



City of Nedlands

# ***Minutes***

## ***Council Meeting***

***28 September 2021***

### **Attention**

**These Minutes are subject to confirmation.**

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

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## City of Nedlands

**Minutes of an Ordinary Meeting of Council held in the Council Chambers, 71 Stirling Highway, Nedlands on Tuesday 28 September 2021 at 7 pm. This meeting was livestreamed.**

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### **Declaration of Opening**

The Presiding Member declared the meeting open at 7 pm and drew attention to the disclaimer below.

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

<b>Councillors</b>	Mayor F E M Argyle	(Presiding Member)
	Councillor F J O Bennett	Dalkeith Ward
	Councillor A W Mangano	Dalkeith Ward
	Councillor N R Youngman	Dalkeith Ward
	Councillor B G Hodsdon	Hollywood Ward
	Vacant	Hollywood Ward
	Councillor J D Wetherall	Hollywood Ward
	Councillor R A Coghlan	Melvista Ward
	Councillor R Senathirajah	Melvista Ward
	Councillor B Tyson	Melvista Ward
	Councillor N B J Horley	Coastal Districts Ward
	Councillor L J McManus	Coastal Districts Ward
	Councillor K A Smyth	Coastal Districts Ward

<b>Staff</b>	Mr W R Parker	Chief Executive Officer
	Mr E K Herne	Director Corporate & Strategy
	Mr T G Free	Director Planning & Development
	Mr A D Melville	Acting Technical Services
	Ms M E Granich	Executive Manager Community
	Mrs N M Ceric	Executive Officer

**Public** There were 45 members of the public present and 2 online.

**Press** The Western Suburbs Weekly & The Post Newspaper Representatives.

**Leave of Absence (Previously Approved)** Nil.

**Apologies** Nil

## **Disclaimer**

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

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

## **1. Public Question Time**

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

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

### **1.1 Mr Peter Taranto, Swanbourne**

#### Question 1

Does the Minister for Lands have the power under section 42(3) of the Land Administration Act 1997 ('LAA') to make orders which have the effect of removing that corridor as an unconditional and unrestricted public thoroughfare?

#### Answer1

The Minister for Lands does not have the power under section 42(3) of the Land Administration Act 1997 (LAA) to make an order which has the effect of removing the Walking Corridor as an unconditional and unrestricted public thoroughfare, unless it proposed for such land to be used for the purposes of public utility services. This seems highly unlikely, given the location of the Walking Track, that the land would be used for public utility services.

If the Minister for Lands was minded to remove the Walking Corridor (or the land the subject of the Walking Corridor) from the Reserve, it would need to comply with 42(4) of the LAA. This section requires, amongst other things, for the proposal to be tabled in both houses of Parliament and for the proposal to be appropriately advertised.

#### Question 2

Whether the City of Nedlands, as the management body of the Class A reserve land in question, proposes to enter into any contract or arrangement which will place conditions or restrictions of any nature on the use of that corridor as an unconditional and unrestricted public thoroughfare?

Answer 2

Subject to the Minister for Lands' consent, the City has the power to lease the Reserve or parts thereof provided that such purpose is consistent with the purpose of the Reserve. The Reserve's purpose is 'Park & Recreation'. The City has previously granted leases of portions of the Reserve to community groups, such as the WA Bridge Club. So technically speaking, it is possible that the City could, with the Minister for Lands' consent, grant a lease to a community organisation of a portion of the Reserve, including the Walking Track, and depending on the terms of that lease, access to the Walking Track could be restricted. However, we think that this would be unlikely for the following reasons:

- (a) the City has no present or future intentions to lease the land in question or restrict public access to the Walking Track;
- (b) the location of the Walking Track makes it unlikely to be included within a lease; and
- (c) given the classification of the Reserve as an "A" class reserve, the Minister for Lands may not consent to the lease.

## 2. Addresses by Members of the Public

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

Mr David Utting, View way, Nedlands (spoke in opposition to Wood Heaters)	Wood Heaters
Ms Lorraine Elliot, Sydney Street, North Perth (spoke in opposition to the recommendation)	PD29.21
Mr Arash Kalani, Dalkeith Road, Nedlands Submitted online and requested to be read out. The Executive Officer read the address on behalf of Mr Kalani. (support of the application)	PD30.21
Mr John van Vliet, Kingsway, Nedlands (spoke in opposition to the recommendation)	PD31.21
Dr Adrija Basu & Steven Boughton, Turner Street, Highgate (spoke in support of the recommendation)	PD32.21
Mitch Cook, Klopper & Davis Architects, Subiaco (spoke in support of the recommendation)	PD33.21

Moved – Councillor Coghlan  
Seconded – Councillor Hodsdon

**That under Standing Order 3.4(5) Council approves to extend the public address session to allow the following 9 public addresses.**

**CARRIED UNANIMOUSLY 12/-**

Mr David McKenzie, Victoria Avenue, Claremont (spoke in support of the recommendation)	CSD10.21
Mr Brad Girdwood, Parry Street, Claremont (spoke in support of the recommendation)	CSD10.21
Mrs Lesley Shaw, Swanbourne (spoke in support of the motion)	Item 14.1
Mrs Bronwyn Stuckey, Kingsway, Nedlands (spoke in support to the recommendation)	Item 14.2
Mrs Denise Murray, Sayer Street, Swanbourne (spoke in support of the motion)	Item 14.1

Councillor Mangano left the meeting at 7.31pm and returned at 7.32pm.

Dr Peter Robins, Edward Street, Nedlands (spoke in support to the recommendation)	Item 14.2
Ms Emma Rose, Mountjoy Road, Nedlands (spoke in opposition to the recommendation)	Item 14.2
Mr Bradley Forbes, Wavell Road, Dalkeith (spoke in support to the recommendation)	Item 16
Ms Cath Evans, (spoke in support to the recommendation)	PD28.21

Moved – Councillor Coghlan  
Seconded – Councillor Tyson

**That under Standing Order 3.4(5) Council approves to extend the public address session to allow the following 2 public addresses.**

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

Mr Giles Harden-Jones, Rokeby Road, Subiaco PD29.21  
(spoke in support to the recommendation)

Mrs Lana Marshall, Dalkeith Road, Nedlands PD30.21  
(spoke in support to the recommendation)

**3. Requests for Leave of Absence**

Nil.

**4. Petitions**

Petitions to be tabled at this point.

Nil.

**5. Disclosures of Financial / Proximity Interest**

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

There were no disclosures of financial interest.

**6. Disclosures of Interests Affecting Impartiality**

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

**6.1 Councillor Smyth – 13.11 - Consideration of Responsible Authority Report for Minor Amendments to Approved 10 Multiple Dwellings at 12 (Lot 372) Philip Road, Dalkeith**

Councillor Smyth disclosed an impartiality interest in Item 13.11 - Consideration of Responsible Authority Report for Minor Amendments to Approved 10 Multiple Dwellings at 12 (Lot 372) Philip Road, Dalkeith. Councillor Smyth disclosed that she is a Ministerial appointee and paid member of the MINJDAP that will be considering this item at a meeting scheduled for 8th October 2021. As a consequence, there may be a perception that her impartiality on the matter may be affected. In accordance with recent legal advice from McLeods released to the local government sector in relation to a recent Supreme Court ruling, Councillor Smyth advised that she would not stay in the room and debate the item or vote on the matter.

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

A similar declaration will be sent to the DAP administration prior to the scheduled MINJAP meeting.

**6.2 Councillor Bennett – 13.11 - Consideration of Responsible Authority Report for Minor Amendments to Approved 10 Multiple Dwellings at 12 (Lot 372) Philip Road, Dalkeith**

Councillor Bennett disclosed an impartiality interest in Item 13.11 - Consideration of Responsible Authority Report for Minor Amendments to Approved 10 Multiple Dwellings at 12 (Lot 372) Philip Road, Dalkeith. Councillor Bennett disclosed that he is a Ministerial appointee and paid member of the MINJDAP that will be considering this item at a meeting scheduled for 8th October 2021. As a consequence, there may be a perception that her impartiality on the matter may be affected. In accordance with recent legal advice from McLeods released to the local government sector in relation to a recent Supreme Court ruling, Councillor Smyth advised she would not stay in the room and debate the item or vote on the matter.

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

A similar declaration will be sent to the DAP administration prior to the scheduled MINJAP meeting.

**6.3 Councillor McManus – 16.1 - Councillor Bennett - Cricket Turf Curating Subsidy for College Park**

Councillor McManus disclosed an impartiality interest in item 16.1 - Councillor Bennett - Cricket Turf Curating Subsidy for College Park. Councillor McManus disclosed that he is a life member of the Claremont Nedlands Cricket Club, and as a consequence, there may be a perception that his impartiality on the matter may be affected. Councillor McManus declared that he would consider this matter on its merits and vote accordingly.

**6.4 Councillor Senathirajah – CSD11.21 - Point Resolution Child Care Centre Financial Viability Review**

Councillor Senathirajah disclosed an impartiality interest in Item CSD11.21 - Point Resolution Child Care Centre Financial Viability Review. Councillor Senathirajah disclosed that his grandson attends PRCC, and as a consequence, there may be a perception that his/her impartiality on the matter may be affected. Councillor Senathirajah declared that he/she would consider this matter on its merits and vote accordingly.

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

Councillor Tyson CSD10.21 papers received after 6pm.

**8. Confirmation of Minutes**

**8.1 Ordinary Council Meeting 24 August 2021**

Moved – Councillor Hodsdon  
Seconded – Councillor Youngman

**The Minutes of the Ordinary Council Meeting held 24 August 2021 be confirmed.**

**CARRIED UNANIMOUSLY 12/-**

**9. Announcements of the Presiding Member without discussion**

1. Book Week:

Since the last full council meeting the city was a buzz with BOOK Week. A number of schools in the city participated this is a very special time when schools and public libraries in the city spend a glorious time celebrating Children's authors and illustrators.

I went to Nedlands Primary and watched children teachers dress as their favourite book character. Many also made the pilgrimage to the Nedlands and Mt Claremont Libraries. A most wonderful initiative supported by the Children's Book Council of Australia established in 1945.

Readers are leaders....

As the Mayor offering greater support to Nedlands and Mt Claremont libraries, we will be holding two book launches. All invited.

- a. Environmental Anarchy - Professor Mark Beeson on October 27 at the Nedlands Library.
  - b. Stalking Claremont - Mr Bret Christian on November 15.
2. New Shared Pathway was officially opened.

Stage one is now complete. This is a wonderful partnership between the City of Nedlands and the Dept of Transport.

The red asphalt path runs along Brockway Rd, from Underwood Ave through to Lemnos Street.

Designed for all ages to commute. In line with the City of Nedlands vision - city for the people not the cars.

My hope is it will encourage more people to get out of these cars and walk or ride to work, especially students at Shenton College and JTC.

3. The City of Nedlands presented their first ever eco warrior award in the history of the city. The first award went to Florence Long and I hope the Mayor and Councillors will present many more of these. A very easy way to support the next gen into a greener future and to know the city is behind them.
4. I had a coffee and catch up with Freeman of the City Lennie McCall and marvelled at her softly spoken approach to her incredible achievements for women in the city and the Battye library and historical society. I have invited Mrs McCall, to come and co-chair a full council meeting and Mrs McCall has accepted with great pleasure.
5. I was honoured to meet with the US Consul General Mr Paul J Gainer. I am a big supporter of our alliance with the United States of America, and I encourage close economic and military ties between the US and Australia. This was highlighted with a welcoming afternoon tea at the private home of Mr Gainer and also in attendance were other Mayors and councillors from Western Australia.
6. River Precinct Workshop, held at the Oceans Institute at UWA. City of Nedlands is surrounded by the most beautiful foreshore. Director of Engineering and Communications from the City of South Perth talked about their experience with the South Perth redevelopment. Their story was a wonderful reminder for our councillors of how beautiful our foreshore is. Some of the ideas we discussed are a river pool for the Nedlands baths, the possible return of prawns to the river and a sustainable but friendly river foreshore for all to enjoy.
7. The city welcomed a number of new Australian citizens, lucky enough to present at beautiful CITIZENSHIP ceremony at the David Leckie Pavilion. New Australians welcomed from counties all over the world. Most magnificent service. Enjoyed by all. Nedlands Rotary Club was also in attendance, I would like to thank them for their wonderful contribution, every year for more than three decades given a native plant to all new Australians.

Fitting moment Welcome by Nonngar Elder Neville was part of this speech which I read on behalf of the Minister for Immigration, the honourable Alex Hawke MP.

“Australia has only succeeded as a nation by embracing and defending our national values. We believe in the freedom and dignity of each individual, freedom of religion, freedom of speech, and freedom of association. We value the rule of law, democracy and equality of



opportunity for all people. Our social cohesion, the key strength of Australia of Australia has never been more important.”

8. Council elections are well underway, and you would have received how to vote cards in the mail. I encourage everyone to vote. If you want good representation everyone has to vote for it. 138 council around the state are voting in local government elections. “Be a vocal local.”

It’s a postal vote, and while this may seem clunky there are advantages:

- no going to be hacked by a foreign state
  - Don’t have to post them, they can be lodged at libraries, here at CON.
9. Finally, its school holidays, and Royal Show time! For all the parents in the city it’s a extremely fun time. Wish you all safe travels, and with the extra traffic in the Hollywood ward, I encourage any local residents in the city to walk to school.

Have a wonderful school holiday, a wonderful royal show, and I wish you all a safe return home to the city of Nedlands.

## **10. Members announcements without discussion**

### **10.1 Councillor Coghlan**

Councillor Coghlan made the following announcement:

“Madam Mayor and Councillors,

I am half through my first term on Council representing the Melvista Ward in which I’ve lived for 55 years. Melvista has had many big blocks and beautiful trees.

It has been an extremely busy period to which we can all attest.

At times the CEO weekly Update has reported 133 active DA’s. This is more than those before the cities of Joondalup and Stirling combined, and the City of Nedlands has had less planning staff.

Add this to the normal day to day functions of a busy city and the Administration and Councillors have had to have their “skates on”. From every street in my Ward along the highway, with the exceptions of Rockton, Waroonga, Bulimba and Marita Roads at the time of writing, have been affected by LPS 3. These particular streets have less blocks until Jenkins Avenue so there are less opportunities to develop. There is already higher density housing on some blocks of land in these streets

From the Highway to Jenkins Avenue and to Edward Street at the eastern end of the ward development applications in the upcoded areas of LPS3 have been received, processed and are still being received.

The Safe Active Street traverses from one end of Melvista Ward to the other and we continue to have safety and have had flooding concerns along this Street. Subdivisions have occurred along Jenkins and houses are being built. Louise and Vincent Street have R160 coding deep towards Jenkins Avenue due to the Peace Memorial Gardens. Blocks of land have been amalgamated.

Broadway has seen multiple developments. Kingsway has borne the brunt of the transition between the RAC3 coding along Broadway to the R60 coding along the east side of Kingsway. I acknowledge in this locale that there are impacts in the Dalkeith Ward part of Broadway and Hillway and The Avenue as well. Although I represent the whole city of Nedlands, tonight I am only speaking about my particular Ward. Clark and Cooper Street have development applications as well.

No one will forget the intensity of the Chellingworth approval on Stirling Highway and this will impact on all of us with its excessive height and overshadowing as far as the Rose Gardens (winter solstice), overlooking, light spill etc, increased traffic which will affect everyone travelling though Nedlands. The effect on those who reside in surrounding streets in Hollywood Ward is hard to capture in words.

The Woolworths and Aldi development proposals, the laneway access issues, potential traffic issues in feeder streets and this has not yet been finalised. Many ratepayers are reeling from the amount of change throughout our City.

The Betty - Doonan Nursing Home and the March 2021 hearing at the State Development Assessment Unit. This DA, in particular, involved applying for full access to all submissions, introducing scheme amendments, changing local planning policies etc. I was a very busy period and planning became my friend.

By now you would get the picture that this has been a very hectic time for us all and the hard work continues. As traffic flow builds up daily as people move in and around our city, Stirling Highway and Broadway are particularly problematic.

## **10.2 Councillor Horley**

Councillor Horley made the following announcement:

I wish to express my deepest sympathy and condolences to Mayor Jock Barker on the recent passing of his wife. Words fall short of expressing my sorrow for his loss.

This evening I attended a meeting of the Friends of Lake Claremont, with a presentation on the introduction of rescued Quendas to Lake Claremont in partnership with the government. Amongst many interesting facts during the

presentation, it may be useful for the community to know when they are walking around this wonderful Lake that Quendas can be distinguished from rats (a common confusion) by their shorter tails and their longer pointy noses.

### **10.3 Councillor Smyth**

Councillor Smyth advised she had attended the following events and meetings during August & September 2021:

DAP Meetings (x2)

Metro Inner North JDAP meeting #106 – 13 September 2021 at 9:00am at Zoom. Attended online with Cr Bennett.

Lot 15368 (37) Lemnos Street, Shenton Park - Expansion of existing data storage facility. Form 2.2 - Built Form/design amendments. Urbis & Water Corporation. Responsible Authority = WAPC.

The RAR WAPC Officer recommendation for approval was moved without amendment, and CARRIED 5/-

Metro Inner North JDAP meeting #104 – 6 September 2021 at 9:00am at the City of Nedlands Council Chambers, 71 Stirling Highway, Nedlands to determine the following applications. Attended in person with Cr Bennett.

Lot 52 (11) & Lot 51 (13) Webster Street, Nedlands - 12 Grouped Dwellings Urbanista Town Planning Nicheliving Projects Pty Ltd.

The RAR Council recommendation for refusal was moved and LOST 2/3  
The RAR Officer recommendation for approval was moved without amendment and CARRIED 3/2.

Amendment 1 – Condition for proponent to pay for the relocation of solar panels on the overshadowed house to the south, was LOST 2/3

Summary in the 2 years since the last election I have attended (44) JDAP decision sessions. These amounted to 31 approvals, 4 refusals and 9 deferrals. I don't know of any dwellings that have yet been built.

#### **10.4 Councillor Senathirajah**

Councillor Senathirajah advised he had attended the following events during September 2021:

1. Nedlands Citizenship Ceremony on 17 September 2021 at the John Leckie Pavillion, Nedlands. The event was well organised, and a number of attendees expresses their appreciation of the manner in which it was conducted.
2. WALGA Convention on 21 September 2021, at the Crown Convention Centre, Burswood. The event attracted more than 500 participants, mainly elected members with some CEOs and senior Managers. The presentations covered a range of topics of relevance to Local Governments. The sessions I attended covered Mental Health, Roles & Responsibilities of Elected Representatives and Administrations, and Integrated Planning & Reporting. The theme for the Convention was Leading the Way, and the impression I got from the discussions was that most communities were expecting their local governments to do more than take care of roads, trees and rubbish.

A comprehensive history of Local Government in Western Australia, by Dr. Christopher Berry, to commemorate the 150th Anniversary, was issued at the Convention. I collected the copy for the City, and will pass it over to the Mayor. Made up of more than 500 pages, the book documents the start of local governments after the first arrival of European settlers to Perth, the challenges that confronted individual local governments, the role of State Government, and the growth of the sector over 150 years. Certainly a recommended reading for Councillors.

#### **10.5 Councillor Mangano**

In recent weeks there has been much debate about the tree loss across Nedlands and the positions of various elected members on trees.

I and most councillors here tonight have many large trees on their own properties.

The loss of trees is due to many factors, including the ever-increasing size of houses even on single residential sites.

However, the loss of trees has accelerated in the past 2 years due to one thing – the state government imposition of the Design WA suite of State Planning Policies and LPS3 which has allowed the JDAP to approve inappropriately large developments with minimal setbacks, so nowhere for trees to stay or to grow.

I think those in the community who wish to advocate for trees should direct their efforts at lobbying the State Government to create larger setbacks on all development sites to allow for trees to remain or be planted.

## 11. Matters for Which the Meeting May Be Closed

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

Councillors were reminded that should they wish to discuss any content contained in confidential attachments these should be discussed behind closed doors.

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

### 12.1 Minutes of Council Committees

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

Moved – Councillor Tyson  
Seconded – Councillor Youngman

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

<b>CEO Performance Review Committee</b>	<b>26 August 2021</b>
Confirmed, Circulated to Councillors on 31 August 2021	
<b>CEO Performance Review Committee</b>	<b>31 August 2021</b>
Unconfirmed, Circulated to Councillors on 22 September 2021	
<b>Audit &amp; Risk Committee</b>	<b>30 August 2021</b>
Unconfirmed, Circulated to Councillors on 13 September 2021	
<b>Council Committee</b>	<b>7 September 2021</b>
Unconfirmed, Circulated to Councillors on 22 September 2021	
<b>Audit &amp; Risk Committee</b>	<b>21 September 2021</b>
Unconfirmed, Circulated to Councillors on 22 September 2021	

**CARRIED UNANIMOUSLY 12/-**

**Note: As far as possible all the following reports under items 12.2, 12.3, 12.4, 13.1 and 13.2 will be moved en-bloc and only the exceptions (items which Councillors wish to amend) will be discussed.**

En Bloc

Moved - Councillor Hodsdon

Seconded – Councillor Wetherall

**That all Committee Recommendations relating to Reports under items 12.2, 12.3, 12.4, 13.1, and 13.2 with the exception of Report Nos. PD30.21, PD31.21, PD32.21, PD33.21, CSD10.21, CSD11.21, CSD12.21 and CPS16.21 are adopted en bloc.**

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

**12.2 Planning & Development Report No's PD28.21 to PD33.21 (copy attached)**

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

<b>PD28.21</b>	<b>Consideration of Development Application for a Change of Use from 'Animal Establishment' to 'Industry-Light' at 29 Carrington Street, Nedlands</b>
<b>Committee</b>	14 September 2021
<b>Council</b>	28 September 2021
<b>Applicant</b>	Hatch Roberts Day
<b>Landowner</b>	Hamlet Properties Pty Ltd
<b>Director</b>	Tony Free – Director Planning & Development
<b>Employee Disclosure under section 5.70 Local Government Act 1995</b>	<p>The author, reviewers and authoriser of this report declare they have no financial or impartiality interest with this matter.</p> <p>There is no financial or personal relationship between City staff and the proponents or their consultants.</p> <p>Whilst parties may be known to each other professionally, this relationship is consistent with the limitations placed on such relationships by the Codes of Conduct of the City and the Planning Institute of Australia.</p>
<b>Report Type</b> Quasi-Judicial	When Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications and other decisions that may be appealable to the State Administrative Tribunal.
<b>Reference</b>	DA21-62959
<b>Previous Item</b>	Nil
<b>Delegation</b>	In accordance with the City's Instrument of Delegation, Council is required to determine the application due to objections being received.
<b>Attachments</b>	<ol style="list-style-type: none"> <li>1. Applicant Cover Letter</li> <li>2. Summary of Submissions</li> </ol>
<b>Confidential Attachments</b>	<ol style="list-style-type: none"> <li>1. Development Plans</li> <li>2. Business Management Plan</li> <li>3. Submissions</li> </ol>

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

Moved – Councillor Hodsdon  
Seconded – Councillor Wetherall

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

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

**Council Resolution / Committee Recommendation**

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 received on 13 April 2021 in accordance with the plans date stamped 23 April 2021 (DA21-62959) for the Change of Use from 'Animal Establishment' to 'Industry-Light' at Lot 387 (No. 29) Carrington Street, Nedlands, subject to the following conditions:

1. This approval is for a 'Industry-Light' land use as defined under the City's Local Planning Scheme No.3 and the subject land may not be used for any other use without prior approval of the City of Nedlands.
2. A maximum of 10 staff (inclusive) shall be permitted on the premises at any one time.
3. Prior to the issue of a Building Permit, the Waste Management Plan dated 28 June 2021, is to be updated in accordance with the City of Nedlands Waste Management Local Planning Policy and Guidelines to include:
  - a. Detailing of waste generation for the bakery premises; and
  - b. Inclusion of the SUEZ agreement and waste truck specifications.

The updated Waste Management Plan is to be implemented prior to occupation and maintained at all times, to the satisfaction of the City of Nedlands.

4. The bin enclosure location and construction is to comply with the City's Health Local Laws 2017 and maintained at all times, to the satisfaction of the City of Nedlands.
5. The premises is required to comply with the requirements of the Environmental Protection (Noise) Regulations 1997 at all times, to the satisfaction of the City of Nedlands.



- 6. All car parking dimensions, manoeuvring areas, crossovers and driveways shall comply with Australian Standard AS2890.1 to the satisfaction of the City of Nedlands.**
- 7. Service and/or delivery vehicles must not service the premises before 7.00am or after 7.00 pm Monday to Saturday, and/or before 9.00 am or after 7.00 pm on Sundays and Public Holidays unless prior approval from the City of Nedlands is granted.**
- 8. All staff parking bays and deliveries (drop off and pick up) will be serviced from the rear of the site from Government Road at all times, to the satisfaction of the City of Nedlands.**
- 9. The development shall at all times comply with the application and the approved plans, subject to any modifications required as a consequence of any conditions of this approval.**
- 10. Prior to the issue of a Building Permit the applicant prepare a plan in consultation with the City to formally demarcate via appropriate landscaping treatment, the privately owned land from the City's road reserve at the front of the current building at 29 Carrington Street, with a view also to line marking parking bays in the City's road reserve consistent with other parking bays so marked in the City's road reserve on Carrington Street.**

## Recommendation to Committee

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 received on 13 April 2021 in accordance with the plans date stamped 23 April 2021 (DA21-62959) for the Change of Use from 'Animal Establishment' to 'Industry-Light' at Lot 387 (No. 29) Carrington Street, Nedlands, subject to the following conditions:

1. This approval is for a 'Industry-Light' land use as defined under the City's Local Planning Scheme No.3 and the subject land may not be used for any other use without prior approval of the City of Nedlands.
2. A maximum of 10 staff (inclusive) shall be permitted on the premises at any one time.
3. Prior to the issue of a Building Permit, the Waste Management Plan dated 28 June 2021, is to be updated in accordance with the City of Nedlands Waste Management Local Planning Policy and Guidelines to include:
  - a. Detailing of waste generation for the bakery premises; and
  - b. Inclusion of the SUEZ agreement and waste truck specifications.

The updated Waste Management Plan is to be implemented prior to occupation and maintained at all times, to the satisfaction of the City of Nedlands.

4. The bin enclosure location and construction is to comply with the City's Health Local Laws 2017 and maintained at all times, to the satisfaction of the City of Nedlands.
5. The premises is required to comply with the requirements of the Environmental Protection (Noise) Regulations 1997, to the satisfaction of the City of Nedlands.
6. All car parking dimensions, manoeuvring areas, crossovers and driveways shall comply with Australian Standard AS2890.1 to the satisfaction of the City of Nedlands.
7. Service and/or delivery vehicles must not service the premises before 7.00am or after 7.00 pm Monday to Saturday, and/or before 9.00 am or after 7.00 pm on Sundays and Public Holidays unless prior approval from the City of Nedlands is granted.
8. All staff parking bays and deliveries (drop off and pick up) will be serviced from the rear of the site from Government Road at all times, to the satisfaction of the City of Nedlands.
9. The development shall at all times comply with the application and the approved plans, subject to any modifications required as a consequence of any conditions of this approval.

<b>PD29.21</b>	<b>Consideration of Development Application - 6 Grouped Dwellings at 29 Martin Avenue, Nedlands</b>
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<b>Committee</b>	14 September 2021
<b>Council</b>	28 September 2021
<b>Applicant</b>	HJ Architect
<b>Landowner</b>	J. Harden Jones
<b>Director</b>	Tony Free – Director Planning & Development
<b>Employee Disclosure under section 5.70 Local Government Act 1995</b>	<p>The author, reviewers and authoriser of this report declare they have no financial or impartiality interest with this matter.</p> <p>There is no financial or personal relationship between City staff and the proponents or their consultants.</p> <p>Whilst parties may be known to each other professionally, this relationship is consistent with the limitations placed on such relationships by the Codes of Conduct of the City and the Planning Institute of Australia.</p>
<b>Report Type</b> Quasi-Judicial	When Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications and other decisions that may be appealable to the State Administrative Tribunal.
<b>Reference</b>	DA21/64480
<b>Previous Item</b>	Nil
<b>Delegation</b>	In accordance with the City's Instrument of Delegation, Council is required to determine the application due to the application proposing 6 dwellings.
<b>Attachments</b>	<ol style="list-style-type: none"> <li>1. Aerial Image and Zoning Map</li> <li>2. Design Review Panel Assessment</li> </ol>
<b>Confidential Attachments</b>	<ol style="list-style-type: none"> <li>1. Plans</li> <li>2. Submissions</li> </ol>

### **Regulation 11(da) – Not Applicable – Recommendation Adopted**

Moved – Councillor Wetherall  
Seconded – Councillor Hodsdon

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

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

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

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 received on 19 May 2021 in accordance with the plans date stamped 5 August 2021 (DA21/61309) for six (6) grouped dwellings at 29 Martin Avenue, Nedlands, subject to the following conditions:

1. This approval is for a 'Residential' (Grouped Dwellings) land use and development as defined under the City's Local Planning Scheme No.3 and the subject land may not be used for any other use without prior approval of the City.
2. 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."

3. Prior to the lodgement of 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. Adjoining landowners shall be notified in writing no less than 14 days prior to construction.
4. Prior to the lodgement of a Building Permit, a detailed Landscaping Plan, prepared by a suitably qualified person, shall be submitted to and approved by the City of Nedlands.
5. Prior to the lodgement of a building permit, a Landscape Management Plan, shall be submitted and approved by the City of Nedlands. It shall in addition to include a comprehensive maintenance plan for all proposed landscaping on the site and contingencies for replacement of dead and diseased plants. Landscaping shall be installed and maintained in accordance with that plan, or any modifications approved thereto, for the lifetime of the development thereafter, to the satisfaction of the City of Nedlands.

