflect complete information.</p>	Manager Financial Services	June 2023

3. OBSERVATIONS AND RECOMMENDATIONS (CONT.)

INVESTMENTS

Adequacy of policies pertaining to investments			Rating
Finding 5.	Updates required related to investment policy		LOW
<p>We reviewed the policy and procedures related to investments to identify gaps wherever applicable. The results of our tests revealed exceptions as follow:</p> <p>A. We found that some investments were split into different parts, but the existing investment policy is silent about any conditions related to splitting of investments accounts and how these are managed and approved for any rollover going forward.</p> <p>B. The 'Investment of Council Funds' was last reviewed and approved in May 2017 and should be reviewed on a timely basis and at least every 2 years or more regular if the need arises such as legislative changes etc.</p>			
<p>IMPLICATION</p> <p>Unapproved investments Lack of clarity on the approvals of investment roll-over may put the City in undesirable position where investment could be renewed earning a lower interest.</p>			
<p>Management Comment</p> <p>City finance officers currently adhere to the City of Nedlands 'Investment of Council Funds Policy' and 'Investment of Council Funds City Procedure' when investing and reinvesting City funds.</p>			
Recommendations	Agreed Action	Action Owner	Target Date
<p>9. Update the Investment of Council Fund procedure to include:</p> <ul style="list-style-type: none"> exemptions to roll-over approvals clarity of procedures related to the splitting and classification of investment accounts. review cycles along with the roles and responsibilities of the approvers and initiators. 	Review and update Investment Policy and Procedure as per recommendation.	Manager Financial Services	September 2023

Background on Purchasing Cards*

The internal controls applicable to the Purchasing Cards are key elements in the Financial Management Review (FMR) and form part of its overall internal control environment. The risks associated with the purchasing cards are high due to several reasons as follow:

- (1) the ease of use in procuring the desired services or goods without the need of pre-approval
- (2) clarity on the nature of services or goods that can be paid using the card
- (3) the means of purchase that can be done online
- (4) the extent of commitment that can happen when using the cards to procure services that extend over a long period without undergoing reauthorisation procedures
- (5) the frequency of payments that can be made daily, weekly, or monthly
- (6) the monitoring controls that should be in place to ensure that usage of cards is authorised and transactions are made for business purposes only

We presented below data analytics snapshots of purchasing cards to provide a brief background at the City of Nedlands. We also prepared and attached in [Appendix 3](#) of this report the Purchasing Card Process Maps to understand the process-level internal controls that should be in place to mitigate inherent risks involved.

Figure 1: Cardholder by business unit

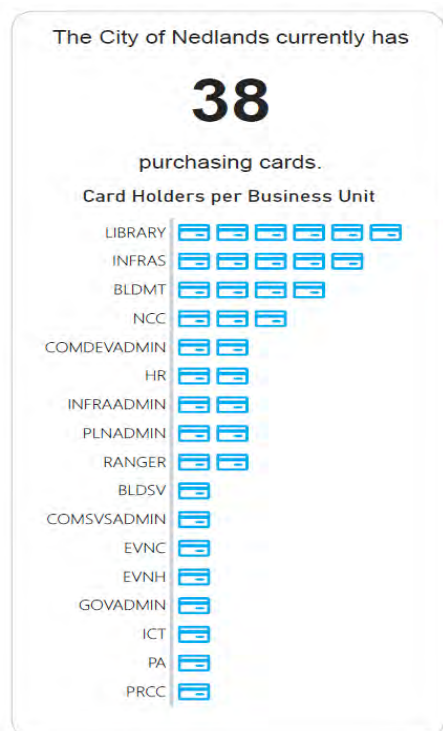


Figure 2: Summary by volume and cost

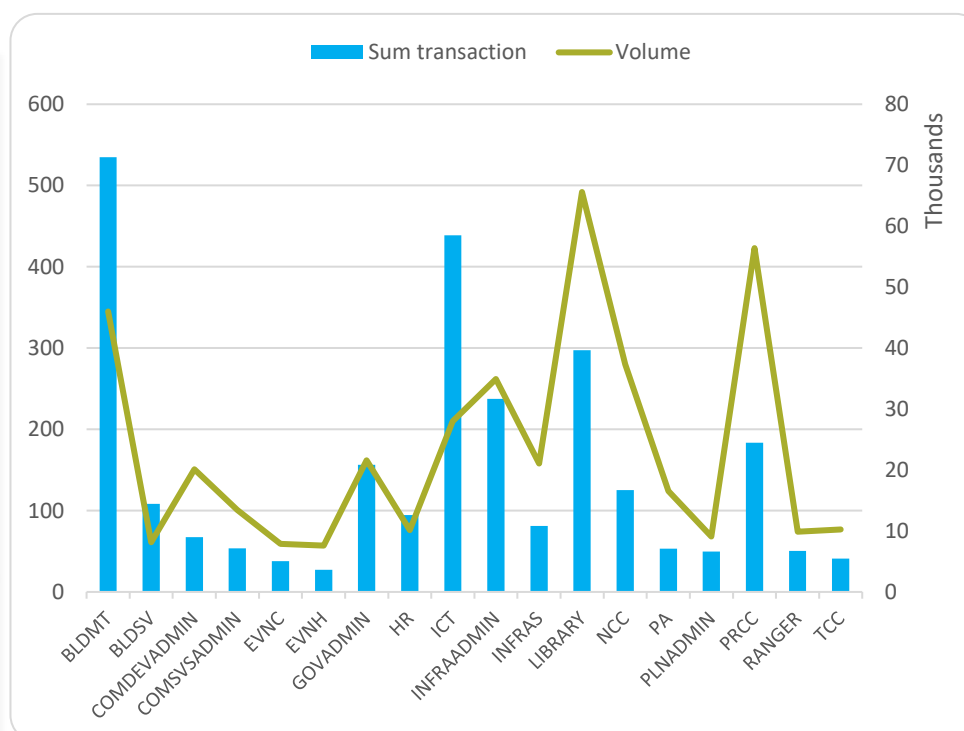
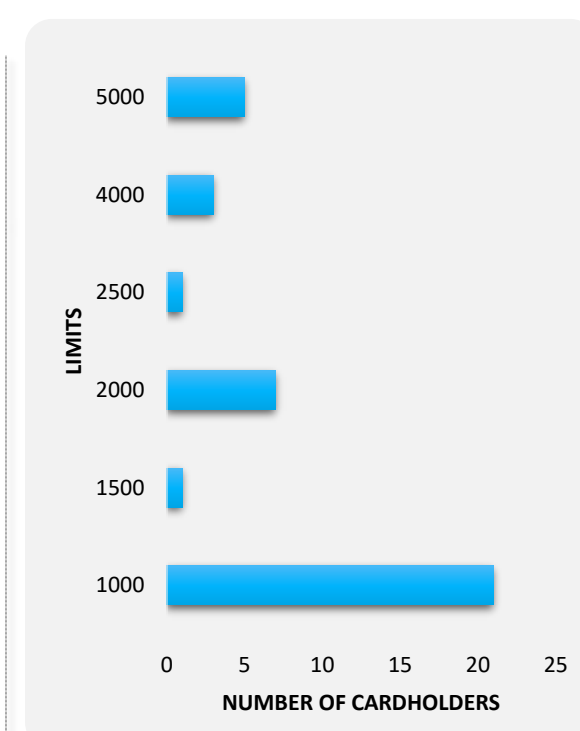


Figure 3: Limits by cardholders



3. OBSERVATIONS AND RECOMMENDATIONS (CONT.)

PURCHASING CARDS

Extent of compliance with the Purchasing Card Procedures			Rating
Finding 6. Observations that are deemed noncompliance with the requirements in the procedures			MEDIUM
<p>The City introduced and published the 'Use of Corporate Purchasing Cards' procedure in June 2016 with the aim of improving the City's efficiency by eliminating time-consuming paper-based ordering and payment methods for low value purchases. We selected and tested few sample transactions to validate full compliance between the requirements in the procedures and the actual practice of approvals, utilization, and documentation of the purchases made using the corporate purchase cards issued by the City. We found few differences as follow:</p>			
Procedure Reference	Specific Details in the Procedure	Actual Practice	Audit Comments on the extent of noncompliance
Page 2 Purchasing Card Usage	<i>"Prior approval must be obtained from the Manager of the card holder before the purchase is taken"</i>	For all samples selected and tested, the review happens at the reconciliation stage after the purchase is already made. No evidence of pre-approval before the purchase is made.	Pre-approval protocols prior to purchase is not complied with.
Page 3 Purchasing Card Usage	<i>"Purchasing card shall not be used for the card holder's personal benefit, including participation in incentive schemes e.g., Frequent Flyers."</i>	We found two (2) samples out of (15) where reward schemes were used at the time of purchase. We found these at the bottom of the receipts provided for our review.	<p>The use of rewards schemes by an individual at the time of purchase is an indication of non-compliance with policy and evidence a personal benefit was received by an employee. We are not suggesting that this was intentional non-compliance or a employee intentionally seeking a personal benefit and is potentially a training and awareness opportunity.</p> <p>As we selected only a sample of 15 transactions, similar noncompliance could exist in other transactions not selected for sample.</p>

Page 2 Purchasing Limits & Anti Avoidance Provision	<i>Purchasing cards may be used for transactions not exceeding \$1,000.</i> <i>Any purchase transaction exceeding \$1,000 shall be processed via a purchase order in accordance with the procedures for purchasing goods and services</i>	Out of the samples tested, we found one instance of purchase that exceeded the \$1,000 thresholds – dated 24 th March 2022, Ref MSFT* <E0200HU76Q> ICT for an amount of \$1,402.50 for Software – SQL Azure subscription.	Potential noncompliance with policy.	
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Management Comment

City Use of Corporate Purchasing Card Procedures to be updated to reflect recommendations below. A max limit of 2 cards to be introduced on individual Business Units on the number of purchase cards they can be issued.

Recommendations	Agreed Action	Action Owner	Target Date
<p>10. Update the purchasing card procedure to reflect changes from pre-approval to post-approval.</p> <p>11. Provide training and awareness to all staff but specifically purchasing cardholders to remind them of the purchasing card policy addressing internal audit findings such as rewards scheme's restrictions and thresholds for use.</p> <p>12. Regular review the purchasing card transactions above the \$1,000 threshold and obtain justification as part of the approval process. Explore options of imposing transactional limit with the card if possible.</p>	<ol style="list-style-type: none"> 1. Update purchasing card procedures as recommended. 2. Existing holders of City purchase cards to be reminded of requirements and responsibilities under Use of Corporate purchasing cards officer to sign form acknowledging and agreeing to abide by rules. New card holders to be approved by Manager Finance and provided a copy of 'Use of Corporate Purchasing Card requirements as above to sign also. 3. Reviews to be undertaken for transactions over \$1,000. Options to be explored for transactional limits. 	Manager Financial Services	June 2023

3. OBSERVATIONS AND RECOMMENDATIONS (CONT.)

PURCHASING CARDS

Completeness of policy and procedures	Rating
Finding 7. Updates required on the 'Use of Corporate Purchasing Card' document	MEDIUM

It is important to regularly review and update the policies and procedures to ensure that they are in compliance with legislation appropriate, relevant effective. This can also improve not just the awareness of the Officers and cardholders involved but also streamline the processes to match actual practices with written guidelines – therefore increasing the overall efficiency which will result to additional cost savings.

We reviewed the 'Use of Corporate Purchasing Card' to identify any improvement opportunities such as inconsistencies, changes in the procedures, its review cycle, custody, and any relevant information that may require changes. We also conducted inquiries and discussions with the relevant parties to understand the nature and extent of activities performed and compared these with the existing procedures.

Based on these tests, we found the following items:

Observations	Risk involved
The procedure document has not been updated since June 2016 – that is over 6 years old	Recent changes to the process, approval workflows or requirements may not be captured in the documents.
Lack of information on review cycle. It is a good governance to review the procedures every 2 years (as the upper limit) or anytime when major changes are identified such as legislative changes.	Lack of enforcement mechanism on the review protocols may promote complacency.
No information is included in the procedure on the custody of purchasing cards, particularly the handling of the inactive or unused cards. This also include updates on the details of the cardholders if the cards are passed from one holder to another without complete monitoring controls in place.	Difficulty in initiating changes as no one is designated as responsible. Custody of purchasing cards may not be secure and may present a risk of unauthorised use if there is unlawful access.
Procedure does not provide information on what to do in situations where the cardholder is on extended leave. Purchasing cards should be handed back to the City prior to extended leave which should be defined in the policy.	There is a risk of unauthorised use in the period of extended leave. When staff are on a extended leave, the card may become idle and unused, where it could have been delegated to someone else for operational purposes.

IMPLICATION

Outdated procedures can increase the likelihood of irregularity that can lead to potential financial losses. This can also cause confusion amongst the cardholders about complying with the requirements if changes thereof are not fully written and communicated.

Management Comment

City Use of Corporate Purchasing Card Procedures to be updated to reflect recommendations below.

Recommendations	Agreed Action	Action Owner	Target Date
<p>13. Implement the following changes to the Use of Corporate Purchasing Card Procedures. Ensure there is regular training and awareness of the procedures to all relevant officers in the City.</p> <ul style="list-style-type: none"> Lack of information on review cycle. No information is included in the procedure on the custody of purchasing cards and roles to initiate and approve updates. Procedure does not provide information on what to do in situations where the cardholder is on extended leave. 	<ul style="list-style-type: none"> Procedure to be updated to reflect existing holders of City purchase cards to be reminded of requirements and responsibilities under Use of Corporate purchasing cards officer to sign form acknowledging and agreeing to abide by rules. New card holders to be approved by Manager Finance and provided a copy of 'Use of Corporate Purchasing Card requirements as above to sign also. 6 monthly Review cycle to be updated in procedure. Procedure to be updated to reflect custody of purchasing cards and roles to initiate and approve updates by Finance Manager Procedure to be updated to reflect cardholders on extended leave over 4 weeks are to surrender purchasing card to relevant Business unit Functional Manager whilst on extended periods of leave. 	Manager Financial Services	June 2023

3. OBSERVATIONS AND RECOMMENDATIONS (CONT.)

PURCHASING CARDS

Category of expenses paid by the Purchasing Card	Rating
Finding 8. Potential recurring subscriptions that could extend over long period paid for via the purchasing card	LOW

The 'Use of Purchasing Card' procedure document has provided some exclusion on the type of expense that should not be paid via the card such as purchase of fuel and personal expenses – but it is not clear about the subscription-based expenses. Expenses that are subscription-based are usually long-term commitments that extend over a period of few years, and if its cumulative value is calculated, the amount could easily exceed the \$1,000 thresholds.

Based on the data analysis we performed, we found a few transactions presented below that are subscriptions but paid for using the purchasing card.

ID	Statement Date	Merchant Name	Employee ID	Business Unit	Transaction Amount (\$)	Description
1	5/07/2021	MSFT *<E0200EQEI2>	2409	ICT	697.76	Software-Azure Subscription
2	24/03/2022	MSFT *<E0200HU76Q>	2409	ICT	1402.54	Software- SQL Azure subscription
3	17/06/2022	PAYMATE*SPUN	608	LIBRARY	200.00	Spydus user group subscription
4	4/07/2022	WIX.COM 1002908189	178	ICT	958.90	Tresillian Wix subscription

Because of the limitation of the period of review, which is one year – we could not validate if these were either a one-off transaction which happened only once or whether these transactions reoccur in the next period. However, it is critical to revisit and update the procedure document to provide guidance on the action plan required related to subscription-based fees that could extend over multiple years without undergoing additional level of approvals as the charges are automatically charged in the card.

IMPLICATION

Increase the likelihood of large financial commitment over an extended period of time without the need of additional approvals.

Management Comment

'Use of purchasing card procedure' to be updated to permit subscription-based fees on purchase cards. Most software subscription fees are only renewable for 12 months at a time and preferred online payment method usually on a credit card and renewed each year either automatically or by request. Where subscription auto renewals are in place procedures need to be in place to ensure when City cancels subscription where use of software ceases auto payment also is cancelled.

Recommendations	Agreed Action	Action Owner	Target Date
14. Update the procedure on purchasing cards to clearly define subscription-based charges.	Update procedure on purchasing cards to define subscription-based fees.	Manager Financial Services	June 2023

3. OBSERVATIONS AND RECOMMENDATIONS (CONT.)

PURCHASING CARDS

Number of Purchasing Cardholders and Volume of Transactions		Rating
Finding 9.	Re-evaluation of purchasing cards required	MEDIUM

We calculated the volume and cost of purchase transactions for each business unit and evaluated it with the number of purchasing cards that are available for use. We found out that there are a total of **38** active purchasing cards allocated to these business units for use – but the number of purchasing cards held by each division varies. We noticed that some business units have a higher number of purchasing cards despite having a low volume and value of transactions – which pertains particularly to **'BLDMT'**, **'INFRAS'** and **'LIBRARY'**. But there was no evidence, (for example, a business case that justifies the granting of more cards to a few business units) to ensure that there is valid rationale behind these card numbers.

We understand that the last formal review of purchasing cards was performed in June 2016 which was over six (6) years ago and has not reflected any requirements about the need of any business unit case justification prior to granting the card to the business units. The summary and volume of transaction from 1 Jul 2021 to 31 Oct 2022.

Business Unit	EVNH	EVNC	TCC	PA	COMSVSADMIN	BLDSV	GOVADMIN	ICT	NCC
Number of cards (A)	1	1	1	1	1	1	1	1	3
# Volume (B)	57	59	77	124	101	61	162	210	280
Total Cost (C)	3,630	5,047	5,459	7,073	7,144	14,438	20,850	58,478	16,714
Average cost per transaction (C/B)	64	86	71	57	71	237	129	278	60
Average volume per card (B/A)	57	59	77	124	101	61	162	210	93

Business Unit	PLNADMIN	RANGER	HR	PRCC	COMDEVADMIN	INFRAADMIN	BLDMT	INFRAS	LIBRARY
Number of cards (A)	2	2	2	2	2	2	4	5	6
# Volume (B)	68	74	76	423	151	262	345	158	492
Total Cost (C)	6,606	6,704	12,596	24,480	8,994	31,677	71,320	10,820	39,672
Average cost per transaction (C/B)	97	91	166	58	60	121	207	68	81
Average volume per card (B/A)	34	37	38	212	76	131	86	32	82

IMPLICATION

Increase the likelihood of large financial commitment over an extended period of time without the need of additional approvals.

Management Comment

Formal review of City purchasing cards to be undertaken this year, of the adequacy of the number of purchasing cards in each business unit and effectiveness of the purchasing card process.

Recommendations	Agreed Action	Action Owner	Target Date
15. Perform a regular review of the adequacy of the number of purchasing cards in each business unit and effectiveness of the purchasing card process document this consideration and review.	Internal procedures to be updated to ensure purchasing cards numbers and effectiveness are reviewed	Manager Financial Services	June 2023

3. OBSERVATIONS AND RECOMMENDATIONS (CONT.)

PURCHASING CARDS

Complete documentation of Cancelled Purchasing Cards		Rating
Finding 10.	Lack of adequate documentation on handover and cancellation of purchasing cards	MEDIUM

We understand that the purchasing cards are in the name of the cardholders. Whenever the cardholder ceased to be part of the City, the purchasing cards must be handed over to be cancelled with the bank to ensure that the card is closed and cannot be used anymore by an unauthorised person.

We tested the timeliness of cancellation and the availability of documented evidence to ensure adequacy of audit trail. Based on the samples tested, we found some reportable matters as follow

- Evidence of card cancellation such as requests, bank letters are not available
- Handover document the shows who receive the card, and on which date the card was handed over are missing in few of the samples
- In general, there is an inconsistent and lack of mandatory documentation requirements relating to the cancellation process of purchasing

Cardholder	Date of Internal Notice leaving Nedlands	Effective last date (A)	Evidence of handover of card	Card Handover Date	Evidence of Cancellation service request with the bank (B)	Difference (A-B)
Madison Newby	12/08/2021	01/09/2021	Not provided	Not provided	06/09/2021	5 days
Rajan Sharma	No evidence	No evidence	Yes	11/05/2022	Not provided	Cannot calculate
Ed Herne	18/02/2022	18/02/2022	Yes	Undated	Not provided	Cannot calculate
Neil McGuiness	24/08/2021	No evidence	Yes	23/06/2021	Not provided	Cannot calculate
Brendon Capriotti	No evidence	No evidence	Not provided	Not provided	21/7/2021	Cannot calculate

We were informed that the person who was the main point of contact and the primary responsible for the card cancellation process has ceased employment in the City - which influenced the adequacy of documentation provided. However, we believe that regardless of the person involved, the process has to be robust enough to ensure that process-level internal controls are complied with at all times.

IMPLICATION

Potential financial loss to the City

Management Comment

Processes for managing the cancellation of purchasing cards when staff leave the employment of the City to be updated to ensure that process-level internal controls are robust and complied with at all times. Terminated staff exit interview checklist now includes checkbox for credit card/purchase card to be retrieved.

Recommendations	Agreed Action	Action Owner	Target Date
16. Review list of purchasing cards that belong to terminated employees and ensure these are cancelled on a timely basis. Ensure this is performed on a timely basis for all future terminated employees. File the evidence of handover, cancellation request, and proof of cancellation completely. Include in the purchasing procedure document the mandatory filing requirements for cancellation.	Undertake review of terminated employee purchase cards processes to ensure compliance and evidence of handover, cancellation request, and proof of cancellation are captured in the City's records system.	Manager Financial Services	June 2023

4 OTHER

4.1. Disclaimers

Moore Australia (WA) Pty Ltd as agent, an independent member of Moore Global Network Limited, and a Perth based partnership of trusts carries on business separately and independently from other Moore Global Network Limited member firms worldwide.

Services provided under this engagement are provided by Moore Australia (WA) Pty Ltd as agent and not by any other independent Moore Global Network Limited member firms worldwide. No other independent Moore Global Network Limited member has any liability for services provided.

4.2. Basis of Use

This report has been prepared in accordance with the objectives and approach agreed in the engagement document and subject to the following limitations:

- Other than use by you for the purpose, our report cannot be issued, accessed, or relied upon by any third party without our prior written approval. Furthermore, neither the report nor extracts from it will be included in any document to be circulated to other third parties without our prior written approval of the use, form, and context in which it is proposed to be released. We reserve the right to refuse to grant approval to issue the reporting to any other party.
- Our internal audit work was performed in accordance with the International Standards for the Professional Practice of Internal Auditing contained in the International Professional Practices Framework issued by the Institute of Internal Auditors. It did not constitute an audit or review in accordance with standards issued by the Auditing and Assurance Standards Board and accordingly no such assurance under those standards is provided in this report.
- The matters raised in this report are only those which came to our attention while performing our procedures and are not necessarily a comprehensive statement of all the weaknesses that exist or improvements that might be made. We cannot, in practice, examine every activity and procedure, nor can we be a substitute for management's responsibility to maintain adequate controls over all levels of operations and their responsibility to prevent and detect irregularities, including fraud. Accordingly, management should not rely on our report to identify all weaknesses that may exist in the systems and procedures under examination, or potential instances of non-compliance that may exist.

- We believe that the statements made in this report are accurate, but no warranty of completeness, accuracy or reliability is given in relation to statements and representations made by, and the information and documentation provided by, Management and personnel. We have indicated within this report the sources of the information provided. We have not sought to independently verify those sources unless otherwise noted within the report. We are under no obligation in any circumstance to update this report, in either oral or written form, for events occurring after the report has been issued in final form unless specifically agreed with the client. The Internal Audit findings expressed in this report have been formed on the above basis.
- Recommendations for improvement should be assessed by management for their full commercial impact, before they are implemented.

4.3. Conflicts of Interest

The firm is not aware of any existing or potential relationship, transaction or holding that would compromise its objectivity in the conduct of the services rendered. Should the possibility of a perceived or actual conflict arise the matter would be raised with the Chief Executive Officer immediately and activities suspended until the issue was resolved to your satisfaction.

4.4. Liability

Moore Australia (WA) Pty Ltd trading as agent – ABN 99 433 544 961, an independent member of Moore Global Network Limited - members in principal cities throughout the world.

Liability limited by a scheme approved under Professional Standards Legislation.

APPENDIX 1: KEY TO SIGNIFICANCE OF RISK RATING

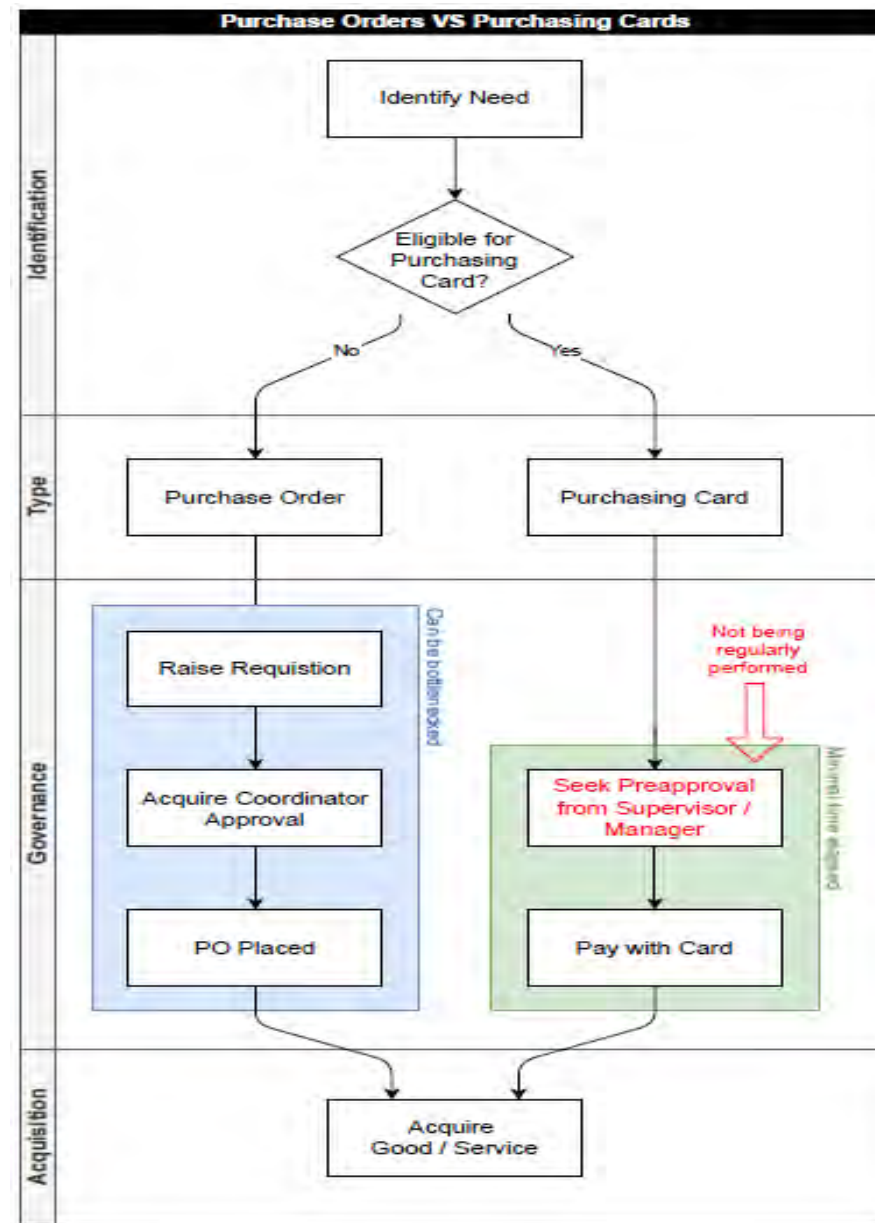
Rating	Definition	Guidance	Action required
High	Issue represents a control weakness, which could cause or is causing major disruption of the process or major adverse effect on the ability of the process to achieve its objectives.	<ul style="list-style-type: none"> Material errors and departures from the organisation's policies and procedures; Financial management / accountability / probity concerns; Non-compliance with governing legislation and regulations may result in fines or other penalties; and Collective impact of many moderate or low issues. 	<ul style="list-style-type: none"> Requires significant senior management intervention and may require significant mobilisation of resources, including external assistance; and A detailed plan of action to be approved by Management with resolution within 30 days.
Medium	Issue represents a control weakness, which could cause or is causing moderate adverse effect on the ability of the process to meet its objectives.	<ul style="list-style-type: none"> Events, operational, business, and financial risks could expose the organisation to losses could be marginally material to the organisation; and Departures from best practice management procedures, processes. 	<ul style="list-style-type: none"> Requires substantial management intervention and may require possible external assistance; and Timeframe for action is subject to competing priorities and cost benefit analysis but should not exceed 3 months.
Low	Issue represents a minor control weakness, with minimal but reportable impact on the ability to achieve process objectives.	<ul style="list-style-type: none"> Events, operational and business risks could expose the organisation to losses which are not material due to the low probability of occurrence of the event and insignificant impact on the operating capacity, reputation, and regulatory compliance; and Departures from management procedures, processes, however, appropriate monitoring and governance generally mitigates these risks. 	<ul style="list-style-type: none"> Requires management attention and possible use of external resources; and Minor treatment is desirable. Action should be completed within 6 months.

APPENDIX 2: KEY PERSONNEL CONTACTED

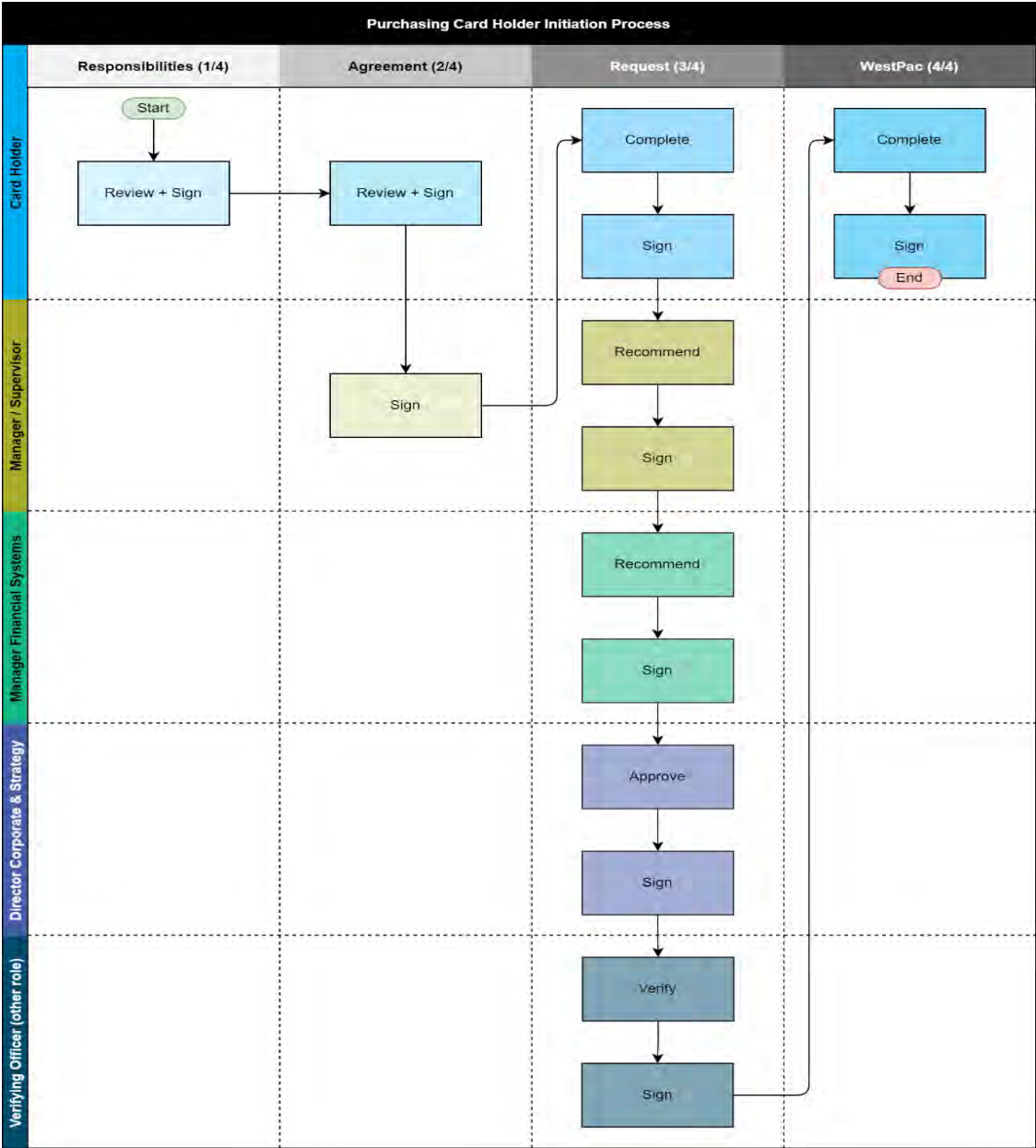
We would like to thank the following personnel for their assistance in the conduct of this internal audit.

Name	Role
Mike Cole	Director Corporate Services
Stuart Billingham	Manager Financial Services
Lauren Fitzgerald	Senior Project Accountant
Qurban Ali	Coordinator Revenue
Tara Moore	Finance Officer Revenue
Purvi Chudasama	Finance Officer Accounts Payable
Nathaly Alvarez	Coordinator Procurement and Contracts

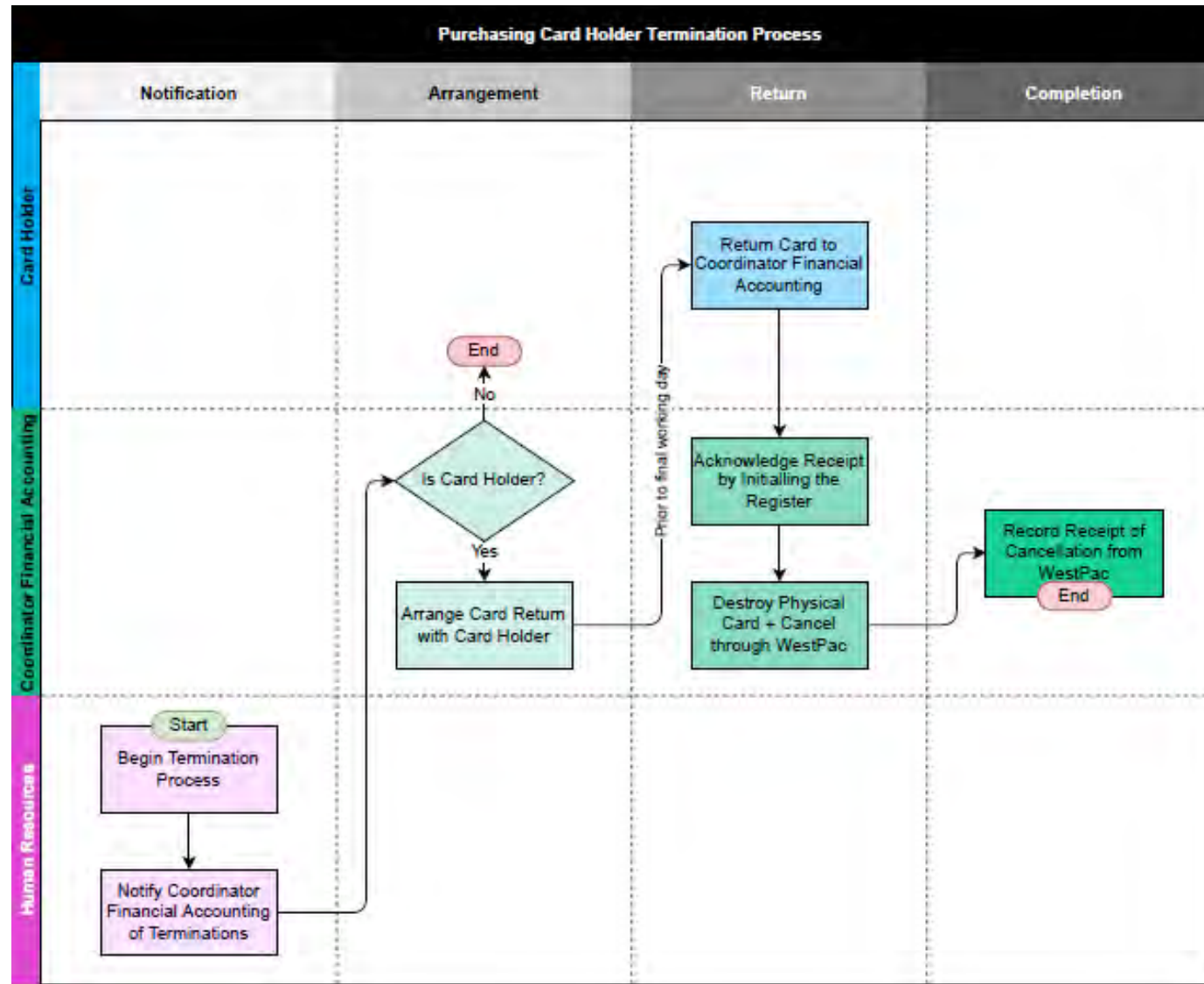
APPENDIX 3: PURCHASING CARDS PROCESS MAPS



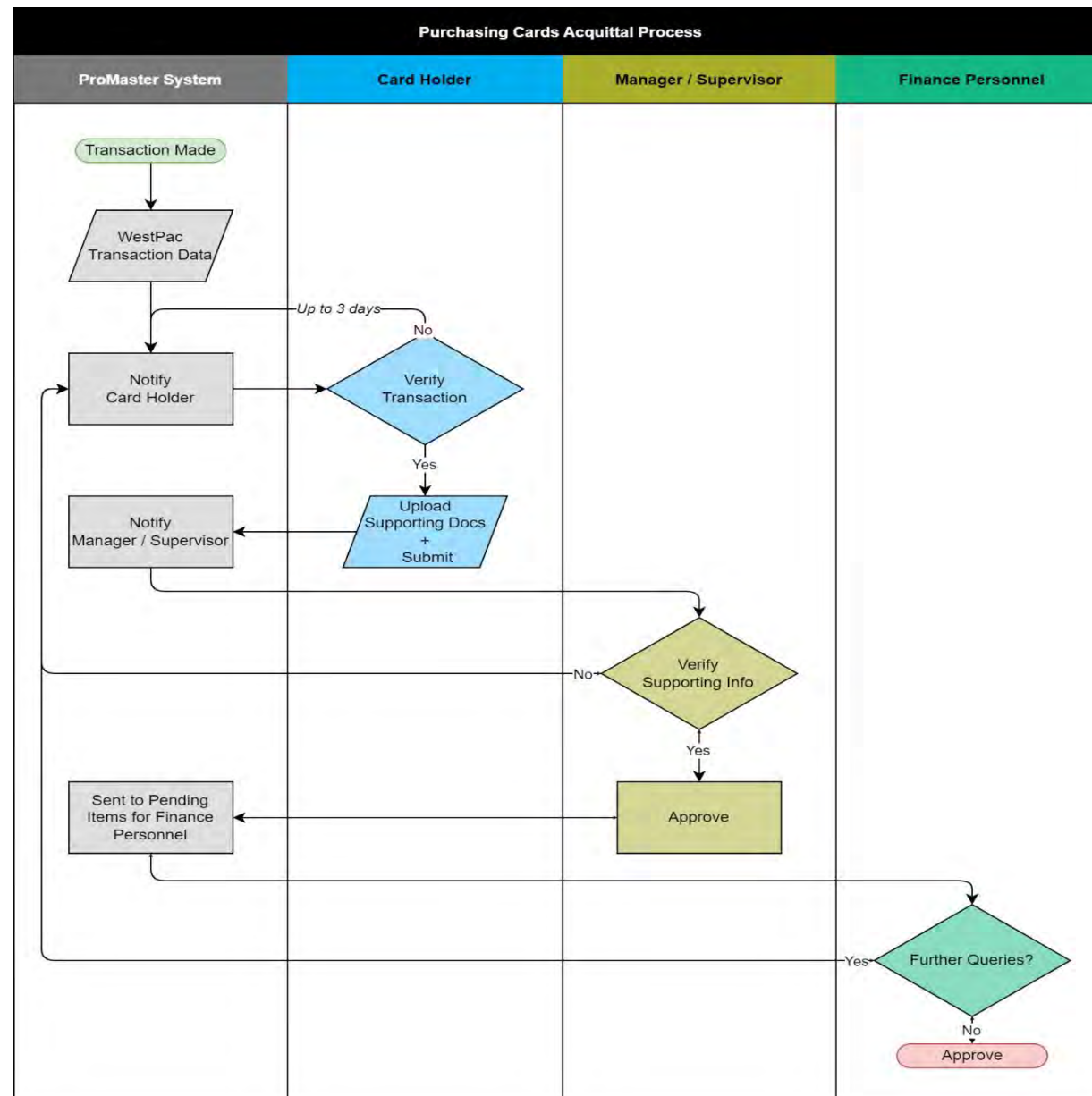
PURCHASING CARD INITIATION PROCESS MAP



PURCHASING CARD TERMINATION PROCESS MAP



PURCHASING CARD ACQUITTAL PROCESS MAP



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HELPING YOU THRIVE IN A CHANGING WORLD

18.2 ARC03.02.23 Internal Audit – Regulation 17 Review

Meeting & Date	Council Meeting – 28 February 2023 Audit & Risk Committee – 20 February 2023
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	Nil.
Report Author	Stuart Billingham – Manager Financial Services
Director	Michael Cole Director Corporate Services
Attachments	1. Regulation 17 Report 2022 - See appendix 3 of Item ARC01.02.23 Moore Aust Report

Purpose

The purpose of this report is to present to the Auditor's report on the appropriateness and effectiveness of the City's systems and procedures in relation risk management, internal controls and legislative compliance.

Committee Recommendation / Recommendation

That the Audit & Risk Committee recommends that Council:

1. notes the auditors report on the review of the City's systems and procedures in relation to risk management, internal controls and legislative compliance; and
2. notes the management responses to those comments and recommendations.

Voting Requirement

Simple Majority.

Background

The *Local Government (Audit) Regulations 1996* regulation 17, requires the Chief Executive Officer is to review the appropriateness and effectiveness of a local government's systems and procedures in relation to:

- a. Risk management; and
- b. Internal control; and
- c. Legislative compliance

not less than once every 3 financial years and report any findings to the audit committee.

Through a formal request for quote process, Moore Australia (WA) Pty Ltd was appointed to undertake the Regulation 17 review report. The audit covered the period ending December 2022.

The auditors Regulation 17 report made 12 recommendations as summarised in the table below:

Risk Rating	TOTAL	Previous Internal Audit Recommendations	Regulation 17 Recommendations
Governance	92	86	6
Process	43	39	5
Information and Systems	5	5	-
People	10	9	1
Total Findings	151	139	12

Consultation

Moore Australia (WA) Pty Ltd, Director Corporate Services, Manager Financial Services, Manager ICT, Executive Officer and Senior Project Accountant.

Strategic Implications

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

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

Values **High standard of services**

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

Great Governance and Civic Leadership

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

Budget/Financial Implications

There are no budget or financial implications to this report.

Legislative and Policy Implications

The following legislation is adhered to: [Regulation 17 of the Local Government \(Audit\) Regulations 1996](#)

Decision Implications

Nil.

Conclusion

That the Audit & Risk Committee recommends that Council:

1. notes the auditors report on the review of the City's systems and procedures in relation to risk management, internal controls and legislative compliance; and
2. notes the Management responses to those comments and recommendations.

Further Information

Nil.



REGULATION 17 REPORT

City of Nedlands

27 January 2023



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APPENDIX 1: KEY TO SIGNIFICANCE OF RISK RATING 18

1. EXECUTIVE SUMMARY

1.1. Background

Regulation 17 of the Local Government (Audit) Regulation 1996 requires the Chief Executive Officer (CEO) of the City of Nedlands (the City) to undertake reviews of the appropriateness and effectiveness of local government systems and legislative compliance not less than once in every three financial years. The outcome of the review must be reported to the City's Audit and Risk Committee. Moore Australia was engaged by the City to undertake this review

In addition, this review will also provide assurance to the City in relation to their four lines posture to enable management to make better decisions and achieving its strategic objectives. Figure1 illustrates four lines of defence model:

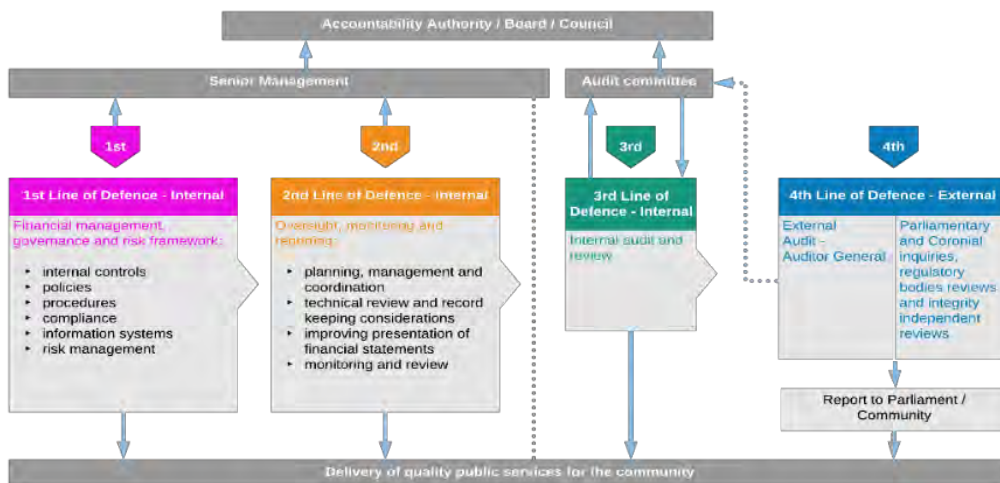


Figure 1: Four Lines of Defence Model. Source: Office of the Auditor General

1.2 Objective and Scope

The objective of the review is to provide the basis for a report by the Chief Executive Officer to the Audit & Risk Committee on the appropriateness and effectiveness of the City's risk management, internal controls and legislative compliance systems and procedures as required by the Local Government (Audit) Regulations 1996, Regulation 17.

The scope includes a review of the following:

- The City's risk management systems policies, procedures and plans;
- Evaluate the key non-financial / operational internal control systems and procedures. Financial controls are in the scope of Financial Management Review legislative requirement and not in the scope of this engagement; and
- Assess systems and procedures for maintaining legislative compliance. This is not a compliance audit of the City compliance with all legislative compliance obligations.

With management's agreement, we have leveraged the following internal audits and / or reviews to minimise duplication of effort and to achieve better efficiency:

- OAG audits (financial and GCC), for FY21 as FY22 results are not yet available;
- Fraud Prevention in Local Government conducted by OAG in FY19/20;
- Recent internal audits and reviews undertaken by Moore Australia including accounts payable, IT Policies, payroll, contract management, records management, occupational, health and safety, business continuity, risk management, work force management, asset management audit and effectiveness of the audit and risk committee review;
- Financial management regulation review and purchasing card audits in progress concurrently with Regulation 17 review; and
- Areas subject to the Compliance Audit Return (CAR).

Hence, this report should be read in conjunction with the above mentioned audits or reviews.

As part of this review, we considered the following Act and Regulations:

- Local Government Act 1995;
- Local Government (Audit) Regulation 1996;
- Local Government (Function and General) Regulations 1996; and
- Local Government (Financial Management) Regulations 1996.

1. EXECUTIVE SUMMARY (CONT.)

1.3 Approach

The review undertook the following approach:

- Developed a detailed work program specific to risk management, internal control and legislative compliance requirements;
- Interviewed relevant stakeholders;
- Performed a walkthrough of key documents;
- Assessed the design effectiveness of the current process and provided recommendations for gaps noted;
- Reviewed the previous audits and reviews work completed referenced in this report;
- Exit meeting with relevant stakeholders;
- Issue of draft internal audit report;
- Receipt of Management Comments for consideration by Moore Australia;
- Issue of final internal audit report to Management; and
- Attendance and presentation of the final report to the Audit and Risk Committee.

This review has been conducted in accordance with the 'International Standards for the Professional Practice of Internal Auditing' contained in the 'International Professional Practices Framework' issued by the Institute of Internal Auditors.

As mentioned above, there were three areas assessed in this engagement being risk management, internal control and legislative compliance. Please note that this audit is not a compliance engagement, and we did not perform detailed compliance testing.

As identified in Section 1.2 we leveraged from the previous internal audit reports and did not duplicate any work with these internal audits.

1.4 Overall Observation

The City recognises the importance of Risk Management, Internal Controls, and Legislative Compliance activities and the need to maintain good governance. Recently, management rolled out the following systems and activities to enhance the current controls, better risks management practices and timely monitoring and adhering to legislative compliance requirements;

Attain System – This system was implemented in June / July 2022 to replace manual handling and management of legislative compliance requirements.

OneCouncil ERP System – This ERP platform system aims to improve data accuracy, efficiency, minimise risk, compliance requirements and will assist to modernise City's infrastructure and processes

The picture below illustrates planned implementation model:



While Management is committed to improving the governance and internal controls within the City, and actively undertaking various activities including addressing internal and external audit recommendations, some exceptions were identified as part of this review:

Risk Management

An internal audit of risk management conducted by Moore Australia in July 2022 found that the City's overall risk management function requires significant improvement. Further, upon reviewing the City's Audit log reported to Audit and Risk Committee in November 2022, it was noted that a large number of risk management actions remain open or overdue. We acknowledge that a Governance and Risk Coordinator has been appointed and as part of this role's responsibilities include completing these tasks.

1. EXECUTIVE SUMMARY (CONT.)



1.5 Overall Observation (cont.)

Internal Control

The City is working towards establishing a transparent and effective internal control environment. However, based on the inspection and discussion of relevant internal audit documents, reports and audit log, it has been concluded that internal controls still remain an area for improvement. Through discussion with relevant stakeholders, it was identified that the primary reason management unable to achieve higher levels of internal control effectiveness is due to high staff turnover and manual oriented business processes to support the control environment.

It was identified that current controls relating to maintenance of various register requires improvement. These registers are maintained manually and lack of cross department's involvement to ensure the register is current and complete. It was also identified that a framework for governing drafting of policy and procedure is lacking to strengthen the first line of defence controls.

Legislative Compliance

We recognise that the City is in the progress of improving their legislative compliance posture with the implementation of Attain system to manage legislative compliance activities. However, it was identified that there is no documented framework, policies, procedures and registers describing the roles and responsibilities and the processes for managing, monitoring and reporting the legislative compliance activities outcomes.

Refer to section 2 of this report for detailed findings with a risk rating.

1.5 Finding Categories

Moore Australia has categorised the findings into four areas which are: Governance, Process, Information and Systems and People. The definitions have been set out in Table 1 below.

Governance	The framework of rules, encompassing policies, procedures and processes within and by which authority is exercised and controlled in an organisation.
Process	A series of logical activities or actions performed to achieve a particular result
Information and System	Interrelated components of technology, people, and processes an organisation uses to create, store and distribute information
People	The human resource capacity, capabilities and culture of the organisation

Table 1 Finding Categories.

1.6 Summary of Findings

All of the risk management findings, and the significant majority (93%) of the findings relating to internal controls are leveraged from previous internal audits as described in Section 1.2 Objective and Scope". There was no previous work performed on legislative compliance specifically, and so all findings are included in this report.

A summary of the findings against the three elements of the Regulation 17 are detailed in Table 2 below.

Risk Rating	TOTAL	Risk Management	Internal Controls	Legislative Compliance
Governance	93	24	66	3
Process	43	2	39	2
Information and Systems	5		5	
People	10	2	7	1
Total Findings	151	28	117	6

Table 2: Summary of Findings.

1.7 Acknowledgement

We have met with key personnel within the City to perform the engagement. We would like to thank the following personnel for their assistance in the conduct of this audit.

- Mike Cole – Director Corporate Services;
- Stuart Billingham – Manager Financial Services;
- Tony Benson– Manager ICT;
- Nicole Ceric – Executive Officer; and
- Lauren Fitzgerald – Senior Project Accountant



2. DETAILED OBSERVATIONS

2.1 Risk Management

As mentioned in Section 1 of this report, Moore Australia completed a comprehensive risk management internal audit this year to assess the adequacy and effectiveness of the City's internal controls for Risk Management. The outcome of this review was provided to management in an internal audit report dated July 2022. This risk management internal audit engagement should be read in conjunction with this Regulation 17 report. The summary of the findings has been summarised in the Executive Summary.

2.2 Internal Control

The internal control element of the Regulation 17 engagement has been leveraged from the internal audit reports which have been provided over the period. The following audit reports should be read in conjunction with this report. We have summarised the recommendations in the Table 3 including new recommendations from this Regulation 17 engagement.

The table below illustrates that there is no systemic trend to indicate that internal control environment has strengthened in the last three financial years.

Tabled Reports		FY	Governance	Information Systems	People	Process	Total Internal Audit Findings	Regulation 17 Report	Total Findings
1	Accounts Payable Process Audit	2019	7	-	-	6	13	NA	13
2	IT Policies Review	2019	14	-	-	2	16	NA	16
3	Business Continuity Planning Review	2020	4	3	-	5	12	NA	12
4	Payroll	2021	2	-	-	3	5	NA	5
5	Records Management	2021	5	1	1	2	9	NA	9
6	Contract Management	2021	5	-	-	3	8	NA	8
7	Occupational Safety and Health	2022	7	-	-	1	8	NA	8
8	Risk Management	2022	24	-	2	2	28	NA	28
9	Effectiveness of Audit and Risk Committee	2022	4	-	5	5	14	NA	14
10	Workforce Plan	2022	10		1	6	17	NA	17
11	Asset Management	2022	4	1		4	9	NA	9
12	Regulation 17 Engagement (this report)	2022	6	-	2	4	NA	12	12
	Total Regulation 17 Recommendations.		92	5	10	43	139	12	151

Table 3: Reconciliation of the reports which have been leveraged in this report, and including the findings from this Regulation 17 Report



2. DETAILED OBSERVATIONS (CONT.)

2.2 Internal Control (cont.)

A summary of the findings and recommendations from previous internal audits and Regulation 17 audit are detailed in Table 4 below. In total, we provided 12 recommendations for management's consideration in this audit.

Risk Rating	TOTAL	Previous Internal Audit Recommendations	Regulation 17 Recommendations
Governance	92	86	6
Process	43	39	5
Information and Systems	5	5	-
People	10	9	1
Total Findings	151	139	12

Table 4: Summary of Findings Relating to Internal Controls. (Previous Internal Audits and this Regulation 17 Report)

In addition to the observations reported in the previous internal audits as mentioned in the Executive Summary Section "Objective and Scope". We observed the following further observations:

Internal Controls Management Comment

The findings are noted. The City has appointed a Coordinator of Governance and Risk who commenced in January 2023. For each recommendation, the agreed actions, responsible owner and action date are listed below.

No	Recommendation	Risk Rating	Agreed Action	Responsible Owner	Action Date
2.2.1	<p>Audit Recommendations</p> <p>It was noted that there are long outstanding internal audit recommendations in the Audit log pending closure by management. As of November 2022:</p> <ul style="list-style-type: none"> Out of 81 open internal audit recommendations, 35 recommendations are overdue and longest being 856 days; Out of 14 open OAG financial recommendations, 11 recommendations are overdue and longest being 764 days; and Out of 17 open OAG financial recommendations, 5 recommendations are overdue and longest being 902 days. 	High	<p>Recommendations from internal and external audit findings have been updated in the Audit log and outstanding actions will be finalised progressively.</p> <p>The Coordinator Governance and Risk will progress close out in conjunction with responsible officers.</p>	Coordinator Governance and Risk and various action owners listed against each agreed action.	Ongoing



2. DETAILED OBSERVATIONS (CONT.)

2.2 Internal Control (cont.)

No	Recommendation	Risk Rating	Agreed Action	Responsible Owner	Action Date
2.2.1 (cont.)	<p>Audit Recommendations (cont.)</p> <p>It is acknowledged that the City understands the importance and has a commitment to close out the recommendations on a timely basis. The external and internal audit recommendations have been monitored and reported by Moore Australia to the Audit and Risk Committee at each meeting, however there has not been traction with the close out of the recommendations. It is also acknowledged that Management has appointed Moore Australia to be responsible for the Audit Log and liaise with Management to meet and explain the evidence required to validate, monitor, and report the recommendations to the Audit and Risk Committee. This has already seen great improvement in the close out rate in November 2022 and this is expected in future months as well.</p> <p>2.2.1 Recommendation</p> <p>Management should consider the resources, cost, risk and benefit in closing out external, internal and other recommendations and continue to monitor and report these to the Audit and Risk Committee on a timely basis.</p>	High			
2.2.2	<p>Grant Register</p> <p>Through discussion it was identified that an applicant is required to fill out an Acquittal Form and return to the City, with accompanying supporting evidence such as receipts, photos, testimonials, etc. The Community Development Officer then add the acquittal to their Share Point folder.</p> <p>If applicants have outstanding grants that have not been acquitted they will not be considered until the acquittal is completed.</p> <p>However, the grant register does not track and report on the outstanding acquittal for timely completion within three months as required by the Community and Youth Grant Procedures.</p> <p>2.2.2 Recommendation</p> <p>Management should review and revise the Grants Register to track and report on the outstanding acquittal for timely completion within 3 months as required by the Community and Youth Grant Procedures</p>	Medium	<p>Agreed. Officers in the Community Development team have been reminded to follow up with grant recipients to close out acquittals in a timely manner. The register is already in SharePoint and a separate register is not considered necessary.</p> <p>No further action is proposed.</p>	No action proposed.	N/A



2. DETAILED OBSERVATIONS (CONT.)

2.2 Internal Control (cont.)

No	Recommendation	Risk Rating	Agreed Action	Responsible Owner	Action Date
2.2.3	<p>Hazardous Register</p> <p>A Register of Hazardous Materials was provided for our inspection, to reflect properties under the control of the City which may contain hazardous materials such as combustible liquid. This register includes materials held in Administration Office in Nedlands only. We were unable to evidence all other locations which Nedlands operates has been considered and relevant hazardous materials are recorded in this register.</p> <p>2.2.3 Recommendation</p> <p>Review and revise the Register of Hazardous Materials to include all of the City locations and all hazardous materials in accordance with legislation and better practice principles.</p>	High	At the time of the audit, the Chemical Register Software was not accessible due to login issues. This issue is now resolved; all hazardous substances throughout the CoN have been identified and risk assessed, and adequate controls are in place. Ongoing management, awareness training and risk review are compulsory under the WHS Act 2022. To minimise the risk of not being able to access the register, a hard copy will be printed and made available for consultation at the Administration and Depot offices. The manifest will be reviewed annually.	WHS Officer	<p>Mid Jan for the manifest hard copies.</p> <p>Ongoing for the register management</p>
2.2.4	<p>Policy Framework</p> <p>Through discussion it was identified that there is adequate process and policy and procedure templates in place for establishing and obtaining approval for policy and procedures. Prior to writing a policy a discussion paper on why a policy is required is to be written and presented to the officer's manager then director for approval and support prior to being submitted to EMT / CEO for approval then the discussion paper is presented to Council Members at a Concept Forum to ensure a policy is required and what Council Members would like in the policy. Following the concept forum the officer then drafts policy and it goes to manager then director then EMT / CEO for approval and then to Council for adoption in case of Council Policy.</p>	Medium	Noted. The Council already has a formally adopted policy "Development of Policies and Administrative Procedures" No further action is proposed.	N/A	N/A



No	Recommendation	Risk Rating	Agreed Action	Responsible Owner	Action Date
	<p>However, the above mentioned process is not formally documented and communicated to the relevant stakeholders. Through discussion with the Executive Officer, it was noted that the newly appointed Risk and Governance Officer will develop a framework to formalise the above mentioned process.</p> <p>2.2.4 – Recommendation</p> <p>Develop a Policy Framework Policy which identifies the approved process for the identification, development, revision, approval, and publishing of City policies.</p>				



2. DETAILED OBSERVATIONS (CONT.)

2.2 Internal Control (cont.)

No	Recommendation	Risk Rating	Agreed Action	Responsible Owner	Action Date
2.2.5	<p>Complaints Handling</p> <p>The City Customer Service Charter and Council Complaint Handling Policy exist. However, the City does not have a Complaint Register, nor a procedure for non-community complaints. This has been raised in prior internal audits.</p> <p>2.2.5 – Recommendation</p> <p>Develop and / or revise the current policy to include non-community complaints and a Complaints Register</p>	Medium	<p>The City manages complaints and enquiries through the OneCouncil CRM module.</p> <p>Complaints, as distinct from requests, are dealt with individually by next level up and escalated when needed to Director or CEO.</p> <p>Consideration will be given to developing a complaints register.</p>	Coordinator Governance and Strategy	June 2023
2.2.6	<p>Significant Adverse Trends</p> <p>Through discussion with the Director of Corporate Services, it was identified that adverse trends are identified through networking session with other local government representatives and during the City's annual planning meeting, whereby the Executive team members discuss the adverse trend and identify appropriate action plans.</p> <p>However, there is no formalised process in place to ensure the significant adverse trends are timely identified, managed and reported to the Audit and Risk Committee.</p> <p>2.2.6 – Recommendation</p> <p>Consider a formalised process to identify, monitor and report any significant adverse trends to reduce the risk of reoccurring and to improve oversight by the Audit and Risk Committee.</p>	Medium	<p>Noted. With the introduction of the OneCouncil system, the CEO has had a dashboard developed showing key indicators/trends. No further action is proposed. In addition, EMT agendas include as standing agenda items OHS and Risk. Appropriate reporting to Elected Members, including Audit and Risk Committee is being developed.</p>	Director Corporate Services and Coordinator Governance and Risk	Ongoing



2. DETAILED OBSERVATION (CONT.)

2.3 Legislative Compliance

The Legislative Compliance element of the Regulation 17 engagement approach was to assess the governance in place by the City to ensure it meets their legislative compliance obligations. It is not a compliance engagement and we are not testing for non-compliance with legislation.

Moore Australia however wish to acknowledge that the Attain system has been used by the City since June / July 2022 to manage its compliance activities with applicable laws and regulations. Integrity, an external contractor, administers and updating the new legislation requirements in this system. Currently, the Governance Officer and Executive Officer is responsible for maintaining and reporting the outputs from the Attain system. Majority of the findings reported below are relating to the period before the implementation of the Attain system which is the period within our audit scope.

Legislative Compliance Management Comment

The findings are noted and agreed actions are listed below against each recommendation.

No	Recommendation	Risk Rating	Agreed Action	Responsible Owner	Action Date
2.3.1	<p>Legislative Compliance Framework</p> <p>There is no documented overarching Legislative Compliance Framework, Legislative Compliance Policy, Legislative Compliance Procedure, Legislative Compliance Register (with all legislation the City is required to comply with) and Legislative Non-Compliance Register (non-compliances with legislation) to define the accountabilities, roles and responsibilities, processes, breaches and monitoring and reporting undertaken by the City. We acknowledge that a Governance and Risk Coordinator has been appointed and as part of this role is to complete these actions.</p> <p>By virtue of not having a Legislative Compliance Register, the City has not identified Legislative Compliance Owners for the specific Legislation it is required to comply with. There is no one accountable within the City for Compliance with each piece of legislation. It has also not gathered evidence to support its compliance.</p> <p>2.3.1 – Recommendation</p> <p>Develop a Legislative Compliance Framework, Legislative Compliance Policy, Legislative Compliance Procedure and Legislative Compliance Register, Non-Compliance Register for the legislative compliance activities. Also identify Legislative Compliance Owners for specific legislation and retain evidence to support compliance.</p>	High	A Legislative Compliance Framework will be developed.	Coordinator Governance and Risk	June 2023



2. DETAILED OBSERVATION (CONT.)

2.3 Legislative Compliance (cont.)

No	Recommendation	Risk Rating	Agreed Action	Responsible Owner	Action Date
2.3.2	<p>Legislative Compliance Resources</p> <p>There are no dedicated resources for the Legislative Compliance function. There is no one within the City with Legislative Compliance responsibilities for the above framework, policy and procedure, such as a Legislative Compliance Officer. This can be additional to other responsibilities within the City.</p> <p>2.3.2 – Recommendation</p> <p>Consider the appointment of a Legislative Compliance Officer who will be responsible for the Legislative Compliance Framework, Legislative Compliance Policy and Legislative Compliance Procedures</p>	Medium	<p>Noted. Rather than a dedicated Legislative Compliance Officer, this role can be overseen by the Coordinator Governance and Risk who commenced in January 2023</p> <p>Management considers this has been addressed and no further action is proposed.</p>	Coordinator Governance and Risk	Ongoing
2.3.3	<p>Legislative Compliance Culture</p> <p>City of Nedlands Code of Conduct has limited details relating to oversight of Legislative Compliance.</p> <p>2.3.3 – Recommendation</p> <p>Review the Code of Conduct and consider where references to legislative compliance can be enhanced.</p>	Medium	<p>Agreed. Will be addressed with the next review of the Staff Code of Conduct</p>	Coordinator Governance and Risk	December 2023
2.3.4	<p>Legislative Compliance Training</p> <p>There is no formal induction and regular training of the Legislation Owners.</p> <p>2.3.4 – Recommendation</p>	Medium	<p>Agreed. A program will be developed in conjunction with HR.</p>	Coordinator Governance and Risk	June 2023



	Consider training for Legislative Compliance Owners in their legislative compliance responsibilities under the proposed framework, policy, and procedure.			
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2. DETAILED OBSERVATION (CONT.)

2.3 Legislative Compliance (cont.)

No	Recommendation	Risk Rating	Agreed Action	Responsible Owner	Action Date
2.3.5	<p>Emerging Compliance Requirements</p> <p>There is no Legislative Compliance Strategy and / or Plan which sets out the proposed approach to Legislative Compliance, emerging changes to legislation, input into proposed legislative changes affecting the City, and how current legislative compliance responsibilities will be met over the next few years and current year.</p> <p>2.3.5 – Recommendation</p> <p>Consider the development of a Legislative Compliance Strategy (more than 1 year) or Plan (Annual Plan) which identifies the emerging and current changes to legislation, the impacts on the City, and how they will be managed.</p>	Medium	Agreed. A framework to address legislative compliance will be developed.	Coordinator Governance and Risk	December 2023
2.3.6	<p>Compliance Audit Return</p> <p>We acknowledge that Executive Officer coordinates and completes the Annual Compliance Audit Return in the Department of Local Government Smart Hub. It was identified that there is no certification process for key legislation asserting compliance with legislation. This is a key governance control to give assurance to Management prior to finalization of the Compliance Audit Return. As stated above, there is no evidence to support the compliance with legislation.</p> <p>2.3.6 – Recommendation</p> <p>Develop an approved procedure for the Compliance Audit Return and consider the implementation of a certification process to support this procedure which includes the retention of evidence to support legislative compliance.</p>	Low	<p>Noted. The City utilises the Attain platform to manage the CAR. There is provision within the software to record retention of evidence.</p> <p>The CAR has been added to the Compliance Calendar which we now have in the Attain Software. Last year's CAR was provided to the Auditor's with the Council minutes confirming</p>	Coordinator Governance and Risk	December 2023



			<p>acceptance of the CAR.</p> <p>Consideration will be given to formally include this process into a procedure in time for the 2023 CAR.</p>		
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3. OTHER

3.1. Disclaimers

Moore Australia (WA) Pty Ltd as agent, an independent member of Moore Global Network Limited, and a Perth based partnership of trusts carries on business separately and independently from other Moore Global Network Limited member firms worldwide.

Services provided under this engagement are provided by Moore Australia (WA) Pty Ltd as agent and not by any other independent Moore Global Network Limited member firms worldwide. No other independent Moore Global Network Limited member has any liability for services provided.

3.2. Basis of Use

This report has been prepared in accordance with the objectives and approach agreed in the engagement document and subject to the following limitations:

- Other than use by you for the purpose, our report cannot be issued, accessed, or relied upon by any third party without our prior written approval. Furthermore, neither the report nor extracts from it will be included in any document to be circulated to other third parties without our prior written approval of the use, form, and context in which it is proposed to be released. We reserve the right to refuse to grant approval to issue the reporting to any other party;
- Our internal audit work was performed in accordance with the International Standards for the Professional Practice of Internal Auditing contained in the International Professional Practices Framework issued by the Institute of Internal Auditors. It did not constitute an audit or review in accordance with standards issued by the Auditing and Assurance Standards Board and accordingly no such assurance under those standards is provided in this report;
- The matters raised in this report are only those which came to our attention while performing our procedures and are not necessarily a comprehensive statement of all the weaknesses that exist or improvements that might be made. We cannot, in practice, examine every activity and procedure, nor can we be a substitute for management's responsibility to maintain adequate controls over all levels of operations and their responsibility to prevent and detect irregularities, including fraud. Accordingly, management should not rely on our report to identify all weaknesses that may exist in the systems and procedures under examination, or potential instances of non-compliance that may exist;

- We believe that the statements made in this report are accurate, but no warranty of completeness, accuracy or reliability is given in relation to statements and representations made by, and the information and documentation provided by, Management and personnel. We have indicated within this report the sources of the information provided. We have not sought to independently verify those sources unless otherwise noted within the report. We are under no obligation in any circumstance to update this report, in either oral or written form, for events occurring after the report has been issued in final form unless specifically agreed with the client. The Internal Audit findings expressed in this report have been formed on the above basis; and
- Recommendations for improvement should be assessed by management for their full commercial impact, before they are implemented.