- 6. Prior to occupation of the development, all communal and private open space areas shall include a water tap for the purpose of irrigation.**
- 7. Prior to the commencement of excavation works, a Dilapidation Report prepared by a practising Structural Engineer should be submitted to the City of Nedlands for approval, and the owners of the adjoining properties listed below detailing the current condition and status of all buildings (both internal and external together with surrounding paved areas and rights of ways), including ancillary structures located upon these properties:**
  - a. Lot 423 (No.27) Martin Avenue, Nedlands;**
  - b. Lot 425 (No.31) Martin Avenue, Nedlands;**
  - c. Lot 436 (No.20) Broome St, Nedlands;**
  - d. Lot 435 (No.22) Broome St, Nedlands;**
  - e. Lot 434 (No.24) Broome St, Nedlands;**

**In the event that access for undertaking the dilapidation survey is denied by an adjoining owner, the applicant must demonstrate in writing to the satisfaction of the City of Nedlands that all reasonable steps have been taken to obtain access and advise the affected property owner of the reason for the survey and that these steps have failed.**

- 8. Prior to the lodgement of a Building permit a Sustainability Report prepared by a suitably qualified consultant shall be submitted and approved to the satisfaction of the City. Recommendations contained within the report are to be carried out and maintained for the lifetime of the development to the satisfaction of the City of Nedlands.**
- 9. All building works to be carried out under this development approval are required to be contained within the boundaries of the subject lot.**
- 10. Prior to occupation of the development, all visual privacy screens and obscure glass panels to major openings and unenclosed active habitable areas, as annotated on the approved plans, shall be screened in accordance with the Residential Design Codes by either:**
  - a. Fixed obscure or translucent glass to a height of 1.6 metres above finished floor level;**
  - b. Timber screens, external blinds, window hoods and shutters to a height of 1.6m above finished floor level that are at least 75% obscure;**
  - c. A minimum sill height of 1.6 metres as determined from the internal floor level; or**
  - d. An alternative method of screening approved by the City.**

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

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

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

- 12. Prior to occupation, the parking bays and vehicle access areas shall be drained, paved and constructed in accordance with the approved plans and are to comply with the requirements of AS/NZS 2890.1:2004.**
- 13. A Waste Management plan shall be submitted to the City prior to the lodgement of a Building Permit. The development shall comply with the approved Waste Management Plan to the satisfaction of the City of Nedlands. Any modification to the approved waste management plan will require further approval by the City.**
- 14. All stormwater from the development, which includes permeable and impermeable areas shall be contained onsite.**
- 15. Prior to occupation of the development, all external fixtures including, but not limited to, TV and radio antennae, satellite dishes, plumbing vents and pipes, air conditioners, hot water systems and utilities shall be integrated into the design of the building and not be visible from the primary street to the satisfaction of the City.**
- 16. Prior to occupation, each grouped dwelling is to have an adequate area set aside for clothes drying screened so as to not be highly visible from any adjacent public place in accordance with the requirements of the Residential Design Codes to the satisfaction of the City of Nedlands.**
- 17. The pergola shall remain with an open-framed roof, permeable to water.**
- 18. 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.**

<b>PD30.21</b>	<b>Consideration of Development Application - Single House at 67 Dalkeith Road, Nedlands</b>
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<b>Committee</b>	14 September 2021
<b>Council</b>	28 September 2021
<b>Applicant</b>	Residential Building WA Pty Ltd
<b>Landowner</b>	L & D Marshall
<b>Director</b>	Tony Free – Director Planning & Development
<b>Employee Disclosure under section 5.70 Local Government Act 1995</b>	<p>The author, reviewers and authoriser of this report declare they have no financial or impartiality interest with this matter.</p> <p>There is no financial or personal relationship between City staff and the proponents or their consultants.</p> <p>Whilst parties may be known to each other professionally, this relationship is consistent with the limitations placed on such relationships by the Codes of Conduct of the City and the Planning Institute of Australia.</p>
<b>Report Type</b>  Quasi-Judicial	When Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications and other decisions that may be appealable to the State Administrative Tribunal.
<b>Reference</b>	DA21/62397
<b>Previous Item</b>	Nil
<b>Delegation</b>	In accordance with the City's Instrument of Delegation, Council is required to determine the application due to an objection being received.
<b>Attachments</b>	1. Aerial image and zoning plan
<b>Confidential Attachments</b>	1. Plans 2. Submissions

### **Regulation 11(da) – Not Applicable – Recommendation Adopted**

Moved – Councillor Coghlan

Seconded – Councillor Tyson

### **Council Resolution**

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 received on 29 March 2021 in accordance with amended plans date stamped 20 August 2021 for a Single House at 67 Dalkeith Road, Nedlands, subject to the following conditions:

- 1. Prior to the lodgement of a Building Permit, a detailed Landscaping Plan, prepared by a suitable qualified person shall be submitted showing at least two native trees (minimum 500 litre pot size) within the front setback area of the lot, to and approved by the City of Nedlands.**
- 2. Landscaping shall be installed and maintained in accordance with the approved Landscaping Plan for the lifetime of the development thereafter, to the satisfaction of the City. Any modifications to the plans are subject to further approval by the City of Nedlands.**
- 3. All building works to be carried out under this development approval are required to be contained within the boundaries of the subject lot.**
- 4. Prior to occupation of the development the finish of the parapet walls is to be finished externally to the same standard as the rest of the development or 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.****
- 5. All stormwater from the development, which includes permeable and non-permeable areas shall be contained onsite.**
- 6. 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.**

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

## Recommendation to Committee

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 received on 29 March 2021 in accordance with amended plans date stamped 20 August 2021 for a Single House at 67 Dalkeith Road, Nedlands, subject to the following conditions:

1. Prior to the lodgement of a Building Permit, a detailed Landscaping Plan, prepared by a suitably qualified person, shall be submitted to and approved by the City of Nedlands.



2. Landscaping shall be installed and maintained in accordance with the approved Landscaping Plan for the lifetime of the development thereafter, to the satisfaction of the City. Any modifications to the plans are subject to further approval by the City of Nedlands.
3. All building works to be carried out under this development approval are required to be contained within the boundaries of the subject lot.
4. Prior to occupation of the development the finish of the parapet walls is to be finished externally to the same standard as the rest of the development or in:
  - e. Face brick;
  - f. Painted render;
  - g. Painted brickwork; or
  - h. Other clean material as specified on the approved plans

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

5. All stormwater from the development, which includes permeable and non-permeable areas shall be contained onsite.
6. 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.

<b>PD31.21</b>	<b>Consideration of Development Application - Single House at 92 Kingsway, Nedlands</b>
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<b>Committee</b>	14 September 2021
<b>Council</b>	28 September 2021
<b>Applicant</b>	R. L. Cumace
<b>Landowner</b>	Y Qiu
<b>Director</b>	Tony Free – Director Planning & Development
<b>Employee Disclosure under section 5.70 Local Government Act 1995</b>	<p>The author, reviewers and authoriser of this report declare they have no financial or impartiality interest with this matter.</p> <p>There is no financial or personal relationship between City staff and the proponents or their consultants.</p> <p>Whilst parties may be known to each other professionally, this relationship is consistent with the limitations placed on such relationships by the Codes of Conduct of the City and the Planning Institute of Australia.</p>
<b>Report Type</b>  Quasi-Judicial	When Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications and other decisions that may be appealable to the State Administrative Tribunal.
<b>Reference</b>	DA21/64480
<b>Previous Item</b>	Nil
<b>Delegation</b>	In accordance with the City's Instrument of Delegation, Council is required to determine the application due to objections being received.
<b>Attachments</b>	1. Aerial image and zoning plan
<b>Confidential Attachments</b>	1. Plans 2. Submissions

**Regulation 11(da) – Not Applicable – Recommendation Adopted with amended plans as recommended.**

Moved – Councillor Youngman

Seconded – Councillor Tyson

### **Council Resolution**

**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 received on 17 May 2021 in accordance with amended plans date stamped 23 September 2021 for**

**a Single House at Lot 31 (No.92) Kingsway, Nedlands subject to the following conditions:**

- 1. Prior to the lodgement of a Building Permit, a detailed Landscaping Plan, prepared by a suitably qualified person, shall be submitted to and approved by the City of Nedlands.**
- 2. Landscaping shall be installed and maintained in accordance with the approved Landscaping Plan for the lifetime of the development thereafter, to the satisfaction of the City. Any modifications to the plans are subject to further approval by the City of Nedlands.**
- 3. All building works to be carried out under this development approval are required to be contained within the boundaries of the subject lot.**
- 4. Prior to occupation of the development the finish of the parapet walls is to be finished externally to the same standard as the rest of the development or 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.**
- 5. All stormwater from the development, which includes permeable and non-permeable areas shall be contained onsite.**
- 6. 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.**

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

### **Committee Recommendation / Recommendation to Committee**

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 received on 17 May 2021 in accordance with amended plans date stamped 27 July 2021 for a Single House at Lot 31 (No.92) Kingsway, Nedlands:

- 1. Prior to the lodgement of a Building Permit, a detailed Landscaping Plan, prepared by a suitably qualified person, shall be submitted to and approved by the City of Nedlands.**

2. Landscaping shall be installed and maintained in accordance with the approved Landscaping Plan for the lifetime of the development thereafter, to the satisfaction of the City. Any modifications to the plans are subject to further approval by the City of Nedlands.
3. All building works to be carried out under this development approval are required to be contained within the boundaries of the subject lot.
4. Prior to occupation of the development the finish of the parapet walls is to be finished externally to the same standard as the rest of the development or 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.

5. All stormwater from the development, which includes permeable and non-permeable areas shall be contained onsite.
6. 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.

<b>PD32.21</b>	<b>Consideration of Development Application (Single House) at 20A Vincent Street, Nedlands</b>
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<b>Committee</b>	14 September 2021
<b>Council</b>	28 September 2021
<b>Applicant</b>	Broadway Homes Pty Ltd
<b>Landowner</b>	S Boughton and A Basu
<b>Director</b>	Tony Free – Director Planning & Development
<b>Employee Disclosure under section 5.70 Local Government Act 1995</b>	<p>The author, reviewers and authoriser of this report declare they have no financial or impartiality interest with this matter.</p> <p>There is no financial or personal relationship between City staff and the proponents or their consultants.</p> <p>Whilst parties may be known to each other professionally, this relationship is consistent with the limitations placed on such relationships by the Codes of Conduct of the City and the Planning Institute of Australia.</p>
<b>Report Type</b> Quasi-Judicial	When Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications and other decisions that may be appealable to the State Administrative Tribunal.
<b>Reference</b>	DA21/64295
<b>Previous Item</b>	Nil
<b>Delegation</b>	In accordance with the City's Instrument of Delegation, Council is required to determine the application due to objections being received.
<b>Attachments</b>	1. Aerial Image and Zoning Map
<b>Confidential Attachments</b>	1. Plans 2. Submissions

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

Moved – Councillor Tyson

Seconded – Councillor Youngman

**That the Recommendation to Council be adopted.**

(Printed below for ease of reference)

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

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

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 received on 13 May 2021 in accordance with amended plans date stamped 13 August 2021 for a Residential - Single House at 20A Vincent Street, Nedlands, subject to the following conditions:

1. All footings and structures to retaining walls shall be constructed wholly inside the site boundaries of the subject lot.
2. Prior to occupation of the development the finish of the parapet walls is to be finished externally to the same standard as the rest of the development or 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.
3. All stormwater from the development, which includes permeable and non-permeable areas shall be contained onsite.
4. In the event that the windows to the upper storey stairwell and landing are deleted to meet Building Code requirements, an alternative façade treatment that provides visual articulation to the northern boundary wall is to be submitted and approved by the City of Nedlands prior to construction commencing.
5. 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.

<b>PD33.21</b>	<b>Consideration of Development Application – 5 Grouped Dwellings at 25 Mountjoy Road, Nedlands</b>
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<b>Committee</b>	14 September 2021
<b>Council</b>	28 September 2021
<b>Applicant</b>	CF Town Planning and Development
<b>Landowner</b>	Willem Investments One Pty Ltd
<b>Director</b>	Tony Free – Director Planning & Development
<b>Employee Disclosure under section 5.70 Local Government Act 1995</b>	<p>The author, reviewers and authoriser of this report declare they have no financial or impartiality interest with this matter.</p> <p>There is no financial or personal relationship between City staff and the proponents or their consultants.</p> <p>Whilst parties may be known to each other professionally, this relationship is consistent with the limitations placed on such relationships by the Codes of Conduct of the City and the Planning Institute of Australia</p>
<b>Report Type</b>  Quasi-Judicial	When Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications and other decisions that may be appealable to the State Administrative Tribunal.
<b>Reference</b>	DA21-65012
<b>Previous Item</b>	Nil
<b>Delegation</b>	In accordance with the City's Instrument of Delegation, Council is required to determine the application due to the application proposing 5 dwellings.
<b>Attachments</b>	1. Aerial Image & Zoning Map
<b>Confidential Attachments</b>	1. Plans

### **Regulation 11(da) – Not Applicable – Recommendation Adopted**

Moved – Councillor Senathirajah  
Seconded – Councillor Youngman

**That the Recommendation to Council be adopted.**

(Printed below for ease of reference)

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

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

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 received on 4 June 2021 in accordance with the amended plans date stamped 25 August 2021 for five (5) Grouped Dwellings at Lot 225 (No.25) Mountjoy Road, Nedlands, subject to the following conditions:

1. Prior to the issue of a Building Permit, a revised Waste Management Plan shall be submitted and approved to satisfaction of the City. The Waste Management Plan shall be complied with at all times to the satisfaction of the City.
2. The Acoustic Report dated 6 May 2021 prepared by Lloyd George Acoustics forms part of this development approval and shall be complied with at all times to the satisfaction of the City. Recommendations contained within the acoustic report to achieve compliance with the *Environmental Protection (Noise) Regulations 1997* are to be carried out and maintained for the lifetime of the development to the satisfaction of the City of Nedlands.
3. The Landscaping Plan forms part of this approval. Landscaping shall be installed and maintained in accordance with the approved landscaping plan prepared by Propagule dated 18 August 2021, or any modifications approved thereto, for the lifetime of the development thereafter, to the satisfaction of the City.
4. Prior to occupation, the applicant is to install a one (1) x 500 L tree located on Mountjoy Road verge, at the expense of the applicant and to the satisfaction of the City of Nedlands.
5. Prior to occupation, the parking bays and vehicle access areas shall be drained, paved and constructed in accordance with the approved plans and are to comply with the requirements of AS/NZS2890.1:2004.
6. Prior to the issue of a Demolition Permit or Building Permit, a Demolition and 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. The approved Construction Management Plan shall be observed at all times throughout the construction process to the satisfaction of the City. Adjoining landowners shall be notified in writing no less than 14 days prior to construction.
7. All stormwater from the development, which includes permeable and impermeable areas shall be contained onsite.



- 8. All building works to be carried out under this development approval are required to be contained within the boundaries of the subject lot.**
- 9. Prior to occupation of the development, all major openings and unenclosed outdoor active habitable spaces, which have a floor level of more than 0.5m above natural ground level located behind the street setback area shall satisfy the deemed to comply criteria of element 5.4.1 of the Residential Design Codes Volume 1. Screening referred to in c1.1(ii) of the Residential Design Codes Volume 1 is to be in the form of;**
  - a. Fixed obscured or translucent glass to a height of 1.60 metres above finished floor level;**
  - b. Timber screens, external blinds, window hoods and shutters to a height of 1.6m above finished floor level that are at least 75% obscure;**
  - c. A minimum sill height of 1.60 metres as determined from the internal floor level; or**
  - d. An alternative method of screening approved by the City of Nedlands.**

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

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

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

- 11. Prior to occupation of the development, all external fixtures including, but not limited to, TV and radio antennae, satellite dishes, plumbing vents and pipes, solar panels, air conditioners, hot water systems and utilities shall be integrated into the design of the building and not be visible from the primary street to the satisfaction of the City.**
- 12. 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.**

**12.3 Community Services & Development Report No's CSD09.21 to CSD12.21 (copy attached)**

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

<b>CSD09.21</b>	<b>CSRFF Forward Planning Grants – Peak Trampoline Inc &amp; UWA Sports</b>
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<b>Committee</b>	14 September 2021
<b>Council</b>	28 September 2021
<b>Applicant</b>	City of Nedlands
<b>Employee Disclosure under section 5.70 of the <i>Local Government Act 1995</i></b>	Nil.
<b>Officer</b>	Marion Granich - Executive Manager Community
<b>Attachments</b>	Nil.
<b>Confidential Attachments</b>	Nil.

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

Moved – Councillor Hodsdon  
 Seconded – Councillor Wetherall

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

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

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

**Council:**

- 1. advises Department of Local Government, Sport and Cultural Industries that it has ranked and rated the application to the Community Sport and Recreation Facilities Fund Forward Planning Grant round as follows:**

- a. Peak Trampoline Inc for construction of the UWA Peak Community Gymsports facility - A Rating: Well-planned and needed by municipality; and**
  - b. UWA Sports for UWA Sports Park western precinct amenities development - A Rating: Well-planned and needed by municipality;**
- 2. endorses each of the above applications to Department of Local Government, Sport and Cultural Industries, conditional on the projects receiving the necessary statutory approvals.**

<b>CSD10.21</b>	<b>CSRFF Club Night Lights Grant Applications - Collegians Amateur Football Club &amp; UWA Sports</b>
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<b>Committee</b>	14 September 2021
<b>Council</b>	28 September 2021
<b>Applicant</b>	City of Nedlands
<b>Employee Disclosure under section 5.70 of the Local Government Act 1995</b>	Nil.
<b>Officer</b>	Marion Granich - Executive Manager Community
<b>Attachments</b>	Nil.
<b>Confidential Attachments</b>	Nil.

Moved – Councillor Bennett  
 Seconded – Councillor Smyth

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

Put Motion

Moved - Councillor Mangano  
 Seconded - Councillor Youngman

That the Motion be put.

Lost on the Casting Vote 6/6  
 (Against: Mayor Argyle Crs. McManus Smyth Hodsdon  
 Wetherall & Senathirajah)

Amendment

Moved - Councillor Youngman  
 Seconded - Councillor Tyson

**That an additional clause 3 be added as follows:**

- 3. requests the CEO to prepare a report investigating the retention of the existing lighting towers upgraded with LED lights at Cruikshank reserve oval, and possible additional locations for lighting towers no taller than the existing, restricted to the eastern side of the oval, and orientated to face westwards away from residential housing on Wattle Avenue, Jutland parade and Beatrice Road.**

**The AMENDMENT was PUT and was**

Councillor Mangano left the meeting at 9.12pm and returned at 9.15pm.

**CARRIED 7/5**  
**(Against: Mayor Argyle Crs. McManus Hodsdon Wetherall & Senathirajah)**

The Substantive Motion was PUT and was

Lost on the Casting Vote 6/6  
(Against: Mayor Argyle Crs. Horley McManus Hodsdon Wetherall  
Senathirajah)

Moved – Councillor Hodsdon

Seconded – Councillor McManus

**Council:**

1. **advises Department of Local Government, Sport and Cultural Industries that it has ranked and rated the applications to the Community Sport and Recreation Facilities Fund Club Night Lights Grant round as follows:**
  - a. **Collegians Football & Sporting Club – Upgrade of Lights at David Cruickshank Reserve - A Rating: Well, planned and needed by Municipality; and**
  - b. **University of WA - Upgrade of Lighting at UWA Sports Park Tennis Centre - A Rating: Well planned and needed by Municipality;**
2. **endorses the application from Collegians Football & Sporting Club to Department of Local Government, Sport and Cultural Industries conditional on:**
  - a. **all necessary statutory approvals being obtained by the applicant; and**
  - b. **the project receives DLGSC funding; and**
3. **endorses the application from UWA to Department of Local Government, Sport and Cultural Industries for its tennis court lighting project, conditional on all necessary approvals being obtained by the applicant.**

Amendment

Moved - Councillor Horley

Seconded - Councillor Youngman

**That the following additional clauses be added as follows:**

- 4. advises the Collegians Football & Sporting Club if funds for the project are approved by the State Government, then Council instructs the CEO to liaise with the Club on the detailed design of the lighting upgrade, to mitigate any negative impact on surrounding residences, particularly in relation to lighting spill;**
- 5. advises Collegians Football & Sporting Club that the final lighting design must be approved by Council following community consultation; and**
- 6. in consultation with the Collegians Football & Sporting Club and the Community, allow the CEO to intervene in the design process in order to ensure the impact to surrounding residents is minimised.**

**The AMENDMENT was PUT and was**

**CARRIED 7/5**

**(Against: Crs. McManus Mangano Hodsdon Wetherall & Tyson)**

**The Substantive Motion was PUT and**

**CARRIED 10/2**

**(Against: Crs. Mangano & Tyson)**

## **Council Resolution**

**Council:**

- 1. advises Department of Local Government, Sport and Cultural Industries that it has ranked and rated the applications to the Community Sport and Recreation Facilities Fund Club Night Lights Grant round as follows:**
  - a. Collegians Football & Sporting Club – Upgrade of Lights at David Cruickshank Reserve - A Rating: Well, planned and needed by Municipality; and**
  - b. University of WA - Upgrade of Lighting at UWA Sports Park Tennis Centre - A Rating: Well planned and needed by Municipality;**

- 2. endorses the application from Collegians Football & Sporting Club to Department of Local Government, Sport and Cultural Industries conditional on:
  - a. all necessary statutory approvals being obtained by the applicant; and**
  - b. the project receives DLGSC funding;****
- 3. endorses the application from UWA to Department of Local Government, Sport and Cultural Industries for its tennis court lighting project, conditional on all necessary approvals being obtained by the applicant.**
- 4. advises the Collegians Football & Sporting Club if funds for the project are approved by the State Government, then Council instructs the CEO to liaise with the Club on the detailed design of the lighting upgrade, to mitigate any negative impact on surrounding residences, particularly in relation to lighting spill;**
- 5. advises Collegians Football & Sporting Club that the final lighting design must be approved by Council following community consultation; and**
- 6. in consultation with the Collegians Football & Sporting Club and the Community, allow the CEO to intervene in the design process in order to ensure the impact to surrounding residents is minimised.**

## Committee Recommendation

### Council:

1. advises Department of Local Government, Sport and Cultural Industries that it has ranked and rated the applications to the Community Sport and Recreation Facilities Fund Club Night Lights Grant round as follows:
  - a. University of WA - Upgrade of Lighting at UWA Sports Park Tennis Centre - A Rating: Well planned and needed by Municipality; and
2. endorses the application from UWA to Department of Local Government, Sport and Cultural Industries for its tennis court lighting project, conditional on all necessary approvals being obtained by the applicant.

## Recommendation to Committee

### Council:

1. advises Department of Local Government, Sport and Cultural Industries that it has ranked and rated the applications to the Community Sport and Recreation Facilities Fund Club Night Lights Grant round as follows:
  - a. Collegians Football & Sporting Club – Upgrade of Lights at David Cruickshank Reserve - A Rating: Well, planned and needed by Municipality; and
  - b. University of WA - Upgrade of Lighting at UWA Sports Park Tennis Centre - A Rating: Well planned and needed by Municipality;
2. endorses the application from Collegians Football & Sporting Club to Department of Local Government, Sport and Cultural Industries conditional on:
  - a. all necessary statutory approvals being obtained by the applicant; and
  - b. the project receives DLGSC funding; and
3. endorses the application from UWA to Department of Local Government, Sport and Cultural Industries for its tennis court lighting project, conditional on all necessary approvals being obtained by the applicant.



The meeting adjourned at 9.55pm and reconvened at 10pm with the following people in attendance:

<b>Councillors</b>	Mayor F E M Argyle	(Presiding Member)
	Councillor F J O Bennett	Dalkeith Ward
	Councillor A W Mangano	Dalkeith Ward
	Councillor N R Youngman	Dalkeith Ward
	Councillor B G Hodsdon	Hollywood Ward
	Vacant	Hollywood Ward
	Councillor J D Wetherall	Hollywood Ward
	Councillor R A Coghlan	Melvista Ward
	Councillor R Senathirajah	Melvista Ward
	Councillor B Tyson	Melvista Ward
	Councillor N B J Horley	Coastal Districts Ward
	Councillor L J McManus	Coastal Districts Ward
	Councillor K A Smyth	Coastal Districts Ward

<b>Staff</b>	Mr W R Parker	Chief Executive Officer
	Mr E K Herne	Director Corporate & Strategy
	Mr T G Free	Director Planning & Development
	Mr A D Melville	Acting Technical Services
	Ms M E Granich	Executive Manager Community
	Mrs N M Ceric	Executive Officer

**Public** There were 2 members of the public present and 5 online.

**Press** The Post Newspaper Representative.

<b>CSD11.21</b>	<b>Point Resolution Child Care Centre Financial Viability Review</b>
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<b>Committee</b>	14 September 2021
<b>Council</b>	28 September 2021
<b>Applicant</b>	City of Nedlands
<b>Employee Disclosure under section 5.70 of the Local Government Act 1995</b>	Nil.
<b>Director</b>	Marion Granich – Executive Manager Community
<b>Attachments</b>	Nil.
<b>Confidential Attachments</b>	Nil.

### **Councillor Senathirajah – Impartiality Interest**

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

### **Regulation 11(da) – Minor amendment to add an annual review date to provide reassurance to the families and staff.**

Moved – Councillor Youngman  
Seconded – Councillor Horley

### **Council Resolution**

#### **Council agrees to:**

- 1. continue the provision by the City of Early Childhood Education Services at Point Resolution Child Care Centre with an annual review of charges until 31 December 2026, when operations will be reviewed; and**
- 2. quarantine operating surplus each year in a PRCC Reserve to be utilised in improving the facilities and/or services at Point Resolution Child Care Centre, excluding general maintenance and upkeep that the City would otherwise carry out as part of the normal upkeep of the equipment, building, furniture, fencing and grounds.**

Councillor Tyson left the meeting at 10.06pm and returned at 10.10pm.

**CARRIED 8/4**  
**(Against: Mayor Argyle Crs. Hodsdon Wetherall & Coghlan)**

## Committee Recommendation / Recommendation to Committee

Council agrees to the continued provision of childcare services at Point Resolution Child Care Centre.

<b>CSD12.21</b>	<b>Strategic Active Sports Facilities Plan 2020-2050</b>
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<b>Committee</b>	14 September 2021
<b>Council</b>	28 September 2021
<b>Applicant</b>	City of Nedlands
<b>Employee Disclosure under section 5.70 of the Local Government Act 1995</b>	Nil.
<b>Officer</b>	Marion Granich – Executive Manager Community
<b>Attachments</b>	Nil.
<b>Confidential Attachments</b>	Attachment 1 - Draft Strategic Active Sports Facilities Plan 2020 – 2050

**Regulation 11(da) – Not Applicable – Minor addition.**

Moved – Mayor Argyle  
 Seconded – Councillor McManus

**That Council instructs the Chief Executive Officer to review the Draft Strategic Active Sports Facilities Plan 2020 – 2050 taking into consideration:**

- a. **Revised population growth data;**
- b. **Newly identified projects;**
- c. **The nexus between development and the increased demand for active sports facilities; and**
- d. **The City’s financial capacity as determined by the Long Term Financial Plan.**

Amendment

Moved - Councillor Smyth  
 Seconded - Councillor Tyson

**That an additional clause 2 is added as follows:**

2. **to make the unendorsed Draft Strategic Active Sports Facilities Plan 2020 – 2050 available on request and clearly marked “unendorsed by Council”.**

**The AMENDMENT was PUT and was**

**CARRIED 8/4**  
**(Against: Crs. Mangano Wetherall Coghlan & Senathirajah)**

**The Substantive Motion was PUT and was**

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

## **Council Resolution**

**That Council instructs the Chief Executive Officer:**

- 1. to review the Draft Strategic Active Sports Facilities Plan 2020 – 2050 taking into consideration:**
  - a. Revised population growth data;**
  - b. Newly identified projects;**
  - c. The nexus between development and the increased demand for active sports facilities; and**
  - d. The City’s financial capacity as determined by the Long Term Financial Plan; and**
- 2. to make the unendorsed Draft Strategic Active Sports Facilities Plan 2020 – 2050 available on request and clearly marked “unendorsed by Council”.**

## **Recommendation to Committee**

**That Council:**

- 1. receives the Draft Strategic Active Sports Facilities Plan 2020 – 2050; and**
- 2. approves the Draft Strategic Active Sports Facilities Plan 2020-2050 to be advertised for community comment.**

**12.4 Corporate & Strategy Report No's CPS16.21 to CPS17.21 (copy attached)**

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

<b>CPS16.21</b>	<b>Rate Exemption Approval – Religious Organisation</b>
<b>Committee</b>	14 September 2021
<b>Council</b>	28 September 2021
<b>Applicant</b>	City of Nedlands
<b>Employee Disclosure under section 5.70 Local Government Act 1995</b>	Nil.
<b>Director</b>	Ed Herne – Director Corporate & Strategy
<b>Attachments</b>	<ol style="list-style-type: none"> <li>1. Statutory Declaration, Application for Rates Exemption and ATO Endorsement for Charity Tax Concession</li> <li>2. Financial Statement, Independent Auditor Report and Auditor Declaration</li> <li>3. Extract of Local Government Act 1995 Section 6.26 (2)(d)</li> </ol>
<b>Confidential Attachments</b>	Nil.

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

Moved – Councillor Tyson

Seconded – Councillor Coghlan

**That the Recommendation to Council be adopted.**

(Printed below for ease of reference)

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

<b>Council Resolution / Committee Recommendation / Recommendation to Council</b>
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That Council approves the rates exemption application by the Perth Diocesan Trustees for 58, Tyrell Street, Nedlands under the Local Government Act 1995 for 2021-22.
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<b>CPS17.21</b>	<b>List of Accounts Paid – August 2021</b>
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<b>Committee</b>	14 September 2021
<b>Council</b>	28 September 2021
<b>Applicant</b>	City of Nedlands
<b>Employee Disclosure under section 5.70 Local Government Act 1995</b>	Nil.
<b>Director</b>	Ed Herne – Director Corporate & Strategy
<b>Attachments</b>	1. Creditor Payment Listing – August 2021; and 2. Credit Card and Purchasing Card Payments – August 2021
<b>Confidential Attachments</b>	Nil.

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

Moved – Councillor Hodsdon  
Seconded – Councillor Wetherall

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

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

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

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

**13. Reports by the Chief Executive Officer**

**13.1 Review of Various Council Policies**

<b>Committee</b>	14 September 2021
<b>Council</b>	28 September 2021
<b>Applicant</b>	City of Nedlands
<b>Employee Disclosure under section 5.70 Local Government Act 1995</b>	Nil.
<b>Officer</b>	Nicole Ceric, Executive Officer
<b>CEO</b>	Bill Parker
<b>Attachments</b>	<ol style="list-style-type: none"> <li>1. Record Keeping for Council Members Council Policy</li> <li>2. Legal Representation for Council Members &amp; Employees Council Policy</li> <li>3. Council Member Fees, Expenses, Allowances and Other Provisions Council Policy</li> <li>4. Council Member and CEO Attendance at Events Council Policy</li> <li>5. Council Member Professional Development Council Policy</li> </ol>
<b>Confidential Attachments</b>	Nil.

**Regulation 11(da) – Council deferred the item in order to have more time to review each policy at a Council Member workshop.**

Moved – Councillor Hodsdon  
 Seconded – Councillor Wetherall

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

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

**Council Resolution / Committee Recommendation**

**That the item be adjourned to March 2022.**



## Recommendation to Council

That Council:

1. by Simple Majority, adopts the following policies:
  - a. Record Keeping for Council Members Council Policy (previously named Management of Information for Elected Members Council Policy), as per attachment 1; and
  - b. Legal Representation for Council Members & Employees Policy, as per attachment 2;
  
2. by Absolute Majority, adopts the following policies:
  - a. Council Member Fees, Expenses, Allowances and Other Provisions Policy (previously named Elected Member Expenses and Equipment Council Policy), as per attachment 3;
  - b. Council Member & CEO Attendance at Events Policy (previously named Council Member and Employee Training and Conference Attendance Council Policy), as attachment 4; and
  - c. Council Member Professional Development Policy (previously names Council Member and Employee Training and Conference Attendance Council Policy), as per attachment 5.



## Record Keeping by Council Members

**Status** Council

**Responsible Division** Corporate & Strategy

**Objective** To provide for the compliance by Council Members with the *State Records Act 2000* and the City of Nedlands [Record Keeping Plan 2018](#).

### Context

Council Members' records must be created, kept, and lodged with the City, in a way which properly and adequately record the performance of Council Member functions arising from their participation in the decision-making processes of Council and Committees of Council and arising from their role as Council Members.

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

Political and personal records of Council Members are exempt.

Any correspondence produced or received by Council Members as part of their duties should be periodically returned to the City for registration into the approved record keeping system.

### Statement

The State Records Office policy regarding the records of local government Council Members requires the creation and retention of records of the:

"...communications and transactions of elected members which constitute evidence affecting the accountability of the Council and the discharge of its business."

This applies regardless of a record's format or where it was received.

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

**Commented [NC1]:** Added to reflect advice provided at Council Member workshop.



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

Examples of records that are NOT required to be retained include – duplicate copies; draft or working documents; publications; invitations; telephone, meetings and other verbal conversations NOT related to local government projects or business activities; electioneering; and personal records.

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

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#### **Related Documentation**

City of Nedlands [Record Keeping Plan 2018](#)

State Records Office - Local Government Elected Members' Records: Which records to capture? (2019)

#### **Related Local Law / Legislation**

[Freedom of Information Act 1992](#)

[State Records Act 2000](#)

#### **Related Delegation**

Nil.

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#### **Review History**

14 December 2010 (Report CM29.10)

9 July 2019

05 June 2020

## Legal Representation for Council Members and Employees

<b>Status</b>	Council
<b>Responsible Division</b>	Corporate & Strategy
<b>Objective</b>	To determine when it is appropriate to pay legal representation costs for Council Members or employees.

### Context

This policy sets the parameters and conditions for payment of legal representation for Council Members and employees.

There are four criteria for determining whether the City of Nedlands may pay the legal representation costs of a Council Member or employee. These are:

- the legal representation costs must relate to a matter that arises from the performance, by the Council Member or employee, of his or her functions,
- the legal representation costs must be in respect of legal proceedings that have been, or may be commenced,
- in performing his or her functions, to which the legal representation relates, the Council Member or employee must have acted in good faith, and must not have acted unlawfully or in a way that constitutes improper conduct; and
- the legal representation costs do not relate to a matter, **unrelated to the roles and responsibilities of a Council Member, or employee.**

### Rationale

The Department of Local Government addressed this issue in Local Government Operational Guidelines Number 14 – April 2006 – “...*Today there is an increased risk of legal action being taken or threatened against individual Council Members and employees.*

*Council Members and employees may require legal advice and representation and expect their local government to provide financial assistance to meet the cost of the advice or representation.*

**Commented [NC1]:** Added for further clarity, in context of discussions at Council Member Workshop.

**Commented [NC2]:** Requested some broader rationale regarding need for Policy – quote is from DLG publication – reference included at end of policy.



*For example, Council Members or employees may be threatened with legal action when an aggrieved party believes that they will not, or have not, carried out their legislative functions or responsibilities in the correct and appropriate manner. Legal action may also be threatened where it is anticipated that such action will influence a vote or a recommendation.*

*Council Members and employees may feel inhibited in undertaking their roles in a full, frank, and impartial manner if they do not have an assurance that they are protected from threats and will be given proper legal representation if any legal action is taken against them.*

*Local governments have a legislative duty of care to their employees to provide a safe working environment and morally have the same duty to council members. Accordingly, it is appropriate and prudent for local governments to assist council members and employees by adopting a policy to fund or partly fund the cost of providing legal representation in appropriate circumstances...*

#### **Definition**

Approved lawyer is to be:

- a 'certified practitioner' under the *Legal Practice Act 2003*,
- from a law firm on the City of Nedlands' insurance provider's panel of legal service providers,
- approved by the Council or the Chief Executive Officer under delegated authority.

Council Member or employee means a Council Member of the Council of the City of Nedlands or an employee of the City of Nedlands.

Legal proceedings may be civil, criminal, or investigative.

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

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

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

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



## **Statement**

### **Examples of legal representation costs that may be approved**

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

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

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

### **Application for payment**

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

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

- the matter for which legal representation is sought,
- how that matter relates to the functions of the Council Member or employee making the application,
- the lawyer (or law firm) who is to be asked to provide the legal representation,



- the nature of legal representation to be sought (such as advice, representation in court, preparation of a document etc),
- an estimated cost of the legal representation; and
- why it is in the interests of the City of Nedlands.

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

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

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

- has read, and understands, the terms of the policy,
- acknowledges that any approval of legal representation costs is conditional on the repayment provisions and any other conditions to which the approval is subject; and
- undertakes to repay to the City of Nedlands any legal representation costs not consistent with this policy.

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

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

#### **Legal representation costs – Limit**

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

A Council Member or employee may make a further application to Council in respect of the same matter.



### **Council's powers**

The Council may:

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

an application for payment for legal representation costs.

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

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

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

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

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

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

Where the Council decides, the legal representation costs paid by the City of Nedlands are to be repaid by the Council Member or employee.

### **Delegation to Chief Executive Officer**

In cases where a delay in the approval of an application will be detrimental to the legal rights of the applicant, the Chief Executive Officer may exercise, on behalf of the Council, approval to a maximum of \$10,000 in respect of each application.

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



### **Repayment of legal representation costs**

A Council Member or employee whose legal representation costs have been paid by the City of Nedlands is to repay the City of Nedlands:

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

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

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### **Related documentation**

[Legal Representation for Council Members and Employees \(dlgsc.wa.gov.au\)](http://dlgsc.wa.gov.au)

### **Related Local Law / Legislation**

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

### **Related delegation**

Add from Delegations register once approved.

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### **Review History**

24 September 2013 (Report CPS28.13)

24 August 2010 (Report CM21.10)



## Council Member Fees, Expenses, Allowances and Other Provisions

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

### Context

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

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

### Definitions

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

**ICT expenses** – means:

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

### Statement

#### 1. Fees

The Mayor, Deputy Mayor and Council Members shall be paid the 100<sup>th</sup> percentile of the applicable annual fee range of the determination (6.4), to be confirmed in the annual budget each year (s5.98(1) & 5.99). The annual fee shall be paid monthly, in arrears, unless a Council Member requests that the allowance be paid monthly, in advance, in which case, it shall be so paid.



## 2. Expenses and Allowances

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

The Mayor shall be paid the annual allowance range maximum under s7.1 & 7.2 of the Determination (s.5.98(5)).

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

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

As from October 2021 Ordinary Elections no IT or communications equipment will be provided by the City. Equipment provided by the City to Council Members prior to October 2021 may be kept by the Council Member if the equipment is 3 years old or more when the Council Member terminates their membership of Council.

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

The annual allowances shall be paid monthly, in arrears, with newly elected Council Members to be paid the \$3500 ICT allowance on the first payment of their first year only, then paid monthly, in arrears, in subsequent years.

Commented [NC1]: Modified given discussion at Council Member workshop.

## 3. Induction

Newly Elected Council Members will be required to undertake a comprehensive induction process including:

- Mandatory 5 Modules (within 12 months of election)
- External training for newly elected council members
- Internal training provided by Administration. This may involve evening and weekend sessions.

Commented [NC2]: Modified given discussion at Council Member workshop.

## 4. Provision of Information

All agendas, reports, minutes, and other relevant materials will be provided electronically to Council Members. Hard copies may be provided upon request to the CEO.

Council Members will be provided with a City of Nedlands email address which is to be used for all Council related email correspondence.

Council Members will be provided with access to a Council Member portal.



**5. Seats in Council Chambers.**

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

**6. Gift at conclusion of term of office.**

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

**Commented [NC3]:** Amended to align with Reg 34AC which specifies \$100 per year.

**7. Disability Provisions**

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

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**Related documentation**

Professional Development & Attendance Policy

**Related Local Law / Legislation**

Salaries & Allowances Tribunal Act 1975

*Local Government Act 1995, sections 5.98, 5.98A, 5.99, 5.99A, & s5.100A.*

*Local Government (Administration) Regulations 1996 reg31, reg32& reg 34AC).*

*Disability Discrimination Act 1992 (Federal)*

**Related delegation**

Nil.

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**Review History**

20 December 2016 (Report CPS33.16)

24 September 2013 (Report CPS26.13)

25 May 2010 (Report CM10.10)

27 August 2013 (Report CPS26.13)

## Council Member and CEO Attendance at Events

<b>Status</b>	Council
<b>Responsible Division</b>	Office of the Chief Executive Officer
<b>Objective</b>	To establish the requirements around the attendance at events where tickets are offered to Council Members and the CEO.

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### Context

s5.90A of the Local Government Act 1995 requires Council to adopt a Policy on Council Member and CEO attendance at events.

This policy applies to invitations or tickets to events that are provided to the City (for example to the City of Nedlands Council /Council Member or City of Nedlands CEO).

An invitation or ticket to an event provided directly to an individual (which means personally to a Council Member or the CEO) is to be treated as a gift (gift as defined in section 5.57 of the Act).

Council Members or the CEO may accept these invitations, subject to disclosing the acceptance of the invitation / ticket as a gift (if valued at over \$300, in accordance with the provisions of the City's Code of Conduct for Council Members, Committee Members, and Candidates for Election, and the relevant gift provisions in the Local Government Act, as they apply to Council Members and the CEO, if they have not provided appropriate consideration for the ticket/ invitation. The gift will be disclosed on the City's public Register of Gifts.

A Council Member or the CEO may attend an event and not disclose it as a gift if they have purchased the ticket themselves.

### Statement

#### 1. Attendance at Approved Events

The following events are considered Approved Events for the purpose of this policy:

Where the Council Member is attending an event in an official capacity, such as:

- performing a speaking role or some other welcoming role
- participating as a member of a discussion panel or judging panel
- presenting at the event as part of the event program

- representing the City of Nedlands at a sponsorship acknowledgement event or award ceremony, where the primary purpose of attendance is not for the entertainment of the individual Council Member, but enable the City to fulfil its role, and exercise its rights and benefits, as a sponsor
- presenting awards or prizes to others on behalf of the City
- attending an exhibition or display where the City, its programs or services are being showcased at the event.

Where the ticket is offered by:

- the Western Australian Local Government Association
- the Australian Local Government Association
- Local Government Professionals WA
- a department of the Public Service
- a government department of another State, a Territory or Commonwealth
- a State or Federal Member of Parliament, other than for party political events or fundraisers
- a local government or regional local government
- major professional or industry association(s) relevant to local government activities
- a stakeholder partner of the City
- a civic / cultural / community organisation within the City of Nedlands
- educational institutions or
- a not-for profit organisation.

Council Members or the CEO may at their discretion attend an Approved Event on behalf of the City, where the invitation or ticket is provided to the City and no fee is payable for attending.

If a fee is payable for attendance at an Approved Event, the Mayor and CEO will seek expressions of interest from Council Members or the CEO to attend the Approved Event, provided the cost of attendance is within the approved budget.

Attendance at Approved Events are not treated as gifts and do not need to be included on the City's public Register of Gifts, as they are "excluded gifts" in accordance with section 5.62(1B) of the Act.

Attendance at Approved Events does not trigger a conflict of interest if a matter comes before Council or the CEO for consideration.

## **2. Attendance at Non-Approved Events**

Unless otherwise addressed in this Policy, the acceptance and subsequent use of a ticket by a Council Member for an event that is not a pre-approved event must be approved by the CEO (or by the Mayor for the CEO).



In deciding to approve the attendance at an event, the Chief Executive Officer (or the Mayor) is to consider:

- (a) who is providing the ticket to the event (the organiser of the event, or a third party)
- (b) the location of the event in relation to the City's district
- (c) the role of the Council Member when attending the event (i.e., presenter, participant, or observer)
- (d) whether the event is sponsored by the City
- (e) the Council Member's justification of the benefit to the City and the City's community through the attendance at the event
- (f) how many people should be authorised to attend the event
- (g) any costs associated in attending the event
- (h) whether advice following the attendance at the event is required under this Policy.

Council Members who attend paid events may be required to provide advice to the CEO (at the CEO's discretion) on the outcomes of their attendance and the benefits to them and the City in attending the event. The advice may cover the following topics:

- The nature of the event.
- The stated benefits to the City or the Nedlands community in attending the event.
- What the Council Member observed by attending the event.
- Any networking links that were made or stakeholder interactions.
- How attendance benefited the Council Member's role at the City generally

### **3. Free tickets to the City for events**

Where tickets are given to the City as opposed to a Council Member directly, the CEO may allocate the tickets as he / she sees fit if attendance is deemed to satisfy the approval criteria detailed within this policy.

The CEO may allocate a ticket to a Council Member where the purpose of attendance is to enable the Council Member to perform their role as a community representative and to network and liaise with community individuals / groups within the district.

### **4. Complimentary tickets and benefits under sponsorship agreements**

Where the provision of complimentary tickets or a benefit exists under a current sponsorship agreement or arrangement between the City and a third party, the management and allocation of tickets or benefits (unless expressly stated) shall be determined by the CEO and disclosed in accordance with this policy.



A Council Member may be allocated a ticket or benefit by the CEO under this Policy on the basis that attendance would enable the Council Member to perform their role as a community representative and to network and liaise with community individuals / groups within the City's district.

## **5. Costs for tickets**

Where there is ticket cost for the Council Member to attend a pre-approved event or non-approved event, the Council Member will be reimbursed the cost of the ticket.

Where a ticket can be purchased for a non-approved event, and in the opinion of the CEO it is in the interests of the City for one or more Council Members to attend to assess and understand any possible impacts on the Nedlands community or City business, then one or more tickets for that event may be purchased by the City, at full cost, on behalf of the Council Member.

Tickets for accompanying persons (such as spouse, family member or relative) will not be purchased by the City, however the Council Member may purchase a paid ticket at their own expense.

## **6. Travel and accommodation costs**

The City may pay or reimburse reasonable travel and accommodation costs for a Council Member to attend an event.

Accommodation costs may be paid for events outside the Perth metropolitan area, interstate or internationally.

Documentary evidence is required for all expenses or costs claimed by a Council Member and original Tax invoices and receipts are required for audit purposes and to enable G.S.T to be claimed.

## **7. Exemptions**

The requirements of this policy do not apply to any training or conference event attended by a Council Member in accordance with the City's Professional Development for Council Members Policy.

The requirements of this policy do not apply where a Council Member is the City's representative on a board or external organisation where the Council Member is required to attend an event for the purposes of fulfilling their role on the board or external organisation.



## 8. Reporting

The disclosure information for tickets received by Council Members that are deemed a gift, will be listed within the City's Gift Register(s).

In accordance with the s5.62(1B) of the Local Government Act 1995 attendance at an event in accordance with this policy will exclude the Council Member from the requirement to disclose an interest when the donor of the ticket has a matter before Council (or a committee).

## 9. Definitions

**CEO** means the Chief Executive Officer of the City.

**Event** has the meaning given to it under the Local Government Act 1995

Note: s5.90A (1) of the Act states the following:  
event includes the following:

- (a) a concert;
- (b) a conference;
- (c) a function;
- (d) a sporting event;
- (e) an occasion of a kind prescribed for the purposes of this definition.

**Gift** has the meaning given to it under the Local Government Act 1995

Note: s5.57 of the Act states the following:

gift means:

- (a) a conferral of a financial benefit (including a disposition of property) made by 1 person in favour of another person unless adequate consideration in money or money's worth passes from the person in whose favour the conferral is made to the person who makes the conferral; or
- (b) a travel contribution.

For the purposes of the above definition:

- travel includes accommodation incidental to a journey;
- travel contribution means a financial or other contribution made by 1 person to travel undertaken by another person.

**Ticket** includes an admission ticket to an event, or an invitation to attend an event, or a complimentary registration to an event, that is offered by a third party

### **Related documentation**

Attendance at Events Policy - Local Government Operational Guidelines (December 2019)

### **Related local law, legislation, and compliance requirements**

LGA s5.62(1B) – defines excluded gifts.

LGA s5.90A(2) – requires local governments to adopt a policy in respect to event attendance by Council Members and the CEO.

LGA s5.90A(5) - The CEO must publish an up-to-date version of the policy on the local government's official website.

### **Related delegation**

Nil.

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### **Review History**

Adopted by Council xxxx

## Council Member Professional Development

<b>Status</b>	Council
<b>Responsible Division</b>	Office of the Chief Executive Officer
<b>Objective</b>	<p>To provide guidance to Council Members with respect to meeting their legislative requirements to undertake compulsory training and the entitlements associated with the attendance of the Mayor and Council Members at ongoing professional development opportunities.</p> <p>This policy also outlines the Chief Executive Officer's requirement to report on the training and development undertaken by each Council Member as required by the Local Government Act 1995</p>

### Context

The Local Government Act 1995 requires that Council Members undertake compulsory training within 12 months of being elected and requires that the City adopt a policy, and report on training and development undertaken by its Council Members each year.

In the interest of ensuring Council Members understand their obligations as Council Members, make well informed decisions and effectively represent their constituents, the City provides support for Council Members to attend compulsory training and conferences, seminars, and other professional development opportunities in order to develop and enhance their knowledge pertaining to their role.

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

### Statement

#### 1. Training and Professional Development

##### 1.1 Mandatory Training

Commencing October 2019, in accordance with s 5.126 of the Act and Reg 35 of the Local Government (Administration) Regulations 1996, a Council Member is to complete the course titled 'Council Member Essentials' within 12 months from the day on which the Council Member is elected.



The Council Member Essentials Course consists of five core modules:

- Understanding Local Government,
- Serving on Council,
- Meeting Procedures,
- Conflicts of Interests; and
- Understanding financial reports and budgets.

The Council and CEO will determine which of the 3 approved providers will be engaged to deliver the mandatory training to Council Members.

Council's preferred provider of such training is WALGA, but the CEO may make alternative arrangements with the other approved providers, having regard to costs and the City's procurement policy, as well as any other relevant factors.

Costs to undertake mandatory training are determined by the approved Training Providers. The City will meet the costs of all mandatory training courses for Council Members, including reasonable travel and parking expenses (if required), as determined by the Chief Executive Officer (or nominee).

## 1.2 Professional Development

To assist Council Members to perform their duties efficiently and effectively, the following training and development opportunities will be available to Council Members:

- Attendance at the Annual Western Australian Local Government Association conference and/or Annual General Meeting,
- Attendance of the Mayor or Deputy Mayor or delegate at the Annual Local Government Professionals Australia National Congress,
- Attendance of the Mayor or Deputy Mayor or delegate at the Annual Australian Local Government Association Conference,
- Council Member training arranged by the CEO for Council Members to be inducted into the role of Council Member and further training to keep up to date with their obligations and duty of care responsibilities as contained in the Local Government Act 1995 and other relevant legislation and guidelines relevant to their role, including, but not limited to:
  - Professional Speaking
  - Planning Practices – The Essentials
  - Planning Practices – Advanced
  - Integrated Strategic Planning – The Essentials
  - Integrated Strategic Planning – Policy
  - Infrastructure Asset Management
  - Effective Community Leadership
  - CEO Performance Appraisals
  - Better Planning Decisions



- Decision Making at a Governing Board Level
- Dealing with Conflict
- Land Use Planning

The CEO is authorised to approve requests from Council Members for professional development opportunities, and make the associated arrangements (including registration, air fares, accommodation, sustenance, and reimbursement of approved expenses) subject to:

- the total cost of the proposed training being no more than \$1000
- the proposed training NOT requiring interstate or international travel to attend,
- the training, development or conference is organised by an identified, industry recognised training provider,
- the number of Council Members attending a particular conference, seminar or training does not impact the quorum required for Council or Committee meetings; and
- sufficient funds being available in the relevant Budget item.

Where the total cost is between \$1,001 and \$2,000 then the CEO in consultation with the Mayor may approve attendance if there are sufficient unallocated funds within the budget.

Where training or conferences total cost is more than \$2,000, the request must be referred to Council for determination.

A Council Member refused permission by the CEO or Mayor to attend a training course or conference may refer the matter to Council for determination.

When considering any application by a Council Member to attend a training course or conference, the CEO, the Mayor or Council shall consider the training needs of the Council Member and any issues of equity between Council Members regarding access to training.

#### 1.2.1 Accompanying Persons

No allowances or entitlements will be provided by the City in respect of accompanying person costs. Any additional costs resulting from a Council Member being accompanied by their partner, or another person will not be paid by the City.



### 1.2.2 Reports

A written report on the travel and event/s attended shall be made available to Council by the person who travelled no later than the second Council meeting after return from the travel. The Report need not form part of the Council meeting agenda but will be included at the City website regarding Professional Development by Council Members.

A Council Member may request an opportunity to present on the learnings from an event to an appropriate Council forum, or Council may request same.

The CEO will publish a report on the City website, within one month of the end of the financial year, providing the details of the training completed by each Council Member during the financial year.

## **2. International, interstate and intrastate travel**

All proposals for City funded interstate or international travel for Council Members requires the approval of Council, when recommended by the CEO. In the case of CEO interstate or international travel, the proposal shall be presented to Council without recommendation.

Air travel will be arranged by the City (unless otherwise agreed under this Policy) and shall be based on an economy class fare with standard baggage allowance. Wherever possible, these will be booked in advance to take advantage of advance purchase discounts.

Accommodation arrangements shall be based on an appropriate room in an appropriate standard hotel recommended by the conference organisers, or one located within proximity to the conference facility. Any upgrades or extensions shall be at the expense of the Council Member.

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

## **3. Reimbursement requests**

Travel, accommodation, and registration arrangements shall be made by the City; however, where a Council Member has approval from the CEO to make their own arrangements in respect to accommodation and travelling, reimbursement will be made in accordance with this policy on presentation of appropriate receipts. Council Members must obtain the necessary approvals required by this policy prior to making any financial or other commitments.

The extent to which a Council Member may be reimbursed for intrastate or interstate travel and accommodation costs incurred in any of the circumstances referred to in regulation 32(1) of the LG Administration Regulations is at the same



rate applicable to the reimbursement of travel and accommodation costs in the same or similar circumstances under the Public Service Award 1992 issued by the Western Australian Industrial Relations Commission as at the date of the determination current at the time of the event.

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

#### 4. **Cancellations**

Where cancellations occur the Council Member, in conjunction with the CEO, should endeavour to find a replacement Council Member. When no replacement is secured the non-refundable portion will accrue to the Council member's or value of conference attendance.

#### 5. **Definitions**

Act - Local Government Act 1995

CEO – the Chief Executive Officer of the City

Council - Council of the City (the elected body)

Council Member - A person elected under the Local Government Act 1995 as a member of the council of the local government

Regulations - Local Government (Administration) Regulations 1996

#### **Related documentation**

Council Member Fees, Expenses Allowances and Other Provisions Policy

#### **Related local law and legislation, compliance requirements.**

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

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

Under Section 5.127 of the Act, the CEO must publish a report on the local government's website within one (1) month of the end of the financial year detailing the training completed by Council Members.

Under Section 5.128 of the Act, a local government must prepare and adopt a Policy (by Absolute Majority) in relation to the continuing professional development of Council Members.

#### **Related delegation**

Nil



### **Review History**

23 February 2021 (CEO Report 13.1)

20 December 2016 (Report CPS33.16)



**13.2 Use of the Common Seal and Execution of Documents Council Policy**

<b>Committee</b>	14 September 2021
<b>Council</b>	28 September 2021
<b>Applicant</b>	City of Nedlands
<b>Employee Disclosure under section 5.70 Local Government Act 1995</b>	Nil.
<b>Officer</b>	Nicole Ceric, Executive Officer
<b>CEO</b>	Bill Parker, Chief Executive Officer
<b>Attachments</b>	1. Use of the Common Seal and Execution of Documents Council Policy
<b>Confidential Attachments</b>	Nil.

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

Moved – Councillor Hodsdon  
 Seconded – Councillor Wetherall

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

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

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

**That Council adopt the Use of the City of Nedlands Common Seal and Execution of Documents Council Policy as per attachment 1.**

## Use of City of Nedlands Common Seal and Execution of Documents

<b>Status</b>	Council
<b>Responsible Division</b>	Corporate & Strategy
<b>Objective</b>	To establish procedures for: <ul style="list-style-type: none"> <li>a) Affixing the City's common seal; and</li> <li>b) Determining whether a document is executed by way of common seal or signed by an authorised employee.</li> </ul>

### Context

In accordance with s9.49A of the Local Government Act 1995 (WA), a document is duly executed by a local government if the common seal is affixed to it or it is signed by an employee authorised to do so.

The execution requirements, including the making, varying or discharge of documents pursuant to s9.49B of the Local Government Act, shall be as outlined in this Policy.

### Definitions

### Statement

#### Documents Requiring the Common Seal

The Common Seal shall be affixed to certain documents in accordance with s9.49A of the Local Government Act 1995 (WA):

- a) Local Laws adopted by Council,
- b) Notifications in accordance with s70A of the Transfer of Land Act 1893,
- c) Lodgement, modification, and withdrawal of caveats,
- d) Town Planning Scheme (including amendments),
- e) The sale of City owned land for which a Council resolution is required expressly stating that the final document is to be signed and sealed,
- f) Leases (including extensions, renewals, and modifications),
- g) Contracts,
- h) Deeds,
- i) Documents relating to land matters including memorials, transfers, licences, covenants, and easements; and
- j) New funding or contracts of agreement between the City and State or Commonwealth Government agencies, where required by the other party.

### **Procedure for Affixing the Common Seal**

The Mayor and Chief Executive Officer are authorised to affix and sign all documents to be executed under the common seal; however, in the absence of the Mayor and/or the Chief Executive Officer, the Deputy Mayor and/or an employee authorised in accordance with the provisions of the Local Government Act 1995 (WA) may do so.

In the event the Mayor is on a Leave of Absence the Deputy Mayor is authorised to affix the common seal.

### **Procedure for Execution by Authorised Officers**

The CEO and Directors are authorised under s9.49A of the Local Government Act 1995 (WA), and in accordance with this Policy may sign documents.

Directors may only execute documents relevant to matters within the scope of the activity of their Directorate/Branch. Documents relevant to the activities of multiple Directorates may only be executed by the Chief Executive Officer.

### **Limitation on Authorities**

The authorities are limited by the following conditions:

1. Chief Executive Officer
  - a) Unlimited \$500,000; and/or
  - b) Commitment period is specifically resolved by Council or in any other case, no greater than a 5-year period; and/or
  - c) Moderate or lesser financial risk, legal complexity, or political sensitivity, unless specifically resolved by Council.
2. Director
  - a) <\$250,000p/a; and/or
  - b) Commitment is no greater than 3-year period; and/or
  - c) Moderate or lesser level of financial risk, legal complexity, or political sensitivity.

### **Deputising or Signing on Behalf of Another Person**

In accordance with section 9.49A(4) of the Local Government Act 1995 (WA), which requires authority for execution of documents to be resolved by Council, a document may only be executed by a person who holds a position authorised by Council's adoption of this Policy.

In the absence of a person authorised by this policy another person may deputise where they have been appointed in writing to act in the authorised person position.

## Register of documents executed under Common Seal

The Chief Executive Officer shall maintain a register of all documents executed with the Common Seal.

The register is to record each Common Seal transaction and include an identification number, date, the nature of the document and the parties to the document being executed.

The Common Seal identification number is to be recorded on the document being executed as per the examples below.

### Method of Affixing the Common Seal

Below are examples of how documents should be executed under the common seal:

Example A – Where the Common Seal is Affixed by Resolution of Council

DATED: \_\_\_\_\_ 20\_\_

The Common Seal of the City of Nedlands is affixed.

\_\_\_\_\_  
 [INSERT NAME OF MAYOR]  
 MAYOR

\_\_\_\_\_  
 [INSERT NAME OF CEO]  
 CHIEF EXECUTIVE OFFICER



Example B: Other Documents

DATED: \_\_\_\_\_ 20\_\_

The Common Seal of the City of Nedlands was affixed in the presence of:

\_\_\_\_\_  
 [INSERT NAME OF MAYOR]  
 MAYOR

\_\_\_\_\_  
 [INSERT NAME OF CEO]  
 CHIEF EXECUTIVE OFFICER



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**Related documentation**

Nil

**Related Local Law / Legislation**

s9.49A of the Local Government Act 1995 (WA)  
Part 19 City of Nedlands Standing Orders Local Law 2016

**Related delegation**

Nil.

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**Review History**

Adopted by Council xxxx

**13.3 Internal Audit Plan & Appointment of Internal Auditor**

<b>Committee</b>	21 September 2021
<b>Council</b>	28 September 2021
<b>Applicant</b>	City of Nedlands
<b>Employee Disclosure under section 5.70 Local Government Act 1995</b>	Nil.
<b>Director</b>	Ed Herne – Director Corporate & Strategy
<b>Attachments</b>	Nil.
<b>Confidential Attachments</b>	1. Proposed Internal Audit Plan (Committee request) 2022-2024, 2. Proposed Internal Audit Plan (Management request) 2022-2024.

Councillor Youngman left the meeting at 10.42 pm.