3.3. Conflicts of Interest

The firm is not aware of any existing or potential relationship, transaction or holding that would compromise its objectivity in the conduct of the services rendered. Should the possibility of a perceived or actual conflict arise the matter would be raised with the Chief Executive Officer immediately and activities suspended until the issue was resolved to your satisfaction.

3.4. Liability

Moore Australia (WA) Pty Ltd trading as agent – ABN 99 433 544 961, an independent member of Moore Global Network Limited - members in principal cities throughout the world.

Liability limited by a scheme approved under Professional Standards Legislation.

APPENDIX 1: KEY TO SIGNIFICANCE OF RISK RATING

Rating	Definition	Guidance	Action required
High	Issue represents a control weakness, which could cause or is causing major disruption of the process or major adverse effect on the ability of the process to achieve its objectives.	<ul style="list-style-type: none"> Material errors and departures from the organisation's policies and procedures; Financial management / accountability / probity concerns; Non-compliance with governing legislation and regulations may result in fines or other penalties; and Collective impact of many moderate or low issues. 	<ul style="list-style-type: none"> Requires significant senior management intervention and may require significant mobilisation of resources, including external assistance; and A detailed plan of action to be approved by Management with resolution within 30 days.
Medium	Issue represents a control weakness, which could cause or is causing moderate adverse effect on the ability of the process to meet its objectives.	<ul style="list-style-type: none"> Events, operational, business, and financial risks could expose the organisation to losses could be marginally material to the organisation; and Departures from best practice management procedures, processes. 	<ul style="list-style-type: none"> Requires substantial management intervention and may require possible external assistance; and Timeframe for action is subject to competing priorities and cost benefit analysis but should not exceed 3 months.
Low	Issue represents a minor control weakness, with minimal but reportable impact on the ability to achieve process objectives.	<ul style="list-style-type: none"> Events, operational and business risks could expose the organisation to losses which are not material due to the low probability of occurrence of the event and insignificant impact on the operating capacity, reputation, and regulatory compliance; and Departures from management procedures, processes, however, appropriate monitoring and governance generally mitigates these risks. 	<ul style="list-style-type: none"> Requires management attention and possible use of external resources; and Minor treatment is desirable. Action should be completed within 6 months.

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HELPING YOU THRIVE IN A CHANGING WORLD



REGULATION 17 REPORT

City of Nedlands

27 January 2023



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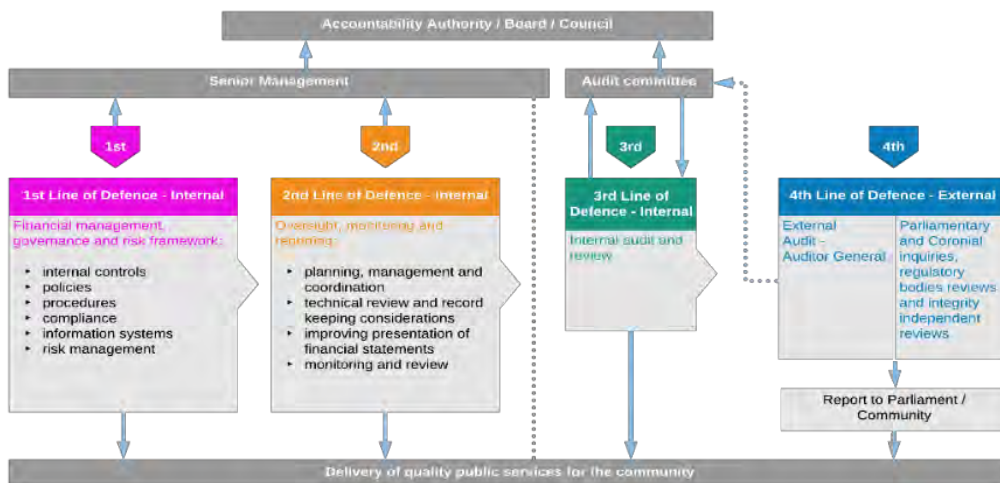


Figure 1: Four Lines of Defence Model. Source: Office of the Auditor General

1.2 Objective and Scope

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- The City's risk management systems policies, procedures and plans;
- Evaluate the key non-financial / operational internal control systems and procedures. Financial controls are in the scope of Financial Management Review legislative requirement and not in the scope of this engagement; and
- Assess systems and procedures for maintaining legislative compliance. This is not a compliance audit of the City compliance with all legislative compliance obligations.

With management's agreement, we have leveraged the following internal audits and / or reviews to minimise duplication of effort and to achieve better efficiency:

- OAG audits (financial and GCC), for FY21 as FY22 results are not yet available;
- Fraud Prevention in Local Government conducted by OAG in FY19/20;
- Recent internal audits and reviews undertaken by Moore Australia including accounts payable, IT Policies, payroll, contract management, records management, occupational, health and safety, business continuity, risk management, work force management, asset management audit and effectiveness of the audit and risk committee review;
- Financial management regulation review and purchasing card audits in progress concurrently with Regulation 17 review; and
- Areas subject to the Compliance Audit Return (CAR).

Hence, this report should be read in conjunction with the above mentioned audits or reviews.

As part of this review, we considered the following Act and Regulations:

- Local Government Act 1995;
- Local Government (Audit) Regulation 1996;
- Local Government (Function and General) Regulations 1996; and
- Local Government (Financial Management) Regulations 1996.

1. EXECUTIVE SUMMARY (CONT.)

1.3 Approach

The review undertook the following approach:

- Developed a detailed work program specific to risk management, internal control and legislative compliance requirements;
- Interviewed relevant stakeholders;
- Performed a walkthrough of key documents;
- Assessed the design effectiveness of the current process and provided recommendations for gaps noted;
- Reviewed the previous audits and reviews work completed referenced in this report;
- Exit meeting with relevant stakeholders;
- Issue of draft internal audit report;
- Receipt of Management Comments for consideration by Moore Australia;
- Issue of final internal audit report to Management; and
- Attendance and presentation of the final report to the Audit and Risk Committee.

This review has been conducted in accordance with the 'International Standards for the Professional Practice of Internal Auditing' contained in the 'International Professional Practices Framework' issued by the Institute of Internal Auditors.

As mentioned above, there were three areas assessed in this engagement being risk management, internal control and legislative compliance. Please note that this audit is not a compliance engagement, and we did not perform detailed compliance testing.

As identified in Section 1.2 we leveraged from the previous internal audit reports and did not duplicate any work with these internal audits.

1.4 Overall Observation

The City recognises the importance of Risk Management, Internal Controls, and Legislative Compliance activities and the need to maintain good governance. Recently, management rolled out the following systems and activities to enhance the current controls, better risks management practices and timely monitoring and adhering to legislative compliance requirements;

Attain System – This system was implemented in June / July 2022 to replace manual handling and management of legislative compliance requirements.

OneCouncil ERP System – This ERP platform system aims to improve data accuracy, efficiency, minimise risk, compliance requirements and will assist to modernise City's infrastructure and processes

The picture below illustrates planned implementation model:



While Management is committed to improving the governance and internal controls within the City, and actively undertaking various activities including addressing internal and external audit recommendations, some exceptions were identified as part of this review:

Risk Management

An internal audit of risk management conducted by Moore Australia in July 2022 found that the City's overall risk management function requires significant improvement. Further, upon reviewing the City's Audit log reported to Audit and Risk Committee in November 2022, it was noted that a large number of risk management actions remain open or overdue. We acknowledge that a Governance and Risk Coordinator has been appointed and as part of this role's responsibilities include completing these tasks.

1. EXECUTIVE SUMMARY (CONT.)



1.5 Overall Observation (cont.)

Internal Control

The City is working towards establishing a transparent and effective internal control environment. However, based on the inspection and discussion of relevant internal audit documents, reports and audit log, it has been concluded that internal controls still remain an area for improvement. Through discussion with relevant stakeholders, it was identified that the primary reason management unable to achieve higher levels of internal control effectiveness is due to high staff turnover and manual oriented business processes to support the control environment.

It was identified that current controls relating to maintenance of various register requires improvement. These registers are maintained manually and lack of cross department's involvement to ensure the register is current and complete. It was also identified that a framework for governing drafting of policy and procedure is lacking to strengthen the first line of defence controls.

Legislative Compliance

We recognise that the City is in the progress of improving their legislative compliance posture with the implementation of Attain system to manage legislative compliance activities. However, it was identified that there is no documented framework, policies, procedures and registers describing the roles and responsibilities and the processes for managing, monitoring and reporting the legislative compliance activities outcomes.

Refer to section 2 of this report for detailed findings with a risk rating.

1.5 Finding Categories

Moore Australia has categorised the findings into four areas which are: Governance, Process, Information and Systems and People. The definitions have been set out in Table 1 below.

Governance	The framework of rules, encompassing policies, procedures and processes within and by which authority is exercised and controlled in an organisation.
Process	A series of logical activities or actions performed to achieve a particular result
Information and System	Interrelated components of technology, people, and processes an organisation uses to create, store and distribute information
People	The human resource capacity, capabilities and culture of the organisation

Table 1 Finding Categories.

1.6 Summary of Findings

All of the risk management findings, and the significant majority (93%) of the findings relating to internal controls are leveraged from previous internal audits as described in Section 1.2 Objective and Scope". There was no previous work performed on legislative compliance specifically, and so all findings are included in this report.

A summary of the findings against the three elements of the Regulation 17 are detailed in Table 2 below.

Risk Rating	TOTAL	Risk Management	Internal Controls	Legislative Compliance
Governance	93	24	66	3
Process	43	2	39	2
Information and Systems	5		5	
People	10	2	7	1
Total Findings	151	28	117	6

Table 2: Summary of Findings.

1.7 Acknowledgement

We have met with key personnel within the City to perform the engagement. We would like to thank the following personnel for their assistance in the conduct of this audit.

- Mike Cole – Director Corporate Services;
- Stuart Billingham – Manager Financial Services;
- Tony Benson– Manager ICT;
- Nicole Ceric – Executive Officer; and
- Lauren Fitzgerald – Senior Project Accountant



2. DETAILED OBSERVATIONS

2.1 Risk Management

As mentioned in Section 1 of this report, Moore Australia completed a comprehensive risk management internal audit this year to assess the adequacy and effectiveness of the City's internal controls for Risk Management. The outcome of this review was provided to management in an internal audit report dated July 2022. This risk management internal audit engagement should be read in conjunction with this Regulation 17 report. The summary of the findings has been summarised in the Executive Summary.

2.2 Internal Control

The internal control element of the Regulation 17 engagement has been leveraged from the internal audit reports which have been provided over the period. The following audit reports should be read in conjunction with this report. We have summarised the recommendations in the Table 3 including new recommendations from this Regulation 17 engagement.

The table below illustrates that there is no systemic trend to indicate that internal control environment has strengthened in the last three financial years.

Tabled Reports		FY	Governance	Information Systems	People	Process	Total Internal Audit Findings	Regulation 17 Report	Total Findings
1	Accounts Payable Process Audit	2019	7	-	-	6	13	NA	13
2	IT Policies Review	2019	14	-	-	2	16	NA	16
3	Business Continuity Planning Review	2020	4	3	-	5	12	NA	12
4	Payroll	2021	2	-	-	3	5	NA	5
5	Records Management	2021	5	1	1	2	9	NA	9
6	Contract Management	2021	5	-	-	3	8	NA	8
7	Occupational Safety and Health	2022	7	-	-	1	8	NA	8
8	Risk Management	2022	24	-	2	2	28	NA	28
9	Effectiveness of Audit and Risk Committee	2022	4	-	5	5	14	NA	14
10	Workforce Plan	2022	10		1	6	17	NA	17
11	Asset Management	2022	4	1		4	9	NA	9
12	Regulation 17 Engagement (this report)	2022	6	-	2	4	NA	12	12
	Total Regulation 17 Recommendations.		92	5	10	43	139	12	151

Table 3: Reconciliation of the reports which have been leveraged in this report, and including the findings from this Regulation 17 Report



2. DETAILED OBSERVATIONS (CONT.)

2.2 Internal Control (cont.)

A summary of the findings and recommendations from previous internal audits and Regulation 17 audit are detailed in Table 4 below. In total, we provided 12 recommendations for management's consideration in this audit.

Risk Rating	TOTAL	Previous Internal Audit Recommendations	Regulation 17 Recommendations
Governance	92	86	6
Process	43	39	5
Information and Systems	5	5	-
People	10	9	1
Total Findings	151	139	12

Table 4: Summary of Findings Relating to Internal Controls. (Previous Internal Audits and this Regulation 17 Report)

In addition to the observations reported in the previous internal audits as mentioned in the Executive Summary Section "Objective and Scope". We observed the following further observations:

Internal Controls Management Comment

The findings are noted. The City has appointed a Coordinator of Governance and Risk who commenced in January 2023. For each recommendation, the agreed actions, responsible owner and action date are listed below.

No	Recommendation	Risk Rating	Agreed Action	Responsible Owner	Action Date
2.2.1	<p>Audit Recommendations</p> <p>It was noted that there are long outstanding internal audit recommendations in the Audit log pending closure by management. As of November 2022:</p> <ul style="list-style-type: none"> Out of 81 open internal audit recommendations, 35 recommendations are overdue and longest being 856 days; Out of 14 open OAG financial recommendations, 11 recommendations are overdue and longest being 764 days; and Out of 17 open OAG financial recommendations, 5 recommendations are overdue and longest being 902 days. 	High	<p>Recommendations from internal and external audit findings have been updated in the Audit log and outstanding actions will be finalised progressively.</p> <p>The Coordinator Governance and Risk will progress close out in conjunction with responsible officers.</p>	Coordinator Governance and Risk and various action owners listed against each agreed action.	Ongoing



2. DETAILED OBSERVATIONS (CONT.)

2.2 Internal Control (cont.)

No	Recommendation	Risk Rating	Agreed Action	Responsible Owner	Action Date
2.2.1 (cont.)	<p>Audit Recommendations (cont.)</p> <p>It is acknowledged that the City understands the importance and has a commitment to close out the recommendations on a timely basis. The external and internal audit recommendations have been monitored and reported by Moore Australia to the Audit and Risk Committee at each meeting, however there has not been traction with the close out of the recommendations. It is also acknowledged that Management has appointed Moore Australia to be responsible for the Audit Log and liaise with Management to meet and explain the evidence required to validate, monitor, and report the recommendations to the Audit and Risk Committee. This has already seen great improvement in the close out rate in November 2022 and this is expected in future months as well.</p> <p>2.2.1 Recommendation</p> <p>Management should consider the resources, cost, risk and benefit in closing out external, internal and other recommendations and continue to monitor and report these to the Audit and Risk Committee on a timely basis.</p>	High			
2.2.2	<p>Grant Register</p> <p>Through discussion it was identified that an applicant is required to fill out an Acquittal Form and return to the City, with accompanying supporting evidence such as receipts, photos, testimonials, etc. The Community Development Officer then add the acquittal to their Share Point folder.</p> <p>If applicants have outstanding grants that have not been acquitted they will not be considered until the acquittal is completed.</p> <p>However, the grant register does not track and report on the outstanding acquittal for timely completion within three months as required by the Community and Youth Grant Procedures.</p> <p>2.2.2 Recommendation</p> <p>Management should review and revise the Grants Register to track and report on the outstanding acquittal for timely completion within 3 months as required by the Community and Youth Grant Procedures</p>	Medium	<p>Agreed. Officers in the Community Development team have been reminded to follow up with grant recipients to close out acquittals in a timely manner. The register is already in SharePoint and a separate register is not considered necessary.</p> <p>No further action is proposed.</p>	No action proposed.	N/A



2. DETAILED OBSERVATIONS (CONT.)

2.2 Internal Control (cont.)

No	Recommendation	Risk Rating	Agreed Action	Responsible Owner	Action Date
2.2.3	<p>Hazardous Register</p> <p>A Register of Hazardous Materials was provided for our inspection, to reflect properties under the control of the City which may contain hazardous materials such as combustible liquid. This register includes materials held in Administration Office in Nedlands only. We were unable to evidence all other locations which Nedlands operates has been considered and relevant hazardous materials are recorded in this register.</p> <p>2.2.3 Recommendation</p> <p>Review and revise the Register of Hazardous Materials to include all of the City locations and all hazardous materials in accordance with legislation and better practice principles.</p>	High	At the time of the audit, the Chemical Register Software was not accessible due to login issues. This issue is now resolved; all hazardous substances throughout the CoN have been identified and risk assessed, and adequate controls are in place. Ongoing management, awareness training and risk review are compulsory under the WHS Act 2022. To minimise the risk of not being able to access the register, a hard copy will be printed and made available for consultation at the Administration and Depot offices. The manifest will be reviewed annually.	WHS Officer	<p>Mid Jan for the manifest hard copies.</p> <p>Ongoing for the register management</p>
2.2.4	<p>Policy Framework</p> <p>Through discussion it was identified that there is adequate process and policy and procedure templates in place for establishing and obtaining approval for policy and procedures. Prior to writing a policy a discussion paper on why a policy is required is to be written and presented to the officer's manager then director for approval and support prior to being submitted to EMT / CEO for approval then the discussion paper is presented to Council Members at a Concept Forum to ensure a policy is required and what Council Members would like in the policy. Following the concept forum the officer then drafts policy and it goes to manager then director then EMT / CEO for approval and then to Council for adoption in case of Council Policy.</p>	Medium	Noted. The Council already has a formally adopted policy "Development of Policies and Administrative Procedures" No further action is proposed.	N/A	N/A



No	Recommendation	Risk Rating	Agreed Action	Responsible Owner	Action Date
	<p>However, the above mentioned process is not formally documented and communicated to the relevant stakeholders. Through discussion with the Executive Officer, it was noted that the newly appointed Risk and Governance Officer will develop a framework to formalise the above mentioned process.</p> <p>2.2.4 – Recommendation</p> <p>Develop a Policy Framework Policy which identifies the approved process for the identification, development, revision, approval, and publishing of City policies.</p>				



2. DETAILED OBSERVATIONS (CONT.)

2.2 Internal Control (cont.)

No	Recommendation	Risk Rating	Agreed Action	Responsible Owner	Action Date
2.2.5	<p>Complaints Handling</p> <p>The City Customer Service Charter and Council Complaint Handling Policy exist. However, the City does not have a Complaint Register, nor a procedure for non-community complaints. This has been raised in prior internal audits.</p> <p>2.2.5 – Recommendation</p> <p>Develop and / or revise the current policy to include non-community complaints and a Complaints Register</p>	Medium	<p>The City manages complaints and enquiries through the OneCouncil CRM module.</p> <p>Complaints, as distinct from requests, are dealt with individually by next level up and escalated when needed to Director or CEO.</p> <p>Consideration will be given to developing a complaints register.</p>	Coordinator Governance and Strategy	June 2023
2.2.6	<p>Significant Adverse Trends</p> <p>Through discussion with the Director of Corporate Services, it was identified that adverse trends are identified through networking session with other local government representatives and during the City's annual planning meeting, whereby the Executive team members discuss the adverse trend and identify appropriate action plans.</p> <p>However, there is no formalised process in place to ensure the significant adverse trends are timely identified, managed and reported to the Audit and Risk Committee.</p> <p>2.2.6 – Recommendation</p> <p>Consider a formalised process to identify, monitor and report any significant adverse trends to reduce the risk of reoccurring and to improve oversight by the Audit and Risk Committee.</p>	Medium	<p>Noted. With the introduction of the OneCouncil system, the CEO has had a dashboard developed showing key indicators/trends. No further action is proposed. In addition, EMT agendas include as standing agenda items OHS and Risk. Appropriate reporting to Elected Members, including Audit and Risk Committee is being developed.</p>	Director Corporate Services and Coordinator Governance and Risk	Ongoing



2. DETAILED OBSERVATION (CONT.)

2.3 Legislative Compliance

The Legislative Compliance element of the Regulation 17 engagement approach was to assess the governance in place by the City to ensure it meets their legislative compliance obligations. It is not a compliance engagement and we are not testing for non-compliance with legislation.

Moore Australia however wish to acknowledge that the Attain system has been used by the City since June / July 2022 to manage its compliance activities with applicable laws and regulations. Integrity, an external contractor, administers and updating the new legislation requirements in this system. Currently, the Governance Officer and Executive Officer is responsible for maintaining and reporting the outputs from the Attain system. Majority of the findings reported below are relating to the period before the implementation of the Attain system which is the period within our audit scope.

Legislative Compliance Management Comment

The findings are noted and agreed actions are listed below against each recommendation.

No	Recommendation	Risk Rating	Agreed Action	Responsible Owner	Action Date
2.3.1	<p>Legislative Compliance Framework</p> <p>There is no documented overarching Legislative Compliance Framework, Legislative Compliance Policy, Legislative Compliance Procedure, Legislative Compliance Register (with all legislation the City is required to comply with) and Legislative Non-Compliance Register (non-compliances with legislation) to define the accountabilities, roles and responsibilities, processes, breaches and monitoring and reporting undertaken by the City. We acknowledge that a Governance and Risk Coordinator has been appointed and as part of this role is to complete these actions.</p> <p>By virtue of not having a Legislative Compliance Register, the City has not identified Legislative Compliance Owners for the specific Legislation it is required to comply with. There is no one accountable within the City for Compliance with each piece of legislation. It has also not gathered evidence to support its compliance.</p> <p>2.3.1 – Recommendation</p> <p>Develop a Legislative Compliance Framework, Legislative Compliance Policy, Legislative Compliance Procedure and Legislative Compliance Register, Non-Compliance Register for the legislative compliance activities. Also identify Legislative Compliance Owners for specific legislation and retain evidence to support compliance.</p>	High	A Legislative Compliance Framework will be developed.	Coordinator Governance and Risk	June 2023



2. DETAILED OBSERVATION (CONT.)

2.3 Legislative Compliance (cont.)

No	Recommendation	Risk Rating	Agreed Action	Responsible Owner	Action Date
2.3.2	<p>Legislative Compliance Resources</p> <p>There are no dedicated resources for the Legislative Compliance function. There is no one within the City with Legislative Compliance responsibilities for the above framework, policy and procedure, such as a Legislative Compliance Officer. This can be additional to other responsibilities within the City.</p> <p>2.3.2 – Recommendation</p> <p>Consider the appointment of a Legislative Compliance Officer who will be responsible for the Legislative Compliance Framework, Legislative Compliance Policy and Legislative Compliance Procedures</p>	Medium	<p>Noted. Rather than a dedicated Legislative Compliance Officer, this role can be overseen by the Coordinator Governance and Risk who commenced in January 2023</p> <p>Management considers this has been addressed and no further action is proposed.</p>	Coordinator Governance and Risk	Ongoing
2.3.3	<p>Legislative Compliance Culture</p> <p>City of Nedlands Code of Conduct has limited details relating to oversight of Legislative Compliance.</p> <p>2.3.3 – Recommendation</p> <p>Review the Code of Conduct and consider where references to legislative compliance can be enhanced.</p>	Medium	<p>Agreed. Will be addressed with the next review of the Staff Code of Conduct</p>	Coordinator Governance and Risk	December 2023
2.3.4	<p>Legislative Compliance Training</p> <p>There is no formal induction and regular training of the Legislation Owners.</p> <p>2.3.4 – Recommendation</p>	Medium	<p>Agreed. A program will be developed in conjunction with HR.</p>	Coordinator Governance and Risk	June 2023



	Consider training for Legislative Compliance Owners in their legislative compliance responsibilities under the proposed framework, policy, and procedure.			
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2. DETAILED OBSERVATION (CONT.)

2.3 Legislative Compliance (cont.)

No	Recommendation	Risk Rating	Agreed Action	Responsible Owner	Action Date
2.3.5	<p>Emerging Compliance Requirements</p> <p>There is no Legislative Compliance Strategy and / or Plan which sets out the proposed approach to Legislative Compliance, emerging changes to legislation, input into proposed legislative changes affecting the City, and how current legislative compliance responsibilities will be met over the next few years and current year.</p> <p>2.3.5 – Recommendation</p> <p>Consider the development of a Legislative Compliance Strategy (more than 1 year) or Plan (Annual Plan) which identifies the emerging and current changes to legislation, the impacts on the City, and how they will be managed.</p>	Medium	Agreed. A framework to address legislative compliance will be developed.	Coordinator Governance and Risk	December 2023
2.3.6	<p>Compliance Audit Return</p> <p>We acknowledge that Executive Officer coordinates and completes the Annual Compliance Audit Return in the Department of Local Government Smart Hub. It was identified that there is no certification process for key legislation asserting compliance with legislation. This is a key governance control to give assurance to Management prior to finalization of the Compliance Audit Return. As stated above, there is no evidence to support the compliance with legislation.</p> <p>2.3.6 – Recommendation</p> <p>Develop an approved procedure for the Compliance Audit Return and consider the implementation of a certification process to support this procedure which includes the retention of evidence to support legislative compliance.</p>	Low	<p>Noted. The City utilises the Attain platform to manage the CAR. There is provision within the software to record retention of evidence.</p> <p>The CAR has been added to the Compliance Calendar which we now have in the Attain Software. Last year's CAR was provided to the Auditor's with the Council minutes confirming</p>	Coordinator Governance and Risk	December 2023



			<p>acceptance of the CAR.</p> <p>Consideration will be given to formally include this process into a procedure in time for the 2023 CAR.</p>		
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3. OTHER

3.1. Disclaimers

Moore Australia (WA) Pty Ltd as agent, an independent member of Moore Global Network Limited, and a Perth based partnership of trusts carries on business separately and independently from other Moore Global Network Limited member firms worldwide.

Services provided under this engagement are provided by Moore Australia (WA) Pty Ltd as agent and not by any other independent Moore Global Network Limited member firms worldwide. No other independent Moore Global Network Limited member has any liability for services provided.

3.2. Basis of Use

This report has been prepared in accordance with the objectives and approach agreed in the engagement document and subject to the following limitations:

- Other than use by you for the purpose, our report cannot be issued, accessed, or relied upon by any third party without our prior written approval. Furthermore, neither the report nor extracts from it will be included in any document to be circulated to other third parties without our prior written approval of the use, form, and context in which it is proposed to be released. We reserve the right to refuse to grant approval to issue the reporting to any other party;
- Our internal audit work was performed in accordance with the International Standards for the Professional Practice of Internal Auditing contained in the International Professional Practices Framework issued by the Institute of Internal Auditors. It did not constitute an audit or review in accordance with standards issued by the Auditing and Assurance Standards Board and accordingly no such assurance under those standards is provided in this report;
- The matters raised in this report are only those which came to our attention while performing our procedures and are not necessarily a comprehensive statement of all the weaknesses that exist or improvements that might be made. We cannot, in practice, examine every activity and procedure, nor can we be a substitute for management's responsibility to maintain adequate controls over all levels of operations and their responsibility to prevent and detect irregularities, including fraud. Accordingly, management should not rely on our report to identify all weaknesses that may exist in the systems and procedures under examination, or potential instances of non-compliance that may exist;

- We believe that the statements made in this report are accurate, but no warranty of completeness, accuracy or reliability is given in relation to statements and representations made by, and the information and documentation provided by, Management and personnel. We have indicated within this report the sources of the information provided. We have not sought to independently verify those sources unless otherwise noted within the report. We are under no obligation in any circumstance to update this report, in either oral or written form, for events occurring after the report has been issued in final form unless specifically agreed with the client. The Internal Audit findings expressed in this report have been formed on the above basis; and
- Recommendations for improvement should be assessed by management for their full commercial impact, before they are implemented.

3.3. Conflicts of Interest

The firm is not aware of any existing or potential relationship, transaction or holding that would compromise its objectivity in the conduct of the services rendered. Should the possibility of a perceived or actual conflict arise the matter would be raised with the Chief Executive Officer immediately and activities suspended until the issue was resolved to your satisfaction.

3.4. Liability

Moore Australia (WA) Pty Ltd trading as agent – ABN 99 433 544 961, an independent member of Moore Global Network Limited - members in principal cities throughout the world.

Liability limited by a scheme approved under Professional Standards Legislation.

APPENDIX 1: KEY TO SIGNIFICANCE OF RISK RATING

Rating	Definition	Guidance	Action required
High	Issue represents a control weakness, which could cause or is causing major disruption of the process or major adverse effect on the ability of the process to achieve its objectives.	<ul style="list-style-type: none"> Material errors and departures from the organisation's policies and procedures; Financial management / accountability / probity concerns; Non-compliance with governing legislation and regulations may result in fines or other penalties; and Collective impact of many moderate or low issues. 	<ul style="list-style-type: none"> Requires significant senior management intervention and may require significant mobilisation of resources, including external assistance; and A detailed plan of action to be approved by Management with resolution within 30 days.
Medium	Issue represents a control weakness, which could cause or is causing moderate adverse effect on the ability of the process to meet its objectives.	<ul style="list-style-type: none"> Events, operational, business, and financial risks could expose the organisation to losses could be marginally material to the organisation; and Departures from best practice management procedures, processes. 	<ul style="list-style-type: none"> Requires substantial management intervention and may require possible external assistance; and Timeframe for action is subject to competing priorities and cost benefit analysis but should not exceed 3 months.
Low	Issue represents a minor control weakness, with minimal but reportable impact on the ability to achieve process objectives.	<ul style="list-style-type: none"> Events, operational and business risks could expose the organisation to losses which are not material due to the low probability of occurrence of the event and insignificant impact on the operating capacity, reputation, and regulatory compliance; and Departures from management procedures, processes, however, appropriate monitoring and governance generally mitigates these risks. 	<ul style="list-style-type: none"> Requires management attention and possible use of external resources; and Minor treatment is desirable. Action should be completed within 6 months.

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HELPING YOU THRIVE IN A CHANGING WORLD

18.3 ARC04.02.23 Internal Audit – Asset Management Review

Meeting & Date	Council Meeting – 28 February 2023 Audit & Risk Committee – 20 February 2023
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	Nil.
Report Author	Stuart Billingham – Manager Financial Services
Director	Michael Cole – Director Corporate Services
Attachments	1. Internal Audit Asset Management - See appendix 4 of Item ARC01.02.23 Moore Australia Report

Purpose

To present to the Audit & Risk Committee the Internal Auditor's report on City of Nedlands Asset Management.

Committee Recommendation / Recommendation

That the Audit & Risk Committee recommends that Council:

1. notes the internal auditors report on the review of the City's Asset Management; and
2. notes the management responses to those comments and recommendations.

Voting Requirement

Simple Majority.

Background

In November 2022 Moore Australia (WA) Pty Ltd were engaged to undertake the internal audit of Asset Management at the City of Nedlands with nine matters raised as shown in the table following:

Summary of Findings					Recommendations
Risk Rating	Total	High	Medium	Low	Total
Asset Policy, Strategy and Plans	5	-	3	2	1-6
Asset Physical Verification	2	-	2	-	7-10
Security and Control Measures	1	-	1	-	11
Asset Registers and Records	1	-	1	-	12
Total	9	-	7	2	

Consultation

Moore Australia (WA) Pty Ltd, Director Corporate Services, Manager Financial Services, Finance Officer (AR, Assets & Insurance), Manager ICT, Information Technology (IT) Governance Officer, Manager City Projects and Programs, Manager Assets, Coordinator Land and Property, Coordinator Fleet, Building Maintenance Officer, Coordinator Civil Maintenance.

Strategic Implications

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

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

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

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

Budget/Financial Implications

There are no budget or financial implications to this report.

Legislative and Policy Implications

Nil.

Decision Implications

Nil.

Conclusion

That the Audit & Risk Committee recommends that Council:

1. notes the internal auditors report on the review of the City's Asset Management and;
2. notes the management responses to those comments and recommendations.

Further Information

Nil.

INTERNAL AUDIT ASSET MANAGEMENT

City of Nedlands

8 February 2023

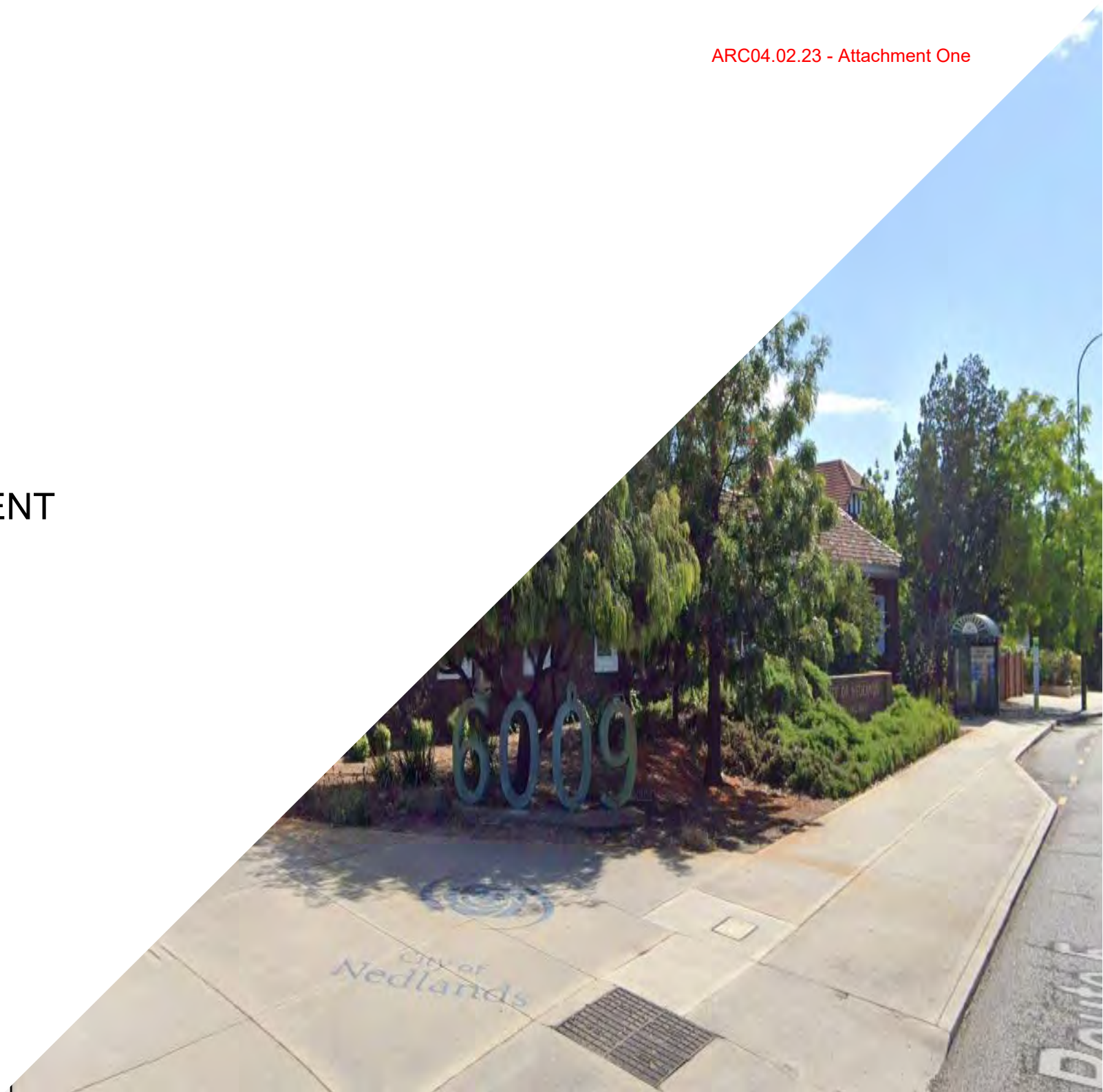




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1. EXECUTIVE SUMMARY

1.1. Context

The effective management of local government assets is crucial to the sustainable delivery of those services to meet the current and future needs of the community. Local governments are typically rich in assets and constrained in income, managing a large stock of long-lived assets. The key to an effective asset management is influenced by three factors: (1) the availability of Asset Management Policy, (2) a well-defined Asset Management Strategy, (3) and the completeness of the Asset Management Plans. The unification of these three factors is crucial to the successful delivery of services to meet the current and future needs of the local community. Asset Management helps Local Governments manage the stewardship of assets they are entrusted with.

The City of Nedlands has a large number of long-lived assets whereby the life cycle of these assets spans over decades. Due to its longevity, adequate maintenance should be performed over time to ensure that these assets are in their optimum state to sustainably deliver the required services to the community. It is also crucial that the planned maintenance is adequately budgeted and financed not just to fund the maintenance work but also to pay for the cost of repairs that may arise in the future as part of the wear and tear of these assets.

Asset planning is essential to ensure that assets are created, maintained, renewed, and retired or replaced at appropriate intervals to ensure continuity of services in line with chosen service levels.

The benefits of an effective Asset Management also include but not limited to:

- Improved community member's satisfaction by matching levels of service with what the community is entitled to;
- Cost savings from improved asset efficiency over the long term;
- Prolonged asset life span reducing replacement cost;
- Better sustainability and create opportunities to reallocate funds to other projects due to the cost savings achieved; and
- More transparency in decision making (stronger governance and accountability), including meeting regulatory and audit requirements.

The City has engaged Moore Australia to conduct an Internal audit to evaluate the adequacy and effectiveness of internal controls over asset management. Moore Australia (WA) Pty Ltd ("Moore Australia") performed the internal audit in line with the International Standards for the Professional Practice of Internal Auditing and the Moore Australia Internal Audit Methodology.

This report presents our observations and recommendations arising from the internal audit performed. These observations and recommendations are presented, together with management's comments, in Section 3 Observations and Recommendations, and summarised below..

1.2 Overall Findings

We commend the City of Nedlands for the availability of the Asset Policy, Asset Strategy and the soon to be published Asset Management Plans documents. However, these documents will be revisited and updated as soon as possible to incorporate the requirements of the 'Asset Management Framework and Guidelines' for Western Australian Local Governments and to ensure that the contents are substantially aligned.

The recording of assets within asset registers are currently not consistent in the City and do not support the financial statements. Regular stocktakes and reconciliations to the financial statements are currently not performed and should be performed. Moreover, the City of Nedlands should implement strict internal controls pertaining to the physical verification of assets to minimise risk of financial losses caused by unaccounted assets or any missing assets from the City's premises.





1. EXECUTIVE SUMMARY (CONT.)

1.3. Summary of Results

There are four areas where we assessed the Asset Management Process. These areas are as follow: (1) Asset Policy, Strategy and Plans (2) Asset Physical Verification (3) Security and Control Measures and (4) Asset Registers and Records.

A summary of the enhancement opportunities against our view of the priority they may be given are identified in the below table. The results of our fieldwork are summarised in Table 1 below and detailed [in Section 3 – Observations and Recommendations](#) of this report

Summary of Findings					Recommendations
Risk Rating	Total	High	Medium	Low	Total
Asset Policy, Strategy and Plans	5	-	3	2	1-6
Asset Physical Verification	2	-	2	-	7-10
Security and Control Measures	1	-	1	-	11
Asset Registers and Records	1	-	1	-	12
Total	9	-	7	2	

1.4. Related Internal Audits

We are not aware of any previous internal or external reviews of Asset Management.

1.5. Acknowledgment

We would like to thank the City's personnel for the assistance that has been extended during the engagement. Key personnel contracted are outlined in [Appendix 2](#).



1. EXECUTIVE SUMMARY (CONT.)

1.6. Summary of Results (cont.)

Summarised below are the key observations and recommendations identified during the engagement:

Category	Summary of Findings	Risk Rating
Asset Policy Strategy and Plans	1. Adequacy of the Asset Management Policy, Strategy and Plans. Although it is commendable that the City of Nedlands had prepared the relevant Asset Policy and the Asset Management Strategy along with the draft asset management plans, we believe that an update is required to reflect the alignment of these documents with the provisions of Asset Management Framework and Guidelines for Western Australian Local Governments.	MEDIUM
	2. Periodic reporting requirements. There is a lack of clarity on the enforcement of the reporting requirements for the Asset Management division of the City of Nedlands. Currently, the asset management division is not required to submit any reports regularly. It is a better practice guideline to ensure adequate reporting of divisional function to the executive management to promote awareness and evaluate results including the nature and extent of the internal control environment on these areas.	LOW
Asset Policy Strategy and Plans	3. Adequacy of insurance coverage versus the fair value of assets. There is a significant reliance from the insurance provider to determine and set the fair value of asset. The lack of assessment independent from the insurance provider may result to undervaluation of assets that are significantly lower than its replacement value or payout value in the event of any claim.	LOW
	4. Budget adequacy for asset maintenance. A huge percentage of maintenance allocations had a significant budget deficit. We also found that the operational budget was utilised to cover the shortfall as the overall maintenance budget was fully exhausted.	MEDIUM
	5. Management of leased assets. The City leased some its assets to third parties, but we found no detailed guidelines or procedures in place that could be reviewed to ensure that terms and conditions are complied with or whether these assets' maintenance schedules are current.	MEDIUM
Asset Physical Verification	6. Asset stock take procedures. Regular stock takes are not conducted within the City's premises to ascertain the physical existence and custody of the assets which will increase the likelihood of theft or missing assets resulting to potential financial losses in the future.	MEDIUM
	7. Existence of physical assets within the City's premises. During our physical inspection of the assets in the City's premises, we noted that assets are not tagged and numbered at all resulting to difficulty in tracing these assets using their own unique number reference along with the specific location on where these assets are located. This resulted to a number of assets that either could not be traced from the register to the physical site or vice versa.	MEDIUM



1. EXECUTIVE SUMMARY (CONT.)

1.6. Summary of Results (cont.)

Category	Summary of Findings	Risk Rating
Security and Controls Measures	8. Adequacy of the security measures. Although there were adequate security measures in place by the City of Nedlands, we found few exceptions during our visit. This includes a situation where the camera did not send any live footage of the admin building to the main control room at the time our physical inspection. The storage length of the different cameras varies from 8 to 24 days and are not consistent across locations.	MEDIUM
Asset Registers and Records	9. Adequacy of asset recording keeping. The City maintains multiple asset registers without preparing an Asset 'Master File' that can be used by all functions. There are two (2) different reports prepared; the 1 st report is for the financial records and the 2 nd report is for the operations and maintenance records – but the data in these reports do not match with each other including but not limited to the location, asset unique ID, asset cost, etc.	MEDIUM



2. SCOPE AND APPROACH

2.1. Objective and Scope

The objective of the internal audit was to assess the adequacy and effectiveness of internal controls over asset management.

The scope included consideration of the following:

- Asset Management Framework, including policies, procedures key manuals;
- Asset Register and Portable and Attractive Assets Register;
- Insurance and safeguarding of Assets;
- Asset lifecycle management (i.e., planning, purchasing, inventories, usage, maintenance, disposal, and reconciliations);
- Management of leases (as lessee and lessor); and
- Extent of compliance with relevant legislation, and alignment with better practice standards, and OAG Tabled Reports.

The period of review will be from **1 July 2021 to 30 June 2022**.

2.2. Approach

The methodologies applied in this review were a combination of several audit techniques to match the agreed audit objectives and scope. This review was conducted with the following approach:

- Entrance meetings and discussions with relevant stakeholders;
- Interview and meeting with different process owners who are involved in the process to understand the current environment, challenges, and opportunities;
- Walkthrough of the process to identify the inherent risks along with the process-level internal controls to mitigate these risks;

- Limited site inspections and physical visits to client premises;
- Review of documents, sample testing, and data analytics where appropriate;
- Issuance of draft report to Management;
- Exit Meeting with Management to discuss key findings and recommendations;
- Receipt of Management feedback and comments; and
- Issuance of final report to the Audit and Risk Committee and Management.

2.3. Reporting

During the reporting phase of this engagement, we followed this process.

- Developed a draft report outlining our findings and recommendations;
- Validated the audit observations and the details of the draft report with process owners and responsible management;
- Held an exit meeting with the responsible Executive member and responsible management to discuss the report;
- Sought Management comments, action plans, timeline, and commitment to implement the audit recommendations; and
- Issued the final report to the Audit and Risk Committee.



2. SCOPE AND APPROACH (CONT)

2.4. Limitations of Scope

Our work is limited by the following:

- The scope of our services and any deliverables will be limited to carrying out internal audit assignments in accordance with the strategic internal audit plan approved by the Audit and Risk Committee. We will only cover the scope of work approved by the Audit and Risk Committee and unless additional areas are specifically agreed with the Audit and Risk Committee during the year;
- The scope of work for this engagement as approved by Management in our *Statement of Scope* signed on 23 August 2022;
- Due to the inherent limitations of any internal control structure, we do not warrant that all weaknesses, fraud, error, or non-compliance in your control structures were detected during the course of the Engagement;
- Any testing under the Engagement is performed on a sample basis and is not conducted continuously;
- Any projections as to the assessment of the control structures in future periods are subject to the risk that the structures may become inadequate as a result of changes in conditions, or that the degree of compliance with them may deteriorate;
- We conducted appropriate tests of key controls within our scope. Our findings only relate to the period of testing undertaken during our review and cannot be relied upon to be representative of the operation of control procedures prior to or after this period;
- Performed a walkthrough of the asset management processes to assess the effectiveness of controls in place and perform data analytics, where relevant and appropriate;
- The internal audit report was prepared on an “exception-basis”, which means we only provided commentaries on areas where we observed improvement opportunities on controls or enhancement to the compliance posture;
- The internal audit was predominantly performed remotely, with limited site visits and staff interviews performed. We have relied solely on the information and documentation provided to us by Management and Staff and have not performed a review on the authenticity of the information and documentation provided. There is a risk the information may have been altered prior to being provided to Moore Australia and there is a risk this may not be identified by Moore Australia. This may impact on the results reported within this report;
- We have not undertaken a review of the financial recording of road assets as this is covered during the external audit process;
- We have not included leased assets in our review, given that the current policy for the management of leased assets is in draft and not yet approved;
- The provision of internal audit services is an advisory engagement, which is not subject to assurance or other standards issued by the Australian Auditing and Assurance Standard Board, and consequently no opinions or conclusions are intended to convey assurance; and
- Our report is for your purposes only and not for publication, quoting or reliance by any other party.



3. OBSERVATIONS AND RECOMMENDATIONS

Asset Policy, Strategy and Plans

Adequacy of the Asset Management Policy, Strategy and Plans	Rating
Finding 1. Minor improvements required for Asset Management Strategy, Policy and Plans	MEDIUM

The key to an effective asset management process is influenced by several elements. In fact, these elements were clearly defined in the 'Asset Management Framework and Guidelines' for Western Australian Local Governments published on May 2011 ([Refer to link 'Asset Management'](#)) to include the following factors: (1) Asset Management Policy (2) Asset Management Strategy (3) Asset Management Plans (4) Evaluation of Process and Plans. All these elements should also be linked to the broader Strategic Community Plan, Corporate Business Plan with the Long-term Financial Plan acting as a conduit between these elements.

We reviewed the adequacy of the City of Nedlands' Asset Management Framework, Policy, Strategy and Plans and compared it with the requirements described in the above guidelines to identify any gaps wherever applicable. We found instances where the City's existing strategy and policy did not align against the guidelines as described below:

As per the guidelines of the Western Australian Local Governments	As per the City of Nedlands Existing Documents	Gaps identified between the guideline and the document maintained by the City
Asset Management Policy	Asset Management Policy published on 23 rd Feb 2021	<p>The City's Asset Management Policy was initially adopted in 2010, with reviews in 2012, 2015 and 2021. It is a very brief document, which essentially states that the City will ensure that it has funds for maintenance and refurbishment of assets and investment in new / upgraded assets. It is not sufficient to guide the development of the other documents required.</p> <p>The City's policy is insufficient and did not contain important information pertaining to:</p> <ul style="list-style-type: none"> organisational context and importance of asset management; organisation's vision and goals for asset management; asset management responsibilities and relationships; broad time frames and deadlines; integration of asset management into the organisation's business processes; audit and review procedures; and no policies for the management of fleet, when to dispose of fleet assets, how to purchase fuel, etc. <p>An Asset Management Policy outlines a local government's asset management objectives, targets and plans. It establishes a platform for service delivery and provides the framework that enables the Asset Management Strategy and Plans to be produced. The Asset Management Policy must support a 'whole of life' and 'whole of organisation' approach to asset management.</p>

3. OBSERVATIONS AND RECOMMENDATIONS (CONT.)

Asset Policy, Strategy and Plans

Adequacy of the Asset Management Policy, Strategy and Plans (cont.)	Rating
Finding 1. Minor improvements required for Asset Management Strategy, Policy and Plans (cont.)	MEDIUM

As per the guidelines of the Western Australian Local Governments	As per the City of Nedlands Existing Documents	Gaps identified between the guideline and the document maintained by the City
Asset Management Strategy	Asset Management Strategy 2019 – 2029	<p>The City does have an Asset Management Strategy which was drafted in 2019 as a 10-year strategy, however without an appropriate Asset Management Policy it cannot be demonstrated that it aligns to the City's objectives, targets, and plans.</p> <ul style="list-style-type: none">• The Asset Management Strategy must link the 'whole of life' costing for each asset class with the local government's annual budget and long term and operational financial planning;• Level of service is the defined service quality for a particular activity (i.e., roading) or service area (i.e., street lighting) against which service performance may be measured; and• Good governance and management arrangements ensure that asset management is adequately linked to service delivery.
Asset Management Plan	The Asset Management are in draft stage and not yet published.	<p>Ensure that the contents of the plans are substantially aligned with the guidelines. Asset Management Plans should include:</p> <ul style="list-style-type: none">• Reference to an asset register (which records all assets and their location, acquisition, disposal, transfer, and other relevant transactions based on best current information and random condition / performance sampling);• Defined levels of service for each asset category or actions required to provide a defined level of service in the most cost-effective manner;• Demand forecasting;• Risk management strategies;• Financial information such as asset values, depreciation rates, depreciated values, capital expenditure projections for new assets because of growth, or to renew, upgrade and extend assets;• Strategies to manage any funding gaps;• Consideration of alternative service delivery solutions (leasing, private / public partnerships, shared services arrangements);• Information on 'whole of life' costing including changes in service potential for assets;• A schedule for asset performance review and plan evaluation;• An asset management improvement program; and• Clear linkages to other strategic documents such as the Corporate Business Plan, Long Term Financial Plan and Annual Budget.



3. OBSERVATIONS AND RECOMMENDATIONS (CONT.)

Asset Policy, Strategy and Plans

Adequacy of the Asset Management Policy, Strategy and Plans (cont.)			Rating
Finding 1. Minor improvements required for Asset Management Strategy, Policy and Plans (cont.)			MEDIUM
<p>Overall, it is important to highlight that the City of Nedlands is keen to implement better practices related to Asset Management, however we still believe that the current documents do not fulfil the requirements of the Asset Management Framework and Guidelines for Western Australian Local Governments and must be updated to incorporate the other elements. Sustainability of assets should be managed so that the benefits of the services supported are available for future generations. They should also ensure that continuous improvement of asset management actions are added, which may range from data collection processes (e.g., condition grading of high criticality assets) through to process change (e.g., developing a capital works decision making framework).</p> <p>Implications</p> <p>Increase likelihood of noncompliance. Whilst we can clearly see that the City has been proactively developing the relevant framework, strategy, and policy, we are still of the opinion that these documents need to be reviewed as soon as possible, to ensure substantial alignment with the existing guidelines. This is not just to mitigate the associated risks involved around Asset Management but also to ensure that better practices, principles and procedures are embedded into the City's long-term objectives.</p>			
<p>Management Comment</p> <p>We agree with the Audit findings and are working to improve the overall Asset Management documentation and processes within the City. This is an ongoing process, and significant improvements have been made over the past 12-18 months. The Team are working on the next round of updates to the AMP's and associated documentation, strategy's and processes.</p> <p>Due to the current maturity of the City's Asset Management Practices this improvement process will continue over the next 3-5 years.</p>			
Recommendations	Agreed Action	Action Owner	Target Date
1. Review and update the existing Asset Management Policy, Asset Management Strategy to align with the guidelines with the <i>Asset Management Framework and Guidelines</i> for Western Australian Local Governments;	Undertake a review of the Asset Management Strategy after the SCP is endorsed.	Director Tech Services	December 2024.
2. Develop, approve and implement an Asset Management Plan. Ensure that the plan is linked to the strategy and the applicable policy. It should include the Lifecycle Management Plan details to address how the organisation plans to manage and operate the assets at the agreed levels of service while optimising life cycle costs;	Annually review and update Asset Management Plans for all major Asset classes (Roads, Footpaths, Drainage, Parks, Buildings).	Manager Assets	June 2023.



3. OBSERVATIONS AND RECOMMENDATIONS (CONT.)

Asset Policy, Strategy and Plans

Periodic reporting requirements			Rating
Finding 2. Undefined formal reporting requirement on matters related to asset management			LOW
<p>The City's Asset Management Strategy 2019 -2029, under Section 4 – Legislation, specifies compliance to the Western Australian Local Government Integrated Planning and Reporting Framework ("IPRF").</p> <p>Section 4.5 of the IPRF states that "all local governments in Western Australia are required to submit monthly reports of financial activity in line with regulation 34 of the Local Government (Financial Management) Regulations 1996. Most local governments include non-financial progress reporting monthly, which is consistent with good practice. At a minimum, this should be undertaken on a quarterly basis.</p> <p>We understand that the finance division is responsible for the financial reporting of assets, however, during interviews with the City's asset management and operational team, we found that there was no formal requirement for periodic reporting on the operations of assets that could be useful for timely decision making. There was also no reporting requirements that include the reconciliation difference between Financial and Operations asset records and the actions taken to bring these reports into an agreement.</p> <p>Implications</p> <ul style="list-style-type: none"> • Management may not be well-informed resulting in poor decision making at a strategic level; • Officers are not held accountable for their activities and results; and • Poor value for money from the use of public funds. 			
Management Comment			
Reporting does occur on a monthly basis on a number of Asset Management themes / topics through the weekly CEO update. This report is currently immature and is under a review and improvement process over the coming months. Reporting is expected to improve on detail and maturity with the implementation of the Works and Assets module of One Council.			
Recommendations	Agreed Action	Action Owner	Target Date
3. Consider implementing a reporting process for key operational divisions responsible for the City's asset management to provide periodic reports showing status, activity, incidents, or any key information needed to improve asset management;	Develop an integrated reporting framework based on the current Asset Management Strategy, which will be reviewed and once the SCP is complete and a new AMS/P is in place.	Director Tech Services, Corporate Planning Officer	June 2024



3. OBSERVATIONS AND RECOMMENDATIONS (CONT.)

Asset Policy, Strategy and Plans

Adequacy of insurance coverage versus the fair value of assets	Rating
Finding 3. Absence of internal asset valuation process to determine assets 'Fair Value'	LOW

The practice of assessing the fair value of assets is important to ensure that the valuation of the assets owned by the City matches the market value as of a specific period. This is also important to evaluate the adequacy of the insurance coverage to minimise the financial risk due to unforeseen events.

From the documents we verified, the City maintains two (2) types of records. One record is the asset register in 'AssetFinda' that contains the list of assets for operations and maintenance use while the second record is the Trial Balance extracted from 'Authority' for finance use.

- We found that only the 'AssetFinda' contains Fair Value amounts and the Fair Value date – but the fair values were either more than 4 years or 8 years ago;

Category	Latest Fair Value Dates	Category	Latest Fair Value Dates
Buildings	30 Jun 2014	Park Assets	30 Jun 2018
City Infrastructure	30 Jun 2018	Park Boundary	NA
Drainage Catchment	None	Park Irrigation	None
Drainage Pipes	30 Jun 2018	Path Network	30 Jun 2018
Drainage Pit	30 Jun 2018	Road line	None
Drainage Plant	None	Streetlights	30 Jun 2018
Land Tenure	NA	Urban Trees	NA
Minor Plant	NA	Waste	None
Natural Areas	30 Jun 2018		
Off Street Park	Has fair value amounts but no fair value dates	Motor Vehicle	No separate report with fair value amount

- We also found that the value of motor vehicles valuation is performed by the LGIS template worksheet. LGISWA is the insurance provider where the City buys the protection of its assets; and
- The City uses LGIS self-insurance scheme for the insurance of assets. A representative from LGIS liaises with the officer responsible at the City for covering renewals or policy matters.

Overall, there is currently no internal process in place to ensure fair valuation of the City's assets. Reliance is placed on the knowledge of the LGIS representative to ensure coverage is sufficient.

Implications

Under insurance of assets, whereby in the event of a claim the full replacement cost of the asset may not be received.



3. OBSERVATIONS AND RECOMMENDATIONS (CONT.)

Asset Policy, Strategy and Plans

Adequacy of insurance coverage versus the fair value of assets (cont.)			Rating
Finding 3. Absence of internal asset valuation process to determine assets 'Fair Value' (cont.)			LOW
Management Comment			
<p>The revaluation cycle each class of asset revalued at least every 5 years is currently underway. Fleet vehicles were reviewed and valued at 2022/23 Insurance renewal based on Red Book Market valuations as recommended by LGIS Account Manager to ensure not underinsured. Buildings Register reviewed each year between revaluations every 5 years to ensure buildings replacement value covered on insurance renewal. LGIS do not provide valuations, rather they provide last year plant and buildings registers for review and updating based on market conditions etc.</p>			
Recommendations	Agreed Action	Action Owner	Target Date
4. Perform a fair value assessment of assets, independent from the valuation provided by the insurance provider. This can be done inhouse or outsourced to a qualified professional;	The 5 yearly revaluation cycle is just about to go to market for Infrastructure Assets (all infra classes). This process should be complete by the end of the financial year.	Manager Finance	June 23.

3. OBSERVATIONS AND RECOMMENDATIONS (CONT.)

Asset Policy, Strategy and Plans

Budget adequacy for asset maintenance		Rating	
Finding 4. Maintenance Budget Limitations		MEDIUM	
<p>A maintenance budget is an essential element of Asset Management. It sets out the expected cost of meeting maintenance objectives in a timely manner. The City's Asset Management Policy 23 February 2021 states, "Asset management is a key objective in the City's ten (10) year Strategic Community Plan and Strategic Plan and shall be incorporated into long term financial management plan. The City's strategic financial plan will ensure that:</p> <p>(a) Sufficient funds are allocated as a priority each year to operate, maintain and, refurbishment or replacement of existing assets throughout their lifecycle; and</p> <p>(b) Ensure funds are identified and allocated where appropriate for the investment in new or upgraded assets."</p> <p>During our review of asset maintenance process, the Maintenance Coordinator stated in an interview that the maintenance budget allocation was not fully sufficient to expand maintenance activities therefore the division's operational budget was utilised to cover for shortfalls in the overall maintenance budget. We further analysed a report from the Finance Division, 'Year-To-Date ("YTD") for June 2021-22 Profit & Loss Data' which showed a total of 46 asset Maintenance Activity ("MA") actuals versus annual budget expenditures for years 2021 and 2022. The following inconsistencies were identified:</p>			
Over Budget Items:		Under Budget Items:	
<ul style="list-style-type: none">For the period reviewed, 34 MA spendings were over budget by \$6,378,645;		<ul style="list-style-type: none">2 MAs had a total annual budget of \$60,000. but no actual spending for the period; and	
<ul style="list-style-type: none">33 out of the 34 MAs totaling \$6,349,385. had no budget allocation figures;		<ul style="list-style-type: none">12 MAs were under budget by \$7,130,209.	
<ul style="list-style-type: none">There was one MA for the period that exceeded the allocated budget by \$29,260;			
<p>Overall, the actual spending for the period reviewed was less than the total budget allocation by \$751,564. However, 74% of MA allocations individually had significant budget deficits.</p>			
Implications			
<p>Without proper planning and allocation of maintenance budgets, the City is likely to encounter delays in maintaining the assets which could eventually impact business continuity.</p>			
Management Comment			
<p>The issues with misallocation of maintenance budgets was identified by the Finance / OneCouncil team during the 2022/23 budget process. The misallocation has now been corrected.</p>			
Recommendations	Agreed Action	Action Owner	Target Date
5. Cost allocations for maintenance activities should be monitored on a timely basis to ensure that areas of significant variance in actuals and budget are adjusted appropriately and improved for the next financial period;	Maintenance budgets are monitored by Coordinators, and reported via the fortnightly Tech Services Managers meeting and monthly in the CEO week update.	Tech Services Managers	N/A Already completed



3. OBSERVATIONS AND RECOMMENDATIONS (CONT.)

Asset Policy, Strategy and Plans

Management of leased assets	Rating
Finding 5. Lack of formal process in managing of leased assets	MEDIUM

The activities in managing owner-occupied assets are different from the leasing of assets. Apart from the lease agreements, billing, and collection activities - there should also be clear guidelines on how to manage the maintenance and regular inspections of these assets to ensure that leased assets are used as per the terms of the lease agreement.

The City has several assets that are leased to different tenants at varying terms and duration. We selected a sample of five (5) assets and conducted a physical inspection to evaluate the conditions of these assets and the nature of the leasing activities within these premises.

Lease Asset	Register Lease Period = Actual Lease period?	Was the lease Signed?
Hollywood Subiaco Bowling Club Lease	Yes	Yes
Maisonettes Unit 4	Yes	Yes
Nedlands Golf Club Lease	Yes	Yes
Suburban Lions Hockey Club Lease	Yes	Yes
Tresillian Arts Centre Studio Lease 48-2	Yes	Yes

We also inquired with the Asset Manager and Coordinator Land and Property about the relevant guidelines followed when leasing these assets. We found that :

- The City does not have an approved operating policy and procedure for leased assets. A policy has been drafted but not yet published;
- There are no budget allocations for leased assets;
- There are no agreements or contributions for the City's ovals;
- Maintenance work done on leased properties by tenants are not inspected by the City; and
- No evidence of assessment of the condition of the property at the start and end of the occupancy period on completed leases. We found a few samples of leased facility inspection reports, for example – 'College Park Family Centre', but we received no available records for all leases in the past three (3) years.

Implications

Lack of proper management of leased assets can lead to the City having limited oversight on the operational condition and status of leased assets, which lead to potential write-offs or additional cost due to increased maintenance activities.



3. OBSERVATIONS AND RECOMMENDATIONS (CONT.)

Asset Policy, Strategy and Plans

Management of leased assets (cont.)			Rating
Finding 5. Lack of formal process in managing of leased assets (cont.)			MEDIUM
Management Comment			
This area has been identified as requiring improvement and development. A working group has been established to provide input into a new Leasing, Licensing, Exclusive Licensing and Hiring of Community Facilities Policy which provides guidance on maintenance requirements, inspections, and budget allocations. The new proposed policy would apply to all new leases entered into after the policy is endorsed by Council.			
Recommendations	Agreed Action	Action Owner	Target Date
6. Develop a formal guideline on leased assets that should include maintenance requirements, inspections, and budget allocations;	<p>The draft policy will be presented to Council at the Feb OCM for comment and approval to proceed to stakeholder consultation.</p> <p>A final draft of the policy will be presented to Council at the April OCM for endorsement.</p> <p>Budget allocations will then be made as part of the 23/24 budget process based on the outcome of the Policy adoption.</p>	Coordinator Land and Property and Manager Assets	June 2023



3. OBSERVATIONS AND RECOMMENDATIONS (CONT.)

Asset Physical Verification

Asset stock take procedures			Rating
Finding 6. No practice of conducting periodic asset stock takes to verify existence of City’s assets			MEDIUM
<p>To verify the existence of assets, it is important to conduct a periodic stock take e.g., every three (3) years. In fact, this guideline is also emphasized in the Western Australian Local Government Accounting Manual, Section 9 – Asset Accounting, states, under 9.1.6 Asset Inspection and Control - Asset Stock takes, “An effective way to ensure the reliability of an asset register is to conduct regular (at least every three years) physical stock takes and physically assessing what assets are still controlled by the local government. Various unique identification systems are commercially available to help with this process. Where discrepancies emerge from this physical assessment then these occurrences should be investigated to ensure control measures are sufficient to safeguard the local government’s assets and maintain the accuracy of the asset register.”</p> <p>We conducted interviews with key process owners i.e., Asset Manager, to evaluate the City’s alignment with the above guideline and to identify control gaps, if any. We also requested for the records of the previous stock takes conducted in the past five (5) years, however, we were informed that:</p> <ul style="list-style-type: none">• There were no asset stock takes conducted in the last five (5) years for all the asset categories;• No existing asset policy that mandates the regular stock take activity;• There is no plan to undertake the stock take soon; and• Roles and responsibilities about custody, storage, maintenance, and record keeping are not clearly defined in any existing asset management documents. <p>Implications</p> <p>This increase failure to identify physical missing assets potentially caused by theft or by any other deliberate act.</p>			
Management Comment			
<p>Stocktaking is a key measure to ensuring assets are managed. The new asset register system within OneCouncil will be used to better track and manage the City’s portable and attractive items. An EMT decision has been made to focus on high value, portable and attractive items, with Mangers to assist in stocktake and management of their teams’ items.</p>			
Recommendations	Agreed Action	Action Owner	Target Date
7. Conduct a periodic stock takes of at least every three years to verify asset physical existence. Consider splitting the stock take by asset category;	A program for periodic stock takes is to be developed and implemented.	All Managers – Manager Finance to take lead.	June 2023.
8. Embed the stock take requirements into the Asset Management Policy;	Stocktake of portable and attractive items will be included into the policy update at the time of update with the updated Assets Strategy (following the new SCP adoption).	Manager Assets	June 2024
	An procedure will be developed and taken to EMT alongside the initial stocktake in June 2023	Manager Finance	June 2023



3. OBSERVATIONS AND RECOMMENDATIONS (CONT.)

Asset Physical Verification

Existence of physical assets within the City's premises	Rating
Finding 7. Instances of untraceable assets due to non-use of asset tags and numbers	MEDIUM

Effective internal controls over asset management requires that any assets located in the City's premises should be traceable into the 'Asset Register' list anytime. The City of Nedlands maintains an 'Asset Register' that lists the complete number of assets in the City. This is managed by the Asset Manager who handles the administration and recordkeeping of these assets.

We conducted a visual inspection with the assistance of the Asset Manager to verify the existence of these assets at the (a) City Depot (b) Administration office and (c) inside the Library building, which we conducted on the 2nd Nov 2022 and on 8th Nov 2022. The results of our inspection revealed control gaps as follow:

- Nine (9) out of eleven (11) samples that are listed in the 'City Depot Asset Register' could not be located physically in the City Depot;

Asset #	Asset Description	Asset #	Asset Description	Asset #	Asset Description
10557	DR SITE Equipment Set up	11044	iPad Pro12.9" 256GB Grey	11091	Microphones_XL2 Audio & Acoustic Analyzer
10850	Electronic Whiteboard, 3x LG 32" Full HD	11072	New Projector & Screen Solution for Age	10956	FortiGate 300D Hardware plus_3 year
10944	Tablet iPad Pro 12.9 32GB Space Grey	11091	Microphones_XL2 Audio & Acoustic Analyzer	11072	New Projector & Screen Solution for Age

- Fourteen (14) out of fifteen (15) samples that are listed in the 'Admin Bldg. Asset Register' could not be located physically anywhere in the Admin Building;

Asset #	Asset Description	Asset #	Asset Description	Asset #	Asset Description
30414	HP DESKJET 670C Printer	30705	Nokia 6610 Mobile Phone & Leather Case	30001	Television – Colour Sony
30489	Panasonic 15" Multimedia LCD Monitor	30900	Mobile Phone Motorola V3X	30346	Sharp F01650 Fax Machine (CR SIMPSO...
30494	Notebook – Toshiba TECRA	11041	Workstation – At Nedlands Library	30355	Canon Video Camera (Health)
30704	Nokia 6610 Mobile Phone & Leather case	10268	Audio Visual system, Nedlands Library	30349	1 Digital PC
30413	Toshiba Satellite Pro 470CDT Pentiu	30188	Photocopier – Sharp SF8100 (MTCL LI		

- Four (4) items that include (Fisher & Paykel fridge), Hisense fridge, Dinamica Plus Coffee Machines) – can be found inside the kitchen area of the Office Admin building but couldn't be traced back to the 'Asset Register' as this is not on the list; and
- All items inspected physically did not contain any 'asset tag' or 'asset numbers', that uniquely identify these assets which cause difficulty in validating as we have to rely on the item description or brand name to match it to the Asset Register listing.