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

Moved – Councillor McManus

Seconded – Councillor Senathirajah

**That the Recommendation to Council be adopted.**

(Printed below for ease of reference)

**CARRIED UNANIMOUSLY 11/-**

**Council Resolution / Committee Recommendation**

**That Council:**

- approves the Internal Audit Plan and Moore Australia fee as proposed by management for the year ending 30 June 2022 and 2023 as per the table below:**

	<b>Audit Projects for the year ending 30 June 2022</b>	<b>Proposed Hours</b>	<b>Proposed Budget</b>
<b>1</b>	Procurement and planning for the implementation of the new finance system	75	15,500
<b>2</b>	Risk Management (including Fraud and Corruption)	50	10,300

<b>Audit Projects for the year ending 30 June 2022</b>		<b>Proposed Hours</b>	<b>Proposed Budget</b>
<b>3</b>	Conflict of Interest (including Gifts and Benefits)	50	10,300
<b>4</b>	Occupational Safety and Health	75	15,500
	<b>TOTAL PROPOSED HOURS FOR AUDIT TOPICS</b>	<b>250</b>	<b>51,600</b>
	Audit and Risk Committee Attendance-preparation of report, attendance and validation of internal audit recommendations	75	NIL (value = \$32,300)
	<b>TOTAL PROPOSED HOURS AND FEE</b>	<b>325</b>	<b>51,600</b>
	<b>BLENDED RATE</b>		<b>\$158</b>

<b>Audit Projects for the year ending 30 June 2023</b>		<b>Proposed Hours</b>	<b>Proposed Budget</b>
<b>1</b>	Asset Management	75	15,500
<b>2</b>	Audit and Risk Committee Effectiveness	37.5	7,700
<b>3</b>	Planning approvals- review of potential bias, compliance, approval rates, SAT determinations, historical statistical analysis, benchmarking,	75	15,500
<b>4</b>	Post implementation of the new finance system	75	15,500
<b>5</b>	Workforce Management- Recruitment, Induction, Performance Management, Terminations	75	15,500
	<b>TOTAL PROPOSED HOURS FOR AUDIT TOPICS</b>	<b>337.50</b>	<b>69,700</b>
	Audit and Risk Committee Attendance-preparation of report, attendance and validation of internal audit recommendations	75	NIL (value = \$32,300)
	<b>TOTAL PROPOSED HOURS AND FEE</b>	<b>412.50</b>	<b>69,700</b>
	<b>BLENDED RATE</b>		<b>\$169</b>

2. approves for Moore Australia to be reappointed as the City's internal auditor for the 3 years ending 30 June 2022 to 30 June 2024; and
3. requests Moore Australia to provide the proposed Audit Plan for the year ending 30 June 2024 for the consideration of the Audit & Risk Committee by the 30 June 2022.

## Recommendation to Committee

That Council:

1. approves the Internal Audit Plan recommended by management for the year ended 30 June 2022, 2023, and 2024; and
2. approves for Moore Australia to be reappointed as the City's internal auditor for the 3 years ended 30 June 2022 to 30 June 2024.

## Executive Summary

The purpose of this report is to approve the internal audit topics for the year ended 30 June 2022, 2023, and 2024 as recommended by management, and to approve for Moore Australia to be reappointed as the City's internal auditor for the 3 years ended 30 June 2022 to 30 June 2024.

## Discussion/Overview

### **1. Internal Audit Plan for the years ending 2022 - 2024**

Following the last Audit and Risk Committee meeting on 30 August 2021, Moore Australia has prepared the internal audit plan for the years ending 30 June 2022 to 30 June 2024 based on topics recommended by the Committee (refer Attachment 1).

With the upcoming ERP implementation now being identified as a KRA for the City, management has considered the workload associated with the audit plan further and its impact on the timing of the ERP implementation and proposed an alternate internal audit plan (refer Attachment 2).

### **2. Approval for Moore Australia to be reappointed as the City's internal audit provider for the 3 years ending 30 June 2022 to 2024**

Moore Australia are seeking approval to continue as the City's internal audit provider to undertake the Strategic Audit Plan for the 3 years ending 30 June 2022 to 2024. The experience and expertise of Moore Australia's key personnel are provided in the proposal to provide internal audit services (refer to Attachments 1 and 2).



**Key Relevant Previous Council Decisions:**

Nil.

**Consultation**

Nil.

**Strategic Implications**

**How well does it fit with our strategic direction?**

The City of Nedlands relies on internal audit as the third line of defense to provide insight and improvement opportunities to the system of internal control.

**Who benefits?**

The City will benefit from having a Strategic Internal Audit Plan. This provides a strategic view of the internal audit topics planned for the next year to demonstrate the risks being mitigated by the work performed by the internal audit function, Office of the Auditor General via their financial and performance audit function and what work needs to be performed by the City of Nedlands.

**Does it involve a tolerable risk?**

The work included within the Strategic Internal Plan aims to reduce the residual risk identified by the City of Nedlands by identifying controls and improvement opportunities.

**What level of risk is associated with the option? How can it be managed?**

Nil.

**Do we have the information we need?**

Yes. The Strategic Internal Audit Plan identifies the internal audit topics for the years ending 30 June 2022 to 30 June 2024.

**Budget/Financial Implications**

**Can we afford it?**

The internal audit fees for the year ended 30 June 2022 have been included in the budget.

**How does the option impact upon rates?**

The impact of this option has already been included in the 2021-22 budget.

## **Conclusion**

Therefore, it is recommended that the Audit and Risk Committee approves the internal audit topics recommended by management for the year ended 30 June 2022 to 30 June 2024 and approved the reappointment of Moore Australia as the City's internal audit provider for the 3 years ending 30 June 2022 to 30 June 2024.

**13.4 Monthly Financial Report – August 2021**

<b>Council</b>	28 September 2021
<b>Applicant</b>	City of Nedlands
<b>Employee Disclosure under section 5.70 Local Government Act 1995</b>	Nil
<b>Director</b>	Ed Herne – Director Corporate & Strategy
<b>Attachments</b>	<ol style="list-style-type: none"> <li>1. Financial Summary (Operating) by Business Units – 31 August 2021</li> <li>2. Capital Works &amp; Acquisitions – 31 August 2021</li> <li>3. Statement of Net Current Assets – 31 August 2021</li> <li>4. Statement of Financial Activity – 31 August 2021</li> <li>5. Borrowings – 31 August 2021</li> <li>6. Statement of Financial Position – 31 August 2021</li> <li>7. Operating Income &amp; Expenditure by Reporting Activity – 31 August 2021</li> <li>8. Operating Income by Reporting Nature &amp; Type – 31 August 2021</li> </ol>

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

Moved – Mayor Argyle

Seconded – Councillor Tyson

**That the Recommendation to Council be adopted.**

(Printed below for ease of reference)

**CARRIED UNANIMOUSLY 11/-**

**Council Resolution / Recommendation to Council**

**Council receives the Monthly Financial Report for 31 August 2021.**

**Executive Summary**

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

## Voting Requirement

Simple Majority.

## Discussion/Overview

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

This report gives an overview of the revenue and expenses of the City for the year to date 31 August 2021 together with a Statement of Net Current Assets as at 31 August 2020.

The operating revenue at the end of August 2021 was \$29.56m which represents \$239k unfavourable variance compared to the year-to-date budget.

The operating expense at the end of August 2021 was \$5.65m, which represents \$1.24m favourable variance compared to the year-to-date budget.

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

## Governance

Expenditure:	Favourable variance of	\$ 254,920
--------------	------------------------	------------

The Favourable expenditure variance is mainly due to:

- Governance and HR Professional fees, Special projects and other employee costs of \$189k not spent yet.
- Staff recruitment and Insurance cost of \$63k not spent yet.

## Corporate and Strategy

Expenditure:	Favourable variance of	\$ 154,086
Revenue:	Unfavourable variance of	\$ (92,415)

The favourable expenditure variances are mainly due to:

- ICT expenses for Corporate services and rates administration and collection charges of \$49k not spent yet.
- ICT Professional fees, ICT expenses and office of \$190k not spent yet. Offset against overspend in special projects expenses of \$93k.

Unfavourable revenue variances are mainly due to:

- Lower income for land property leases of \$25k due to timing of lease start date;
- Lower rates income of \$68k mainly from instalment interest and admin charges.

### **Community Development and Services**

Expenditure: Favourable variance of \$ 35,819  
Revenue: Favourable variance of \$ 50,949

The favourable expenditure variance is mainly due to:

- Community development operational activities, donations and other special projects of \$35k not expensed yet.

The favourable income variance is mainly due to:

- Increased Tresillian fees & charges of \$50k.

### **Planning and Development**

Expenditure: Favourable variance of \$ 446,374  
Revenue: Unfavourable variance of \$ (234,238)

The Favourable expenditure variance is mainly due to:

- Urban Planning professional fees and projects expenses of \$358k not spent yet.
- Environmental operation activities of \$52k not spent yet.

The Unfavourable revenue variance is mainly due to:

- Lower fees & charges from planning and building services of \$211k.

### **Technical Services**

Expenditure: Favourable variance of \$ 353,697  
Revenue: Favourable variance of \$ 36,622

The favourable expenditure variance is mainly due to:

- Maintenance expense for Waste management and park services of \$354k not expensed yet.

The favourable revenue variance is mainly due to:

- Increased waste fees & charges of \$24k.

## Borrowings

As at 31 August 2021, we have a balance of borrowings of \$1.19m.

## Net Current Assets Statement

At 31 August 2021, net current assets were \$48.84m compared to \$42.95m as at 31 August 2020. Current assets increased by \$5.89m compared to 30 June 2020 offset by increased current liabilities of \$3.81m.

Outstanding rates debtors are \$27.3m as at 31 August 2021 compared to \$18.2m as at 31 August 2020. Breakdown as follows:

	<b>31August 2021 (\$000)</b>	<b>31August 2020 (\$000)</b>	<b>Variance (\$000)</b>
<b>Rates</b>	\$20,357	\$14,043	\$6,314
<b>Rubbish &amp; Pool</b>	\$2,519	\$1,289	\$1,230
<b>Pensioner Rebates</b>	\$1,174	\$1,194	(\$20)
<b>ESL</b>	\$3,198	\$1,691	\$1,508
<b>Total</b>	\$27,254	\$18,222	\$9,032

## Capital Works Programme

As at 31 August, expenditure on capital works was \$435k with additional capital commitments of \$987k which represents 17% of a total budget of \$8.24m.

## Employee Data

<b>Description</b>	<b>Number</b>
Number of employees (total of full-time, part-time and casual employees) as of the last day of the previous month	164.0
Number of contract employees (temporary/agency) as of the last day of the previous month	9.0
*Occupied FTE (Full Time Equivalent) count as of the last day of the previous month	139.50
Number of unfilled employee positions at the end of each month	42.0

Staff profile for August very similar to previous month of July. There are 42 unfilled positions, same as for previous month. Contractors remain stable at 8 positions. Recruitment activity remains high including recruitment of ERP Project positions having commenced.

## **Conclusion**

The statement of financial activity for the period ended 31 August 2021 indicates that operating expenses are under the year-to-date budget by 18.05% or \$1.24m, and revenue is under the budget by 0.8% or \$256k.

### **Key Relevant Previous Council Decisions:**

Nil.

## **Consultation**

N/A

## **Strategic Implications**

The 2021/22 approved budget is in line with the City's strategic direction. Our operations and capital spend, and income is undertaken in line with and measured against the budget.

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

The 2021/22 budget was prepared in line with the City's level of tolerance of risk and it is managed through budgetary review and control.

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

## **Budget/Financial Implications**

As outlined in the Monthly Financial Report.



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

City of Nedlands

Row Labels	Master Account (desc)	August Actual YTD	August Budget YTD	Variance	Committed Balance	Annual Budget YTD
<b>Governance</b>						
<b>CEO's Office</b>						
<b>Governance</b>						
<b>Expense</b>						
20420	Salaries - Governance	156,662	148,540	(8,122)	0	891,238
20421	Other Employee Costs - Governance	3,714	34,787	31,073	0	48,287
20423	Office - Governance	35,544	2,968	(32,576)	774	17,810
20425	Depreciation - Governance	19,783	19,784	1	0	118,700
20427	Finance - Governance	45,600	45,600	0	0	273,600
20430	Other Expense - Governance	0	2,334	2,334	3,592	14,000
20434	Professional Fees - Governance	12,887	94,167	81,280	65,798	565,000
20450	Special Projects - Governance / PC93	0	29,810	29,810	0	49,000
<b>Expense Total</b>		<b>274,191</b>	<b>377,990</b>	<b>103,799</b>	<b>70,163</b>	<b>1,977,635</b>
Governance Total		274,191	377,990	103,799	70,163	1,977,635
<b>Communications</b>						
<b>Expense</b>						
28320	Salaries - Communications	42,327	50,194	7,867	0	301,165
28321	Other Employee Costs - Communications	1,452	3,578	2,126	0	4,057
28322	Staff Recruitment - Communications	0	750	750	0	1,500
28323	Office - Communications	11,767	15,758	3,991	5,178	95,600
28327	Finance - Communications	27,750	27,750	0	0	166,500
28330	Other Expense - Communications	0	716	716	0	4,300
28335	ICT Expenses - Communications	0	7,362	7,362	0	44,170
28350	Special Projects - Communications / PC 90	0	0	0	10,550	0
<b>Expense Total</b>		<b>83,296</b>	<b>106,108</b>	<b>22,812</b>	<b>15,728</b>	<b>617,292</b>
Communications Total		83,296	106,108	22,812	15,728	617,292
<b>Human Resources</b>						
<b>Expense</b>						
20520	Salaries - HR	83,473	85,910	2,437	4,711	515,463
20521	Other Employee Costs - HR	27,253	59,650	32,397	33,103	304,400
20522	Staff Recruitment - HR	16,865	35,250	18,385	26,929	61,500
20523	Office - HR	0	967	967	0	1,800
20527	Finance - HR	(170,790)	(170,800)	(10)	0	(1,024,800)
20528	Insurance - HR	66,444	111,600	45,156	0	111,600
20534	Professional Fees - HR	0	5,000	5,000	0	20,000
20550	Special Projects - HR / PC92	0	10,000	10,000	0	10,000
<b>Expense Total</b>		<b>23,245</b>	<b>137,577</b>	<b>114,332</b>	<b>64,743</b>	<b>(37)</b>
Human Resources Total		23,245	137,577	114,332	64,743	(37)
<b>Members Of Council</b>						
<b>Expense</b>						
20323	Office - MOC	1,467	3,334	1,867	2,711	20,000
20325	Depreciation - MOC	100	100	0	0	600
20329	Members of Council - MOC	69,535	79,646	10,111	6,785	552,876
20330	Other Expense - MOC	0	334	334	0	2,000
20334	Professional Fees - MOC	0	1,667	1,667	0	10,000
20327	Finance - MOC	9,518	9,516	(2)	0	57,100
<b>Expense Total</b>		<b>80,620</b>	<b>94,597</b>	<b>13,977</b>	<b>9,496</b>	<b>642,576</b>
Members Of Council Total		80,620	94,597	13,977	9,496	642,576
<b>CEO's Office Total</b>		<b>461,352</b>	<b>716,272</b>	<b>254,920</b>	<b>160,130</b>	<b>3,237,466</b>
Governance Total		461,352	716,272	254,920	160,130	3,237,466
<b>Corporate &amp; Strategy</b>						
<b>Corporate Strategy &amp; Systems</b>						
<b>Corporate Services</b>						
<b>Expense</b>						
21220	Salaries - Corporate Services	105,659	85,886	(19,773)	12,566	515,320
21221	Other Employee Costs - Corporate Services	3,750	9,349	5,599	0	9,349
21224	Motor Vehicles - Corporate Services	3,288	0	(3,288)	0	0
21227	Finance - Corporate Services	(69,004)	(69,000)	4	0	(414,000)
21230	Other Expense - Corporate Services	0	2,834	2,834	13,748	17,000
21234	Professional Fees - Corporate Services	5,850	15,000	9,150	24,150	90,000
21235	ICT Expenses - Corporate Services	0	25,000	25,000	0	150,000
21250	Special Projects - Corporate Services / PC68	400	0	(400)	3,300	0
<b>Expense Total</b>		<b>49,942</b>	<b>69,069</b>	<b>19,127</b>	<b>53,765</b>	<b>367,669</b>
Corporate Services Total		49,942	69,069	19,127	53,765	367,669
<b>Customer Services</b>						
<b>Expense</b>						
21320	Salaries - Customer Service	62,611	58,890	(3,721)	0	353,335



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21321	Other Employee Costs - Customer Service	1,952	3,368	1,416	0	4,868
21323	Office - Customer Service	30	1,058	1,028	1,809	6,350
21327	Finance - Customer Service	(60,740)	(60,750)	(10)	0	(364,500)
21330	Other Expense - Customer Service	0	0	0	0	200
<b>Expense Total</b>		<b>3,852</b>	<b>2,566</b>	<b>(1,286)</b>	<b>1,809</b>	<b>253</b>
Income						
51301	Fees & Charges - Customer Services	(200)	(50)	150	0	(300)
<b>Income Total</b>		<b>(200)</b>	<b>(50)</b>	<b>150</b>	<b>0</b>	<b>(300)</b>
Customer Services Total		3,652	2,516	(1,136)	1,809	(47)
ICT						
Expense						
21720	Salaries - ICT	130,637	118,470	(12,167)	0	710,804
21721	Other Employee Costs - ICT	1,352	5,247	3,895	0	9,247
21723	Office - ICT	(8,318)	5,334	13,652	28,691	32,000
21724	Motor Vehicles - ICT	0	1,650	1,650	0	9,900
21725	Depreciation - ICT	14,217	14,216	(1)	0	85,300
21727	Finance - ICT	(667,290)	(667,298)	(8)	0	(4,003,800)
21728	Insurance - ICT	11,178	5,600	(5,578)	0	5,600
21730	Other Expense - ICT	8,661	1,666	(6,995)	0	10,000
21734	Professional Fees - ICT	2,940	110,000	107,060	132,210	660,000
21735	ICT Expenses - ICT	167,170	236,885	69,715	145,299	1,259,000
21750	Special Projects - ICT	311,395	218,168	(93,227)	395,000	1,309,000
<b>Expense Total</b>		<b>(28,058)</b>	<b>49,938</b>	<b>77,996</b>	<b>701,201</b>	<b>87,051</b>
ICT Total		(28,058)	49,938	77,996	701,201	87,051
Land and Property						
Expense						
21110	Salaries- Land & Property	11,415	30,404	18,989	0	182,440
21111	Other employee Costs-Land and Property	0	1,193	1,193	0	1,193
21112	Others Expenses - Land and Property	0	3,034	3,034	0	18,400
21117	Special Projects - Land and Property	750	0	(750)	409	60,000
<b>Expense Total</b>		<b>12,165</b>	<b>34,631</b>	<b>22,466</b>	<b>409</b>	<b>262,033</b>
Income						
51251	Fees & Charges - Rental Income Land & Property	(31,448)	(51,580)	(20,132)	0	(309,500)
<b>Income Total</b>		<b>(31,448)</b>	<b>(51,580)</b>	<b>(20,132)</b>	<b>0</b>	<b>(309,500)</b>
Land and Property Total		(19,282)	(16,949)	2,333	409	(47,467)
<b>Corporate Strategy &amp; Systems Total</b>		<b>6,254</b>	<b>104,574</b>	<b>98,320</b>	<b>757,183</b>	<b>407,206</b>
Finance						
Rates						
Expense						
21920	Salaries - Rates	26,699	28,552	1,853	0	171,311
21921	Other Employee Costs - Rates	599	1,962	1,363	0	1,962
21923	Office - Rates	7,154	2,376	(4,778)	560	14,250
21927	Finance - Rates	5,796	29,932	24,136	2,142	179,600
21930	Other Expense - Rates	4,057	2,166	(1,891)	267	13,000
21934	Professional Fees - Rates	2,213	7,500	5,287	37,899	45,000
<b>Expense Total</b>		<b>46,519</b>	<b>72,488</b>	<b>25,969</b>	<b>40,868</b>	<b>425,123</b>
Income						
51908	Rates - Rates	(25,049,930)	(25,118,172)	(68,242)	0	(25,393,172)
<b>Income Total</b>		<b>(25,049,930)</b>	<b>(25,118,172)</b>	<b>(68,242)</b>	<b>0</b>	<b>(25,393,172)</b>
Rates Total		(25,003,411)	(25,045,684)	(42,273)	40,868	(24,968,049)
General Finance						
Expense						
21420	Salaries - Finance	151,002	154,006	3,004	17,288	924,040
21421	Other Employee Costs - Finance	3,342	8,030	4,688	0	13,714
21423	Office - Finance	1,360	194	(1,166)	0	1,164
21427	Finance - Finance	(138,176)	(134,034)	4,142	1,353	(804,200)
21434	Professional Fees - Finance	1,500	9,834	8,334	36,166	59,000
21450	Special Projects - Finance	1,027	0	(1,027)	0	0
<b>Expense Total</b>		<b>20,055</b>	<b>38,030</b>	<b>17,975</b>	<b>54,807</b>	<b>193,718</b>
Income						
51401	Fees & Charges - Finance	(10,799)	(10,666)	133	0	(64,000)
51410	Sundry Income - Finance	0	0	0	0	(22,983)
<b>Income Total</b>		<b>(10,799)</b>	<b>(10,666)</b>	<b>133</b>	<b>0</b>	<b>(86,983)</b>
General Finance Total		9,257	27,364	18,108	54,807	106,735
General Purpose						
Expense						
21627	Finance - General Purpose	0	0	0	0	25,000
21631	Interest - General Purpose	22,491	22,491	0	0	113,432
<b>Expense Total</b>		<b>22,491</b>	<b>22,491</b>	<b>0</b>	<b>0</b>	<b>138,432</b>
Income						
51604	Grants Operating - General Purpose	(102,665)	(93,750)	8,915	0	(375,000)
51607	Interest - General Purpose	(6,262)	(19,500)	(13,238)	0	(117,000)
<b>Income Total</b>		<b>(108,927)</b>	<b>(113,250)</b>	<b>(4,323)</b>	<b>0</b>	<b>(492,000)</b>

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General Purpose Total		(86,436)	(90,759)	(4,323)	0	(353,568)
Shared Services						
Expense						
21523	Office - Shared Services	10,276	18,266	7,991	26,584	118,000
21525	Depreciation - Shared Services	8,584	0	(8,584)	0	0
21527	Finance - Shared Services	(58,000)	(58,000)	0	0	(348,000)
21534	Professional Fees - Shared Services	25,011	38,334	13,323	26,364	230,000
21540	Major Incident Expenses - Shared Services	20,889	0	(20,889)	17,487	0
<b>Expense Total</b>		<b>6,760</b>	<b>(1,400)</b>	<b>(8,160)</b>	<b>70,434</b>	<b>0</b>
Shared Services Total		6,760	(1,400)	(8,160)	70,434	0
<b>Finance Total</b>		<b>(25,073,831)</b>	<b>(25,110,479)</b>	<b>(36,648)</b>	<b>166,109</b>	<b>(25,214,882)</b>
<b>Corporate &amp; Strategy Total</b>		<b>(25,067,577)</b>	<b>(25,005,905)</b>	<b>61,672</b>	<b>923,292</b>	<b>(24,807,676)</b>
Community Development						
Community Development						
Community Development						
Expense						
28120	Salaries - Community Development	89,212	81,646	(7,566)	26,756	489,873
28121	Other Employee Costs - Community Development	2,343	5,595	3,252	0	8,861
28123	Office - Community Development	47	168	121	73	1,000
28124	Motor Vehicles - Community Development	1,395	1,500	105	0	9,000
28125	Depreciation - Community Development	183	184	1	0	1,100
28127	Finance - Community Development	44,950	44,950	0	0	269,700
28130	Other Expense - Community Development	4,639	1,250	(3,389)	0	7,500
28134	Professional Fees - Community Development	0	84	84	0	500
28135	ICT Expenses - Community Development	0	2,350	2,350	0	2,350
28137	Donations - Community Development	0	14,516	14,516	0	293,710
28150	Special Projects - Community Development	0	10,000	10,000	9,050	30,000
28151	OPRL Activities - Community Development / PC82-87	3,719	14,957	11,238	59,407	145,500
<b>Expense Total</b>		<b>146,489</b>	<b>177,200</b>	<b>30,711</b>	<b>95,287</b>	<b>1,259,094</b>
Income						
58101	Fees & Charges - Community Development	(3,003)	(1,084)	1,919	0	(10,500)
58104	Grants Operating - Community Development	0	(3,500)	(3,500)	0	(21,000)
58106	Contributions & Reimbursements - Community Development	0	(834)	(834)	0	(5,000)
<b>Income Total</b>		<b>(3,003)</b>	<b>(5,418)</b>	<b>(2,415)</b>	<b>0</b>	<b>(36,500)</b>
Community Development Total		143,487	171,782	28,295	95,287	1,222,594
Community Facilities						
Expense						
28220	Salaries - Community Facilities	6,288	0	(6,288)	0	0
<b>Expense Total</b>		<b>6,288</b>	<b>0</b>	<b>(6,288)</b>	<b>0</b>	<b>0</b>
Income						
58201	Fees & Charges - Community Facilities	0	(166)	(166)	0	(1,000)
58209	Council Property - Community Facilities	(21,196)	(28,422)	(7,226)	0	(170,520)
<b>Income Total</b>		<b>(21,196)</b>	<b>(28,588)</b>	<b>(7,392)</b>	<b>0</b>	<b>(171,520)</b>
Community Facilities Total		(14,908)	(28,588)	(13,680)	0	(171,520)
Volunteer Services VRC						
Expense						
29321	Other Employee Cost - Volunteer Services VRC	461	0	(461)	0	0
<b>Expense Total</b>		<b>461</b>	<b>0</b>	<b>(461)</b>	<b>0</b>	<b>0</b>
Volunteer Services VRC Total		461	0	(461)	0	0
Volunteer Services NVS						
Expense						
29220	Salaries - Volunteer Services NVS	8,834	7,914	(920)	0	47,488
29221	Other Employee Costs - Volunteer Services NVS	154	539	385	0	539
29223	Office - Volunteer Services NVS	0	250	250	0	500
29227	Finance - Volunteer Services NVS	17,400	17,400	0	0	104,400
29230	Other Expense - Volunteer Services NVS	80	434	354	719	2,000
29250	Special Projects - Volunteer Services NVS	342	0	(342)	0	3,000
<b>Expense Total</b>		<b>26,810</b>	<b>26,537</b>	<b>(273)</b>	<b>719</b>	<b>157,927</b>
Volunteer Services NVS Total		26,810	26,537	(273)	719	157,927
Tresillian Community Centre						
Expense						
29120	Salaries - Tresillian CC	49,151	43,865	(5,286)	0	263,442
29121	Other Employee Costs - Tresillian CC	1,045	2,627	1,582	0	2,627
29123	Office - Tresillian CC	4,197	1,250	(2,947)	1,327	25,000
29125	Depreciation - Tresillian CC	2,517	2,516	(1)	0	15,100
29127	Finance - Tresillian CC	21,000	21,000	0	0	126,000
29130	Other Expense - Tresillian CC	683	1,333	650	721	7,500
29136	Courses - Tresillian CC	18,285	0	(18,285)	48,213	250,800
29150	Exhibition - Tresillian CC	1,904	0	(1,904)	0	9,000
<b>Expense Total</b>		<b>98,782</b>	<b>72,591</b>	<b>(26,191)</b>	<b>50,261</b>	<b>699,469</b>
Income						
59101	Fees & Charges - Tresillian CC	(142,972)	(92,500)	50,472	0	(388,500)
59109	Council Property - Tresillian CC	(2,713)	(6,000)	(3,287)	0	(36,000)

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51906	Contributions & Reimbursement - Tresillian CC	(557)	0	557	0	(500)
<b>Income Total</b>		<b>(146,243)</b>	<b>(98,500)</b>	<b>47,743</b>	<b>0</b>	<b>(425,000)</b>
Tresillian Community Centre Total		(47,461)	(25,909)	21,552	50,261	274,469
<b>Community Development Total</b>		<b>108,388</b>	<b>143,822</b>	<b>35,434</b>	<b>146,266</b>	<b>1,483,470</b>
Community Services Centres						
Nedlands Community Care						
Expense						
28620	Salaries - NCC	150,424	154,452	4,028	0	926,715
28621	Other Employee Costs - NCC	4,034	6,758	2,724	0	10,558
28623	Office - NCC	225	1,500	1,275	1,637	9,500
28624	Motor Vehicles - NCC	0	12,084	12,084	0	72,500
28625	Depreciation - NCC	433	434	1	0	2,600
28626	Utility - NCC	1,400	2,250	851	0	13,500
28627	Finance - NCC	56,416	56,416	0	0	338,500
28628	Insurance - NCC	459	600	141	0	600
28630	Other Expense - NCC	8,832	12,334	3,502	12,302	74,000
28635	ICT Expenses - NCC	0	6,000	6,000	0	6,000
28649	Loss Sale of Assets - NCC	0	822	822	0	4,932
28664	Hacc Unit Cost - NCC / PC66	17,907	0	(17,907)	0	0
<b>Expense Total</b>		<b>240,130</b>	<b>253,650</b>	<b>13,520</b>	<b>13,940</b>	<b>1,459,405</b>
Income						
58601	Fees & Charges - NCC/PC 66	(15,412)	(21,668)	(6,256)	0	(130,000)
58604	Grants Operating - NCC/PC 66	(260,270)	(260,124)	146	0	(1,040,500)
<b>Income Total</b>		<b>(275,682)</b>	<b>(281,792)</b>	<b>(6,110)</b>	<b>0</b>	<b>(1,170,500)</b>
Nedlands Community Care Total		(35,551)	(28,142)	7,409	13,940	288,905
Positive Ageing						
Expense						
27420	Salaries - Positive Ageing	34,949	27,350	(7,599)	0	164,100
27421	Other Employee Costs - Positive Ageing	761	1,858	1,097	0	1,858
27427	Finance - Positive Ageing	12,566	12,566	0	0	75,400
28450	Other Expense - Positive Ageing	5,554	12,000	6,446	3,156	81,000
<b>Expense Total</b>		<b>53,830</b>	<b>53,774</b>	<b>(56)</b>	<b>3,156</b>	<b>322,358</b>
Income						
58420	Fees & Charges - Positive Ageing	(15,579)	(10,834)	4,745	0	(67,000)
58423	Grants Operating - Positive Ageing	0	0	0	0	(3,000)
<b>Income Total</b>		<b>(15,579)</b>	<b>(10,834)</b>	<b>4,745</b>	<b>0</b>	<b>(70,000)</b>
Positive Ageing Total		38,250	42,940	4,690	3,156	252,358
Point Resolution Child Care						
Expense						
28820	Salaries - PRCC	90,330	97,976	7,646	0	587,866
28821	Other Employee Costs - PRCC	2,781	7,025	4,244	0	8,125
28823	Office - PRCC	155	500	345	423	8,700
28824	Motor Vehicles - PRCC	1,395	1,500	105	0	9,000
28826	Utility - PRCC	1,074	0	(1,074)	0	6,300
28827	Finance - PRCC	24,616	24,616	0	0	147,700
28830	Other Expense - PRCC	9,618	4,500	(5,118)	14,609	30,000
28835	ICT Expenses - PRCC	155	0	(155)	1,723	0
28833	Building - PRCC	0	0	0	0	10,000
<b>Expense Total</b>		<b>130,124</b>	<b>136,117</b>	<b>5,993</b>	<b>16,755</b>	<b>807,691</b>
Income						
58801	Fees & Charges - PRCC	(153,679)	(140,000)	13,679	0	(840,000)
<b>Income Total</b>		<b>(153,679)</b>	<b>(140,000)</b>	<b>13,679</b>	<b>0</b>	<b>(840,000)</b>
Point Resolution Child Care Total		(23,555)	(3,883)	19,672	16,755	(32,309)
Mt Claremont Library						
Expense						
28523	Office - Mt Claremont Library	1,812	1,816	4	2,201	10,900
28527	Finance - Mt Claremont Library	41,284	41,284	0	0	247,700
28530	Other Expense - Mt Claremont Library	2,691	5,318	2,627	11,815	37,500
28535	ICT Expenses - Mt Claremont Library	0	0	0	0	12,200
<b>Expense Total</b>		<b>45,788</b>	<b>48,418</b>	<b>2,630</b>	<b>14,016</b>	<b>308,300</b>
Income						
58501	Fees & Charges - Mt Claremont Library	(125)	(116)	9	0	(700)
58510	Sundry Income - Mt Claremont Library	(60)	(84)	(24)	0	(500)
58511	Fines & Penalties - Mt Claremont Library	(49)	(84)	(36)	0	(500)
<b>Income Total</b>		<b>(234)</b>	<b>(284)</b>	<b>(50)</b>	<b>0</b>	<b>(1,700)</b>
Mt Claremont Library Total		45,554	48,134	2,580	14,016	306,600
Nedlands Library						
Expense						
28720	Salaries - Library Services	191,855	185,922	(5,933)	273	1,115,524
28721	Other Employee Costs - Library Services	4,280	10,791	6,511	0	25,041
28723	Office - Nedlands Library	4,091	7,252	3,161	4,055	43,500
28724	Motor Vehicles - Nedlands Library	3,069	3,084	15	0	18,500
28725	Depreciation - Nedlands Library	1,750	1,750	0	0	10,500