Implications

Weak internal controls in asset management could increase the risk of asset loss or theft resulting in financial losses. This could also increase the risk of failure to effectively facilitate service delivery to the local communities particularly in situations where assets could not be located.



3. OBSERVATIONS AND RECOMMENDATIONS (CONT.)

Asset Physical Verification			
Existence of physical assets within the City's premises (cont.)			Rating
Finding 7. Instances of untraceable assets due to non-use of asset tags and numbers (cont.)			MEDIUM
Management Comment			
The City agrees with this finding and has identified that the One Council solution will assist in the management of portable and attractive items.			
Recommendations	Agreed Action	Action Owner	Target Date
9. Implement an asset tagging process to ensure that assets are identified uniquely and can be traced to the Asset Register. At a minimum, the asset tags should include the asset number reference and / or asset category reference;	Portable and attractive items inventory to be updated and a stock take to occur. All items on the Portable and Attractive item register to be tagged.	Manager Finance, Manager IT.	December 2023.
10. Validate unrecorded assets and include in the Asset Register;	Finance to coordinate an update to the Portable and Attractive items register.	Manager Finance	December 2023.



3. OBSERVATIONS AND RECOMMENDATIONS (CONT.)

Security and Control Measures

Adequacy of the security measures	Rating																		
Finding 8. Access and security controls gaps noted during inspection	MEDIUM																		
The adequacy of security and access controls within the City’s premises is critical in preventing and detecting unauthorised entries or movements within the area. This also decreases the risk of susceptibility to theft of high-value assets particularly the artwork, electronic equipment, expensive mobile phones, or iPads, that could be easily taken from the City’s admin office or from anywhere within the City’s jurisdictions where these assets are kept.																			
A. We physically inspected 10 locations on the 8 th of Nov 2022 where high-value assets are located to verify the installed security systems such as CCTV cameras, biometrics, and swipe card access controls. The results were noted in the below table; and																			
<table><tr><th>Security Measures in Place</th><th>Audit Observations During the Visual Inspection</th><th>Recommended Actions</th></tr><tr><td>CCTV Camera</td><td>Working and in good condition. Noted some dust particles on the lenses</td><td>Consider cleaning the camera lenses twice a year.</td></tr><tr><td>Swipe Card controls</td><td>Working and in good condition</td><td>None</td></tr><tr><td>Control Room at City Depot</td><td>The City uses a software named ‘NUU’. At the time of audit visit, the surveillance monitor did not display the live camera footage for the ‘Admin Building’ and was blacked out – not transmitting live video to the monitoring screen.</td><td>Call the software provider and request to fix the camera footage immediately.</td></tr><tr><td>Personnel in the Main Control Room</td><td>There is only one personnel assigned in the main control room. No alternate staff and admin access privileges was also managed by the same staff.</td><td>Consider providing addition admin privileges to another staff as a backup control to mitigate risk in situations where the main personnel is on vacation or will be absent from work for unknown reasons.</td></tr><tr><td>Storage of camera recording</td><td>Inconsistent recording of cameras. Per interview with the Main Control personnel, we were informed storage of recording is for 24 days for Depot and 8 days for Admin office – due to lack of storage capacity of the backup drives.</td><td>Increase storage capacity to increase length of recording to at least 30 days for all locations.</td></tr></table>	Security Measures in Place	Audit Observations During the Visual Inspection	Recommended Actions	CCTV Camera	Working and in good condition. Noted some dust particles on the lenses	Consider cleaning the camera lenses twice a year.	Swipe Card controls	Working and in good condition	None	Control Room at City Depot	The City uses a software named ‘NUU’. At the time of audit visit, the surveillance monitor did not display the live camera footage for the ‘Admin Building’ and was blacked out – not transmitting live video to the monitoring screen.	Call the software provider and request to fix the camera footage immediately.	Personnel in the Main Control Room	There is only one personnel assigned in the main control room. No alternate staff and admin access privileges was also managed by the same staff.	Consider providing addition admin privileges to another staff as a backup control to mitigate risk in situations where the main personnel is on vacation or will be absent from work for unknown reasons.	Storage of camera recording	Inconsistent recording of cameras. Per interview with the Main Control personnel, we were informed storage of recording is for 24 days for Depot and 8 days for Admin office – due to lack of storage capacity of the backup drives.	Increase storage capacity to increase length of recording to at least 30 days for all locations.	
Security Measures in Place	Audit Observations During the Visual Inspection	Recommended Actions																	
CCTV Camera	Working and in good condition. Noted some dust particles on the lenses	Consider cleaning the camera lenses twice a year.																	
Swipe Card controls	Working and in good condition	None																	
Control Room at City Depot	The City uses a software named ‘NUU’. At the time of audit visit, the surveillance monitor did not display the live camera footage for the ‘Admin Building’ and was blacked out – not transmitting live video to the monitoring screen.	Call the software provider and request to fix the camera footage immediately.																	
Personnel in the Main Control Room	There is only one personnel assigned in the main control room. No alternate staff and admin access privileges was also managed by the same staff.	Consider providing addition admin privileges to another staff as a backup control to mitigate risk in situations where the main personnel is on vacation or will be absent from work for unknown reasons.																	
Storage of camera recording	Inconsistent recording of cameras. Per interview with the Main Control personnel, we were informed storage of recording is for 24 days for Depot and 8 days for Admin office – due to lack of storage capacity of the backup drives.	Increase storage capacity to increase length of recording to at least 30 days for all locations.																	
B. We also found that the back gate – intended to be used as a 2nd gate in the City Depot – was locked with a chain and a padlock and is not being used anymore (Appendix 3). The pathway was also obstructed by a damaged truck which may prevent entry and exit of vehicles in an event of an emergency like fire, or similar incidents.																			
Implications																			
The absence of proper security control measures will increase risk of financial losses caused by theft, unaccounted missing items, or abandoned assets.																			



3. OBSERVATIONS AND RECOMMENDATIONS (CONT.)

Security and Control Measures			
Adequacy of the security measures			Rating
Finding 8. Access and security controls gaps noted during inspection			MEDIUM
Management Comment			
The City does not believe that issues surrounding how CCTV and security are managed should form part of the scope of an Asset Management Audit. Although some items raised are valid in the context of the way the City manages CCTV, this should not form part of this audit.			
Recommendations	Agreed Action	Action Owner	Target Date
11. Contact the CCTV software provider to fix the monitoring screen in the main control room and request additional storage capacity for the backup of camera recording. Implement the other recommendations described point A and B above;	<p>Storage duration to be increase to meet minimum legislative requirements.</p> <p>Additional staff to be trained and given access to the security system.</p> <p>Camera feed for the Administration building to be repaired.</p> <p>The vehicle gate is not in use, and not intended to be used as a second access point and there is no requirement for it to be unlocked in business as usual. In unusual circumstances or emergencies, the gate could be used, noting that a pedestrian emergency exit is co-located with this gate.</p>	<p>Manager IT</p> <p>Manager City Projects and Programs</p>	June 23.



3. OBSERVATIONS AND RECOMMENDATIONS (CONT.)

Asset Registers and Records

Accuracy of asset record keeping	Rating
Finding 9. Lack of reconciliation process amongst multiple 'Asset Registers' used	MEDIUM

Proper recording of assets, maintained in one 'Master File', is an example of a good internal control. If multiple records are maintained for these assets, a reconciliation process should be in place to ensure that there is a link between the assets to easily track additions, modifications, or deletions. The results of the reconciliation could easily identify differences between these registers that should be investigated.

The City has two (2) existing reports where assets are being listed and tracked. The first one is the CVR Trial Balance generated from the Software 'Authority', and the second report is generated from the 'Asset Finda' software. Both reports contain data such descriptions, category, cost and other information about the asset. We matched these reports and noted that the asset details did not match between the reports.

- We compared the samples in the below table, and we found that:

I. The closing balance reflected in 'Authority' is different from the purchase cost reflected in the 'AssetFinda'; and

II. The asset ID is different between the two reports;

CVR Trial Balance (Software Authority)			Register Extracted from "Asset Finda"		
CVR Category	Description	Closing Balance	Asset ID	System Name	Purchase Cost
200105	Allen Park Lower Pavilion and Changeroom	441,966.58	B0601	Allen Park Lower Pavilion – Fitout	985,459
200205	Allen Park Lower Pavilion and Changeroom	87,927.05	B06	Allen Park Lower Pavilion – Structure	55,524.05
200305	Allen Park Lower Pavilion and Changeroom	619,216.28	B0603	Allen Park Lower Pavilion – Roof	42,715
200112	Mt Claremont Community Centre Structural	850450.52	B43	Mt Claremont Community Centre – Structure	26,153.27
200212	Mt Claremont Community Centre Fitout	601576.04	B4301	Mt Claremont Community Centre – Fitout	0.00
200312	Mt Claremont Community Centre Mechanic	634261.51	B4302	Mt Claremont Community Centre – Mechanical	0.00
200412	Mt Claremont Community Centre Roof	485023.51	B4303	Mt Claremont Community Centre – Roof	0.00

- Based on our further discussions with the Asset Manager, we were informed that the trial balance from 'Authority' is being used by finance while the 'AssetFinda' report is being used by the maintenance department who performs checks, repairs, and any other preventive maintenance tasks to ensure that the asset is in good working condition for optimum use. However, we could not find any evidence of reconciliation conducted to match the details between these two (2) reports;
- We also found that the City does not maintain a 'Master File' combined for all the asset registers. There are multiple registers maintain, each has a different purpose. This includes the (1) Minor Assets Register – manual register for portable assets mainly consisting of electronic items and equipment, and (2) Mobile Device Register – list of all mobile devices used by the City. However, both registers have incomplete details where the 'Assigned To', 'Location' and 'Custodian' are empty in most of the items in the list; and
- From our review of the various asset registers from AssetFinda and Authority as well as extracts provided by the Finance Officer, there is no consistent complete list of asset additions in the period. The "additions" per the AssetFinda system are not the same as those in the "Authority" system



3. OBSERVATIONS AND RECOMMENDATIONS (CONT.)

Asset Registers and Records

Accuracy of asset record keeping (cont.)			Rating
Finding 9. Lack of reconciliation process amongst multiple 'Asset Registers' used (cont.)			MEDIUM
Implications Having numerous asset registers with unreconciled records increases the risk of error, misrepresentation of financial records, inability to locate or track assets and possible loss of assets.			
Management Comment We acknowledge there are currently two Asset registers in use at the City. The implementation of the Works and Assets module of One Council will consolidate these two registers.			
Recommendations	Agreed Action	Action Owner	Target Date
12. Consider merging all Asset Registers into one to ensure a consistent approach as a single source of truth in the City which supports the financial statements; and	Consolidation of the two Asset registers is underway with the implementation of the Works and Assets module of One Council.	Manager Assets and Manager Finance	December 23
13. Reconcile the asset register used for financial records against the asset register used for operations and maintenance to identify missing items that warrants adjustments in the financial books.	Consolidation of the two Asset registers is underway with the implementation of the Works and Assets module of One Council.	Manager Assets and Manager Finance	December 23



4 OTHER

4.1. Disclaimers

Moore Australia (WA) Pty Ltd as agent, an independent member of Moore Global Network Limited, and a Perth based partnership of trusts carries on business separately and independently from other Moore Global Network Limited member firms worldwide.

Services provided under this engagement are provided by Moore Australia (WA) Pty Ltd as agent and not by any other independent Moore Global Network Limited member firms worldwide. No other independent Moore Global Network Limited member has any liability for services provided.

4.2. Basis of Use

This report has been prepared in accordance with the objectives and approach agreed in the engagement document and subject to the following limitations:

- Other than use by you for the purpose, our report cannot be issued, accessed, or relied upon by any third party without our prior written approval. Furthermore, neither the report nor extracts from it will be included in any document to be circulated to other third parties without our prior written approval of the use, form, and context in which it is proposed to be released. We reserve the right to refuse to grant approval to issue the reporting to any other party;
- Our internal audit work was performed in accordance with the International Standards for the Professional Practice of Internal Auditing contained in the International Professional Practices Framework issued by the Institute of Internal Auditors. It did not constitute an audit or review in accordance with standards issued by the Auditing and Assurance Standards Board and accordingly no such assurance under those standards is provided in this report;
- The matters raised in this report are only those which came to our attention while performing our procedures and are not necessarily a comprehensive statement of all the weaknesses that exist or improvements that might be made. We cannot, in practice, examine every activity and procedure, nor can we be a substitute for management's responsibility to maintain adequate controls over all levels of operations and their responsibility to prevent and detect irregularities, including fraud. Accordingly, management should not rely on our report to identify all weaknesses that may exist in the systems and procedures under examination, or potential instances of non-compliance that may exist;

- We believe that the statements made in this report are accurate, but no warranty of completeness, accuracy or reliability is given in relation to statements and representations made by, and the information and documentation provided by, Management and personnel. We have indicated within this report the sources of the information provided. We have not sought to independently verify those sources unless otherwise noted within the report. We are under no obligation in any circumstance to update this report, in either oral or written form, for events occurring after the report has been issued in final form unless specifically agreed with the client. The Internal Audit findings expressed in this report have been formed on the above basis; and
- Recommendations for improvement should be assessed by management for their full commercial impact, before they are implemented.

4.3. Conflicts of Interest

The firm is not aware of any existing or potential relationship, transaction or holding that would compromise its objectivity in the conduct of the services rendered. Should the possibility of a perceived or actual conflict arise the matter would be raised with the Chief Executive Officer immediately and activities suspended until the issue was resolved to your satisfaction.

4.4. Liability

Moore Australia (WA) Pty Ltd trading as agent – ABN 99 433 544 961, an independent member of Moore Global Network Limited - members in principal cities throughout the world.

Liability limited by a scheme approved under Professional Standards Legislation.

APPENDIX 1: KEY TO SIGNIFICANCE OF RISK RATING

Rating	Definition	Guidance	Action required
High	Issue represents a control weakness, which could cause or is causing major disruption of the process or major adverse effect on the ability of the process to achieve its objectives.	<ul style="list-style-type: none">• Material errors and departures from the organisation's policies and procedures;• Financial management / accountability / probity concerns;• Non-compliance with governing legislation and regulations may result in fines or other penalties; and• Collective impact of many moderate or low issues.	<ul style="list-style-type: none">• Requires significant senior management intervention and may require significant mobilisation of resources, including external assistance; and• A detailed plan of action to be approved by Management with resolution within 30 days.
Medium	Issue represents a control weakness, which could cause or is causing moderate adverse effect on the ability of the process to meet its objectives.	<ul style="list-style-type: none">• Events, operational, business, and financial risks could expose the organisation to losses could be marginally material to the organisation; and• Departures from best practice management procedures, processes.	<ul style="list-style-type: none">• Requires substantial management intervention and may require possible external assistance; and• Timeframe for action is subject to competing priorities and cost benefit analysis but should not exceed 3 months.
Low	Issue represents a minor control weakness, with minimal but reportable impact on the ability to achieve process objectives.	<ul style="list-style-type: none">• Events, operational and business risks could expose the organisation to losses which are not material due to the low probability of occurrence of the event and insignificant impact on the operating capacity, reputation, and regulatory compliance; and• Departures from management procedures, processes, however, appropriate monitoring and governance generally mitigates these risks.	<ul style="list-style-type: none">• Requires management attention and possible use of external resources; and• Minor treatment is desirable. Action should be completed within 6 months.



APPENDIX 2: KEY PERSONNEL CONTACTED

We would like to thank the following personnel for their assistance in the conduct of this internal audit. These are presented in alphabetical order by surname.

Name	Role
Tony Benson	Manager ICT
Stuart Billingham	Manager Financial Services
Mike Cole	Director Corporate Services
Steve Crossman	Coordinator Fleet
Nalin Dias	Information Technology (IT) Governance Coordinator
Finn MacLeod	Manager Assets
Peter Scasserra	Coordinator Land and Property
Marcus Sinden	Building Maintenance Coordinator
Jason Spyker	Coordinator Civil Maintenance
Daniel Kennedy-Stiff	Manager City Projects and Programs
Daniel Wong	Finance Officer (AR, Assets & Insurance)

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HELPING YOU THRIVE IN A CHANGING WORLD

INTERNAL AUDIT ASSET MANAGEMENT

City of Nedlands

8 February 2023

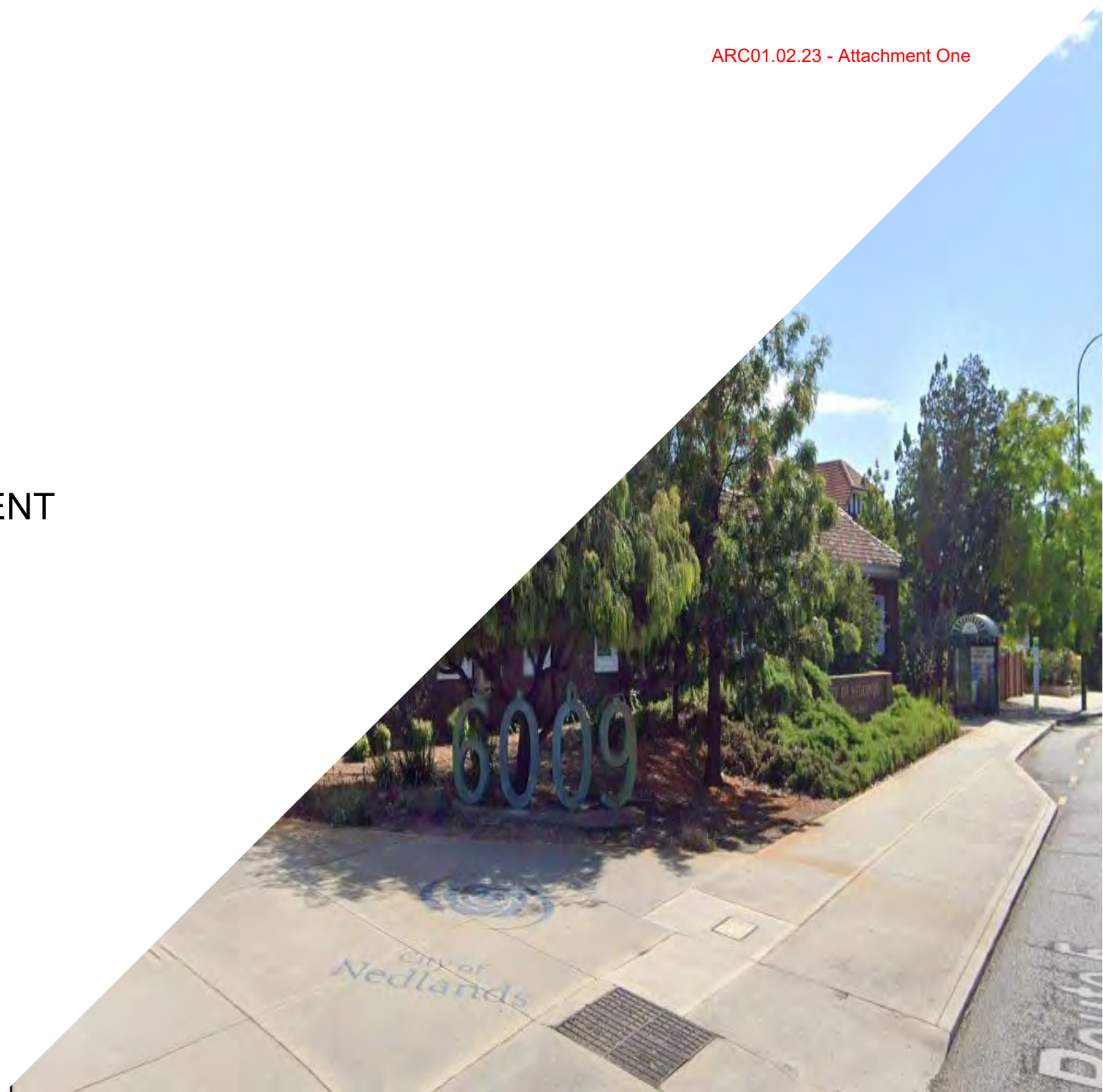




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1. EXECUTIVE SUMMARY

1.1. Context

The effective management of local government assets is crucial to the sustainable delivery of those services to meet the current and future needs of the community. Local governments are typically rich in assets and constrained in income, managing a large stock of long-lived assets. The key to an effective asset management is influenced by three factors: (1) the availability of Asset Management Policy, (2) a well-defined Asset Management Strategy, (3) and the completeness of the Asset Management Plans. The unification of these three factors is crucial to the successful delivery of services to meet the current and future needs of the local community. Asset Management helps Local Governments manage the stewardship of assets they are entrusted with.

The City of Nedlands has a large number of long-lived assets whereby the life cycle of these assets spans over decades. Due to its longevity, adequate maintenance should be performed over time to ensure that these assets are in their optimum state to sustainably deliver the required services to the community. It is also crucial that the planned maintenance is adequately budgeted and financed not just to fund the maintenance work but also to pay for the cost of repairs that may arise in the future as part of the wear and tear of these assets.

Asset planning is essential to ensure that assets are created, maintained, renewed, and retired or replaced at appropriate intervals to ensure continuity of services in line with chosen service levels.

The benefits of an effective Asset Management also include but not limited to:

- Improved community member's satisfaction by matching levels of service with what the community is entitled to;
- Cost savings from improved asset efficiency over the long term;
- Prolonged asset life span reducing replacement cost;
- Better sustainability and create opportunities to reallocate funds to other projects due to the cost savings achieved; and
- More transparency in decision making (stronger governance and accountability), including meeting regulatory and audit requirements.

The City has engaged Moore Australia to conduct an Internal audit to evaluate the adequacy and effectiveness of internal controls over asset management. Moore Australia (WA) Pty Ltd ("Moore Australia") performed the internal audit in line with the International Standards for the Professional Practice of Internal Auditing and the Moore Australia Internal Audit Methodology.

This report presents our observations and recommendations arising from the internal audit performed. These observations and recommendations are presented, together with management's comments, in Section 3 Observations and Recommendations, and summarised below..

1.2 Overall Findings

We commend the City of Nedlands for the availability of the Asset Policy, Asset Strategy and the soon to be published Asset Management Plans documents. However, these documents will be revisited and updated as soon as possible to incorporate the requirements of the 'Asset Management Framework and Guidelines' for Western Australian Local Governments and to ensure that the contents are substantially aligned.

The recording of assets within asset registers are currently not consistent in the City and do not support the financial statements. Regular stocktakes and reconciliations to the financial statements are currently not performed and should be performed. Moreover, the City of Nedlands should implement strict internal controls pertaining to the physical verification of assets to minimise risk of financial losses caused by unaccounted assets or any missing assets from the City's premises.





1. EXECUTIVE SUMMARY (CONT.)

1.3. Summary of Results

There are four areas where we assessed the Asset Management Process. These areas are as follow: (1) Asset Policy, Strategy and Plans (2) Asset Physical Verification (3) Security and Control Measures and (4) Asset Registers and Records.

A summary of the enhancement opportunities against our view of the priority they may be given are identified in the below table. The results of our fieldwork are summarised in Table 1 below and detailed [in Section 3 – Observations and Recommendations](#) of this report

Risk Rating	Summary of Findings				Recommendations
	Total	High	Medium	Low	Total
Asset Policy, Strategy and Plans	5	-	3	2	1-6
Asset Physical Verification	2	-	2	-	7-10
Security and Control Measures	1	-	1	-	11
Asset Registers and Records	1	-	1	-	12
Total	9	-	7	2	

1.4. Related Internal Audits

We are not aware of any previous internal or external reviews of Asset Management.

1.5. Acknowledgment

We would like to thank the City's personnel for the assistance that has been extended during the engagement. Key personnel contracted are outlined in [Appendix 2](#).



1. EXECUTIVE SUMMARY (CONT.)

1.6. Summary of Results (cont.)

Summarised below are the key observations and recommendations identified during the engagement:

Category	Summary of Findings	Risk Rating
Asset Policy Strategy and Plans	1. Adequacy of the Asset Management Policy, Strategy and Plans. Although it is commendable that the City of Nedlands had prepared the relevant Asset Policy and the Asset Management Strategy along with the draft asset management plans, we believe that an update is required to reflect the alignment of these documents with the provisions of Asset Management Framework and Guidelines for Western Australian Local Governments.	MEDIUM
	2. Periodic reporting requirements. There is a lack of clarity on the enforcement of the reporting requirements for the Asset Management division of the City of Nedlands. Currently, the asset management division is not required to submit any reports regularly. It is a better practice guideline to ensure adequate reporting of divisional function to the executive management to promote awareness and evaluate results including the nature and extent of the internal control environment on these areas.	LOW
Asset Policy Strategy and Plans	3. Adequacy of insurance coverage versus the fair value of assets. There is a significant reliance from the insurance provider to determine and set the fair value of asset. The lack of assessment independent from the insurance provider may result to undervaluation of assets that are significantly lower than its replacement value or payout value in the event of any claim.	LOW
	4. Budget adequacy for asset maintenance. A huge percentage of maintenance allocations had a significant budget deficit. We also found that the operational budget was utilised to cover the shortfall as the overall maintenance budget was fully exhausted.	MEDIUM
	5. Management of leased assets. The City leased some its assets to third parties, but we found no detailed guidelines or procedures in place that could be reviewed to ensure that terms and conditions are complied with or whether these assets' maintenance schedules are current.	MEDIUM
Asset Physical Verification	6. Asset stock take procedures. Regular stock takes are not conducted within the City's premises to ascertain the physical existence and custody of the assets which will increase the likelihood of theft or missing assets resulting to potential financial losses in the future.	MEDIUM
	7. Existence of physical assets within the City's premises. During our physical inspection of the assets in the City's premises, we noted that assets are not tagged and numbered at all resulting to difficulty in tracing these assets using their own unique number reference along with the specific location on where these assets are located. This resulted to a number of assets that either could not be traced from the register to the physical site or vice versa.	MEDIUM



1. EXECUTIVE SUMMARY (CONT.)

1.6. Summary of Results (cont.)

Category	Summary of Findings	Risk Rating
Security and Controls Measures	8. Adequacy of the security measures. Although there were adequate security measures in place by the City of Nedlands, we found few exceptions during our visit. This includes a situation where the camera did not send any live footage of the admin building to the main control room at the time our physical inspection. The storage length of the different cameras varies from 8 to 24 days and are not consistent across locations.	MEDIUM
Asset Registers and Records	9. Adequacy of asset recording keeping. The City maintains multiple asset registers without preparing an Asset 'Master File' that can be used by all functions. There are two (2) different reports prepared; the 1 st report is for the financial records and the 2 nd report is for the operations and maintenance records – but the data in these reports do not match with each other including but not limited to the location, asset unique ID, asset cost, etc.	MEDIUM



2. SCOPE AND APPROACH

2.1. Objective and Scope

The objective of the internal audit was to assess the adequacy and effectiveness of internal controls over asset management.

The scope included consideration of the following:

- Asset Management Framework, including policies, procedures key manuals;
- Asset Register and Portable and Attractive Assets Register;
- Insurance and safeguarding of Assets;
- Asset lifecycle management (i.e., planning, purchasing, inventories, usage, maintenance, disposal, and reconciliations);
- Management of leases (as lessee and lessor); and
- Extent of compliance with relevant legislation, and alignment with better practice standards, and OAG Tabled Reports.

The period of review will be from **1 July 2021 to 30 June 2022**.

2.2. Approach

The methodologies applied in this review were a combination of several audit techniques to match the agreed audit objectives and scope. This review was conducted with the following approach:

- Entrance meetings and discussions with relevant stakeholders;
- Interview and meeting with different process owners who are involved in the process to understand the current environment, challenges, and opportunities;
- Walkthrough of the process to identify the inherent risks along with the process-level internal controls to mitigate these risks;

- Limited site inspections and physical visits to client premises;
- Review of documents, sample testing, and data analytics where appropriate;
- Issuance of draft report to Management;
- Exit Meeting with Management to discuss key findings and recommendations;
- Receipt of Management feedback and comments; and
- Issuance of final report to the Audit and Risk Committee and Management.

2.3. Reporting

During the reporting phase of this engagement, we followed this process.

- Developed a draft report outlining our findings and recommendations;
- Validated the audit observations and the details of the draft report with process owners and responsible management;
- Held an exit meeting with the responsible Executive member and responsible management to discuss the report;
- Sought Management comments, action plans, timeline, and commitment to implement the audit recommendations; and
- Issued the final report to the Audit and Risk Committee.



2. SCOPE AND APPROACH (CONT)

2.4. Limitations of Scope

Our work is limited by the following:

- The scope of our services and any deliverables will be limited to carrying out internal audit assignments in accordance with the strategic internal audit plan approved by the Audit and Risk Committee. We will only cover the scope of work approved by the Audit and Risk Committee and unless additional areas are specifically agreed with the Audit and Risk Committee during the year;
- The scope of work for this engagement as approved by Management in our *Statement of Scope* signed on 23 August 2022;
- Due to the inherent limitations of any internal control structure, we do not warrant that all weaknesses, fraud, error, or non-compliance in your control structures were detected during the course of the Engagement;
- Any testing under the Engagement is performed on a sample basis and is not conducted continuously;
- Any projections as to the assessment of the control structures in future periods are subject to the risk that the structures may become inadequate as a result of changes in conditions, or that the degree of compliance with them may deteriorate;
- We conducted appropriate tests of key controls within our scope. Our findings only relate to the period of testing undertaken during our review and cannot be relied upon to be representative of the operation of control procedures prior to or after this period;
- Performed a walkthrough of the asset management processes to assess the effectiveness of controls in place and perform data analytics, where relevant and appropriate;
- The internal audit report was prepared on an “exception-basis”, which means we only provided commentaries on areas where we observed improvement opportunities on controls or enhancement to the compliance posture;
- The internal audit was predominantly performed remotely, with limited site visits and staff interviews performed. We have relied solely on the information and documentation provided to us by Management and Staff and have not performed a review on the authenticity of the information and documentation provided. There is a risk the information may have been altered prior to being provided to Moore Australia and there is a risk this may not be identified by Moore Australia. This may impact on the results reported within this report;
- We have not undertaken a review of the financial recording of road assets as this is covered during the external audit process;
- We have not included leased assets in our review, given that the current policy for the management of leased assets is in draft and not yet approved;
- The provision of internal audit services is an advisory engagement, which is not subject to assurance or other standards issued by the Australian Auditing and Assurance Standard Board, and consequently no opinions or conclusions are intended to convey assurance; and
- Our report is for your purposes only and not for publication, quoting or reliance by any other party.



3. OBSERVATIONS AND RECOMMENDATIONS

Asset Policy, Strategy and Plans

Adequacy of the Asset Management Policy, Strategy and Plans	Rating
Finding 1. Minor improvements required for Asset Management Strategy, Policy and Plans	MEDIUM

The key to an effective asset management process is influenced by several elements. In fact, these elements were clearly defined in the 'Asset Management Framework and Guidelines' for Western Australian Local Governments published on May 2011 ([Refer to link 'Asset Management'](#)) to include the following factors: (1) Asset Management Policy (2) Asset Management Strategy (3) Asset Management Plans (4) Evaluation of Process and Plans. All these elements should also be linked to the broader Strategic Community Plan, Corporate Business Plan with the Long-term Financial Plan acting as a conduit between these elements.

We reviewed the adequacy of the City of Nedlands' Asset Management Framework, Policy, Strategy and Plans and compared it with the requirements described in the above guidelines to identify any gaps wherever applicable. We found instances where the City's existing strategy and policy did not align against the guidelines as described below:

As per the guidelines of the Western Australian Local Governments	As per the City of Nedlands Existing Documents	Gaps identified between the guideline and the document maintained by the City
Asset Management Policy	Asset Management Policy published on 23 rd Feb 2021	<p>The City's Asset Management Policy was initially adopted in 2010, with reviews in 2012, 2015 and 2021. It is a very brief document, which essentially states that the City will ensure that it has funds for maintenance and refurbishment of assets and investment in new / upgraded assets. It is not sufficient to guide the development of the other documents required.</p> <p>The City's policy is insufficient and did not contain important information pertaining to:</p> <ul style="list-style-type: none"> organisational context and importance of asset management; organisation's vision and goals for asset management; asset management responsibilities and relationships; broad time frames and deadlines; integration of asset management into the organisation's business processes; audit and review procedures; and no policies for the management of fleet, when to dispose of fleet assets, how to purchase fuel, etc. <p>An Asset Management Policy outlines a local government's asset management objectives, targets and plans. It establishes a platform for service delivery and provides the framework that enables the Asset Management Strategy and Plans to be produced. The Asset Management Policy must support a 'whole of life' and 'whole of organisation' approach to asset management.</p>

3. OBSERVATIONS AND RECOMMENDATIONS (CONT.)

Asset Policy, Strategy and Plans

Adequacy of the Asset Management Policy, Strategy and Plans (cont.)	Rating
Finding 1. Minor improvements required for Asset Management Strategy, Policy and Plans (cont.)	MEDIUM

As per the guidelines of the Western Australian Local Governments	As per the City of Nedlands Existing Documents	Gaps identified between the guideline and the document maintained by the City
Asset Management Strategy	Asset Management Strategy 2019 – 2029	<p>The City does have an Asset Management Strategy which was drafted in 2019 as a 10-year strategy, however without an appropriate Asset Management Policy it cannot be demonstrated that it aligns to the City's objectives, targets, and plans.</p> <ul style="list-style-type: none">• The Asset Management Strategy must link the 'whole of life' costing for each asset class with the local government's annual budget and long term and operational financial planning;• Level of service is the defined service quality for a particular activity (i.e., roading) or service area (i.e., street lighting) against which service performance may be measured; and• Good governance and management arrangements ensure that asset management is adequately linked to service delivery.
Asset Management Plan	The Asset Management are in draft stage and not yet published.	<p>Ensure that the contents of the plans are substantially aligned with the guidelines. Asset Management Plans should include:</p> <ul style="list-style-type: none">• Reference to an asset register (which records all assets and their location, acquisition, disposal, transfer, and other relevant transactions based on best current information and random condition / performance sampling);• Defined levels of service for each asset category or actions required to provide a defined level of service in the most cost-effective manner;• Demand forecasting;• Risk management strategies;• Financial information such as asset values, depreciation rates, depreciated values, capital expenditure projections for new assets because of growth, or to renew, upgrade and extend assets;• Strategies to manage any funding gaps;• Consideration of alternative service delivery solutions (leasing, private / public partnerships, shared services arrangements);• Information on 'whole of life' costing including changes in service potential for assets;• A schedule for asset performance review and plan evaluation;• An asset management improvement program; and• Clear linkages to other strategic documents such as the Corporate Business Plan, Long Term Financial Plan and Annual Budget.



3. OBSERVATIONS AND RECOMMENDATIONS (CONT.)

Asset Policy, Strategy and Plans

Adequacy of the Asset Management Policy, Strategy and Plans (cont.)			Rating
Finding 1. Minor improvements required for Asset Management Strategy, Policy and Plans (cont.)			MEDIUM
<p>Overall, it is important to highlight that the City of Nedlands is keen to implement better practices related to Asset Management, however we still believe that the current documents do not fulfil the requirements of the Asset Management Framework and Guidelines for Western Australian Local Governments and must be updated to incorporate the other elements. Sustainability of assets should be managed so that the benefits of the services supported are available for future generations. They should also ensure that continuous improvement of asset management actions are added, which may range from data collection processes (e.g., condition grading of high criticality assets) through to process change (e.g., developing a capital works decision making framework).</p> <p>Implications</p> <p>Increase likelihood of noncompliance. Whilst we can clearly see that the City has been proactively developing the relevant framework, strategy, and policy, we are still of the opinion that these documents need to be reviewed as soon as possible, to ensure substantial alignment with the existing guidelines. This is not just to mitigate the associated risks involved around Asset Management but also to ensure that better practices, principles and procedures are embedded into the City's long-term objectives.</p>			
Management Comment			
<p>We agree with the Audit findings and are working to improve the overall Asset Management documentation and processes within the City. This is an ongoing process, and significant improvements have been made over the past 12-18 months. The Team are working on the next round of updates to the AMP's and associated documentation, strategy's and processes.</p> <p>Due to the current maturity of the City's Asset Management Practices this improvement process will continue over the next 3-5 years.</p>			
Recommendations	Agreed Action	Action Owner	Target Date
1. Review and update the existing Asset Management Policy, Asset Management Strategy to align with the guidelines with the <i>Asset Management Framework and Guidelines</i> for Western Australian Local Governments;	Undertake a review of the Asset Management Strategy after the SCP is endorsed.	Director Tech Services	December 2024.
2. Develop, approve and implement an Asset Management Plan. Ensure that the plan is linked to the strategy and the applicable policy. It should include the Lifecycle Management Plan details to address how the organisation plans to manage and operate the assets at the agreed levels of service while optimising life cycle costs;	Annually review and update Asset Management Plans for all major Asset classes (Roads, Footpaths, Drainage, Parks, Buildings).	Manager Assets	June 2023.



3. OBSERVATIONS AND RECOMMENDATIONS (CONT.)

Asset Policy, Strategy and Plans

Periodic reporting requirements			Rating
Finding 2. Undefined formal reporting requirement on matters related to asset management			LOW
<p>The City's Asset Management Strategy 2019 -2029, under Section 4 – Legislation, specifies compliance to the Western Australian Local Government Integrated Planning and Reporting Framework ("IPRF").</p> <p>Section 4.5 of the IPRF states that "all local governments in Western Australia are required to submit monthly reports of financial activity in line with regulation 34 of the Local Government (Financial Management) Regulations 1996. Most local governments include non-financial progress reporting monthly, which is consistent with good practice. At a minimum, this should be undertaken on a quarterly basis.</p> <p>We understand that the finance division is responsible for the financial reporting of assets, however, during interviews with the City's asset management and operational team, we found that there was no formal requirement for periodic reporting on the operations of assets that could be useful for timely decision making. There was also no reporting requirements that include the reconciliation difference between Financial and Operations asset records and the actions taken to bring these reports into an agreement.</p> <p>Implications</p> <ul style="list-style-type: none"> • Management may not be well-informed resulting in poor decision making at a strategic level; • Officers are not held accountable for their activities and results; and • Poor value for money from the use of public funds. 			
Management Comment			
Reporting does occur on a monthly basis on a number of Asset Management themes / topics through the weekly CEO update. This report is currently immature and is under a review and improvement process over the coming months. Reporting is expected to improve on detail and maturity with the implementation of the Works and Assets module of One Council.			
Recommendations	Agreed Action	Action Owner	Target Date
3. Consider implementing a reporting process for key operational divisions responsible for the City's asset management to provide periodic reports showing status, activity, incidents, or any key information needed to improve asset management;	Develop an integrated reporting framework based on the current Asset Management Strategy, which will be reviewed and once the SCP is complete and a new AMS/P is in place.	Director Tech Services, Corporate Planning Officer	June 2024



3. OBSERVATIONS AND RECOMMENDATIONS (CONT.)

Asset Policy, Strategy and Plans

Adequacy of insurance coverage versus the fair value of assets	Rating
Finding 3. Absence of internal asset valuation process to determine assets 'Fair Value'	LOW

The practice of assessing the fair value of assets is important to ensure that the valuation of the assets owned by the City matches the market value as of a specific period. This is also important to evaluate the adequacy of the insurance coverage to minimise the financial risk due to unforeseen events.

From the documents we verified, the City maintains two (2) types of records. One record is the asset register in 'AssetFinda' that contains the list of assets for operations and maintenance use while the second record is the Trial Balance extracted from 'Authority' for finance use.

- We found that only the 'AssetFinda' contains Fair Value amounts and the Fair Value date – but the fair values were either more than 4 years or 8 years ago;

Category	Latest Fair Value Dates	Category	Latest Fair Value Dates
Buildings	30 Jun 2014	Park Assets	30 Jun 2018
City Infrastructure	30 Jun 2018	Park Boundary	NA
Drainage Catchment	None	Park Irrigation	None
Drainage Pipes	30 Jun 2018	Path Network	30 Jun 2018
Drainage Pit	30 Jun 2018	Road line	None
Drainage Plant	None	Streetlights	30 Jun 2018
Land Tenure	NA	Urban Trees	NA
Minor Plant	NA	Waste	None
Natural Areas	30 Jun 2018		
Off Street Park	Has fair value amounts but no fair value dates	Motor Vehicle	No separate report with fair value amount

- We also found that the value of motor vehicles valuation is performed by the LGIS template worksheet. LGISWA is the insurance provider where the City buys the protection of its assets; and
- The City uses LGIS self-insurance scheme for the insurance of assets. A representative from LGIS liaises with the officer responsible at the City for covering renewals or policy matters.

Overall, there is currently no internal process in place to ensure fair valuation of the City's assets. Reliance is placed on the knowledge of the LGIS representative to ensure coverage is sufficient.

Implications

Under insurance of assets, whereby in the event of a claim the full replacement cost of the asset may not be received.



3. OBSERVATIONS AND RECOMMENDATIONS (CONT.)

Asset Policy, Strategy and Plans

Adequacy of insurance coverage versus the fair value of assets (cont.)			Rating
Finding 3. Absence of internal asset valuation process to determine assets 'Fair Value' (cont.)			LOW
Management Comment			
<p>The revaluation cycle each class of asset revalued at least every 5 years is currently underway. Fleet vehicles were reviewed and valued at 2022/23 Insurance renewal based on Red Book Market valuations as recommended by LGIS Account Manager to ensure not underinsured. Buildings Register reviewed each year between revaluations every 5 years to ensure buildings replacement value covered on insurance renewal. LGIS do not provide valuations, rather they provide last year plant and buildings registers for review and updating based on market conditions etc.</p>			
Recommendations	Agreed Action	Action Owner	Target Date
4. Perform a fair value assessment of assets, independent from the valuation provided by the insurance provider. This can be done inhouse or outsourced to a qualified professional;	The 5 yearly revaluation cycle is just about to go to market for Infrastructure Assets (all infra classes). This process should be complete by the end of the financial year.	Manager Finance	June 23.



3. OBSERVATIONS AND RECOMMENDATIONS (CONT.)

Asset Policy, Strategy and Plans

Budget adequacy for asset maintenance		Rating	
Finding 4. Maintenance Budget Limitations		MEDIUM	
<p>A maintenance budget is an essential element of Asset Management. It sets out the expected cost of meeting maintenance objectives in a timely manner. The City’s Asset Management Policy 23 February 2021 states, “Asset management is a key objective in the City’s ten (10) year Strategic Community Plan and Strategic Plan and shall be incorporated into long term financial management plan. The City’s strategic financial plan will ensure that:</p> <p>(a) Sufficient funds are allocated as a priority each year to operate, maintain and, refurbishment or replacement of existing assets throughout their lifecycle; and</p> <p>(b) Ensure funds are identified and allocated where appropriate for the investment in new or upgraded assets.”</p> <p>During our review of asset maintenance process, the Maintenance Coordinator stated in an interview that the maintenance budget allocation was not fully sufficient to expand maintenance activities therefore the division’s operational budget was utilised to cover for shortfalls in the overall maintenance budget. We further analysed a report from the Finance Division, ‘Year-To-Date (“YTD”) for June 2021-22 Profit & Loss Data’ which showed a total of 46 asset Maintenance Activity (“MA”) actuals versus annual budget expenditures for years 2021 and 2022. The following inconsistencies were identified:</p>			
Over Budget Items:		Under Budget Items:	
<ul style="list-style-type: none">For the period reviewed, 34 MA spendings were over budget by \$6,378,645;		<ul style="list-style-type: none">2 MAs had a total annual budget of \$60,000. but no actual spending for the period; and	
<ul style="list-style-type: none">33 out of the 34 MAs totaling \$6,349,385. had no budget allocation figures;		<ul style="list-style-type: none">12 MAs were under budget by \$7,130,209.	
<ul style="list-style-type: none">There was one MA for the period that exceeded the allocated budget by \$29,260;			
<p>Overall, the actual spending for the period reviewed was less than the total budget allocation by \$751,564. However, 74% of MA allocations individually had significant budget deficits.</p>			
Implications			
<p>Without proper planning and allocation of maintenance budgets, the City is likely to encounter delays in maintaining the assets which could eventually impact business continuity.</p>			
Management Comment			
<p>The issues with misallocation of maintenance budgets was identified by the Finance / OneCouncil team during the 2022/23 budget process. The misallocation has now been corrected.</p>			
Recommendations	Agreed Action	Action Owner	Target Date
<p>5. Cost allocations for maintenance activities should be monitored on a timely basis to ensure that areas of significant variance in actuals and budget are adjusted appropriately and improved for the next financial period;</p>	<p>Maintenance budgets are monitored by Coordinators, and reported via the fortnightly Tech Services Managers meeting and monthly in the CEO week update.</p>	<p>Tech Services Managers</p>	<p>N/A Already completed</p>



3. OBSERVATIONS AND RECOMMENDATIONS (CONT.)

Asset Policy, Strategy and Plans

Management of leased assets	Rating
Finding 5. Lack of formal process in managing of leased assets	MEDIUM

The activities in managing owner-occupied assets are different from the leasing of assets. Apart from the lease agreements, billing, and collection activities - there should also be clear guidelines on how to manage the maintenance and regular inspections of these assets to ensure that leased assets are used as per the terms of the lease agreement.

The City has several assets that are leased to different tenants at varying terms and duration. We selected a sample of five (5) assets and conducted a physical inspection to evaluate the conditions of these assets and the nature of the leasing activities within these premises.

Lease Asset	Register Lease Period = Actual Lease period?	Was the lease Signed?
Hollywood Subiaco Bowling Club Lease	Yes	Yes
Maisonettes Unit 4	Yes	Yes
Nedlands Golf Club Lease	Yes	Yes
Suburban Lions Hockey Club Lease	Yes	Yes
Tresillian Arts Centre Studio Lease 48-2	Yes	Yes

We also inquired with the Asset Manager and Coordinator Land and Property about the relevant guidelines followed when leasing these assets. We found that :

- The City does not have an approved operating policy and procedure for leased assets. A policy has been drafted but not yet published;
- There are no budget allocations for leased assets;
- There are no agreements or contributions for the City's ovals;
- Maintenance work done on leased properties by tenants are not inspected by the City; and
- No evidence of assessment of the condition of the property at the start and end of the occupancy period on completed leases. We found a few samples of leased facility inspection reports, for example – 'College Park Family Centre', but we received no available records for all leases in the past three (3) years.

Implications

Lack of proper management of leased assets can lead to the City having limited oversight on the operational condition and status of leased assets, which lead to potential write-offs or additional cost due to increased maintenance activities.



3. OBSERVATIONS AND RECOMMENDATIONS (CONT.)

Asset Policy, Strategy and Plans

Management of leased assets (cont.)			Rating
Finding 5. Lack of formal process in managing of leased assets (cont.)			MEDIUM
Management Comment			
This area has been identified as requiring improvement and development. A working group has been established to provide input into a new Leasing, Licensing, Exclusive Licensing and Hiring of Community Facilities Policy which provides guidance on maintenance requirements, inspections, and budget allocations. The new proposed policy would apply to all new leases entered into after the policy is endorsed by Council.			
Recommendations	Agreed Action	Action Owner	Target Date
6. Develop a formal guideline on leased assets that should include maintenance requirements, inspections, and budget allocations;	<p>The draft policy will be presented to Council at the Feb OCM for comment and approval to proceed to stakeholder consultation.</p> <p>A final draft of the policy will be presented to Council at the April OCM for endorsement.</p> <p>Budget allocations will then be made as part of the 23/24 budget process based on the outcome of the Policy adoption.</p>	Coordinator Land and Property and Manager Assets	June 2023



3. OBSERVATIONS AND RECOMMENDATIONS (CONT.)

Asset Physical Verification

Asset stock take procedures	Rating		
Finding 6. No practice of conducting periodic asset stock takes to verify existence of City’s assets	MEDIUM		
<p>To verify the existence of assets, it is important to conduct a periodic stock take e.g., every three (3) years. In fact, this guideline is also emphasized in the Western Australian Local Government Accounting Manual, Section 9 – Asset Accounting, states, under 9.1.6 Asset Inspection and Control - Asset Stock takes, “An effective way to ensure the reliability of an asset register is to conduct regular (at least every three years) physical stock takes and physically assessing what assets are still controlled by the local government. Various unique identification systems are commercially available to help with this process. Where discrepancies emerge from this physical assessment then these occurrences should be investigated to ensure control measures are sufficient to safeguard the local government’s assets and maintain the accuracy of the asset register.”</p> <p>We conducted interviews with key process owners i.e., Asset Manager, to evaluate the City’s alignment with the above guideline and to identify control gaps, if any. We also requested for the records of the previous stock takes conducted in the past five (5) years, however, we were informed that:</p> <ul style="list-style-type: none">• There were no asset stock takes conducted in the last five (5) years for all the asset categories;• No existing asset policy that mandates the regular stock take activity;• There is no plan to undertake the stock take soon; and• Roles and responsibilities about custody, storage, maintenance, and record keeping are not clearly defined in any existing asset management documents. <p>Implications</p> <p>This increase failure to identify physical missing assets potentially caused by theft or by any other deliberate act.</p>			
Management Comment			
<p>Stocktaking is a key measure to ensuring assets are managed. The new asset register system within OneCouncil will be used to better track and manage the City’s portable and attractive items. An EMT decision has been made to focus on high value, portable and attractive items, with Managers to assist in stocktake and management of their teams’ items.</p>			
Recommendations	Agreed Action	Action Owner	Target Date
7. Conduct a periodic stock takes of at least every three years to verify asset physical existence. Consider splitting the stock take by asset category;	A program for periodic stock takes is to be developed and implemented.	All Managers – Manager Finance to take lead.	June 2023.
8. Embed the stock take requirements into the Asset Management Policy;	Stocktake of portable and attractive items will be included into the policy update at the time of update with the updated Assets Strategy (following the new SCP adoption).	Manager Assets	June 2024
	An procedure will be developed and taken to EMT alongside the initial stocktake in June 2023	Manager Finance	June 2023



3. OBSERVATIONS AND RECOMMENDATIONS (CONT.)

Asset Physical Verification

Existence of physical assets within the City's premises	Rating
Finding 7. Instances of untraceable assets due to non-use of asset tags and numbers	MEDIUM

Effective internal controls over asset management requires that any assets located in the City's premises should be traceable into the 'Asset Register' list anytime. The City of Nedlands maintains an 'Asset Register' that lists the complete number of assets in the City. This is managed by the Asset Manager who handles the administration and recordkeeping of these assets.

We conducted a visual inspection with the assistance of the Asset Manager to verify the existence of these assets at the (a) City Depot (b) Administration office and (c) inside the Library building, which we conducted on the 2nd Nov 2022 and on 8th Nov 2022. The results of our inspection revealed control gaps as follow:

- Nine (9) out of eleven (11) samples that are listed in the 'City Depot Asset Register' could not be located physically in the City Depot;

Asset #	Asset Description	Asset #	Asset Description	Asset #	Asset Description
10557	DR SITE Equipment Set up	11044	iPad Pro12.9" 256GB Grey	11091	Microphones_XL2 Audio & Acoustic Analyzer
10850	Electronic Whiteboard, 3x LG 32" Full HD	11072	New Projector & Screen Solution for Age	10956	FortiGate 300D Hardware plus_3 year
10944	Tablet iPad Pro 12.9 32GB Space Grey	11091	Microphones_XL2 Audio & Acoustic Analyzer	11072	New Projector & Screen Solution for Age

- Fourteen (14) out of fifteen (15) samples that are listed in the 'Admin Bldg. Asset Register' could not be located physically anywhere in the Admin Building;

Asset #	Asset Description	Asset #	Asset Description	Asset #	Asset Description
30414	HP DESKJET 670C Printer	30705	Nokia 6610 Mobile Phone & Leather Case	30001	Television – Colour Sony
30489	Panasonic 15" Multimedia LCD Monitor	30900	Mobile Phone Motorola V3X	30346	Sharp F01650 Fax Machine (CR SIMPSO...
30494	Notebook – Toshiba TECRA	11041	Workstation – At Nedlands Library	30355	Canon Video Camera (Health)
30704	Nokia 6610 Mobile Phone & Leather case	10268	Audio Visual system, Nedlands Library	30349	1 Digital PC
30413	Toshiba Satellite Pro 470CDT Pentiu	30188	Photocopier – Sharp SF8100 (MTCL LI		

- Four (4) items that include (Fisher & Paykel fridge), Hisense fridge, Dinamica Plus Coffee Machines) – can be found inside the kitchen area of the Office Admin building but couldn't be traced back to the 'Asset Register' as this is not on the list; and
- All items inspected physically did not contain any 'asset tag' or 'asset numbers', that uniquely identify these assets which cause difficulty in validating as we have to rely on the item description or brand name to match it to the Asset Register listing.

Implications

Weak internal controls in asset management could increase the risk of asset loss or theft resulting in financial losses. This could also increase the risk of failure to effectively facilitate service delivery to the local communities particularly in situations where assets could not be located.



3. OBSERVATIONS AND RECOMMENDATIONS (CONT.)

Asset Physical Verification			
Existence of physical assets within the City's premises (cont.)			Rating
Finding 7. Instances of untraceable assets due to non-use of asset tags and numbers (cont.)			MEDIUM
Management Comment			
The City agrees with this finding and has identified that the One Council solution will assist in the management of portable and attractive items.			
Recommendations	Agreed Action	Action Owner	Target Date
9. Implement an asset tagging process to ensure that assets are identified uniquely and can be traced to the Asset Register. At a minimum, the asset tags should include the asset number reference and / or asset category reference;	Portable and attractive items inventory to be updated and a stock take to occur. All items on the Portable and Attractive item register to be tagged.	Manager Finance, Manager IT.	December 2023.
10. Validate unrecorded assets and include in the Asset Register;	Finance to coordinate an update to the Portable and Attractive items register.	Manager Finance	December 2023.



3. OBSERVATIONS AND RECOMMENDATIONS (CONT.)

Security and Control Measures

Adequacy of the security measures	Rating																		
Finding 8. Access and security controls gaps noted during inspection	MEDIUM																		
The adequacy of security and access controls within the City’s premises is critical in preventing and detecting unauthorised entries or movements within the area. This also decreases the risk of susceptibility to theft of high-value assets particularly the artwork, electronic equipment, expensive mobile phones, or iPads, that could be easily taken from the City’s admin office or from anywhere within the City’s jurisdictions where these assets are kept.																			
A. We physically inspected 10 locations on the 8 th of Nov 2022 where high-value assets are located to verify the installed security systems such as CCTV cameras, biometrics, and swipe card access controls. The results were noted in the below table; and																			
<table><tr><th>Security Measures in Place</th><th>Audit Observations During the Visual Inspection</th><th>Recommended Actions</th></tr><tr><td>CCTV Camera</td><td>Working and in good condition. Noted some dust particles on the lenses</td><td>Consider cleaning the camera lenses twice a year.</td></tr><tr><td>Swipe Card controls</td><td>Working and in good condition</td><td>None</td></tr><tr><td>Control Room at City Depot</td><td>The City uses a software named 'NUU'. At the time of audit visit, the surveillance monitor did not display the live camera footage for the 'Admin Building' and was blacked out – not transmitting live video to the monitoring screen.</td><td>Call the software provider and request to fix the camera footage immediately.</td></tr><tr><td>Personnel in the Main Control Room</td><td>There is only one personnel assigned in the main control room. No alternate staff and admin access privileges was also managed by the same staff.</td><td>Consider providing addition admin privileges to another staff as a backup control to mitigate risk in situations where the main personnel is on vacation or will be absent from work for unknown reasons.</td></tr><tr><td>Storage of camera recording</td><td>Inconsistent recording of cameras. Per interview with the Main Control personnel, we were informed storage of recording is for 24 days for Depot and 8 days for Admin office – due to lack of storage capacity of the backup drives.</td><td>Increase storage capacity to increase length of recording to at least 30 days for all locations.</td></tr></table>	Security Measures in Place	Audit Observations During the Visual Inspection	Recommended Actions	CCTV Camera	Working and in good condition. Noted some dust particles on the lenses	Consider cleaning the camera lenses twice a year.	Swipe Card controls	Working and in good condition	None	Control Room at City Depot	The City uses a software named 'NUU'. At the time of audit visit, the surveillance monitor did not display the live camera footage for the 'Admin Building' and was blacked out – not transmitting live video to the monitoring screen.	Call the software provider and request to fix the camera footage immediately.	Personnel in the Main Control Room	There is only one personnel assigned in the main control room. No alternate staff and admin access privileges was also managed by the same staff.	Consider providing addition admin privileges to another staff as a backup control to mitigate risk in situations where the main personnel is on vacation or will be absent from work for unknown reasons.	Storage of camera recording	Inconsistent recording of cameras. Per interview with the Main Control personnel, we were informed storage of recording is for 24 days for Depot and 8 days for Admin office – due to lack of storage capacity of the backup drives.	Increase storage capacity to increase length of recording to at least 30 days for all locations.	
Security Measures in Place	Audit Observations During the Visual Inspection	Recommended Actions																	
CCTV Camera	Working and in good condition. Noted some dust particles on the lenses	Consider cleaning the camera lenses twice a year.																	
Swipe Card controls	Working and in good condition	None																	
Control Room at City Depot	The City uses a software named 'NUU'. At the time of audit visit, the surveillance monitor did not display the live camera footage for the 'Admin Building' and was blacked out – not transmitting live video to the monitoring screen.	Call the software provider and request to fix the camera footage immediately.																	
Personnel in the Main Control Room	There is only one personnel assigned in the main control room. No alternate staff and admin access privileges was also managed by the same staff.	Consider providing addition admin privileges to another staff as a backup control to mitigate risk in situations where the main personnel is on vacation or will be absent from work for unknown reasons.																	
Storage of camera recording	Inconsistent recording of cameras. Per interview with the Main Control personnel, we were informed storage of recording is for 24 days for Depot and 8 days for Admin office – due to lack of storage capacity of the backup drives.	Increase storage capacity to increase length of recording to at least 30 days for all locations.																	
B. We also found that the back gate – intended to be used as a 2nd gate in the City Depot – was locked with a chain and a padlock and is not being used anymore (Appendix 3). The pathway was also obstructed by a damaged truck which may prevent entry and exit of vehicles in an event of an emergency like fire, or similar incidents.																			
Implications																			
The absence of proper security control measures will increase risk of financial losses caused by theft, unaccounted missing items, or abandoned assets.																			



3. OBSERVATIONS AND RECOMMENDATIONS (CONT.)

Security and Control Measures			
Adequacy of the security measures			Rating
Finding 8. Access and security controls gaps noted during inspection			MEDIUM
Management Comment			
The City does not believe that issues surrounding how CCTV and security are managed should form part of the scope of an Asset Management Audit. Although some items raised are valid in the context of the way the City manages CCTV, this should not form part of this audit.			
Recommendations	Agreed Action	Action Owner	Target Date
11. Contact the CCTV software provider to fix the monitoring screen in the main control room and request additional storage capacity for the backup of camera recording. Implement the other recommendations described point A and B above;	<p>Storage duration to be increase to meet minimum legislative requirements.</p> <p>Additional staff to be trained and given access to the security system.</p> <p>Camera feed for the Administration building to be repaired.</p> <p>The vehicle gate is not in use, and not intended to be used as a second access point and there is no requirement for it to be unlocked in business as usual. In unusual circumstances or emergencies, the gate could be used, noting that a pedestrian emergency exit is co-located with this gate.</p>	<p>Manager IT</p> <p>Manager City Projects and Programs</p>	June 23.

3. OBSERVATIONS AND RECOMMENDATIONS (CONT.)

Asset Registers and Records

Accuracy of asset record keeping	Rating																																																						
Finding 9. Lack of reconciliation process amongst multiple ‘Asset Registers’ used	MEDIUM																																																						
<p>Proper recording of assets, maintained in one ‘Master File’, is an example of a good internal control. If multiple records are maintained for these assets, a reconciliation process should be in place to ensure that there is a link between the assets to easily track additions, modifications, or deletions. The results of the reconciliation could easily identify differences between these registers that should be investigated.</p> <p>The City has two (2) existing reports where assets are being listed and tracked. The first one is the CVR Trial Balance generated from the Software ‘Authority’, and the second report is generated from the ‘Asset Finda’ software. Both reports contain data such descriptions, category, cost and other information about the asset. We matched these reports and noted that the asset details did not match between the reports.</p> <ul style="list-style-type: none">We compared the samples in the below table, and we found that: <p>I. The closing balance reflected in ‘Authority’ is different from the purchase cost reflected in the ‘AssetFinda’; and</p> <p>II. The asset ID is different between the two reports;</p> <table><tr><th colspan="3">CVR Trial Balance (Software Authority)</th><th colspan="3">Register Extracted from “Asset Finda”</th></tr><tr><th>CVR Category</th><th>Description</th><th>Closing Balance</th><th>Asset ID</th><th>System Name</th><th>Purchase Cost</th></tr><tr><td>200105</td><td>Allen Park Lower Pavilion and Changeroom</td><td>441,966.58</td><td>B0601</td><td>Allen Park Lower Pavilion – Fitout</td><td>985,459</td></tr><tr><td>200205</td><td>Allen Park Lower Pavilion and Changeroom</td><td>87,927.05</td><td>B06</td><td>Allen Park Lower Pavilion – Structure</td><td>55,524.05</td></tr><tr><td>200305</td><td>Allen Park Lower Pavilion and Changeroom</td><td>619,216.28</td><td>B0603</td><td>Allen Park Lower Pavilion – Roof</td><td>42,715</td></tr><tr><td>200112</td><td>Mt Claremont Community Centre Structural</td><td>850450.52</td><td>B43</td><td>Mt Claremont Community Centre – Structure</td><td>26,153.27</td></tr><tr><td>200212</td><td>Mt Claremont Community Centre Fitout</td><td>601576.04</td><td>B4301</td><td>Mt Claremont Community Centre – Fitout</td><td>0.00</td></tr><tr><td>200312</td><td>Mt Claremont Community Centre Mechanic</td><td>634261.51</td><td>B4302</td><td>Mt Claremont Community Centre – Mechanical</td><td>0.00</td></tr><tr><td>200412</td><td>Mt Claremont Community Centre Roof</td><td>485023.51</td><td>B4303</td><td>Mt Claremont Community Centre – Roof</td><td>0.00</td></tr></table> <ul style="list-style-type: none">Based on our further discussions with the Asset Manager, we were informed that the trial balance from ‘Authority’ is being used by finance while the ‘AssetFinda’ report is being used by the maintenance department who performs checks, repairs, and any other preventive maintenance tasks to ensure that the asset is in good working condition for optimum use. However, we could not find any evidence of reconciliation conducted to match the details between these two (2) reports;We also found that the City does not maintain a ‘Master File’ combined for all the asset registers. There are multiple registers maintain, each has a different purpose. This includes the (1) Minor Assets Register – manual register for portable assets mainly consisting of electronic items and equipment, and (2) Mobile Device Register – list of all mobile devices used by the City. However, both registers have incomplete details where the ‘Assigned To’, ‘Location’ and ‘Custodian’ are empty in most of the items in the list; andFrom our review of the various asset registers from AssetFinda and Authority as well as extracts provided by the Finance Officer, there is no consistent complete list of asset additions in the period. The “additions” per the AssetFinda system are not the same as those in the “Authority” system		CVR Trial Balance (Software Authority)			Register Extracted from “Asset Finda”			CVR Category	Description	Closing Balance	Asset ID	System Name	Purchase Cost	200105	Allen Park Lower Pavilion and Changeroom	441,966.58	B0601	Allen Park Lower Pavilion – Fitout	985,459	200205	Allen Park Lower Pavilion and Changeroom	87,927.05	B06	Allen Park Lower Pavilion – Structure	55,524.05	200305	Allen Park Lower Pavilion and Changeroom	619,216.28	B0603	Allen Park Lower Pavilion – Roof	42,715	200112	Mt Claremont Community Centre Structural	850450.52	B43	Mt Claremont Community Centre – Structure	26,153.27	200212	Mt Claremont Community Centre Fitout	601576.04	B4301	Mt Claremont Community Centre – Fitout	0.00	200312	Mt Claremont Community Centre Mechanic	634261.51	B4302	Mt Claremont Community Centre – Mechanical	0.00	200412	Mt Claremont Community Centre Roof	485023.51	B4303	Mt Claremont Community Centre – Roof	0.00
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3. OBSERVATIONS AND RECOMMENDATIONS (CONT.)

Asset Registers and Records

Accuracy of asset record keeping (cont.)			Rating
Finding 9. Lack of reconciliation process amongst multiple 'Asset Registers' used (cont.)			MEDIUM
Implications Having numerous asset registers with unreconciled records increases the risk of error, misrepresentation of financial records, inability to locate or track assets and possible loss of assets.			
Management Comment We acknowledge there are currently two Asset registers in use at the City. The implementation of the Works and Assets module of One Council will consolidate these two registers.			
Recommendations	Agreed Action	Action Owner	Target Date
12. Consider merging all Asset Registers into one to ensure a consistent approach as a single source of truth in the City which supports the financial statements; and	Consolidation of the two Asset registers is underway with the implementation of the Works and Assets module of One Council.	Manager Assets and Manager Finance	December 23
13. Reconcile the asset register used for financial records against the asset register used for operations and maintenance to identify missing items that warrants adjustments in the financial books.	Consolidation of the two Asset registers is underway with the implementation of the Works and Assets module of One Council.	Manager Assets and Manager Finance	December 23



4 OTHER

4.1. Disclaimers

Moore Australia (WA) Pty Ltd as agent, an independent member of Moore Global Network Limited, and a Perth based partnership of trusts carries on business separately and independently from other Moore Global Network Limited member firms worldwide.

Services provided under this engagement are provided by Moore Australia (WA) Pty Ltd as agent and not by any other independent Moore Global Network Limited member firms worldwide. No other independent Moore Global Network Limited member has any liability for services provided.

4.2. Basis of Use

This report has been prepared in accordance with the objectives and approach agreed in the engagement document and subject to the following limitations:

- Other than use by you for the purpose, our report cannot be issued, accessed, or relied upon by any third party without our prior written approval. Furthermore, neither the report nor extracts from it will be included in any document to be circulated to other third parties without our prior written approval of the use, form, and context in which it is proposed to be released. We reserve the right to refuse to grant approval to issue the reporting to any other party;
- Our internal audit work was performed in accordance with the International Standards for the Professional Practice of Internal Auditing contained in the International Professional Practices Framework issued by the Institute of Internal Auditors. It did not constitute an audit or review in accordance with standards issued by the Auditing and Assurance Standards Board and accordingly no such assurance under those standards is provided in this report;
- The matters raised in this report are only those which came to our attention while performing our procedures and are not necessarily a comprehensive statement of all the weaknesses that exist or improvements that might be made. We cannot, in practice, examine every activity and procedure, nor can we be a substitute for management's responsibility to maintain adequate controls over all levels of operations and their responsibility to prevent and detect irregularities, including fraud. Accordingly, management should not rely on our report to identify all weaknesses that may exist in the systems and procedures under examination, or potential instances of non-compliance that may exist;

- We believe that the statements made in this report are accurate, but no warranty of completeness, accuracy or reliability is given in relation to statements and representations made by, and the information and documentation provided by, Management and personnel. We have indicated within this report the sources of the information provided. We have not sought to independently verify those sources unless otherwise noted within the report. We are under no obligation in any circumstance to update this report, in either oral or written form, for events occurring after the report has been issued in final form unless specifically agreed with the client. The Internal Audit findings expressed in this report have been formed on the above basis; and
- Recommendations for improvement should be assessed by management for their full commercial impact, before they are implemented.

4.3. Conflicts of Interest

The firm is not aware of any existing or potential relationship, transaction or holding that would compromise its objectivity in the conduct of the services rendered. Should the possibility of a perceived or actual conflict arise the matter would be raised with the Chief Executive Officer immediately and activities suspended until the issue was resolved to your satisfaction.

4.4. Liability

Moore Australia (WA) Pty Ltd trading as agent – ABN 99 433 544 961, an independent member of Moore Global Network Limited - members in principal cities throughout the world.

Liability limited by a scheme approved under Professional Standards Legislation.