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28727	Finance - Nedlands Library	172,034	172,032	(2)	0	1,032,200
28728	Insurance - Nedlands Library	688	900	212	0	900
28730	Other Expense - Nedlands Library	5,082	17,236	12,154	26,563	103,400
28731	Grants Expenditure - Nedlands Library	0	0	0	1,210	1,100
28734	Professional Fees - Nedlands Library	0	0	0	0	1,000
28735	ICT Expenses - Nedlands Library	3,011	3,125	114	0	32,600
28750	Special Projects - Nedlands Library	0	0	0	0	3,100
<b>Expense Total</b>		<b>385,859</b>	<b>402,092</b>	<b>16,233</b>	<b>32,101</b>	<b>2,387,365</b>
Income						
58701	Fees & Charges - Nedland Library	(901)	(866)	35	0	(5,200)
58704	Grants Operating - Nedlands Library	(1,100)	(1,100)	0	0	(1,100)
58710	Sundry Income - Nedlands Library	(1,176)	(834)	342	0	(5,000)
58711	Fines & Penalties - Nedlands Library	(889)	(516)	373	0	(3,100)
<b>Income Total</b>		<b>(4,066)</b>	<b>(3,316)</b>	<b>750</b>	<b>0</b>	<b>(14,400)</b>
Nedlands Library Total		381,794	398,776	16,982	32,101	2,372,965
<b>Community Services Centres Total</b>		<b>406,491</b>	<b>457,825</b>	<b>51,334</b>	<b>79,968</b>	<b>3,188,519</b>
<b>Community Development Total</b>		<b>514,879</b>	<b>601,647</b>	<b>86,768</b>	<b>226,234</b>	<b>4,671,989</b>
Planning & Development Services						
Planning Services						
Urban Planning						
Expense						
24820	Salaries - Town Planning Admin	302,963	309,350	6,387	976	1,856,103
24821	Other Employee Costs - Town Planning Admin	7,361	18,082	10,721	0	32,998
24823	Office - Town Planning Admin	710	9,652	8,942	1,366	57,900
24824	Motor Vehicles - Town Planning Admin	5,938	6,000	62	0	36,000
24827	Finance - Town Planning Admin	131,066	131,066	0	0	786,400
24830	Other Expense - Town Planning Admin	176	1,000	824	0	6,000
24834	Professional Fees - Town Planning Admin	17,497	110,056	92,559	147,596	660,324
24858	Projects - PC61	49,400	315,668	266,268	348,226	779,000
<b>Expense Total</b>		<b>515,111</b>	<b>900,874</b>	<b>385,763</b>	<b>498,164</b>	<b>4,214,725</b>
Income						
54801	Fees & Charges - Town Planning Admin	(90,090)	(145,832)	(55,742)	0	(875,000)
54811	Fines & Penalties - Town Planning	0	(250)	(250)	0	(1,500)
<b>Income Total</b>		<b>(90,090)</b>	<b>(146,082)</b>	<b>(55,992)</b>	<b>0</b>	<b>(876,500)</b>
Urban Planning Total		425,021	754,792	329,771	498,164	3,338,225
<b>Planning Services Total</b>		<b>425,021</b>	<b>754,792</b>	<b>329,771</b>	<b>498,164</b>	<b>3,338,225</b>
Health & Compliance						
Sustainability						
Expense						
24620	Salaries - Sustainability	5,281	5,604	323	0	33,624
24621	Other Employee Costs - Sustainability	644	387	(257)	0	387
24624	Motor Vehicles - Sustainability	3,227	3,250	23	0	19,500
24627	Finance - Sustainability	966	966	0	0	5,800
24638	Operational Activities - Sustainability / PC79	5,590	10,757	5,167	931	24,000
<b>Expense Total</b>		<b>15,709</b>	<b>20,964</b>	<b>5,255</b>	<b>931</b>	<b>83,311</b>
Sustainability Total		15,709	20,964	5,255	931	83,311
Environmental Health						
Expense						
24720	Salaries - Environmental Health	110,615	110,840	225	0	665,036
24721	Other Employee Costs - Environmental Health	2,864	8,760	5,896	0	19,928
24723	Office - Environmental Health	22	1,000	978	0	6,000
24724	Motor Vehicles - Environmental Health	70	0	(70)	0	0
24725	Depreciation - Environmental Health	667	666	(1)	0	4,000
24727	Finance - Environmental Health	37,684	37,684	0	0	226,100
24730	Other Expense - Environmental Health	0	2,968	2,968	0	17,800
24751	OPRL Activities - Environmental Health PC76,77,78	5,775	4,918	(857)	0	30,000
<b>Expense Total</b>		<b>157,697</b>	<b>166,836</b>	<b>9,139</b>	<b>0</b>	<b>968,864</b>
Income						
54701	Fees & Charges - Environmental Health	(4,906)	(10,084)	(5,178)	0	(60,500)
54710	Sundry Income - Environmental Health	0	(334)	(334)	0	(2,000)
54711	Fines & Penalties - Environmental Health	(500)	(3,834)	(3,334)	0	(23,000)
<b>Income Total</b>		<b>(5,406)</b>	<b>(14,252)</b>	<b>(8,846)</b>	<b>0</b>	<b>(85,500)</b>
Environmental Health Total		152,291	152,584	293	0	883,364
Environmental Conservation						
Expense						
24220	Salaries - Environmental Conservation	1,879	0	(1,879)	0	0
24221	Other Employee Costs - Environmental Conservation	930	1,291	361	0	2,291
24223	Office - Environmental Conservation	0	0	0	0	900
24227	Finance - Environmental Conservation	18,800	18,800	0	0	112,800
24230	Other Expense - Environmental Conservation	0	0	0	0	1,350
24237	Donations - Environmental Conservation	0	0	0	0	1,800
24251	OPRL Activities - Environ Conservation / PC80	40,499	92,699	52,200	252,336	848,400
<b>Expense Total</b>		<b>62,107</b>	<b>112,790</b>	<b>50,683</b>	<b>252,336</b>	<b>967,541</b>

Income						
54204	Grants Operating - Environmental Conservation	0	0	0	0	(20,000)
54210	Sundry Income - Environmental Conservation	0	(7,203)	(7,203)	0	(17,160)
<b>Income Total</b>		<b>0</b>	<b>(7,203)</b>	<b>(7,203)</b>	<b>0</b>	<b>(37,160)</b>
Environmental Conservation Total		62,107	105,587	43,480	252,336	930,381
Ranger Services						
Expense						
21120	Salaries - Ranger Services	104,037	93,380	(10,657)	0	560,287
21121	Other Employee Costs - Ranger Services	4,615	6,441	1,826	690	16,991
21123	Office - Ranger Services	0	475	475	1,764	6,300
21124	Motor Vehicles - Ranger Services	6,380	8,000	1,620	0	48,000
21125	Depreciation - Ranger Services	800	800	0	0	4,800
21127	Finance - Ranger Services	40,666	44,418	3,753	0	276,500
21130	Other Expense - Ranger Services	271	2,333	2,062	5,457	19,450
21137	Donations - Ranger Services	0	0	0	0	1,000
<b>Expense Total</b>		<b>156,768</b>	<b>155,847</b>	<b>(921)</b>	<b>7,910</b>	<b>933,328</b>
Income						
51101	Fees & Charges - Ranger Services	(5,435)	(9,834)	(4,399)	0	(62,000)
51111	Fines & Penalties - Rangers Services	(35,398)	(47,166)	(11,768)	0	(282,000)
<b>Income Total</b>		<b>(40,833)</b>	<b>(57,000)</b>	<b>(16,167)</b>	<b>0</b>	<b>(344,000)</b>
Ranger Services Total		115,935	98,847	(17,088)	7,910	589,328
<b>Health &amp; Compliance Total</b>		<b>346,042</b>	<b>377,982</b>	<b>31,940</b>	<b>261,177</b>	<b>2,486,384</b>
Building Services						
Building Services						
Expense						
24420	Salaries - Building Services	157,681	146,452	(11,229)	0	878,714
24421	Other Employee Costs - Building Services	3,783	11,377	7,594	0	27,803
24423	Office - Building Services	42	240	198	178	1,150
24424	Motor Vehicles - Building Services	4,590	4,584	(6)	0	27,500
24427	Finance - Building Services	68,000	68,000	0	0	408,000
24430	Other Expense - Building Services	353	84	(269)	0	500
24434	Professional Fees - Building Services	0	166	166	0	1,000
<b>Expense Total</b>		<b>234,449</b>	<b>230,903</b>	<b>(3,546)</b>	<b>178</b>	<b>1,344,667</b>
Income						
54401	Fees & Charges - Building Services	(246,997)	(402,557)	(155,560)	0	(1,200,000)
54410	Sundry Income - Building Services	(5,063)	(3,750)	1,313	0	(15,000)
54411	Fines & Penalties - Building Services	(15,759)	(7,541)	8,218	0	(43,500)
<b>Income Total</b>		<b>(267,819)</b>	<b>(413,848)</b>	<b>(146,029)</b>	<b>0</b>	<b>(1,258,500)</b>
Building Services Total		(33,370)	(182,945)	(149,575)	178	86,167
<b>Building Services Total</b>		<b>(33,370)</b>	<b>(182,945)</b>	<b>(149,575)</b>	<b>178</b>	<b>86,167</b>
<b>Planning &amp; Development Services Total</b>		<b>737,693</b>	<b>949,829</b>	<b>212,136</b>	<b>759,519</b>	<b>5,910,776</b>
Technical Services						
Engineering						
Infrastructure Services						
Expense						
26220	Salaries - Infrastructure Svs	447,797	361,872	(85,925)	92,639	2,171,243
26221	Other Employee Costs - Infrastructure Svs	26,285	53,052	26,767	4,602	108,008
26223	Office - Infrastructure Svs	729	2,841	2,112	2,050	31,500
26224	Motor Vehicles - Infrastructure Svs	3,125	4,750	1,625	0	28,500
26225	Depreciation - Infrastructure Svs	1,400	1,400	0	0	8,400
26227	Finance - Infrastructure Svs	20,883	(164,446)	(185,329)	0	(986,677)
26228	Insurance - Infrastructure Svs	63,603	142,500	78,897	0	142,500
26230	Other Expense - Infrastructure Svs	9,968	8,307	(1,661)	2,019	65,000
26234	Professional Fees - Infrastructure Svs	23,610	5,863	(17,747)	99,717	120,000
<b>Expense Total</b>		<b>597,400</b>	<b>416,139</b>	<b>(181,261)</b>	<b>201,027</b>	<b>1,688,474</b>
Income						
50202	Service Charges - Infrastructure Svs	(692)	0	692	0	0
56201	Fees & Charges - Infrastructure Svs	0	(876)	(876)	0	(5,250)
<b>Income Total</b>		<b>(692)</b>	<b>(876)</b>	<b>(184)</b>	<b>0</b>	<b>(5,250)</b>
Infrastructure Services Total		596,708	415,263	(181,445)	201,027	1,683,224
Plant Operating						
Expense						
26521	Other Employee Costs - Plant Operating	1,421	3,358	1,937	0	3,358
26525	Depreciation - Plant Operating	63,750	63,750	0	0	382,500
26527	Finance - Plant Operating	(64,066)	(183,332)	(119,266)	0	(1,100,000)
26532	Plant - Plant Operating	69,475	100,498	31,023	23,645	603,000
26533	Minor Parts & Workshop Tools - Plant Operating	160	5,332	5,172	2,981	32,000
26549	Loss Sale of Assets - Plant Operating	0	21,418	21,418	0	128,508
<b>Expense Total</b>		<b>70,740</b>	<b>11,024</b>	<b>(59,716)</b>	<b>26,626</b>	<b>49,366</b>
Income						
56515	Profit Sale of Assets - Plant Operating	0	(1,090)	(1,090)	0	(6,545)
56506	Contributions & Reimbursements - Plant Operating	(8,331)	(8,766)	(435)	0	(52,600)
<b>Income Total</b>		<b>(8,331)</b>	<b>(9,856)</b>	<b>(1,525)</b>	<b>0</b>	<b>(59,145)</b>

Item 13.4 - Attachment 1

Plant Operating Total		62,409	1,168	(61,241)	26,626	(9,779)
Streets Roads and Depots						
Expense						
26625	Depreciation - Streets Roads & Depots	400,833	400,832	(1)	0	2,405,000
26626	Utility - Streets Roads & Depots	82,545	99,588	17,043	0	593,203
26630	Other Expense - Streets Roads & Depots	0	5,590	5,590	1,265	33,550
26667	Maintenance - Road Maintenance / PC51	82,064	101,933	19,869	184,179	750,000
26668	Maintenance - Drainage Maintenance / PC52	126,678	150,918	24,240	70,399	508,750
26669	Maintenance - Footpath Maintenance / PC53	16,369	25,374	9,005	0	198,900
26670	Maintenance - Parking Signs / PC54	16,556	9,615	(6,941)	0	93,405
26671	Maintenance - Right of Way Maintenance / PC55	10,033	7,820	(2,213)	2,147	96,250
26672	Maintenance - Bus Shelter Maintenance / PC56	338	0	(338)	0	12,760
26673	Maintenance - Graffiti Control / PC57	0	2,500	2,500	335	15,000
26674	Maintenance - Streets Roads & Depot / PC89	11,497	6,717	(4,780)	16,712	45,000
<b>Expense Total</b>		<b>746,913</b>	<b>810,887</b>	<b>63,974</b>	<b>275,038</b>	<b>4,751,818</b>
Income						
56601	Fees & Charges - Streets Roads & Depots	(15,820)	(7,831)	7,989	0	(56,000)
56606	Contributions & Reimburse - Streets Roads & Depots	0	0	0	0	(10,000)
56611	Fines & Penalties - Streets Roads & Depots	(500)	0	500	0	0
<b>Income Total</b>		<b>(16,320)</b>	<b>(7,831)</b>	<b>8,489</b>	<b>0</b>	<b>(66,000)</b>
Streets Roads and Depots Total		730,593	803,056	72,463	275,038	4,685,818
Waste Minimisation						
Expense						
24520	Salaries - Waste Minimisation	51,695	45,800	(5,895)	0	274,796
24521	Other Employee Costs - Waste Minimisation	1,229	3,120	1,891	0	7,120
24524	Motor Vehicles - Waste Minimisation	1,562	1,584	22	0	9,500
24527	Finance - Waste Minimisation	42,934	42,934	0	0	257,600
24538	Purchase of Product - Waste Minimisation	0	0	0	674	0
24552	Residential Kerbside - Waste Minimisation / PC71	165,764	330,182	164,418	788,029	1,981,100
24553	Residential Bulk - Waste Minimisation / PC72	705	0	(705)	24,964	458,600
24554	Commercial - Waste Minimisation / PC73	8,864	21,932	13,068	121,918	131,600
24555	Public Waste - Waste Minimisation / PC74	33,255	17,850	(15,405)	34,460	107,100
24556	Waste Strategy - Waste Minimisation / PC75	3,240	2,996	(244)	0	50,000
<b>Expense Total</b>		<b>309,248</b>	<b>466,398</b>	<b>157,150</b>	<b>970,044</b>	<b>3,277,416</b>
Income						
54501	Fees & Charges - Waste Minimisation	(3,286,861)	(3,262,460)	24,401	0	(3,262,460)
<b>Income Total</b>		<b>(3,286,861)</b>	<b>(3,262,460)</b>	<b>24,401</b>	<b>0</b>	<b>(3,262,460)</b>
Waste Minimisation Total		(2,977,612)	(2,796,062)	181,550	970,044	14,956
Building Maintenance						
Expense						
24120	Salaries - Building Maintenance	79,187	71,304	(7,883)	0	427,826
24121	Other Employee Costs - Building Maintenance	1,959	5,480	3,521	0	8,980
24123	Office - Building Maintenance	0	84	84	0	500
24124	Motor Vehicles - Building Maintenance	4,464	5,916	1,452	0	35,500
24125	Depreciation - Building Maintenance	130,317	130,316	(1)	0	781,900
24126	Utility - Building Maintenance PC41,42,43	31,727	36,666	4,939	0	220,000
24127	Finance - Building Maintenance	44,016	(2,650)	(46,666)	0	(15,900)
24128	Insurance - Building Maintenance PC40	0	95,000	95,000	42,501	95,000
24130	Other Expense - Building Maintenance	1,627	2,500	873	436	15,000
24133	Building - Building Maintenance PC58	141,909	286,748	144,839	156,434	1,483,000
<b>Expense Total</b>		<b>435,206</b>	<b>631,364</b>	<b>196,158</b>	<b>199,372</b>	<b>3,051,806</b>
Income						
54106	Contributions & Reimbursement - Building Maintenance	(5,844)	0	5,844	0	0
54109	Council Property - Building Maintenance	(11,751)	0	11,751	0	0
<b>Income Total</b>		<b>(17,595)</b>	<b>0</b>	<b>17,595</b>	<b>0</b>	<b>0</b>
Building Maintenance Total		417,611	631,364	213,753	199,372	3,051,806
<b>Engineering Total</b>		<b>(1,170,292)</b>	<b>(945,211)</b>	<b>225,081</b>	<b>1,672,106</b>	<b>9,426,025</b>
Parks Services						
Expense						
26360	Depreciation - Parks Services	139,350	139,350	0	0	836,100
26365	Maintenance - Parks Services / PC59	482,061	659,453	177,392	452,568	4,213,995
<b>Expense Total</b>		<b>621,411</b>	<b>798,803</b>	<b>177,392</b>	<b>452,568</b>	<b>5,050,095</b>
Income						
56301	Fees & Charges - Parks & Ovals	0	(84)	(84)	0	(500)
56306	Contributions & Reimbursements - Parks Services	(2,750)	(13,226)	(10,476)	0	(79,356)
56309	Council Property - Parks Services	(6,083)	(7,938)	(1,855)	0	(47,641)
56310	Sundry Income - Parks Services	(3,825)	(3,562)	263	0	(21,368)
56312	Fines & Penalties - Parks & Ovals	(165)	(168)	(3)	0	(1,010)
<b>Income Total</b>		<b>(12,823)</b>	<b>(24,978)</b>	<b>(12,155)</b>	<b>0</b>	<b>(149,875)</b>
Parks Services Total		608,588	773,825	165,237	452,568	4,900,220
<b>Parks Services Total</b>		<b>608,588</b>	<b>773,825</b>	<b>165,237</b>	<b>452,568</b>	<b>4,900,220</b>
<b>Technical Services Total</b>		<b>(561,704)</b>	<b>(171,386)</b>	<b>390,318</b>	<b>2,124,674</b>	<b>14,326,245</b>

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City of Nedlands Total	(23,915,357)	(22,909,543)	1,005,814	4,193,850	3,338,800
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CITY OF NEDLANDS  
CAPITAL WORKS & ACQUISITIONS  
AS AT 31 AUGUST 2021

L1	L1 Desc / Num	L2 - Desc	August Actual	YTC Committed Balance	Annual Budget YTD	Budget Available
2	<b>Footpath Rehabilitation</b>					
	2012	Waratah Avenue	0	10,875	185,582	174,707
	2023	Bruce Street	0	0	0	0
	2054	Broome Street	0	0	19,592	19,592
	2097	Whitfield St	0	0	0	0
	2500	Stirling Hwy - CF Taylor to Vincent 4 sections	0	0	42,336	42,336
	2452	School Sports Facility	0	0	30,211	30,211
	2147	Nandina Avenue	0	1,650	0	-1,650
	643	Bruce st Hillway to The Avenue	0	0	0	0
	796	Viewway	0	0	0	0
	805	Selby St - Underwood Av to Alderbury St	0	0	39,420	39,420
	803	Asquith St - Olearia lane to Strickland	0	0	8,708	8,708
	804	Birdwood P path(bushland to Tawarri)	0	1,580	47,730	46,150
	806	Stirling Hwy - Broome to Martin(North S)	0	16,420	44,604	28,184
	807	Stirling Hw-Martin to Baird(North S)	0	0	42,714	42,714
	<b>Footpath Rehabilitation Total</b>		<b>0</b>	<b>30,525</b>	<b>460,897</b>	<b>430,372</b>
3	<b>Road Rehabilitation</b>					
	2049	Asquith Street	0	2,450	96,250	93,800
	2202	Mooro Drive	3,820	0	0	-3,820
	2319	Laneways	55,472	49,838	50,000	-55,310
	647	Karella Street(East)	0	0	0	0
	648	Lissadel st - Kirwan to Alderbury st	0	0	0	0
	667	Nameless Lane ( Nth of Haldane )	0	70,353	0	-70,353
	797	Mengler Av road Resurfacing	0	142,272	0	-142,272
	808	Design, Survey, Testing & Inspentions	2,803	0	0	-2,803
	809	Portland St - Stirling Hwy to Karella St	0	6,600	366,508	359,908
	841	Lobelia Street - Design & Construction	1,750	0	175,838	174,088
	843	Pine Tree - Mooro Drive to Lobelia St	0	0	287,154	287,154
	845	Mooro - John XXIII to Camelia	0	20,935	295,268	274,333
	<b>Road Rehabilitation Total</b>		<b>63,844</b>	<b>292,448</b>	<b>1,271,018</b>	<b>914,726</b>
4	<b>Drainage Rehabilitation</b>					
	2191	Bishop Road	0	0	55,106	55,106
	638	Drainage Risk Review Dalkeith & Nedlands	0	500	0	-500
	642	56 Dalkeith Rd Drainage & Laneway Design	0	1,500	0	-1,500
	668	Government Road & Loch Street Sumps	0	19,845	0	-19,845
	810	56 Dalkeith Rd-Drainage Tank and Laneway	0	8,500	50,000	41,500
	811	Charles Crt Res- Design drainage Swale	0	0	19,350	19,350
	812	Loftus St - Design deepening basin	0	0	6,450	6,450
	813	Philip Rd - Design reveiw drainage infra	0	0	25,800	25,800
	<b>Drainage Rehabilitation Total</b>		<b>0</b>	<b>30,345</b>	<b>156,706</b>	<b>126,361</b>
5	<b>Street Furniture / Bus Shelter</b>					
	814	Replace existing beach signage	0	0	18,060	18,060
	847	Replace 2 Bus shelter-CIF2508, CIF2511	0	0	32,250	32,250
	<b>Street Furniture / Bus Shelter Total</b>		<b>0</b>	<b>0</b>	<b>50,310</b>	<b>50,310</b>
6	<b>Grant Funded Projects</b>					
	2001	Railway Road	0	122,150	96,631	-25,519
	2003	Alfred Road	0	0	0	0
	2015	Birdwood Parade	22,601	57,767	0	-80,368
	2037	Elizabeth Street	38,325	2,133	0	-40,458
	2225	Stephenson Avenue	0	19,354	0	-19,354
	2041	Elizabeth St-Broadwy to Bay Rd(Drainage)	0	0	0	0
	658	School Sports Circuit Mt Claremont	0	0	118,916	118,916
	659	Quintilian Road Shared Path - Stage 3	7,637	0	0	-7,637
	683	Brockway Rd - Alfred to Lemnos St	0	0	0	0
	684	Brockway Rd - Lemnos to Underwood	72,275	20,913	0	-93,189
	790	Kingston St	164,822	12,104	0	-176,925
	794	Lemnos St-Brockway Rd to Bedbrook PI	91	0	0	-91
	816	Alfred Rd-Rochdale Rd intersection	0	0	179,945	179,945
	817	The Avenue-Brce st to Broadway	0	0	298,862	298,862
	818	Adam Armtrong Pavillion Buildin Solar P	0	0	25,000	25,000
	819	John Leckie Building-Solar Panels	0	0	35,000	35,000
	846	Mooro - John XXIII to Norfolk	0	0	160,600	160,600
	848	Waratah - Road Resurfacing Project	0	0	148,555	148,555
	849	Waratah Footpath Renewal Project	0	675	501,445	500,770
	<b>Grant Funded Projects Total</b>		<b>305,751</b>	<b>235,096</b>	<b>1,564,954</b>	<b>1,024,107</b>
11	<b>Building Construction</b>					
	652	Allen Park Cottage - Alternate Facility	851	138,990	136,916	-2,925
	682	71 Stirling Hwy - Renovate roof, Air con	0	423	0	-423
	820	Allen Park Cottage Stage 2 Building upgr	0	0	75,465	75,465
	821	Beaton Park Toilet- Internal refurb	0	0	15,480	15,480
	822	City wide air-conditioning program	0	7,974	32,250	24,276
	823	City wide flooring program	0	0	32,250	32,250



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

	824	City wide painting program	0	0	32,250	32,250
	825	Highview Park Tennis Court toilet	0	0	5,160	5,160
	826	Lawler park toilet	0	0	5,160	5,160
	827	Nedlands Child health Centre(reroof)	0	0	12,900	12,900
	828	PRCC Cabinetry and storage	0	0	12,900	12,900
	829	Swanbourne Surf Life Saving Ext SNSLSC b	0	3,840	2,212,667	2,208,827
	830	Tresillian Art C-upgrade Heatng nd Cooli	0	0	64,500	64,500
		<b>Building Construction Total</b>	<b>851</b>	<b>151,227</b>	<b>2,637,898</b>	<b>2,485,820</b>
12		<b>Off Street Parking</b>				
	4122	Point Resolution Reserve	0	0	12,900	12,900
	831	Tawarri Car Park upgrade	0	0	200,000	200,000
	832	Waratah St Parking Signs	0	0	25,200	25,200
	842	Melvista Oval - JC Smith Pavillion	1,440	5,370	145,080	138,270
		<b>Off Street Parking Total</b>	<b>1,440</b>	<b>5,370</b>	<b>383,180</b>	<b>376,370</b>
13		<b>Major Projects - Roads</b>				
	662	Foreshore Workshop	0	20,555	76,084	55,529
	833	Kennedia Lane - Road pavement,Asphalt We	0	20,599	200,000	179,401
	844	Hay st 2 Alderbury-installa of Street li	0	28,741	0	-28,741
		<b>Major Projects - Roads Total</b>	<b>0</b>	<b>69,895</b>	<b>276,084</b>	<b>206,189</b>
14		<b>Parks &amp; Reserves Construction</b>				
	4061	Bishop Road Reserve	75,547	0	0	-75,547
	4089	Hamilton Park	6,258	54,212	72,000	11,530
	4096	Lawler Park	6,395	6,710	55,000	41,895
	4192	College Green Mt Claremont	0	21	0	-21
	4173	Cottesloe Golf Club	0	0	112,000	112,000
	732	Allen Park (LO) - INST floodlight	0	1,936	0	-1,936
	752	Hamilton Park - UG irrigation system	0	0	14,000	14,000
	631	Peace Memo Gardens-Renew Bore(38m)	0	0	0	0
	633	Swanbourne Greenway Project	0	11,196	0	-11,196
	641	Montario Quarter	0	0	20,000	20,000
	654	River Foreshore Protection and Acss Man	0	2,920	0	-2,920
	694	Cruickshank Verge repair,Passive Recreat	8,824	0	0	-8,824
	696	College Green Walkway - Upgrade Irrigati	0	0	0	0
	699	Hamilton Park - Renew Garden Beds	0	225	25,000	24,775
	772	Daran Park - Construct Noise Attention	0	37,093	0	-37,093
	778	Street gardens and Verges - Install LED	815	0	0	-815
	780	Allen park - Upgrade floodl 2 game stand	-59,844	33,687	0	26,157
	835	Greenway - Foreshore Reserve 28307	0	0	19,050	19,050
	837	Groundwater Bore Renewal	0	0	129,000	129,000
	838	Urban Forest Strategy	0	0	23,220	23,220
	839	College Park- Renew Central Capable Cab	0	0	28,834	28,834
	840	College Park - Clay wkt synthetic wkt	0	0	77,400	77,400
		<b>Parks &amp; Reserves Construction Total</b>	<b>37,994</b>	<b>148,000</b>	<b>575,504</b>	<b>389,510</b>
15		<b>Plant &amp; Equipment</b>				
	7502	Development Svs - Building Svs	0	0	34,000	34,000
	7505	Planning & Development Svs - Ranger Svs	0	0	102,000	102,000
	7508	Corporate & Strategy - Finance	0	0	0	0
	7517	Tresillian Kiln	0	12,141	13,797	1,656
	7519	1DWC369:Hino Mowing Unit 1	0	0	75,000	75,000
	7520	1GJZ462:Subaru Forester Wagon-L	0	0	39,000	39,000
	7521	1DWC370: Hino Mowing Unit 2	0	0	75,000	75,000
	7522	1BK0449:Toyota Hi Ace Commuter Bus	0	0	70,000	70,000
	7523	Massey Furguson 5609 4WD Turf Tractor	0	0	87,500	87,500
		<b>Plant &amp; Equipment Total</b>	<b>0</b>	<b>12,141</b>	<b>496,297</b>	<b>484,156</b>
16		<b>ICT Capital Projects</b>				
	670	Adobe Acrobat	2,370	0	0	-2,370
	671	Azure Migration	0	0	25,000	25,000
	672	IP Phone System Collaboration	15,946	3,375	40,000	20,679
	674	Cyber Security Review	7,800	0	0	-7,800
	676	CCTV Management System	0	0	15,000	15,000
	678	Website Review	0	0	0	0
	6070	Field GO Client Application	0	2,325	0	-2,325
	850	CAD Station Upgrade	0	0	5,000	5,000
	851	Conference Room Interactive Screens	0	0	75,000	75,000
	853	iPads for Councillors	0	0	12,000	12,000
	854	Laptop Fleet	0	0	50,000	50,000
	855	Libraries, NCC & PRCC hardware	0	0	15,000	15,000
	856	NTI XL2 Sound Level Meter and Net Box	0	0	15,000	15,000
	860	Councilor Chambers Upgrade	0	0	15,000	15,000
	862	The Client Alternative	0	0	15,000	15,000
	863	WiFi Upgrade	0	0	10,000	10,000
		<b>ICT Capital Projects Total</b>	<b>26,116</b>	<b>5,700</b>	<b>292,000</b>	<b>260,184</b>
18		<b>Furniture &amp; Fixture</b>				