APPENDIX 1: KEY TO SIGNIFICANCE OF RISK RATING

Rating	Definition	Guidance	Action required
High	Issue represents a control weakness, which could cause or is causing major disruption of the process or major adverse effect on the ability of the process to achieve its objectives.	<ul style="list-style-type: none">• Material errors and departures from the organisation's policies and procedures;• Financial management / accountability / probity concerns;• Non-compliance with governing legislation and regulations may result in fines or other penalties; and• Collective impact of many moderate or low issues.	<ul style="list-style-type: none">• Requires significant senior management intervention and may require significant mobilisation of resources, including external assistance; and• A detailed plan of action to be approved by Management with resolution within 30 days.
Medium	Issue represents a control weakness, which could cause or is causing moderate adverse effect on the ability of the process to meet its objectives.	<ul style="list-style-type: none">• Events, operational, business, and financial risks could expose the organisation to losses could be marginally material to the organisation; and• Departures from best practice management procedures, processes.	<ul style="list-style-type: none">• Requires substantial management intervention and may require possible external assistance; and• Timeframe for action is subject to competing priorities and cost benefit analysis but should not exceed 3 months.
Low	Issue represents a minor control weakness, with minimal but reportable impact on the ability to achieve process objectives.	<ul style="list-style-type: none">• Events, operational and business risks could expose the organisation to losses which are not material due to the low probability of occurrence of the event and insignificant impact on the operating capacity, reputation, and regulatory compliance; and• Departures from management procedures, processes, however, appropriate monitoring and governance generally mitigates these risks.	<ul style="list-style-type: none">• Requires management attention and possible use of external resources; and• Minor treatment is desirable. Action should be completed within 6 months.



APPENDIX 2: KEY PERSONNEL CONTACTED

We would like to thank the following personnel for their assistance in the conduct of this internal audit. These are presented in alphabetical order by surname.

Name	Role
Tony Benson	Manager ICT
Stuart Billingham	Manager Financial Services
Mike Cole	Director Corporate Services
Steve Crossman	Coordinator Fleet
Nalin Dias	Information Technology (IT) Governance Coordinator
Finn MacLeod	Manager Assets
Peter Scasserra	Coordinator Land and Property
Marcus Sinden	Building Maintenance Coordinator
Jason Spyker	Coordinator Civil Maintenance
Daniel Kennedy-Stiff	Manager City Projects and Programs
Daniel Wong	Finance Officer (AR, Assets & Insurance)

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HELPING YOU THRIVE IN A CHANGING WORLD

18.4 ARC05.03.23 City of Nedlands Compliance Audit Return 2022

Meeting & Date	Special Audit & Risk Committee Meeting – 7 March 2023 Council Meeting – 28 March 2022
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	Nil.
Report Author	Libby Kania – Co-ordinator Governance and Risk
Director/CEO	Bill Parker – Chief Executive Officer
Attachments	1. Compliance Audit Return 2022 – Audit and Risk Committee Attachment dated 7 March 2023 (Unformatted). 2. Compliance Audit Return 2022 – Council Formatted Copy.

Purpose

The purpose of this report is for Council to review and adopt the City of Nedlands 2022 Annual Compliance Return required for submission to the to the Department of Local Government, Sport and Cultural Industries by 31 March 2023. The Audit & Risk Committee has reviewed the Audit Return.

Recommendation

That Council adopts the 2022 Compliance Audit Return for the City of Nedlands for the period 1 January 2022 to 31 January 2022 as contained in Attachment 2 to this report.

Voting Requirement

Simple Majority.

Background

All Local Governments are required to submit an annual Compliance Audit Return (CAR) to the Department of Local Government, Sport and Cultural Industries by 31 March each year for the previous calendar year. The CAR is used to measure the level of compliance with the *Local Government Act 1995* and associated Regulations.

On 7 March 2023, the Audit and Risk Committee resolved the following recommendation:

Committee Recommendation / Recommendation

“That the Committee recommends that Council adopts the Local Government 2022 Compliance Audit Return for the City of Nedlands for the period 1 January 2022 to 31 December 2022, as attached to this report.”

Discussion

The City’s 2022 Compliance Audit Return was completed in February by Management following a review and assessment of:

- Council meeting agendas and minutes;
- Performance plans, media advertisements, procedures and policies, registers, delegation records, local laws; and
- Interviews with responsible officers.

Each Local Government Authority is required to complete a CAR for the period 1 January 2022 to 31 December 2022. The CAR must be submitted to the Director General of the Department by 31 March 2023. The return is one of the tools that allows Council to monitor how the organisation is functioning. It places emphasis on the need to bring to Council’s attention issues of noncompliance, or issues where full compliance was not achieved. In addition to explaining or qualifying cases of noncompliance, the return also requires Council to endorse any remedial action taken or proposed to be taken in regard to instances of non-compliance. The document contains over 100 questions in order to assess a local government’s compliance with the legislative framework. Under regulation 14 of the *Local Government (Audit) Regulations 1996*, sub regulation (3A) the audit committee is to review the CAR and report to council the results of that review. The CAR is then to be presented to the Council and adopted by Council and the resolution recorded in the minutes. The compliance areas include:

TOPIC	NUMBER OF QUESTIONS
Commercial Enterprises by Local Governments	5
Delegation of Power / Duty	13
Disclosure of Interest	22
Disposal of Property	2
Elections	3
Finance	7
Integrated Planning & Reporting	3
Local Government Employees	5
Official Conduct	4
Optional Questions	9
Tenders for Providing Goods and Services	22

In the reporting period the City identified areas of non-compliance.

These refer to the following:

1. Delegation of Power/Duty – Question 5

5. Has Council reviewed delegations to its committees in the 2021/2022 financial year?

An audit was conducted of the City's Delegations Register to ascertain any delegation that had been provided to a committee of Council pursuant to s. 5.16 of the Act. The following committees include in their terms of reference a delegation from Council:

- **Audit and Risk Committee under Part 7**
The Audit and Risk Committee will have delegated authority to meet with the auditor in accordance with Section 7.12A(2) of the Local Government Act 1995.
- **Public Arts Committee**
The Committee has delegated authority to implement public artworks of not more than \$10,000 each to the value of up to, in all, the budget allocation approved by Council within the current financial year's budget. Artworks over \$10,000 shall be recommended to Council for approval.
- **The CEO Performance Review Committee acting under delegated authority**
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.

Council considered the delegations to its Committees on 22 June 2021 (2020/2021 financial year) when it reviewed its Register of Delegations. This was outside the reporting period stated in Q5.

Council next considered its Delegations Register on 22 September 2022 (2022/2023 financial year). The Register did not include the delegations to the Committees and as a consequence did not form part of the review.

Notwithstanding, on 22 September 2022 the delegation to the Audit and Risk Committee was considered by Council when it reviewed the Terms of Reference of the Committee. On 13 December 2022 the delegation to the CEO Performance Review Committee was reviewed when Council considered the terms of reference of that Committee.

The delegation to the Public Arts Committee has not been reviewed in the 2022/2023 financial year. This will need to be considered by Council prior to the end of the current financial year and it is intended that a report will be provided to Council prior to June 2023.

2. Disclosure of Interest – Questions 4 and 11

4. Was a primary return in the prescribed form lodged by all relevant persons within three months of their start day?

There was one officer who did not submit their primary return on time, being one day late. The officer was not a senior officer. There are email exchanges between members of governance and the officer to indicate that the officer attempted to do so but was unable to provide the document. This matter will be reported to the CCC by the CEO due to the fact that s. 5.75 is a reportable offence.

11. Did the CEO keep a register of gifts which contained a record of disclosures made under sections 5.87A and 5.87B of the Local Government Act 1995, in the form prescribed in the Local Government (Administration) Regulations 1996, regulation 28A?

The City does have a gift register on the website but it is not a cumulative register and is slightly modified from form 4. The register also includes notifiable gifts by an officer other than the CEO. This is not required under the Act.

While the City is compliant with the legislation in that it has a publicly disclosed gift register, it is considered prudent to amend the gift register to reflect form 4 and to remove the officer notifiable gifts and place those onto another register, so that there is no ambiguity with the content of the legislation.

3. Elections – Question 3

3. Did the CEO publish an up-to-date version of the electoral gift register on the local government's official website in accordance with regulation 30G(5) of the Local Government (Elections) Regulations 1997?

The gift register was removed from the City's website in July 2022 when the website was upgraded and does not appear to have been reloaded. The electoral gift register will be reloaded to the website, along with the cumulative gift register.

4. Finance - Question 3

3. Was the auditor's report for the financial year ended 30 June 2022 received by the local government by 31 December 2022?

The auditor's report was not received prior to 31 December 2022. This has impacted the City's ability to answer Question 4, 5, 6 and 7 of the CAR. Those questions could not be answered as they required the auditor's report, and although the City supplied the information to the auditor in the reporting period, there was insufficient time for the auditor to complete the audit report prior to 31 December.

5. Integrated Planning and Reporting – Questions 2 and 3

2. Has the local government adopted by absolute majority a corporate business plan?

The City does not have a current CBP in place as the previous CBP 2013 – 2017 was never reviewed or updated. Further, the CBP does not reflect the SCP adopted by Council. The City does not meet its compliance obligations under the legislation.

3. Does the corporate business plan comply with the requirements of Local Government (Administration) Regulations 1996 19DA(2) & (3)?

The City does not have a CBP, refer response above.

6. Official Conduct - Question 4

4. Has the CEO published an up-to-date version of the register of the complaints on the local government's official website?

While the City has a register in accordance with the legislation, there have been no reportable complaints that resulted in a finding. A copy of the register will be uploaded to the website.

7. Other - Question 7

7. Did the local government prepare a report on the training completed by council members in the 2021/2022 financial year and publish it on the local government's official website by 31 July 2022?

While the City maintains a register of the training completed by Council members, it was not placed on the City's website. A copy of the register will be uploaded to the website.

The City has taken the following steps to deal with the non-compliance:

1. Gift registers – s. 5.87A and electoral will be uploaded to the website.
2. Training register will be uploaded to the website.
3. Statutory complaints register to be uploaded to the website.
4. Delegation to the Public Arts committee and other delegation matters to be brought to Council prior to the end of the financial year.
5. Report to the CCC on the non-compliance with the primary return disclosure.

Consultation

Relevant staff were requested to complete those questions of the CAR that related to their service areas. All responses were then collated and incorporated into the CAR by the designated officer. The CAR was then tabled at the 22 February 2022 Executive Management Team meeting for consideration and approval.

The Audit and Risk Committee has reviewed the return (Attachment 1 – unformatted CAR) at its meeting held on Tuesday 7 March 2023 and is now submitting the results of that review to Council.

Council has been provided with the formatted CAR (Attachment 2) in accordance with the Department's requirement.

Strategic Implications

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

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

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

Budget/Financial Implications

The 2022 Compliance Audit Return has been conducted using internal resources and there are no other financial impacts.

Legislative and Policy Implications

[Local Government \(Audit\) Regulations 1996](#)

Regulation 14

- (1) A local government is to carry out a compliance audit for the period 1 January to 31 December in each year.
- (2) After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister.
- (3A) The local government's audit committee is to review the compliance audit return and is to report to the council the results of that review.
- (3) After the audit committee has reported to the council under subregulation (3A), the compliance audit return is to be -

- (a) presented to the council at a meeting of the council; and
 - (b) adopted by the council; and
 - (c) recorded in the minutes of the meeting at which it is adopted.
- 15. Certified copy of compliance audit return and other documents to be given to Departmental CEO
 - (1) After the compliance audit return has been presented to the council in accordance with regulation 14(3) a certified copy of the return together with —
 - (a) a copy of the relevant section of the minutes referred to in regulation 14(3)(c); and
 - (b) any additional information explaining or qualifying the compliance audit, is to be submitted to the Departmental CEO by 31 March next following the period to which the return relates.
 - (2) In this regulation — certified in relation to a compliance audit return means signed by:
 - (a) the mayor or president; and
 - (b) the CEO.

In accordance with [Regulation 14 and 15 of the Local Government \(Audit\) Regulations 1996](#) the 2022 Annual Compliance Audit Return must be:

1. Presented to the Audit and Risk Committee for review and then presented to Council;
2. Adopted by Council;
3. Recorded in the minutes of the meeting at which it was adopted; and
4. A certified copy of the return, along with a copy of the minutes recording its adoption, to be submitted to the Department by 31 March 2023.

Decision Implications

Should Council choose to adopt the 2022 Compliance Audit Return for submission to the Department of Local Government Sport and Cultural Industries the City would fulfil its prescribed statutory requirements in [regulation 13 of the Local Government \(Audit\) Regulations 1996](#).

Should Council choose not to adopt the 2022 Compliance Audit Return for submission to the Department of Local Government Sport and Cultural Industries Council would be in breach the prescribed statutory requirements in [regulation 13 of the Local Government \(Audit\) Regulations 1996](#).

Conclusion

That Council adopt the Compliance Audit Return 2022 as contained in Attachment 2, in accordance with the recommendation of the Audit and Risk Committee dated 7 March 2023.

Further Information

The Presiding Member advised he would be writing to KPMG to express his disappointment with the delay in the annual audit and seeking feedback on the reasons for the delay.

Compliance Audit Return Form

Start ✓

Details ✓

Commercial Enterprises ✓

Delegation ✓

Disclosure of Interest ✓

Disposal of Property ✓

Elections ✓

Finance ✓

IPR ✓

Employees ✓

Conduct ✓

Other ✓

Tenders ✓

Documents ✓

Review

Finalise

Print

Details

Local Government

Nedlands, City of

Created By

Elizabeth Kania

Year of Return

2022

Status

Draft

Commercial Enterprises by Local Governments

1. Has the local government prepared a business plan for each major trading undertaking that was not exempt in 2022? *

N/A

Add comments

—

2. Has the local government prepared a business plan for each major land transaction that was not exempt in 2022? *

N/A

Add comments

—

3. Has the local government prepared a business plan before entering into each land transaction that was preparatory to entry into a major land transaction in 2022? *

N/A

Add comments

—

4. Has the local government complied with public notice and publishing requirements for each proposal to commence a major trading undertaking or enter into a major land transaction or a land transaction that is preparatory to a major land transaction for 2022? *

N/A

Add comments

—

5. During 2022, did the council resolve to proceed with each major land transaction or trading undertaking by absolute majority? *

N/A

Add comments

—

Delegation of Power/Duty

1. Were all delegations to committees resolved by absolute majority? *

Yes

Add comments

—

2. Were all delegations to committees in writing? *

Yes

Add comments

—

3. Were all delegations to committees within the limits specified in section 5.17 of the Local Government Act 1995? *

Yes

Add comments

—

4. Were all delegations to committees recorded in a register of delegations? *

Yes

Add comments

5. Has council reviewed delegations to its committees in the 2021/2022 financial year? *

No

Add comments

Please enter comments *

2021 Council considered the delegations to its Committees on 22 June 2021 when it reviewed its Register of Delegations.

2022 Delegations to the Audit and Risk Committee; and the CEO Performance Review Committee were reviewed on 22 September 2022 and 13 December 2022 by Council when reviewing the terms of reference of these committees. The delegation to the Public

6. Did the powers and duties delegated to the CEO exclude those listed in section 5.43 of the Local Government Act 1995? *

Yes

Add comments

7. Were all delegations to the CEO resolved by an absolute majority? *

Yes

Add comments

8. Were all delegations to the CEO in writing? *

Yes

Add comments

9. Were all delegations by the CEO to any employee in writing? *

Yes

Add comments

—

10. Were all decisions by the Council to amend or revoke a delegation made by absolute majority? *

Yes

Add comments

—

11. Has the CEO kept a register of all delegations made under Division 4 of the Local Government Act 1995 to the CEO and to employees? *

Yes

Add comments

—

12. Were all delegations made under Division 4 of the Act reviewed by the delegator at least once during the 2020/2021 financial year? *

Yes

Add comments

Please enter comments *

All delegations were reviewed by Council on 22 June 2021.

13. Did all persons exercising a delegated power or duty under the Local Government Act 1995 keep, on all occasions, a written record in accordance with Local Government (Administration) Regulations 1996 regulation 19? *

Yes

Add comments

Please enter comments *

All exercises of delegation are recorded in the City's Attain system by Officers. An audit of the register indicated that there have been instances where there is a lag between the exercise of the delegation and officers inputting the data from their records into the system. A hard copy record of the exercise does exist prior to entry into the system.

Disclosure of Interest

1. Where a council member disclosed an interest in a matter and did not have participation approval under sections 5.68 or 5.69 of the Local Government Act 1995, did the council member ensure that they did not remain present to participate in discussion or decision making relating to the matter? *

Yes

Add comments

2. Were all decisions regarding participation approval, including the extent of participation allowed and, where relevant, the information required by the Local Government (Administration) Regulations 1996 regulation 21A, recorded in the minutes of the relevant council or committee meeting? *

Yes

Add comments

3. Were disclosures under sections 5.65, 5.70 or 5.71A(3) of the Local Government Act 1995 recorded in the minutes of the meeting at which the disclosures were made? *

Yes

Add comments

4. Was a primary return in the prescribed form lodged by all relevant persons within three months of their start day? *

No

Add comments

Please enter comments *

One officer submitted their Primary Return a day late.

5. Was an annual return in the prescribed form lodged by all relevant persons by 31 August 2022? *

Yes

Add comments

—

6. On receipt of a primary or annual return, did the CEO, or the mayor/president, give written acknowledgment of having received the return? *

Yes

Add comments

—

7. Did the CEO keep a register of financial interests which contained the returns lodged under sections 5.75 and 5.76 of the Local Government Act 1995? *

Yes

Add comments

—

8. Did the CEO keep a register of financial interests which contained a record of disclosures made under sections 5.65, 5.70, 5.71 and 5.71A of the Local Government Act 1995, in the form prescribed in the Local Government (Administration) Regulations 1996, regulation 28? *

Yes

Add comments

—

9. When a person ceased to be a person required to lodge a return under sections 5.75 and 5.76 of the Local Government Act 1995, did the CEO remove from the register all returns relating to that person? *

Yes

Add comments

10. Have all returns removed from the register in accordance with section 5.88(3) of the Local Government Act 1995 been kept for a period of at least five years after the person who lodged the return(s) ceased to be a person required to lodge a return? *

Yes

Add comments

11. Did the CEO keep a register of gifts which contained a record of disclosures made under sections 5.87A and 5.87B of the Local Government Act 1995, in the form prescribed in the Local Government (Administration) Regulations 1996, regulation 28A? *

Yes

Add comments

Please enter comments *

The register is slightly modified from the form prescribed in the regulations but contains the information required under the legislation.

12. Did the CEO publish an up-to-date version of the gift register on the local government's website? *

Yes

Add comments

13. When people cease to be a person who is required to make a disclosure under section 5.87A or 5.87B of the Local Government Act 1995, did the CEO remove from the register all records relating to those people? *

Yes

Add comments

—

14. Have copies of all records removed from the register under section 5.89A(6) Local Government Act 1995 been kept for a period of at least five years after the person ceases to be a person required to make a disclosure? *

Yes

Add comments

—

15. Where an employee had an interest in any matter in respect of which the employee provided advice or a report directly to council or a committee, did that person disclose the nature and extent of that interest when giving the advice or report? *

Yes

Add comments

—

16. Where council applied to the Minister to allow the CEO to provide advice or a report to which a disclosure under section 5.71A(1) of the Local Government Act 1995 relates, did the application include details of the nature of the interest disclosed and any other information required by the Minister for the purposes of the application? *

N/A

Add comments

—

17. Was any decision made by the Minister under section 5.71B(6) of the Local Government Act 1995, recorded in the minutes of the council meeting at which the decision was considered? *

N/A

Add comments

—

18. Did the local government prepare and adopt, by absolute majority, a code of conduct to be observed by council members, committee members and candidates within 3 months of the prescribed model code of conduct coming into operation (3 February 2021)? *

Yes

Add comments

—

19. Did the local government adopt additional requirements in addition to the model code of conduct? If yes, does it comply with section 5.104(3) and (4) of the Local Government Act 1995? *

N/A

Add comments

—

20. Has the CEO published an up-to-date version of the code of conduct for council members, committee members and candidates on the local government's website? *

Yes

Add comments

—

21. Has the CEO prepared and implemented a code of conduct to be observed by employees of the local government? *

Yes

Add comments

—

Has the CEO published an up-to-date version of the code of conduct for employees on the local government's website? *

Yes

Disposal of Property

1. Where the local government disposed of property other than by public auction or tender, did it dispose of the property in accordance with section 3.58(3) of the Local Government Act 1995 (unless section 3.58(5) applies)? *

N/A

Add comments

2. Where the local government disposed of property under section 3.58(3) of the Local Government Act 1995, did it provide details, as prescribed by section 3.58(4), in the required local public notice for each disposal of property? *

N/A

Add comments

Elections

1. Did the CEO establish and maintain an electoral gift register and ensure that all disclosure of gifts forms completed by candidates and donors and received by the CEO were placed on the electoral gift register at the time of receipt by the CEO and in a manner that clearly identifies and distinguishes the forms relating to each candidate in accordance with regulation 30G(1) and regulation 30G(2) of the Local Government (Elections) Regulations 1997? *

Yes

Add comments

2. Did the CEO remove any disclosure of gifts forms relating to unsuccessful candidates, or successful candidates that completed their term of office, from the electoral gift register, and retain those forms separately for a period of at least two years in accordance with regulation 30G(4) of the Local Government (Elections) Regulations 1997? *

N/A

Add comments

3. Did the CEO publish an up-to-date version of the electoral gift register on the local government's official website in accordance with regulation 30G(5) of the Local Government (Elections) Regulations 1997? *

No

Add comments

Please enter comments *

The City updated its website in July and the electoral gift register was removed in the upgrade. The register will be reloaded to the website in the near future.

Finance

1. Has the local government established an audit committee and appointed members by absolute majority in accordance with section 7.1A of the Local Government Act 1995? *

Yes

Add comments

2. Where the council delegated to its audit committee any powers or duties under Part 7 of the Local Government Act 1995, did it do so by absolute majority? *

Yes

Add comments

3. Was the auditor's report for the financial year ended 30 June 2022 received by the local government by 31 December 2022? *

No

Add comments

4. Where the local government determined that matters raised in the auditor's report prepared under section 7.9(1) of the Local Government Act 1995 required action to be taken, did the local government ensure that appropriate action was undertaken in respect of those matters? *

N/A

Add comments

Please enter comments *

The City is waiting on the audit report.

5. Where matters identified as significant were reported in the auditor's report, did the local government prepare a report that stated what action the local government had taken or intended to take with respect to each of those matters? Was a copy of the report given to the Minister within three months of the audit report being received by the local government? *

N/A

Add comments

Please enter comments *

Refer response Q 5.

6. Within 14 days after the local government gave a report to the Minister under section 7.12A(4)(b) of the Local Government Act 1995, did the CEO publish a copy of the report on the local government's official website? *

N/A

Add comments

7. Was the auditor's report for the financial year ending 30 June 2022 received by the local government within 30 days of completion of the audit? *

N/A

Add comments

Integrated Planning and Reporting

1. Has the local government adopted by absolute majority a strategic community plan? *

Yes

Add comments

Please provide the adoption date or the date of the most recent review *

22/05/2018

Please enter comments *

Current SCP 2018-2028 adopted by Council on 22 May 2018. The SCP is due for major review. Major review process commenced in January 2023. Process will result in new Council Plan (SCP and CBP combined).

2. Has the local government adopted by absolute majority a corporate business plan? *

No

Add comments

Please enter comments *

No current CBP in place. Previous 2013-2017 never updated/reviewed.

3. Does the corporate business plan comply with the requirements of Local Government (Administration) Regulations 1996 19DA(2) & (3)? *

No

Add comments

Please enter comments *

(Refer above).

Local Government Employees

1. Were all CEO and/or senior employee vacancies advertised in accordance with Local Government (Administration) Regulations 1996, regulation 18A? *

Yes

Add comments

—

2. Was all information provided in applications for the position of CEO true and accurate? *

Yes

Add comments

—

3. Was the remuneration and other benefits paid to a CEO on appointment the same remuneration and benefits advertised for the position under section 5.36(4) of the Local Government Act 1995? *

Yes

Add comments

—

4. Did the CEO inform council of each proposal to employ or dismiss senior employee? *

Yes

Add comments

—

5. Where council rejected a CEO's recommendation to employ or dismiss a senior employee, did it inform the CEO of the reasons for doing so? *

N/A

Add comments

Official Conduct

1. Has the local government designated an employee to be its complaints officer? *

Yes

Add comments

2. Has the complaints officer for the local government maintained a register of complaints which records all complaints that resulted in a finding under section 5.110(2)(a) of the Local Government Act 1995? *

Yes

Add comments

Please enter comments *

The City has had no reportable findings.

3. Does the complaints register include all information required by section 5.121(2) of the Local Government Act 1995? *

Yes

Add comments

4. Has the CEO published an up-to-date version of the register of the complaints on the local government's official website? *

No

Add comments

Please enter comments *

The register will be included on the website.

Other

1. Did the CEO review the appropriateness and effectiveness of the local government's financial management systems and procedures in accordance with the Local Government (Financial Management) Regulations 1996 regulations 5(2)(c) within the three financial years prior to 31 December 2022?

Yes

Add comments

Please provide the date of council's resolution to accept the report. *

28/03/2023

Please enter comments *

The report will be going to the Council meeting in March 2023.

2. Did the CEO review the appropriateness and effectiveness of the local government's systems and procedures in relation to risk management, internal control and legislative compliance in accordance with Local Government (Audit) Regulations 1996 regulation 17 within the three financial years prior to 31 December 2022?

Yes

Add comments

Please provide the date of council's resolution to accept the report. *

28/03/2023

3. Where a disclosure was made under sections 5.87A or 5.87B of the Local Government Act 1995, were the disclosures made within 10 days after receipt of the gift? Did the disclosure include the information required by section 5.87C of the Act?

Yes

Add comments

4. Did the local government prepare, adopt by absolute majority and publish an up-to-date version on the local government's website, a policy dealing with the attendance of council members and the CEO at events?

Yes

Add comments

Please enter comments *

A policy was adopted by Council on 23 February 2021.

5. Did the CEO publish information on the local government's website in accordance with sections 5.96A(1), (2), (3), and (4) of the Local Government Act 1995?

Yes

Add comments

6. Did the local government prepare and adopt (by absolute majority) a policy in relation to the continuing professional development of council members?

Yes

Add comments

7. Did the local government prepare a report on the training completed by council members in the 2021/2022 financial year and publish it on the local government's official website by 31 July 2022?

No

Add comments

OQ-CouncilMemberTrainingPublishComments *

The City will upload the training report to the website.

8. By 30 September 2022, did the local government submit to its auditor the balanced accounts and annual financial report for the year ending 30 June 2022?

Yes

Add comments

—

9. When adopting the annual budget, did the local government take into account all its expenditure, revenue and income?

Yes

Add comments

—

Tenders for Providing Goods and Services

1. Did the local government comply with its current purchasing policy, adopted under the Local Government (Functions and General) Regulations 1996, regulations 11A(1) and (3) in relation to the supply of goods or services where the consideration under the contract was, or was expected to be, \$250,000 or less or worth \$250,000 or less? *

Yes

Add comments

—

2. Subject to Local Government (Functions and General) Regulations 1996, regulation 11(2), did the local government invite tenders for all contracts for the supply of goods or services where the consideration under the contract was, or was expected to be, worth more than the consideration stated in regulation 11(1) of the Regulations? *

Yes

Add comments

—

3. When regulations 11(1), 12(2) or 13 of the Local Government Functions and General) Regulations 1996, required tenders to be publicly invited, did the local government invite tenders via Statewide public notice in accordance with Regulation 14(3) and (4)? *

Yes

Add comments

4. Did the local government comply with Local Government (Functions and General) Regulations 1996, Regulation 12 when deciding to enter into multiple contracts rather than a single contract? *

N/A

Add comments

5. If the local government sought to vary the information supplied to tenderers, was every reasonable step taken to give each person who sought copies of the tender documents or each acceptable tenderer notice of the variation? *

Yes

Add comments

6. Did the local government's procedure for receiving and opening tenders comply with the requirements of Local Government (Functions and General) Regulations 1996, Regulation 15 and 16? *

Yes

Add comments

7. Did the information recorded in the local government's tender register comply with the requirements of the Local Government (Functions and General) Regulations 1996, Regulation 17 and did the CEO make the tenders register available for public inspection and publish it on the local government's official website? *

Yes

Add comments

8. Did the local government reject any tenders that were not submitted at the place, and within the time, specified in the invitation to tender? *

Yes

Add comments

—

9. Were all tenders that were not rejected assessed by the local government via a written evaluation of the extent to which each tender satisfies the criteria for deciding which tender to accept? *

Yes

Add comments

—

10. Did the CEO give each tenderer written notice containing particulars of the successful tender or advising that no tender was accepted? *

Yes

Add comments

—

11. Did the local government's advertising and expression of interest processes comply with the requirements of the Local Government (Functions and General) Regulations 1996, Regulations 21 and 22? *

Yes

Add comments

—

12. Did the local government reject any expressions of interest that were not submitted at the place, and within the time, specified in the notice or that failed to comply with any other requirement specified in the notice? *

N/A

Add comments

13. Were all expressions of interest that were not rejected under the Local Government (Functions and General) Regulations 1996, Regulation 23(1) & (2) assessed by the local government? Did the CEO list each person as an acceptable tenderer? *

Yes

Add comments

14. Did the CEO give each person who submitted an expression of interest a notice in writing of the outcome in accordance with Local Government (Functions and General) Regulations 1996, Regulation 24? *

Yes

Add comments

15. Did the local government invite applicants for a panel of pre-qualified suppliers via Statewide public notice in accordance with Local Government (Functions and General) Regulations 1996, Regulations 24AD(4) and 24AE? *

N/A

Add comments

16. If the local government sought to vary the information supplied to the panel, was every reasonable step taken to give each person who sought detailed information about the proposed panel or each person who submitted an application notice of the variation? *

N/A

Add comments

17. Did the local government's procedure for receiving and opening applications to join a panel of pre-qualified suppliers comply with the requirements of Local Government (Functions and General) Regulations 1996, Regulation 16, as if the reference in that regulation to a tender were a reference to a pre-qualified supplier panel application? *

N/A

Add comments

—

18. Did the information recorded in the local government's tender register about panels of pre-qualified suppliers comply with the requirements of Local Government (Functions and General) Regulations 1996, Regulation 24AG? *

N/A

Add comments

—

19. Did the local government reject any applications to join a panel of pre-qualified suppliers that were not submitted at the place, and within the time, specified in the invitation for applications? *

N/A

Add comments

—

20. Were all applications that were not rejected assessed by the local government via a written evaluation of the extent to which each application satisfies the criteria for deciding which application to accept? *

N/A

Add comments

—

21. Did the CEO send each applicant written notice advising them of the outcome of their application? *

N/A

Add comments

22. Where the local government gave regional price preference, did the local government comply with the requirements of Local Government (Functions and General) Regulations 1996, Regulation 24E and 24F? *


N/A

Add comments

Documents

15 days ago (09/02/2023 4:41 PM)

Elizabeth Kania

 City-of-Nedlands-Code-of-Conduct-Council-Members-Committee-Members-and-Candidates.pdf (567.88 KB) (/ _entity/annotation/59d7d48e-55a8-ed11-aad1-002248962727/976c0132-2a5b-ed11-9562-00224893390b?t=1677206684371)

15 days ago (09/02/2023 4:41 PM)

Elizabeth Kania

 Strategic-Community-Plan.pdf (5.13 MB) (/ _entity/annotation/f2195497-55a8-ed11-aad1-002248962727/976c0132-2a5b-ed11-9562-00224893390b?t=1677206684371)

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Department of
**Local Government, Sport
and Cultural Industries**

Nedlands – Compliance Audit Return

Commercial Enterprises by Local Governments				
No	Reference	Question	Response	Comments
1	s3.59(2)(a) F&G Regs 7,9,10	Has the local government prepared a business plan for each major trading undertaking that was not exempt in 2022?	N/A	
2	s3.59(2)(b) F&G Regs 7,8A, 8, 10	Has the local government prepared a business plan for each major land transaction that was not exempt in 2022?	N/A	
3	s3.59(2)(c) F&G Regs 7,8A, 8,10	Has the local government prepared a business plan before entering into each land transaction that was preparatory to entry into a major land transaction in 2022?	N/A	
4	s3.59(4)	Has the local government complied with public notice and publishing requirements for each proposal to commence a major trading undertaking or enter into a major land transaction or a land transaction that is preparatory to a major land transaction for 2022?	N/A	
5	s3.59(5)	During 2022, did the council resolve to proceed with each major land transaction or trading undertaking by absolute majority?	N/A	

Delegation of Power/Duty				
No	Reference	Question	Response	Comments
1	s5.16	Were all delegations to committees resolved by absolute majority?	Yes	
2	s5.16	Were all delegations to committees in writing?	Yes	
3	s5.17	Were all delegations to committees within the limits specified in section 5.17 of the Local Government Act 1995?	Yes	
4	s5.18	Were all delegations to committees recorded in a register of delegations?	Yes	
5	s5.18	Has council reviewed delegations to its committees in the 2021/2022 financial year?	No	2021 Council considered the delegations to its Committees on 22 June 2021 when it reviewed its Register of Delegations.



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				2022 Delegations to the Audit and Risk Committee; and the CEO Performance Review Committee were reviewed on 22 September 2022 and 13 December 2022 by Council when reviewing the terms of reference of these committees. The delegation to the Public Arts Committee was not reviewed in the 2022 Calendar Year by Council.
6	s5.42(1) & s5.43 Admin Reg 18G	Did the powers and duties delegated to the CEO exclude those listed in section 5.43 of the Local Government Act 1995?	Yes	
7	s5.42(1)	Were all delegations to the CEO resolved by an absolute majority?	Yes	
8	s5.42(2)	Were all delegations to the CEO in writing?	Yes	
9	s5.44(2)	Were all delegations by the CEO to any employee in writing?	Yes	
10	s5.16(3)(b) & s5.45(1)(b)	Were all decisions by the Council to amend or revoke a delegation made by absolute majority?	Yes	
11	s5.46(1)	Has the CEO kept a register of all delegations made under Division 4 of the Act to the CEO and to employees?	Yes	
12	s5.46(2)	Were all delegations made under Division 4 of the Act reviewed by the delegator at least once during the 2021/2022 financial year?	Yes	All delegations were reviewed by Council on 22 June 2021.
13	s5.46(3) Admin Reg 19	Did all persons exercising a delegated power or duty under the Act keep, on all occasions, a written record in accordance with Local Government (Administration) Regulations 1996, regulation 19?	Yes	All exercises of delegation are recorded in the City's Attain system by Officers. An audit of the register indicated that there have been instances where there is a lag between the exercise of the delegation and officers inputting the data from their records into the system. A hard copy record of the exercise does exist prior to entry into the system.

Disclosure of Interest

No	Reference	Question	Response	Comments
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1	s5.67	Where a council member disclosed an interest in a matter and did not have participation approval under sections 5.68 or 5.69 of the Local Government Act 1995, did the council member ensure that they did not remain present to participate in discussion or decision making relating to the matter?	Yes	
2	s5.68(2) & s5.69(5) Admin Reg 21A	Were all decisions regarding participation approval, including the extent of participation allowed and, where relevant, the information required by the Local Government (Administration) Regulations 1996 regulation 21A, recorded in the minutes of the relevant council or committee meeting?	Yes	
3	s5.73	Were disclosures under sections 5.65, 5.70 or 5.71A(3) of the Local Government Act 1995 recorded in the minutes of the meeting at which the disclosures were made?	Yes	
4	s5.75 Admin Reg 22, Form 2	Was a primary return in the prescribed form lodged by all relevant persons within three months of their start day?	No	One officer submitted their Primary Return a day late.
5	s5.76 Admin Reg 23, Form 3	Was an annual return in the prescribed form lodged by all relevant persons by 31 August 2022?	Yes	
6	s5.77	On receipt of a primary or annual return, did the CEO, or the mayor/president, give written acknowledgment of having received the return?	Yes	
7	s5.88(1) & (2)(a)	Did the CEO keep a register of financial interests which contained the returns lodged under sections 5.75 and 5.76 of the Local Government Act 1995?	Yes	
8	s5.88(1) & (2)(b) Admin Reg 28	Did the CEO keep a register of financial interests which contained a record of disclosures made under sections 5.65, 5.70, 5.71 and 5.71A of the Local Government Act 1995, in the form prescribed in the Local Government (Administration) Regulations 1996, regulation 28?	Yes	
9	s5.88(3)	When a person ceased to be a person required to lodge a return under sections 5.75 and 5.76 of the Local Government Act 1995, did the CEO remove from the register all returns relating to that person?	Yes	
10	s5.88(4)	Have all returns removed from the register in accordance with section 5.88(3) of the Local Government Act 1995 been kept for a period of at least five years after the person who lodged the return(s) ceased to be a person required to lodge a return?	Yes	
11	s5.89A(1), (2) & (3) Admin Reg 28A	Did the CEO keep a register of gifts which contained a record of disclosures made under sections 5.87A and 5.87B of the Local Government Act 1995, in the form prescribed in the Local Government (Administration) Regulations 1996, regulation 28A?	Yes	The register is slightly modified from the form prescribed in the regulations but contains the information required under the legislation.



12	s5.89A(5) & (5A)	Did the CEO publish an up-to-date version of the gift register on the local government's website?	Yes	
13	s5.89A(6)	When people cease to be a person who is required to make a disclosure under section 5.87A or 5.87B of the Local Government Act 1995, did the CEO remove from the register all records relating to those people?	Yes	
14	s5.89A(7)	Have copies of all records removed from the register under section 5.89A(6) Local Government Act 1995 been kept for a period of at least five years after the person ceases to be a person required to make a disclosure?	Yes	
15	s5.70(2) & (3)	Where an employee had an interest in any matter in respect of which the employee provided advice or a report directly to council or a committee, did that person disclose the nature and extent of that interest when giving the advice or report?	Yes	
16	s5.71A & s5.71B(5)	Where council applied to the Minister to allow the CEO to provide advice or a report to which a disclosure under section 5.71A(1) of the Local Government Act 1995 relates, did the application include details of the nature of the interest disclosed and any other information required by the Minister for the purposes of the application?	N/A	
17	s5.71B(6) & s5.71B(7)	Was any decision made by the Minister under section 5.71B(6) of the Local Government Act 1995, recorded in the minutes of the council meeting at which the decision was considered?	N/A	
18	s5.104(1)	Did the local government prepare and adopt, by absolute majority, a code of conduct to be observed by council members, committee members and candidates within 3 months of the prescribed model code of conduct coming into operation (3 February 2021)?	Yes	
19	s5.104(3) & (4)	Did the local government adopt additional requirements in addition to the model code of conduct? If yes, does it comply with section 5.104(3) and (4) of the Local Government Act 1995?	N/A	
20	s5.104(7)	Has the CEO published an up-to-date version of the code of conduct for council members, committee members and candidates on the local government's website?	Yes	
21	s5.51A(1) & (3)	Has the CEO prepared and implemented a code of conduct to be observed by employee of the local government? If yes, has the CEO published an up-to-date version of the code of conduct for employees on the local government's website?	Yes	



Department of
**Local Government, Sport
and Cultural Industries**

Disposal of Property				
No	Reference	Question	Response	Comments
1	s3.58(3)	Where the local government disposed of property other than by public auction or tender, did it dispose of the property in accordance with section 3.58(3) of the Local Government Act 1995 (unless section 3.58(5) applies)?	N/A	
2	s3.58(4)	Where the local government disposed of property under section 3.58(3) of the Local Government Act 1995, did it provide details, as prescribed by section 3.58(4) of the Act, in the required local public notice for each disposal of property?	N/A	

Elections				
No	Reference	Question	Response	Comments
1	Elect Regs 30G(1) & (2)	Did the CEO establish and maintain an electoral gift register and ensure that all disclosure of gifts forms completed by candidates and donors and received by the CEO were placed on the electoral gift register at the time of receipt by the CEO and in a manner that clearly identifies and distinguishes the forms relating to each candidate in accordance with regulations 30G(1) and 30G(2) of the Local Government (Elections) Regulations 1997?	Yes	
2	Elect Regs 30G(3) & (4)	Did the CEO remove any disclosure of gifts forms relating to an unsuccessful candidate, or a successful candidate that completed their term of office, from the electoral gift register, and retain those forms separately for a period of at least two years in accordance with regulation 30G(4) of the Local Government (Elections) Regulations 1997?	N/A	



Department of
**Local Government, Sport
and Cultural Industries**

3	Elect Regs 30G(5) & (6)	Did the CEO publish an up-to-date version of the electoral gift register on the local government's official website in accordance with regulation 30G(5) of the Local Government (Elections) Regulations 1997?	No	The City updated its website in July and the electoral gift register was removed in the upgrade. The register will be reloaded to the website in the near future.
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Finance				
No	Reference	Question	Response	Comments
1	s7.1A	Has the local government established an audit committee and appointed members by absolute majority in accordance with section 7.1A of the Local Government Act 1995?	Yes	
2	s7.1B	Where the council delegated to its audit committee any powers or duties under Part 7 of the Local Government Act 1995, did it do so by absolute majority?	Yes	
3	s7.9(1)	Was the auditor's report for the financial year ended 30 June 2022 received by the local government by 31 December 2022?	No	
4	s7.12A(3)	Where the local government determined that matters raised in the auditor's report prepared under section 7.9(1) of the Local Government Act 1995 required action to be taken, did the local government ensure that appropriate action was undertaken in respect of those matters?	N/A	The City is waiting on the audit report.
5	s7.12A(4)(a) & (4)(b)	Where matters identified as significant were reported in the auditor's report, did the local government prepare a report that stated what action the local government had taken or intended to take with respect to each of those matters? Was a copy of the report given to the Minister within three months of the audit report being received by the local government?	N/A	Refer response Q 5.
6	s7.12A(5)	Within 14 days after the local government gave a report to the Minister under section 7.12A(4)(b) of the Local Government Act 1995, did the CEO publish a copy of the report on the local government's official website?	N/A	
7	Audit Reg 10(1)	Was the auditor's report for the financial year ending 30 June 2022 received by the local government within 30 days of completion of the audit?	N/A	



Local Government Employees				
No	Reference	Question	Response	Comments
1	s5.36(4) & s5.37(3) Admin Reg 18A	Were all CEO and/or senior employee vacancies advertised in accordance with Local Government (Administration) Regulations 1996, regulation 18A?	Yes	
2	Admin Reg 18E	Was all information provided in applications for the position of CEO true and accurate?	Yes	
3	Admin Reg 18F	Was the remuneration and other benefits paid to a CEO on appointment the same remuneration and benefits advertised for the position under section 5.36(4) of the Local Government Act 1995?	Yes	
4	s5.37(2)	Did the CEO inform council of each proposal to employ or dismiss senior employee?	Yes	
5	s5.37(2)	Where council rejected a CEO's recommendation to employ or dismiss a senior employee, did it inform the CEO of the reasons for doing so?	N/A	

Official Conduct				
No	Reference	Question	Response	Comments
1	s5.120	Has the local government designated an employee to be its complaints officer?	Yes	
2	s5.121(1) & (2)	Has the complaints officer for the local government maintained a register of complaints which records all complaints that resulted in a finding under section 5.110(2)(a) of the Local Government Act 1995?	Yes	The City has had no reportable findings.
3	s5.121(2)	Does the complaints register include all information required by section 5.121(2) of the Local Government Act 1995?	Yes	
4	s5.121(3)	Has the CEO published an up-to-date version of the register of the complaints on the local government's official website?	No	The register will be included on the website.

Tenders for Providing Goods and Services				
No	Reference	Question	Response	Comments



1	F&G Reg 11A(1) & (3)	Did the local government comply with its current purchasing policy, adopted under the Local Government (Functions and General) Regulations 1996, regulations 11A(1) and (3) in relation to the supply of goods or services where the consideration under the contract was, or was expected to be, \$250,000 or less or worth \$250,000 or less?	Yes	
2	s3.57 F&G Reg 11	Subject to Local Government (Functions and General) Regulations 1996, regulation 11(2), did the local government invite tenders for all contracts for the supply of goods or services where the consideration under the contract was, or was expected to be, worth more than the consideration stated in regulation 11(1) of the Regulations?	Yes	
3	F&G Regs 11(1), 12(2), 13, & 14(1), (3), and (4)	When regulations 11(1), 12(2) or 13 of the Local Government Functions and General) Regulations 1996, required tenders to be publicly invited, did the local government invite tenders via Statewide public notice in accordance with Regulation 14(3) and (4)?	Yes	
4	F&G Reg 12	Did the local government comply with Local Government (Functions and General) Regulations 1996, Regulation 12 when deciding to enter into multiple contracts rather than a single contract?	N/A	
5	F&G Reg 14(5)	If the local government sought to vary the information supplied to tenderers, was every reasonable step taken to give each person who sought copies of the tender documents, or each acceptable tenderer notice of the variation?	Yes	
6	F&G Regs 15 & 16	Did the local government's procedure for receiving and opening tenders comply with the requirements of Local Government (Functions and General) Regulations 1996, Regulation 15 and 16?	Yes	
7	F&G Reg 17	Did the information recorded in the local government's tender register comply with the requirements of the Local Government (Functions and General) Regulations 1996, Regulation 17 and did the CEO make the tenders register available for public inspection and publish it on the local government's official website?	Yes	
8	F&G Reg 18(1)	Did the local government reject any tenders that were not submitted at the place, and within the time, specified in the invitation to tender?	Yes	



9	F&G Reg 18(4)	Were all tenders that were not rejected assessed by the local government via a written evaluation of the extent to which each tender satisfies the criteria for deciding which tender to accept?	Yes	
10	F&G Reg 19	Did the CEO give each tenderer written notice containing particulars of the successful tender or advising that no tender was accepted?	Yes	
11	F&G Regs 21 & 22	Did the local government's advertising and expression of interest processes comply with the requirements of the Local Government (Functions and General) Regulations 1996, Regulations 21 and 22?	Yes	
12	F&G Reg 23(1) & (2)	Did the local government reject any expressions of interest that were not submitted at the place, and within the time, specified in the notice or that failed to comply with any other requirement specified in the notice?	N/A	
13	F&G Reg 23(3) & (4)	Were all expressions of interest that were not rejected under the Local Government (Functions and General) Regulations 1996, Regulation 23(1) & (2) assessed by the local government? Did the CEO list each person as an acceptable tenderer?	Yes	
14	F&G Reg 24	Did the CEO give each person who submitted an expression of interest a notice in writing of the outcome in accordance with Local Government (Functions and General) Regulations 1996, Regulation 24?	Yes	
15	F&G Regs 24AD(2) & (4) and 24AE	Did the local government invite applicants for a panel of pre-qualified suppliers via Statewide public notice in accordance with Local Government (Functions & General) Regulations 1996 regulations 24AD(4) and 24AE?	N/A	
16	F&G Reg 24AD(6)	If the local government sought to vary the information supplied to the panel, was every reasonable step taken to give each person who sought detailed information about the proposed panel or each person who submitted an application notice of the variation?	N/A	
17	F&G Reg 24AF	Did the local government's procedure for receiving and opening applications to join a panel of pre-qualified suppliers comply with the requirements of Local Government (Functions and General) Regulations 1996, Regulation 16, as if the reference in that regulation to a tender were a reference to a pre-qualified supplier panel application?	N/A	



18	F&G Reg 24AG	Did the information recorded in the local government's tender register about panels of pre-qualified suppliers comply with the requirements of Local Government (Functions and General) Regulations 1996, Regulation 24AG?	N/A	
19	F&G Reg 24AH(1)	Did the local government reject any applications to join a panel of pre-qualified suppliers that were not submitted at the place, and within the time, specified in the invitation for applications?	N/A	
20	F&G Reg 24AH(3)	Were all applications that were not rejected assessed by the local government via a written evaluation of the extent to which each application satisfies the criteria for deciding which application to accept?	N/A	
21	F&G Reg 24AI	Did the CEO send each applicant written notice advising them of the outcome of their application?	N/A	
22	F&G Regs 24E & 24F	Where the local government gave regional price preference, did the local government comply with the requirements of Local Government (Functions and General) Regulations 1996, Regulation 24E and 24F?	N/A	

Integrated Planning and Reporting				
No	Reference	Question	Response	Comments
1	Admin Reg 19C	Has the local government adopted by absolute majority a strategic community plan? If Yes, please provide the adoption date or the date of the most recent review in the Comments section?	Yes	22/05/2018 Current SCP 2018-2028 adopted by Council on 22 May 2018. The SCP is due for major review. Major review process commenced in January 2023. Process will result in new Council Plan (SCP and CBP combined).
2	Admin Reg 19DA(1) & (4)	Has the local government adopted by absolute majority a corporate business plan? If Yes, please provide the adoption date or the date of the most recent review in the Comments section?	No	No current CBP in place. Previous 2013-2017 never updated/reviewed.
3	Admin Reg 19DA(2) & (3)	Does the corporate business plan comply with the requirements of Local Government (Administration) Regulations 1996 19DA(2) & (3)?	No	(Refer above).



Optional Questions				
No	Reference	Question	Response	Comments
1	Financial Management Reg 5(2)(c)	Did the CEO review the appropriateness and effectiveness of the local government's financial management systems and procedures in accordance with the Local Government (Financial Management) Regulations 1996 regulations 5(2)(c) within the three financial years prior to 31 December 2022? If yes, please provide the date of council's resolution to accept the report.	Yes	28/03/2023 The report will be going to the Council meeting in March 2023.
2	Audit Reg 17	Did the CEO review the appropriateness and effectiveness of the local government's systems and procedures in relation to risk management, internal control and legislative compliance in accordance with Local Government (Audit) Regulations 1996 regulation 17 within the three financial years prior to 31 December 2022? If yes, please provide date of council's resolution to accept the report.	Yes	28/03/2023
3	s5.87C	Where a disclosure was made under sections 5.87A or 5.87B of the Local Government Act 1995, were the disclosures made within 10 days after receipt of the gift? Did the disclosure include the information required by section 5.87C of the Act?	Yes	
4	s5.90A(2) & (5)	Did the local government prepare, adopt by absolute majority and publish an up-to-date version on the local government's website, a policy dealing with the attendance of council members and the CEO at events?	Yes	A policy was adopted by Council on 23 February 2021.
5	s5.96A(1), (2), (3) & (4)	Did the CEO publish information on the local government's website in accordance with sections 5.96A(1), (2), (3), and (4) of the Local Government Act 1995?	Yes	
6	s5.128(1)	Did the local government prepare and adopt (by absolute majority) a policy in relation to the continuing professional development of council members?	Yes	
7	s5.127	Did the local government prepare a report on the training completed by council members in the 2021/2022 financial year and publish it on the local government's official website by 31 July 2022?	No	The City will upload the training report to the website.



Department of
**Local Government, Sport
and Cultural Industries**

8	s6.4(3)	By 30 September 2022, did the local government submit to its auditor the balanced accounts and annual financial report for the year ending 30 June 2022?	Yes	
9	s.6.2(3)	When adopting the annual budget, did the local government take into account all its expenditure, revenue and income?	Yes	

Chief Executive Officer

Date

Mayor/President

Date

19. Reports by the Chief Executive Officer CEO03.03.23 to CEO08.03.23 (copy attached)

19.1 CEO03.03.23 Proposed Repeal Local Law

Meeting & Date	Council Meeting – 28 March 2023
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	Nil.
Report Author	Sam Curulli - Governance Officer
CEO	Bill Parker
Attachments	1. Draft City of Nedlands Repeal Local Law 2023

Purpose

To repeal outdated or unused local laws.

Recommendation

That Council pursuant to Section 3.12 of the Local Government Act 1995 resolves to:

1. in accordance with sections 3.12(3)(a) and (3a) of the Local Government Act 1995, give local public notice stating that:
 - a. It is proposed to make a *City of Nedlands Repeal Local Law*, and a summary of its purpose and effect;
 - i. The purpose of the local law is to repeal a number of local laws that have been superseded by other legislation or no longer have effect.
 - ii. The effect the local laws are repealed.
 - b. Copies of the proposed local law may be inspected at the City offices;
 - c. Submissions about the proposed local law may be made to the City within a period of not less than 6 weeks after the notice is given;
2. in accordance with s3.12(3)(b) of the Act, as soon as the notice is given, send a copy of the proposed local law to the Minister for Local Government;
3. in accordance with s3.12(3)(c) of the Act, supply a copy of the proposed local law to any person requesting it; and
4. note that the results of the public consultation will be presented to Council for consideration of any submissions received.

Voting Requirement

Simple Majority.

Background

A recent review of local laws under s3.16 of the Local Government Act 1995 has highlighted that the City has a number of local laws in place that can be repealed.

These are:

- (1) The *Municipality of the City of Nedlands By-laws Relating to Stalls* published in the Government Gazette on 2 March 1990;
- (2) The *City of Nedlands By-laws Relating to Eating Areas in Streets and other Public Areas* published in the Government Gazette on 5 February 1988;
- (3) The *Municipality of the City of Nedlands Bylaws Relating to the Removal of Refuse No 15* published in the Government Gazette on 4 June 1982;
- (4) The *Municipality of the City of Nedlands By-Law Relating to Old Refrigerators and Cabinets* published in the Government Gazette on 15 January 1982;
- (5) The *Municipality of the City of Nedlands By-laws Relating to Amusements* published in the Government Gazette on 8 November 1974;
- (6) The *Municipality of the City of Nedlands By-law No 5 Relating to Long Service Leave* published in the Government Gazette on 13 January 1971;
- (7) The *Municipality of the City of Nedlands By-law Relating to Fees to be Charged for Admission to Point Resolution Reserve* published in the Government Gazette on 29 November 1962;
- (8) The *Municipality of the City of Nedlands By-Laws Relating to Prevention of Damage to Footpaths - No. 21* published in the Government Gazette on 4 May 1971;
- (9) The *City of Nedlands Adoption of Draft Local Government Model By-law (Old Refrigerators and Cabinets) No. 8* published in the Government Gazette on 12 October 1962;
- (10) The *City of Nedlands By-law No. 15 Removal of Refuse, etc.* published in the Government Gazette on 17 August 1960;
- (11) The *City of Nedlands By-law No. 10 By-law to Regulate the Erection and use of Liquid Petroleum Products Pumps* published in the Government Gazette on 11 December 1959;
- (12) The *City Of Nedlands By-law No. 9 re Signs, Blinds, Awnings, Advertisement Hoardings and Bill Posting* published in the Government Gazette on 11 December 1959;
- (13) The *Municipality of Nedlands By-law No. 2 Adoption of XI Schedule of the Municipal Corporations Act 1906-1954*, published in the Government Gazette on 3 August 1956;
- (14) The *City of Nedlands Amendment to Reserves, Foreshores And Beaches Local Law*, published in the Government Gazette on 20 November 2001;
- (15) The *Municipality of the City of Nedlands By-law Relating to Street Lawns and Gardens and Laying of Pipes Under Carriageways* published in the Government Gazette on 23 December 1994;
- (16) The *Municipality of the City of Nedlands By-laws Relating to Stalls* published in the Government Gazette on 15 April 1983;

- (17) The *Municipality of the City of Nedlands By-laws Relating to Prevention of Damage to Footpaths No. 21* published in the *Government Gazette* on 4 July 1980;
- (18) The *Municipality of the City of Nedlands Amendment to By-law No. 9, Relating to Signs, Blinds, Awnings, Advertisement Hoardings and Bill-Posting* published in the *Government Gazette* on 29 November 1962.

There are also a number of other local laws that can also be repealed as part of making a new local law and which are dealt with separately.

Discussion

The local laws listed above are no longer required and can be repealed. A draft *City of Nedlands Repeal Local law 2023* is attached.

Consultation

The process to repeal a local law is the same as making one under s3.12 of the *Local Government Act 1995*.

Amongst other things this requires a local government to give local public notice stating that it proposes to make a local law, the purpose and effect of which is summarized in the notice for a period of 6 weeks after it first appears. A copy is also to be given to the Minister for Local Government.

The purpose and effect of the proposed *City of Nedlands Repeal Local Law* is:

Purpose

To repeal a number of local laws that have been superseded by other legislation or no longer have any effect.

Effect

The local laws are repealed.

The results of the community consultation and feedback from the Minister are to be considered by Council before it makes the local law.

Strategic Implications

Great Governance and Civic Leadership

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

Priority Area

Nil.

Budget/Financial Implications

There are financial and resource implications associated with the advertisement, processing of the proposed local law, and its eventual Gazettal on final adoption.

Legislative and Policy Implications

The process to make a Repeal local law is set out in section 3.12(3) of the [Local Government Act 1995](#).

Decision Implications

If adopted, the proposed Repeal local law will remove a number of unused and outdated local laws. If not, there is a slight risk that an out of date provision may be mistakenly applied.

Conclusion

The proposed Repeal local law will remove a number of old bylaws that no longer apply.

Further Information

Nil.

LOCAL GOVERNMENT ACT 1995
City of Nedlands
Repeal Local Law 2023

Under the powers conferred by the *Local Government Act 1995*, and all other powers enabling it, the Council of the City of Nedlands resolved on dd mm 2023 to make the following local law:

1. Citation

This local law is cited as the *City of Nedlands Repeal Local Law 2023*.

2. Commencement

This local law comes into operation 14 days after its publication in the *Government Gazette*.

3. Local laws repealed

The following local laws are repealed:

- (1) The *Municipality of the City of Nedlands By-laws Relating to Stalls* published in the *Government Gazette* on 2 March 1990;
- (2) The *City of Nedlands By-laws Relating to Eating Areas in Streets and other Public Areas* published in the *Government Gazette* on 5 February 1988;
- (3) The *Municipality of the City of Nedlands Bylaws Relating to the Removal of Refuse No 15* published in the *Government Gazette* on 4 June 1982;
- (4) The *Municipality of the City of Nedlands By-Law Relating to Old Refrigerators and Cabinets* published in the *Government Gazette* on 15 January 1982;
- (5) The *Municipality of the City of Nedlands By-laws Relating to Amusements* published in the *Government Gazette* on 8 November 1974;
- (6) The *Municipality of the City of Nedlands By-law No 5 Relating to Long Service Leave* published in the *Government Gazette* on 13 January 1971;
- (7) The *Municipality of the City of Nedlands By-law Relating to Fees to be Charged for Admission to Point Resolution Reserve* published in the *Government Gazette* on 29 November 1962;
- (8) The *Municipality of the City of Nedlands By-Laws Relating to Prevention of Damage to Footpaths - No. 21* published in the *Government Gazette* on 4 May 1971;
- (9) The *City of Nedlands Adoption of Draft Local Government Model By-law (Old Refrigerators and Cabinets) No. 8* published in the *Government Gazette* on 12 October 1962;
- (10) The *City of Nedlands By-law No. 15 Removal of Refuse, etc.* published in the *Government Gazette* on 17 August 1960;
- (11) The *City of Nedlands By-law No. 10 By-law to Regulate the Erection and use of Liquid Petroleum Products Pumps* published in the *Government Gazette* on 11 December 1959;
- (12) The *City Of Nedlands By-law No. 9 re Signs, Blinds, Awnings, Advertisement Hoardings and Bill Posting* published in the *Government Gazette* on 11 December 1959;
- (13) The *Municipality of Nedlands By-law No. 2 Adoption of XI Schedule of the Municipal Corporations Act 1906-1954*, published in the *Government Gazette* on 3 August 1956;
- (14) The *City of Nedlands Amendment to Reserves, Foreshores And Beaches Local Law*, published in the *Government Gazette* on 20 November 2001;
- (15) The *Municipality of the City of Nedlands By-law Relating to Street Lawns and Gardens and Laying of Pipes Under Carriageways* published in the *Government Gazette* on 23 December 1994;
- (16) The *Municipality of the City of Nedlands By-laws Relating to Stalls* published in the *Government Gazette* on 15 April 1983;
- (17) The *Municipality of the City of Nedlands By-laws Relating to Prevention of Damage to Footpaths No. 21* published in the *Government Gazette* on 4 July 1980;

- (18) The *Municipality of the City of Nedlands Amendment to By-law No. 9, Relating to Signs, Blinds, Awnings, Advertisement Hoardings and Bill-Posting* published in the *Government Gazette* on 29 November 1962.

Dated dd mm 2023

The Common Seal of the City of Nedlands was affixed by authority of a resolution of the Council in the presence of –

.....
Fiona Argyle
Mayor

.....
William Parker
Chief Executive Officer

19.2 CEO04.03.23 Proposed Dogs Local Law

Meeting & Date	Council Meeting – 28 March 2023
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	Nil.
Report Author	Sam Curulli - Governance Officer
CEO	Bill Parker
Attachments	<ol style="list-style-type: none"> 1. Proposed new City of Nedlands Dogs Local Law; 2. Proposed areas where dogs are prohibited and where dogs may be exercised off lead 3. List of Prohibited and off Leash Exercise Areas 4. Draft Dogs in Public Places Council Policy

Purpose

A review of local laws as required by s3.16 of the Local Government Act 1995 has recently been completed.

Amongst other things, the *City of Nedlands Dogs Local Law 2012* requires amendment, to the extent that it is more efficient to make a new local law. A draft is attached.

Local governments must also now give local public notice of areas where dogs are prohibited from being, and where dogs may be exercised off lead instead of including them in a local law.

Recommendation

That Council:

1. in accordance with sections 3.12(3)(a) and (3a) of the Local Government Act 1995, give local public notice stating that:
 - a. It is proposed to make a *City of Nedlands Dogs Local Law*, and a summary of its purpose and effect
 - i. The purpose is to make provisions about the confinement of dogs, control the number of dogs that can be kept on premises in the district, and to require removal of dog excreta;
 - ii. The effect is to extend the controls over dogs which exist under the Dog Act 1976 and Regulations;
 - b. Copies of the proposed local law may be inspected at the City offices during normal opening hours; and

- c. Submissions about the proposed local law may be made to the City within a period of not less than 6 weeks after the notice is given;
2. in accordance with s3.12(3)(b) of the Act, as soon as the notice is given sends a copy of the proposed local law to the Minister for Local Government;
3. in accordance with s3.12(3)(c) of the Act, a copy of the proposed local law be supplied to any person requesting it;
4. the results of the public consultation be presented to Council for consideration of any submissions received;
5. in accordance with s3.6 of the Local Government Act, an application be made to the Governor to extend application of the local law 100m outside the district into the Swan River in the vicinity of the Sunset Foreshore Reserve as detailed in the report of the CEO; and
6. gives local public notice under s31(3A) of the Dog Act 1976 of the areas where dogs are prohibited and where dogs may be exercised off leash as listed in Attachment 2 to this report .

Voting Requirement

Simple Majority.

Background

The *City of Nedlands Dogs Local Law* was published in the Government Gazette on 11 October 2012 and last amended in 2013.

A number of activities dealt with by this local law have been affected by changes to other legislation, and in particular changes to the *Dog Act 1976* and the *Dogs Regulations 2013*. This includes:

- Registration of dogs;
- 'Dangerous dogs' as defined by the Act;
- Operation of dog management facilities (pounds), including:
 - Issues in relation to the impounding of dogs;
 - Attendance of a pound keeper at the pound;, and
 - Release of impounded dogs is dealt with by the Dog Act 1976, and in particular section 29.
- Registration fees (although fees for the seizure and impounding of a dog may be set by a local government in its annual budget under section 6.16 of the Local Government Act 1995);
- How off leash dog exercise areas are established;
- Dogs wandering at large;
- Dogs not under control;

- Dog attacks;
- Provisions about assistance animals such as guide dogs; and
- Modified penalties applicable for minor offences.

Discussion

The only matters that a local government may now make local laws about are listed in section 51 of the Dog Act:

51. Local law making powers

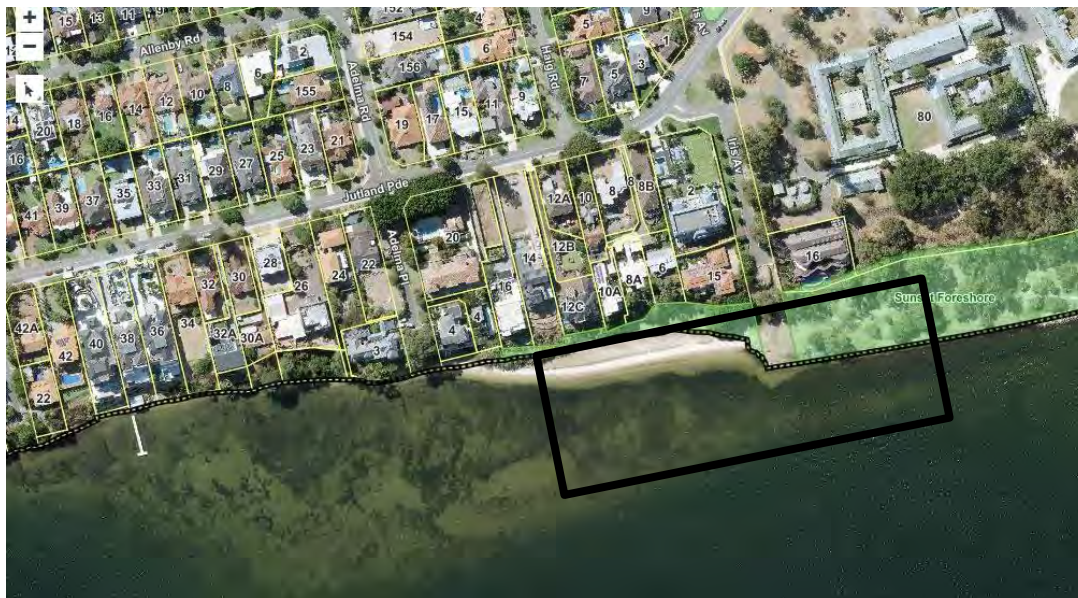
A local government may so make local laws —

- (a) providing for the registration of dogs;
- [(b) deleted]
- (b) specifying areas within which it shall be an offence (unless the excreta are removed) for any person liable for the control of a dog to permit that dog to excrete on any street or public place or on any land without the consent of the occupier;
- (c) requiring that in specified areas a portion of the premises where a dog is kept must be fenced in a manner capable of confining the dog;
- (d) providing for the establishment and maintenance of dog management facilities and other services and facilities necessary or expedient for the purposes of this Act;
- (e) providing for the detention, maintenance, care and release or disposal of dogs seized;
- (f) as to the destruction of dogs pursuant to the powers hereinbefore conferred;
- (g) providing for the licensing, regulating, construction, use, and inspection of approved kennel establishments.
- [(h) deleted]

In reality it is only necessary to make a local law that deals with confinement, the requirement to pick up dog excreta, and kennels.

Given the extent of amendments that will be required to the current Dogs local law, it will be simpler to make a new one. A draft *City of Nedlands Dogs Local Law 2023* is attached. It contains an index, notes and page numbers to assist with its use that will not form part of the official version to be Gazetted but which can be used for day to day purposes.

Through this new local law, the City will also address an irregularity with ‘Sandy Beach’ adjacent Iris Avenue, Dalkeith. The boundary of the City does not follow the shoreline of the Swan River in the vicinity of Sunset Reserve:



A local government may apply under s3.6 of the Local Government Act to the State Governor to apply a local law outside its boundary. In this instance it would be appropriate to seek approval to extend the draft Dogs Local Law for a distance of 100m into the Swan River, between the westernmost alignment of the Adelma Place Road reserve and the easternmost alignment of the Iris Avenue Road reserve as shown above. If approved, notice of the extension will appear in the Gazette and cross referenced in the proposed local law.

In addition, areas where dogs are prohibited and where dogs may be exercised off leash are now set by Council resolution and by the giving of local public notice under s31(3A) of the Dog Act 1976.

The following are proposed to be places where dogs are prohibited, with changes to those listed in the old local law shown in red:

- (a) where so indicated by a sign, a public building;
- (b) a theatre, picture gardens, or a playground;
- (c) all premises or vehicles classified as food premises or food vehicles under the *Health (Food Hygiene) Regulations 1993* except for a portion of a food premise that may be used for alfresco dining providing:
 - a. There is no evidence of a present risk of unsafe or unsuitable food being sold;
 - b. The owner or occupier of the premises permits the dog to be present; and
 - c. The dog must be on a leash at all times no longer than 2.0m and held by a person capable of controlling it.
- (d) Swanbourne Beach Reserve No. 23729, being the sand and area adjacent to the Swanbourne Beach development as indicated by signs.
- (e) Infant Health Centre Playground, Lot 254 Strickland Street, Mt Claremont;
- (f) Hollywood Reserve Tennis Courts area and surrounds, Reserve A20838, Hollywood ;
- (g) Karella Street Playground, Lot 164 Smyth Road, Nedlands;
- (h) Leura Street Playground, Lot 300 Leura Street, Nedlands;
- (i) Campsie Street Playground, Lot 46 Campsie Street, Nedlands;
- (j) Jo Wheatley All Abilities Play Space, Lot 501 The Esplanade, Nedlands; and
- (k) a public swimming pool.