City of Nedlands

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

	864	Furnitures & Equipment	0	0	5,000	5,000
	<b>Furniture &amp; Fixture Total</b>		<b>0</b>	<b>0</b>	<b>5,000</b>	<b>5,000</b>
19	Public Art					
	9001	Public Arts Work	0	0	28,000	28,000
	865	Public Art	0	0	50,000	50,000
	<b>Public Art Total</b>		<b>0</b>	<b>0</b>	<b>78,000</b>	<b>78,000</b>
20	Major Projects - Parks					
	904	Swanbourne Beach Oval - rehabilitation	0	6,386	0	-6,386
	<b>Major Projects - Parks Total</b>		<b>0</b>	<b>6,386</b>	<b>0</b>	<b>-6,386</b>
<b>City of Nedlands Total</b>			<b>435,997</b>	<b>987,132</b>	<b>8,247,848</b>	<b>6,824,719</b>



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

	<b>2021/22</b> YTD 31 AUGUST 2022	<b>2020/21</b> YTD 31 AUGUST 2021	<b>2020/21</b> YEAR END 30 June 2021
<b>Current Assets</b>			
Cash & Cash Equivalents	20,517,843	23,453,402	20,169,546
Receivable - Rates Outstanding (inc Rebates)	27,254,306	18,222,597	606,717
Receivable - Sundry Debtors	833,499	828,607	929,470
Receivable - Self Supporting Loan	12,554	3,447	16,683
Receivable - UGP	69,931	76,183	88,345
GST Receivable	95,021	266,551	362,757
Prepayments	48,312	95,060	48,312
Less: Provision for Doubtful Debts	(10,432)	(9,282)	(10,432)
Inventories	28,599	22,408	34,191
	<u>48,849,632</u>	<u>42,958,974</u>	<u>22,245,589</u>
<b>Current Liabilities</b>			
Payable - Sundry Creditors	(7,322,209)	(3,735,808)	(7,719,299)
Payable - ESL	(3,117,285)	(2,973,487)	(57,714)
Payable Lease Liability	(56,242)	(58,569)	(64,560)
Accrued Salaries and Wages	(477,857)	(27,458)	(418,650)
Employee Provisions	(2,627,303)	(2,698,693)	(2,678,769)
Borrowings	(1,195,365)	(1,486,672)	(1,405,492)
Deferred Income	0	0	(108,850)
	<u>(14,796,261)</u>	<u>(10,980,685)</u>	<u>(12,453,335)</u>
<b>Unadjusted Net Current Assets</b>	<u><b>34,053,372</b></u>	<u><b>31,978,288</b></u>	<u><b>9,792,255</b></u>
Less: Restricted Reserves	(5,319,090)	(5,897,397)	(5,317,090)
Less: Current Self Supporting Loan Liability	(29,237)	(3,447)	(16,683)
Add Back: Borrowings	1,195,365	1,486,672	1,405,492
<b>Net Current Assets</b>	<u><u><b>29,900,409</b></u></u>	<u><u><b>27,564,117</b></u></u>	<u><u><b>5,863,974</b></u></u>



City of Nedlands

**CITY OF NEDLANDS**  
**STATEMENT OF FINANCIAL ACTIVITY**  
**BY DIRECTORATES**  
**FOR THE PERIOD ENDED 31 AUGUST 2021**

Note	2021-22 June Budget \$	Aug 21 YTD Budget \$	Aug 21 YTD Actual \$	Aug 21 YTD Variance \$	Variance %
<b>Operating Income</b>					
Corporate & Strategy	26,281,955	25,293,718	25,201,303	(92,415)	-0.37%
Community Development & Services	2,729,620	568,732	619,681	50,949	8.96%
Planning & Development Services	2,601,660	638,385	404,147	(234,238)	-36.69%
Technical Services	3,542,730	3,306,001	3,342,623	36,622	1.11%
	<b>35,155,965</b>	<b>29,806,836</b>	<b>29,567,754</b>	<b>(239,082)</b>	<b>-0.80%</b>
<b>Operating Expense</b>					
Governance	(3,237,466)	(716,272)	(461,352)	254,920	35.59%
Corporate & Strategy	(1,388,653)	(287,813)	(133,727)	154,086	53.54%
Community Development & Services	(7,401,609)	(1,170,379)	(1,134,560)	35,819	3.06%
Planning & Development Services	(8,512,436)	(1,588,214)	(1,141,840)	446,374	28.11%
Technical Services	(17,954,601)	(3,134,615)	(2,780,918)	353,697	11.28%
	<b>(38,494,765)</b>	<b>(6,897,293)</b>	<b>(5,652,397)</b>	<b>1,244,896</b>	<b>18.05%</b>
<b>Capital Income</b>					
Grants Capital	3,994,383		0		
Capital Contribution	0		0		
Proceeds from Disposal of Assets	269,909		0		
New Borrowings	0		0		
Self Supporting Loan Principal Repayments	0		4,129		
Transfer from Reserve	1,364,528		0		
	<b>5,628,820</b>		<b>4,129</b>		
<b>Capital Expenditure</b>					
Land & Buildings	(2,637,898)		(851)		
Infrastructure - Road	(4,112,839)		(371,036)		
Infrastructure - Parks	(625,814)		(37,994)		
Plant & Equipment	(496,297)		0		
Furniture & Equipment	(375,000)		(26,116)		
Principal elements of finance lease payments	(64,560)		(8,584)		
Repayment of Debentures	(1,407,745)		(210,127)		
Transfer to Reserves	(2,052,500)		(12,172)		
	<b>(11,772,653)</b>		<b>(666,881)</b>		
<b>Total Operating and Non-Operating</b>					
	<b>(9,482,633)</b>		<b>23,252,606</b>		
<b>Adjustment - Non Cash Items</b>					
Depreciation	4,656,600		784,684		
Receivables/Provisions/Other Accruals	(126,895)		(855)		
Change in accounting policy	0		0		
(Profit) on Sale of Assets	(6,545)		0		
Loss on Sale of Assets	133,440		0		
ADD - Surplus/(Deficit) 1 July b/f	4,826,033		5,863,974		
LESS - Surplus/(Deficit) 30 June c/f	0		29,900,409		
	<b>9,482,633</b>		<b>(23,252,606)</b>		



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

**Purpose**

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

**Self Supporting Loans**

Loan 186 - Dalkeith Bowling Club

**Total**

	Actual YTD 31 AUGUST 2021					
	Interest Rate Per Annum	Principal 01-Aug-21 \$	New loans \$	Principal Repayment \$	Principal 31-Aug-21 \$	Interest(YTD) \$
Loan 179 - Road Infrastructures	6.04%	130,529	0	(31,902)	98,627	4,190
Loan 182 - Building	4.67%	135,922	0	0	135,922	1,058
Loan 183 - Building	2.78%	169,380	0	(44,293)	125,086	3,274
Loan 184 - Building	3.12%	138,225	0	(34,155)	104,071	3,329
Loan 185 - Building	3.12%	65,419	0	(16,165)	49,254	1,576
Loan 187 - Underground Power (CON)	2.64%	667,916	0	0	667,916	5,194
Loan 188 - Underground Power (W.Hollywood Res)	3.07%	66,901	0	(66,901)	0	2,832
Loan 189 - Underground Power (Alfred & MTC Res)	3.07%	9,771	0	(9,771)	0	414
Loan 190 - Underground Power (Alderbury Res)	3.07%	6,940	0	(6,940)	0	292
		1,391,003	0	(210,127)	1,180,875	22,159
Loan 186 - Dalkeith Bowling Club	3.07%	16,742	0	0	16,742	332
					0	
<b>Total</b>		<b>1,407,745</b>	<b>0</b>	<b>(210,127)</b>	<b>1,197,617</b>	<b>22,491</b>

Adopted Budget 2021/22		
New loans \$	Principal 30-Jun-22 \$	Interest \$
0	285,749	22,224
0	0	2,385
0	537,226	17,496
0	519,065	18,182
0	245,662	8,605
0	512,598	24,589
0	446,816	14,508
0	65,260	2,119
0	46,347	1,502
0	2,658,721	111,610
0	48,021	1,822
<b>0</b>	<b>2,706,742</b>	<b>113,432</b>



**CITY OF NEDLANDS**  
**STATEMENT OF FINANCIAL POSITION**  
**AS AT 31 AUGUST 2021**

	2021/2022 YTD 31 AUGUST 2022 \$	2020/2021 YTD 31 AUGUST 2021 \$	2020/2021 YEAR END 30 June 2021 \$
<b>Current Assets</b>			
Cash & Cash Equivalents	20,517,843	23,453,402	20,169,546
Trade & Other Receivables	28,254,879	19,388,103	1,993,540
Inventories	28,599	22,408	34,191
Other - Prepayments & Accruals	48,312	95,060	48,312
<b>Total Current Assets</b>	<b>48,849,632</b>	<b>42,958,974</b>	<b>22,245,589</b>
<b>Non Current Assets</b>			
Other Receivables	1,625,368	1,727,806	1,635,623
Other Financial Assets	147,614	142,442	147,614
Property, Plant & Equipment	150,819,843	151,582,254	151,569,167
Infrastructure	93,027,515	90,494,591	92,642,864
<b>Total Non Current Assets</b>	<b>245,620,339</b>	<b>243,947,094</b>	<b>245,995,268</b>
<b>Total Assets</b>	<b>294,469,971</b>	<b>286,906,068</b>	<b>268,240,858</b>
<b>Current Liabilities</b>			
Trade & Other Payables	10,973,592	6,795,321	8,369,073
Current Borrowings	1,195,365	1,486,672	1,405,492
Employee Provisions	2,627,303	2,698,693	2,678,769
<b>Total Current Liabilities</b>	<b>14,796,260</b>	<b>10,980,685</b>	<b>12,453,335</b>
<b>Non Current Liabilities</b>			
Long Term Borrowings	2,708,993	4,114,485	2,708,993
Deferred Liability	300,787	237,094	300,787
Employee Provisions	161,190	264,987	161,190
<b>Total Non Current Liabilities</b>	<b>3,170,969</b>	<b>4,616,566</b>	<b>3,170,969</b>
<b>Total Liabilities</b>	<b>17,967,229</b>	<b>15,597,252</b>	<b>15,624,304</b>
<b>Net Assets</b>	<b>276,502,742</b>	<b>271,308,816</b>	<b>252,616,554</b>
<b>Equity</b>			
Retained Surplus	111,226,002	105,453,769	87,341,814
Reserves - Cash Backed	5,319,090	5,897,397	5,317,090
Revaluation Surplus	159,957,650	159,957,650	159,957,650
<b>Total Equity</b>	<b>276,502,742</b>	<b>271,308,816</b>	<b>252,616,554</b>



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

Reporting Activity	August 21 YTD Budget	August 21 YTD Actual	Variance Indicators				2021-22 Annual Budget	Var. Scale	Comment Ref
			\$	%	Flag	F/U			
<b>Income:</b>									
Corporate Administration	175,546	151,373	(24,173)	(14%)	▶	U	888,783	● Profiling residential and commercial rental income	
Community Capacity Building	132,506	170,442	37,936	29%	▶	F	633,020	●	
Community Care	432,626	444,940	12,314	3%	▶	F	2,080,500	●	
Libraries	3,600	4,300	700	19%	▶	F	16,100	●	
Building & Development Control	559,930	357,909	(202,021)	(36%)	▶	U	2,135,000	● Lower building income	
Environmental Health Services	14,252	5,406	(8,846)	(62%)	▶	U	85,500	● Lower fines & Penalties	
Rangers & Public Safety	57,000	40,833	(16,167)	(28%)	▶	U	344,000	● Lower rangers income	
Engineering & Asset Management	876	692	184	(21%)	▶	U	5,250	●	
Parks & Natural Areas	32,181	12,823	(19,358)	(60%)	▶	U	187,035	● Lower income from oval and reserve	
Roads, Paths & Drains	17,687	24,652	6,965	39%	▶	F	125,145	●	
Community Building Management	-	17,595	17,595	0%	▶	F	-	●	
Waste Management	3,262,460	3,286,861	24,401	1%	▶	F	3,262,460	●	
Rates & Property Services	25,118,172	25,049,930	(68,242)	(0%)	▶	U	25,393,172	●	
<b>Total Income</b>	<b>29,806,836</b>	<b>29,567,754</b>		(1%)	▶	F	<b>35,155,965</b>		

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

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



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

Reporting Activity	August 21 YTD Budget	August 21 YTD Actual	Variance Indicators				2021-22 Annual Budget	Var. Scale	Comment Ref
			\$	%	Flag	F/U			
<b>Expenditure:</b>									
Community Leadership	472,587	354,811	117,776	25%	▶	F	2,620,211	●	
Corporate Administration	459,010	193,749	265,261	58%	▶	F	1,666,411	●	
Community Capacity Building	276,328	278,830	(2,502)	1%	▶	U	2,116,490	●	
Community Care	443,541	424,084	19,457	4%	▶	F	2,589,454	●	
Libraries	450,510	431,647	18,863	4%	▶	F	2,695,665	●	
Building & Development Control	1,131,777	749,559	347,415	31%	▶	F	5,640,636	●	
Strategic Urban Planning	20,964	15,709	21,364	102%	▶	F	2,067	●	
Environmental Health Services	166,836	157,697	9,139	5%	▶	F	968,864	●	
Rangers & Public Safety	155,847	156,768	(921)	1%	▶	U	933,328	●	
Engineering & Asset Management	416,139	597,400	(181,261)	44%	▶	U	1,688,474	● Due to agency staff salary	
Parks & Natural Areas	911,593	683,518	228,075	25%	▶	F	6,017,636	●	
Roads, Paths & Drains	821,911	817,653	4,258	1%	▶	F	4,801,184	●	
Community Building Management	631,364	435,206	196,158	31%	▶	F	3,051,806	●	
Waste Management	466,398	309,248	157,150	34%	▶	F	3,277,416	●	
Rates & Property Services	72,488	46,519	25,969	36%	▶	F	425,123	●	
<b>Total Operating Expenditure</b>	<b>6,897,293</b>	<b>5,652,397</b>		18%	▶	F	<b>38,494,765</b>		
<b>Net Operating Result</b>	<b>22,909,543</b>	<b>23,915,357</b>					<b>(3,338,800)</b>		

**Legend**

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

**Legend**

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





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

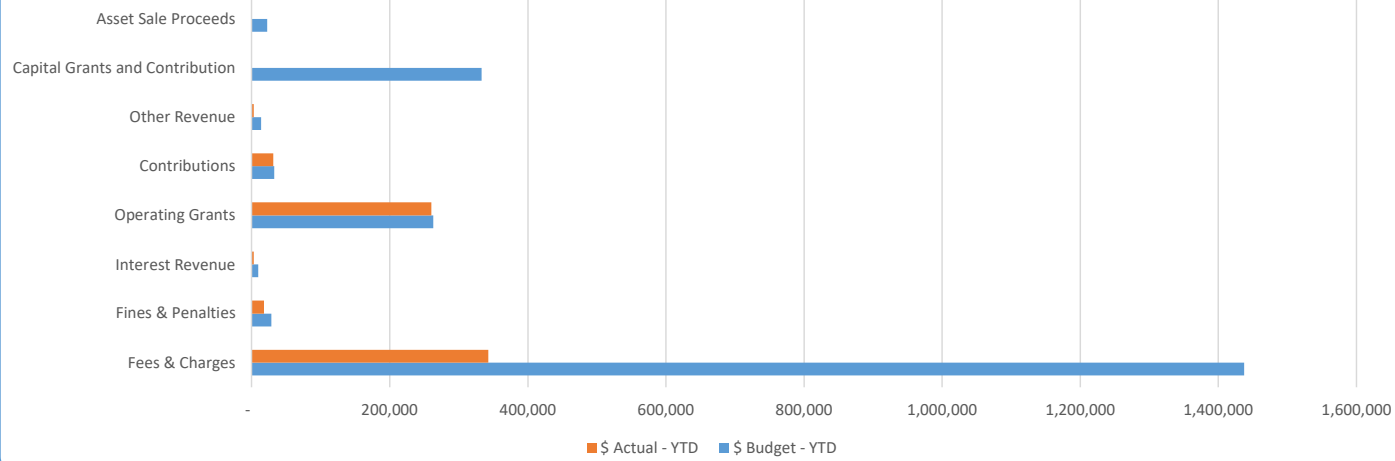
Reporting Activity	July 21 YTD Budget	July 21 YTD Actual	Variance Indicators				2021-22 Annual Budget	Var. Scale
			\$	%	Flag	F/U		
<b>Income:</b>								
<b>Operating Income</b>								
Rates	53,000	1,842	(51,158)	(97%)	▶	U	25,393,172	● Rates issued in August
Fees & Charges	1,437,471	342,532	(1,094,939)	(76%)	▶	U	7,338,410	● Waste bill was issued together with rates on August
Fines & Penalties	28,467	17,658	(10,809)	(38%)	▶	U	354,610	● Lower ranger and environmental health fines
Interest Revenue	9,750	3,016	(6,734)	(69%)	▶	U	117,000	● Lower interest rate
Operating Grants	262,974	260,270	(2,704)	(1%)	▶	U	1,460,600	●
Contributions	32,593	31,102	(1,491)	(5%)	▶	U	401,617	●
Other Revenue	13,905	2,959	(10,946)	(79%)	▶	U	84,193	●
<b>Operating Income</b>	<b>1,838,160</b>	<b>659,378</b>					<b>35,149,602</b>	
<b>Capital Income</b>								
Capital Grants and Contribution	332,865	0	(332,865)	(100%)	▶	U	3,994,383	● Difference due to profiling and refund of grants received due to projects not under-taken
Asset Sale Proceeds	22,492	-	(22,492)	(100%)	▶	U	269,909	● Difference due to profiling and sale of property not undertaken
<b>Sub Total - Capital Income</b>	<b>355,358</b>	<b>0</b>					<b>4,264,292</b>	
<b>Total Income</b>	<b>2,193,518</b>	<b>659,378</b>		(70%)	▶	U	<b>39,413,894</b>	

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

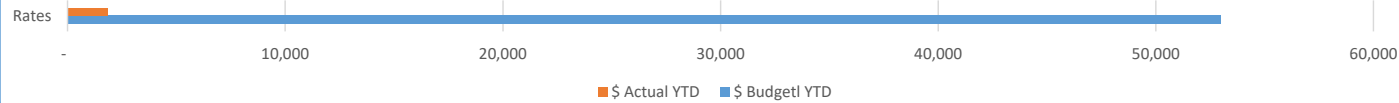


**CITY OF NEDLANDS  
SUMMARY STATEMENT OF FINANCIAL ACTIVITY - INCOME  
BY REPORTING NATURE & TYPE  
FOR THE PERIOD ENDING 31 JULY 2021**

Income - YTD by Nature & Type (Excluding Rates)



Rates Income - YTD



### 13.5 Monthly Investment Report – August 2021

<b>Council</b>	28 September 2021
<b>Applicant</b>	City of Nedlands
<b>Employee Disclosure under section 5.70 Local Government Act 1995</b>	Nil.
<b>Director</b>	Ed Herne – Director Corporate & Strategy
<b>Attachments</b>	1. Investment Report for the period ended 31 August 2021

#### **Regulation 11(da) – Not Applicable – Recommendation Adopted**

Moved – Councillor Hodsdon  
 Seconded – Councillor McManus

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

**CARRIED UNANIMOUSLY 11/-**

#### **Council Resolution / Recommendation to Council**

**Council receives the Investment Report for the period ended 31 August 2021.**

#### **Executive Summary**

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

#### **Voting Requirement**

Simple Majority.

#### **Discussion/Overview**

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

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

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

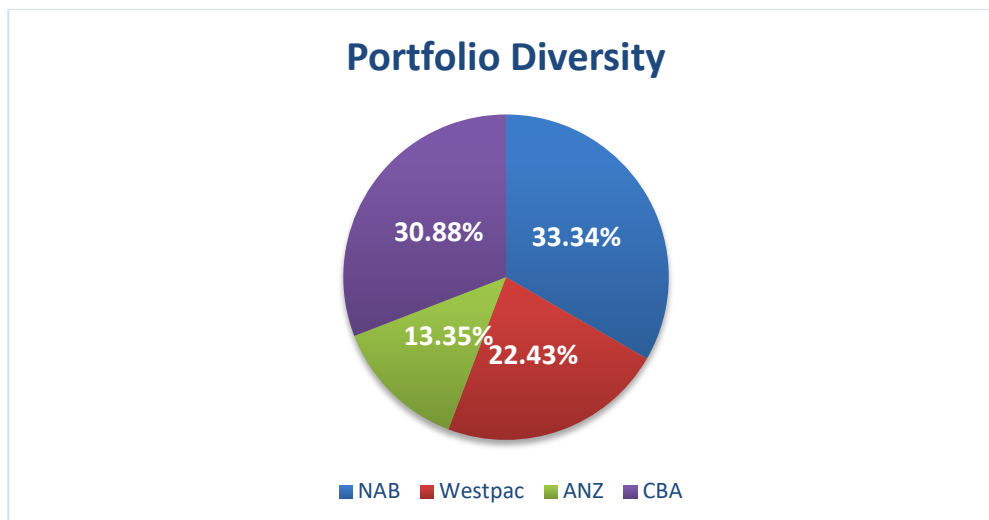
	<b>31 August 2021</b>	<b>31 August 2020</b>
<b>Municipal Funds</b>	\$ 5,320,871	\$ 5,906,565
<b>Reserve Funds</b>	\$ 3,575,944	\$ 1,888,748
<b>Total investments</b>	\$ 8,896,815	\$ 7,795,313

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

The total interest earned from investments as at 31 Aug 2021 was \$3,295.

The Investment Portfolio comprises holdings in the following institutions:

<b>Financial Institution</b>	<b>Funds Invested</b>	<b>Interest Rate</b>	<b>Proportion of Portfolio</b>
NAB	\$2,966,283	0.27% - 0.30%	30.88%
Westpac	\$1,995,282	0.22% - 1.05%	33.34%
ANZ	\$1,187,844	0.10%	13.35%
CBA	\$2,747,406	0.16% - 0.24%	22.43%
<b>Total</b>	<b>\$8,896,815</b>		<b>100.00%</b>



## Conclusion

The Investment Report is presented to Council.

### Key Relevant Previous Council Decisions:

Nil.

## Consultation

Required by legislation:

Yes

No

Required by City of Redlands policy:

Yes

No

## Strategic Implications

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

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

The 2021/22 budget was prepared in line with the City's level of tolerance of risk and it is managed through budgetary review and control.

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

## Budget/Financial Implications

The July YTD Actual interest income from investments is \$3,295 compared to the August YTD Budget of \$7,000.



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

Particulars	Interest	Invest.	Maturity	Period	NAB	Westpac	ANZ	CBA	Total	Interest
	Rate	Date	Date	Days	*AA-/Stable/A-1+	*AA-/Stable/A-1+	*AA-/Stable/A-1+	*AA-/Stable/A-1+		YTD Accumulated
<b>RESERVE INVESTMENTS</b>										
Plant Replacement	0.18%	23-Jun-21	21-Sep-21	90				34,690.61	34,690.61	\$9.43
City Development - Western Zone	0.19%	20-Jun-21	17-Sep-21	89				66,169.96	66,169.96	\$21.35
Business system reserve	0.19%	23-Jun-21	21-Sep-21	90				142,669.28	142,669.28	\$46.03
All abilities play space	0.19%	23-Jun-21	21-Sep-21	90				31,806.35	31,806.35	\$10.26
North Street	0.22%	23-Jun-21	23-Sep-21	92		136,377.49			136,377.49	\$50.94
Welfare - General	0.24%	15-Jul-21	18-Jan-22	187				319,966.19	319,966.19	\$117.89
Welfare - NCC	0.19%	2-Aug-21	30-Nov-21	120				360,914.23	360,914.23	\$106.66
Welfare - PRCC	0.19%	20-Jun-21	17-Sep-21	89				15,765.99	15,765.99	\$5.09
Services - Tawarri 1	0.22%	23-Jun-21	23-Sep-21	92		68,855.60			68,855.60	\$26.87
Services General	0.30%	25-Aug-21	23-Nov-21	90	25,919.26				25,919.26	\$13.08
Services - Tawarri 2	0.10%	11-May-21	11-Oct-21	153			117,537.21		117,537.21	\$19.96
Insurance	0.10%	11-Aug-21	11-Feb-22	184			65,418.79		65,418.79	\$21.84
Undrground power	0.29%	21-Jun-21	17-Sep-21	88	748,443.77				748,443.77	\$368.48
Waste Management	0.19%	23-Jun-21	21-Sep-21	90				613,179.36	613,179.36	\$197.83
City Development - Swanbourne	0.16%	15-Jul-21	18-Jan-22	187				135,030.90	135,030.90	\$50.59
City Building - General	0.23%	23-Jun-21	23-Sep-21	92		140,276.98			140,276.98	\$52.40
City Building - PRCC	0.19%	20-Jun-21	17-Sep-21	89				26,208.76	26,208.76	\$8.46
Business system Reserve	0.27%	19-Jul-21	18-Oct-21	91	411,394.60				411,394.60	\$194.99
Public Art Reserves	0.27%	19-Jul-21	18-Oct-21	91	97,976.67				97,976.67	\$46.44
Waste Management Reserve	0.27%	19-Jul-21	18-Oct-21	91	575,334.50				575,334.50	\$272.70
City Development Reserve	0.27%	19-Jul-21	18-Oct-21	91	9,016.33				9,016.33	\$8.17
Building Replacement Reserve	0.27%	19-Jul-21	18-Oct-21	91	307,192.70				307,192.70	\$156.37
All ability play space	0.28%	20-Jul-21	17-Nov-21	120	282,834.23				282,834.23	\$137.54
Major projects	0.23%	4-Aug-21	4-Jan-22	153		587,891.79			587,891.79	\$235.20
<b>TOTAL RESERVE INVESTMENTS</b>					<b>\$2,458,112.05</b>	<b>\$933,401.86</b>	<b>\$182,956.00</b>	<b>\$1,746,401.64</b>	<b>\$5,320,871.55</b>	<b>\$2,178.54</b>
<b>MUNICIPAL INVESTMENTS</b>										
Muni Investment NS60	1.05%	31-Aug-21	30-Sep-21	30		1,061,879.99			1,061,879.99	\$697.64
Muni Investment #1 - CBA	0.19%	18-Aug-21	16-Nov-21	90				1,001,003.90	1,001,003.90	\$304.30
Muni Investment #7 - NAB	0.27%	19-Jul-21	18-Oct-21	91	508,171.40				508,171.40	\$86.29
Muni Investment #150 - ANZ	0.05%	7-Aug-21	7-Sep-21	91			1,004,888.30		1,004,888.30	\$27.84
<b>TOTAL MUNICIPAL INVESTMENTS</b>					<b>508,171.40</b>	<b>1,061,879.99</b>	<b>1,004,888.30</b>	<b>1,001,003.90</b>	<b>\$3,575,943.59</b>	<b>\$1,116.07</b>
<b>TOTAL</b>					<b>\$2,966,283.45</b>	<b>\$1,995,281.85</b>	<b>\$1,187,844.31</b>	<b>\$2,747,405.54</b>	<b>\$8,896,815.14</b>	<b>\$3,294.61</b>

### 13.6 Designated Senior Positions

<b>Council</b>	28 September 2021
<b>Applicant</b>	City of Nedlands
<b>Employee Disclosure under section 5.70 Local Government Act 1995</b>	Nil.
<b>CEO</b>	Bill Parker
<b>Attachments</b>	Nil.
<b>Confidential Attachments</b>	Nil.

#### **Regulation 11(da) – Not Applicable – Recommendation Adopted**

Moved – Councillor McManus  
 Seconded – Councillor Hodsdon

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

Councillor Youngman returned to the meeting at 10.45pm.

**CARRIED UNANIMOUSLY 12/-**

#### **Council Resolution / Recommendation to Council**

**That Council designate the following positions as senior employees:**

- 1. Director of Planning & Development**
- 2. Director Technical Services**
- 3. Director Corporate and Strategy**

#### **Executive Summary**

Section 5.37 of the *Local Government Act 1995* provides for Council to designate appropriate positions as senior employees. Under the Act, Council can designate employees or persons belonging to a class of employee to be senior employees.

The designation requires the CEO to keep the Council informed of any proposal to employ or dismiss an employee with the classification of Senior Employee.

It is recommended that the following positions be designated senior employees:

- Director Planning and Development
- Director Technical Services
- Director Corporate & Strategy

## **Voting Requirement**

Simple Majority.

## **Discussion/Overview**

In accordance with section 5.2 of the *Local Government Act 1995*, Council must ensure that it has an appropriate structure for administering the local government.

Section 5.37 of the *Local Government Act 1995* provides for Council to designate senior employees. Under the Act, Council can designate employees or persons belonging to a class of employee to be senior employees.

When such a designation applies, the CEO is to inform the Council of each proposal to employ or dismiss a senior employee. The Council may accept or reject the CEO's recommendation but if the council rejects a recommendation, it is to inform the CEO of the reasons for its doing so.

It is important to note that the operative effect of section 5.37(2) of the *Local Government Act 1995* when employing or dismissing senior employees is simply a directive to the CEO to first submit a recommendation to council for the council to accept or reject, before employing or dismissing a senior employee.

The responsibility for employing and dismissing senior employees rests with the CEO. For that reason, any non-compliance with section 5.37(2) does not deem the employment or termination invalid.

## **Key Relevant Previous Council Decisions:**

Nil.

## **Consultation**

The designation of senior employees was discussed with elected members at a briefing session on Tuesday 31 August 2021.



## **Strategic Implications**

This report is aligned to the value statements outlined in Nedlands 2018-2028.

### **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 financial implications relating to this item.

## **Conclusion**

It is therefore recommended that Council in accordance with the Act and appropriate governance and leadership of the City, the positions of Director Planning and Development, Director Technical Services and Director Corporate and Strategy are designated Senior Employees.

**13.7 Complaints Management Policy**

<b>Council</b>	28 September 2021
<b>Applicant</b>	City of Nedlands
<b>Employee Disclosure under section 5.70 Local Government Act 1995</b>	Nil.
<b>Officer</b>	Nicole Ceric, Executive Officer
<b>CEO</b>	Bill Parker
<b>Attachments</b>	1. Draft Complaints Management Policy
<b>Confidential Attachments</b>	Nil.

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

Moved – Councillor Horley  
 Seconded – Councillor McManus

**That the Recommendation to Council be adopted subject to the addition of a flow chart outlining the process for complaint handling and a monthly status report be provided on outstanding and resolved complaints sorted via category.**

**CARRIED UNANIMOUSLY 12/-**

**Council Resolution**

**That Council:**

- 1. resolve to adopt the Complaints Management Policy as per attachment 1 with the addition of a flow chart outlining the process for complaint handling; and**
- 2. a monthly status report is provided on outstanding and resolved complaints sorted via category.**

**Recommendation to Council**

That Council resolve to adopt the Complaints Management Policy as per attachment 1.

## **Executive Summary**

The purpose of this report is for Council to consider adopting a policy which provides guidance for the management and handling of complaints.

## **Discussion/Overview**

### **Background**

The City of Nedlands (the City) is committed to providing an accessible, responsive, and accountable Complaints Management framework that promotes organisational learning and continuous improvement.

Accepting feedback, including complaints, assists the City in engaging with customers to continually enhance the City's services.

This policy seeks to:

- promote the City's organisational corporate values of, integrity, accountability, respect, community participation, diversity and environment,
- reflect best practice as outlined by the Australian Standards - Guidelines for complaint management in organisations, and the WA Ombudsman Guidelines on Complaint Handling; and
- support the City's commitment to the wider community through effective and creative engagement, as well as a strong functional complaint handling process.

The Draft Policy is separate and distinct from Division 3 and 4 Complaints under Code of Conduct for Council Members, Committee Members, and Candidates for election, and:

- applies to a City policy, product, service, event, or facility,
- service provided by a council member, employee, or a contractor,
- A third party who is under the jurisdiction of the City – includes contractors, consultants, volunteers and work experience or placement employees.

The Draft Policy does NOT apply to:

- Complaints about public statements or positions of council members or interaction with residents, ratepayers, or stakeholders unless the matters relate to the City's Code of Conduct for Council Members, Committee Members and Candidates for Election, or the City's Code of Conduct for Employees
- Complaints made by City employees that are employment related
- Feedback obtained during stakeholder and community engagement processes

- Enquiries and requests for specific information
- A request for service or action by the City (unless there was inaction or an unsatisfactory response to the initial request for service)
- Reports concerning neighbours or neighbouring properties
- Matters currently being dealt with or have previously been dealt with by a court, tribunal, or external complaints agency
- Matters that have already been subjected to an internal review and an outcome has been determined
- Report of suspected minor or serious breach/misconduct by a council member or employee (which may fall within the jurisdiction of CCC or PSC, and for which the CEO is the principal officer of the City and therefore the notifying authority for the purposes of s28 Corruption and Crime Act 2003)

The principles to be applied include:

- Customer Focus
- Visibility
- Accessibility
- Accountability
- Confidentiality
- Responsiveness
- Fairness and Objectivity
- Remedies
- Continual Improvement
- Charges – none unless required by legislation

Actioning complaints will be addressed in the following terms:

- Telephone – acknowledged within 1 working day
- Email – distributed to relevant employee within 1 working day and responded to within 2 working days, actioned within 10 working days (where possible)
- In person visit to office – attended to within 2 minutes (where possible), if relevant employee not available, message to be referred for reply contact next business day

Right of review will be to the CEO, with a right of escalation to the WA Ombudsman Office.

The City had commenced a review of its complaint handling procedures and related matters, which proved timely given the Vic Ombudsman Office released a Report (July 2021) - Councils and complaints – A good practice guide 2nd edition – "...There is no single effective approach to managing complaints. A complaint handling system is the sum of many parts – legislative requirements; executive leadership and organisational culture; case and data management systems; and

training and support for staff. Different combinations of these parts will work better in different contexts...”

The draft Policy draws on approaches by other local governments and reports and advice by relevant State Government bodies.

**Key Relevant Previous Council Decisions:**

Ordinary Council Meeting – 28 April 2020

14.4 Councillor Horley – Notice of Motion – Complaints Policy

“Council Resolution

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

As a customer service review is still pending Administration recommended that the Complaints Management Policy could be adopted in the interim and following completion of the Customer Service Review the policy would be reviewed and amended if required.

**Consultation**

Consideration was given to approaches taken by other local governments.

The draft Policy was canvassed with Council at a Council Member Workshop held on 3 August 2021 and the attached draft Policy reflects changes discussed and requested by Council Members at that session.

**Strategic Implications**

This report is aligned to the value statements outlined in Nedlands 2018-2028.

**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**

No specific financial implications arise from the adoption of the draft Policy.

## **Conclusion**

Council adopting a Policy on Complaint Handling will ensure residents, ratepayers and stakeholders are treated fairly, consistently and in a predictable and timely manner, when they lodge a complaint with the City.

The Policy will also ensure that City administration has a uniform approach to complaint handling across the organisation, as well as being aware of the Council's expectations.

## Complaints Management Policy

**Status** Council

**Responsible Division** Corporate & Strategy

### Objective

To:

- Document the position of the City in relation to complaints handling,
- Provide a framework to ensure that the complaints received by the City are managed efficiently, effectively, and fairly from the time of receipt through to a satisfactory resolution or final determination of the matter.
- Enable the City to use complaint data to drive business improvement initiatives and increase the level of satisfaction with the delivery of services.
- Enhance community confidence in the City's general complaint process and the City's reputation for being transparent and accountable.

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### Context

Principles underlying this policy are:

- Commitment to providing quality services to the City's ratepayers, residents, and stakeholders
- Compliance with the local government legislative framework
- Respect and sensitivity towards the needs of the City's ratepayers, residents, and stakeholders
- Transparency and accountability in the delivery of services; and
- Maintenance of confidentiality and respect for natural justice principles

### Statement

#### Scope

This policy applies to all complaints received from customers in relation to:

- A City policy, product, service, event, or facility.
- The service provided by a council member, employee, or a contractor.
- A third party who is under the jurisdiction of the City – includes contractors, consultants, volunteers and work experience or placement employees.

This policy and the principles within it, apply to all council members, City employees and contractors of the City that receive and manage complaints.

This policy does not apply to compliments or suggestions, or the following matters:

- Complaints about public statements or positions of council members or interaction with residents, ratepayers, or stakeholders unless the matters relate to the City's Code of Conduct for Council Members, Committee Members and Candidates for Election, or the City's Code of Conduct for Employees
- Complaints made by City employees that are employment related
- Feedback obtained during stakeholder and community engagement processes
- Enquiries and requests for specific information
- A request for service or action by the City (unless there was inaction or an unsatisfactory response to the initial request for service)
- Reports concerning neighbours or neighbouring properties
- Matters currently being dealt with or have previously been dealt with by a court, tribunal, or external complaints agency
- Matters that have already been subjected to an internal review and an outcome has been determined
- Report of any suspected minor or serious breach/misconduct by a council member or employee (which may fall within the jurisdiction of CCC or PSC, and for which the CEO is the principal officer of the City and therefore the notifying authority for the purposes of s28 of the Corruption and Crime Act 2003)

The City recognises that effective complaint handling is integral to customer service excellence, values all complaints and encourages a customer focused and proactive approach to complaints management.

The City recognises the right of customers to make complaints and considers complaint handling to be an essential part of serving its community in an accountable, open, and transparent manner.

The City is committed to openness and accountability in the purchasing of professional services.

The audit functions both internal and external are regarded as integral to the good governance of the city's administration and best delivered by external providers.

To give effect to the policy the city aims to:

- Have different providers of external and internal audit services; and
- Limit the internal audit contracts to two, three-year contracts after which new tenders are to be called.

All other things being equal it is the view of Council that the city is best served by changing the providers of auditing services after a set period to promote a fresh view of city operations.



## **Responsibilities**

The City council members, employees, and contractors of the City have the responsibility to:

- Manage all complaints courteously, professionally, and efficiently
- Record all complaints, actions taken to resolve the complaint and correspondence in the City's Customer Request Management System (CRMS) and document management system (DMS).
- Provide information to the complainant about the complaint process
- Assist the complainant to effectively resolve the complaint in accordance with this policy and the City's Complaint Handling procedures.
- Provide information requested by the complainant, where appropriate.
- Provide information to the complainant as to their rights of appeal or review.
- Identify opportunities to minimise the chance of reoccurrence.

## **Complainants have a responsibility to:**

- Provide enough information and detail about the complaint to ensure that complaint can be actioned.
- Treat the City employees with courtesy and respect
- Allow the City enough time to resolve the complaint within a reasonable timeframe
- Listen to the response provided by the City
- Identify if their complaint has not been satisfactorily resolved

Where the complainant fails to meet their responsibilities, the City may set limits or conditions on the handling of their complaint.

Any abuse, or threats to the safety or welfare of City employees may result in the immediate cessation of the complaint investigation and contact with the complainant will cease.

## **Anonymous Complaints**

The City understands that some customers may wish to remain anonymous. Whilst anonymous complaints will not be rejected, they may limit the City's ability to fully investigate the matter and resolve the complaint. Where sufficient information is provided, the City will manage the complaint in accordance with the City's Complaint Handling policy and procedure. However, due to the anonymity, the City will be unable to provide any feedback on decisions made or action taken.

## Complaints against council members

Complaints about council members may be directed to the CEO and/or the Mayor and will be assessed against the Code of Conduct for Council Members, Committee Members and Candidates for Election - and any action taken in accordance with same, or referred to Corruption and Crime Commission, Local Government Standards Panel, State Administrative Tribunal or the Director General Department of Local Government, Sport and Cultural Industries, depending on the nature of complaint.

## Guiding principles

The City's handling of customer complaints is based on the City's values and is in line with the standards set by the Codes of Conduct and Customer Service Charter.

The following guiding principles are adopted when handling complaints:

**Customer Focus**            The City is committed to effective complaints handling and values the opportunity for improvement through complaints.

**Visibility**                    The City will ensure that the complaint handling policy and procedures are well publicised to customers, employees and other interested parties via the City's intranet, website, and front counters.

**Accessibility**                The City is committed to making it easy for customers to raise complaints ensuring:

- the process to raise a complaint is easy
- assistance to those customers wishing to raise a complaint, including customers with special needs, or requiring special needs assistance (including interpreters).

**Accountability**            Each City employee at each level within the City is accountable for effective complaint handling in their area of responsibility. If employees do not have the necessary expertise or experience, they are to refer the complaint onto the next level of management within their team.

Support for managing complaints can be sought at any time from the Customer Relations Improvement Officer.

**Confidentiality**

Confidentiality and privacy of complainants will be protected. Personal information collected in relation to a complaint will only be used for the purpose of addressing the feedback and any follow up actions.

**Responsiveness**

To ensure that complaints are dealt with quickly, courteously, fairly and within established timeframes, employees in the department most relevant to the complaint are empowered to resolve complaints and will be provided the first opportunity to resolve complaints. If the complaint cannot be resolved by the relevant department, the complaint will be promptly escalated.

The City records all complaints in the City's CRMS for recording, tracking, and responding to complaints to ensure that they are actioned appropriately and within agreed timeframes.

The following timelines will be complied with in respect to complaints:

- Verbal / in-person complaints will be responded to immediately, if possible, providing a resolution to the customer
- Verbal / in-person complaints which must be referred to a manager, or other designated employee will be acknowledged in accordance with the City's Customer Service Charter within 48 hours, and where possible, a timeframe by which resolution should be expected will be provided.
- Written complaints will be acknowledged in accordance with the City's Customer Service Charter within 48 hours, and where possible, a timeframe by which resolution should be expected will be provided.
- In accordance with the City's Customer Service Charter, all complaints will be resolved within 10 days
- For complaints that are complex in nature and are unable to be resolved within the 10 days, the City will provide update on the progress of the complaint, every 10 days in accordance with the City's Customer Service Charter.

Complainants will be kept informed regularly of the progress made to resolve their complaint, either by telephone, in writing or meeting in - person.

If additional time is required, the complainant must be informed of the revised timeframe and reason for delay.

**Fairness and Objectivity** All complaints will be addressed in a respectful, equitable, objective manner applying the principles of natural justice. Customers can log complaints without fear of retribution.

**Remedies** If the complaint is upheld, the City will determine an appropriate remedy that is fair to both the complainant and to the City.

The City will provide a formal response to the complainant detailing the remedies that are fair and reasonable in the circumstances.

These may include:

- An apology
- A change to a City decision, documented, policies, procedures, products, service
- A conciliation process
- Provision of additional information
- Referral to another agency e.g., WA Ombudsman Office

**Continual Improvement** The City will analyse the complaints data to identify and address recurring or systemic issues and used to improve service.

**Charges** The City will not charge for dealing with complaints unless relevant legislation requires the City to charge a fee.

**How to make a complaint**

Customers may make a complaint via the following methods:

Contacting the City by telephone	Contact the City of Nedlands by email
<ul style="list-style-type: none"> <li>• The City’s core business hours are 8.30am to 5pm Monday to Friday (Public holidays excluded).</li> <li>• All calls will be answered by employees courteously, professionally and in a timely manner.</li> <li>• City employees who are not directly involved in the</li> </ul>	<ul style="list-style-type: none"> <li>• Customers are advised to email all enquiries to council@nedlands.wa.gov.au</li> <li>• Receipt of emails to the abovementioned email address will be acknowledged immediately by an automatic response system.</li> <li>• Emails to the above email address are documented in the City’s record</li> </ul>

<p>administration of a department shall use voice mail when their individual phone number is unattended.</p> <ul style="list-style-type: none"> <li>• Employees shall keep their voice mail up to date reflecting their out of office circumstances.</li> <li>• For administration purposes, where applicable, each department will have a multiple phone number hunt group that will transfer/divert back to the City's Service Centre.</li> <li>• With calls to the City's Service Centre, Customer Service will attempt to resolve each enquiry immediately. If this is not possible calls will be redirected to the appropriate City employee or department.</li> <li>• If the City employee is not available, the caller will have the option of leaving a voice mail or have the call transferred back to Customer Service who will forward the details to the appropriate City employee.</li> <li>• All enquiries will be acknowledged within a business day of receipt.</li> <li>• For emergency or afterhours issues, a 24-hour emergency customer service call-centre will be available.</li> <li>• The City will maintain a TTY phone service</li> </ul>	<p>management system and electronically distributed to the appropriate employee within one working day.</p> <ul style="list-style-type: none"> <li>• Emails directly sent to individual email addresses will be responded to within two working days of receipt.</li> <li>• Employees shall keep their individual email out of office responses up to date reflecting the employee's circumstances with appropriate email redirects if required.</li> <li>• Enquiries will be actioned within 10 working days where possible. If enquiries require in-depth research or follow up that takes longer than 10 working days, customers will be advised informing them which department is managing the enquiry, the status of the enquiry and when it is expected to be resolved.</li> <li>• The City's correspondence will be courteous and written in easy-to-understand language.</li> <li>• An employee will be allocated to each enquiry and will be responsible for following it through to a satisfactory conclusion.</li> <li>• All associated e-mail correspondence will be logged into the City's record management system.</li> </ul>
<p><b>Visiting in person the City's administration centre</b></p>	<p><b>Contacting the City by hard mail</b></p>
<ul style="list-style-type: none"> <li>• The normal business hours for the City's Administration Centre are 8.30am to 5pm, Monday to Friday (public holidays excluded) and are staffed by the Customer Service team.</li> <li>• All customers will be met with openness, respect, courtesy and understanding.</li> </ul>	<ul style="list-style-type: none"> <li>• All mail is documented and scanned into the City's record management system and electronically distributed to the appropriate officer or department within one working day.</li> <li>• All correspondence will be acknowledged at least within two working days of receipt.</li> </ul>



<ul style="list-style-type: none"> <li>• Customers will be attended to promptly when arriving in person the City's administration centre.</li> <li>• All customers will be treated equally.</li> <li>• If an enquiry from a customer is of a technical or specialised nature, an appropriate City employee will be called to assist or alternatively a meeting will be arranged.</li> <li>• City employees will always dress and behave professionally and will introduce themselves so that customers can identify clearly who they have been speaking with.</li> <li>• All enquiries will be dealt with to the best of the City employee's knowledge and experience at the time.</li> <li>• If the required City employee is unavailable a message will be taken by Customer Service for the City employee to contact the customer by the next business day of receipt.</li> </ul>	<ul style="list-style-type: none"> <li>• An employee will be allocated to each enquiry and will be responsible for following the enquiry through to a satisfactory conclusion.</li> <li>• Enquiries will be actioned within 10 working days. If the enquiry requires in-depth research or follow-up that may take longer than 10 working days, advice will be provided to the customer personally and/or in writing to inform them which employee/department is managing the enquiry, the status of the enquiry and when it is expected to be resolved.</li> <li>• Correspondence from the City will be courteous and written in an easy-to-understand language.</li> <li>• All mail associated with the correspondence will be logged into the City's record management system.</li> </ul>
<p><b>Visiting in person the City's other business locations</b></p>	<p><b>Contact the City of Nedlands via web or app-based technologies</b></p>
<ul style="list-style-type: none"> <li>• The normal business hours for each of the City's business locations varies.</li> <li>• All customers will be met with openness, respect, courtesy and understanding.</li> <li>• All customers will be treated equally.</li> <li>• City employees will always dress and behave professionally and will introduce themselves so that customers can identify clearly who they have been speaking with.</li> <li>• All enquiries will be dealt with to the best of the City employee's knowledge and experience at the time.</li> </ul>	<ul style="list-style-type: none"> <li>• The web or app-based technologies will send all enquiries to <a href="mailto:council@nedlands.wa.gov.au">council@nedlands.wa.gov.au</a>. The resultant e-mail will then follow the same procedure and standards to that of any e-mail correspondence</li> </ul>

## **Recording complaints**

All correspondence relating to a customer complaint must be recorded within the City's business systems.

Information recorded must be factual, accurate and current as per the State Records Act 2000.

## **Complaints about employees**

A complaint against an employee is considered confidential under the Freedom of Information Act 1992 and the complainant will not be advised of the outcome, unless required by law.

## **Freedom of Information**

Employees will assist the public to obtain access to documents and ensure that personal information contained in documents is accurate, complete, up-to-date and not misleading.

## **Right of Review**

Complainants dissatisfied with the way in which their complaint about a service, or operation, or breach of discipline was handled by a City employee may apply to the CEO for a review of the complaint handling process.

## **Escalation**

The City is confident it can resolve most customer complaints received; however, it is appreciated that the City may not be able to satisfy every customer on every occasion. If the complaint remains unresolved or a customer is dissatisfied with the process, then the customer may refer this to the Ombudsman Western Australia.

Ombudsman Western Australia  
PO Box Z5386 St Georges Terrace PERTH WA 6831  
Ph: 08 9220 7555/ 1800 117 000  
Email: [mail@ombudsman.wa.gov.au](mailto:mail@ombudsman.wa.gov.au)  
[www: ombudsman.wa.gov.au](http://www.ombudsman.wa.gov.au)

## **Definitions**

**CEO** the Chief Executive Officer of the City, being also the Complaints Officer in accordance with s5.120 of the Local Government Act 1995 and for the purposes of complaints under Division 3 of the City's Code of Conduct for Council Members, Committee Members and Candidates for Election, and the principal officer of the City which is the notifying authority for the purposes of s28 of the Corruption and Crime Act 2003



**A complaint is:** “an expression of dissatisfaction made to or about an organization, related to its products, services, staff or the handling of a complaint, where a response or resolution is explicitly or implicitly expected or legally required” (as defined by the AS/NZS 10002-2014 Guidelines for Complaint Management in Organisations).

NOTE: A “complaint” should not be confused with a general “request” whereby a person has requested the provision of a product or a service i.e., rubbish to be collected, tree to be pruned, dog barking complaint to be investigated.

**Customer feedback** includes any compliments or suggestions received from customers where a response is not explicitly or implicitly expected or legally required. Complaint is defined by the Australian Standard on Complaints Handling (ISO 10002:2006) as – Expression of dissatisfaction made to an organisation, related to its products, services or the complaint handling process itself, where a response or resolution is explicitly or implicitly expected.

**Complainant** means a ratepayer, member of the public, City employee, or an organisation (whether public or private) concerned or directly and adversely affected by an action or event for which the Council and/or the City’s CEO have responsibility and jurisdiction under the legislative framework governing the City.

**Council member** means the Mayor and councillors of the City of Nedlands.

**Request for Service** is the provision of a City service, or an action required to address a problem. For example, a customer at the Recreation Centre tells an employee there is no hot water in the shower.

This is a request for service and the employee must rectify the problem. If the problem is not rectified, and the customer must repeatedly ask for hot water over a several visits this may escalate into a complaint.

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### Related documentation

- Local Government Act 1995
- Local Government (Audit) Regulations 1996
- Corruption and Crime Commission Act 2003
- City of Nedlands Code of Conduct for Council Members, Committee Members and Candidates for Election, Code of Conduct for Employees
- Public Interest Disclosure Act 2003
- Freedom of Information Act 1992
- Freedom of Information Statement
- City of Nedlands Policy – Public Interest Disclosure
- State Records Act 2000
- The Australian Standard on Complaints Handling (ISO 10002:2006)





- Victorian Ombudsman - Councils and complaints – A good practice guide 2nd edition July 2021
- Guidelines for complaint management in organisations (AS/NZS 10002-2014)

#### **Related Local Law / Legislation**

Nil.

#### **Related delegation**

Nil.

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#### **Review History**

Adopted by Council xxxx

**Please note: Item 14.2 was brought forward from page 115.**

**14.2 Councillor Coghlan – Local Planning Policy – Primary Controls for Apartment Developments**

At the Council meeting on 24 August 2021 Councillor Coghlan gave notice of her intention to move the following at this meeting.

Moved – Councillor Coghlan  
Seconded – Councillor Smyth

**Council Resolution**

**That Council approves to advertise the following Draft Local Planning Policy – Primary Controls for Apartment Developments for public comment.**

**LOCAL PLANNING POLICY – PRIMARY CONTROLS FOR APARTMENT DEVELOPMENTS**

**1.0 PURPOSE**

- 1.1 To provide guidance to the decision-maker when considering whether an apartment development on land coded R40 or above meets the Element Objectives of Part 2, inclusive of sections 2.1-2.7 of State Planning Policy 7.3 - Residential Design Codes Volume 2 - Apartments (R Codes Vol.2).
- 1.2 To establish a clear position for residents, developers and decision-makers with respect to the application of R Codes Vol.2 Primary Controls in achieving the Element Objectives in the assessment of Apartments within the City of Nedlands.
- 1.3 To confirm the City's preference for apartment development to be consistent with the R Codes Vol.2 default development standards and values for the Primary Controls in the context of a performance-based State Planning Policy.

**1.0 APPLICATION OF POLICY**

- 1.1 This policy applies to all development which is subject to assessment in accordance with R Codes Vol.2.
- 1.2 This Policy is to be read in conjunction with the City of Nedlands Local Planning Scheme No.3 (the Scheme). Where this Policy is inconsistent with the Scheme, the Scheme shall prevail, to the extent of the inconsistency.
- 1.3 This policy defines the primary control values that apply unless augmented by a local planning instrument of the City of Nedlands.

- 1.4 The City acknowledges that the R Codes Vol.2 is a performance-based State Planning Policy. Applications for Development Approval need to demonstrate that the design achieves the outcomes of each Element Objective. While addressing the Acceptable Outcomes is likely to achieve the Element Objectives, they are not a 'deemed-to-comply' pathway and the proposal will be assessed in context of the entire design solution to ensure the Element Objectives are achieved.
- 1.5 This policy will apply unless augmented by another endorsed local planning instrument of the City of Nedlands, in which case to achieve the Element Objectives, proposals may require additional and/or alternative design solutions in response to site conditions, streetscape and design approach where specified in the local planning framework.

## **1.0 OBJECTIVES**

- 1.1 To ensure that the built form outcomes of new development do not result in an unreasonable adverse impact on the amenity of adjoining neighbours and wider locality.
- 1.2 To ensure that where possible, development ameliorates adverse amenity impacts such as visual bulk and scale, visual and acoustic privacy, odours, overshadowing, ventilation and loss of tree canopy.
- 1.3 To promote good design in terms of future desired context and character.

## **1.0 POLICY MEASURES**

### **Primary Controls**

- 1.1 The default Primary Controls extracted from Part 2, of State Planning Policy 7.3 - Residential Design Codes Volume 2 - Apartments (R Codes Vol.2) are set out below.
- 1.2 In regard to defining the context and character in Nedlands, in relation to the Element Objectives of the Primary Controls in sections 2.2 – 2.7 in Part 2 of R Codes Vol.2 (for the relevant R-code zoning), and whether these Element Objectives are achieved by an apartment development, the City of Nedlands provides the following policy advice.
- 1.3 In the absence of another endorsed local planning instrument, the City defers to the R-code zoning as designated by LPS3 and deems that to respond to the existing and desired future scale, height and character of Nedlands, and to therefore achieve the Primary Control Element Objectives as they are defined and apply in Nedlands under LPS3, a development must meet or subceed the default development standards and values provided in Tables 2.1, 2.2 and

2.7 of R Codes Vol.2 in regards to the Primary Control elements. Accordingly, the City deems that exceeding these standards and values is not in keeping with the existing and desired future scale, height and character of Nedlands as designated by the relevant LPS3 R-code zoning, and will therefore not achieve the Element Objectives for these critical design elements.

The relevant Element Objectives and development standards and values for each Primary Control are defined in SPP 7.3 Vol 2 Part 2 sections 2.2 – 2.7, and that document should be read in conjunction with the following clauses 4.4 to 4.9.

1.4 Building height (Refer to section 2.2 and Tables 2.1 and 2.2)

In particular Clause O2.2.1 – The height of development responds to the desired future scale and character of the street and local area (*as defined in Clause 4.3 above*), including existing buildings that are unlikely to change.

Table 2.1 Primary controls table

Streetscape contexts and character refer 4.2	Applies to R-Code areas, default settings apply unless alternative provisions defined in local planning instruments						Applicable where designated by local government in local planning scheme, activity centre plan, structure plan, local development plan, local planning policy				
	Low-rise		Medium-rise		Higher density residential		Neighbourhood centre	Mid-rise urban centres	High density urban centres		Planned areas
Site R-Coding	R40	R50	R60	R80	R100	R160	R-AC4	R-AC3	R-AC2	R-AC1	R-AC0
Building height (storeys) refer 2.2	2	3	3	4	4	5	3	6	7	9	Refer to local planning scheme, local dev plan and/or precinct controls as applicable
Boundary wall height (storeys) <sup>1,2</sup> refer 2.4	1 <sup>3</sup>		1 <sup>3</sup>	2 <sup>3</sup>	2 <sup>3</sup>		2	3	4		
Minimum primary and secondary street setbacks refer 2.3	4m <sup>4</sup>	2m	2m		2m		2m or Nil <sup>5</sup>	2m or Nil <sup>5</sup>	2m or Nil <sup>5</sup>		
Minimum side setbacks <sup>6</sup> refer 2.4	2m	3m	3m		3m		Nil				
Minimum rear setback refer 2.4	3m		3m		6m		6m	Nil	Nil		
Average side setback where building length exceeds 16m refer 2.4	2.4m	3.5m	3.5m	3.5m	3.5m	4.0m	NA	NA	NA		
Plot ratio <sup>7</sup> refer 2.5	0.6	0.7	0.8	1.0	1.3	2.0	1.2	2.0	2.5	3.0	
Notes	<sup>1</sup> Wall may be built up to a lot boundary, where it abuts an existing or simultaneously constructed wall of equal or greater proportions <sup>2</sup> 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 <sup>3</sup> Boundary wall only permitted on one boundary, and shall not exceed 2/3 length. <sup>4</sup> Minimum secondary street setback 1.5m <sup>5</sup> Nil setback applicable if commercial use at ground floor <sup>6</sup> Boundary setbacks will also be determined by provisions for building separation and visual privacy within this SPP and building separation provisions of the NCC. <sup>7</sup> Refer to Definitions for calculation of plot ratio										

Source: State Planning Policy SPP 7.3 R Codes Volume 2 (WAPC)

**Table 2.2 Indicative building height**

Storeys	Indicative overall building height in metres
2	9
3	12
4	15
5	18
6	21
7	24
8	27
9	30
10	33

• Overall building heights are set by adding together the floor to ceiling heights for the desired number of storeys, with a nominal allowance of 4m for the ground floor and 3m for subsequent floors. Add at least 2m to the total to allow for rooftop articulation.

• Building height limits for higher density typologies: These default heights are provided as a conservative baseline and higher building height limits may be appropriate subject to detailed local planning.

Source: State Planning Policy SPP 7.3 R Codes Volume 2 (WAPC)

1.5 Street setbacks (Refer to section 2.3)

In particular Clause O2.3.1 – The setback of the development from the street reinforces and/or complements the existing or proposed landscape character of the street (*as defined in Clause 4.3 above*).

1.6 Side and rear setbacks (Refer to section 2.4)

In particular Clause O2.4.2 – Building boundary setbacks are consistent with the existing streetscape pattern or the desired streetscape pattern (*as defined in Clause 4.3 above*).

1.7 Plot ratio (Refer to section 2.5)

In particular Clause O2.5.1 – The overall bulk and scale of development is appropriate for the existing or planned character of the area (*as defined in Clause 4.3 above*).

1.8 Building depth (Refer to section 2.6)

In particular Clause O2.6.1 – Building depth supports apartment layouts that optimize daylight and solar access and natural ventilation (*as defined in Clause 4.3 above*).

1.9 Building separation (Refer to section 2.7 and Table 2.7)

In particular Clause O2.7.1 – New development supports the desired future streetscape character with spaces between buildings (*as defined in Clause 4.3 above*).