The following are proposed to be dog exercise areas, and are the same as listed in the current local law except that it is proposed to:

- Delete:
 - 'Foreshore 3, The Esplanade, Dalkeith; and
 - Asquith Park, Lot: 251 Rochdale Rd My Claremont.
- Add:
 - Sunset Foreshore Reserve, Reserve 29174, Dalkeith;
 - White Beach, Bishop Road, Dalkeith, and
 - Sandy Beach Reserve: 24457

Current local law	Proposed Exercise Areas
1. Allen Park, Clement St Swanbourne	1. Allen Park Ovals, Clement St, Swanbourne;
2. Asquith Park, Lot: 251 Rochdale Rd Mt Claremont	2. Not proposed
3. Baines Park, Lot: 300 Driftwood Pl Swanbourne	3. Baines Park, Lot 300 Driftwood Pl, Swanbourne;
4. Beaton Park, The Esplanade Nedlands	4. Beaton Park, The Esplanade, Nedlands;
5. Beatrice Road Reserve, Loc: 58367 Beatrice Rd Dalkeith	5. Beatrice Road Reserve, Location 58367 Beatrice Rd, Dalkeith;
6. Birdwood Parade Reserve, Reserve: 17391 Birdwood Parade Dalkeith	6. Birdwood Parade Reserve, Reserve 17391 Birdwood Parade, Dalkeith;
7. Bishop Road Reserve, Lot: 1627 Bishop Rd Dalkeith	7. Bishop Road Reserve, Lot 1627 Bishop Rd, Dalkeith;
8. Blain Park, Lot: 825 Genesta Cr Dalkeith	8. Blain Park, Lot 825 Genesta Cr, Dalkeith;
9. Brockman Reserve, 150 Wavell Rd Dalkeith	9. Brockman Reserve, 150 Wavell Rd, Dalkeith;
10. Carrington Park, Lot 325: Broome St Nedlands	10. Carrington Park, Lot 325 Broome St, Nedlands;
11. Cavendish Gardens, Lot: 342 Gainsford Lane Mt Claremont	11. Cavendish Gardens, Lot: 342 Gainsford Lane, Mt Claremont;
12. Charles Court Reserve, Esplanade Dalkeith	12. Charles Court Reserve, The Esplanade Dalkeith;
13. College Green, Lot: 435 Mimosa Ave Mt Claremont	13. College Green, Lot: 435 Mimosa Ave, Mt Claremont;
14. College Park, Princess Rd Dalkeith	14. College Park, Princess Rd, Dalkeith
15. Dalkeith Mews, Adelma Rd Dalkeith	15. Dalkeith Mews, Adelma Rd Dalkeith;
16. Daran Park, Reserve: 45730 Montgomery Ave Mt Claremont	16. Daran Park, Reserve 45730 Montgomery Ave, Mt Claremont;
17. David Cruickshank Reserve, 84 Beatrice Rd Dalkeith	17. David Cruickshank Reserve, 84 Beatrice Rd, Dalkeith;

Current local law	Proposed Exercise Areas
18. Directors Gardens, Grainger Drive Mt Claremont	18. Directors Gardens, Grainger Drive, Mt Claremont;
19. Dot Bennett Park, Lot: 1 Smyth Rd Nedlands	19. Dot Bennett Park, Lot 1 Smyth Rd, Nedlands;
20. Foreshore 3, The Esplanade Dalkeith	20. Not proposed
21. Genesta Park, Lot: 824 Genesta Cr Dalkeith	21. Genesta Park, Lot 824 Genesta Cr, Dalkeith;
22. Goldsmith Reserve, Lot: 3857 Garland Rd Dalkeith	22. Goldsmith Reserve, Lot: 3857 Garland Rd, Dalkeith;
23. Grainger Reserve, Grainger Drive Mt Claremont	23. Grainger Reserve, Grainger Drive, Mt Claremont;
24. Granby Park, Granby Cr Dalkeith	24. Granby Park, Granby Cr, Dalkeith;
25. Hamilton Park, Hamilton Gardens, Mt Claremont	25. Hamilton Park, Hamilton Gardens, Mt Claremont;
26. Harris Park, Lot 304 Tide Court Swanbourne	26. Harris Park, Lot 304 Tide Court, Swanbourne;
27. Highview Park, Verdun St Nedlands	27. Highview Park, Verdun St, Nedlands;
28. Jones Park, Reserve No 47257 Jameson St Swanbourne	28. Jones Park, Reserve No 47257 Jameson St, Swanbourne;
29. Lawler Park, Draper St Floreat	29. Lawler Park, Draper St, Floreat;
30. Leslie Graham Reserve, Corner Bromilow Green & Camelia Ave Mt Claremont	30. Leslie Graham Reserve, Corner Bromilow Green & Camelia Ave, Mt Claremont;
31. Limekiln Field, Reserve: 30403 North St Swanbourne	31. Limekiln Field, Reserve 30403 North St, Swanbourne
32. Melvista Park, Reserve: 1669 Melvista Ave Dalkeith	32. Melvista Park, Reserve 1669 Melvista Ave, Dalkeith;
33. Mooro Park, Corner Heritage Lane & Mooro Drive Mt Claremont	33. Mooro Park, Corner Heritage Lane & Mooro Drive, Mt Claremont;
34. Mossvale Gardens, Moss Vale Floreat	34. Mossvale Gardens, Moss Vale, Floreat;
35. Mt Claremont Oval, Corner Alfred Rd & Montgomery Ave Mt Claremont	35. Mt Claremont Oval, Corner Alfred Rd & Montgomery Ave, Mt Claremont;
36. Mt Claremont Reserve, Haldane St Mt Claremont	36. Mt Claremont Reserve, Haldane St, Mt Claremont;
37. Nardina Crescent Reserve, Corner Nardina Cr & Beatrice Rd Dalkeith	37. Nardina Crescent Reserve, Corner Nardina Cr & Beatrice Rd, Dalkeith;
38. New Court Gardens, Reserve: 43380 New Court Gardens Mt Claremont	38. New Court Gardens, Reserve 43380 New Court Gardens, Mt Claremont;
39. Paiera Park, Reserve: 47367 Van Kleef Circuit, Mt Claremont	39. Paiera Park, Reserve 47367 Van Kleef Circuit, Mt Claremont;
40. Paul Hasluck Reserve, Esplanade Nedlands	40. Paul Hasluck Reserve, The Esplanade, Nedlands;
41. Peace Memorial Rose Gardens, Lots: 1-16, 76-78 Stirling Highway Nedlands	41. Peace Memorial Rose Gardens, Lots 1-16, 76-78 Stirling Highway, Nedlands;

Current local law	Proposed Exercise Areas
42. Pine Tree Park, Reserve 41549 Pine Tree Lane Mt Claremont	42. Pine Tree Park, Reserve 41549 Pine Tree Lane, Mt Claremont;
43. Poplar Gardens, Reserve: 42253 Godetia Gardens Mt Claremont	43. Poplar Gardens, Reserve 42253 Godetia Gardens, Mt Claremont;
44. Point Resolution Reserve, Reserve: 1624 Corner Jutland Parade & Victoria Avenue Dalkeith	44. Point Resolution Reserve, Reserve 1624 Corner Jutland Parade & Victoria Avenue, Dalkeith;
45. Rogerson Gardens, Reserve: 39653 Underwood Avenue Floreat	45. Rogerson Gardens, Reserve 39653 Underwood Avenue, Floreat;
46.	46. Sandy Beach Reserve: 24457
47. Shirley Fyfe Park, Lot: 823 Cygnet Cr Dalkeith	47. Shirley Fyfe Park, Lot 823 Cygnet Cr, Dalkeith;
48. St Peters Square Gardens, Reserve: 46178 Caladenia Parade Mt Claremont	48. St Peters Square Gardens, Reserve 46178 Caladenia Parade, Mt Claremont;
49. Stubbs Terrace Reserves (3), Stubbs Tce Mt Claremont	49. Stubbs Terrace Reserves (3), Stubbs Tce, Mt Claremont;
	50. Sunset Foreshore, Reserve 29174, Dalkeith;
50. Swanbourne Beach Reserve North, Lot : 279 Reserve: 27250	51. Swanbourne Beach, Lot 500 Marine Parade, Swanbourne;
51. Swanbourne Oval, Lot: 282	52. Swanbourne Oval, Lot 282, Swanbourne;
52. Terrace Gardens, 49 Caladenia Pde Mt Claremont	53. Terrace Gardens, 49 Caladenia Pde, Mt Claremont
53. Vankleef Walkway, Vankleef Circuit Mt Claremont	54. Vankleef Walkway, Vankleef Circuit, Mt Claremont;
	55. White Beach, Bishop Road, Dalkeith;
54. Zamia Park, Corner Zamia St And Nandina Ave Mt Claremont	56. Zamia Park, Corner Zamia St and Nandina Ave, Mt Claremont.

Consultation

Section 51 of the *Dog Act 1976* provides that a local government may make local laws about dogs using the process set out in section 3.12 of the *Local Government Act 1995*.

Amongst other things this requires a local government to give local public notice stating that it proposes to make a local law, the purpose and effect of which is summarized in the notice for a period of 6 weeks after it first appears. A copy is also to be sent to the Minister for Local Government.

The purpose and effect of the proposed City of Nedlands Dogs Local Law is:

Purpose

To make provisions about the confinement of dogs, control the number of dogs that can be kept on premises in the district, and to require removal of dog excreta.

Effect

To extend the controls over dogs which exist under the Dog Act 1976 and Regulations.

The results of the community consultation and feedback from the Minister are to be considered by Council before it makes the local law.

In addition, as noted above local public notice is required of areas where dogs are prohibited and where they may be exercised off leash under s 31(3A) of the Dog Act is also required. There is no requirement to receive feedback, simply the giving of notice.

Strategic Implications

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

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

Values **Healthy and Safe**
Our City has clean, safe neighborhoods where public health is protected and promoted.

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

Priority Area

- Urban form - protecting our quality living environment

Budget/Financial Implications

The draft local law is based on a model prepared by the WA Local Government Association modified to suit the City, and in use by a number of local governments.

There are costs associated with its preparation, the giving of local public notice and if adopted, publication in the Government Gazette.

Legislative and Policy Implications

[City of Nedlands Dogs Local Law](#)

Decision Implications

If adopted, the proposed Dogs local law will remove outdated local laws and provide transparency with respect to the City's local laws.

Conclusion

The City should seek to keep its local laws as up to date as it reasonably can. In this instance, given the number of amendments required to the existing dogs local law, it is more efficient to make a new one based on one in use by a number of other local governments.

The results of community feedback and the Minister will be reported to council before the proposed local law is adopted.

Further Information

Nil.

Local Government Act 1995

Dog Act 1976

**CITY OF NEDLANDS
DOGS LOCAL LAW 2023**

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Disclaimer: This version is an administrative version and while every attempt to ensure it is correct, only the Gazetted version as amended should be relied on. In particular, text boxes and notes in this version do not form part of the local law.

**Local Government Act 1995
Dog Act 1976**

**CITY OF NEDLANDS
DOGS LOCAL LAW 2022**

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Note

Most issues regulating dogs are dealt with by the Dog Act 1976 and Dog Regulations 2013. This includes:

- Registration of dogs;
- 'Dangerous dogs' as defined by the Act;
- Operation of dog management facilities (pounds), including:
 - Issues in relation to the impounding of dogs;
 - Attendance of a poundkeeper at the pound;; and
 - Release of impounded dogs are dealt with by the Dog Act 1976, and in particular section 29.
- Registration fees (although fees for the seizure and impounding of a dog may be set by a local government in its annual budget under section 6.16 of the Local Government Act 1995);
- How off leash dog exercise areas are established;
- Dogs wandering at large;
- Dogs not under control;
- Dog attacks;
- Provisions about assistance animals such as guide dogs;
- Modified penalties applicable for minor offences.

The only matters that a local government may make local laws about are listed in section 51 of the Dog Act:

A local government may so make local laws —

(a) providing for the registration of dogs;

[(b) deleted]

(c) specifying areas within which it shall be an offence (unless the excreta are removed) for any person liable for the control of a dog to permit that dog to excrete on any street or public place or on any land without the consent of the occupier;

(d) requiring that in specified areas a portion of the premises where a dog is kept must be fenced in a manner capable of confining the dog;

(e) providing for the establishment and maintenance of dog management facilities and other services and facilities necessary or expedient for the purposes of this Act;

(f) providing for the detention, maintenance, care and release or disposal of dogs seized;

(g) as to the destruction of dogs pursuant to the powers hereinbefore conferred;

[(h) deleted]

(i) providing for the licensing, regulating, construction, use, and inspection of approved kennel establishments.

**Local Government Act 1995
Dog Act 1976**

CITY OF NEDLANDS

DOGS LOCAL LAW 2022

Under the powers conferred by the *Local Government Act 1995*, the *Dog Act 1976* and under all other powers enabling it, the Council of the City of Nedlands resolved on dd mm 2022 to make the following local law.

PART 1 - PRELIMINARY

1.1 Citation

This local law may be cited as the *City of Nedlands Dogs Local Law 2022*.

1.2 Repeal

The *City of Nedlands Dogs Local Law 2012* published in the *Government Gazette* on 11 October 2012 and amended in the *Government Gazette* on 5 July 2013 is repealed.

1.3 Definitions

In this local law unless the context otherwise requires -

Act means the *Dog Act 1976*;

authorised person means a person authorised by the local government to perform all or any of the functions conferred on an authorised person under this local law;

CEO means the Chief Executive Officer of the local government;

district means the district of the local government;

local government means the City of Nedlands;

local planning scheme means a local planning scheme made by the local government under the *Planning and Development Act 2005*;

“premises” shall, for the purpose of determining who is the occupier, be taken to refer to any land or building, or part of any land or building, that is or is intended to be occupied as a separate residence from any adjacent tenement, and includes a mobile home;

s3(1) Dog Act 1976

Regulations means the *Dog Regulations 2013*;

Schedule means a schedule in this local law; and

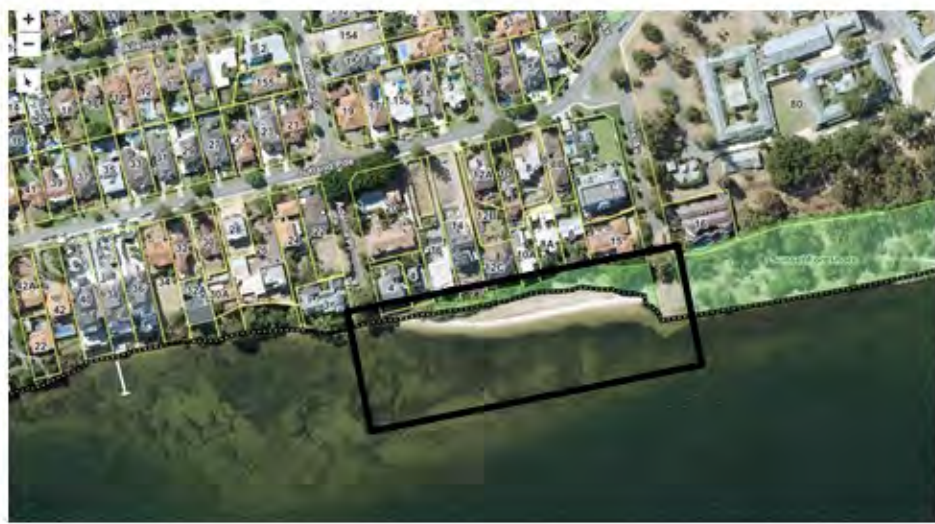
thoroughfare has the meaning given to it in section 1.4 of the *Local Government Act 1995*.

1.4 Application

This local law applies throughout the district.

Note:

In accordance with s3.6 of the *Local Government Act 1995*, approval from the Governor to apply the local law into the sea adjoining the district for a distance of 100 metres into the Swan River from the district boundary between the westernmost alignment of the Adelma Place road reserve and the easternmost alignment of the Iris Avenue road reserve, Dalkeith was received and published in the Government Gazette on dd mm yyyy (page 1234):



PART 2 - REQUIREMENTS AND LIMITATIONS ON THE KEEPING OF DOGS

2.1 Dogs to be confined

(1) An occupier of premises on which a dog is kept must -

- (a) cause a portion of the premises on which the dog is kept to be fenced in a manner capable of confining the dog;
- (b) ensure the fence used to confine the dog and every gate or door in the fence is of a type, height and construction which having regard to the breed, age, size and physical condition of the dog is capable of preventing the dog at all times from passing over, under or through it;
- (c) ensure that every gate or door in the fence is kept closed at all times when the dog is on the premises (unless the gate is temporarily opened in a manner that ensures that the dog remains confined) and is fitted with a proper latch or other means of fastening it;
- (d) maintain the fence and all gates and doors in the fence in good order and condition; and
- (e) where no part of the premises consists of open space, yard or garden or there is no open space or garden or yard of which the occupier has exclusive use or occupation, ensure that other means exist on the premises (other than the tethering of the dog) for effectively confining the dog within the premises.

(2) Where an occupier fails to comply with subclause (1), he or she commits an offence.

- (3) Notwithstanding subclauses (1) and (2), the confinement of dangerous dogs is dealt with in the Act and Regulations.

2.2 Limitation on the number of dogs

- (1) This clause does not apply to premises which have been -
- (a) licensed under Part 3 as an approved kennel establishment;
 - (b) granted an exemption under section 26(3) of the Act; or
 - (c) established as a veterinary hospital or a veterinary clinic.
- (2) The limit on the number of dogs which may be kept on any premises is, for the purpose of section 26(4) of the Act is two (2) dogs over the age of 3 months and the young of those dogs under that age unless—
- (a) the premises are on land situated within a part of the district where kennels are permissible under a Local Planning Scheme of the City; and
 - (b) the premises are licensed as an approved kennel establishment.

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PART 3 - APPROVED KENNEL ESTABLISHMENTS

3.1 Interpretation

In this Part and in Schedule 2 -

licence means a licence to keep an approved kennel establishment on premises;

licensee means the holder of a licence;

premises, in addition to the meaning given to it in section 3 of the Act, means the premises described in the application for a licence; and

transferee means a person who applies for the transfer of a licence to her or him under clause 3.14.

3.2 Application for licence for approved kennel establishment

An application for a licence must be made in the form of that in Schedule 1, and must be lodged with the local government together with –

- (a) evidence of planning approval obtained from the local government;
- (b) plans and specifications of the kennel establishment, including a site plan;
- (c) copies of the notices to be given under clause 3.3;
- (d) written evidence that either the applicant or another person who will have the charge of the dogs, will reside on the premises or, in the opinion of the local government, sufficiently close to the premises so as to control the dogs and so as to ensure their health and welfare;
- (e) a written acknowledgement that the applicant has read and agrees to comply with any code of practice relating to the keeping of dogs nominated by the local government; and
- (f) the fee for the application for a licence referred to in clause 3.10.

3.3 Notice of proposed use

(1) An applicant for a licence must give notice of the proposed use of the premises as an approved kennel establishment after the application for a licence has been lodged –

- (a) once in a newspaper circulating in the district; and
- (b) to the owners and occupiers of any premises adjoining the premises.

(2) The notices in subclause (1) must specify that -

- (a) any written submissions as to the proposed use are to be lodged with the CEO within 14 days of the date the notice is given; and
- (b) the application and plans and specifications may be inspected at the offices of the local government.

(3) Where –

- (a) the notices given under subclause (1) do not clearly identify the premises; or
- (b) a notice given under subclause (1)(a) is of a size or in a location in the newspaper which, in the opinion of the local government, would fail to serve the purpose of notifying persons of the proposed use of the premises,

then the local government may refuse to determine the application for a licence until the notices or notice, as the case may be, is given in accordance with its directions.

3.4 Exemption from notice requirements

(1) Where an application for a licence is made in respect of premises on which an approved kennel establishment is either a -

- (a) permitted use; or
- (b) use which the local government may approve subject to compliance with specified notice requirements,

under a local planning scheme, then the requirements of clauses 3.2(c), 3.3 and 3.5(c) do not apply in respect of the application for a licence.

(2) The local government may require advertising of an application as part of the planning process.

3.5 When application can be determined

An application for a licence is not to be determined by the local government until –

- (a) planning approval has been given by the local government;
- (b) the applicant has complied with clause 3.2;
- (c) the applicant submits proof that the notices referred to in clause 3.3(1) have been given in accordance with that clause; and
- (d) the local government has considered any written submissions received within the time specified in clause 3.3(2)(a) on the proposed use of the premises.

3.6 Determination of application

In determining an application for a licence, the local government is to have regard to –

- (a) the matters referred to in clause 3.7;
- (b) any written submissions received within the time specified in clause 3.3(2)(a) on the proposed use of the premises;
- (c) any economic or social benefits which may be derived by any person in the district if the application for a licence is approved;
- (d) the effect which the approved kennel establishment may have on the environment or amenity of the neighbourhood;
- (e) whether the approved kennel establishment will create a nuisance for the owners and occupiers of adjoining premises; and
- (f) whether or not the imposition of and compliance with appropriate conditions of a licence will mitigate any adverse effects of the approved kennel establishment identified in the preceding paragraphs.

3.7 Where application cannot be approved

The local government cannot approve an application for a licence where -

- (a) an approved kennel establishment cannot be permitted by the local government on the premises under a local planning scheme unless prior valid planning approval has been issued by the local government and the application for a licence is consistent with that approval; or
- (b) an applicant for a licence or another person who will have the charge of the dogs will not reside on the premises, or, in the opinion of the local government, sufficiently close to the premises so as to control the dogs and so as to ensure their health and welfare.

3.8 Conditions of approval

- (1) The local government may approve an application for a licence subject to the conditions contained in Schedule 2 and to such other conditions as the local government considers appropriate.

- (2) In respect of a particular application for a licence, the local government may vary any of the conditions contained in Schedule 2.

3.9 Compliance with conditions of approval

Penalties applicable where a licensee does not comply with the conditions of a licence are contained in the Act and Regulations.

Extract from *Dog Act 1976*:

27. Licensing of approved kennel establishments

(1) Where, under section 26(1)(a) or (b), a limit is imposed on the number of dogs that can be kept in or at any premises situate in a local government's district area, and a person proposes to keep more than that number of dogs in or at premises in that area that are not exempt from the limitation, the person must apply for the premises in question to be licensed as an approved kennel establishment.

(2) A person who keeps, or permits or suffers to be kept, any dog over the age of 3 months of a breed or kind to which that licence applies at an approved kennel establishment otherwise than in accordance with the licence relating to that establishment commits an offence.

Penalty:

(a) a fine of \$5 000;

(b) for each separate and further offence committed by the person under the Interpretation Act 1984 section 71, a fine of \$100.

Extract from *Dog Regulations 2013*:

33. Modified penalties for offences under the principal Act

(1) For section 45A(1)(a), the offences under a provision of the Act specified in column 2 of the Table are offences in relation to which a modified penalty applies.

Item	Provision of Act	Nature of offence	Modified penalty for dogs other than dangerous dogs \$	Modified penalty for dangerous dogs \$	Modified penalty whether or not dog is a dangerous dog \$
13.	s. 27(2)	Breach of kennel establishment licence			200

3.10 Fees

- (1) On lodging an application for a licence, the applicant is to pay a fee to the local government.
- (2) On the issue or renewal of a licence, the licensee is to pay a fee to the local government.
- (3) On lodging an application for the transfer of a valid licence, the transferee is to pay a fee to the local government.
- (4) The fees referred to in subclauses (1) to (3) are to be imposed and determined by the local government under sections 6.15 - 6.19 of the *Local Government Act 1995*.

3.11 Form of licence

The licence is to be in the form determined by the local government and is to be issued to the licensee.

3.12 Period of licence

- (1) The period of effect of a licence is set out in section 27(5) of the Act.
- (2) A licence is to be renewed if the fee referred to in clause 3.10(2) is paid to the local government prior to the expiry of the licence.

- (3) On the renewal of a licence the conditions of the licence at the time of its renewal continue to have effect.

Extract from s27 of the *Dog Act 1976*:

- (4) A licence to keep an approved kennel establishment may be granted by a local government on an application made in the prescribed manner and form, which may be required to be supported by evidence that due notice of the proposed use of the land has been given to persons in the locality, and where notice is required to be given the local government shall have regard to any objections raised.
- (5) A licence under this section has effect for a period of 12 months, and is renewable upon payment of the prescribed fee, but may be cancelled at any time by the local government if the local government is dissatisfied with the conduct of the establishment.

3.13 Variation or cancellation of licence

- (1) The local government may vary the conditions of a licence.
- (2) The local government may cancel a licence –
- (a) on the request of the licensee;
 - (b) following a breach of the Act, the Regulations or this local law; or
 - (c) if the licensee is not a fit and proper person.
- (3) The date a licence is cancelled is to be, in the case of –
- (a) paragraph (a) of subclause (2), the date requested by the licensee; or
 - (b) paragraphs (b) and (c) of subclause (2), the date determined under section 27(6) of the Act.

Section 27(6) and (7) of the *Dog Act 1976* state -

- (6) The cancellation of a licence under this section shall be effected by the service of a notice on the licensee specifying a period at the end of which the licence is cancelled, which shall be a period of not less than 3 months.
- (7) Where –
- (a) the local government refuses the grant of a licence under this section; or
 - (b) notice of the cancellation of a licence under this section is given,
- the applicant or the licensee as the case may be may apply to the State Administrative Tribunal for a review of the decision.

3.14 Transfer

- (1) An application for the transfer of a valid licence from the licensee to another person must be-
- (a) made in the form determined by the local government;
 - (b) made by the transferee;
 - (c) made with the written consent of the licensee; and
 - (d) lodged with the local government together with –
 - (i) written evidence that a person will reside at or within reasonably close proximity to the premises the subject of the licence; and
 - (ii) the fee for the application for the transfer of a licence referred to in clause 4.10(3).
- (2) The local government is not to determine an application for the transfer of a valid licence until the transferee has complied with subclause (1).

- (3) The local government may approve, whether or not subject to such conditions as it considers appropriate, or refuse to approve an application for the transfer of a valid licence.
- (4) Where the local government approves an application for the transfer of a valid licence, then on the date of approval, unless otherwise specified in the notice issued under clause 3.15(b), the transferee becomes the licensee of the licence for the purposes of this local law.

3.15 Notification

The local government is to give written notice to -

- (a) an applicant for a licence of the local government's decision on her or his application;
- (b) a transferee of the local government's decision on her or his application for the transfer of a valid licence;
- (c) a licensee of any variation made under clause 3.13(1);
- (d) a licensee when her or his licence is due for renewal and the manner in which it may be renewed;
- (e) a licensee when her or his licence is renewed;
- (f) a licensee of the cancellation of a licence under clause 3.13(2)(a); and
- (g) a licensee of the cancellation of a licence under paragraphs (b) or (c) of clause 3.13(2), which notice is to be given in accordance with section 27(6) of the Act.

3.16 Inspection of kennel

With the consent of the occupier, an authorised person may inspect an approved kennel establishment at any time.

Section 12A(2) and (3) of the Dog Act 1976 states –

- (2) With the authority of a warrant, an authorised person, and any other person named in the warrant, may enter and inspect any premises for any purpose relating to the enforcement of this Act.
- (3) If he is satisfied that there are reasonable grounds for doing so, a Justice of the Peace may issue a warrant for the purpose of subsection (2).

PART 4 - MISCELLANEOUS

4.1 Offence to excrete

- (1) A dog must not excrete on –
 - (a) any thoroughfare, any dog exercise area or other public place; or
 - (b) any land which is not a public place without the consent of the occupier.
- (2) Subject to subclause (3), if a dog excretes contrary to subclause (1), every person liable for the control of the dog at that time commits an offence.
- (3) The person liable for the control of the dog does not commit an offence against subclause (2) if any excreta is removed immediately by that person.

PART 5 - ENFORCEMENT

5.1 Interpretation

In this Part -

infringement notice means the notice referred to in clause 5.3; and

notice of withdrawal means the notice referred to in clause 5.7(1).

5.2 Offences and general penalty

- (1) A person who fails to do anything required or directed to be done under this local law, or who does anything which under this local law that person is prohibited from doing, commits an offence.
- (2) A person who commits an offence under this local law is liable, on conviction, to a penalty not less than \$500 and not exceeding \$5,000, and if the offence is of a continuing nature, to an additional penalty not exceeding \$500 for each day or part of a day during which the offence has continued.

5.3 Modified penalties

The offences contained in Schedule 3 are offences in relation to which a modified penalty may be imposed.

5.4 Issue of infringement notice

Where an authorised person has reason to believe that a person has committed an offence in respect of which a modified penalty may be imposed, he or she may issue to that person a notice in the form of Form 8 of the First Schedule of the Regulations.

5.5 Failure to pay modified penalty

Where a person who has received an infringement notice fails to pay the modified penalty within the time specified in the notice, or within such further time as may in any particular case be allowed by the CEO, he or she is deemed to have declined to have the offence dealt with by way of a modified penalty.

5.6 Payment of modified penalty

A person who has received an infringement notice may, within the time specified in that notice or within such further time as may in any particular case be allowed by the CEO, send or deliver to the local government the amount of the penalty, with or without a reply as to the circumstances giving rise to the offence, and the local government may appropriate that amount in satisfaction of the penalty and issue an acknowledgment.

5.7 Withdrawal of infringement notice

- (1) Whether or not the modified penalty has been paid, an authorised person may withdraw an infringement notice by sending a notice in the form of Form 9 of the First Schedule of the Regulations.
- (2) A person authorised to issue an infringement notice under clause 5.4 cannot sign or send a notice of withdrawal.

SCHEDULE 1 - APPLICATION FOR A LICENCE FOR AN APPROVED KENNEL ESTABLISHMENT

(clause 3.2)

DOGS LOCAL LAW 2022

I/we (full name)

of (postal address)

(telephone number)

(facsimile number)

(E-mail address)

Apply for a licence for an approved kennel establishment at (address of premises)

.....

For (number and breed of dogs)

* (insert name of person) will be residing at the premises on and from (insert date)

* (insert name of person) will be residing (sufficiently close to the premises so as to control the dogs and so as to ensure their health and welfare) at (insert address of residence) on and from (insert date).

Attached are -

- (a) a site plan of the premises showing the location of the kennels and yards and all other buildings and structures and fences;
- (b) plans and specifications of the kennel establishment;
- (c) copy of notice of proposed use to appear in newspaper;
- (d) copy of notice of proposed use to be given to adjoining premises;
- (e) written evidence that a person will reside -
 - (i) at the premises; or
 - (ii) sufficiently close to the premises so as to control the dogs and so as to ensure their health and welfare; and
- (f) if the person in item (e) is not the applicant, written evidence that the person is a person in charge of the dogs.

I confirm that I have read and agree to comply with the Code of Practice known as, in the keeping of dogs at the proposed kennel establishment.

Signature of applicant

Date

* delete where inapplicable.

Note: a licence if issued will have effect for a period of 12 months – section 27.5 of the Dog Act.

OFFICE USE ONLY

Application fee paid on *[insert date]*.

SCHEDULE 2 - CONDITIONS OF A LICENCE FOR AN APPROVED KENNEL ESTABLISHMENT
(clause 3.8(1))

An application for a licence for an approved kennel establishment may be approved subject to the following conditions -

- (a) each kennel, unless it is fully enclosed, must have a yard attached to it;
- (b) each kennel and each yard must be at a distance of not less than -
 - (i) 25m from the front boundary of the premises and 5m from any other boundary of the premises;
 - (ii) 10m from any dwelling; and
 - (iii) 25m from any church, school room, hall, factory, dairy or premises where food is manufactured, prepared, packed or stored for human consumption;
- (c) each yard for a kennel must be kept securely fenced with a fence constructed of link mesh or netting or other materials approved by the local government;
- (d) the minimum floor area for each kennel must be calculated at 2.5 times the length of the breed of dog (when it is fully grown), squared, times the number of dogs to be housed in the kennel and the length of the dog is to be determined by measuring from the base of the tail to the front of its shoulder;
- (e) the floor area of the yard attached to any kennel or group of kennels must be at least twice the floor area of the kennel or group of kennels to which it is attached;
- (f) the upper surface of the kennel floor must be –
 - (i) at least 100mm above the surface of the surrounding ground;
 - (ii) smooth so as to facilitate cleaning;
 - (iii) rigid;
 - (iv) durable;
 - (v) slip resistant;
 - (vi) resistant to corrosion;
 - (vii) non-toxic;
 - (viii) impervious;
 - (ix) free from cracks, crevices and other defects; and
 - (x) finished to a surface having a fall of not less than 1 in 100 to a spoon drain which in turn must lead to a suitably sized diameter sewerage pipe which must be properly laid, ventilated and trapped in accordance with the health requirements of the local government;
- (g) all kennel floor washings must pass through the drain in item (f)(x) and must be piped to approved apparatus for the treatment of sewage in accordance with the health requirements of the local government;
- (h) the kennel floor must have a durable upstand rising 75mm above the floor level from the junction of the floor and external and internal walls, or internal walls must be so constructed as to have a minimum clearance of 50mm from the underside of the bottom plate to the floor;
- (i) where a yard is to be floored, the floor must be constructed in the same manner as the floor of any kennel;

- (j) from the floor, the lowest internal height of a kennel must be, whichever is the lesser of
 -
 - (i) 2m; or
 - (ii) 4 times the height of the breed of dog in the kennel, when it is fully grown, measured from the floor to the uppermost tip of its shoulders while in a stationary upright position;
- (k) the walls of each kennel must be constructed of concrete, brick, stone or framing sheathed internally and externally with good quality new zincalume or new pre-finished colour coated steel sheeting or new fibrous cement sheeting or other durable material approved by the local government;
- (l) all external surfaces of each kennel must be kept in good condition;
- (m) the roof of each kennel must be constructed of impervious material;
- (n) all kennels and yards and drinking vessels must be maintained in a clean condition and must be cleaned and disinfected when so ordered by an authorised person;
- (o) all refuse, faeces and food waste must be disposed of daily into the approved apparatus for the treatment of sewage;
- (p) noise, odours, fleas, flies and other vectors of disease must be effectively controlled;
- (q) suitable water must be available at the kennel via a properly supported standpipe and tap; and
- (r) the licensee or the person nominated in the application for a licence, must, in accordance with the application for the licence, continue to reside -
 - (i) at the premises; or
 - (ii) in the opinion of the local government, sufficiently close to the premises so as to control the dogs, and to ensure their health and welfare.

**SCHEDULE 3 - OFFENCES IN RESPECT OF WHICH MODIFIED PENALTY
APPLIES
(clause 5.3)**

Offence	Nature of offence	Modified penalty \$
2.1	Failing to provide means for effectively confining a dog	200
4.1(2)	Dog excreting in prohibited place	200

Note:

Regulation 33 of the Dog Regulations 2013 sets out a number of modified penalties for offences under the Act, including those applicable where a dangerous dog is involved.

Dated

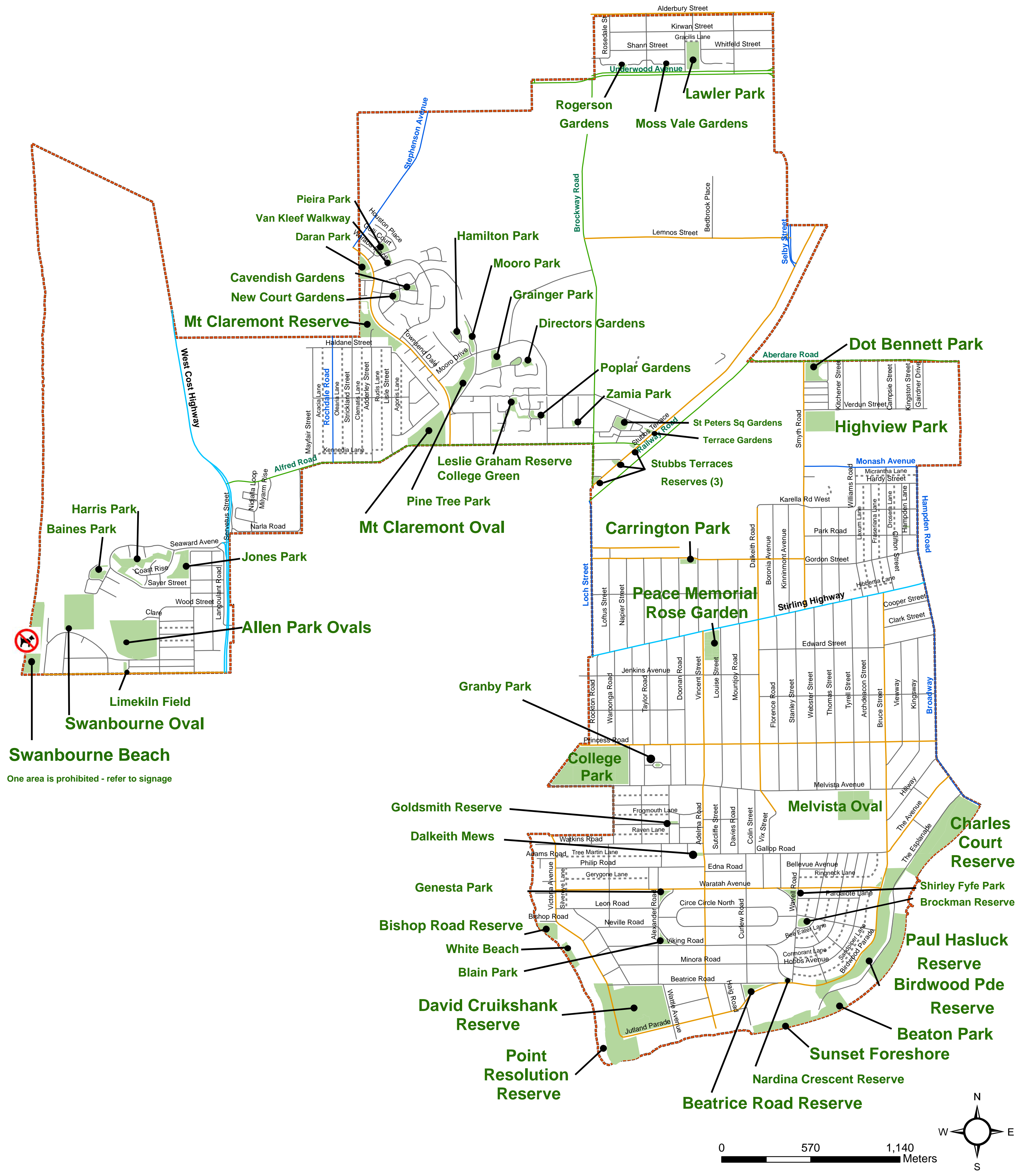
The Common Seal of the)
City of Nedlands was affixed in)
the presence of)


.....
Fiona Argyle
Mayor

.....
William Parker
Chief Executive Officer

DRAFT

Dog Exercise Areas - City of Nedlands



<div>Title:</div> <div>City of Nedlands Dog Exercise Areas</div> <div><div>City of Nedlands</div></div>	<div>Map Number:</div> <div>Ned_18_09</div>
	<div>Date:</div> <div>7 November 2022</div>
	<div>Projection:</div> <div>GDA94 MGA50</div>

City of Nedlands

Places where dogs are prohibited absolutely and places which are dog exercise areas under S31(3a) of the Dog Act 1976

Places where dogs are prohibited absolutely

- (1) Dogs are prohibited absolutely from entering or being in any of the following places—
- (a) where so indicated by a sign, a public building;
 - (b) a theatre or picture gardens;
 - (c) all premises or vehicles classified as food premises or food vehicles under the *Health (Food Hygiene) Regulations 1993* except for a portion of a food premise that may be used for alfresco dining providing:
 - a. There is no evidence of a present risk of unsafe or unsuitable food being sold;
 - b. The owner or occupier of the premises permits the dog to be present; and
 - c. The dog must be on a leash at all times no longer than 2.0m and held by a person capable of controlling it.
 - (d) Swanbourne Beach Reserve No. 23729, being the sand and area adjacent to the Swanbourne Beach development, between the area north of the access pathway at the intersection of Odern Crescent and Marine Parade, and south of the northernmost access pathway of the development;
 - (e) Infant Health Centre Playground, Lot 254 Strickland Street, Mt Claremont;
 - (f) Hollywood Reserve Tennis Courts area and surrounds, Reserve A20838, Hollywood ;
 - (g) Karella Street Playground, Lot 164 Smyth Road, Nedlands;
 - (h) Leura Street Playground, Lot 300 Leura Street, Nedlands;
 - (i) Campsie Street Playground, Lot 46 Campsie Street, Nedlands;
 - (j) Jo Wheatley All Abilities Play Space, Lot 501 The Esplanade, Nedlands; and
 - (k) a public swimming pool.
- (2) If a dog enters or is in a place specified in subclause (1), every person liable for the control of the dog at that time commits an offence.

Places which are dog exercise areas

For the purposes of sections 31 and 32 of the Act, except for:

- (1) land which has been set apart as a children's playground;
- (2) an area being used for sporting or other activities, as permitted by the City during the times of such use;
- (3) A conservation area as indicated by a sign on site; or
- (4) a car park,

The following are dog exercise areas—

- 1. Allen Park Ovals, Clement St, Swanbourne;
- 2. Asquith Park, Lot: 251 Rochdale Rd, Mt Claremont;
- 3. Baines Park, Lot 300 Driftwood Pl, Swanbourne;
- 4. Beaton Park, The Esplanade, Nedlands;
- 5. Beatrice Road Reserve, Location 58367 Beatrice Rd, Dalkeith;

6. Birdwood Parade Reserve, Reserve 17391 Birdwood Parade, Dalkeith;
7. Bishop Road Reserve, Lot 1627 Bishop Rd, Dalkeith;
8. Blain Park, Lot 825 Genesta Cr, Dalkeith;
9. Brockman Reserve, 150 Wavell Rd, Dalkeith;
10. Carrington Park, Lot 325 Broome St, Nedlands;
11. Cavendish Gardens, Lot: 342 Gainsford Lane, Mt Claremont;
12. Charles Court Reserve, The Esplanade Dalkeith;
13. College Green, Lot: 435 Mimosa Ave, Mt Claremont;
14. College Park, Princess Rd, Dalkeith;
15. Dalkeith Mews, Adelma Rd Dalkeith;
16. Daran Park, Reserve 45730 Montgomery Ave, Mt Claremont;
17. David Cruickshank Reserve, 84 Beatrice Rd, Dalkeith;
18. Directors Gardens, Grainger Drive, Mt Claremont;
19. Dot Bennett Park, Lot 1 Smyth Rd, Nedlands;
20. Genesta Park, Lot 824 Genesta Cr, Dalkeith;
21. Goldsmith Reserve, Lot: 3857 Garland Rd, Dalkeith;
22. Grainger Reserve, Grainger Drive, Mt Claremont;
23. Granby Park, Granby Cr, Dalkeith;
24. Hamilton Park, Hamilton Gardens, Mt Claremont;
25. Harris Park, Lot 304 Tide Court, Swanbourne;
26. Highview Park, Verdun St, Nedlands;
27. Jones Park, Reserve No 47257 Jameson St, Swanbourne;
28. Lawler Park, Draper St, Floreat;
29. Leslie Graham Reserve, Corner Bromilow Green & Camelia Ave, Mt Claremont;
30. Limekiln Field, Reserve 30403 North St, Swanbourne;
31. Melvista Park, Reserve 1669 Melvista Ave, Dalkeith;
32. Mooro Park, Corner Heritage Lane & Mooro Drive, Mt Claremont;
33. Mossvale Gardens, Moss Vale, Floreat;
34. Mt Claremont Oval, Corner Alfred Rd & Montgomery Ave, Mt Claremont;
35. Mt Claremont Reserve, Haldane St, Mt Claremont;
36. Nardina Crescent Reserve, Corner Nardina Cr & Beatrice Rd, Dalkeith;
37. New Court Gardens, Reserve 43380 New Court Gardens, Mt Claremont;
38. Paiera Park, Reserve 47367 Van Kleef Circuit, Mt Claremont;
39. Paul Hasluck Reserve, The Esplanade, Nedlands;
40. Peace Memorial Rose Gardens, Lots 1-16, 76-78 Stirling Highway, Nedlands;
41. Pine Tree Park, Reserve 41549 Pine Tree Lane, Mt Claremont;
42. Poplar Gardens, Reserve 42253 Godetia Gardens, Mt Claremont;
43. Point Resolution Reserve, Reserve 1624 Corner Jutland Parade & Victoria Avenue, Dalkeith;
44. Rogerson Gardens, Reserve 39653 Underwood Avenue, Floreat;
45. Shirley Fyfe Park, Lot 823 Cygnet Cr, Dalkeith;
46. St Peters Square Gardens, Reserve 46178 Caladenia Parade, Mt Claremont;
47. Stubbs Terrace Reserves (3), Stubbs Tce, Mt Claremont;
48. Sunset Foreshore Reserve, Reserve 29174, Dalkeith;
49. Swanbourne Beach, Lot 500 Marine Parade, Swanbourne;
50. Swanbourne Oval, Lot 282, Swanbourne;

- 51. Terrace Gardens, 49 Caladenia Pde, Mt Claremont
- 52. Vankleef Walkway, Vankleef Circuit, Mt Claremont;
- 53. White Beach, Bishop Road, Dalkeith; and
- 54. Zamia Park, Corner Zamia St and Nandina Ave, Mt Claremont.

This comes into effect 28 days from the day of publication of this notice.

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Dogs in Public Places Council Policy

Council Policy Objective

This policy provides a strategic, structured and integrated approach in planning and managing dog activities in the City's district.

Council Policy Scope

This policy identifies public areas that are under the care, control or management of the City where dogs are prohibited and where dogs are permitted to exercise either on a leash or off-leash. The policy is also subject to provisions that pertain to dogs as specified in the *Disability Discrimination Act 1992*, *Equal Opportunity Act 1984* and the *Dog Act 1976*.

Council Policy Statement

This Policy ensures suitable and sufficient in number dog exercise areas within the City to meet the needs of dog owners and their dogs, balanced against the needs of other users and the environment.



Definitions

Dog Exercise Areas means areas where dogs can be off lead.

City land means all land held in fee simple or under the care, control or management of the City and includes road reserves.

Footpath means an area that is open to the public that is designated for, or has as one of its main uses, use by pedestrians

Thoroughfare means a road or other thoroughfare and includes structures or other things appurtenant to the thoroughfare that are within its limits, and nothing is prevented from being a thoroughfare only because it is not open at each end.



Policy

The purpose of this policy is to guide Council to:

1. Clarify and define levels of dog access in public areas that are under the care, control or management of the City;
2. Create welcome, safe and functional areas for exercising and socialising of dogs to achieve the following objectives –
 - i. Promote active recreation areas that are valued and well utilised by dogs and their handlers.
 - ii. Align with Council's Strategic Community Plan and City of Nedlands Dogs Local Law 2022.
 - iii. Respond to community needs and aspirations.
 - iv. Reduce any negative impact on the community, including non-dog owners and neighbouring resident.
 - v. Ensure dog behaviour does not have a negative impact on the environment
 - vi. Assist to maintain and regulate the City' parks and reserves to an acceptable standard.
3. Inform and educate the community relating to dog ownership responsibilities, the location of dog exercise areas and areas where dogs are prohibited.
4. Comply with the requirements of the *Dog Act 1976*, *Local Government Act 1995*, *Disability Discrimination Act 1992*, *Equal Opportunity Act 1984*, *Public Health Act 2016* and *Environmental Protection Act 1986* and other relevant legislation.
5. Monitor compliance and respond to matters relating to legislative requirements that pertain to dogs

Places where Dogs are Prohibited Absolutely

Pursuant to section 31(2B) of the *Dog Act 1976* and subject to Section 8 of the *Dog Act 1976*, the *Equal Opportunity Act 1984* and the *Disability Discrimination Act 1992*, dogs are prohibited at all times in any of the following areas that are under the care, control or management of the City:

- (a) where so indicated by a sign, a public building;
- (b) a theatre, picture gardens, or a playground"
- (c) all premises or vehicles classified as food premises or food vehicles under the *Health (Food Hygiene) Regulations 1993* except for a portion of a food premise that may be used for alfresco dining providing:
 - a. There is no evidence of a present risk of unsafe or unsuitable food being sold;
 - b. The owner or occupier of the premises permits the dog to be present; and
 - c. The dog must be on a leash at all times no longer than 2.0m and



held by a person capable of controlling it.

- (d) Swanbourne Beach Reserve No. 23729, being the sand and area adjacent to the Swanbourne Beach development as indicated by signs.
- (e) Infant Health Centre Playground, Lot 254 Strickland Street, Mt Claremont;
- (f) Hollywood Reserve Tennis Courts area and surrounds, Reserve A20838, Hollywood ;
- (g) Karella Street Playground, Lot 164 Smyth Road, Nedlands;
- (h) Leura Street Playground, Lot 300 Leura Street, Nedlands;
- (i) Campsie Street Playground, Lot 46 Campsie Street, Nedlands;
- (j) **Jo Wheatley All Abilities Play Space, Lot 501 The Esplanade, Nedlands;** and
- (k) **a public swimming pool.**

Places Which are Dogs Exercise Areas

For the purposes of sections 31(3A) of the *Dog Act 1976*, the following are dog exercise areas:

- 1) ALLEN PARK OVALS, Clement St Swanbourne
- 2) BAINES PARK, Lot: 300 Driftwood Pl Swanbourne
- 3) BEATON PARK, Esplanade Nedlands
- 4) BEATRICE ROAD RESERVE, Loc: 58367 Beatrice Rd Dalkeith
- 5) BIRDWOOD PARADE RESERVE, Reserve: 17391 Birdwood Parade Dalkeith
- 6) BISHOP ROAD RESERVE, Lot: 1627 Bishop Rd Dalkeith
- 7) BLAIN PARK, Lot: 825 Genesta Cr Dalkeith
- 8) BROCKMAN RESERVE, 150 Wavell Rd Dalkeith
- 9) CARRINGTON PARK, Lot 325: Broome St Nedlands
- 10) CAVENDISH GARDENS, Lot: 342 Gainsford Lane Mt Claremont
- 11) CHARLES COURT RESERVE, Esplanade Dalkeith
- 12) COLLEGE GREEN, Lot: 435 Mimosa Ave Mt Claremont
- 13) COLLEGE PARK, Princess Rd Dalkeith
- 14) DALKEITH MEWS, Adelma Rd Dalkeith
- 15) DARAN PARK, Reserve: 45730 Montgomery Ave Mt Claremont
- 16) DAVID CRUICKSHANK RESERVE, 84 Beatrice Rd Dalkeith
- 17) DIRECTORS GARDENS, Grainger Drive Mt Claremont
- 18) DOT BENNETT PARK, Lot: 1 Smyth Rd Nedlands
- 19) GENESTA PARK, Lot: 824 Genesta Cr Dalkeith
- 20) GOLDSMITH RESERVE, Lot: 3857 Garland Rd Dalkeith
- 21) GRAINGER RESERVE, Grainger Drive Mt Claremont
- 22) GRANBY PARK, Granby Cr Dalkeith
- 23) HAMILTON PARK, Hamilton Gardens, Mt Claremont
- 24) HARRIS PARK, Lot 304 Tide Court Swanbourne
- 25) HIGHVIEW PARK, Verdun St Nedlands



- 26) JONES PARK, Reserve No 47257 Jameson St Swanbourne
- 27) LAWLER PARK, Draper St Floreat
- 28) LESLIE GRAHAM RESERVE, Corner Bromilow Green & Camelia Ave Mt Claremont
- 29) LIMEKILN FIELD, Reserve: 30403 North St Swanbourne
- 30) MELVISTA PARK, Reserve: 1669 Melvista Ave Dalkeith
- 31) MOORO PARK, Corner Heritage Lane & Mooro Drive Mt Claremont
- 32) MOSSVALE GARDENS, Moss Vale Floreat
- 33) MT CLAREMONT OVAL, Corner Alfred Rd & Montgomery Ave Mt Claremont
- 34) MT CLAREMONT RESERVE, Haldane St Mt Claremont
- 35) NARDINA CRESCENT RESERVE, Corner Nardina Cr & Beatrice Rd Dalkeith
- 36) NEW COURT GARDENS, Reserve: 43380 New Court Gardens Mt Claremont
- 37) PAIERA PARK, Reserve: 47367 Van Kleeft Circuit, Mt Claremont
- 38) PAUL HASLUCK RESERVE, Esplanade Nedlands
- 39) PEACE MEMORIAL ROSE GARDENS, Lots: 1-16, 76-78 Stirling Highway Nedlands
- 40) PINE TREE PARK, Reserve 41549 Pine Tree Lane Mt Claremont
- 41) POPLAR GARDENS, Reserve: 42253 Godetia Gardens Mt Claremont
- 42) POINT RESOLUTION RESERVE, Reserve: 1624 Corner Jutland Parade & Victoria Avenue Dalkeith
- 43) ROGERSON GARDENS, Reserve: 39653 Underwood Avenue Floreat
- 44) SANDY BEACH, Reserve: 24457
- 45) SHIRLEY FYFE PARK, Lot: 823 Cygnet Cr Dalkeith
- 46) ST PETERS SQUARE GARDENS, Reserve: 46178 Caladenia Parade Mt Claremont
- 47) STUBBS TERRACE RESERVES (3), Stubbs Tce Mt Claremont
- 48) SUNSET FORESHORE, Reserve: 29174
- 49) SWANBOURNE BEACH, Lot 500, Marine Parade
- 50) SWANBOURNE OVAL, Lot: 282
- 51) TERRACE GARDENS, 49 Caladenia Pde Mt Claremont
- 52) VANKLEEF WALKWAY, Vankleef Circuit Mt Claremont
- 53) WHITE BEACH, Bishop Road, Dalkeith
- 54) ZAMIA PARK, Corner Zamia St and Nandina Ave Mt Claremont

Exemptions (areas listed below are not dog exercise areas, dogs must be held by a leash)

- a. An area of a playing field used for sporting or other activities, as permitted by the City, during the times of such use.



- b. A car park
- c. Conservation areas including Shenton Bushland, Allen Park Bushland, Hollywood Reserve, Birdwood Parade Bushland, Bishop Road embankment bushland, Point Resolution Bushland, White Beach vegetation bushland area, Iris Avenue 'Sandy Beach', embankment to Sunset Hospital bushland area adjacent Sunset Foreshore, Swanbourne beach vegetated dunes and bushland, and Mt Claremont Oval Bushland.

Related documentation

Nil

Related local Law and Legislation

Local Government Act 1995
Dog Act 1976
Dog Local Law 2022

Related delegation

Nil.

Review History

Adopted by Council DATE

19.3 CEO05.03.23 Proposed Parking Amendment Local Law

Meeting & Date	Council Meeting – 28 March 2023
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	Nil.
Report Author	Sam Curulli- Governance Officer
CEO	Bill Parker
Attachments	1. Draft City of Nedlands Parking Amendment Local Law 2. Draft City of Nedlands Parking and Facilities Local Law (with track changes)

Purpose

A review of local laws as required by s3.16 of the Local Government Act 1995 has recently been completed.

Amongst other things, there are a number of amendments required to the *City of Nedlands Parking and Parking Facilities Local Law 2013* to reflect the passage of time and changes to other legislation such as the Road Traffic Code.

A draft is attached.

Recommendation

That Council:

1. in accordance with sections 3.12(3)(a) and (3a) of the Local Government Act 1995, give local public notice stating that:
 - a. It is proposed to make a *City of Nedlands Parking Amendment Local Law*, and a summary of its purpose and effect;
 - i. The purpose of the local law is to amend the *City of Nedlands Parking and Parking Facilities Local Law 2013* to ensure definitions reflect those in the Road Traffic Code 2000, add provisions preventing parking in culs de sac heads, add provisions about parking on or near painted traffic islands, clarify provisions relating to the parking of vehicles that may be abandoned, unregistered or disused, clarify provisions relating to stopping or parking in clearways when in operation; and increase penalties.
 - ii. The effect is that the *City of Nedlands Parking and Parking Facilities Local Law 2013* is amended.

- b. Copies of the proposed local law may be inspected at the City offices during normal opening hours;
 - c. Submissions about the proposed local law may be made to the City within a period of not less than 6 weeks after the notice is given;
- 2. in accordance with s3.12(3)(b) of the Act, as soon as the notice is given sends a copy of the proposed local law to the Minister for Local Government;
- 3. in accordance with s3.12(3)(c) of the Act, a copy of the proposed local law be supplied to any person requesting it; and
- 4. the results of the public consultation be presented to Council for consideration of any submissions received.

Voting Requirement

Simple Majority.

Background

The *City of Nedlands Parking and Parking Facilities Local Law 2013* was published in the Government Gazette on 23 October 2013 and last amended in 2017.

There are a number of changes required to the local law. In summary, these are:

- Amendments to definitions to reflect those in the *Road Traffic Code 2000*;
- Added provisions preventing parking in cul de sac heads;
- Added provisions about parking on or near painted traffic islands;
- Clarification of provisions relating to the parking of vehicles that may be abandoned, unregistered or disused;
- Provisions clarifying stopping or parking in clearways when in operation; and
- Increased penalties reflecting the passage of time since the local law was made in 2013:
 - The minimum penalty that may be imposed by a court has been increased from \$250 to \$500 to better provide for the City to recover expenses when undertaking a prosecution under the local law;
 - Increased modified penalties ('modified penalties' are an alternate to a court hearing, whereby an alleged offence is dealt with without a court hearing) have been increased from \$60-\$80 to \$100-120 for what are considered minor offences, and higher risk offences from \$90 to \$150.
 - These increased amounts align similarly to neighbouring local governments including the Town of Claremont and the City's of Vincent and Perth.

Discussion

The changes to the City of Nedlands parking penalties would be of assistance to the City and bring us inline with similar sized local governments.

Consultation

Parking local laws may be amended using the process set out in section 3.12 of the *Local Government Act 1995*.

Amongst other things this requires a local government to give local public notice stating that it proposes to make a local law, the purpose and effect of which is summarized in the notice for a period of 6 weeks after it first appears. A copy is also to be sent to the Minister for Local Government.

The purpose and effect of the proposed City of Nedlands Parking Amendment Local Law is:

Purpose

To amend the *City of Nedlands Parking and Parking Facilities Local Law 2013* to ensure definitions reflect those in the *Road Traffic Code 2000*, add provisions preventing parking in culs de sac heads, add provisions about parking on or near painted traffic islands, clarify provisions relating to the parking of vehicles that may be abandoned, unregistered or disused, clarify provisions relating to stopping or parking in clearways when in operation; and increase penalties.

Effect

The *City of Nedlands Parking and Parking Facilities Local Law 2013* is amended.

The results of the community consultation and feedback from the Minister are to be considered by Council before it makes the local law.

Strategic Implications

Great Governance and Civic Leadership

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

Priority Area

Nil.

Budget/Financial Implications

There are costs associated with the preparation of the Amendment local law, the giving of local public notice and if adopted, publication in the Government Gazette.

Legislative and Policy Implications

The process to edit current local laws is set out in section 3.12(3) of the [Local Government Act 1995](#).

Decision Implications

If adopted, the proposed changes will benefit the City and align us with similar size local governments.

Conclusion

The City should seek to keep its local laws as up to date as it reasonably can. As well as amendments required that arise from its application, the City should amend penalties at the same time.

The results of community feedback and the Minister will be reported to council before the proposed Amendment local law is adopted. If adopted, it will take effect 14 days after Gazettal and the principal local law will be amended.

Further Information

Question

Councillor Youngman – can the changes be tracked for ease of reference.

Officer Response

The local law with tracked changes has now been attached for ease of reference.

Local Government Act 1995

City of Nedlands Parking Amendment Local Law 2023

Under the powers conferred by the *Local Government Act 1995*, and all other powers enabling it, the Council of the City of Nedlands resolved on dd mm 2023 to make the following local law:

1. Citation

This local law is cited as the *City of Nedlands Parking Amendment Local Law 2023*.

2. Commencement

This local law comes into operation 14 days after its publication in the *Government Gazette*.

3. Principal Local Law

This local law amends the *City of Nedlands Parking and Parking Facilities Local Law 2013* as published in the *Government Gazette* on 23 October 2013.

4. Clause 1.6 amended

In clause 1.6(1):

- (a) The following definition is added in the appropriate place in alphabetical order:
bicycle lane has the meaning given to it by the Code;
- (b) The definition of ‘carriageway’ is deleted and replaced with:
carriageway has the same meaning given to it in the Code;
- (c) The following definition is added in the appropriate place in alphabetical order:
clearway means a length of carriageway which carries a high traffic volume that has clearway no stopping signs erected appurtenant to it, to facilitate the unhindered flow of traffic;
- (d) The definition of ‘no parking area’ is deleted and replaced with:
no parking area has the meaning given to it by the Code;
- (e) The definition of ‘no stopping area’ is deleted and replaced with:
no stopping area has the meaning given to it by the Code;
- (f) The following definition is added in the appropriate place in alphabetical order:
painted island has the meaning given to it by the Code;
- (g) The definition of ‘park’ is deleted and replaced with:
park has the meaning given to it by the Code;
- (h) The definition of ‘parking area’ is deleted and replaced with:
parking area has the meaning given to it by the Code;
- (i) The definition of ‘path’ is deleted and replaced with:
path has the meaning given to it by the Code;
- (j) The definition of ‘thoroughfare’ is deleted and replaced with:
thoroughfare has the meaning given to it by the Code;
- (k) The definition of ‘trailer’ is deleted and replaced with:
trailer has the meaning given to it by the Code;

5. Clause 2.6 amended

In clause 2.6(b) ‘and’ is replaced by ‘or’.

6. Clause 4.2 amended

Sub clause 4.2(3) is deleted and replaced with:

- (3) A person shall not park a vehicle—
 - (a) in a no parking area;

- (b) in a parking area, except in accordance with both the signs associated with the parking area and with this local law;
- (c) in a stall marked "M/C" unless it is a motor cycle without a sidecar or a trailer, or it is a bicycle; or
- (d) within the head of a cul-de-sac.

7. Clause 5.1 amended

Clause 5.1(1) is deleted and replaced with:

- (1) A driver shall not stop on a part of a carriageway, or in an area, to which a "no stopping" sign applies or when a "clearway" restriction is in operation.

8. Clause 5.13 replaced

Clause 5.13 is deleted and replaced with:

5.13 Stopping on a path, median strip, or traffic island

The driver of a vehicle (other than a bicycle or an animal) shall not stop so that any portion of the vehicle is on a path, traffic island, painted island or median strip, unless the driver stops in an area, to which a sign applies and the driver is permitted to stop at that place by the sign.

9. Clause 7.8 replaced

Clause 7.8 is deleted and replaced with:

7.8 Vehicles not to obstruct a public place

- (1) A person shall not park or leave a vehicle, or any part of a vehicle, in a public place so that it obstructs the use of any part of that public place without the permission of the local government or unless authorised under any written law.
- (2) A vehicle which is parked in any portion of a public place where vehicles may be lawfully parked, is deemed to cause an obstruction and may be impounded where -
 - (a) the vehicle is parked for any period exceeding 24 hours;
 - (b) the vehicle is so parked during any period in which the parking of vehicles is prohibited or restricted by a sign; or
 - (c) the vehicle is abandoned, unregistered or disused.

10. Clause 9.1 amended

In clause 9.1(2), '\$250' is replaced with '\$500'.

11. Schedule 2 replaced

The table in Schedule 2 is deleted and replaced with:

ITEM NO.	CLAUSE NO.	NATURE OF OFFENCE	MODIFIED PENALTY \$
1.	2.2(1), (2)	Failure to comply with signs	100
2.	2.3(a)	Unauthorised display, marking, setting up, exhibiting of a sign	100
3.	2.3(b)	Unauthorised removal, defacing or misuse of a sign	100
4.	2.3(c)	Unauthorised affixing anything to a sign	100
5.	3.2(1)(a)	Failure to park parallel to and as close to the kerb as practicable in a parking stall	100
6.	3.2(1)(b)	Failure to park wholly within parking stall	100
7.	3.2(1)(c)	Failure to park in the direction of the movement of traffic in a parking stall	100

ITEM NO.	CLAUSE NO.	NATURE OF OFFENCE	MODIFIED PENALTY \$
8.	3.2(4)	Failure to park wholly within parking area	100
9.	3.3(1)(a)	Causing obstruction in parking station	150
10.	3.3(1)(b)	Parking contrary to sign in parking station	100
11.	3.3(1)(c)	Parking contrary to directions of authorised person	150
12.	3.3(1)(d)	Parking or attempting to park a vehicle in a parking stall occupied by another vehicle	100
13.	4.2(1)(a)	Parking by vehicles of a different class	100
14.	4.2(1)(b)	Parking by persons of a different class	100
15.	4.2(1)(c)	Parking during prohibited period	100
16.	4.2(3)(a)	Parking in no parking area	100
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83.	7.10(2)	Interfere or damage a display panel or transmitting device	500

Dated

The Common Seal of the
City of Nedlands was affixed in)
the presence of)

.....
Fiona Argyle
Mayor

.....
William Parker
Chief Executive Officer

Parking and Parking Facilities Local Law

Effective 10 February 2017

Adopted 27 August 2013.

First published in the *Government Gazette* 23 October 2013 and effective from 6 November 2013.

Amended 20 December 2016 by City of Nedlands Parking and Parking Facilities Amendment Local Law 2016, published in the *Government Gazette* 27 January 2017 and effective from 10 February 2017.

Local Government Act 1995

City of Nedlands

Parking and Parking Facilities Local Law 2013

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the City of Nedlands resolved on 27 August 2013 to make the following local law.

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PART 1—PRELIMINARY

1.1 Citation

This local law may be cited as the *City of Nedlands Parking and Parking Facilities Local Law 2013*.

1.2 Purpose and effect

- (1) The purpose of this local law is to make provisions about the regulation of parking or stopping of vehicles in all or specified thoroughfares and reserves under the care, control and management of the local government and to provide for the management and operation of parking facilities.
- (2) The effect of this local law is that a person parking a vehicle within the parking region is to comply with the provisions of this local law.

1.3 Commencement

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

1.4 Repeal

The *City of Nedlands Parking and Parking Facilities Local Law* as published in the *Government Gazette* on 8 May 2002 and as published and amended in the *Government Gazette of September 2002* is repealed.

1.5 Application

- (1) Subject to subclause (2), this local law applies to the parking region in Schedule 1.
- (2) This local law does not apply to a parking facility or a parking station that is not occupied by the local government, unless the local government and the owner or occupier of that facility or station have agreed in writing that this local law will apply to that facility or station.
- (3) The agreement referred to in subclause (2) may be made on such terms and conditions as the parties may agree.
- (4) The provisions of Parts 2 and 3 do not apply to a bicycle parked at a bicycle rail or bicycle rack.

1.6 Interpretation

(1) In this local law, unless the context requires otherwise—

Act means the *Local Government Act 1995*;

AS means an Australian Standard published by Standards Australia;

AS 1742.11:1999 means the standard published by Standards Australia as AS 1742.11:1999 and called “Manual of uniform traffic control devices-parking controls”, as amended from time to time;

authorised person means a person authorised by the local government under section 9.10 of the Act, to perform any of the functions of an authorised person under this local law;

authorised vehicle means a vehicle authorised by the local government, the CEO or an authorised person or by any written law to park on a thoroughfare or parking facility;

bicycle has the meaning given to it by the Code;

bicycle means a vehicle with 2 or more wheels that is built to be propelled by human power through a belt, chain or gears (whether or not it has an auxiliary motor) -

- (a) including a pedicab, penny-farthing and tricycle; but
- (b) not including a wheelchair, wheeled recreational device, wheeled toy, scooter or a power-assisted pedal cycle (if the motor is operating).

[Regulation 3(1) of the Code]

bicycle lane has the meaning given to it by the Code;

bicycle lane means a marked lane, or the part of a marked lane —

- (a) beginning at a “bicycle lane” sign applying to the lane; and
- (b) ending at the nearest of the following:
 - (i) an “end bicycle lane” sign applying to the lane;
 - (ii) an intersection (unless the lane is at the unbroken side of the continuing road at a T-intersection or continued across the intersection by broken lines);
 - (iii) if the carriageway ends at a dead end — the end of the carriageway;

Bicycle lane sign



End bicycle lane sign



- **Note** There are a number of other permitted versions of the “bicycle lane” sign, and another permitted version of the “end bicycle lane” sign.
[Regulation 3(1) of the Code]

bicycle path has the meaning given to it by the Code;

bicycle path means a length of path beginning at a bicycle path sign or a bicycle path road marking and ending at the nearest of the following:

- (a) an end bicycle path sign, or an end bicycle path road marking;
- (b) a separated footpath sign or a separated footpath road marking;
- (c) a carriageway;
- (d) the end of the path;

Bicycle path sign



End bicycle path sign



Separated footpath sign



[Regulation 3(1) of the Code]

built-up area means the territory contiguous to and including any road-

- (a) on which there is a provision for street lighting at intervals of not over 100 m for a distance of at least 500 m or, if the road is shorter than 500 m, for the whole road; or
- (b) which is built up with structures devoted to business, industry or dwelling houses at intervals of less than 100 m for a distance of 500 m or more;

bus has the meaning given to it by the Code;

bus means a motor vehicle, built mainly to carry people, that seats over 12 adults (including the driver);

[Regulation 3(1) of the Code]

bus embayment has the meaning given to it by the Code;

bus embayment means an embayment at the side of a carriageway, designed so that a public bus can be driven into it, for the purpose of allowing passengers to alight or enter, without impeding the flow of traffic on that carriageway, but does not include a bus lane;

[Regulation 3(1) of the Code]

bus stop has the meaning given to it by the Code;

bus stop means a length of carriageway commencing 20m on the approach side of, and ending 10m on the departure side of, a post indicating that public busses stop at that point;

[Regulation 3(1) of the Code]

bus zone has the meaning given to it by the Code;

bus zone means a length of carriageway to which a bus zone sign applies;

[Regulation 3(1) of the Code]

caravan has the meaning given by the *Caravan Parks and Camping Grounds Act 1995*;

caravan means a vehicle that is fitted or designed for habitation, and unless the contrary intention appears, includes an annexe;

[Section 5 of the Caravan Parks and Camping Grounds Act 1995]

carriageway has the same meaning given to it in the Code;

carriageway means a portion of a road that is improved, designed or ordinarily used for vehicular traffic, and includes the shoulders, and areas, including embayments, at the side or centre of the carriageway, used for the stopping or parking of vehicles; and, where a road has 2 or more of those portions divided by a median strip, the expression means each of those portions, separately

[Regulation 3(1) of the Code]

centre in relation to a carriageway, means a line or a series of lines, marks or other indications—

- (a) for a two-way carriageway—placed so as to delineate vehicular traffic travelling in different directions; or
- (b) in the absence of any such lines, marks or other indications—the middle of the main, travelled portion of the carriageway;

CEO means the Chief Executive Officer of the local government;

children's crossing has the meaning given to it by the Code;

childrens crossing means a portion of carriageway between 2 parallel broken or unbroken lines, each approximately 150 millimetres wide and not more than 5 metres apart marked across, or partly across the carriageway and near which a fluorescent red-orange flag or sign bearing the words children crossing – stop, are displayed and, where the lines are so marked partly across a carriageway, includes a portion of the carriageway between the prolongations of those lines;

Children crossing — stop sign

(octagonal background in red)

(square background in lime/yellow)



[Regulation 3(1) of the Code]

clearway means a length of carriageway which carries a high traffic volume that has clearway no stopping signs erected appurtenant to it, to facilitate the unhindered flow of traffic

Code means the *Road Traffic Code 2000*;

commercial vehicle means a motor vehicle constructed for the conveyance of goods or merchandise, or for the conveyance of materials used in any trade, business, industry or work whatsoever, other than a motor vehicle for the conveyance of passengers, and includes any motor vehicle that is designed primarily for the carriage of persons but which has been fitted or adapted for the conveyance of the goods, merchandise or materials referred to;

crossover means the portion of land which lies between the boundary of a carriageway and the adjacent property line that is constructed for the purpose of providing access and egress to and from that property, whether or not the property is accessible via that driveway and does not include a footpath;

detection device means an electronic device placed in any position to detect or record the parking time of a vehicle on any road, parking facility or other public place and includes any instruments, display panels or transmitting apparatus associated with the device;

disability parking permit has the meaning given to it by the *Local Government (Parking for People with Disabilities) Regulations 2014*;

disability parking permit means a current document issued by the National Disability Service (ACN 008 445 485), consisting of —

- (a) an Australian Disability Parking Permit; and
- (b) an ACROD Parking Program Card;

[Regulation 4 *Local Government (Parking for People with Disabilities) Regulations 2014*]

driveway means the portion of land which lies between the boundary of a carriageway and the adjacent property line that is constructed for the purpose of providing access and egress to and from that property, whether or not the property is accessible via that driveway and does not include a footpath;

district means the district of the local government;

driver means any person driving or in control of a vehicle;

edge line for a carriageway means a line marked along the carriageway at or near the far left or the far right side of the carriageway;

emergency vehicle has the meaning given to it by the Code;

emergency vehicle means a motor vehicle -

- (a) when conveying a police officer on official duty or when that vehicle is stationary at any place connected with the official duty;
- (b) of a fire brigade on official duty, in consequence of a fire or an alarm of fire or of an emergency or rescue operation where human life is reasonably considered to be in danger;
- (c) being an ambulance, answering an urgent call or conveying any injured or sick person to any place for the provision of urgent treatment;
- (d) being used to obtain or convey blood or other supplies, drugs or equipment for a person urgently requiring treatment and duly authorised to carry a siren or bell for use as a warning instrument; or
- (e) duly authorised as an emergency vehicle for the purposes of these regulations, by the Director General;

[Regulation 3(1) of the Code]

fire hydrant means an upright pipe with a spout, nozzle or other outlet for drawing water from a main or service pipe in case of fire or other emergency;

fire plug means an upright pipe with a spout, nozzle or other outlet for drawing water from a main or service pipe in case of fire or other emergency;

footpath means an area that is open to the public that is designated for, or has as one of its main uses, use by pedestrians;

General Regulations mean the *Local Government (Functions and General) Regulations 1996*;

GVM (which stands for “gross vehicle mass”) has the meaning given to it by the Code;

GVM to means for a vehicle, the maximum loaded mass of the vehicle –

- (a) specified by the manufacturer on an identification plate on the vehicle; or
- (b) if there is no specification by the manufacturer on an identification plate on the vehicle or if the specification is not appropriate because the vehicle is modified – certified by the Director General;

[Regulation 3(1) of the Code]

kerb means any structure, mark, marking or device to delineate or indicate the edge of a carriageway;

loading zone means a length of a carriageway to which a “loading zone” sign applies;

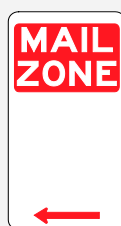
local government means the City of Nedlands;

mail zone has the meaning given to it by the Code;

mail zone means the length of carriageway to which a mail zone sign applies;

Mail zone sign

(arrow and background to words in red)



[Regulation 3(1) of the Code]

median strip has the meaning given to it by the Code;

median strip means any physical provision, other than lines, dividing a road to separate vehicular traffic proceeding in opposing directions or to separate 2 one-way carriageways for vehicles proceeding in opposing directions;

[Regulation 3(1) of the Code]

Note – see also definition of *painted island* and clause 4.5(2)(b) of this local law.

motor cycle has the meaning given to it by the Code;

motor cycle means a motor vehicle that has 2 wheels and includes -

- (a) a 2-wheeled motor vehicle with a sidecar attached to it that is supported by a third wheel; and
- (b) a motor vehicle with 3 wheels that is ridden in the same way as a motor vehicle with 2 wheels, but does not include any trailer;

[Regulation 3(1) of the Code]

motor vehicle has the meaning given to it by the Code;

motor vehicle does not include a motorised wheelchair, motorised scooter, electric rideable device or electric personal transporter;

[Regulation 3(1) of the Code]

no parking area has the meaning given to it by the Code;

no parking area means -

- (a) a portion of carriageway to which a no parking sign applies; or
- (b) an area to which a no parking sign applies;

No parking sign
(for a length of carriageway)
(circle, slash and arrow in red)



No parking sign
(for an area)
(circle and slash in red)



Note A “no parking” sign may have an arrow pointing in a different direction.

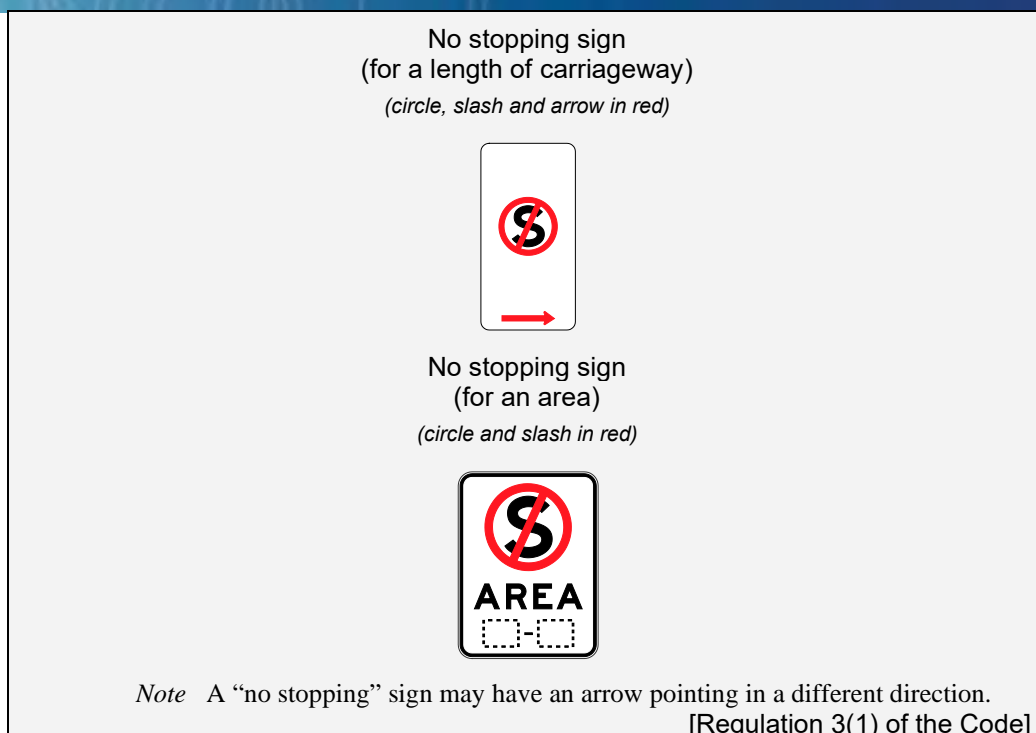
[Regulation 3(1) of the Code]

no parking sign means a sign with the words “no parking” in red letters on a white background, or the letter “P” within a red annulus and a red diagonal line across it on a white background;

no stopping area has the meaning given to it by the Code;

no stopping area means

- (a) a portion of carriageway to which a no stopping sign applies; or
- (b) an area to which a no stopping sign applies;



no stopping sign means a sign with the words “no stopping” or “no standing” in red letters on a white background or the letter “S” within a red annulus and a red diagonal line across it on a white background;

obstruct means to prevent or impede or to make difficult the normal passage of any vehicle, wheelchair, perambulator or pedestrian;

obstruction means to prevent or impede or to make difficult the normal passage of any vehicle, wheelchair, perambulator or pedestrian;

occupier has the meaning given to it by the Act;

occupier where used in relation to land means the person by whom or on whose behalf the land is actually occupied or, if there is no occupier, the person entitled to possession of the land, and includes a person in unauthorised occupation of Crown land and where under a licence or concession there is a right to take profit of Crown land specified in the licence or concession, means the person having that right;

[Section 1.4 of the Act]

owner-

- (a) where used in relation to a vehicle licensed under the Road Traffic Act, means the person in whose name the vehicle has been registered under the Road Traffic Act;
- (b) where used in relation to any other vehicle, means the person who owns, or is entitled to possession, of that vehicle; and
- (c) where used in relation to land, has the meaning given to it by the Act;

owner, where used in relation to land —

- (a) means a person who is in possession as —
- (i) the holder of an estate of freehold in possession in the land, including an estate or interest under a contract or an arrangement with the Crown or a person, by virtue of which contract or arrangement the land is held or occupied with a right to acquire by purchase or otherwise the fee simple;
 - (ii) a Crown lessee or a lessee or tenant under a lease or tenancy agreement of the land which in the hands of the lessor is not rateable land under this Act, but which in the hands of the lessee or tenant is by reason of the lease or tenancy rateable land under this or another Act for the purposes of this Act;
 - (iii) a mortgagee of the land; or
 - (iv) a trustee, executor, administrator, attorney, or agent of a holder, lessee, tenant, or mortgagee, mentioned in this paragraph;
- (b) where there is not a person in possession, means the person who is entitled to possession of the land in any of the capacities mentioned in paragraph (a), except that of mortgagee;
- (c) where, under a licence or concession there is a right to take profit of Crown land specified in the licence or concession, means the person having that right;
- (d) where a person is lawfully entitled to occupy land which is vested in the Crown, and which has no other owner according to paragraph (a), (b), or (c), means the person so entitled;
- (e) means a person who —
- (i) under the Mining Act 1978, holds in respect of the land a mining tenement within the meaning given to that expression by that Act;
 - (ii) in accordance with the Mining Act 1978 holds, occupies, uses, or enjoys in respect of the land a mining tenement within the meaning given to that expression by the Mining Act 1904 3; or
 - (iii) under the Petroleum Act 1967 holds in respect of the land a petroleum production licence or a petroleum exploration permit within the meaning given to each of those expressions by that Act;
- or
- (f) where a person is in the unauthorised occupation of Crown land, means the person so in occupation;

[Section 1.4 of the Act]

painted island has the meaning given to it by the Code;

painted island means an area of road —

- (a) entirely surrounded by a line or lines (whether broken or continuous); or
- (b) surrounded partly by a line or lines (whether broken or continuous) and partly by a kerb on or next to the carriageway,

which may be further identified by stripes or chevrons marked on the enclosed road surface, or by the enclosed road surface being a contrasting colour, but not including the road within a dividing line;

[Regulation 3(1) of the Code]

Note – see also definition of *median strip* and clause 4.5(2)(b) of this local law.

park has the meaning given to it by the Code;

park means to permit a vehicle, whether attended or not, to remain stationary, except for the purpose of —

- (a) avoiding conflict with other traffic;
- (b) complying with the provisions of any law; or
- (c) taking up or setting down persons or goods (*maximum of 2 minutes*);

[Regulation 3(1) of the Code]

parking area has the meaning given to it by the Code;

- parking area** means —
 - (a) a portion of carriageway to which a “permissive parking” sign applies; or
 - (b) an area to which a “permissive parking” sign applies:

Permissive parking sign (for a length of carriageway)	Permissive parking sign (for an area)
Permissive parking sign displaying a people with disabilities symbol (for a length of road)	Permissive parking sign displaying a people with disabilities symbol (for an area)

[Regulation 3(1) of the Code]

parking facilities includes land, buildings, shelters, road reserves, parking areas, parking bays, parking stations, parking stalls and other facilities open to the public generally for the parking of vehicles whether or not a fee is charged, and includes any signs, notices and facilities used in connection with the parking of vehicles;

parking region means the area described in Schedule 1;

parking stall means a section or part of a thoroughfare or of a parking station which is marked or defined by painted lines, metallic studs, coloured bricks or pavers or similar devices for the purpose of indicating where a vehicle may be parked;

parking station means any land or structure provided for the purpose of accommodating vehicles;

path has the meaning given to it by the Code;

path includes bicycle path, footpath, separated footpath and shared path;
[Regulation 3(1) of the Code]

pedestrian crossing has the meaning given to it by the Code;

pedestrian crossing means a portion of a carriageway-

(a) defined:

(i) by white stripes; or

(ii) by white or yellow stripes (according to the colour of the carriageway) and the portions of the carriageway lying between those stripes,

in such a manner that each stripe is approximately parallel to the centre of the carriageway; and

(b) near each end of which may be erected, on each side of the carriageway, so as to be clearly visible to an approaching driver, a "pedestrian crossing" sign;

Pedestrian crossing sign
(background in yellow)



[Regulation 3(1) of the Code]

permit means a permit issued under this local law;

public place means any place to which the public has access whether or not that place is on private property;

reserve means any land—

- (a) which belongs to the local government;
- (b) of which the local government is the management body under the *Land Administration Act 1997*; or
- (c) which is an “otherwise unvested facility” within section 3.53 of the Act;

right of way means a portion of land that is—

- (a) shown and marked “*Right of Way*” or “*ROW*” or coloured or marked in any other way to signify that the portion of land is a right of way, on any plan or diagram deposited with the Registrar of Titles that is subject to the provisions of section 167A of the *Transfer of Land Act 1893*;
- (b)

shown on a diagram or plan of survey relating to a subdivision that is created as a “right of way” and vested in the Crown under section 152 of the *Planning and Development Act 2005*; and

- (c) shown and marked as a right of way on a map or plan deposited with the Registrar of Titles and transferred to the Crown under the *Transfer of*

Land Act 1893, but does not include—

- (i) private driveways; and
- (ii) a “right of way” created by a deed of easement between two or more parties;

road means any highway, road, street, land, thoroughfare, right of way, cul-de-sac or similar place which the public are allowed to use, and includes all of the land lying between the property lines, including the street verge and footpath adjacent to it;

Road Traffic Act means the *Road Traffic Act 1974*;


Schedule means a schedule to this local law;

shared zone has the meaning given to it by the Code;


shared zone means the network of roads in an area with –

- (a) a shared zone sign on each road into the area, indicating the same number; and
- (b) an end shared zone sign on each road out of the area.

Shared zone sign
(circle in red)



End shared zone sign



Note: There are a number of other permitted versions of each of these signs;
Note: A shared zone sign may also have a different number on the sign;
 [Regulation 3(1) of the Code]

sign includes a traffic sign, inscription, road marking, mark, structure or device on which may be shown words, numbers, expressions or symbols, and which is placed on or near a thoroughfare or within a parking station or reserve for the purpose of prohibiting, regulating, guiding, directing or restricting the parking or stopping of vehicles;

special purpose vehicle has the meaning given to it by the Code;

special purpose vehicle means -

- (a) a vehicle being driven by a member of the Police Force (other than a police officer) on official duty or that vehicle when it is stationary at any place connected with the official duty;
- (b) a public utility service truck;
- (c) a tow truck;
- (d) a motor break-down service vehicle;
- (e) a vehicle being used by a government or local authority in connection with its roadwork or speed zoning functions; or

(f) a vehicle duly authorised as a special purpose vehicle for the purposes of these regulations, by the Director General, but does not include an emergency vehicle;

[Regulation 3(1) of the Code]

stop in relation to a vehicle means to stop a vehicle and permit it to remain stationary, except for the purposes of avoiding conflict with other traffic or of complying with the provisions of any law;

street includes a carriageway – which the public are allowed to use, and includes every part of the carriageway;

symbol includes, but is not limited to, any symbol specified by AS 1742.11: 1999 “Manual of uniform traffic control devices-parking controls” as amended from time to time and any symbol specified from time-to-time by Standards Australia for use in the regulation of parking;

taxi means a taxi within the meaning of the *Taxi Act 1994* or a taxi-car in section 47Z of the *Transport Co-ordination Act 1966*;

taxi means a vehicle which is used for the purpose of standing or plying for hire, or otherwise for the carrying of passengers for reward, but does not include an omnibus licensed under the *Transport Co-ordination Act 1966* or a vehicle of a class declared by the Director General under subsection (2) not to be a taxi;

[Section 3 of the *Taxi Act 1994*]

taxi-car means a vehicle that is used for the purpose of standing or plying for hire or otherwise for the carrying of passengers for reward;

[Section 47Z of the *Transport Co-ordination Act 1966*]

taxi zone has the meaning given to it by the Code;

taxi zone means a length of carriageway to which a taxi zone applies;

Taxi zone sign

(arrow and background to words in red)



Note There are a number of other permitted versions of this sign.

Note A “taxi zone” sign may have an arrow pointing in a different direction and anything on the sign may be differently arranged.

[Regulation 3(1) of the Code]

thoroughfare has the meaning given to it by the Act;

thoroughfare means a road or other thoroughfare and includes structures and other

things appurtenant to the thoroughfare that are within its limits, and nothing is prevented from being a thoroughfare only because it is not open at each end;
[Section 1.4 of the Act]

traffic island has the meaning given to it by the Code;

traffic island means any physical provision, other than lines, marks or other indications on a carriageway, made at or near an intersection, to guide vehicular traffic;
[Regulation 3(1) of the Code]

trailer has the meaning given to it by the Code:

trailer means any vehicle without motive power of its own, designed for attachment to a motor vehicle for the purpose of being towed, but does not include the rear portion of an articulated vehicle, or a side-car;
[Regulation 3(1) of the Code]

;

unattended in relation to a vehicle, means that the driver has left the vehicle so that the driver is more than 3 metres from the closest point of the vehicle;

vehicle has the meaning given to it by the Road Traffic Act; and

vehicle includes —
(a) every conveyance, not being a train, vessel or aircraft, and every object capable of being propelled or drawn, on wheels or tracks, by any means;
and
(b) where the context permits, an animal being driven or ridden;
[Section 5(1) of the Act]

verge means the portion of a thoroughfare which lies between the boundary of a carriageway and the adjacent property line but does not include a footpath and can also be referred to as a nature strip;

- (2) For the purposes of the application of the definitions “no parking area”, “no stopping area” and “parking area” an arrow inscribed on a sign erected at an angle to the boundary of the carriageway is deemed to be pointing in the direction in which it would point, if the signs were turned at an angle of less than 90 degrees until parallel with the boundary.

- (3) A reference to a word or expression inscribed on a sign includes a reference to a symbol depicting the word or expression.
- (4) A reference to a parking station includes a reference to part of the parking station.
- (5) Unless the context otherwise requires, where a term is used but not defined in this local law and—
 - (a) it is defined in the Act, it shall have the meaning given to it in the Act; and
 - (b) it is defined in the Road Traffic Act or in the Code, it shall have the meaning given to it in the Road Traffic Act or the Code.

1.7 Classes of vehicles

For the purposes of this local law, vehicles are divided into the following classes—

- (a) buses;
- (b) commercial vehicles;
- (c) motor cycles and bicycles;
- (d) taxis; and
- (e) all other vehicles.

1.8 Powers of the local government

The local government may prohibit or regulate by signs or otherwise, the stopping or parking of any vehicle or any class of vehicles in any part of the parking region but must do so consistently with the provisions of this local law.

1.9 Determination of fees, charges and costs

All fees, charges and costs referred to in this local law shall be determined and imposed by the local government from time to time in accordance with sections 6.16 to 6.19 of the Act.

PART 2—SIGNS

2.1 Erection of signs

- (1) The local government may erect a sign for the purposes of this local law on any land, building or other structure within the parking region.

- (2) Erection of signs on private land shall be at the approval of the private land owner.

2.2 Compliance with signs

- (1) A person shall comply with the direction on every sign displayed, marked, placed or erected pursuant to this local law.
- (2) An inscription or symbol on a sign operates and has effect according to its tenor and a person contravening the direction on a sign commits an offence under this local law.

2.3 Unauthorised signs and defacing of signs

A person shall not without the approval of the local government—

- (a) display, mark, set up or exhibit a sign purporting to be or resembling a sign marked, set up or exhibited by the local government under this local law;
- (b) remove, deface or misuse a sign or property set up or exhibited by the local government under this local law or attempt to do any such act; or
- (c) affix a board, sign, placard, notice or other thing to, or paint or write upon any part of a sign set up or exhibited by the local government under this local law.

2.4 General provisions about signs

- (1) A sign marked, erected, set up, established or displayed on or near a thoroughfare or in a parking station is, in the absence of evidence to the contrary, deemed to be a sign marked, erected, set up, established or displayed under the authority of this local law.
- (2) The first three letters of any day of the week when used on a sign indicate that day of the week.
- (3) For the purpose of this local law, the local government may use AS 1742.11: 1999 as amended from time to time as a guide for the development or marking of signs, but is not bound to do so and, where it does use it as a guide may vary any of the provisions of AS 1742.11: 1999 as it sees fit.

2.5 Application of this local law to pre-existing signs and private properties

- (1) A sign that—
 - (a) was erected by the local government or the Commissioner of Main Roads prior to the coming into operation of this local law; and

- (b) relates to the parking of vehicles within the parking region, shall be deemed for the purposes of this local law to have been erected by the local government under the authority of this local law.
- (2) A sign that was erected on a private property prior to the coming into operation of this local law, and that states or stated to the effect that there was no unauthorised parking and that the local law repealed under clause 1.4 the repealed local law applied to the private property, shall be deemed for the purposes of this local law to have been erected under the authority of this local law and to refer to this local law instead of the repealed local law.
- (3) An inscription or symbol on a sign referred to in subclause (1) or (2) operates and has effect according to its tenor, and where the inscription or symbol relates to the stopping of vehicles, it shall be deemed for the purposes of this local law to operate and have effect as if it related to the parking of vehicles.

2.6 Part of thoroughfare to which sign applies

Where under this local law the parking of vehicles in a thoroughfare is controlled by a sign, the sign shall be read as applying to that part of the thoroughfare which—

- (a) lies beyond the sign;
- (b) lies between the sign and the next sign beyond that sign; or
- (c) is on that side of the thoroughfare nearest to the sign.

PART 3—PARKING STALLS AND PARKING STATIONS

3.1 Determination of parking stalls and parking stations

- (1) The local government may constitute, determine and vary and also indicate by signs—
 - (b) parking stalls;
 - (c) parking stations;
 - (d) permitted time and conditions of parking in parking stalls and parking stations which may vary with the locality;
 - (e) permitted classes of vehicles which may park in parking stalls and parking stations;
 - (f) permitted classes of persons who may park in specified parking stalls or parking stations; and
 - (g) the manner of parking in parking stalls and parking stations.
- (2) Where the local government makes a determination of resolution under this clause, it shall erect signs to give effect to the determination or resolution.

3.2 Vehicles to be within parking stalls on thoroughfares

- (1) Subject to subclauses (2), (3), and (4), a person shall not park a vehicle in a parking stall in a thoroughfare otherwise than—
 - (a) parallel to and as close to the kerb as is practicable;
 - (b) wholly within the stall; and
 - (c) headed in the direction of the movement of traffic on the side of the thoroughfare in which the stall is situated.
- (2) Subject to subclause (3) where a parking stall in a thoroughfare is set out otherwise than parallel to the kerb, then a person must park a vehicle in that stall wholly within it.
- (3) If a vehicle is too long or too wide to fit completely within a single parking stall then the person parking the vehicle shall do so within the minimum number of parking stalls needed to park that vehicle.
- (4) A person shall not park a vehicle partly within and partly outside a parking area.

3.3 Parking prohibitions and restrictions

- (1) A person shall not—
 - (a) stop or park a vehicle in a parking station so as to obstruct any entrance, exit, carriageway, passage or thoroughfare of the parking station;
 - (b) except with the permission of the local government or an authorised person, park a vehicle on any part of a parking station contrary to a sign referable to that part;
 - (c) permit a vehicle to park on any part of a parking station if an authorised person directs the driver of such vehicle to move the vehicle from such part or from the parking station; or
 - (d) park or attempt to park a vehicle in a parking stall in which another vehicle is parked but this paragraph does not prevent the parking of a motor cycle and a bicycle together in a stall marked “M/C”, if the bicycle is parked in accordance with subclause (2).
- (2) No person shall park any bicycle—
 - (a) in a parking stall other than in a stall marked “M/C”; and
 - (b) in such stall other than against the kerb, unless it is parked at a bicycle rail or in a bicycle rack.
- (3) Notwithstanding the provisions of subclause (1)(b) a driver may park a vehicle in a parking facility (except in a permit parking area) for twice the period of time permitted by the sign, provided that—
 - (a) the driver’s vehicle displays a valid disability parking permit; and

- (b) person with disabilities to which that disability parking permit relates is either the driver of or a passenger in the vehicle.

PART 4—PARKING GENERALLY

4.1 Interpretation

In this Part—

continuous dividing line means—

- (a) a single continuous dividing line only;
- (b) a single continuous dividing line to the left or right of a broken dividing line; or
- (c) two parallel continuous dividing lines.

event means any event or occurrence considered by the local government to warrant the setting aside of any parking facility.

land does not include land under clause 4.10—

- (a) which belongs to the local government;
- (b) of which the local government is the management body under the *Land Administration Act 1997*;
- (c) which is an “otherwise unvested facility” within section 3.53 of the Act; or
- (d) which is the subject of an agreement referred to in clause 1.5(2).

4.2 Restrictions on parking in particular areas

- (1) Subject to subclause (2), a person shall not park a vehicle in a thoroughfare or part of a thoroughfare, or part of a parking station—
 - (a) if by a sign it is set apart for the parking of vehicles of a different class;
 - (b) if by a sign it is set apart for the parking of vehicles by persons of a different class; or
 - (c) during any period when the parking of vehicles is prohibited by a sign.
- (2) A driver may park a vehicle in a thoroughfare or part of a thoroughfare or part of a parking station, except in a thoroughfare or part of a thoroughfare or part of a parking station to which a disabled parking sign relates, for twice the period of time indicated on the sign providing that-
 - (a) the driver’s vehicle displays a valid disability parking permit; and

- (b) the person with disabilities to which that disability parking permit relates is either the driver of or a passenger in the vehicle.
- (3) A person shall not park a vehicle—
 - (a) in a no parking area;
 - (b) in a parking area, except in accordance with both the signs associated with the parking area and with this local law;

- (c) in a stall marked “M/C” unless it is a motor cycle without a sidecar or a trailer, or it is a bicycle; or
 - (d) within the head of a cul-de-sac.
- (4) A person shall not park a motor cycle without a sidecar or a trailer, or a bicycle in a parking stall unless the stall is marked “M/C”.
 - (5) A person shall not, without the prior permission of the local government or an authorised person park a vehicle in an area designated by a sign stating “Authorised Vehicles Only”.

4.3 Parking vehicle on a carriageway

- (1) A person parking a vehicle on a carriageway other than in a parking stall shall park it—
 - (a) in the case of a two-way carriageway, so that it is as near as practicable to and parallel with the left boundary of the carriageway and headed in the direction of the movement of traffic on the side of the thoroughfare on which the vehicle is parked;
 - (b) in the case of a one-way carriageway, so that it is as near as practicable to and parallel with either boundary of the carriageway and headed in the direction of the movement of traffic on that carriageway;
 - (c) so that at least 3 metres of the width of the carriageway lies between the vehicle and the farther boundary of the carriageway, or any continuous dividing line or median strip, or between the vehicle and a vehicle parked on the farther side of the carriageway;
 - (d) so that the front and the rear of the vehicle respectively are not less than 1 metre from any other vehicle, except a motor cycle without a trailer, or a bicycle parked in accordance with this local law; and
 - (e) so that it does not obstruct any vehicle on the carriageway, unless otherwise indicated by a sign.

4.4 When parallel and right-angled parking apply

Where a sign associated with a parking area is not inscribed with the words “angle parking”, or with an equivalent symbol depicting this purpose, then unless a sign associated with the parking area indicates, or marks on the carriageway indicate, that vehicles have to park in a different position, where the parking area is—

- (a) adjacent to the boundary of a carriageway, a person parking a vehicle in the parking area shall park it as near as practicable to and parallel with that boundary; and
- (b) at or near the centre of the carriageway, a person parking a vehicle in that parking area shall park it at approximately right angles to the centre of the carriageway.

4.5 When angle parking applies

- (1) This clause does not apply to—
 - (a) a passenger vehicle or a commercial vehicle with a mass including any load, of over three tonnes; or
 - (b) a person parking either a motor cycle without a trailer or a bicycle.
- (2) Where a sign associated with a parking area is inscribed with the words “angle parking” (or with an equivalent symbol depicting this purpose), a person parking a vehicle in the area shall park the vehicle at an angle of approximately 45 degrees to the centre of the carriageway unless otherwise indicated by the inscription on the parking sign or by marks on the carriageway.

4.6 General prohibitions on parking

- (1) This clause does not apply to a vehicle parked in a parking stall.
- (2) Subclauses (3)(b) and (d) do not apply to a vehicle which parks in a bus embayment.
- (3) Subject to any law relating to intersections with traffic control signals a person shall not park a vehicle so that any portion of the vehicle is—
 - (a) between any other stationary vehicles and the centre of the carriageway;
 - (b) obstructing a right of way, private drive or carriageway or so close as to deny a vehicle reasonable access to or egress from the right of way, private drive or carriageway;
 - (c) alongside or opposite any excavation, works, hoarding, scaffolding or obstruction on the carriageway, if the vehicle would obstruct traffic;
 - (d) positioned so that at least three metres of the width of the carriageway lies between—
 - (i) the vehicle and the farther boundary of the carriageway, or any continuous dividing line or median strip; or
 - (ii) the vehicle and any part of a vehicle parked on the farther side of the carriageway.
 - (e) on an intersection, except adjacent to a carriageway boundary that is not broken by an intersecting carriageway;
 - (f) within 3 metres of a public letter box, unless the vehicle is being used for the purposes of collecting postal articles from the letter box; or
 - (g) within 10 metres of the nearer property line of any thoroughfare intersecting the thoroughfare on the side on which the vehicle is parked, unless a sign indicates otherwise.
- (4) A person shall not park a vehicle so that any portion of the vehicle is within 10 metres of the departure side of a children’s crossing or pedestrian crossing.

- (5) A person shall not park a vehicle so that any portion of the vehicle is within 20 metres of the approach side of a children's crossing or pedestrian crossing.
- (6) A person shall not park a vehicle so that any portion of the vehicle is within 20 metres of either the approach side or the departure side of the nearest rail of a railway level crossing.

4.7 Authorised person may order vehicle on thoroughfare to be moved

The driver of a vehicle shall not park a vehicle on any part of a thoroughfare in contravention of this local law after an authorised person has directed the driver to move it.

4.8 No movement of vehicles to avoid time limitation

- (1) Where the parking of vehicles in a parking facility is permitted for a limited time, a person shall not move a vehicle within the parking facility so that the total time of parking exceeds the maximum time allowed for parking in the parking facility.
- (2) Where the parking of vehicles in a thoroughfare is permitted for a limited time, a person shall not move a vehicle along that thoroughfare so that the total time of parking exceeds the maximum time permitted, unless the vehicle has first been removed from the thoroughfare for at least two hours.
- (3) Where parking in a thoroughfare is restricted as to time and a vehicle has been parked in that thoroughfare a person shall not park that vehicle again in that thoroughfare unless there is between the place where the vehicle had been parked and the place where the vehicle is subsequently parked another thoroughfare that meets or intersects that thoroughfare.

4.9 No parking of vehicles exposed for sale and in other circumstances

A person shall not park a vehicle on any part of a thoroughfare—

- (a) for the purpose of exposing it for sale;
- (b) if that vehicle is not licensed under the Road Traffic Act;
- (c) if that vehicle is a trailer or a caravan unattached to a motor vehicle; or
- (d) for the purpose of effecting repairs to it, other than the minimum repairs necessary to enable the vehicle to be moved to a place other than a thoroughfare.

4.10 Parking on private land

- (1) A person shall not park a vehicle on land without the consent of the owner or occupier of the land on which the vehicle is parked.
- (2) Where the owner or occupier of the land, by a sign referable to that land or otherwise, consents to the parking of vehicles of a specified class or classes on the land for a limited period, a person shall not park a vehicle on the land otherwise than in accordance with the consent.

4.11 Parking on reserves

No person other than an employee or approved contractor of the local government in the course of his or her duties or a person authorised by the local government shall drive or park a vehicle upon or over any portion of a reserve other than upon an area specifically set aside for that purpose.

4.12 Suspension of parking limitations for urgent, essential or official duties

- (1) Where by a sign, the parking of vehicles is permitted for a limited time on a portion of a thoroughfare or parking facility, the local government or an authorised person may, subject to the Code, permit a person to park a vehicle in that portion of the thoroughfare or parking facility for longer than the permitted time in order that the person may carry out urgent, essential or official duties.
- (2) Where permission is granted under subclause (1), the local government or an authorised person may prohibit the use by any other vehicle of that portion of the thoroughfare or parking facility to which the permission relates, for the duration of that permission.

4.13 Parking in a parking station

- (1) Fees payable for vehicles parking in parking stations—
 - (a) a fee payable for the parking of a vehicle and the period of application of the fee in a parking station may be determined and imposed by the local government; and
 - (b) the local government shall not be obliged to accept payment of any fee referred to in this clause.
- (2) A person shall not stop or park a motor cycle in a parking station unless—
 - (a) wholly within a parking stall marked with the symbol “M/C” or otherwise designated as being set aside for the parking of motor cycles;
 - (b) that person has paid to the local government the fee; and

- (c) during the period for which the fee is applicable.
- (3) The local government in respect of any period or time may by the use of signs set aside any parking station or any part of a parking station and prohibit entry thereto by vehicles other than vehicles carrying at least one other person in addition to the driver.
- (4) Parking restrictions for vehicles with multiple occupants—
 - (a) the local government may determine and impose a fee payable for the parking of a vehicle in any parking station or part of a parking station at any time or for specified times;
 - (b) a person shall not stop or park a vehicle in any parking station or part of a parking station which has been set aside under this local law at the times or within such period specified pursuant to this local law unless the vehicle is carrying at least one other person; and
 - (c) a person shall not enter any parking station or part of a parking station which has been set aside under this local law at the times or within such period specified pursuant to this local law unless that person is the driver of or passenger in a vehicle carrying at least one other person.

PART 5—PARKING AND STOPPING

Division 1—Parking and stopping generally

5.1 “No stopping” and “no parking” signs, and yellow edge lines

- (1) A driver shall not stop on a part of a carriageway, or in an area, to which a “no stopping” sign applies or when a “clearway” restriction is in operation.
- (2) A driver shall not stop on a part of a carriageway or in an area to which a “no parking” sign applies, unless the driver is—
 - (a) dropping off, or picking up passengers or goods;
 - (b) does not leave the vehicle unattended; and
 - (c) completes the dropping off, or picking up of the passengers or goods within 2 minutes of stopping and drives on.
- (3) A driver shall not stop at the side of a carriageway marked with a continuous yellow edge line.

Division 2—Stopping in zones for particular vehicles

5.2 Stopping in a loading zone

A person shall not stop a vehicle in a loading zone unless it is—

- (a) a motor vehicle used for commercial or trade purposes engaged in the picking up or setting down of goods;
- (b) a motor vehicle taking up or setting down passengers, but in any event, shall not remain in that loading zone—
- (c) for longer than a time indicated on the “loading zone” sign; or
- (d) longer than 30 minutes, if no time is indicated on the sign.

5.3 Stopping in a taxi or bus zone

- (1) A driver shall not stop in a taxi zone, unless the driver is driving a taxi.
- (2) A driver shall not stop in a bus zone unless the driver is driving a public bus, or a bus of a type that is permitted to stop at the bus zone by information on or with the “bus zone” sign applying to the bus zone.

5.4 Stopping in a mail zone

A person shall not stop a vehicle in a mail zone, unless the driver is driving an Australia Post vehicle, and is dropping off, or picking up, mail.

5.5 Other limitations in zones

A person shall not stop a vehicle in a zone to which a sign applies if stopping the vehicle would be contrary to any limitation in respect to classes of persons or vehicles, or specific activities allowed, as indicated by additional words on a sign that applies to the zone.

Division 3—Other places where stopping is restricted

5.6 Stopping in a shared zone

A driver shall not stop in a shared zone unless—

- (a) the driver stops at a place on a part of a carriageway, or in an area to which a sign applies and the driver is permitted to stop at that place by the sign;
- (b) the driver stops in a parking bay and the driver is permitted to stop in the parking bay under this local law;
- (c) the driver is dropping off, or picking up, passengers or goods; or
- (d) the driver is engaged in door-to-door delivery or the collection of goods, or in the collection of waste or garbage.

5.7 Double parking

- (1) A driver shall not stop a vehicle so that any portion of the vehicle is between any other stopped vehicle and the centre of the carriageway.
- (2) This clause does not apply to—
 - (a) a driver stopped in traffic; or
 - (b) a driver angle parking on the side of the carriageway or in a median strip parking area, in accordance with this local law.

5.8 Stopping near an obstruction

A driver shall not stop on a carriageway near an obstruction on the carriageway in a position that further obstructs traffic on the carriageway.

5.9 Stopping on a bridge or in a tunnel, etc.

- (1) A driver shall not stop a vehicle on a bridge, causeway, ramp or similar structure unless—
 - (a) the carriageway is at least as wide on the structure as it is on each of the approaches and a sign does not prohibit stopping or parking; or
 - (b) the driver stops at a place on a part of a carriageway, or in an area, to which a sign applies and the driver is permitted to stop at that place by the sign.
- (2) A driver shall not stop a vehicle in a tunnel or underpass unless—
 - (a) the carriageway is at least as wide in the tunnel or underpass as it is on each of the approaches and a traffic sign does not prohibit stopping or parking; or
 - (b) the driver of a motor vehicle stops at a bus stop, or in a bus zone or parking area marked on the carriageway, for the purpose of setting down or taking up passengers.

5.10 Stopping on crests, curves, etc.

- (1) Subject to subclause (2), a driver shall not stop a vehicle on, or partly on, a carriageway, in any position where it is not visible to the driver of an overtaking vehicle, from a distance of 50 metres within a built-up area, and from a distance of 150 metres outside a built-up area.
- (2) A driver may stop on a crest or curve on a carriageway that is not in a built-up area if the driver stops at a place on the carriageway, or in an area to

which a sign applies and the driver is permitted to stop at that place by the sign.

5.11 Stopping near a fire hydrant, etc.

A driver shall not stop a vehicle so that any portion of the vehicle is within 1 metre of a fire hydrant or fire plug, or of any sign or mark indicating the existence of a fire hydrant or fire plug, unless—

- (a) the driver is driving a public bus, and the driver stops in a bus zone or at a bus stop and does not leave the bus unattended; or
- (b) the driver is driving a taxi, and the driver stops in a taxi zone and does not leave the taxi unattended.

5.12 Stopping at or near a bus stop

- (1) A driver shall not stop a vehicle so that any portion of the vehicle is within 20 metres of the approach side of a bus stop, or within 10 metres of the departure side of a bus stop, unless—

- (a) the vehicle is a public bus stopped to take up or set down passengers; or
- (b) the driver stops at a place on a part of a carriageway, or in an area, to which a sign applies and the driver is permitted to stop at that place by the sign.

- (2) In this clause—

- (a) distances are measured in the direction in which the driver is driving; and
- (b) a trailer attached to a public bus is deemed to be a part of the public bus.

5.13 Stopping on a path, median strip, or traffic island

The driver of a vehicle (other than a bicycle or an animal) shall not stop so that any portion of the vehicle is on a path, traffic island, painted island or median strip, unless the driver stops in an area, to which a sign applies and the driver is permitted to stop at that place by the sign.

5.14 Stopping on a verge or nature strip

- (1) A person shall not stop a vehicle so that any portion of that vehicle is on a verge unless he or she is the owner or occupier of the premises adjacent to that verge or is a person authorised by the occupier of those premises.

- (2) A person shall not stop a vehicle so that any portion of that vehicle is on a verge during any period when the stopping or parking of vehicles on that verge is prohibited by a sign adjacent and referable to that verge.
- (3) A person shall not stop a commercial vehicle or bus, or a trailer or caravan unattached to a motor vehicle so that any portion of that vehicle is on a verge.
- (4) Subclause (3) does not apply to a commercial vehicle when it is being loaded or unloaded with reasonable expedition with goods, merchandise or materials collected from or delivered to the premises adjacent to the portion of the verge on which the commercial vehicle is parked, provided no obstruction is caused to the passage of any vehicle or person using a carriageway or a footpath.
- (5) The owner or occupier of premises adjacent to a verge shall not charge a fee to authorise a person to stop on a verge in accordance with subclause (1) of this clause.

5.15 Obstructing access to and from a path, driveway, etc.

- (1) A driver shall not stop a vehicle so that any portion of the vehicle is in front of a path in a position that obstructs access by vehicles or pedestrians to or from that path, unless—
 - (a) the driver is dropping off, or picking up passengers; or
 - (b) the driver stops in a parking stall and the driver is permitted to stop in the parking stall under this local law.
- (2) A driver shall not stop a vehicle so that any portion of the vehicle is on or across a driveway, crossover or other way of access for vehicles travelling to or from adjacent land, unless—
 - (a) the driver is dropping off or picking up passengers; or
 - (b) the driver stops in a parking stall and the driver is permitted to stop in the parking stall under this local law.

5.16 Stopping near a public letter box

A driver shall not stop a vehicle so that any portion of the vehicle is within 3 metres of a public letterbox, unless the driver—

- (a) is dropping off, or picking up passengers or mail; or
- (b) stops at a place on a part of a carriageway, or in an area to which a sign applies and the driver is permitted to stop at that place by the sign.

5.17 Stopping on a carriageway—heavy and long vehicles

Subject to any clause to the contrary or sign referable to the carriageway, a person shall not park a vehicle or any combination of vehicles that together with any projection on, or load carried by the vehicle or combination of vehicles is 7.5 metres or more in length or exceeds a GVM of 4.5 tonnes—

- (a) on a carriageway in a built-up area for any period exceeding one hour, unless engaged in the picking up or setting down of goods; or
- (b) on a carriageway outside a built-up area, except on the shoulder of the carriageway or other area set aside for the parking of such vehicles.

5.18 Stopping on a carriageway with a bicycle parking sign

The driver of a vehicle, other than a bicycle shall not stop on a part of a carriageway to which a “bicycle parking” sign applies, unless the driver is dropping off or picking up passengers.

5.19 Stopping on a carriageway with a motor cycle parking sign

The driver of a vehicle shall not stop on a part of a carriageway, or in an area to which a “motor cycle parking” sign applies, or an area marked “M/C” unless—

- (a) the vehicle is a motor cycle; or
- (b) the driver is dropping off or picking up passengers.

5.20 Motor cycle stalls

- (1) A person shall not stop or park a vehicle other than a bicycle or a motor cycle to which no side car or side-box is attached in a parking stall—
 - (a) marked with the symbol “M/C”; or
 - (b) in which the parking of bicycles or motor cycles is permitted by a sign referable to that parking stall.
- (2) A person shall not stop or park a bicycle or motor cycle in a parking stall marked with the symbol “M/C”—
 - (a) for longer than the maximum period permitted for parking in that parking stall by a sign referable to that parking stall;
 - (b) if there is no sign referable to that parking stall than for longer than the maximum period during which a vehicle may stop or be parked as specified on any sign referable to any parking stall adjacent thereto; or
 - (c) otherwise than wholly within the stall.

PART 6—PARKING PERMITS

6.1 Interpretation

In this Part, unless the context otherwise requires:

dwelling unit means premises lawfully used for self contained living quarters;

eligible person where used in relation to an application for a—

- (a) residential parking permit means a single house occupier, a unit occupier or a unit owner;
- (b) visitor's parking permit means—
 - (i) a single house occupier;
 - (ii) a strata company;
 - (iii) a unit owner of a residential unit which is not a strata lot;

off street parking bay means an area on private property that can be used to park a vehicle(s) and is not restricted to a pavement or concrete area and any one area is not restricted to one vehicle providing multiple vehicles can fit;

residential parking permit means a permit issued to a resident by the local government pursuant to clause 6.3(1);

residential unit means a dwelling unit which is part of a building adjacent to a part of a thoroughfare on which thoroughfare the stopping or parking of vehicles is prohibited for more than a specified period and which building contains—

- (a) two or more dwelling units with or without any non residential units;
- (b) one dwelling unit with one or more non residential units;

single house means a dwelling unit constructed on its own lot and used for self-contained living quarters and which is adjacent to a part of a road on which the stopping or parking of vehicles is prohibited for more than a specified period;

single house occupier means an occupier of a single house;

strata company has the meaning given to it in the *Strata Titles Act 1985*;

unit occupier means a person who is an occupier of a residential unit but does not include a unit owner;

unit owner means a person who is an owner of a residential unit; and

visitor parking permit means a permit issued by the local government pursuant to clause 6.3(2).

6.2 Exemption for permit holders

- (1) The holder of a residential parking permit or a visitor parking permit is exempt from compliance with-
 - (a) any parking sign prohibiting the parking or stopping of vehicles for more than a specified time; and
 - (b) any parking restriction on a parking sign that is also inscribed with the words “City of Nedlands Permit Holders Excepted”.
- (2) The exemption conferred by subclause (1) shall apply only—
 - (a) to that part of a thoroughfare specified in the permit;
 - (b) where the permit displayed is a residential parking permit to the vehicle specified in the residential parking permit;
 - (c) if the permit is displayed in the vehicle or affixed to the windscreen of the vehicle so as to be clearly visible and able to be read by an authorised person from outside the vehicle; and
 - (d) if the permit is valid.
- (3) The exemption conferred by subclause (1)(a) shall not, unless specifically noted on the permit, apply during any period in which the stopping or parking of vehicles is prohibited in the thoroughfare or the part of the thoroughfare specified in the permit.
- (4) The exemption conferred by subclause (1)(a) shall apply only where the time restriction applicable to that part of the thoroughfare is for a period exceeding 30 minutes.

6.3 Issue of permits

- (1) The local government may upon a written application of an eligible person issue a residential parking permit.
- (2) The local government may upon a written application of an eligible person issue for the occasional use of visitors, a visitor parking permit.
- (3) The local government’s power to issue, replace and revoke permits under this Part may be exercised by an authorised officer.
- (4) Notwithstanding any other provisions in this local law, the local government may approve the issue of a number of residential parking permits or visitor parking permits to any owner or occupier on such terms and conditions as the local government sees fit.
- (5) The maximum number of residential parking permits and visitor parking permits that shall be issued by the local government in relation to a dwelling must comply with the following table:

Number of off street parking bays for the dwelling	Maximum number of Residential Parking Permits	Maximum number of Visitor Parking Permits
0	2	2
1	1	2
2	0	2
3	0	1
4 or more	0	0

- (6) Fees payable for residential parking permits and visitor parking permits shall be set by the local government from time to time in accordance with the Act.

6.4 Discretionary authority

Notwithstanding any other provisions in this local law which restrict the number of residential parking permits or visitor parking permits that may be issued, the local government may approve the issue of one additional residential parking permit or one additional visitor parking permit to any occupier on such terms and conditions as the local government sees fit.

6.5 Validity of permit

Every residential parking permit or visitor parking permit as the case may be shall cease to be valid upon—

- (a) the expiry of a period of 12 months from and including the date on which it is issued;
- (b) the holder of the permit ceasing to be an eligible person;
- (c) the revocation of the permit by the local government pursuant to clause 6.6; and
- (d) the replacement of any permit by a new permit issued by the local government pursuant of clause 6.3.

6.6 Revocation of a permit

- (1) The local government may at any time give an eligible person to whom a permit was issued pursuant to the provisions of this local law notice requiring that person to notify the local government of any reason why that permit should not be revoked.
- (2) The local government shall give notice referred to in subclause (1) by serving a notice on the eligible person to whom the permit was issued.
- (3) If within 7 days after the date of receipt of the notice referred to in subclause (2) the eligible person to whom the permit was issued—
 - (a) fails to give the local government notice in writing of any reason why the permit should not be revoked; or

- (b) gives the local government notice in writing of any reasons why the permit should not be revoked; then the local government may in its absolute discretion revoke that permit.
- (4) For the purpose of subclause (3) the date of receipt of the notice shall be the date the notice was served.
- (5) The local government shall give notice of the revocation by serving a notice on the eligible person to whom the permit was issued.

6.7 Removal of a permit from a vehicle

The holder of a residential parking permit or visitor parking permit shall forthwith upon that permit being revoked or ceasing to be valid remove the permit from the vehicle in which it is displayed or to which it is affixed.

6.8 Replacement of permit

- (1) The local government may upon a written application of an eligible person and upon payment of the fee referred to in subclause (2), if any, issue a permit to replace a residential parking permit or visitor's parking permit which is lost, destroyed or stolen.
- (2) The local government may determine and impose a fee for the issue of a replacement permit pursuant to this clause.
- (3) Notwithstanding subclause (2), no fee shall be payable for the issue of a replacement permit if evidence is produced in writing to the satisfaction of the local government—
 - (a) that the vehicle in which the permit is displayed has been disposed of;
 - (b) that the vehicle's windscreen in which the permit is displayed has been replaced; or
 - (c) which the local government considers waiving of the fee is warranted.

6.9 Display of residential parking permits or visitor parking permits

A person shall not stop or park a vehicle in an area set aside for persons or vehicles of a particular class during any permitted period unless a residential parking permit or a visitor parking permit is displayed inside the vehicle and is clearly visible to and able to be read by an authorised person from outside the vehicle at all times while the vehicle remains stopped or parked in the zone.

Division 2 – Parking facility permits

6.10 Permits in parking facilities

- (1) The local government or authorised person may, whether upon payment of a fee or not, issue a written temporary parking permission which allows a specific vehicle to park—
 - (a) in a specified kerbside area;
 - (b) in a car park which is controlled by a sign, in contravention of the restriction specified on that sign; or
 - (c) in any other place under the control of the local government.
- (2) A permit issued under subclause (1) may—
 - (a) authorise the stopping or parking of the vehicle continuously for a specified period or periods between specified times or from time-to-time during a specified period; and
 - (b) be revoked or suspended at any time by the local government or an authorised person before the expiration of any time or period specified in the permit without responsibility for any liability or loss or claim.
- (3) A person shall not stop or park a vehicle in respect of which a permit has been issued pursuant to subclause (2)—
 - (a) except at the times or during the period specified in the permit;
 - (b) any purpose other than the purpose for which the permit was issued; or
 - (c) at any time after the cancellation, withdrawal or suspension of the permit.
- (4) Nothing in this clause mitigates the limitations or condition imposed by any other clause or by any local law relating to a person's right of appeal against the local government revoking or suspending a permit.

PART 7—MISCELLANEOUS

7.1 Authorised persons

No offence under this local law is committed by an authorised person while carrying out his or her duties as an authorised person.

7.2 Necessary power

An authorised person has all necessary powers for the purpose of performing or observing all of the functions conferred on him or her under the Act and this local law.

7.3 Authorised person to be obeyed

A person who is given a direction by an authorised person or a member of the WA Police Service under this local law or in relation to a contravention of this local law shall comply with that direction.

7.4 Persons may be directed to leave local government property

An authorised person may direct a person to leave local government property or a local government building where the authorised person reasonably suspects that the person has contravened a provision of this local law.

7.5 Marking of tyres

- (1) For the purposes of ascertaining whether or not a parked vehicle has been or may be parked in contravention of any provision of this local law an authorised person may mark the tyres of a vehicle parked in a parking facility with chalk or any other non-indelible substance.
- (2) A person shall not remove or interfere with any such mark referred to in subclause (1) so that the purpose of affixing that mark is or may be defeated.

7.6 Removal of notices on a vehicle

A person, other than the driver of the vehicle or a person acting under the direction of the driver of the vehicle or an authorised person, shall not remove from the vehicle any notice put on the vehicle by an authorised person.

7.7 Special purpose and emergency vehicles

Notwithstanding anything to the contrary in this local law, the driver of—

- (a) a special purpose vehicle may, only in the course of his or her duties and when it is expedient and safe to do so, stop or park the vehicle in any place, at any time; and
- (b) an emergency vehicle may, in the course of his or her duties and when it is expedient and safe to do so, or where he or she honestly and reasonably believes that it is expedient and safe to do so, stop or park the vehicle at any place, at any time.

7.8 Vehicles not to obstruct a public place or thoroughfare

- (1) A person shall not park or leave a vehicle, or any part of a vehicle, in a public place so that it obstructs the use of any part of that public place without the permission of the local government or unless authorised under any written law.
- (2) A vehicle which is parked in any portion of a public place where vehicles may be lawfully parked, is deemed to cause an obstruction and may be impounded where -
 - (a) the vehicle is parked for any period exceeding 24 hours;
 - (b) the vehicle is so parked during any period in which the parking of

vehicles is prohibited or restricted by a sign; or
 (c) the vehicle is abandoned, unregistered or disused.

7.9 Causing or attempting to cause damage to local government property

A person shall not cause or attempt to cause damage to the property of the local government in any way.

7.10 Interfere with or damage to detection devices

- (1) A person shall not interfere with, damage or obstruct the operation of any electronic parking detection device or instrument in any road, parking facility or in any other public place.
- (2) A person shall not interfere with, damage or obstruct the operation of any display panels or transmitting equipment in relation to parking detection devices or instruments operated by the local government.

7.11 Local government may lock parking stations

- (1) At the expiration of the hours of operation of a parking station, the local government, whether or not any vehicle remains parked in a parking station, may lock the parking station or otherwise prevent the movement of any vehicle within, or to or from the parking station.
- (2) Nothing in this clause mitigates the limitations or conditions imposed by any other clause or by any local law relating to the locking of a parking station.

PART 8—OBJECTIONS AND REVIEW

8.1 Objections and review

When the local government makes a decision as to whether it will—

- (a) grant a person a permit under this local law; or
- (b) renew, vary, or cancel a permit that a person has under this local law, the provisions of Division 1 of Part 9 of the Act and Regulation 33 of the General Regulations shall apply to that decision.

PART 9—PENALTIES

9.1 Offences and penalties

- (1) Any person who fails to do anything required or directed to be done under this local law, or who does anything which under this local law that person is

prohibited from doing, commits an offence.

(2) An offence against a clause specified in Schedule 2 is a prescribed offence for the purposes of section 9.16(1) of the Act.

Penalty: a fine not less than \$500250, a fine not exceeding \$5,000 and if the offence is of a continuing nature, a daily penalty of \$500.

9.2 Modified Penalties

Where an authorised person has reason to believe that a person has committed an offence under this local law, he or she may issue to that person an infringement notice in accordance with the modified penalties set out in the Schedule 2. The amount appearing in the final column of the Schedule 2 directly opposite a clause specified in that Schedule is the modified penalty for an offence against the clause.

9.3 Form of notices

For the purposes of this local law the form of the—

- (a) notice referred to in sections 9.13 and 9.17 of the Act is that of the form in Schedule 3; and
- (b) notice referred to in section 9.20 of the Act is that of the form in Schedule 4.

SCHEDULES

Schedule 1—Parking region

[cl. 1.5(1)]

LOCAL GOVERNMENT ACT 1995

City of Nedlands Parking and Parking Facilities Local Law 2013

PARKING REGION

The parking region is the whole of the district but excludes the following portions of the district—

- (a) the approach and departure prohibition areas of all existing and future traffic control signal installations as determined by the Commissioner of Main Roads;
- (b) prohibition areas applicable to all existing and future bridges and subways as determined by the Commissioner of Main Roads;
- (c) any road which comes under the control of the Commissioner of Main Roads unless control of parking and parking facilities on that road is carried out subject to the control and direction of the Commissioner of Main Roads or has been delegated by the Commissioner to the local government.

Consider adding provision re: cul-de-sacs. Nothing stated in the PLL about cul-de-sacs.

Consider 'vehicles by person of a different class' definition

Consider provision for clearways

Schedule 2—Prescribed offences

[cl. 9.1(2)]

LOCAL GOVERNMENT ACT 1995**City of Nedlands Parking and Parking Facilities Local Law 2013****PRESCRIBED OFFENCES**

ITEM NO.	CLAUSE NO.	NATURE OF OFFENCE	MODIFIED PENALTY \$
1.	2.2(1), (2)	Failure to comply with signs	100
2.	2.3(a)	Unauthorised display, marking, setting up, exhibiting of a sign	90
3.	2.3(b)	Unauthorised removal, defacing or misuse of a sign	90
4.	2.3(c)	Unauthorised affixing anything to a sign	90
5.	3.2(1)(a)	Failure to park parallel to and as close to the kerb as practicable in a parking stall	90
6.	3.2(1)(b)	Failure to park wholly within parking stall	90
7.	3.2(1)(c)	Failure to park in the direction of the movement of traffic in a parking stall	90
8.	3.2(4)	Failure to park wholly within parking area	90
9.	3.3(1)(a)	Causing obstruction in parking station	150
10.	3.3(1)(b)	Parking contrary to sign in parking station	100
11.	3.3(1)(c)	Parking contrary to directions of authorised person	150
12.	3.3(1)(d)	Parking or attempting to park a vehicle in a parking stall occupied by another vehicle	90
13.	4.2(1)(a)	Parking by vehicles of a different class	90
14.	4.2(1)(b)	Parking by persons of a different class	90
15.	4.2(1)(c)	Parking during prohibited period	90
16.	4.2(3)(a)	Parking in no parking area	100
17.	4.2(3)(b)	Parking contrary to signs or limitations	100
18.	4.2(3)(c)	Parking vehicle in motor cycle only area	90
19.	4.2(4)	Parking motor cycle in stall not marked 'M/C'	90
20.	4.2(5)	Parking without permission in an area designated for 'Authorised Vehicles Only'	120
21.	4.3(1)(a)	Failure to park on the left of two-way carriageway	120
22.	4.3(1)(b)	Failure to park on boundary of one-way carriageway	120
23.	4.3(1)(a) or 4.3(1)(b)	Parking against the flow of traffic	120
24.	4.3(1)(c)	Parking when distance from farther boundary less than 3 metres	120
25.	4.3(1)(d)	Parking closer than 1 metre from another vehicle	90
26.	4.3(1)(e)	Causing obstruction on a carriageway	150
27.	4.4(b)	Failure to park at approximate right angle	90
28.	4.5(2)	Failure to park at an appropriate angle	90
29.	4.6(3)(a)	Double parking	150
30.	4.6(3)(b)	Denying access to private drive or right of way	150

ITEM NO.	CLAUSE NO.	NATURE OF OFFENCE	MODIFIED PENALTY \$
31.	4.6(3)(c)	Parking beside excavation or obstruction so as to obstruct traffic	120
32.	4.6(3)(d)	Parking closer than 3 metres to single or double longitudinal lines	150
33.	4.6(3)(e)	Parking on intersection	150
34.	4.6(3)(f)	Parking within 3 metres of public letter box	90
35.	4.6(3)(g)	Parking within 10 metres of intersection	150
36.	4.6(4)	Parking vehicle within 10 metres of departure side of a children's crossing or pedestrian crossing	120
37.	4.6(5)	Parking vehicle within 20 metres of approach side of a children's crossing or pedestrian crossing	120
38.	4.6(6)	Parking vehicle within 20 metres of approach side or departure side of railway level crossing	120
39.	4.7	Parking contrary to direction of authorised person	150
40.	4.8(1), (2) or (3)	Moving vehicle to avoid time limitation	100
41.	4.9(a)	Parking in thoroughfare for purpose of sale	90
42.	4.9(b)	Parking unlicensed vehicle in thoroughfare	90
43.	4.9(c)	Parking a trailer or caravan on a thoroughfare	90
44.	4.9(d)	Parking in thoroughfare for purpose of repairs	90
45.	4.10(1)	Parking on land without consent	120
46.	4.10(2)	Parking on land not in accordance with consent	120
47.	4.11	Driving or parking on a reserve	120
48.	4.13(2)	Failure to park a motor cycle in a bay marked "M/C"	90
49.	5.1(1)	Stopping contrary to a "no stopping" or "clearway" sign	150
50.	5.1(2)	Parking contrary to a "no parking" sign	100
51.	5.1(3)	Stopping within continuous yellow edge lines	150
52.	5.2	Stopping unlawfully in a loading zone	120
53.	5.3	Stopping unlawfully in a taxi zone or bus zone	120
54.	5.4	Stopping unlawfully in a mail zone	120
55.	5.5	Stopping in a zone contrary to a sign	120
56.	5.6	Stopping in a shared zone	120
57.	5.7(1)	Double Parking	150
58.	5.8	Stopping near an obstruction	120
59.	5.9	Stopping on a bridge or tunnel	120
60.	5.10	Stopping on crests /curves etc	120
61.	5.11	Stopping near fire hydrant or fire plug	120
62.	5.12(1)	Stopping near bus stop	120
63.	5.13	Stopping on path, median strip or traffic island	120
64.	5.14(1)	Stopping on a verge without authorisation	120
65.	5.14(2)	Stopping on a verge contrary to a sign	120

ITEM NO.	CLAUSE NO.	NATURE OF OFFENCE	MODIFIED PENALTY \$
66.	5.14(3)	Stopping a commercial vehicle or bus, or trailer or caravan unattached to a motor vehicle on a verge	120
67.	5.14(5)	Owner or occupier of premises adjacent to a verge charging a fee to authorise a person to stop on a verge	500
68.	5.15	Obstructing path, a driveway etc	120
69.	5.16	Stopping near public letter box	90
70.	5.17	Stopping heavy or long vehicles on carriageway	90
71.	5.18	Stopping in bicycle parking area	90
72.	5.19	Stopping in motor cycle parking area	90
73.	5.20	Stopping or parking a vehicle (other than a bicycle or motor cycle) in a parking stall approved for motor cycles	90
74.	6.9	Failure to display a valid permit	100
75.	6.10(3)	Stopping or parking contrary to requirements of a permit	100
76.	7.3	Failure to comply with a lawful direction of an authorised person	150
77.	7.4	Failure to leave local government property when lawfully directed to do so by an authorised person	150
78.	7.5(2)	Removing or interfering with a lawful mark on a tyre	120
79.	7.6	Removing a notice on a vehicle	120
80.	7.8(1)	Leaving a vehicle in a public place or thoroughfare so as to cause an obstruction	150
81.	7.9	Causing or attempting to cause damage to local government property	500
82.	7.10(1)	Interfere or damage an electronic detection device	500
83.	7.10(2)	Interfere or damage a display panel or transmitting device	500

Schedule 3—Notice to vehicle owner

[cl. 9.3(a)]

LOCAL GOVERNMENT ACT 1995
City of Nedlands Parking and Parking Facilities Local Law 2013

**PARKING INFRINGEMENT NOTICE
NOTICE TO THE OWNER/DRIVER**

It is alleged that the following vehicle was parked or stopped as indicated below.

Infringement No: Issue date: /
/.....

Alleged Offence:
.....
.....

Location:

.....

Vehicle:;
Colour:;
Make:;
Model:;

Offence Date:

Offence Time:

Penalty:

Due Date: / /

Unless within 28 days after the date of the service of this notice –

- (a) The modified penalty is paid; or
- (b) you inform the CEO of the local government as to the identity and address of the person who was the driver or person in charge of the above vehicle at the time of the alleged offence; or
- (c) you satisfy the CEO of the local government that the above vehicle had been stolen, or was being unlawfully used, at the time of the above offence,

You will, in the absence of proof to the contrary, be deemed to have committed the alleged offence and Court proceedings may be instituted against you.

If you do not wish to have a complaint of the alleged offence heard and determined by a court, the amount of the modified penalty must be paid within 28 days after the giving of this notice.

PAYMENT METHODS

Payment by phone: (Visa or Mastercard)

Please call 1300 276 468 to make payment from your nominated account, quoting the infringement number shown overleaf.

Payment by Internet: (Visa or Mastercard)

www.nedlands.wa.gov.au and select the payment option.

Payment by Mail:

Make cheques payable to City of Nedlands and crossed Not Negotiable. Complete your name and address in block letters in the space provided below and return this notice and payment to City of Nedlands, PO Box 9, Nedlands, WA, 6909.

Payment in person at Council:

Present this notice intact to the cashier at the City of Nedlands, 71 Stirling Hwy, Nedlands, between 8.30 am and 5.00 pm Mon – Fri.

Schedule 4—Infringement notice

[cl. 9.3(b)]

LOCAL GOVERNMENT ACT 1995

City of Nedlands Parking and Parking Facilities Local Law 2013

WITHDRAWAL OF INFRINGEMENT NOTICE

Serial No

Date / /

To: (1)

.....

.....

of: (2)

.....

.....

Infringement Notice No. dated/..... /

in respect of vehicle—

make.....;

model:.....;

registration:,

for the alleged offence

of.....

.....

.....

.....

.....

.....

.....

has been withdrawn.

The modified penalty of \$

☐ ☐ has been paid and a refund is enclosed.☐ ☐ has not been paid and should not be paid.*delete as appropriate.*

(3)

(4)

.....

.....

Insert—

(1) Name of alleged offender to whom infringement notice was given or “the owner”.

(2) Address of alleged offender.

(3) Signature of authorised person

(4) Name and title of authorised person giving notice

—

Dated this 20th day of January 2017 ~~2016~~
The Common Seal of the City of Nedlands was affixed by authority of a resolution of
the Council in the presence of:





Mayor
MAX HIPKINS



Chief Executive Officer
GREG TREVASKIS

19.4 CEO06.03.23 Proposed Public Places and Local Government Property Local Law

Meeting & Date	Council Meeting – 28 March 2023
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	Nil.
Report Author	Sam Curulli- Governance Officer
CEO	Bill Parker
Attachments	1. Draft City of Nedlands Public Places and Local Government Property Local Law 2023.

Purpose

As part of a review of the City's local laws, it is proposed to combine four local laws that deal with property under the City's care, control and management.

Recommendation

That Council pursuant to Section 3.12 of the Local Government Act 1995 resolves to:

1. in accordance with sections 3.12(3)(a) and (3a) of the Local Government Act 1995, give Statewide and local public notice stating that:
 - a. It is proposed to make a *City of Nedlands Public Places and Local Government Property Local Law*, and a summary of its purpose and effect;
 - i. The purpose of the local law is to regulate the care, control and management of property of and under the care, control and management of the City including thoroughfares.
 - ii. The effect some City property is set aside for particular uses, some activities are allowed only under a permit or under a determination, and others are restricted or prohibited. The local law also establishes offences for inappropriate behaviour in or on City property.
 - b. Copies of the proposed local law may be inspected at the City offices;
 - c. Submissions about the proposed local law may be made to the City within a period of not less than 6 weeks after the notice is given;
2. in accordance with s3.12(3)(b) of the Act, as soon as the notice is given, send a copy of the proposed local law to the Minister for Local Government;
3. in accordance with s3.12(3)(c) of the Act, supply a copy of the proposed local law to any person requesting it;

4. in accordance with s3.6 of the Local Government Act, an application be made to the Governor to extend application of the local law:
 - a. 200m outside the district into the Indian Ocean; and
 - b. 100m into the Swan River in the vicinity of the Sunset Foreshore Reserve between the westernmost alignment of the Adelma Place Road reserve and the easternmost alignment of the Iris Avenue road reserve, Dalkeith.; and
5. note that the results of the public consultation will be presented to Council for consideration of any submissions received.

Voting Requirement

Simple Majority.

Background

The City has in force a number of local laws deal with regulating activities on property under its care, control and management:

- (a) *Trading in Public Places Local Law 2000*,
- (b) *Local Law Relating to Council Halls* published in the *Government Gazette* on 1 September 2000;
- (c) *Local Law Relating to Thoroughfares* published in the *Government Gazette* on 10 November 2000; and
- (d) *Local Law Relating to Reserves, Foreshores and Beaches*, as published in the *Government Gazette* on 19 March 2001.

Combining these local laws will remove duplication and different provisions that could be made uniform.

Discussion

Attached is a draft City of Nedlands draft Public Places and Local Government Property Local Law. Rather than devising a set of rules for each type of property, its provisions apply across all areas with specific provisions about particular locations that might be unique.

Common items like definitions, modified penalties, notices and enforcement provisions apply to all areas of the local law, regardless of where a matter might physically be located or the subject dealt with.

In summary it reflects the provisions of the local laws it is intended to replace, and deals with:

- A process to make ‘determinations’ about particular properties in terms of what they may or may not be used for (an initial list appears in Schedule 1 of the draft local law);
- Activities that are prohibited;
- Activities where a permit is required, including street stalls, alfresco dining and the like;
- Placing of advertising signs;
- Behaviour on all property on the City’s care, control and management;
- Matters that relate to particular City property such as:
 - Where functions are being held;
 - Golf courses;
 - Beaches; and
 - Jetties and boat launching ramps.
- Activities in streets such as verge treatments, removal of crossovers, property numbering and the like;
- Leaving animals and shopping trolleys in public places;
- Permits and conditions that could be applied;
- Enforcement provisions such as:
 - Notices to do certain things (including removal of items from a thoroughfare, repair damage);
 - Modified penalties or ‘on the spot’ fines; and
 - Penalties that might apply where the City prosecutes a person for an offence or fails to comply with a notice.

The draft local law also contains text boxes where other legislation is referenced or referred to. They do not form part of the draft local law and will be removed from the official version to be Gazetted but retained in administrative versions, with a disclaimer reflecting their status on the front page of the local law.

Consultation

The process to make a local law is set out in section 3.12(3) of the *Local Government Act 1995*. Amongst other things this requires a local government to give local public notice stating that it proposes to make a local law, the purpose and effect of which is summarized in the notice for a period of 6 weeks after it first appears. A copy is also to be given to the Minister for Local Government.

The purpose and effect of the proposed *City of Nedlands Public Places and Local Government Property Law* is:

Purpose

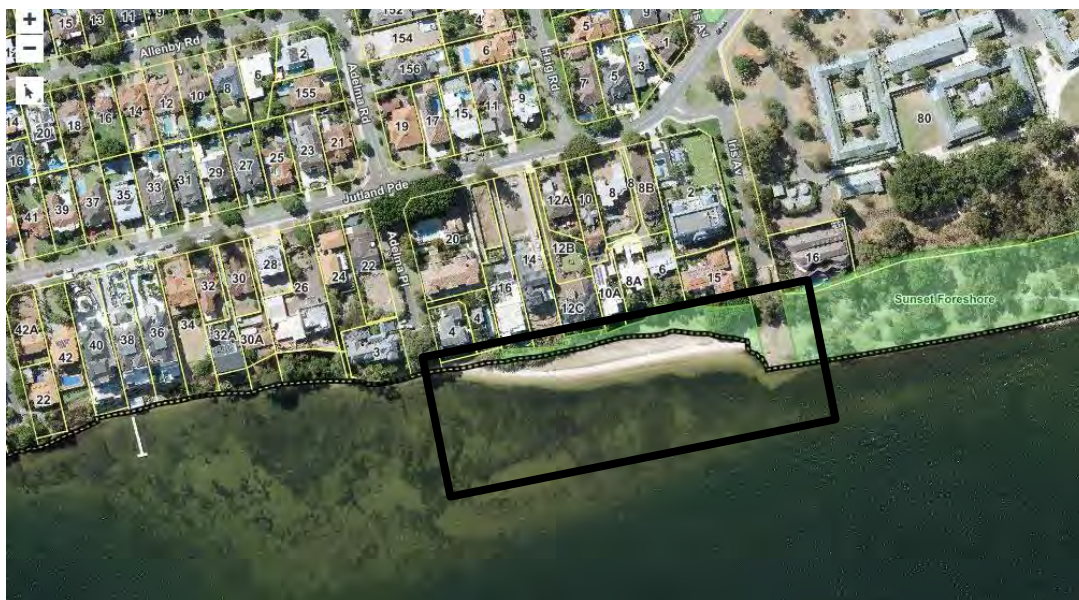
To regulate the care, control and management of property of and under the care, control and management of the City including thoroughfares.

Effect

Some City property is set aside for particular uses, some activities are allowed only under a permit or under a determination, and others are restricted or prohibited. The local law also establishes offences for inappropriate behaviour in or on City property.

The results of the community consultation and feedback from the Minister are to be considered by Council before it makes the local law.

In addition, some of the local laws proposed to be replaced by the draft new local law apply outside the district into the Indian Ocean. There is also a portion of the boundary of the City that does not follow the shoreline of the Swan River in the vicinity of Sunset Reserve:



A local government may apply under s3.6 of the Local Government Act to the State Governor to apply a local law outside its boundary. In this instance it would be appropriate to seek approval to extend the draft Public Places and Local Government Property Local Law for:

- (a) 200m outside the district into the Indian Ocean; and
- (b) 100m into the Swan River in the vicinity of the Sunset Foreshore Reserve between the westernmost alignment of the Adelma Place road reserve and the easternmost alignment of the Iris Avenue road reserve, Dalkeith

If approved, notice of the extension will appear in the Gazette and cross referenced in the proposed local law.

Strategic Implications

This item relates to the following elements from the City's Strategic Community Plan:

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

Values **Healthy and Safe**
Our City has clean, safe neighbourhoods where public health is protected and promoted.

High standard of services

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

Great Governance and Civic Leadership

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

Great for Business

Our City has a strong economic base with renowned Centres of Excellence and is attractive to entrepreneurs and start-ups.

Priority Area

- Renewal of community infrastructure such as roads, footpaths, community and sports facilities
- Retaining remnant bushland and cultural heritage
- Providing for sport and recreation

Budget/Financial Implications

There are financial and resource implications associated with the advertisement, processing of the proposed local law, and its eventual Gazettal on final adoption.

Legislative and Policy Implications

The process to make a local law is set out in section 3.12(3) of the [Local Government Act 1995](#).

Decision Implications

There are four local laws that will be repealed if this local law is made. The subject matter is wide ranging and the proposed new local law is relatively large but reduces the overall impact of the subject matter.

It also updates those provisions that have may have become outdated since the majority of local laws being replaced were made in 2000 – 2001.

If not replaced or updated, there is a minor risk that the City may not comply with 'higher' legislation or regulation.

Conclusion

The proposed new local law updates and streamlines a wide ranging area, being regulation of activities in public places and on property under the City's care, control and management.

Enforcement options have also been enhanced.

The draft local law is very similar to those used by a number of local governments.

Further Information

Question

Councillor Youngman – clarify does the City have a list of approved acceptable materials (section 7.4 (3)).

Officer Response

Currently the City has Nature Strip Development Guidelines in place which outlines acceptable materials.

LOCAL GOVERNMENT ACT 1995

CITY OF NEDLANDS

**PUBLIC PLACES AND
LOCAL GOVERNMENT PROPERTY
LOCAL LAW 2023**

Published in the Government Gazette on dd mm yy, No 1234
Amended:
Disclaimer: This version is an administrative version and while every attempt to ensure it is correct, only the Gazetted version as amended should be relied on. In particular, text boxes and notes in this version do not form part of the local law.

*Local Government Act 1995***City of Nedlands**

Public Places and Local Government Property Local Law 2023

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Local Government Act 1995

City of Nedlands

Public Places and Local Government Property Local Law 2023

Under the powers conferred on it by the *Local Government Act 1995* and under all other enabling powers, the Council of the City of Nedlands resolved on dd mm 2023 to make this local law.

Part 1 - Preliminary

1.1 Title

This is the *City of Nedlands Public Places and Local Government Property Local Law 2023*.

1.2 Commencement

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

1.3 Application

This local law applies throughout the district.

Note:

Note:

In accordance with s3.6 of the *Local Government Act 1995*, notice of approval from the Governor was received on dd mm to also apply the local law:

1. Into the Indian Ocean adjoining the district for a distance of 200 metres seawards from the low water mark at ordinary spring tides; and
2. Between the westernmost alignment of the Adelma Place road reserve and the easternmost alignment of the Iris Avenue road reserve, Dalkeith.

(Published in the *Government Gazette* on dd mm yyyy, page 1234)

1.4 Repeal and transitional provisions

(1) The following local laws are repealed –

- (a) The *City of Nedlands Trading in Public Places Local Law 2000* published in the *Government Gazette* on 11 July 2000;
- (b) The *City Of Nedlands Local Law Relating to Council Halls 2000* published in the *Government Gazette* on 1 September 2000;

- (c) The *City of Nedlands Local Law Relating to Thoroughfares 2000* published in the Government Gazette on 10 November 2000; and
 - (d) The *City of Nedlands Local Law Relating to Reserves, Foreshores and Beaches 2001* published in the *Government Gazette* on 19 March 2001.
- (2) An application for, or an application for the renewal of, a licence, permit or other authorisation made under a repealed local law that has not been finally determined before the commencement day is to be dealt with and determined as if it were an application under this local law.
- (3) A licence, permit or other authorisation under a repealed local law that is in force before the commencement day is to be regarded on and after that day as a permit under this local law and may be dealt with accordingly.

1.5 Definitions

In this local law -

Act means the *Local Government Act 1995*;

applicant means a person who applies for a permit;

application means an application for a permit;

application fee means the fee payable on the lodgement of an application for a permit and which relates to the lodgement, assessment and determination of the application but does not include the permit fee;

authorised person means a person appointed by the local government under section 9.10 of the Act to perform any of the functions of an authorised person under this local law;

boat means any ship, vessel or structure capable of being used in navigation by water, however propelled or moved, and includes a jet ski;

building means any building which is local government property and includes any –

- (a) hall or room;
- (b) corridor, stairway or annexe of any hall or room; and
- (c) jetty;

bulk rubbish container means a bin or container designed or used for holding a substantial quantity of rubbish and which is unlikely to be lifted without mechanical assistance, but does not include a bin or container used in connection with the local government's regular domestic rubbish collection service;

carriageway has the meaning given to it by the *Road Traffic Code 2000*;

carriageway means a portion of a road that is improved, designed or ordinarily used for vehicular traffic, and includes the shoulders, and areas, including embayments, at the side or centre of the carriageway, used for the stopping or parking of vehicles; and, where a road has 2 or more of those portions divided by a median strip, the expression means each of those portions, separately;

Regulation 3 of the Road Traffic Code 2000

CEO means the chief executive officer of the local government;

commencement day means the day on which this local law comes into operation;

Council means the council of the local government;

crossing means a crossing giving access from a public thoroughfare to -

- (a) private land; or
- (b) a private thoroughfare serving private land;

determination means a determination made under clause 2.1;

district means the district of the local government and any area outside the district of the local government in respect of which the Governor's approval under section 3.6(1) of the Act has been obtained;

entertainment means the action of providing or being provided with amusement or enjoyment, an event, performance, or activity designed to entertain others.

function means an event or activity characterised by all or any of the following -

- (a) formal organisation and preparation;
- (b) its occurrence is generally advertised or notified in writing to particular persons;
- (c) organisation by or on behalf of a club;
- (d) payment of a fee to attend it; and
- (e) systematic recurrence in relation to the day, time and place;

garden means any part of a street planted, developed or treated, otherwise than as a lawn, with one or more plants;

hire includes offer to hire and expose for hire;

intersection has the meaning given to it in the *Road Traffic Code 2000*;

intersection means —

- (a) the area where 2 or more carriageways meet; or
- (b) the area within which vehicles, travelling by, on or from different carriageways may come into conflict;

Rea 3 Road Traffic Code 2000

kerb includes the edge of a carriageway;

lawn means any part of a street which is planted only with grass, or with a similar plant, but will include any other plant provided that it has been planted by the local government;

liquor has the meaning given to it in section 3 of the *Liquor Control Act* ;

Liquor Control Act means the *Liquor Control Act 1988* and all regulations made under that Act;

local government means the City of Nedlands;

local government property means anything –

- (a) which belongs to or leased by the local government;
 - (b) of which the local government is the management body under the *Land Administration Act 1997*; or
 - (c) which is an otherwise unvested facility within section 3.53 of the Act;
- except a street.

local public notice has the meaning given to it by the Act;

1.7. Local public notice

- (1) Where under this Act local public notice of a matter is required to be given, a notice of the matter is to be —
 - (a) published in a newspaper circulating generally throughout the district; and
 - (b) exhibited to the public on a notice board at the local government's offices; and
 - (c) exhibited to the public on a notice board at every local government library in the district.
- (2) Unless expressly stated otherwise it is sufficient if the notice is —
 - (a) published under subsection (1)(a) on at least one occasion; and
 - (b) exhibited under subsection (1)(b) and (c) for a reasonable time, being not less than —
 - (i) the time prescribed for the purposes of this paragraph; or
 - (ii) if no time is prescribed, 7 days.

lot has the meaning given to it in the *Planning and Development Act 2005*;

lot means a defined portion of land —

- (a) depicted on a plan or diagram available from, or deposited with, the Authority and for which a separate Crown grant or certificate of title has been or can be issued; or
- (b) depicted on a diagram or plan of survey of a subdivision approved by the Commission; or
- (c) which is the whole of the land the subject of —

- (i) a Crown grant issued under the *Land Act 1933*²; or
- (ii) a certificate of title registered under the *Transfer of Land Act 1893*; or
- (iii) a survey into a location or lot under section 27(2) of the *Land Administration Act 1997* or a certificate of Crown land title the subject of such a survey; or
- (iv) a part-lot shown on a diagram or plan of survey of a subdivision deposited with the Authority; or
- (v) a conveyance registered under the *Registration of Deeds Act 1856*,

but does not include a lot in relation to a strata scheme, a lot in relation to a survey-strata scheme, or a lot shown as common property on a survey-strata plan, as those terms are defined in the *Strata Titles Act 1985*;

Section 4 *Planning and Development Act 2005*

market means a collection of stalls, stands or displays erected for the purpose of selling or hiring goods or services or carrying out any other transaction;

nuisance means any activity, thing, condition, circumstance or state of affairs caused or contributed to by a person which –

- (a) is injurious or dangerous to the health or safety of another person of normal susceptibility; or
- (b) which has a disturbing effect on the state of reasonable physical, mental or social well being of another person;

owner or occupier, in relation to land, does not include the local government;

permit means a permit under this local law;

permit fee means the fee payable on the issue of a permit;

permit document means a permit document issued under this local law;

permit holder means a person who holds a permit;

permissible verge treatment means any one of the treatments described in clause 7.4(2), and includes any associated reticulation pipes and sprinklers;

person does not include the local government;

private property means any land that –

- (a) has a separate certificate of title; and
- (b) is in private ownership or is the subject of a lease or agreement with a person enabling its use for private purposes,

and includes any building or structure on the land;

prohibited drug has the meaning given to it by the *Misuse of Drugs Act 1981*;

prohibited drug means a drug to which this Act applies by virtue of section 4;

4. Drugs and plants to which Act applies

(1) Subject to subsection (4), the drugs to which this Act applies are —

- (a) drugs of addiction;
- (b) specified drugs; and
- (c) whether or not they are also drugs of addiction or specified drugs, the drugs specified in Schedule I.

(2) Subject to subsection (3), the plants to which this Act applies are —

- (a) prohibited plants as defined by section 5 of the Poisons Act 1964; and
- (b) whether or not they are also prohibited plants as defined by section 5 of the Poisons Act 1964, the plants specified in Schedule II.

(3) This Act does not apply to the non-viable seeds of the opium poppy *Papaver somniferum*.

(4) This Act does not apply to processed industrial hemp.

Extract from the Misuse of Drugs Act 1981

public place means —

- (a) a street;
- (b) any local government property; or
- (c) a place to which the public have access;

Regulations means the *Local Government (Functions and General) Regulations 1996*;

repealed local law means a local law repealed under clause 1.4;

retailer means a the owner or occupier of a shop in respect of which shopping trolleys are provided for the use of customers of the shop;

Schedule means a schedule to this local law;

sell includes —

- (a) offer or attempt to sell;
- (b) display for sale;
- (c) send, forward or deliver for sale or on sale;
- (d) barter or exchange;
- (e) dispose, by lot or chance or by auction;
- (f) supply, or offer, agree or attempt to supply —
 - (i) in circumstances which the supplier derives or would be likely to derive a direct or indirect pecuniary benefit; or
 - (ii) gratuitously, but with a view to gaining or maintaining custom or other commercial advantage; or

- (g) authorise, direct, cause or permit to be done any act referred to in this definition;

shopping trolley means a wheeled container or receptacle supplied by a retailer to enable a person to transport goods;

sign includes a notice, flag, mark, structure or device approved by the local government on which may be shown words, numbers, expressions or symbols;

stall means a movable or temporarily fixed structure, stand or table in, on or from which goods or services are sold and includes a vehicle;

street means any highway, thoroughfare or land used for vehicular or pedestrian traffic, and includes all the land lying between property lines, including the verge and footpath;

street tree means any tree planted or self sown in the street, of an appropriate species and in an appropriate location, for the purposes of contributing to the streetscape;

thoroughfare has the meaning given to it by the Act;

thoroughfare means a road or other thoroughfare and includes structures or other things appurtenant to the thoroughfare that are within its limits, and nothing is prevented from being a thoroughfare only because it is not open at each end;

Extract from s1.4 *Local Government Act 1995*

trading means selling or hiring goods or services and includes the setting up of a stall and conducting business at a stall; **vehicle** includes –

- (a) every conveyance and every object capable of being propelled or drawn on wheels, tracks or otherwise; and
- (b) an animal being ridden or driven,

but excludes –

- (c) a wheel-chair or any device designed for use, by a physically impaired person on a footpath; and
- (d) a pram, stroller or similar device, or a shopping trolley;

verge means that part of a street between the carriageway and the land which abuts the street, but does not include any footpath; and

waste includes matter –

- (a) whether liquid, solid, gaseous or radioactive and whether useful or useless, which is discharged into the environment; or
- (b) prescribed by regulations under the *Waste Avoidance and Resource Recovery Act 2007* to be waste.

1.6 Interpretation

In this local law, a reference to local government property includes a reference to any part of local government property.

1.7 Overriding power to hire and agree

Despite anything to the contrary in this local law, the CEO or an authorised person, on behalf of the local government, may –

- (a) hire local government property to any person; or
- (b) enter into an agreement with any person regarding the use of any local government property.

Part 2 - Determinations in respect of local government property**2.1 Determinations as to use of local government property**

- (1) The local government may make a determination in accordance with clause 2.2 –
 - (a) setting aside specified local government property for the pursuit of all or any of the activities referred to in clause 2.7;
 - (b) prohibiting a person from pursuing all or any of the activities referred to in clause 2.8 on specified local government property;
 - (c) as to the matters in clauses 2.7(2) and 2.8(2); and
 - (d) as to any matter ancillary or necessary to give effect to a determination.
- (2) The determinations in Schedule 1 –
 - (a) are to be taken to have been made in accordance with clause 2.2;
 - (b) may be amended or revoked in accordance with clause 2.6; and
 - (c) have effect on the commencement day.

2.2 Procedure for making a determination

- (1) The CEO or an authorised person is to give local public notice of the local government's intention to make a determination.
- (2) The local public notice referred to in subclause (1) is to state that –
 - (a) the local government intends to make a determination, the purpose and effect of which is summarised in the notice;
 - (b) a copy of the proposed determination may be inspected and obtained from the offices of the local government; and
 - (c) submissions in writing about the proposed determination may be lodged with the local government within 21 days after the date of publication.

- (3) If no submissions are received in accordance with subclause (2)(c), the Council may decide –
 - (a) to give local public notice that the proposed determination has effect as a determination on and from the date of publication;
 - (b) to amend the proposed determination, in which case subclause (5) is to apply; or
 - (c) not to continue with the proposed determination.
- (4) If submissions are received in accordance with subclause (2)(c), the Council –
 - (a) is to consider those submissions; and
 - (b) may decide –
 - (i) whether or not to amend the proposed determination; or;
 - (ii) whether or not to continue with the proposed determination.
- (5) If the Council decides to amend the proposed determination, it is to give local public notice –
 - (a) of the effect of the amendments; and
 - (b) that the proposed determination has effect as a determination on and from the date of publication.
- (6) If the Council decides not to amend the proposed determination, it is to give local public notice that the proposed determination has effect as a determination on and from the date of publication.
- (7) A proposed determination is to have effect as a determination on and from the date of publication of the local public notice referred to in subclauses (3), (5) and (6).
- (8) A decision under subclause (3) or (4) is not to be delegated by the Council.

2.3 Discretion to erect sign

The local government may erect a sign on local government property to give notice of the effect of a determination which applies to that property.

2.4 Determination to be complied with

A person must comply with a determination.

2.5 Register of determinations

- (1) The local government is to keep a register of determinations made under clause 2.1, and of any amendments to or revocations of determinations made under clause 2.6.
- (2) Sections 5.94 and 5.95 of the Act apply to the register referred to in subclause (1) and for that purpose the register is to be taken to be information within section 5.94(u)(i) of the Act.

2.6 Amendment or revocation of a determination

- (1) The local government may amend or revoke a determination.
- (2) The provisions of clause 2.2 are to apply to an amendment of a determination as if the amendment were a proposed determination.
- (3) If the local government revokes a determination it is to give local public notice of the revocation and the determination is to cease to have effect on the date of publication.

2.7 Activities which may be pursued on specified local government property

- (1) A determination may provide that specified local government property is set aside as an area on which a person may –
 - (a) take, ride or drive a vehicle, or a particular class of vehicle;
 - (b) fly or use a motorised model aeroplane;
 - (c) use a children's playground provided that the person is under an age specified in the determination, but the determination is not to apply to a person having the charge of a person under the specified age;
 - (d) launch, beach or leave a boat;
 - (e) take or use a boat, or a particular class of boat;
 - (f) play or practise –
 - (i) golf or archery;
 - (ii) pistol or rifle shooting, but subject to the compliance of that person with the *Firearms Act 1973*; or
 - (iii) a similar activity, specified in the determination, involving the use of a projectile which, in the opinion of the local government may cause injury or damage to a person or property; or
 - (g) ride a bicycle, a skateboard, roller skates, rollerblades, a sandboard or a similar device.
- (2) A determination may specify the extent to which and the manner in which an activity referred to in subclause (1) may be pursued and in particular –

- (a) the days and times during which the activity may be pursued;
- (b) that an activity may be pursued on a class of local government property, specified local government property or all local government property;
- (c) that an activity is to be taken to be prohibited on all local government property other than that specified in the determination;
- (d) may limit the activity to a class of vehicles, equipment or things, or may extend it to all vehicles, equipment or things;
- (e) may specify that the activity can be pursued by a class of persons or all persons; and
- (f) may distinguish between different classes of the activity.

2.8 Activities which may be prohibited on specified local government property

- (1) A determination may provide that a person is prohibited from pursuing all or any of the following activities on specified local government property –
 - (a) riding a bicycle, a skateboard, roller skates, rollerblades, a sandboard or a similar device;
 - (b) taking, riding or driving a vehicle or a particular class of vehicle;
 - (c) riding or driving above a specified speed a vehicle or a particular class of vehicle;
 - (d) taking or using a boat, or a particular class of boat;
 - (e) the playing or practice of –
 - (i) golf, archery, pistol shooting or rifle shooting; or
 - (ii) a similar activity, specified in the determination, involving the use of a projectile which, in the opinion of the local government may cause injury or damage to a person or property;
 - (f) the playing or practice of any ball game which may cause detriment to the property or any fauna on the property; and
 - (g) the traversing of land which in the opinion of the local government has environmental value warranting such protection, either absolutely or except by paths provided for that purpose.
- (2) A determination may specify the extent to which and the manner in which a person is prohibited from pursuing an activity referred to in subclause (1) and, in particular –
 - (a) the days and times during which the activity is prohibited;

- (b) that an activity is prohibited on a class of local government property, specified local government property or all local government property;
- (c) that an activity is prohibited in respect of a class of vehicles, equipment or things, or all vehicles, equipment or things;
- (d) that an activity is prohibited in respect of a class of persons or all persons; and
- (e) may distinguish between different classes of the activity.

Note: smoking on local government property, and in other places, is regulated by the Tobacco Products Control Regulations 2006.

2.9 Sign under repealed local law taken to be determination

- (1) Where an approved sign erected on local government property has been erected under a repealed local law, then it is to be taken to be and have effect as a determination on and from the commencement day, except to the extent that the sign is inconsistent with any provision of this local law or any determination made under clause 2.1.
- (2) Clause 2.5 does not apply to a sign referred to in subclause (1).

Part 3 - Activities on local government property requiring a permit

3.1 Activities requiring a permit

- (1) A person must not without a permit –
 - (a) subject to subclause (3) hire local government property;
 - (b) advertise anything by any means on local government property;
 - (c) erect, on local government property a structure for public amusement or for any performance, whether for gain or otherwise;
 - (d) teach, coach, train, conduct tours, meetings or seminars for profit, a person or animal on local government property;
 - (e) plant any plant or sow any seeds on local government property;
 - (f) carry on any trading on local government property or public place unless the trading is conducted –
 - (i) with the consent of a person who holds a permit to conduct a function, and where the trading is carried on under and in accordance with the permit; or
 - (ii) by a person who has a permit or permit to carry on trading on local government property under any written law;

-
- (g) conduct or set up a market on local government property or public place;
 - (h) unless an employee of the local government in the course of her or his duties or on an area set aside for that purpose –
 - (i) drive or ride or take any vehicle on to local government property; or
 - (ii) park or stop any vehicle on local government property;
 - (i) conduct a function on local government property ;
 - (j) charge any person for entry to local government property, unless the charge is for entry to land or a building hired by a voluntary non-profit organisation;
 - (k) light a fire on local government property except in a facility provided for that purpose;
 - (l) parachute, hang glide, abseil or base jump from or on to local government property;
 - (m) erect a building or a refuelling site on local government property;
 - (n) make any excavation on or erect or remove any fence on local government property;
 - (o) erect or install any structure above or below ground of local government property, for the purpose of supplying any water, power, sewer, communication, television or similar service to a person;
 - (p) conduct or take part in any gambling game or contest or bet, or offer to bet, publicly on local government property;
 - (q) erect, install, operate or use any broadcasting, public address system, loudspeaker or other device for the amplification of sound on local government property;
 - (r) conduct an entertainment event on local government property;
 - (s) fly or land a drone, balloon, unmanned aircraft or similar device from or on local government property;
 - (t) clean fish, cut bait, or leave or deposit fish offal on local government property; or
 - (u) film or make a recording as part of or for commercial gain on local government property.
- (2) The CEO or an authorised person may exempt a person from compliance with subclause (1) on the application of that person.

- (3) The CEO or an authorised person may exempt specified local government property or a class of local government property from the application of subclause (1)(a).

3.2 Erecting structures or camping

- (1) In this clause –

camp unless the context requires otherwise has the same meaning as given to it in section 5 of the *Caravan Parks and Camping Grounds Act 1995*;

camp means any portable shed or hut, tent, tent fly, awning, blind or other portable thing used as or capable of being used for habitation and includes a vehicle of a prescribed type or in prescribed circumstances;
Extract from s5 *Caravan Parks and Camping Grounds Act 1995*

caravan has the same meaning as given to it in section 5 of the *Caravan Parks and Camping Grounds Act 1995*;

caravan means a vehicle that is fitted or designed for habitation, and unless the contrary intention appears, includes an annexe;
Extract from s5 *Caravan Parks and Camping Grounds Act 1995*

facility has the same meaning as is given to it in section 5(1) of the *Caravan Parks and Camping Grounds Act 1995*.

facility means a caravan park or camping ground;
Extract from s5 *Caravan Parks and Camping Grounds Act 1995*

park home has the same meaning as given to it in section 5 of the *Caravan Parks and Camping Grounds Act 1995*; and

park home means a vehicle of a prescribed class or description that is fitted or designed for habitation;
prescribed means prescribed by regulation;
Extract from s5 *Caravan Parks and Camping Grounds Act 1995*

structure includes a caravan, park home, or camp.

- (2) This clause does not apply to a facility operated by the local government.
- (3) A person must not without a permit –
- (a) camp on, lodge at or occupy any structure at night for the purpose of sleeping on local government property;
 - (b) erect, on local government property, any tent, camp, hut or similar structure; or
 - (c) erect, on local government property that is not enclosed, an umbrella or temporary shade structure unless –

- (i) it is erected for protection from the sun or other elements;
 - (ii) it has an area of no more than 6 square metres;
 - (iii) it has a height of no less than 2.5 metres;
 - (iv) it is removed by that person –
 - (I) immediately on leaving that local government property; and
 - (II) during daylight on the same day on which it was erected; and
 - (v) it is for a private use.
- (4) The maximum period for which the CEO or an authorised person may approve an application for a permit in respect of paragraph (a) or (b) of subclause (3) is that provided in regulation 11(2)(a) of the *Caravan Parks and Camping Grounds Regulations 1997*.

3.3 Licence required for possession and consumption of liquor

- (1) A person, on local government property, must not consume any liquor or have in her or his possession or under her or his control any liquor, unless –
 - (a) that is permitted under the Liquor Control Act; and
 - (b) a licence has been obtained for that purpose.
- (2) Subclause (1) does not apply where the liquor is in a sealed container.

Part 4 - Advertising Signs On Thoroughfares

4.1 Interpretation

In this Part, unless the context otherwise requires—

advertising sign means a sign used for the purpose of advertisement;

direction sign means a sign which indicates the direction of another place, activity or event, but does not include any such sign erected or affixed by the local government or the Commissioner of Main Roads;

portable direction sign means a portable free standing direction sign; and portable sign means a portable free standing advertising sign.

4.2 Advertising signs and portable direction signs

- (1) A person shall not, without a permit—
 - (a) erect or place an advertising sign on a thoroughfare; or

- (b) post any bill or paint, place or affix any advertisement on a thoroughfare.
- (2) Notwithstanding subclause (1), a permit is not required in respect of a portable direction sign which neither exceeds 500 millimetres in height nor 0.5 square metres in area, provided that the sign is placed or erected on a thoroughfare on an infrequent or occasional basis only to direct attention to a place, activity or event during the hours of that activity or event.
- (3) Notwithstanding subclause (1), a person shall not erect or place an advertising sign—
 - (a) on a footpath;
 - (b) over any footpath where the resulting vertical clearance between the sign and the footpath is less than 2.5 metres;
 - (c) on or within 1.5metres of a carriageway and 0.5 meters from the footpath
 - (d) within 10 meters from any intersection of thoroughfares;
 - (e) on a median strip, roundabout or traffic island;
 - (f) within 50 meters of a pedestrian crossing;
 - (g) in any other location where, in the opinion of the local government, the sign is likely to obstruct lines of sight along a thoroughfare or cause danger to any person using the thoroughfare; or
 - (h) on any natural feature, including a rock or tree, on a thoroughfare, or on any bridge or the structural approaches to a bridge.

4.3 Matters to be considered in determining application for permit

In determining an application for a permit for the purpose of clause 4.2(1), the local government is to have regard to—

- (a) any other written law regulating the erection or placement of signs within the district;
- (b) the dimensions of the sign;
- (c) other advertising signs already approved or erected in the vicinity of the proposed location of the sign;
- (d) whether or not the sign will create a hazard to persons using a thoroughfare; and
- (e) the amount of the public liability insurance cover, if any, to be obtained by the applicant.

4.4 Conditions on portable sign

- (1) If the local government approves an application for a permit for a portable sign, the application is to be taken to be approved subject to the following conditions —
 - (a) the portable sign shall—
 - (i) not exceed 1 metre in height;
 - (ii) not exceed an area of 1 square metre on any side;
 - (iii) relate only to the business activity described on the permit;
 - (iv) contain letters not less than 200 millimetres in height;
 - (v) not be erected in any position other than immediately adjacent to the building or the business to which the sign relates;
 - (vi) be removed each day at the close of the business to which it relates and not be erected again until the business next opens for trading;
 - (vii) be secured in position in accordance with any requirements of the local government;
 - (viii) be placed so as not to obstruct or impede the reasonable use of a thoroughfare or access to a place by any person; and
 - (ix) be maintained in good condition.
- (2) No more than one portable sign shall be erected in relation to the one building or business.
- (3) A person must not place or erect a sign in contravention of a condition of a permit issued under this clause.

Part 5 - Behaviour on all local government property***Division 1 - Prohibited behaviour*****5.1 Behaviour which interferes with others**

A person must not, in or on any local government property, behave in a manner which –

- (a) is likely to interfere with the enjoyment of a person who might use the property or who might otherwise lawfully be on the property; or
- (b) interferes with the enjoyment of a person using, or otherwise lawfully on, the property.

5.2 Behaviour detrimental to property

(1) A person must not behave in or on local government property in a way which is or might be detrimental to the property.

(2) In subclause (1) –

detrimental to the property includes –

(a) removing any thing from the local government property including a rock, a plant or a seat provided for the use of any person; and

(b) destroying, defacing or damaging any thing on the local government property, including a plant, a seat provided for the use of any person or a building.

5.3 Taking or injuring fauna

(1) A person must not take, injure or kill, or attempt to take, injure or kill, any fauna which is on or above any local government property, unless that person is authorised under a written law to do so.

(2) In this clause and in clause 5.5 –

animal means any living thing that is not a human being, fly or plant; and

fauna means any animal indigenous to or which periodically migrates to any State or Territory of the Commonwealth or the territorial waters of the Commonwealth and includes in relation to any such animal –

(a) any class of animal or individual member;

(b) the eggs or larvae; or

(c) the carcass, skin, plumage or fur unless it has been shed or discarded by the animal in a normal or natural manner.

5.4 Flora

(1) Unless authorised to do so under a written law or with the written approval of the CEO or an authorised person, a person must not –

(a) remove, damage or interfere with any flora that is on or above any local government property; or

(b) cultivate, plant or deposit any flora on local government property.

(2) In this clause –

flora means all vascular plants, seeds and other flora, whether living or dead.

5.5 Animals

- (1) Unless authorised by a written law, permit or under this local law, a person must not:
- (a) tether any animal to a tree, shrub, tree guard, wall or fence on local government property; or
 - (b) permit any animal to enter upon or into any local government property.
- (2) In subclause (1), 'animal' does not include a dog or an 'assistance animal' as defined in section 9(2) of the *Disability Discrimination Act 1992 (Cth)*.

5.6 Intoxicated persons not to be on local government property

A person must not enter or remain on local government property while under the influence of liquor or a prohibited drug.

5.7 Only specified gender to use entry of toilet block or change room

- (1) Where a sign on a toilet block or change room specifies that a particular entry of the toilet block or change room is to be used by –
- (a) females - then a person of the male gender must not use that entry of the toilet block or change room;
 - (b) males - then a person of the female gender must not use that entry of the toilet block or change room; or
 - (c) families - then, where the toilet block or change room is being used by a family, only an immediate member of that family may use that entry of the toilet block or change room.
- (2) Paragraphs (a) and (b) of subclause (1) do not apply to a child, when accompanied by a parent, guardian or caregiver, where the child is –
- (a) under the age of 8 years; or
 - (b) otherwise permitted by an authorised person to use the relevant entry.

Division 2 - Signs and powers to give directions**5.8 Signs**

- (1) The CEO or an authorised person may erect a sign on local government property –
- (a) specifying any conditions of use which apply to that property; and
 - (b) for any other purpose relevant to this local law, including giving notice of a breach of clause 5.4 and substituting a sign

for flora that has been removed, damaged or interfered with contrary to clause 5.4.

- (2) A person must comply with a sign erected under subclause (1).
- (3) A condition of use specified on a sign erected under subclause (1) is –
 - (a) not to be inconsistent with any provision of this local law or any determination; and
 - (b) to be for the purpose of giving notice of the effect of a provision of this local law.

5.9 Authorised person to be obeyed

A person on local government property must obey any lawful direction of the CEO or an authorised person and must not in any way obstruct or hinder the CEO or an authorised person in the execution of her or his duties.

5.10 Refusal of entry and removal

- (1) If the CEO or an authorised person reasonably suspects that a person is breaching, or has just breached, a provision of this local law or any other written law, the CEO or authorised person may –
 - (a) refuse to allow that person to enter local government property;
 - (b) if the person is on local government property, direct the person to leave the local government property; and
 - (c) specify a period of up to 30 calendar days within which the person is not to re-enter the local government property.
- (2) A person who has been refused entry or who has been directed to leave under subclause (1) must immediately leave the local government property quickly and peaceably.
- (3) If a person fails to comply with subclause (2), the CEO or an authorised person may remove the person, or arrange for the person to be removed, from the local government property.
- (4) The CEO or an authorised person may reduce the period specified in subclause (1)(c) on application of the person who has been directed not to re-enter local government property.

5.11 Disposal of lost property

An article left on any local government property, and not claimed within a period of 2 months, may be disposed of by the CEO or an authorised person -

- (a) if the value of the property is reasonably believed to exceed the amount prescribed by regulation 30(3) of the *Local Government (Functions and General) Regulations 1996*, using the process under section 3.58 of the Act for the sale of the article as if it was property referred to in that section;

- (b) if the article is reasonably believed to be of a negligible or little value or likely to be of no interest to a not for profit body, in any manner he or she thinks fit; or
- (c) in any other case, by donation to a not for profit body incorporated under the *Associations Incorporations Act 2015*.

Part 6 - Matters relating to particular local government property

Division 1 - Functions and closed property

6.1 No unauthorised entry to function

- (1) A person must not enter local government property on such days or during such times as the property is set aside for a function for which a charge for admission is authorised, except –
 - (a) through the proper entrance for that purpose; and
 - (b) on payment of the fee chargeable for admission at the time.
- (2) The CEO or an authorised person may exempt a person from compliance with subclause (1)(b).

6.2 No entry to fenced or closed local government property

A person must not enter local government property which has been fenced off or closed to the public by a sign or otherwise, unless that person is authorised to do so by the CEO or an authorised person.

Division 3 - Beaches

6.3 Powers of authorised persons or surf life saving club members

- (1) A person authorised by the local government may perform all or any of the following functions in relation to a beach –
 - (a) patrol any beach;
 - (b) carry out any activity on any beach;
 - (c) erect signs designating bathing areas and signs regulating, prohibiting or restricting specified activities on the whole or any part of a beach or in or on the water adjacent to the beach and to direct persons on the beach or in or on the water to comply with such signs;
 - (d) temporarily enclose any area with rope, hessian, wire or any other means for the conduct of surf life saving club activities; and
 - (e) direct persons to leave the water adjacent to a beach during dangerous conditions or if a shark is suspected of being in the vicinity of a beach.

- (2) Subject to subclause (3), the local government may authorise, under section 9.10 of the Act, one or more members of a surf life saving club to perform all or any of the functions listed in subclause (1).
- (3) Members authorised by the local government under subclause (2) must have been recommended by the surf life saving club as competent to perform the functions referred to in that subclause in respect of which they are authorised.
- (4) Under subclause (2), the local government may authorise members generally, or in relation to particular times, days or months.

6.4 Authority of local government employee to prevail

If the local government has authorised a person under clause 6.6(1) and a member of a surf life saving club under clause 6.6(2) in relation to the same beach, where they could perform a function referred to in clause 6.6(1) contemporaneously, the authority of an authorised person employed by the local government under clause 6.6(1) is to prevail.

6.5 Persons to comply with signs and directions

A person must -

- (a) not act in contravention of a sign erected on a beach under clause 6.6(1)(c);
- (b) not enter an area which has been temporarily closed with rope, hessian, wire or any other means for the conduct of surf life saving club activities, unless he or she is a member of the club or has obtained permission to enter from the club;
- (c) comply with any direction given under clause 6.6(1)(c) or 6.6(1)(e); and
- (d) not interfere with, obscure, obstruct, or hang any item of clothing or towel on a flag, sign, notice or item of life saving equipment.

Part 7 - Activities in streets

Division 1 - General

7.1 General prohibitions

A person must not –

- (a) plant, or allow to remain, in a street a plant that is or may become an obstruction to a reasonable sight line hazard for a driver of any vehicle negotiating or using the street;
- (b) damage a lawn or a garden, or remove any plant or part of a plant from a lawn or a garden, in a street unless –

- (i) the person is the owner or the occupier of the lot abutting that portion of the street and the lawn or the garden or the particular plant has not been installed or planted by the local government ; or
 - (ii) the person is acting under the authority of a written law;
- (c) damage, or remove a street tree, or part of a street tree, irrespective of whether it was planted by the owner or occupier of the lot abutting the street or by the local government , unless –
 - (i) the damage to, or removal of, the street tree is authorised by the CEO or an authorised person in writing; or
 - (ii) the person is acting under authority of written law;
- (d) place, or allow to be placed or remain, on a street any thing (except water) that –
 - (i) obstructs the street; or
 - (ii) results in a hazard for any person using the street;
- (e) unless at the direction of the CEO or an authorised person, damage, remove or interfere with any part of a street, or any structure erected on a street, by the local government or a person acting under the authority of a written law;
- (f) play or participate in any game or sport so as to cause danger to any person or thing or impede the movement of vehicles or persons on a street; or
- (g) within a mall, arcade or veranda of a shopping centre, ride any bicycle, skateboard, roller-blades or similar device.

7.2 Activities allowed with a permit

- (1) A person must not, without a permit –
 - (a) dig or otherwise create a trench through or under a kerb or footpath;
 - (b) throw, place or deposit any thing on a verge or street except for removal by the local government under a bulk rubbish collection, and then only in accordance with the terms and conditions and during the period of time advertised in connection with that collection by the local government;
 - (c) cause any obstruction to a vehicle or a person using a street as a street;
 - (d) cause any obstruction to a water channel or a water course in a street;

- (e) throw, place or drain offensive, noxious or dangerous fluid onto a street;
 - (f) damage a street;
 - (g) fell or damage any street tree;
 - (h) fell any tree onto a street;
 - (i) light any fire or burn any thing on a street ;
 - (j) unless installing, or in order to maintain, a permissible verge treatment –
 - (i) lay pipes under or provide taps on any verge; or
 - (ii) place or install, on any part of a street, any thing such as gravel, stone, flagstone, cement, concrete slabs, blocks, bricks, pebbles, plastic sheeting, kerbing, wood chips, bark or sawdust;
 - (k) provide, erect, install or use in or on any building, structure or land abutting on a street any hoist or other thing for use over the street;
 - (l) on a street use anything or do anything so as to create a nuisance;
 - (m) place or cause to be placed on a street a bulk rubbish container;
 - (n) interfere with the soil of, or anything in, a street or take anything from a street;
 - (o) conduct or carry on any trading on a street or public place;
 - (p) conduct, carry on or set up a market or stall on a street or public place;
 - (q) conduct or carry on an entertainment event on a street or public place; or
 - (r) film or make a recording as part of or for commercial gain on a street or public place.
- (2) The CEO or an authorised person may exempt a person from compliance with subclause (1) on the application of that person.

7.3 Notice to owner or occupier

The CEO or an authorised person may give a notice in writing to the owner or the occupier of a lot abutting on a verge to make good, within the time specified in the notice, any breach of a provision of this Part.

Division 2 - Permissible verge treatments**7.4 Permissible verge treatments**

- (1) An owner or occupier of land which abuts on a verge may, on that part of the verge directly in front of her or his land, install a permissible verge treatment.
- (2) A permissible verge treatment is—
 - (a) the planting and maintenance of a lawn;
 - (b) the planting and maintenance of a garden provided that —
 - (i) clear sight visibility is maintained at all times for a person using the abutting street in the vicinity of an intersection or bend in the street or using a driveway on land adjacent to the street for access to or from the street;
 - (ii) where there is no footpath, a pedestrian has safe and clear access of a minimum width of 2m along that part of the verge immediately adjacent to the kerb;
 - (iii) it does not include a wall or built structure; and
 - (iv) it is not of a thorny, poisonous or hazardous nature; and
 - (c) the installation of an acceptable material.
- (3) In this clause **acceptable material** means any material which would create a hard surface, and which has been approved by the local government.
- (4) A person must not install or maintain a verge treatment which is not a permissible verge treatment.
- (5) The owner and occupier of the lot abutting a verge treatment referred to in subclause (1) are each to be taken to have installed and maintained that verge treatment for the purposes of this clause and clause 7.5.

7.5 Obligations of owner or occupier

An owner or occupier who installs or maintains a permissible verge treatment must –

- (a) keep the permissible verge treatment in a good and tidy condition and ensure, where the verge treatment is a garden or lawn, that a footpath on the verge and a carriageway adjoining the verge are not obstructed by the verge treatment;
- (b) ensure that clear sight visibility is maintained at all times for a person using the abutting thoroughfare in the vicinity of an intersection or bend in a thoroughfare, or using a driveway on

land adjacent to the thoroughfare for access to or from the thoroughfare;

- (c) not place any obstruction on or around the verge treatment;
- (d) not disturb a footpath on the verge;
- (e) ensure that the verge treatment does not damage or obstruct a drain, manhole, galley, inspection pit, channel, kerb or tree planted by the local government; and
- (f) ensure that any sprinklers or pipes installed to irrigate a verge treatment –
 - (i) do not protrude above the level of the lawn or verge treatment when not in use;
 - (ii) are not used at such times so as to cause unreasonable inconvenience to pedestrians or other persons; and
 - (iii) do not otherwise present a hazard to pedestrians or other persons.

7.6 Transitional provision

- (1) In this clause –

former provisions means the provisions of the repealed local laws which permitted certain types of verge treatments, whether with or without the consent of the local government.

- (2) A verge treatment which –

- (a) was installed prior to the commencement day; and
- (b) on the commencement day is a type of verge treatment which was permitted under and complied with the former provisions,

is to be taken to be a permissible verge treatment for so long as the verge treatment remains of the same type and continues to comply with the former provisions.

7.7 Power to carry out public works on verge

Where the local government or an authority empowered to do so under a written law disturbs a verge, the local government or the authority –

- (a) is not liable to compensate any person for that disturbance;
- (b) may backfill with sand, if necessary, any garden or lawn; and
- (c) is not liable to replace or restore any –
 - (i) verge treatment and, in particular, any plant or any acceptable material or other hard surface; or

- (ii) sprinklers, pipes or other reticulation equipment.

Division 3 - Vehicle crossings

7.8 Temporary crossings

- (1) Where it is likely that works on a lot will involve vehicles leaving a street and entering the lot, the person responsible for the works must obtain a permit for the construction of a temporary crossing to protect the existing carriageway, kerb, drains, footpath, existing materials and street trees, where –
 - (a) a crossing does not exist; or
 - (b) a crossing does exist, but the nature of the vehicles and their loads is such that they are likely to cause damage to the crossing.
- (2) The ***person responsible for the works*** in subclause (1) is to be taken to be –
 - (a) the builder named on the building permit issued under the *Building Act 2011*, if one has been issued in relation to the works; or
 - (b) the owner of the lot, if no building permit has been issued under the *Building Act 2011* in relation to the works.
- (3) If the permit authority for the purpose of subclause (1) is the local government, the permit is taken to be issued on the condition that until such time as the temporary crossing is removed, the person to whom the permit is given must keep the temporary crossing in good repair and in such a condition so as not to create any danger or obstruction to persons using the street.

7.9 Removal of redundant crossing

- (1) Where works on a lot will result in a crossing no longer giving access to a lot, the crossing is to be removed and the kerb, drain, footpath, verge and any other part of the street affected by the removal are to be reinstated to the satisfaction of the CEO.
- (2) The CEO may give written notice to the owner or occupier of a lot requiring her or him to –
 - (a) remove any part of or all of a crossing which does not give access to the lot; and
 - (b) reinstate the kerb, drain, footpath, verge and any other part of the street, which may be affected by the removal,within the period of time stated in the notice, and the owner or occupier of the lot must comply with that notice.

Division 4 - Property numbers**7.10 Assignment of numbers**

- (1) The CEO or an authorised person may assign a number to a lot in the district and may assign another number to the lot instead of that previously assigned.
- (2) In this clause, **number** means a number of a lot with or without an alphabetical suffix indicating the address of a lot by reference to a thoroughfare.

Division 5 - Fencing**7.11 Public place – Item 4(1) of Division 1, Schedule 3.1 of Act**

A public place, as that term is defined in clause 1.5, is specified as a public place for the purpose of item 4(1) of Division 1 of Schedule 3.1 of the Act.

Division 6 - Signs erected by the local government**7.12 Signs**

- (1) The local government may erect a sign in a street specifying any conditions of use which apply to that street.
- (2) A person must comply with a sign erected under subclause (1).
- (3) A condition of use specified on a sign erected under subclause (1) is to be for the purpose of giving notice of the effect of a provision of this local law.

7.13 Transitional

Where a sign erected in a street has been erected under a repealed local law then, on and from the commencement day, it is to be taken to be a sign erected under clause 7.12 if –

- (a) the sign specifies a condition of use relating to the street which gives notice of the effect of a provision of this local law; and
- (b) the condition of use specified is not inconsistent with any provision of this local law.

Division 7 - Driving on a closed street**7.14 No driving on closed street**

- (1) A person must not drive or take a vehicle on a closed street unless –
 - (a) it is in accordance with any limit or exception specified in the order made under section 3.50 of the Act; or
 - (b) the person has first obtained a permit.
- (2) In this clause –

closed street means a thoroughfare wholly or partially closed under section 3.50 or 3.50A of the Act.

Division 8 - Notices

7.15 Notice to redirect or repair sprinkler

Where a lawn or a garden is being watered with a sprinkler which is on the lawn or the garden, in a manner which causes or may cause an inconvenience or obstruction to any person using a street, the CEO or an authorised person may give a written notice to the owner or the occupier of the land abutting the lawn or the garden, requiring the owner or the occupier or both to move or alter the direction of the sprinkler or other watering equipment.

7.16 Notice to remove hazardous plants

- (1) Where a plant in a garden creates or may create a hazard for any person using a street, the CEO or an authorised person may give a written notice to the owner or the occupier of the land abutting on the garden to remove, cut, move or otherwise deal with that plant so as to remove the hazard.
- (2) Subclause (1) does not apply where the plant was planted by the local government.

7.17 Notice to remove any thing unlawfully placed on street

Where any thing is placed on a street in contravention of this local law, the CEO or an authorised person may give a written notice –

- (a) to the owner or the occupier of the property which abuts that portion of the street where the thing has been placed; or
- (b) to any other person who may be responsible for the thing being so placed,

requiring the person to remove the thing.

Note: other provisions relating to notices are set out in Division 1 of Part 9 of this local law.

Part 8 – Activities in public places

Division 1 - General provisions

8.1 Leaving animal or vehicle in public place

- (1) A person must not leave an animal or a vehicle, or any part of a vehicle, in a public place so that it obstructs the use of any part of that public place, unless that person has first obtained a permit or is authorised to do so under a written law.
- (2) A person does not contravene subclause (1) where the animal is secured or tethered for a period not exceeding 1 hour.
- (3) A person does not contravene subclause (1) where the vehicle is left for a period not exceeding 24 hours.

8.2 Prohibitions relating to animals

- (1) In subclause (2), **owner** in relation to an animal includes –
 - (a) an owner of it;
 - (b) a person in possession of it;
 - (c) a person who has control of it; and
 - (d) a person who ordinarily occupies the premises where the animal is permitted to stay.
- (2) An owner of an animal must not –
 - (a) allow the animal to enter or remain for any time on any public place except for the use of the public place as a thoroughfare and unless it is led, ridden or driven;
 - (b) allow the animal, if it has a contagious or infectious disease, to be led, ridden or driven in a public place; or
 - (c) train or race the animal in a public place.
- (3) An owner of a horse must not lead, ride or drive the horse on a street, unless that person does so under a permit or under the authority of a written law.
- (4) This clause does not apply to a person with a disability where the animal is a guide dog or assistance animal as defined in the *Disability Discrimination Act 1992 (Commonwealth)* Section 9(2).

8.3 Shopping trolley to be marked

A retailer must clearly mark its name or its trading name on any shopping trolley made available for the use of customers.

8.4 Person not to leave trolley in public place

A person must not leave a shopping trolley in a public place other than in an area set aside for the storage of shopping trolleys.

3.37. Contraventions that can lead to impounding

- (1) Regulations may prescribe any contravention of a regulation or local law made under this Act to be a contravention that can lead to impounding.
- (2) Regulations may exclude the application of particular provisions of this Subdivision.

[Section 3.37 Local Government Act 1995]

29. Contraventions that may lead to impounding of goods (Act s. 3.37)

- (1) A contravention of a regulation or local law made under the Act can lead to the impounding of goods involved in the contravention if —
 - (a) it occurs in a public place; and
 - (b) either —

the presence of the goods —

- (I) presents a hazard to public safety; or
- (II) obstructs the lawful use of any place;

or

where the regulation or local law prohibits or regulates the placement of the goods, the goods are located in a place contrary to that regulation or local law.

(1a) A contravention of a regulation or local law made under the Act can lead to the impounding of goods that are animals (if they are involved in the contravention) whether or not the contravention takes place in a private or a public place.

(2) In subregulation (1) or (1a) —

public place includes a place that is on private property that the public are allowed to use.

[R29 Local Government (Functions and General) Regulations 1996]

3.38. Terms used

goods means any goods involved in a contravention that can lead to impounding, and includes —

- (a) a vehicle; or
- (ab) an animal; or
- (b) a stall or other structure temporarily placed on land, involved in such a contravention;

[Section 3.37 Local Government Act 1995]

8.5 Retailer to remove abandoned trolley

- (1) If a shopping trolley is found in a public place, other than in an area set aside for the storage of shopping trolleys, the CEO or an authorised officer may advise (verbally or in writing) a retailer whose name is marked on the trolley of the location of the shopping trolley.
- (2) A retailer must remove a shopping trolley within 24 hours of being so advised under subclause (1).

8.6 Retailer taken to own trolley

In the absence of any proof to the contrary, a shopping trolley is to be taken to belong to a retailer whose name is marked on the trolley.

Part 9 - Permits

Division 1 - Applying for a permit

9.1 Application for permit

- (1) Where a person is required to obtain a permit under this local law, that person must apply for the permit in accordance with subclause (2).
- (2) An application for a permit under this local law must -
 - (a) be in the form determined by the CEO;
 - (b) be signed by the applicant;
 - (c) provide the information required by the form; and

- (d) be forwarded to the CEO together with any fee imposed by the Council under sections 6.16 to 6.19 of the Act.
- (3) The CEO or an authorised person may require an applicant to provide additional information reasonably related to the application before determining the application.
- (4) The CEO or an authorised person may require an applicant to give local public notice of the application.
- (5) The CEO or an authorised person may refuse to consider an application which is not in accordance with subclause (2) or where the requirements of subclause (3) or (4) have not been satisfied.

9.2 Decision on application

- (1) The CEO or an authorised person may –
 - (a) approve an application unconditionally or subject to any conditions; or
 - (b) refuse to approve an application.
- (2) If the CEO or an authorised person approves an application, he or she is to issue to the applicant a permit in the form determined by the CEO.
- (3) If the CEO or an authorised person refuses to approve an application, he or she is to give written notice of that refusal to the applicant.
- (4) The CEO or an authorised person may, at any time, amend a condition of approval and the amended condition takes effect when written notice of it is given to the permit holder.

9.3 General restrictions on grant of permit

- (1) The CEO or an authorised person must not grant a permit if there are reasonable grounds for believing that the carrying on of the activity to which the application relates would constitute an unacceptable risk to the safety of the public.
- (2) The CEO or an authorised person must not grant a permit unless the CEO or an authorised person is satisfied that –
 - (a) the applicant is capable of carrying on the activity in accordance with this local law and the terms and conditions of the permit;
 - (b) the public place at which the activity is to be carried on is suitable for that purpose;
 - (c) a permit or similar authority granted or issued to the applicant has not been cancelled in the period of 5 years before the application is made; and
 - (d) the applicant is a fit and proper person to carry on the activity.

9.4 Amendment of permit

- (1) In this clause –
amend includes –
 - (a) to impose any new condition; and
 - (b) to change or remove any existing condition.
- (2) The CEO or an authorised person may, by written notice given to the permit holder, amend a permit.
- (3) An amendment may be made on application made by the permit holder or on the CEO or authorised person's initiative.

Division 2 - Conditions**9.5 Examples of conditions**

- (1) Examples of the conditions that the CEO or an authorised person may impose on a permit under clause 9.2(1)(a) or 9.4(2) are conditions relating to -
 - (a) the payment of a fee;
 - (b) compliance with a standard or a policy adopted by the local government;
 - (c) the duration and commencement of the permit;
 - (d) the commencement of the permit being contingent on the happening of an event;
 - (e) the rectification, remedying or restoration of a situation or circumstance reasonably related to the application;
 - (f) the approval of another application for a permit which may be required by the local government under any written law;
 - (g) the area of the district to which the permit applies;
 - (h) where a permit is issued for an activity which will or may cause damage to local government property, the payment of a deposit or bond against such damage; and
 - (i) the obtaining of public risk insurance in an amount and on terms reasonably required by the CEO or an authorised person.
- (2) Examples of the type and content of the conditions on which a permit to hire local government property may be issued include –
 - (a) when fees and charges are to be paid;
 - (b) payment of a bond against possible damage or cleaning expenses or both;

- (c) restrictions on the erection of material or external decorations;
- (d) rules about the use of furniture, plant and effects;
- (e) limitations on the number of persons who may attend any function in or on local government property;
- (f) the duration of the hire;
- (g) the right of the CEO or an authorised person to cancel a booking during the course of an annual or seasonal booking, if the CEO or an authorised person sees fit;
- (h) a prohibition on the sale, supply or consumption of liquor unless a liquor licence is first obtained for that purpose under the Liquor Control Act;
- (i) whether or not the hire is for the exclusive use of the local government property;
- (j) the obtaining of a policy of insurance in the names of both the local government and the hirer, indemnifying the local government in respect of any injury to any person or any damage to any property which may occur in connection with the hire of the local government property by the hirer; and
- (k) the provision of an indemnity from the hirer, indemnifying the local government in respect of any injury to any person or any damage to any property which may occur in connection with the hire of the local government property by the hirer.

9.6 Imposing conditions under a policy

- (1) In this clause –

policy means a local government policy adopted by the Council under section 2.7 of the Act containing conditions subject to which an application for a permit may be approved under clause 9.2.

- (2) Under clause 9.2(1)(a) the CEO or an authorised person may approve an application subject to conditions by reference to a policy.
- (3) The CEO or an authorised person must give to the permit holder a copy of the policy or, at the discretion of the CEO or the authorised person, the part of the policy which is relevant to the application for a permit, with the form of permit referred to in clause 9.2(2).
- (4) An application for a permit is not to be taken to have been approved subject to the conditions contained in a policy until the CEO or an authorised person gives the permit holder a copy of the policy or the part of the policy which is relevant to the application.
- (5) Sections 5.94 and 5.95 of the Act apply to a policy and, for that purpose, a policy is deemed to be information within section 5.94(u)(i) of the Act.

9.7 Compliance with conditions

Where an application for a permit has been approved subject to conditions, the permit holder must comply with each of those conditions, as amended.

Division 3 - Duration of permits**9.8 Duration of permit**

A permit is valid for one year from the date on which it is issued, unless it is –

- (a) otherwise stated in this local law or in the permit; or
- (b) suspended or cancelled under this Division.

9.9 Renewal of permit

- (1) A permit holder may apply to the CEO for the renewal of a permit.
- (2) An application for renewal must –
 - (a) be in the form determined by the CEO;
 - (b) be signed by the permit holder;
 - (c) provide the information required by the form;
 - (d) be forwarded to the CEO no later than 28 days before the expiry of the permit, or within a shorter period that the CEO in a particular case permits; and
 - (e) be accompanied by any fee imposed by the Council under section 6.16 to 6.19 of the Act.
- (3) The provisions of this Part that apply to an application for a permit also apply to an application for the renewal of a permit as though it were an application for a permit.

9.10 Transfer of permit

- (1) An application for the transfer of a valid permit is -
 - (a) to be made in writing;
 - (b) to be signed by the permit holder and the proposed transferee of the permit;
 - (c) to include such information as the CEO or an authorised person may require to enable the application to be determined; and
 - (d) to be forwarded to the CEO together with any fee imposed by the Council under sections 6.16 to 6.19 of the Act.
- (2) The CEO or an authorised person may approve an application for the transfer of a permit, refuse to approve it or approve it subject to any conditions.

- (3) Where the CEO or an authorised person approves an application for the transfer of a permit, the transfer may be effected by an endorsement on the permit signed by the CEO or the authorised person.
- (4) Where the CEO or an authorised person approves the transfer of a permit, the local government is not required to refund any part of any fee paid by the former permit holder.

9.11 Suspension of permit

- (1) The CEO may, subject to clause 9.12, by written notice given to the permit holder, suspend a permit if there are reasonable grounds for believing that –
 - (a) the permit holder has contravened a term or condition of a permit;
 - (b) the permit holder has contravened a provision of this local law; or
 - (c) the continued carrying on of the activity authorised by the permit constitutes or will constitute an unacceptable risk to the safety of the public.
- (2) The suspension notice must –
 - (a) state the day, or the day and time, on or at which the suspension takes effect;
 - (b) state the reasons for the CEO's decision to suspend the permit; and
 - (c) where appropriate, indicate what steps need to be taken to ensure that there is compliance with the relevant provision, term or condition or that there is no longer a risk as described in subclause (1)(c); and
 - (d) inform the permit holder that he/she has a right to apply under the Act for a review of the CEO's decision to suspend the permit.

<i>Note – Part 9 of this local law deals with objection and review rights.</i>
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9.12 Proposed suspension

- (1) If the CEO proposes to suspend a permit for the reason mentioned in clause 9.11(1)(a), the CEO must give written notice to the permit holder of the proposed suspension.
- (2) The notice must –
 - (a) state that the CEO proposes to suspend the permit;
 - (b) state the reasons for the proposed suspension; and

- (c) inform the permit holder that the permit holder is entitled to make representations to the CEO in respect of the proposed suspension within 7 days after the day on which the permit holder is given the notice.
- (3) In considering whether to suspend the permit, the CEO must have regard to any representations made by the permit holder within the period referred to in subclause (2)(c).

9.13 Revocation of suspension

- (1) The CEO must, by written notice given to the permit holder, revoke the suspension of a permit if the CEO is satisfied that the steps specified in the suspension notice have been taken.
- (2) The CEO may, by written notice given to the permit holder, revoke the suspension of the permit if the CEO considers that it is appropriate to do so in the circumstances of a particular case.

9.14 Period of suspension

The suspension of a permit has effect on the day, or the day and time, specified in the suspension notice until one of the following happens –

- (a) the suspension is revoked under clause 9.13;
- (b) the permit is cancelled under clause 9.15 or expires; or
- (c) the permit is surrendered in accordance with the provisions of this local law.

9.15 Cancellation of permit

A permit may be cancelled by the CEO if -

- (a) the permit was obtained improperly by including false or misleading information;
- (b) the permit holder has persistently or frequently contravened a term or condition of the permit, or a provision of this local law, whether or not the permit is or has been suspended on the grounds of a contravention; or
- (c) there are reasonable grounds for believing that the continued carrying on of the activity constitutes or would constitute an unacceptable risk to the safety of the public, whether or not the permit has been suspended on the grounds of that risk.

Note – objection and appeal rights under Part 9 apply to the suspension or cancellation of a permit

9.16 Surrender of permit

A permit holder may, at any time by notice in writing to the CEO, surrender the permit.

Division 4 - Responsibilities of permit holders and others**9.17 Production of permit**

A permit holder must produce to an authorised person her or his permit immediately after being required to do so by that authorised person.

9.18 Other responsibilities of permit holder

A permit holder must, in respect of local government property to which the permit relates -

- (a) ensure that an authorised person has unobstructed access to the local government property for the purpose of inspecting the property or enforcing any provision of this local law;
- (b) comply with a direction from the CEO or an authorised person to take the action specified in the direction for the purpose of maintaining public safety;
- (c) leave the local government property in a clean and tidy condition after its use;
- (d) report any damage or defacement of the local government property to the CEO or an authorised person; and
- (e) prevent the consumption of any liquor on the local government property unless the permit allows it and a licence has been obtained under the *Liquor Control Act* for that purpose.

9.19 Production of permit document for amendment

If the CEO or an authorised person amends or renews a permit, the permit holder must, if required by the CEO or authorised person, produce the permit document to the CEO or authorised person for amendment within the period specified by the CEO or authorised person.

9.20 Return of permit document if permit no longer in effect

If a permit –

- (a) has expired or has not been renewed;
- (b) has been suspended or cancelled; or
- (c) has been surrendered,

the person who was the permit holder must, as soon as practicable after the expiry, suspension, cancellation or surrender, return the permit document to the CEO.

9.21 Advertising

A person must not advertise, or otherwise hold out in any way, that the person conducts a commercial activity in any public place unless that person holds a permit authorising that commercial activity.

9.22 False or misleading statement

A person must not make a false or misleading statement in connection with an application in respect of a permit under this local law.

Part 10 – Objections and review**10.1 Objection and review rights**

Division 1 of Part 9 of the Act applies to a decision under this local law in respect of the grant, renewal, transfer, amendment, suspension or cancellation of a permit.

Part 11 – Enforcement***Division 1 - Notices*****11.1 Definition**

In this Division –

costs of the local government include its administrative costs.

11.2 Damage to local government property

If a person unlawfully removes, damages or interferes with local government property or portion of a street, the CEO or an authorised person may give the person a notice requiring that person, within the time specified in the notice, to do any one or more of the following (at the local government's option) –

- (a) reinstate the property to the state it was in before the removal, damage or interference;
- (b) replace that property; or
- (c) pay for the costs of reinstatement or replacement.

11.3 Breach of a permit

If a permit holder breaches a condition of the permit, or fails to comply with a direction under this local law, the CEO or an authorised person may give the person a notice.

11.4 Notice requirements

A notice under this Division must –

- (a) be in writing;
- (b) specify the reason for giving the notice, the work or action that is required to be undertaken and the time within which it is to be undertaken; and
- (c) be given to the person referred to in clause 11.2 or 11.3, as the case may be.

11.5 Local government may undertake requirements of notice

- (1) If a person fails to comply with a notice referred to in clause 11.2, the local government may –
 - (a) do the thing specified in the notice, including replace the property, or reinstate the property to the state it was in before the removal, damage or interference; and
 - (b) recover from the person, as a debt, the costs of doing so.
- (2) If a person fails to comply with a notice referred to in clause 11.3, the local government may –
 - (a) take whatever remedial action it considers appropriate to put the local government in the position it would have been in if the breach or failure had not occurred; and
 - (b) recover from the person, as a debt, the costs of doing so.

11.6 Offence to fail to comply with notice

A person who fails to comply with a notice given to him or her under this local law commits an offence.

Division 2 - Offences and penalties**11.7 Offences and general penalty**

- (1) A person who fails to do anything required or directed to be done under this local law, or who does anything which under this local law that person is prohibited from doing, commits an offence.
- (2) A person who commits an offence under this local law is liable, on conviction, to a penalty not less than \$500 and not exceeding \$5,000, and if the offence is of a continuing nature, to an additional penalty not exceeding \$500 for each day or part of a day during which the offence has continued.

11.8 Prescribed offences

- (1) An offence against a clause specified in Schedule 2 is a prescribed offence for the purposes of section 9.16(1) of the Act.
- (2) The modified penalty for a prescribed offence is the amount specified adjacent to the clause in Schedule 2.
- (3) For the purpose of guidance only, before giving an infringement notice to a person in respect of the commission of a prescribed offence, the local government should be satisfied that –
 - (a) commission of the prescribed offence is a relatively minor matter; and
 - (b) only straightforward issues of law and fact are involved in determining whether the prescribed offence was committed, and the facts in issue are readily ascertainable.

11.9 Form of notices

- (1) For the purposes of this local law -
 - (a) where a vehicle is involved in the commission of an offence, the form of the notice referred to in section 9.13 of the Act is that of Form 1 in Schedule 1 of the Regulations;
 - (b) the form of the infringement notice given under section 9.16 of the Act is that of Form 2 in Schedule 1 of the Regulations; and
 - (c) the form of the notice referred to in section 9.20 of the Act is that of Form 3 in Schedule 1 of the Regulations.
- (2) Where an infringement notice is given under section 9.16 of the Act in respect of an alleged offence against clause 2.4, the notice is to contain a description of the alleged offence.

11.10 Evidence of a determination

- (1) In any legal proceedings, evidence of a determination may be given by tendering the register referred to in clause 2.5 or a certified copy of an extract from the register.
- (2) It is to be presumed, unless the contrary is proved, that the determination was properly made and that every requirement for it to be made and have effect has been satisfied.
- (3) Subclause (2) does not make valid a determination that has not been properly made.

SCHEDULE 1 - DETERMINATIONS

[Clause 2.1]

The following determinations are to be taken to have been made by the local government under clause 2.1.

Part 1 - Preliminary

1.1 Definition

In these determinations –

local law means the *Public Places and Local Government Property Local Law 2023* made by the local government.

1.2 Interpretation

Where a term is used but not defined in a determination and that term is defined in this local law then the term is to have the meaning given to it in this local law.

Part 2 - Application

2.1 Vehicles on local government property

- (1) Unless authorised by a permit or determination, a person must not take or cause a vehicle to be taken onto or driven on local government property unless –
 - (a) subject to subclause (3), the local government property is clearly designated as a road, access way or car park;
 - (b) the vehicle is driven by a local government employee, authorised person or contractor engaged by the local government, who is engaged in –
 - (i) providing a service or making a delivery in connection with the local government property; or
 - (ii) maintaining the local government property;
 - (c) the person is driving an emergency vehicle in the course of his or her duties;
 - (d) the vehicle is –
 - (i) driven on local government property that has been designated as a golf course;
 - (ii) used in accordance with the conditions set down by the local government, the controller or an authorised person; and
 - (iii) of a type allowed to be taken onto the golf course by the local government, the controller or an authorised person; or

- (e) the vehicle is a motorised wheelchair, and the driver of that vehicle is a disabled person.
- (2) A person must not drive a vehicle or allow a vehicle to be driven on local government property at a speed exceeding 10 kilometres per hour or as otherwise indicated by a sign, or in such a manner as to cause danger to any person.
- (3) Other than in accordance with paragraphs (b), (c), (d) or (e) of subclause (1), a person must not drive a vehicle on local government property that is being used for a function for which a permit has been obtained unless permitted to do so by the permit holder or an authorised person.

2.2 Motorised model aeroplanes, toys or ships

A person must not use, launch or fly a drone, motorised model aeroplane, toy, ship, glider or rocket that is propelled by mechanical, hydraulic, combustion or pyrotechnic means on or from local government property except in accordance with a permit or determination that specifies that particular local government property.

2.3 Children's playgrounds

- (1) The local government may set aside a public reserve or any portion of a public reserve as a children's playground.
- (2) The local government may limit the ages of persons who are permitted to use a children's playground and may erect a sign under clause 2.3 of this local law to that effect on or in the immediate vicinity of the playground.
- (3) A person over the age specified on that sign, other than a person having the charge of a child or children in the playground, must not use a playground or interfere with the use by children of the playground.

2.4 Launching and retrieval of boats

A person must not take a boat onto, launch a boat from, or retrieve a boat on, local government property except in accordance with permit or a determination that specifies that particular local government property unless –

- (a) the person is
 - (i) a local government employee or authorised person; or
 - (ii) a contractor engaged by the local government and who is engaged in providing a service, maintaining or making a delivery in connection with, the local government property.
- (b) the person is in charge of a boat engaged in rescue services or dealing with an emergency; or
- (c) the local government property is a boat ramp that is delineated by a sign to that effect.

2.5 Activities prohibited on local government property

- (1) A person must not play or practise archery or pistol or rifle shooting on local government property except on land which is reserved by the local government for that purpose, or as otherwise permitted by a determination or permit.
- (2) A person must not play or practise golf on local government property except on a reserve set aside by the local government as a golf course.
- (3) A person must not, on any local government property, use or ride a bicycle or wheeled recreational device, skateboard, or sand board –
 - (a) inside, or on the curtilage to, a building;
 - (b) on a golf course except to the extent permitted under clause 2.1(1)(d) of these Determinations; or
 - (c) in or on a lakebed or waterway.
- (4) A person must not use on, or take on to, any local government property, a spear gun, hand spear, gidgie or similar device unless permitted by a determination or permit.
- (5) A person shall not traverse sand dunes except along pathways designated by signs or fences for the purpose.
- (6) A person

SCHEDULE 2 - PRESCRIBED OFFENCES

[Clause 11.8]

Item number	Clause	Description	Modified Penalty (\$)
1	2.4	Failure to comply with a determination	100
2	3.1	Undertaking activity on local government property without a permit	100
3	3.2	Camping on local government property or erecting an unauthorised structure	100
4	3.3	Failure to obtain licence for liquor	100
5	4.2	Failure to obtain permit for sign	100
6	4.4(3)	Failure to comply with sign permit condition	100
7	5.1	Behaviour interfering with others	100
8	5.2	Behaviour detrimental to local government property	100
9	5.3	Taking or injuring fauna without authorisation	100
10	5.4	Removing, damaging or depositing flora without authorisation	100
11	5.5	Animal on local government property without a permit	100
12	5.6	Under influence of liquor or prohibited drug on local government property	100
13	5.7	Failure to comply with sign	100
14	5.8	Failure to comply with direction of authorised person	100
15	6.1, 6.2	Unauthorised entry to event, closed or fenced local government property	100
16	6.4	Failure to observe conditions of play or direction of course controller on golf course	100
17	6.8	Failure to comply with sign or direction on beach	100
20	6.15	Unauthorised use of any part of jetty which is closed or under repair or construction	100
21	6.16	Berthing of boats in unauthorised manner	100
22	6.17	Unauthorised berthing of a boat to jetty	100
23	6.18	Failure to remove berthed boat on direction of authorised person	100
24	6.19	Launching of boat from jetty without consent	100
25	6.20	Berthing when not ready to load or discharge cargo, at times not permitted or for longer than permitted	100
26	6.21	Unlawful storing of goods on jetty	100
27	6.22	Removing goods from jetty during other than permitted hours	100

Item number	Clause	Description	Modified Penalty (\$)
28	6.23	Failure to remove cargo on jetty on direction of authorised person	100
29	6.24	Unauthorised deposit of bulk cargo on jetty	100
30	6.25	Polluting area surrounding jetty	100
31	6.26	Fishing from jetty so as to obstruct a boat or another person	100
39	7.1(a), 7.4(2)(b)	Planting or allowing plant or verge treatment in street to become a sightline hazard	100
40	7.1(b)	Damaging a street lawn or garden	100
41	7.1(c)	Damaging or removing whole or part of a street tree without authorisation	300
42	7.1(d)	Obstruction of street	100
43	7.1(e)	Damaging, removing or interfering with street, part of street, sign or structure in a street without authorisation	100
44	7.1(f)	Playing games in street so as to impede vehicles or persons	100
45	7.1(g)	Riding of skateboard or similar device on mall, arcade or veranda of shopping centre	100
46	7.2	Carry on or undertake prohibited activity in street or damage local government property in a street without authorisation	300
47	7.4(4)	Install verge treatment that is not a permissible treatment	100
48	7.5(a), 7.5(d) 7.5(e)	Failure to keep permissible verge treatment in good and tidy condition, obstruct a street, footpath, drain, or driveway	100
49	7.5(c)	Placing an obstruction on or around a verge treatment	100
50	7.5(f)	Failure to ensure sprinklers or reticulation pipes do not protrude above level of verge treatment when not in use, not used at such times as to cause inconvenience to pedestrians, or otherwise present a hazard	100
51	7.8	Failure to obtain permit for a temporary crossing	100
52	7.9	Failure to remove redundant crossing or reinstate kerb, drain, footpath, verge or street	100
53	7.12	Failure to comply with condition of use of a street indicated by a sign	100
54	8.1(1)	Animal or vehicle obstructing public place without authorisation	100
55	8.2(2)	Animal in public place when not led, ridden or driven	100

Item number	Clause	Description	Modified Penalty (\$)
56	8.3	Failure to clearly mark name or trading name on shopping trolley	100
57	8.4	Person leaving a shopping trolley in a public place other than trolley bay	100
58	8.5	Failure to remove shopping trolley after being advised of location	100
59	9.7	Failure to comply with permit condition	100
60	9.18	Failure to comply with permit condition in relation to local government property	100
61	9.17, 9.19, 9.20	Failure to produce permit for inspection, amendment or to return permit when no longer in effect	100
62	11.6	Failure to comply with notice	300
63	11.7	All other offences not specified	100

Dated

The Common Seal of the)
City of Nedlands was affixed in)
the presence of)

.....
Fiona Argyle
Mayor

.....
William Parker
Chief Executive Officer

19.5 CEO07.03.23 Review of Local Laws under s3.16 of the Local Government Act 1995

Meeting & Date	Council Meeting – 28 March 2023
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	Nil.
Report Author	Sam Curulli- Governance Officer
CEO	Bill Parker
Attachments	Nil.

Purpose

Section 3.16 of the *Local Government Act 1995* requires local governments to undertake a review of their local laws every eight years.

Council has previously resolved to initiate the review and call for comments from the public as required by the Act. None were received but there are a number of local laws that should be repealed and others updated.

Reports about the individual local laws are presented today.

Recommendation

That Council:

1. **adopts the outcome of the review of local laws undertaken pursuant to s3.16 of the Local Government Act 1995; and**
2. **notes that proposals to amend and/or repeal local laws of the City will be presented for consideration in due course pursuant to s3.12.**

Voting Requirement

Absolute Majority.

Background

Section 3.16 of the *Local Government Act 1995* (the Act) requires local governments to undertake a review of their local laws at least once every eight (8) years.

A list of the local laws currently in place, when they were made / gazetted, and comments regarding them were reported to Council at its meeting held on 28 June 2022 (Item 18.1 refers). Council resolved to initiate the review and call for comments by members of the public for a six week period as required by s3.16. The period for comments closed on 31 August 2022; no comments were received.

Although there were no comments from the public it is considered good practice to keep local laws as up to date and as contemporary as they reasonably can be, while others can simply be left as is.

A summary of proposed action was presented to council on 28 June 2022. Reports are now presented with respect to each local law, and those proposed for repeal.

Discussion

At its meeting held on 28 June 2022, Council resolved to initiate the review as required by s3.16 of the Act.

Consultation

As part of a review of local laws under section 3.16 of the *Local Government Act 1995*, a local government is required to give local public notice, inviting submissions for a period of not less than 6 weeks. The City gave the required notice, which closed on 31 August 2022.

No comments were received.

Strategic Implications

Great Governance and Civic Leadership

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

Priority Area

Nil.

Budget/Financial Implications

There are costs associated with the amendments to existing local laws and to repeal those no longer relevant.

To reduce these costs, local laws used by local governments of a similar nature to the City or models developed by the WA Local Government Association are being used.

Legislative and Policy Implications

Pertinent to s3.16 of the [Local Government Act 1995](#).

Decision Implications

If adopted, the s3.16 process will officially be closed off as is required in the implementation and review of the Local Laws process.

Conclusion

The City has now fulfilled its statutory obligation under the Act to regularly review local laws but is now required to use the process under s3.12 to actually amend those that require updating and to make a Repeal Local Law to repeal those that are no longer relevant.

Keeping local laws up to date ensures the City is well placed to deal with any issues that may arise, as well as the community benefit of removing redundant or unnecessary regulation.

Further Information

Nil.

19.6 CEO08.03.23 Register of Outstanding Council Resolutions

Meeting & Date	Council Meeting – 28 March 2023
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	No officer involved in the preparation of this report has a declarable interest.
Report Author	Libby Kania – Coordinator Governance and Risk
CEO	Bill Parker
Attachments	1. Register of Outstanding Council Resolutions

Purpose

For Council to consider the Register of Outstanding Council Resolutions (OCR) and the actions taken by Administration in progressing these items.

Recommendation

That Council receives the Register of Outstanding Council Resolutions dated March 2023.

Voting Requirement

Simple Majority.

Background

At its Ordinary meeting in August 2022, Cr Mangano submitted the following notice of motion which was adopted by Council:

“Council Resolution / Officer Recommendation

Council instructs the CEO to:

1. provide Council monthly with a table of all outstanding Council Resolutions, the date they were resolved by Council, and their current status;
2. include this information in all future Ordinary Council Meeting Agendas from 1st February 2023; and
3. implement a process by which Council can endorse the status of completion for Resolutions.

CARRIED UNANIMOUSLY 11/-“

Due to the delay in commencement of the governance resource, the Administration was unable to commence the process in time for the February Council Meeting. The process has now been documented and put in place for the March Council Meeting.

Discussion

To date, Administration has provided to Council a progress report on outstanding Council resolutions, through the Councillor portal. Notwithstanding, Council has requested that the OCR's be considered as a standing item each month on the Council agenda.

Attached to the Council report is the register of OCRs for Council's noting and consideration.

The majority of the OCRs in any given group are the result of a Councillor notice of motion. This is not surprising due in part to the fact that notices of motion are in most instances unplanned and require unbudgeted funding and resource allocation. In terms of progressing these types of resolutions, they will usually take longer as they require the diversion of resources. Resource allocation may include officer time in, for example, the preparation of a report or investigation of an issue, or the need to wait until mid-year reviews or the annual budgeting cycle to adequately fund a project. This is not to argue against the practice of notices of motion, but simply to provide reasoning for why some resolutions may take longer to complete.

Councillors should note that in regard to paragraph 3 of the Council resolution, formal endorsement of a completed Council resolution has no status under legislation and is inconsistent with the Act. It is not a function of Council to endorse the status of completion of resolutions. It is a function of the CEO to ensure that Council resolutions are implemented (s. 5.41(c)) and to manage the day to day operations of the local government.

Once a resolution is made by Council, it is the CEO's function to see that it is implemented.

Requesting that Council endorse the status of completion of resolutions is inconsistent with the practices at other local governments and is considered to be contrary to the Local Government Act 1995, which prescribes that the implementation of Council decisions is a function of the CEO. Should the CEO fail to implement the decisions of Council this is a matter to be dealt with during the CEO Performance Appraisal process.

Information will be periodically provided to Councillors on previous resolutions of Council that:

- (i) have been completed since the last update and
- (ii) have not yet been fully implemented. Reasons for any delays or unforeseen challenges could be included.

Councillors could seek an update on any particular project or resolution outside of the reporting period, by contacting the CEO directly for information.

Further, the register could be uploaded to the City's website for greater transparency to the community.

Consultation

Nil.

Strategic Implications

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

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

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

Budget/Financial Implications

Nil.

Legislative and Policy Implications

[Local Government Act 1995.](#)

Decision Implications

If Council considers it appropriate to implement a sign-off on all outstanding resolutions, there is a risk that Council may be contravening Section 5.41(c) of the Act. Whilst there may be a perceived risk that Councillors will lose oversight of the implementation of previous Council decisions, this is appropriately mitigated by way of the provision of relevant information via the CEO Weekly update, direct request to the CEO and the CEO Performance Review Process. The City may include the register on the website which provides transparency to the community.

Conclusion

That the Council receives the Register of Outstanding Council Resolutions for noting.

Further Information

Nil.

Outstanding Council Resolutions			
Directorate	Title	Item No. and Meeting Date	Description/Council Resolution
CEO	Public Places and Local Government Property Local Law 2014	CPS33.14	Public Places and Local Government Property Local Law 2014 Council agrees to: 1. Advertise the proposed City of Nedlands Public Places and Local Government Local Law 2014 as contained in Attachment 1; and 2. Increase the modified penalty to \$500 for the following offences: a) Item 24, Damaging or removing whole or part of a street tree without authorisation (currently \$250); b) Item 25, Obstruction of thoroughfare (currently \$125); c) Item 26, Damaging, removing or interfering with thoroughfare, part of thoroughfare, sign or structure in thoroughfare without consent (currently \$125); d) Item 29, Carry on or undertake prohibited activity in thoroughfare or damage Local Government property in thoroughfare without authorisation (currently \$250); and e) Item 36, failure to remove redundant crossing or reinstate kerb, drain, footpath, nature strip or thoroughfare (currently \$125).
CEO	Council Policy Reviews	13.1 23.02.2021	Council: 1. Refers the following policies to a Councillor workshop: • Elected Member Fees, Expenses, Allowances and Other Provisions • Legal Representation for Elected Members and Employees Council Policy • Management of Information for Elected Members Council Policy • Professional Development and Attendance at Events 2. Amends the Community Notice Boards in Council Operated Facilities policy be amended by: Query 1st item on the 2nd page, revision requested: 'Commercial products and services' appears to include the many exercise and wellness activities that are currently advertised on community notice boards. If this clause is applied it will exclude many low profit, highly valued community exercise classes, including Zumba for retirees and chair yoga classes et cetera. Having these remain advertised on the community notice boards retains a valued source of information for many members of the community. Council Resolution 1. adopts the following updated Council Policies: d. Council Member and Employee training and conference attendance Policy (attachment 4); e. Asset Management Council Policy (attachment 5); f. Use of Council Facilities for Community Purposes Policy (attachment 6); h. Application of Grant Funding Council Policy (attachment 8); i. Community Signage Council Policy (attachment 9); k. Unauthorised Damage of Vegetation Council Policy (attachment 11); l. Trading in Public Places Council Policy (attachment 12); m. Natural Area Path Network Council Policy (attachment 13); n. Nature Strip (Verge) Parking adjacent to Vacant Lots Council Policy (attachment 14); and o. Operation of Bank Accounts Council Policy (attachment 15); and 2. adopts the following new Council Policies: a. Advisory & Working Groups Policy (attachment 17); and b. Natural Areas Management Council Policy (attachment 18). 3. Amends the Bulk Waste Collection Policy be amended as follows: a. Context to read as follows: The City is committed to providing excellent waste management services to the community, whilst minimising any adverse impact on amenity from waste services. b. Add a new clause d) as follows: d) Residents are to ensure that wherever possible Municipal refuse, recycling and green waste bins do not block pathways.
CEO	Workforce Plan Implementation Committee	19.1	ORC01.06.22 Draft Organisational Review and Workforce Plan Council Resolution That Council: 1. receives the Organisational Review; 2. adopts the Workforce Plan to be reviewed by Council in 12 months; 3. establishes a Workforce Plan Implementation Committee to oversee the programmed implementation based on Cost-Benefit analysis of all services, with an initial focus on Customer & Community Services. 4. appoints the Mayor and four Councillors (one Councillor from each ward) as Workforce Plan Implementation Committee Members: Councillor Amiry - Coastal Ward; Councillor Hodsdon - Hollywood Ward Councillor Mangano - Dalketh Ward; and Councillor Senathirajah - Melvista Ward: 5. appoints the Deputy Mayor and four Councillors (one Councillor from each ward) as Deputy Members of the Workforce Plan Implementation Committee: Councillor Smyth - Coastal Ward; Councillor Combes - Hollywood Ward; Councillor Bennett - Dalketh Ward; and Councillor Brackenridge - Melvista Ward; and 6. directs the CEO to draft a Terms of Reference for the Workforce Plan Implementation Committee that includes scope to: a. Undertake the following further tasks with respect to the Organisational Review; • analysis of the actual workload in each section compared with staffing numbers in each section including benchmarking against at least 2 similar Local Governments • explanation and justification for the FTE levels within the draft Workforce Plan being preferred to the FTE levels consistent with the industry benchmarks identified in the Organisational Review • prepare financial information which sets out the impact of adopting the draft Workforce Plan on the City's future financial circumstances; b. having regard to the results of the further tasks undertaken in (a), re-examine and, as appropriate, revise the Workforce Plan for a 12 month review ahead of the 2023-24 budget preparation; and c. collaboration with the CEO Performance Review Committee to ensure effective development of KRAs, goals, measures and targets.
CEO	CEO01.02.23 Review of Wards and Representation	8 SCM 13/02/2023	Council Resolution That the City of Nedlands Council recommends to the Local Government Advisory Board, in accordance with Schedule 2.2(9) that: 1. The current four ward structure at the City of Nedlands be retained; 2. An order be made that the name of the Coastal Districts Ward be amended to the Coastal Ward, all other ward names be retained; 3. An order be made under s. 2.2(1) for a boundary adjustment between the Coastal and Hollywood Wards as follows: a. The area bounded by Camelia Avenue to the North, Lantana Avenue to the West, Brockway Road to the East and Alfred Road to the South is moved from the current Coastal Ward to the Hollywood Ward. 4. An order be made under s. 2.18(3) to reduce the number of offices of Elected Member from 13 to 9 – comprised of a Mayor and 8 Councillors, and designates the following number of offices of councillor for each ward: Melvista (2), Hollywood (2), Dalketh (2) and Coastal (2); 5. Authorises the Chief Executive Officer to prepare a report to be presented to the Local Government Advisory Board proposing that the orders resolved above be made under section 2.2(1) and s. 2.18(3) of the Local Government Act 1995; and 6. In the event that the Minister's proposed reforms to the Local Government Act 1995 to reduce the number of Council positions for local governments with populations between 5,000 to 75,000, to a maximum number of 9 elected members is not passed by State Parliament in time for the October 2023 Ordinary Local Government Elections, the City of Nedlands withdraws its application to the Local Government Advisory Board in respect to recommendation 4 of the Council resolution dated 13 February 2023, and retains the current representation of 13 elected members with 3 Councillors per each of the 4 wards for the 2023 election.
Community Develop	20.1 CSD03.05.22 Confidential Nominations for City Honors	20.1 OCM 24/05/2022	The Council resolution was confidential - Not for publication
Community Develop	CSD05.09.22 Cricket Turf Wicket Maintenance Agreements	18.1 OCM 27/09/2022	Council Resolution/Recommendation Council agrees to: 1. enter into 5-year agreements for the preparation and maintenance of the centre and practice turf cricket wickets and provide a subsidy as follows: a. \$49,289 (ex GST) per annum to Western Suburbs Cricket Club for College Park, indexed at 3.5% in following years; b. \$33,012 (ex GST) per annum to Claremont Nedlands Cricket Club for Melvista Oval, indexed at 3.5% in following years; and c. \$33,012 (ex GST) per annum to Swanbourne Cricket Club for Swanbourne Oval, indexed at 3.5% in following years; 2. update the key terms of the agreement to include the option for Clubs to deliver outfield mowing at a higher level of service and provide an additional subsidy as follows: a. \$ 4,768 (ex GST) to Claremont Nedlands Cricket Club, on a pro rata basis, for 1 September – 31 March annually, indexed at 3.5% in following years; b. \$ 4,214 (ex GST) per cricket season to Western Suburbs Cricket Club, on a pro rata basis, indexed at 3.5% in following years; and c. \$4,131 (ex GST) per cricket season to Swanbourne Cricket Club, on a pro rata basis, indexed at 3.5% in following years; and 3. execute each subsidy in a Turf Wicket Maintenance Agreement and applies the Council seal; 4. Each club shall be required to provide weekly reports in areas for the water flow meter readings for each site that they administer; 5. The CEO shall publish these figures, alongside the corresponding monthly figures recorded from the previous year in such a way that Councillors will understand the cumulative water use at each site, in the Weekly CEO Report to Councillors; and 6. Each club shall provide the City of Nedlands administration with a Water Management Plan, this plan shall include but not be limited to: a. the predicted water usage per month; b. the time of day watering is applied; c. the number of watering stations to be used; and d. the watering time per station.
Community Develop	CSD06.09.22 CRSFF Application Nedlands Yacht Club Sail Training Centre Redevelopment	18.2 OCM 27/09/2022	Council Resolution/Recommendation: Council: 1. advises Department of Local Government, Sport and Cultural Industries that it has ranked and rated the Nedlands Yacht Club Sail Training Centre Redevelopment as well planned and needed by the applicant (B Rating). 2. endorses the above application to Department of Local Government, Sport and Cultural Industries conditional on: a. all necessary statutory approvals are obtained by the applicant; and b. the project receives DLGSCI funding; and c. project funding being endorsed by Council as part of the 2023/24 and 2024/25 annual budget; and 3. requests the CEO to list the amount of \$543,333 for consideration in the Long Term Financial Plan across the 2023/2024 and 2024/2025 financial years, i.e. \$271,667 per financial year.

Corporate and Strategy	Land Investment Strategy and Policy	CPS26.20	<p>Council:</p> <p>1. adopts the proposed changes to the City's 'Disposal of Land' Policy including the additional words 'environmental value' after each of 3 occurrence of the words 'financial value' and 'social value' in the policy, with the policy to be known as the 'Retention, Acquisition, Improvement and Disposal of Land' Policy for the purpose of public comment; and</p> <p>2a. authorises administration to commence the undertaking of a formal 'Land Investment Strategy', to be presented to Council by June 2021, with the strategy to include detail surrounding the identification of potential projects and the due process for investigation and consultation with the community and Council; and</p> <p>2b. acknowledges there will be costs associated with the preparations of the Land Investment Strategy and agrees to allocate funds in the forthcoming budget review to facilitate the Land Investment Strategy following a briefing to Council to be held prior to the forthcoming midyear budget review in December 2020;</p> <p>3a. approves the \$40,000 currently budgeted to prepare a business case detailing the options considered and whole-of-life cost/benefit analysis for relocation of Broome Street Depot be reallocated to the 'Land Investment Strategy' as part of a holistic approach to land investment; and</p> <p>3b. notes that the business case into the potential relocation of the Broome Street Depot is to be re-captured at a later date in line with the prioritisation of the potential 'Land Investment Strategy' projects;</p> <p>4. approves the CEO to commence the 56 Dalkeith Road Sump Project and in particular project investigation into the 'best and highest use' of the site, undertake community and stakeholder consultation and provide a report to Council for consideration; and</p> <p>5. notes that these recommendations are consistent with the CEO's Key Result Areas in particular;</p> <p>5.3 Improved Asset and Wealth Management,</p> <p>5.3.1 Develop an Asset, Investment and Wealth Management Policy and Guidelines for Council Adoption</p> <p>5.3.2 Review the City's tangible assets with the intention of enhancing services, reducing costs and debt, and where possible increasing rate of return generated by assets.</p>
Corporate and Strategy	Review of Point Resolution Child Care Centre Update	CPS04.21	<p>Council:</p> <p>1. with respect to the current requirement to review the long-term needs for Child Care south of Stirling Highway in reference to the City's land assets and undertake full community consultation with all stakeholders;</p> <p>a. notes that the Administration has been unsuccessful in appointing a consultant with the high level of direct experience and knowledge, deemed necessary to conduct the required review; and</p> <p>□</p> <p>2. with respect to the continued operation of Point Resolution Child Care until the review is conducted:</p> <p>a. notes that from 4 January 2021, the number of children that can be enrolled at PRCC has increased from 24 to 26, as per Council resolution on 24 November 2020;</p> <p>b. notes that fees for attendance at PRCC increased by \$15.00 per day, per child from 4 January 2021, as per Council resolution on 27 October 2020; and</p> <p>c. instructs the CEO to carry out a review of the financial viability of the continued operation of Point Resolution Child Care beyond 31 December 2021, based on the financial performance for the second half of the financial year 2020/21, including the impact of the implementation of (2 a) and (2 b) above."</p> <p>3. with respect to the Sale of 64-66 Melvista Avenue, Dalkeith;</p> <p>a. agrees that the Committee/Council recommendation for report CPS21.20 to be 'deferred to the March 2021 round of meetings in order to review the long-term needs for Child Care South of Stirling Highway in reference to the City's land assets and undertake full community consultation with all stakeholders' be revoked; and</p> <p>b. instructs the CEO to provide a separate report on the future of the City's property at 64-66 Melvista Avenue, Dalkeith, in line with the prioritisation of the potential 'Land Investment Strategy' Projects; and</p> <p>4. instructs the CEO to ensure that the full complement of staff as per the approved Budget be implemented with immediate effect and examine opportunities for improvement of administrative processes</p>
Corporate and Strategy	Land Swap Children's Hospice Project	13.8	Council instructs administration to initiate and negotiate a land swap with the Minister of Health, the Department of Planning Lands and Heritage for the Children's Hospice Project, by requesting that as much of the land area Reserve 20074 (but not less than 4,896 m2) immediately adjacent to Shenton Bushland Reserve be exchanged for 5,000 m2 of A Class Reserves 7804 and 19349 at Allen Park.
Councillor Notice of Motion	Notice of Motion - Councillor Wetherall – Residential Property	14.2	<p>Council Resolution</p> <p>That Council requests the CEO:</p> <p>1. to investigate and report to Council of the potential value to the City of Nedlands of acquiring the residential property identified in the confidential attachment, for the purposes of creating an outdoor community facility if combined with adjacent City of Nedlands controlled land in this location; and</p> <p>2. depending upon the conclusions of the abovementioned report, the CEO requests Council to authorise negotiations with the current proprietor(s) of said property to secure a first right of refusal to acquire the property should it be offered for sale over the following 10 years from the date of the option agreement.</p>
Councillor Notice of Motion	Options for Advancing Smart Cities	13.3	<p>Council Resolution / Committee Recommendation / Recommendation to Committee</p> <p>Council, while acknowledging the successful outcomes and practice with respect to local innovation within the City, requests the CEO, Mayor and Councillor Smyth investigate regional opportunities for Smart Cities by:</p> <p>1. presenting the concept of a Smart Cities focus or group to the WESROC local governments, the Town of Cambridge, the City of Perth, the City of Fremantle, the City of Stirling and the City of Vincent, for discussion; and</p> <p>2. report their findings back to Council.</p>
Councillor Notice of Motion	Councillor Hodsdon - NoM - Weed Control	14.1	<p>Council Resolution</p> <p>Council:</p> <p>1. requests the Chief Executive Officer investigates alternatives to use of glyphosate weed control on City controlled public land; and</p> <p>2. considers a trial ward within the City for 12 months to determine more accurately cost, effectiveness and customer satisfaction.</p>
Councillor Notice of Motion	Councillor Horley - NoM – Complaints Policy	14.4	<p>Council Resolution</p> <p>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.</p>
Councillor Notice of Motion	Councillor Smyth – Care and Management Program for the Marlow's Park	14.3	Council instructs the CEO to provide an update on the care and management program for The Marlow's Park R45965 being 2,509m2 of Public Open Space within the St John's Wood subdivisional allocation. This should include but not be limited to: Public Access options, Tree Planting potential and fire management of garden escaped bougainvilleas.
Councillor Notice of Motion	Councillor Coghlan – Amendment to Local Planning Policy – Residential Aged Care Facility	14.8	<p>1. instructs the CEO to prepare a revision to Local Planning Policy, Residential Aged Care Facilities, in accordance with Schedule 2 Part 2 Clause 5 of the Planning and Development (Local Planning Schemes) Regulations 2015, including the following amendment:</p> <p>Delete 4.3.4 2) b)(i) and replace with the following</p> <p>"(i) A minimum 9 m street set back applies; and"</p> <p>2. advertise the proposed amendments for a period of not less than 21 days in accordance with Clause 4(2) of the Deemed Provisions; and</p> <p>3. acknowledges that once submissions have been received, that the revised Local Planning Policy, Residential Aged Care Facilities be brought back to the next available Council meeting for determination.</p>
Councillor Notice of Motion	Councillor Bennett – Significant Tree Register	14.2	<p>That Council:</p> <p>1. instructs the CEO to establish a Register of Significant Trees on Crown Reserves and City owned land using the criteria outlined below:</p> <p>a. reasons that a tree may be considered significant may include: tree size in excess of 12m height, tree age in excess of 60 years, or any tree with aesthetic, heritage, cultural or ecological importance;</p> <p>b. trees on this register may be nominated by the City, or by a resident/property owner of the City, and will be identified on the City's Intramaps database;</p> <p>c. residents/property owners who assist the City in maintaining leaves and tree debris from a significant tree will be eligible for assistance by the City, initially as an offer to provide an additional green waste bin as the most cost-effective regular way for recycling bulk green waste; and</p> <p>d. also, to be included on the above-mentioned Register of Significant Trees will be trees on private land nominated by the owner of that private land, with information provided to owners to properly protect private trees through registration on their certificate of title. The owner can remove their own tree from this register.</p>
Councillor Notice of Motion	Notice of Motion - Councillor Mangano - Brick Bollards, Bishop Road Reserve	14.6	Council ResolutionCouncil requests that the removal of the falling brick bollards at Bishop Road Reserve is completed as part of the current works, including the removal of the steps and the replacement bitumen path and new railing continue to the base of the ramp.
Councillor Notice of Motion	Mayor Argyle - Energy Efficiency Sustainability	14.1	<p>That the Chief Executive Officer:</p> <p>1. prepares a report for Council's consideration that details:</p> <ul style="list-style-type: none">• the existing and proposed energy efficiency provisions for residential and mixed-use development under the Residential Design Codes Volume 1 and 2.• The various planning instruments that are available to Council to reduce non-renewable energy use, with via development approvals. <p>2. prepares a report for Council's consideration on the merits and implications of preparing a strategy that:</p> <ul style="list-style-type: none">• Identifies opportunities to improve greening and biodiversity, as well as reduce non-renewable energy, water and waste within the City.• Sets realistic targets to achieve these sustainability measures based on quantifiable baseline data.• Is consistent with the City's Community Strategic Plan 2018- 2028.
Councillor Notice of Motion	Councillor Mangano - Increased Verge Bonds	14.2	That the Chief Executive officer prepare a report for Council's consideration outlining the implications and process of Council imposing a verge bond of \$10,000 per lineal metre of frontage be applied for all single residential developments exceeding \$1M and all multiple and grouped dwellings developments, and that administration time, legal fees and damage is deducted from this bond. In addition, if the costs exceeded the bond, the applicant is liable for those costs and must agree to this condition prior to the building permit being issued.
Councillor Notice of Motion	Councillor Mangano – Guttering and Downpipe Replacement – Nedlands Child Health Centre	18.4	<p>Council Resolution</p> <p>That Council instruct the Chief Executive Officer to replace all guttering and downpipes at Nedlands Child Health Centre.</p>
Councillor Notice of Motion	Mayor Argyle – Protection of Trees on Private Property	18.8	<p>Council Resolution</p> <p>That Council requests the Chief Executive Officer provide a report to Council for the purposes of preparing an amendment to Local Planning Scheme No. 3 to require development approval for the removal of trees that meet certain criteria on all lots zoned R25 to R80 inclusive.</p> <p>This proposed scheme amendment is to be presented to council at the 27th September 2022, Ordinary Council meeting, and no later.</p>
Councillor Notice of Motion	Notice of Motion - Councillor Mangano – Press Release for Hospice	20.1	<p>Council Resolution</p> <p>That Council directs the CEO to send out a media release explaining the reasons for the Council and City's opposition to the Hospice in its current location to be released immediately prior to the SDAU meeting.</p>
Councillor Notice of Motion	Notice of Motion Councillor Mangano – Standing Orders Local Law Amendment	20.2	<p>Council Resolution</p> <p>That Council amend the Standing Orders Local Law:</p> <p>1. to include the following clause under section 3.9:</p> <p>No Notice of Motion is to be ruled out of order if it is legal.</p> <p>2. under section 10.11(2):</p> <p>Only 1 amendment shall be discussed at a time, but as often as an amendment is lost, another amendment may be moved before the original motion is put to the vote. There shall be no more than 2 successful amendments and on the adoption of the second successful amendment the debate on the substantive motion shall resume.</p>

Councillor Notice of Motion	Councillor Mangano – Sealing of Laneways	22.1	<p>Council Resolution</p> <p>That Administration is to present a Laneways Maintenance Programme in the indicated timeframe in relation to maintenance of laneways throughout the City, including the following elements:</p> <p>1. By December 2022 provide to council a:</p> <p>a. Definition of a Laneway Minimum Standard Condition for the City of Nedlands (if one does not currently exist). This should include seal, drainage, curbing, signage and lighting; and</p> <p>b. Compiled list of all laneways, their square meterage and current condition throughout the City of Nedlands;</p> <p>2. By February 2023 rank each Laneway in terms of their need for repair/renewal to meet the Laneway Minimum Standard Condition, according to following 4 categories;</p> <p>a. To be repaired to min standard or above within 1 month;</p> <p>b. To be repaired to min standard or above within 12 months;</p> <p>c. To be repaired to min standard or above within 36 months;</p> <p>d. To be repaired to min standard or above within 60 months; and</p> <p>e. Not expected to require repair in the next 60 months;</p> <p>3. By March 2023 provide to Council list of those laneways that require repair/renewal identified in 2a above and if required seek specific Council approval for repair of a laneway where costs exceed CEO approval authority;</p> <p>4. By April 2023 provide to Council confirmation of status with regards to work progressed on laneways in category 2a; and</p> <p>5. By June 2023:</p> <p>a. have entered into the Long Term financial Plan the indicative cost to repair each of the laneways in category 2b, 2c and 2d to level II accuracy (+20%/-10%) or nearest as used by Admin.</p> <p>b. Include 2b costs in 2024 budget</p> <p>c. Review the Laneways Maintenance Programme and include into the City's related policies as appropriate.</p>
Councillor Notice of Motion	Councillor Mangano – Carpark at Tawarri	22.3	<p>Council Resolution</p> <p>That Council requests the CEO to present a report to Council at the December Ordinary Council Meeting detailing solutions to the flooding in the Tawarri car park including increased soakwell capacity at the current location, additional soakwells, raising the roadway, or any other solutions</p>
Councillor Notice of Motion	Councillor Youngman – Underground Power	22.4	<p>Council Resolution</p> <p>That Council requests that when the Long-Term Financial Plan is presented to Council for adoption, it includes the most financially desirable model to fund the remaining components of the underground power program taking into consideration:</p> <p>1. Survey feedback</p> <p>2. Debt servicing</p> <p>3. Borrowing capacity</p> <p>4. Reserve balances</p> <p>5. Asset rationalisation</p>
Councillor Notice of Motion	Councillor Mangano - City Utility Costs - OCM 23 August 2022	21.4	<p>Council Resolution Due to extremely high utility costs in the budget, the CEO is directed to conduct an audit and report of utility costs (water, power, gas) including the following:</p> <p>1. Is full cost recovery from end users eg clubs, playgroups, tenants etc occurring and if not which do not.</p> <p>2. Identify the Top 10 utility users by \$ and location</p> <p>3. In the case of Administration Building and other staff occupied buildings, a solution to provide at least 80% of daytime electricity from PV at each location</p> <p>4. Solutions to eliminate gas usage where practicable</p> <p>5. Solutions to significantly reduce mains water usage.</p>
Councillor Notice of Motion	Councillor Mangano - Outstanding List of Council Resolution	21.2	<p>Council Resolution / Officer Recommendation Council instructs the CEO to: 1. provide Council monthly with a table of all outstanding Council Resolutions, the date they were resolved by Council, and their current status; 2. include this information in all future Ordinary Council Meeting Agendas from 1st February 2023; and 3. implement a process by which Council can endorse the status of completion for Resolutions.</p>
Councillor Notice of Motion	Local Government's role in Building Control - An introduction for Councillors	21.1	<p>That the City of Nedlands write to DMIRS Buildings & Energy and request them to produce a brochure similar to the attached VBA one but pertinent, of course, for WA councillors.</p>
Councillor Notice of Motion	Councillor Smyth - Amendments to Standing Orders	22.2	<p>Council instructs the CEO to:</p> <p>1. draft an amendment to the Standing Orders creating an Agenda Item where a Councillor's Notice of Intention to bring a Motion to Council can be recorded; and</p> <p>2. draft an amendment to the Standing Orders creating an opportunity for Councillors Motions can be considered at the Agenda Forum.</p>
Councillor Notice of Motion	Councillor Bennett - Reinstate City of Nedlands Cash in Lieu Parking Policy	22.4	<p>The Chief Executive Officer be requested to present a report to Council outlining the process, requirements and implementations of introducing cash in lieu of car parking as part of the City of Nedlands planning framework.</p>
Councillor Notice of Motion	Councillor Bennett - Bird Water Stations	22.5	<p>Council requests the CEO to provide a report on the installation of bird watering stations, appropriate locations, possible grants and funding options, and consult with Birdlife WA in establishing a regular bird census similar to that conducted for the Lake Claremont Advisory Committee.</p>
Councillor Notice of Motion	Councillor Bennett - Prohibition of Second Generation Rodenticide	22.6	<p>Council decides the CEO will immediately cease the City of Nedlands dispensing of Second-Generation Rodenticide and return to dispensing First-Generation Rodenticide, amend the Demolition Policy to prohibit the use of Second-Generation Rodenticide in favour of mechanical traps and First-Generation Rodenticides, and draft a City position statement to alert and discourage the Nedlands community from using Second-Generation Rodenticides.</p>
Councillor Notice of Motion	Councillor Mangano - Deemed to Comply Visitor Off-Street Parking	22.7	<p>That Council adopts the following position in relation to parking for residential developments:</p> <p>1. That all grouped dwellings, multiple dwellings and mixed-use residential/non-residential developments shall provide at least the full complement of the deemed-to-comply on-site parking requirements, including visitor parking, under the Residential Design Codes;</p> <p>2. That this position shall be embodied in all relevant local planning: strategies, scheme provisions, policies or other instruments, via the applicable processes to introduce or amend such to be consistent with this position; and</p> <p>3. That this position shall be represented by the City to proponents and in reports and recommendations to the relevant decision-making authorities.</p>
Technical Services	Peace Memorial Rose Garden Restoration	TS06.19	<p>Council Resolution</p> <p>*Council:</p> <p>1. supports the development of the Peace Memorial Rose Garden to reflect the original design by WG (Bill) Bennett subject to the favourable outcome of the following:</p> <p>a) The Heritage Council supports the project; and</p> <p>b) A community engagement supports the project.</p> <p>2. requests the Administration complete the detail design, costing and anticipated program of works for the project including an application for a Department of Veterans Affairs Grant.</p>
Technical Services	Investigations into Use of Masons Gardens by Dog Owners and Options for Fenced Dog Parks	13.9	<p>1. acknowledges the unique place Masons Gardens holds within the City as the only recreational reserve providing community focused amenities and diverse habitat for local wildlife where dogs are permitted on lead only pursuant to the Dog Act 1976 and the City of Nedlands Dogs Local Law (Local Law);</p> <p>2. acknowledges that amending the conditions by which dogs are allowed to access Masons Gardens is not in the broader community interest at this time;</p> <p>3. consents to the CEO applying discretion on compassionate grounds to withhold or withdraw infringement notices associated with dogs being off lead at Masons Gardens;</p> <p>4. acknowledges the future construction of a fenced dog park facility within the approved Stage 2 public open space landscape plan for the Montario Quarter development in Shenton Park; and</p> <p>5. agrees to development of a set of draft guidelines for the locating, design and management of fenced dog park facilities providing the principles for a planned and coordinated approach to the location and development of new facilities, to be presented to Council for endorsement in early 2021.</p>
Technical Services	Waratah Avenue Precinct Parking Prohibitions	13.4	<p>Council Resolution</p> <p>Council:</p> <p>1. approves the parking prohibitions shown on Attachment 3 – Proposed Parking Prohibition Plan with Philip Road and Leon Road removed to be implemented in June 2021; and</p> <p>2. instructs the CEO to arrange for a parking survey to be undertaken two years following implementation of the parking prohibition to determine if any modifications to the parking prohibitions are required.</p>
Technical Services	Initiatives for the Department of Transport's Perth Greater Central Business District Transport Plan	13.7	<p>Council Resolution</p> <p>That Council:</p> <p>1. notes the Department of Transport (DoT) is developing Phase Two of the Perth Greater CBD Transport Plan;</p> <p>2. instructs the CEO to further investigate and prioritise the Department of Transport's (DOT) initiatives list to have a better understanding of the projects and their implications to actively respond to the DoT's development of the plan, which includes the development of initiatives and its priority, in order to ensure better outcomes for the City of Nedlands; and</p> <p>3. instructs the CEO to present a report to Council detailing the results of the City's review of the Department of Transport (DOT) initiatives list and any subsequent recommendations for Council's consideration; and</p> <p>4. instructs the CEO to engage with the City of Perth when undertaking this review in respect of the Crawley-Nedlands area of the Perth Greater CBD Transport Plan.</p>
Technical Services	Stirling Highway & Smyth Road Intersection Signals	13.6	<p>Council Resolution / Recommendation to Council</p> <p>Council:</p> <p>1. supports signals at Smyth Road & Stirling Highway:</p> <p>a. to improve access and control increased traffic volumes resulting from the Captain Stirling development;</p> <p>b. to facilitate road network connectivity along distributor routes rather than residential streets; and</p> <p>c. to improve residential street vehicular impacts in the local neighbourhood; and</p> <p>2. approves CEO submission of a grant funding application through either Black Spot Federal or Metropolitan Regional Road Group Road Improvement for the signalisation of Smyth Road & Stirling Highway intersection.</p>
Technical Services	Allen Park Cottage - Structural Defects	16.1	<p>Council instructs the CEO to:</p> <p>1. continue with Council Resolution of 22 September 2020 for TS15.20, providing options for revised funding stages; and</p> <p>2. undertake an investigation to implement the recommendations of the RBC Structural Inspection Report dated 16 November 2021, including a cost analysis of value for money with refurbishment versus replacement; and</p> <p>3. consult with the Friends of Allen Park Bushland Group.</p>
Technical Services	TS01.02.22 - Street Trees Policy Review	17.1	<p>Council:</p> <p>1. adopts the revised Street Trees Policy as per attachment 1;</p> <p>2. adopts the revised Approved Street Trees Species List as per attachment 2; and</p> <p>3. requests the CEO report back to Council with a cost effective solution to update the City's street tree survey database to track the addition and removal of street trees in cooperation with community organisations who may be willing to volunteer time, expertise and resources towards a street tree audit.</p>
Technical Services	TS25.12.22 Tawarri Car Park Drainage Improvement	17.1	<p>That Council request the CEO to further investigate the suitability of the proposed options and present a report to Council at the April 2023 Ordinary Council Meeting detailing preferred options, concept designs, and estimated costs. Options are to include consideration of a reed bed, living stream and other solutions to filter the runoff and that only in extreme events the stormwater is discharged into the Swan River.</p>
Technical Services	S26.12.22 Revised Crossover Construction and Maintenance Council Policy	17.2	<p>That this item be deferred until the February 2023 Ordinary Council Meeting</p>
Technical Services	TS27.12.22 Revised Stormwater Policy	17.3	<p>That this item be deferred until the March 2023 Ordinary Council Meeting</p>
Technical Services	TS28.12.22 RFT 2022-23.14 Tree Pruning Services – Streetscapes, Parks, Powerline Clearance & Natural Areas	17.4	<p>That Council:</p> <p>1. approves the award of the contract for Tree Pruning Services – Streetscapes, Parks, Powerline Clearance & Natural Areas in accordance with the City's Request for Quote number RFT 2022-23.14 and comprising of that request, the City's Conditions of Contract and the Liveable Group Pty Ltd t/as Professional Tree Surgeons submission; and</p> <p>2. instructs the CEO to arrange for a Letter of Acceptance and a Contract document be sent to Liveable Group Pty Ltd t/as Professional Tree Surgeons for execution</p>

20. Council Members Notice of Motions of Which Previous Notice Has Been Given

The following item was deferred from the 28 February 2023 Ordinary Council Meeting to be considered at this meeting.

20.1 Councillor Youngman – Cul-de-sac on Florence Road and Stanley Street

In accordance with Clause 3.9 of the *City of Nedlands Standing Orders Local Law* on the 15 February 2023, Councillor Youngman gave notice of his intention to move the following motion.

Moved – Councillor Youngman
Seconded – Councillor Mangano

That Council:

1. **direct the CEO to begin undertaking the statutory road closure process in accordance with the Local Government Act 1995 Section 3.50, and report back to Council for the July Council Meeting for a partial road closure permitting north bound vehicles only on:**
 - a. **Florence Road, between Stirling Highway and Edward Street, Nedlands; and**
 - b. **Stanley Street, between Stirling Highway and Edward Street, Nedlands;**
2. **by absolute majority, allocate:**
 - a. **\$5,000 for traffic modelling to determine the impacts of 1. Above; and**
 - b. **\$20,000 for the preliminary site investigation and concept development of 1. above;**
3. **consider as part of the development of the 2023-24 financial year budget a capital item for the detailed design and construction of suitable cul-de-sacs and one-way arrangements on:**
 - a. **Florence Road, between Stirling Highway and Edward Street, Nedlands; and**
 - b. **Stanley Street, between Stirling Highway and Edward Street, Nedlands;**

In the vicinity of the southern boundary of the development at 80 Stirling Highway, Nedlands.

Justification

There are five reasons for the motion:

1. Numerous examples of cul-de-sacs around large developments exist in Perth. At Chelsea Village traffic flow was modified to reduce vehicle movements through the adjoining streets. In Fremantle when the Trade Winds Hotel was developed from the original Jack Sheedy Hotel the adjoining roads were cul-de-saced with a one way exits from the residential area.
2. 3,205 residents signed a petition because of their concern about the knock on effect of vehicle traffic through the neighbourhood, particularly along, Florence Road, Stanley Street, Edwards Street, Dalkeith Road and Bruce Street.
3. Main Roads and the JDAP recognised the issues with vehicle traffic moving to and from the development.
4. Controlling the traffic movements prior to construction will give some piece of mind to surrounding residents, most of whom never expected a large development to be approved in the car park of the Captain Stirling Hotel.
5. Where the residents felt let down by the JDAP decision the City of Nedlands has the right to ameliorate their concern by controlling traffic on local Access Roads.

Administration Comment

Any closure of roadway, complete or partial should be considered amongst the impacts of the broader network and decided upon noting the extended implications of isolated treatments.

At the 30 August 2022 OCM, as part of consideration for a proposed laneway between Stanley Street and Florence Road, it was resolved that Council:

5. requests the CEO to begin investigations to create one-way cul-de-sacs on both Florence Road, from the north side of properties number 1 on the west side to property number 8 on the east side, and Stanley Street from the north side of properties number 11 on the west side to property number 12 on the east side.

Work on this motion was deferred due to both staff vacancies and progress outcomes regarding the nearby developments which would subsequently be required as part of any proper traffic investigation.

Further, to address community concerns of the impact of developments, a proposed recommendation put forward by Council was considered by the North-Inner Metro Joint Development Assessment Panel pertaining to the creation of a Local Area Traffic Treatment Plan. The final condition adopted for approval was:

“Condition 25

Within 12 months of occupancy of the development, the proponent is to undertake analysis of the impact of the development on the local road network to the specifications and satisfaction of the City of Nedlands. The outcomes of the analysis are to inform the preparation of a Local Area Traffic Treatment Plan by the applicant, if deemed necessary by the analysis.”

This would give opportunity for the real impacts of the development to be determined and for a broader area plan of potential treatments considered. However, this does not help address the community’s immediate concerns regarding traffic.

Now that approval has been given to at least one of the sites in the area, some investigation and modelling can occur for various scenarios, i.e. cul-de-sacs. Whilst the opportunity exists for Council to integrate consideration of cul-de-sacs as an option to be considered within the Local Area Traffic Treatment Plan undertaken by the applicant at their cost – nothing prevents the City doing this work and modifying the road network in advance.

The City has information pertaining to the development around traffic impacts and the potential impacts of cul-de-sacs could be determined through updated modelling against the broader network within the City’s Nedlands Area Traffic Impact Model (NATIM) which is in development. The cost for this would be estimated to be **\$5,000**, and likely critical to inform parties such as Main Roads Western Australia who will need to be engaged regarding any road closure.

Road Closure Process

The road closure requirements under the local government act prescribe the extent of notification and engagement required to enact a decision. Previous experience of City staff in this have outlined the following process and relevant timelines:

Road Closure Process	138 working days
Undertake traffic impact modelling to determine preferred direction	20 days
Review modelling and finalise	10 days
Review site implications and required works	3 days
Report to Council to undertake initial consultation with community	30 days
Undertake formal notice under 3.50A of the act	5 weeks
Return results to Council to formally order the partial road closure	30 days

These dates and timelines are on the basis of the resourcing of another, larger, local government and thus the timelines for the City of Nedlands will likely be a number of weeks longer.

Cul-de-sac design and construction

As no formal engineering design has been undertaken, nor associated costings, this will need to be undertaken prior to any capital works but started concurrently to any road closure process so that concept designs can be developed for use in stakeholder engagement.

Similarly, a timeline has been developed for this, on the assumption that all design work would be required to be undertaken by consultants.

Cul-de-sac Design and Construct	183 days
Undertake survey of roads	10 days
Undertake service locations	10 days
Concept design roads	4 wks
City review of design	2 wks
Detail design roads	4 wks
Gain approval for service adjustments	2 wks
Procure Contractor	12 wks
Mobilise contractor	2 wks
Construction	6 wks

It is noted that some of these tasks will run concurrently with the closure process. This assumes the availability of all funds and does not account for financial budget implications/timing – i.e. as part of the annual year budget process or via separate absolute majority resolution during the financial year.

As the extent of design and construction is yet to be determined as well as expected finish and quality, an estimate of sufficient detail cannot be provided.

However, on the basis of an opinion of probable costs using the proposed timeframe presented and a typical consultant hourly rate, the cost to design and scope the project(s) would be estimated to be \$38,000. Provisionally, approximately half, or \$20,000 of this would be required for preliminary work and concept development.

Alternative officer wording

While it is understood the importance of the issue to the community, undertaking the cul-de-sac work prior to the actual development's impacts being realised may take options off the table for consideration, or require re-work. Council may wish to adopt a stance whereby:

1. Cul-de-sacs are adopted positions for consideration in any traffic treatment for the area, including a LATTP.
2. Choose to enact such works when a threshold has been triggered. This is not uncommon in many local governments with strategic direction over their road network whereby treatments are identified years in advance and implemented when performance or capacity reaches a certain point so as to not spend prematurely.

Should Council consider this, a possible motion would be:

That Council:

1. **adopt the position of cul-de-sacs including partial or full closures as the preferred treatment to limit traffic impacts on:**
 - a. **Florence Road, between Stirling Highway and Edward Street, Nedlands;**
and
 - b. **Stanley Street, between Stirling Highway and Edward Street, Nedlands;**
2. **instruct the CEO to include cul-de-sacs as referenced in resolution 1 above in any future traffic modelling or Local Area Traffic Treatment Plans for the vicinity for Council consideration to implement.**

Questions or Requests for Further Information

Question

Councillor Coghlan – what is the date for ALDI's approval? And have they had an extension past 4 years?

Officer Response

The ALDI development was originally approved on 14 November 2018 for 2 years.

On 11 November 2019 it was approved for a further 3 years, meaning it was to expire in 2022.

The COVID emergency legislation automatically granted a 2 year extension of time for any development that was valid as of March 2020, which applied to the ALDI development.

The ALDI approval is now valid until 14 November 2024.

Question

What stage is their design and development at?

Officer Response

Officers understand that ALDI will be submitting to the City in the near future for a demolition permit. The exact timing of the construction following the demolition is currently unknown.

Question

Can the ALDI site be rented for construction vehicles and parking during the Woolworths development?

Officer Response

Potentially yes, subject to the approval of ALDI.

20.2 Councillor Bennett – Heritage Project for Military Service Roll of Honour

In accordance with Clause 3.9 of the *City of Nedlands Standing Orders Local Law* on the 20 February 2023, Councillor Bennett gave notice of his intention to move the following motion.

Council requests that the CEO, after inviting the Town of Claremont to collaborate, shall prepare a report with options to undertake a Heritage Project for a Military Service Roll identifying community members who have served in the Australian or Allied militaries and to document their stories in a digital database for posterity.

Justification

It is important to the shared history of the City of Nedlands and the Town of Claremont that the sacrifices of our community members are recognised and remembered. Lest we forget.

Returned Service Personnel from multiple wars helped create our communities and there are still active military bases in the City with personnel who continue to serve and protect Australia.

Local Military Historians such as Shannon Lovelady who have submitted research articles for the POST newspaper, the Australian War Memorial and local RSL's should be the obvious initial starting points for advice and research.

An online form allowing community members to submit their own research would at least allow documents and stories to be digitally recorded and the work on the database can be undertaken at a later date.

Administration Comment

The report for the notice of motion could be created with the joint efforts of the City's community development and library services teams, including the Town of Claremont, if they choose to collaborate. The City's library service has a 0.5 FTE local studies librarian to perform the basic duties required of the role.

There is no capacity to undertake additional local studies projects in-house and they would need to be contracted/outsourced in order to be completed in a reasonable timeframe. This would require someone with experience in local studies research around the military and would cost approximately \$10,000. A typical base rate for a level one accredited Professional Historian is \$83.00 per hour.

If Council decides to undertake this project, a budget allocation of \$10,000 will need to be considered as part of the 2023/24 budget process.

20.3 Councillor Youngman – Design Review Panel Representation

In accordance with Clause 3.9 of the *City of Nedlands Standing Orders Local Law* on the 8 March 2023, Councillor Youngman gave notice of his intention to move the following motion.

That Council considers as part of the 2023/24 budget process increasing the budget allocation for the City of Nedlands Design Review Panel to facilitate the Chair of the Design Review Panel:

- 1. Presenting the Panel's findings at each Council Meeting Agenda Forum when a report is prepared that includes a Design Review Panel component; and**
- 2. Presenting at JDAP or SDAU meetings when considered appropriate by Council.**

Justification

The DRP is an experienced multi-disciplinary panel that has no decision making powers but does interrogate a Proponents project in a way that is beyond the capability of the Elected Members and adds to the RAR report prepared by Administration.

The Traffic Light method of reporting on the 10 Design Principles seems to be interpreted two ways by the Councillors and the JDAP. By having the DRP Chair present to Council and, where necessary, present to the JDAP on behalf of the DRP will be beneficial to all parties and lead to better decision making.

Administration Comment

The cost of the Chair of the Design Review Panel attending the Council Agenda Forum meetings is likely to be in the order of \$11,000p/a, based on a cost of \$230 per hour, with the attendance at the meeting being 3 hours, plus 1 hour of preparation for 12 meetings per year. There will be a question of whether or not this is a reasonable cost.

A significantly cheaper approach would be to included the final DRP/ Chair assessment as an attachment to the officers report to Council.

In the event that the design principles were central to the decision of Council and the Responsible Authority Report recommendations, then the Chair of the Design Review Panel certainly could attend the JDAP meeting. There would need to be a very clear alignment between the recommendation of the Responsible Authority Report and the Chairs attendance, just as there was when the City engaged McLeod's to present at the most recent Chellingworth hearing and separately at the Oryx (Betty/Doonan) hearing.

Alternative Officer Recommendation

That the Chief Executive Officer be requested to include the final Design Review Panel report as an attachment to the officers to Council

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

The following urgent items were approved by the Presiding Member.

21.1 TS06.03.23 RFT 2022-23.17 – Rochdale Road Rehabilitation

Meeting & Date	Council Meeting – 28 March 2023
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	Nil.
Report Author	Peter Gaitskell – Project Manager
Director	Matthew MacPherson – Director Technical Services
Attachments	<ol style="list-style-type: none"> 1. Confidential RFT 2022-23.17 RFT Evaluation and Recommendation Report 2. Confidential RFT 2022-23.17 Appendix A – Tender Evaluation - Qualitative Criteria Panel Consensus Score Sheet

Purpose

The purpose of the report is for Council to accept the evaluation and recommendation of the Contractor Downer EDI for the Rochdale Road Rehabilitation RFT 2022-23.17.

Recommendation

That Council:

1. approves the award of the contract for Rehabilitation Rochdale Road, to Downer EDI Works Pty Ltd T/A DM Roads, in accordance with the City's Request for Tender number RFT 2022-23.17 and comprising of that request, the City's Conditions of Contract, the Downer EDI Works Pty Ltd T/A DM Roads tender submissions inclusive of the Schedule of Rates, and all post tender clarifications and negotiations;
2. instructs the CEO to arrange for a Letter of Acceptance and a Contract document to be sent to Downer EDI Works Pty Ltd T/A DM Roads to be executed;
3. instructs the CEO to arrange for all other tender respondents to be advised of the tender outcome; and
4. approves a budget variation of up to \$213,610.30 from identified savings identified across the City from materials and contract services to cover the project budget overrun.

Voting Requirement

Simple Majority.

Background

The Rehabilitation of Rochdale Road project forms part of the approved 2022/23 Capital Works Program.

RFT 2022-23.17 was the second stage of an EOI process where three prequalified tenderers were invited to tender, as approved by Council Resolution item 21.2 – TS29.12.22 (EOI 2022-23.10). The Request for Tender was advertised from 7th February to 7th March 2023.

The City received a total of 3 submissions from Civcon Civil & Project Management, Downer EDI Works Pty Ltd T/A DM Roads and WCP Civil Pty. Ltd.

Discussion

Subsequent to the closure of the Tender period, the evaluation panel completed the analysis and evaluation of the submissions. At the conclusion of the process Downer EDI Works Pty Ltd T/A DM Roads was nominated as the preferred supplier for this package of works. The submissions were rated against only one criteria, methodology (100%).

WCP Civil Pty. Ltd. provided a lower priced response however, did not provide the highest scoring response to the Methodology criteria. Downer EDI Works Pty Ltd T/A DM Roads provided a far more detailed project plan that WCP Civil Pty. Ltd. showing a thorough understanding of the scope of work. Furthermore, the construction duration from WCP Civil Pty. Ltd. was almost double that of Downer EDI Works Pty Ltd T/A DM Roads. AS Rochdale Road is a prominent and busy road a longer construction duration would cause more disruption to the residents, businesses and road users in the Mount Claremont area.

Downer EDI Works Pty Ltd T/A DM Roads provided an overall superior response to the criteria. Downer EDI Works Pty Ltd T/A DM Roads demonstrated a good capacity to deliver the proposed works and have a clear understanding of the requirements of the project. A detailed construction methodology was provided that clearly outlined how they intended to complete the works. Downer EDI Works Pty Ltd T/A DM Roads have considered potential projects risks and provided mitigation strategies. Downer EDI Works Pty Ltd T/A DM Roads have experienced and qualified personnel, including in-house traffic specialists, giving confidence that they can complete the works safely and minimize the impacts to the road users, local community and businesses.

The risk with awarding this tender to the lowest price tenderer noting other aspects of the overall submission is an increased chance of project variations, which would increase the overall project cost. WCP Civil Pty. Ltd. did not provide a clear Traffic Management Plan proposal, submitted a simplistic and linear program and there was a discrepancy in the type of road pavement course offered. There is a level of uncertainty regarding whole of project costs. The evaluation panel have formed the assessment that it is likely the total project costs

would exceed the Downer EDI Works Pty Ltd T/A DM Roads submission, and the allocated budget.

References provided by City of Melville and Shire of Goomalling recommended Downer EDI Works Pty Ltd T/A DM Roads services, and both have engaged this Contractor for similar works.

Following the due diligence processes that have been undertaken, the City is confident that Downer EDI Works Pty Ltd T/A DM Roads is capable of completing the scope of work to the required standards, and that their offer represents value for money to the City within the conditions of the current civil construction market.

The City has an estimated backlog of road rehabilitation works valued at approx. \$18M. The Administration recommends proceeding with this project within this difficult market, as delaying these works will increase number and value of projects that have accumulated, limiting the need for ongoing maintenance work and their proportionally higher costs.

If the City continues to accumulate a backlog of road project works, the accumulation will take longer to complete and this will adversely impact long term maintenance requirements in addition to the road user experience.

The condition of the road warrants intervention in the very short term, to prevent pavement failure and ensure that road user safety is not compromised. Pavement failure would mean that a long term shut down of the road is required until the works can be procured and delivered. If rehabilitation works are not undertaken in the very short term, an increase in reactive maintenance costs will be experienced until the rehabilitation works are undertaken.

Administration recommends undertaking works in the current market conditions to ensure the backlog is being actively reduced, and the City's road network bring brought up to acceptable standards.

Consultation

Consultation is not required as part of these works. Notification will be provided to all affected residents, schools and businesses prior to the works starting.

Strategic Implications

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

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

Values **Healthy and Safe**
Our City has clean, safe neighbourhoods where public health is protected and promoted.

High standard of services

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

Easy to Get Around

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

Priority Area

- Renewal of community infrastructure such as roads, footpaths, community and sports facilities
- Working with neighbouring Councils to achieve the best outcomes for the western suburbs as a whole

Budget/Financial Implications

The Budget allocated for these works is \$913,020. With the submitted tender of \$1,040,345.30 and the existing Design and Testing contract worth \$86,285, the project is currently projected to be \$213,610.30 over budget. Financial services have indicated budget for additional municipal funding of \$213,610.30 will be allocated to the project through operational savings identified across the City from materials and contract services. A detailed review of accounts and the required budget amendment will be processed after the end of quarter three of the financial year.

This road project funded as part of the Metropolitan Regional Road Group (MRRG) funding program, and as such, rates for treatment works are pre-defined by Main Roads Western Australia (MRWA), and are often considered a 'one-size-fits-all', often varying significantly to recent market or contract rates for an individual local government. These rates are used based on the units for the relevant scope of work to determine the overall project budget.

As a co-funded project, the City has reached out to Main Roads Western Australia (MRWA) for an additional funding contribution within the Metropolitan Regional Road Group (MRRG) funding program. There are limitations and rules associated with MRRG funding provision, and the request may fall outside these allowances. However, if this is realised, the City's additional contribution will be lower than requested in this report. Any confirmation of additional funding (if available or acceptable to MRWA) is not expected until Practical Completion for the project is reached. Rochdale Road Grant has an allocation valued at \$219,896. If this project is deferred the City may lose this grant allocation.

Legislative and Policy Implications

The award of this tender is governed by the City of Nedlands [Procurement of Goods and Services Policy](#).

Decision Implications

Road users, pedestrians and homeowners in the area will benefit rehabilitation of Rochdale Road, as each project will ensure the City's roads, pathways, driveway aprons and drainage are well maintained and perform to a high standard. By approving the award of this Request for Tender the City will be able to undertake repairs and improvements on Rochdale Road.

Delaying the approval of the construction works will increase accumulated project backlog, that will take longer to complete, adversely impact long term maintenance requirements and the road user experience. By not completing the works in this financial year it could affect future grant funding and have negative reputational risks with funding bodies. By not endorsing the report the asset will continue to degrade, risk failure and increase unplanned maintenance costs, presenting safety risks to road users and the community.

The condition of the roads warrants intervention in the very short term, to prevent pavement failure and ensure that road user safety is not compromised.

Pavement failure would mean that a long term shut down of the roadway is required until the works can be procured and delivered. If rehabilitation works are not undertaken in the very short term, an increase in unplanned reactive maintenance costs will be experienced until the rehabilitation works are undertaken.

Conclusion

Downer EDI Works Pty Ltd T/A DM Roads have demonstrated that they have the understanding to complete the required works on Rochdale Road. They currently perform similar projects for other local governments and large-scale road construction projects on behalf of Main Roads WA.

As such the evaluation Panel advises that Downer EDI Works Pty Ltd T/A DM Roads be awarded the package of works.

Further Information

Nil.

22. Confidential Items

Confidential items to be discussed at this point.

23. Declaration of Closure

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