**Table 2.7** Building separation

	Separation between:	Building height		
		≤ 4 storeys (up to 15m)	5-8 storeys (up to 28m)	≥ 9 storeys (over 28m)
Within site boundary	Habitable rooms/balconies	12m	18m	24m
	Habitable and non-habitable rooms	7.5m	12m	18m
	Non-habitable rooms	4.5m	6m	9m
To adjoining property boundaries	Habitable rooms/balconies and boundary	Refer 2.4 Side and rear setbacks (Table 2.1) and 3.5 Visual privacy (Table 3.5)	9m	12m

Distances apply from major openings of rooms, or the inside of balustrading of balconies.  
Average dimensions may be applied subject to major openings meeting other requirements for privacy, daylight and the like.

Source: State Planning Policy SPP 7.3 R Codes Volume 2 (WAPC)

1.10 SPP 7.3 Vol 2, Part 2 section 2.8 refers to development incentives for community benefit, which are not Primary Controls and are not dealt with under this LPP. Development incentives are entirely discretionary and will only be considered where the City of Nedlands has developed a specific local planning policy for a location or area, with the aim to achieve an identified community benefit that may otherwise not be made available. If implemented, these area specific local planning policies can provide a framework to guide assessment of community value, and whether the development entitlement is commensurate with any specific and tangible benefit to the Nedlands community in terms of new streets/laneways, through-site access, open space, public amenity, culture or recreational facilities, which can be transparently achieved and measured. There should not be the expectation that incentives are a ‘default’ development standard, nor a reward merely for good design.

**1.0 RELATED LEGISLATION**

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

1.2 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
- State Planning Policy 7.0 Design Review
- State Planning Policy 7.2 Precinct Design
- State Planning Policy 7.3 - Residential Design Codes - Volume 2 - Apartments

## 6.0 DEFINITIONS

6.1 For this policy, the following definitions apply:

Definition	Meaning
<b>Community Benefit</b>	A development that has value has components which provide benefit to the community in a way that is clear and meaningful. A benefit to the community should contribute and improve upon the local context and amenity.
<b>Context and Character</b>	As defined in Clause 2.1.1 of R Codes Vol.2. Context is defined by the broader environment within which the development occurs with a focus on transport, land uses, economic activity, local services, and open spaces as well as demographic and socio-economic factors. Character is an important aspect of local identity created through the combined effect of: <ul style="list-style-type: none"> <li>o The height, scale, setback, style, and conditions of buildings.</li> <li>o Land uses and street-based activity</li> <li>o The physical form of the street including widths and function, verges, and footpaths</li> <li>o Landscaping of the public and private realm.</li> </ul>
<b>Desired Future Character</b>	Cues can be taken from the context and character of surrounding areas to determine a street grid and hierarchy of lot sizes, building typologies and building envelopes, as designated by the R-code zoning, that together will create the desired suburban or urban character.

6.2 A word or expression that is not defined in the Policy has the same meaning as it has in the Residential Design Codes.

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



## Justification

The purpose of this policy is to establish a clear position for residents, applicants and decision-makers with respect to the application of R Codes Vol.2 Primary Controls in achieving the Element Objectives in the assessment of Apartments within the City of Nedlands.

This policy applies to all development which is subject to assessment in accordance with R Codes Vol.2. and is to be read in conjunction with the City of Nedlands Local Planning Scheme No.3. This policy will apply unless augmented by another local planning instrument of the City of Nedlands.

The objective is ensure that the built form outcomes of new development do not result in an unreasonable adverse impact on the amenity of adjoining neighbours and the wider locality, and to promote good design in terms of existing and future desired context and character.

## Policy

In the absence of another endorsed local planning instrument, the City defers to the R-code zoning as designated by LPS3 and deems that to respond to the existing and desired future scale, height and character of Nedlands, and to therefore achieve the Primary Control Element Objectives as they are defined and apply in Nedlands under LPS3, a development must meet or subceed the default development standards and values provided in Tables 2.1, 2.2 and 2.7 of R Codes Vol.2 in regards to the Primary Control elements. Accordingly, the City deems that exceeding these standards and values is not in keeping with the existing and desired future scale, height and character of Nedlands as designated by the relevant LPS3 R-code zoning and will therefore not achieve the Element Objectives for these critical design elements.

## Administration Comment

The wording of the proposed policy in the draft Notice of Motion may present some significant challenges in terms of the consideration that the Policy would be given.

As background, the R-Codes Volume 2 state on page (iv)

**'This is a performance-based policy. Applications for development approval need to demonstrate the design that achieves the objectives of each Design Element. While addressing the Acceptable Outcomes is likely to achieve the objectives, they are not a deemed-to-comply pathway and the proposal will be assessed in context of the entire design solution to ensure the objectives are achieved. Proposals may also satisfy the objectives by alternative means or solutions.'**

Whether or not a particular aspect of a proposed development 'complies' with the Acceptable Outcomes for that Design Element does not determine whether or not that aspect of the development is acceptable. Rather, in each case a determination must be made as to whether the Element Objective is achieved. For a variety of reasons, an Acceptable Outcome may be appropriate on certain lots but not on others (topography, existing land uses, adjacent development, lot configuration etc).

As stated in a State Administrative Tribunal decision of 2020 (WASAT 115):

**82 “The R Codes are primarily focused on whether the Element Objectives are achieved or demonstrated. The answer to that question, regardless of what the Acceptable Outcomes may provide, is always as an assessment of the proposed development in its context. A proposed development must demonstrate how the relevant Element Objectives are demonstrated, achieved or met.”**

Thus, the ultimate assessment must always be carried out against the performance-based Element Objectives, which may or may not be achieved by the identified Acceptable Outcomes.

If a policy purports to set an absolute development standard incapable of variation (for example by saying that satisfying the Acceptable Outcomes will satisfy the Element Objectives for every application) the policy maybe inoperative. A policy which attempts to set a standard which is incapable of variation would also be legally ineffective, as while a local planning policy can guide the exercise of a discretionary power, it cannot fetter the power of the decision maker. It is an error of law to treat a policy as if it is binding. The policy as proposed is headed in this direction.

The most appropriate approach is that a local design response be prepared as is currently proposed within the four identified precincts (Waratah, Broadway, Stirling Highway and Hollywood-Hampden). This will allow for potential street by street responses, rather than catch all policies statements which lack the support of a detailed local assessment.

It is recommended that the policy not be adopted. It is recommended that Council continue to support the precinct work which is currently underway and will be presented to Council over the course of 2022.

**13.8 Review of Interim Chief Executive Officer Key Results Areas & Priorities**

<b>CEO Performance Review Committee</b>	31 August 2021
<b>Council</b>	28 September 2021
<b>Applicant</b>	City of Nedlands
<b>Employee Disclosure under section 5.70 of the Local Government Act 1995</b>	Nil.
<b>Officer</b>	Shelley Mettam, Manager Human Resources
<b>Attachments</b>	Nil.
<b>Confidential Attachments</b>	Nil.

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

Moved – Councillor Horley  
 Seconded – Councillor Wetherall

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

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

**Council Resolution / Recommendation to Council**

That Council:

- adopts the following Key Results Areas for the period ending 30 June 2022 for the Interim Chief Executive Officer:

<b>Key Results Areas</b>	<b>Requirements</b>	<b>Standards</b>	<b>Role of Council</b>
<b>1. Enterprise Resource Planning (ERP)</b>	Implement phase 1 of the Enterprise Resource Planning Project	1. Planning & Team Recruitment complete November 2021 2. System Configuration and User Acceptance Testing	Status Update Report on implementation via the Audit & Risk Committee.

		<p>complete May 2022</p> <p>3. Staff Training complete June 2022</p> <p>4. ERP Phase 1 Go Live July 2022</p>	
<b>2. Workforce Plan</b>	<p>Council has a current Workforce Plan including:</p> <ul style="list-style-type: none"> <li>• The current workforce profile and organisational structure;</li> <li>• Identification of gaps between the current profile and the organisational requirements;</li> <li>• Identification of organisational activities to foster and develop workforce</li> <li>• The Workforce Plan is budgeted for in Long Term Financial Plan.</li> </ul>	<p>Basic standard is met when local government has met all of the listed requirements.</p>	<p>Each Councillor will be interviewed as part of the Workforce Planning Process to determine their expectations of the organisational review exercise as well as to gain an appreciation and understanding their views on the organisation in its service delivery.</p>
<b>3. Asset Management Plans</b>	<p>Asset Management Plans exist for significant and critical asset classes including the identification of:</p> <ul style="list-style-type: none"> <li>• Asset Consumption Ratio</li> </ul>	<p>Asset Consumption Ratio: Basic standard is met if ratio data can be identified and ratio is 50% or greater.</p> <p>Asst Sustainability Ratio: Basic</p>	<p>Council determines affordable, realistic and achievable priorities and is responsible for ensuring that the local government's Asset Management</p>

	<ul style="list-style-type: none"> <li>• Asset sustainability ratio</li> <li>• Asset Renewal Funding Ratio</li> </ul>	<p>standard is met if ratio data can be calculated and ratio is 90% or greater.</p> <p>Asset renewal funding ratio: Basic standard is met if ratio data can be identified and ratio is between 75% and 95%.</p>	<p>Policy is developed and implemented and that appropriate resources are made available for asset management. By making certain that Asset Management Plans are monitored and outcomes reported to the community, Council ensures that it is making progress towards meeting long-term community needs. Council will be required to adopt the final plan.</p>
<p><b>4. Long Term Financial Plan</b></p>	<p>Long Term Financial Plan exist including the identification of:</p> <ul style="list-style-type: none"> <li>• Operating surplus ratio</li> <li>• Current ratio or working capital ratio</li> <li>• Debt service cover ratio</li> </ul>	<p>Operating surplus ratio: Basic standard is met if the operating surplus ratio is between 0% and 15%.</p> <p>Current ratio or working capital ratio: Basic standard is met if the ratio is equal to an expression of 1:1 or greater (e.g. 100% or 1.0).</p> <p>Debt service cover ratio:</p>	<p>Council will have significant input into the long term financial plan by contributing to the underlying assumptions, forward capital works programs and transformational projects. Council will be required to adopt the final plan.</p>

		Basic standard is met if this ratio is greater than or equal to 2.	
<b>5. Governance Framework Policy</b>	Develop a Governance Framework Policy	<p>Final Policy ensures:</p> <ul style="list-style-type: none"> <li>• Elected Members are engaged in the development of strategy and policy from initiation to adoption.</li> <li>• Elected Members are provided with accurate relevant and timely information by the Chief Executive Officer (CEO) to inform quality decision-making; and</li> <li>• Community members can participate in the decision-making process and have access to information used to inform Council decisions.</li> </ul>	Council will be involved in the development of the policy and will be required to adopt the final policy.

2. instructs the CEO to provide a regular update on all KRAs to Council via the CEO Weekly Update; and
3. a copy of the Organisation Review from Gerard Daniels of 1998 be provided to Council Members via the Councillor Portal.

## Recommendation to Committee

That Council:

- adopts the following Key Results Areas for the period ending 30 June 2022 for the Interim Chief Executive Officer:

Key Results Areas	Requirements	Standards	Role of Council
<b>1. Enterprise Resource Planning (ERP)</b>	Implement phase 1 of the Enterprise Resource Planning Project	<ol style="list-style-type: none"> <li>Planning &amp; Team Recruitment complete November 2021</li> <li>System Configuration and User Acceptance Testing complete May 2022</li> <li>Staff Training complete June 2022</li> <li>ERP Phase 1 Go Live July 2022</li> </ol>	Nil in implementation.
<b>2. Workforce Plan</b>	<p>Council has a current Workforce Plan including:</p> <ul style="list-style-type: none"> <li>The current workforce profile and organisational structure;</li> <li>Identification of gaps between the current profile and the organisational requirements;</li> <li>Identification of organisational activities to foster and</li> </ul>	Basic standard is met when local government has met all of the listed requirements.	Each Councillor will be interviewed as part of the Workforce Planning Process to determine their expectations of the organisational review exercise as well as to gain an appreciation and understanding their views on the organisation in its service delivery.

	<p>develop workforce</p> <ul style="list-style-type: none"> <li>The Workforce Plan is budgeted for in Long Term Financial Plan.</li> </ul>		
<p><b>3. Asset Management Plans</b></p>	<p>Asset Management Plans exist for significant and critical asset classes including the identification of:</p> <ul style="list-style-type: none"> <li>Asset Consumption Ratio</li> <li>Asset sustainability ratio</li> <li>Asset Renewal Funding Ratio</li> </ul>	<p>Asset Consumption Ratio: Basic standard is met if ratio data can be identified and ratio is 50% or greater.</p> <p>Asst Sustainability Ratio: Basic standard is met if ratio data can be calculated and ratio is 90% or greater.</p> <p>Asset renewal funding ratio: Basic standard is met if ratio data can be identified and ratio is between 75% and 95%.</p>	<p>Council determines affordable, realistic and achievable priorities and is responsible for ensuring that the local government's Asset Management Policy is developed and implemented and that appropriate resources are made available for asset management. By making certain that Asset Management Plans are monitored and outcomes reported to the community, Council ensures that it is making progress towards meeting long-term community needs. Council will be required to adopt the final plan.</p>



<p><b>6. Long Term Financial Plan</b></p>	<p>Long Term Financial Plan exist including the identification of:</p> <ul style="list-style-type: none"> <li>• Operating surplus ratio</li> <li>• Current ratio or working capital ratio</li> <li>• Debt service cover ratio</li> </ul>	<p>Operating surplus ratio: Basic standard is met if the operating surplus ratio is between 0% and 15%.</p> <p>Current ratio or working capital ratio: Basic standard is met if the ratio is equal to an expression of 1:1 or greater (e.g. 100% or 1.0).</p> <p>Debt service cover ratio: Basic standard is met if this ratio is greater than or equal to 2.</p>	<p>Council will have significant input into the long term financial plan by contributing to the underlying assumptions, forward capital works programs and transformational projects. Council will be required to adopt the final plan.</p>
<p><b>7. Governance Framework Policy</b></p>	<p>Develop a Governance Framework Policy</p>	<p>Final Policy ensures:</p> <ul style="list-style-type: none"> <li>• Elected Members are engaged in the development of strategy and policy from initiation to adoption.</li> <li>• Elected Members are provided with accurate relevant and timely information by the Chief Executive Officer (CEO) to inform quality</li> </ul>	<p>Council will be involved in the development of the policy and will be required to adopt the final policy.</p>

		decision-making; and <ul style="list-style-type: none"> <li>• Community members can participate in the decision-making process and have access to information used to inform Council decisions.</li> </ul>	
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## Executive Summary

This report was provided to the CEO Performance Review Committee to provide information to the assist in the review and revise, as necessary, the Key Results Areas to be set for the Interim CEO for the next 12 months.

The purpose of the CEO Performance Review Committee is 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.

This report is now provided to Council for the purpose of adopting the Key Results Areas for the period ending 30 June 2022 for the Interim Chief Executive Officer as recommended by the CEO Performance Review Committee.

## Discussion/Overview

### Background

CEO, Bill Parker presented his initial observations and a list of priority areas to Council at a Council Member Briefing on 17 August 2021. Upon agreement at that briefing, these priority areas were presented to the CEO Performance Review Committee on 26 August 2021. The Committee requested the CEO include further details in terms of target measure details and to include levels and opportunities for council member involvement.

At a subsequent CEO Performance Review Committee Meeting on 31 August 2021, CEO Bill Parker provided additional detail in terms of Requirements, Standards and Role of Council.

The Committee also requested that Council be regularly updated on one of the KRA's in particular, the implementation of the Enterprise Resource Planning system.

### **Key Results Areas**

The Chief Executive Officer (CEO) Performance Review Committee (the Committee) is required to work with Council to conduct assessment of a CEO's performance every 12 months and review and revise, as necessary, the Key Results Areas to apply to the CEO for the next 12 months.

On 23 February 2021, the following Key Results Areas were proposed by the CEO Performance Review Committee to apply to the Interim CEO:

1. Create, agree and implement an organization wide reform plan (with Council agreement to fund it);
2. Create and implement a communication and community engagement strategy;
3. Implement accurate and streamlined financial reporting (Inc planning for Underground Power);
4. Revise all processes and ensure right people are in the right job (Performance Management);
5. Implement accurate Governance controls; and
6. Create a Corporate Business Plan.

On commencement, the Interim CEO reviewed the existing KRA's. In order to complete these KRAs, significant prework needs to occur e.g., to develop a Corporate Business Plan, the City of Nedlands first needs to complete asset management, workforce and long term financial plans. Additionally, further refinement is recommended so that the KRAs are deliverable and measurable.

### **Key Relevant Previous Council Decisions:**

CEO Performance Review Committee Meeting 26 August 2021

“That Council:

1. amend the CEO Performance Review Committee Terms of Reference to include an Independent Observer;

subject to confirmation by the Human Resources Manager regarding process, recommend to Council that Mr Andrew Edwards be invited to be appointed as the Independent Observer to the CEO Performance Review Committee as a non-voting member.”

and

“That the Committee:

1. instruct the CEO to:
  - a. review the 5 KRA areas adding further detail in terms of target measure details; and
  - b. provides levels and opportunities for Council Member involvement;
2. notes the report commissioned by the City of Nedlands by Core Business Australia’s Chris Morrison; and
3. retain and review the CEO KRAs for the permanent CEO incorporating 10 performance criteria recommended within the CEO Recruitment and Selection Guidelines adopted on 8<sup>th</sup> February 2021 and outlined within attachment (a) on the commencement of a permanent CEO.”

CEO Performance Review Committee Meeting 23 February 2021

CEO Key Results Areas Report – Key Issues and Next Steps

“Committee Recommendation

That Council:

1. seek the Department of Local Government’s assistance to recommend:
  - a. an interim-CEO with a corporate governance and community leadership focus; and
  - b. a change-focused transformation lead Chief Operating Officer (COO) specialising in local government organisational reform.
2. commence the recruitment process for a long-term CEO six months after the above reform team is in place;
3. the current Council approved KRAs to be incorporated into the long-term CEO’s employment contract when recruited;
4. recommend the following change-focused KRAs for the interim CEO, putting the community at the centre of what we do:
  - Create, agree and implement an organization wide reform plan (with Council agreement to fund it);
  - Create and implement a communication and community engagement strategy;
  - Implement accurate and streamlined financial reporting (Inc planning for Underground Power);

- Revise all processes and ensure right people are in the right job (Performance Management);
  - Implement accurate Governance controls;
  - Create a Corporate Business Plan.
5. council ensures the engagement of a senior Governance and Risk Officer is employed to assist Council.”

## **Consultation**

The Interim CEO presented his initial observations and a list of priority areas to Council at a Council Member Briefing on Tuesday 17 August 2021. Upon agreement at that briefing these priority areas were presented to the CEO Performance Review Committee on the 26 August 2021 where the Committee requested the CEO include further details in terms of target measure details, and to include levels and opportunities for council member involvement.

## **Strategic Implications**

### **How well does it fit with our strategic direction?**

A majority of the KRAs are key components of the Integrated Planning and Reporting Framework. Once complete, the City can progress a robust review of the Strategic Community Plan and revisit the City’s vision and aspirations.

### **Who benefits?**

The key benefit on all listed actions is the improvement of service delivery to the Community and increase transparency.

### **Does it involve a tolerable risk?**

The required changes are a major reform program for the City, and this will need very tightly managed with clear risk mitigation at every level. The risks of change to core systems are the most significant and highest risk and this would be mitigated by a focused team and effective risk management.

## **Budget/Financial Implications**

The CEO Performance Review is required annually under section 5.38 of the *Local Government Act 1995* and includes the setting of key results areas to apply to the CEO.

Within existing budget.

**13.9 CEO Performance Review Committee – Independent Observer**

<b>Council</b>	28 September 2021
<b>Applicant</b>	City of Nedlands
<b>Employee Disclosure under section 5.70 Local Government Act 1995</b>	Nil.
<b>CEO</b>	Bill Parker
<b>Attachments</b>	Nil.
<b>Confidential Attachments</b>	Nil.

Councillor Hodsdon left the meeting at 11.21pm and returned at 11.23pm.

Councillor Horley left the meeting at 11.23pm and returned at 11.24pm

**Regulation 11(da) – The additional clauses were added from the CEO Performance Review Committee Minutes.**

Moved – Councillor Coghlan  
 Seconded – Councillor Youngman

**That the Recommendation to Council be adopted subject to the following additional clauses from the CEO Performance Review Committee Minutes of 26 August 2021 being added:**

- 3. notes the report commissioned by the City of Nedlands by Core Business Australia’s Chris Morrison; and**
- 4. retain and review the CEO KRAs for the permanent CEO incorporating 10 performance criteria recommended within the CEO Recruitment and Selection Guidelines adopted on 8<sup>th</sup> February 2021 and outlined within attachment (a) on the commencement of a permanent CEO.**

**CARRIED 9/3**  
**(Against: Crs. McManus Wetherall & Senathirajah)**

**Council Resolution**

**That Council:**

- 1. amend the CEO Performance Review Committee Terms of Reference to include an Independent Observer;**

- 2. subject to confirmation by the Human Resources Manager regarding process, recommend to Council that Mr Andrew Edwards be invited to be appointed as the Independent Observer to the CEO Performance Review Committee as a non-voting member;**
- 3. notes the report commissioned by the City of Nedlands by Core Business Australia's Chris Morrison; and**
- 4. retain and review the CEO KRAs for the permanent CEO incorporating 10 performance criteria recommended within the CEO Recruitment and Selection Guidelines adopted on 8<sup>th</sup> February 2021 and outlined within attachment (a) on the commencement of a permanent CEO.**

## Committee Recommendation

That Council:

1. amend the CEO Performance Review Committee Terms of Reference to include an Independent Observer; and
2. subject to confirmation by the Human Resources Manager regarding process, recommend to Council that Mr Andrew Edwards be invited to be appointed as the Independent Observer to the CEO Performance Review Committee as a non-voting member.

## Executive Summary

The purpose of this report is to provide clarification of the Local Government Guidelines and seek Council's decision on the CEO Performance Review Committee's request from its meeting on 26 August 2021 to amend the Terms of Reference to include an Independent Observer to CEO Performance Review Committee and subject to clarification of process that if possible the independent observer be the same independent member as appointed to the CEO Recruitment & Selection Committee.

## Discussion/Overview

### Guidelines for Local Government CEO Performance Review

The Local Government (Administrative) Amendment Regulations 2021 were released in February 2021 together with the Guidelines for Local Government CEO Recruitment and Selection, Performance Review and Termination. The stated intention of the reforms was to "ensure best



practice and greater consistency in these processes” and to “assist local government in meeting the model standards” contained in the Regulations.

The Guidelines provide that in accordance with section 5.38 of the *Local Government Act*, for a CEO who is in employment for a term of more than one year, the performance is to be reviewed formally at least once in every year of their employment.

In terms of the makeup of the Committee, the Guidelines state:

**“Performance review panel**

It is recommended that the council delegates the CEO performance review to a panel (e.g. comprising certain council members and an independent observer). The panel has a duty to gather as much evidence as possible upon which to base their assessments. The role of the review panel includes developing the performance agreement in the first instance, conducting the performance review and reporting on the findings and recommendations of the review to council. It is also recommended that council develop a policy to guide the performance review process. A policy might include the composition of the panel, primary functions, the role and appointment of an independent consultant, and the responsibilities of review panel members.”

Regarding an Independent Observer, the CEO Performance Review Committee expressed interest in the current Independent Member of the CEO Recruitment and Selection Panel to recruit the Long-Term CEO, Mr Andrew Edwards, being invited to be an Independent Observer for the CEO Performance Review Panel. Although, the Guidelines provide for this and there is nothing to preclude this from occurring, the process to appoint Mr Edwards was specifically for the Recruitment Committee.

It is worth noting that the membership term for CEO Performance Review Committee will conclude immediately prior to the Ordinary Election on 16<sup>th</sup> October 2021. To ensure consistency across multiple committees and to coincide with the forthcoming election, it may be more appropriate to advertise for an independent observer position and simply amend the terms of reference to include an independent observer as part of this process.

**Consultation**

Nil.

## **Strategic Implications**

### **How well does it fit with our strategic direction?**

A majority of the KRAs are key components of the Integrated Planning and Reporting Framework. Once complete, the City can progress a robust review of the Strategic Community Plan and revisit the City's vision and aspirations.

The benefit of being clear and transparent with the CEO Performance Review methodology is to apply a fair, objective and workable process for all parties.

### **Who benefits?**

Appointing an experienced Independent Consultant would assist the CEO Performance Review Committee in fulfilling its requirements when undertaking the review of the CEO's performance.

### **Does it involve a tolerable risk?**

The required changes for the City are already underway. There is a major reform program for the City and this is being tightly managed with clear risk mitigation at every level. The risks of change to core systems are the most significant and the highest risk and this will be mitigated by a focused team and effective risk management. Council and the Audit and Risk Committee will be regularly updated.

## **Budget/Financial Implications**

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

Within existing budget.

## **Conclusion**

It is recommended that Council engage the services of an Independent Consultant to assist with CEO Performance reviews. It appears of lesser importance to engage an Independent Observer as well although under the LG Guidelines, that is also open to Council if they wish to do so.

**Please Note: This item was brought forward from page 111.**

**13.11 Consideration of Responsible Authority Report for Minor Amendments to Approved 10 Multiple Dwellings at 12 (Lot 372) Philip Road, Dalkeith**

<b>Council</b>	28 September 2021
<b>Applicant</b>	Stewart Urban Planning Pty Ltd
<b>Employee Disclosure under section 5.70 Local Government Act 1995</b>	The author, reviewers and authoriser of this report declare they have no financial or impartiality interest with this matter. There is no financial or personal relationship between City staff and the proponents or their consultants. Whilst parties may be known to each other professionally, this relationship is consistent with the limitations placed on such relationships by the Codes of Conduct of the City and the Planning Institute of Australia.
<b>Director</b>	Tony Free – Director of Planning & Development
<b>Attachments</b>	2. Responsible Authority Report and Attachments

**Councillor Smyth – Impartiality Interest**

Councillor Smyth disclosed that she is a Ministerial appointee and paid member of the MINJDAP that will be considering this item at a meeting scheduled for 8th October 2021. As a consequence, there may be a perception that her impartiality on the matter may be affected. In accordance with recent legal advice from McLeods released to the local government sector in relation to a recent Supreme Court ruling, Councillor Smyth advised that she would not stay in the room and debate the item or vote on the matter.

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

A similar declaration will be sent to the DAP administration prior to the scheduled MINJAP meeting.

**Councillor Bennett – Impartiality Interest**

Councillor Bennett disclosed that he is a Ministerial appointee and paid member of the MINJDAP that will be considering this item at a meeting scheduled for 8th October 2021. As a consequence, there may be a perception that her impartiality on the matter may be affected. In accordance with recent legal advice from McLeods released to the local government sector in relation to a recent Supreme Court ruling, Councillor Smyth advised she would not stay in the room and debate the item or vote on the matter.

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

A similar declaration will be sent to the DAP administration prior to the scheduled MINJAP meeting.

Councillor Smyth & Councillor Bennett left the meeting at 11.38pm.

### **Regulation 11(da) – Not Applicable – Recommendation Adopted**

Moved – Councillor Youngman  
Seconded – Councillor McManus

### **Council Resolution**

#### **Council:**

- 1. adopts as the Responsible Authority the Officer Recommendation contained in the Responsible Authority Report for minor amendments to the approved development of 10 Multiple Dwellings at 12 Philip Road, Dalkeith; included at Attachment 1;**
- 2. instructs the CEO to incorporate Council's Responsible Authority recommendation into the Responsible Authority Report for the development of minor amendments to the approved development of 10 Multiple Dwellings at 12 Philip Road, Dalkeith; and**
- 3. appoints Councillor Youngman and Councillor Tyson to coordinate Council's submission and presentation to the Metro Inner-North JDAP for minor amendments to the approved development of 10 Multiple Dwellings at 12 Philip Road, Dalkeith.**

**CARRIED 8/2  
(Against: Crs. Mangano & Wetherall)**

### **Recommendation to Council**

#### **Council:**

1. adopts as the Responsible Authority the Officer Recommendation contained in the Responsible Authority Report for minor amendments to the approved development of 10 Multiple Dwellings at 12 Philip Road, Dalkeith; included at Attachment 1;
2. instructs the CEO to incorporate Council's Responsible Authority recommendation into the Responsible Authority Report for the development of minor amendments to the approved development of 10 Multiple Dwellings at 12 Philip Road, Dalkeith; and

3. appoints Councillor (insert name) and Councillor (insert name) to coordinate Council's submission and presentation to the Metro Inner-North JDAP for minor amendments to the approved development of 10 Multiple Dwellings at 12 Philip Road, Dalkeith.

## 1.0 Executive Summary

The purpose of this report is for Council to consider a Joint Development Assessment Panel application at 12 Philip Road, Dalkeith. Council is requested to make its recommendation to the Metro Inner-North Joint Development Assessment Panel as the Responsible Authority. Council's recommendation will be incorporated into the Responsible Authority Report (RAR) and lodged with the DAP Secretariat on 29 September 2021.

This application is for a proposed Form 2 Application (change to an existing approval) for minor changes to an approved four storey development comprising 10 Multiple dwellings. The most notable change is a 285mm increase to the height, with all other proposed changes not requiring planning approval.

## 2.0 Background

### History

An application for 10 Multiple Dwellings was previously considered at the Joint Development Assessment Panel (JDAP) meeting held on 1 April 2021. The JDAP resolved to approve the application, subject to conditions. A copy of the determination and approved plans is included as Attachment 3 to the RAR.

### Site Description

The site is located within the street block bounded by Philip Road to the north, Adelma Road to the east, Waratah Avenue to the south and Alexander Road to the west (Attachment 1). An aerial and zoning map is provided in **Attachment 1** to the RAR.

The site is 1,136m<sup>2</sup> in area and there is a slope in natural ground level of approximately 2.5m from the front boundary (north) to the rear boundary (south). The site is zoned R80 and has its street frontage to Philip Road. The land to the south is zoned R-AC3 and forms the Waratah Village precinct.

The southern lot boundary of the site abuts a 7.0m wide laneway managed by the City of Nedlands. The subject site has legal right of access over this laneway. However, this laneway is landlocked by private property on all sides and is not directly connected to the local road network.

Vehicle access from the rear laneway was not able to be achieved as no agreement between the site and 81 Waratah Avenue, Dalkeith (Waratah Village) was reached to allow vehicle access through to Waratah Village car park and exit/enter through Waratah Avenue.

### 3.0 Application Details

The development proposal, as applied via the Form 2 process includes minor alterations to an approved four storey Multiple dwelling development. Consideration of the development is limited to the changes proposed and not to the overall development.

The plans illustrate modifications have been made to the proposal. This can be summarised as follows:

- The total building height has increased by 285 millimetres;
- Minor amendments to ramp and car park gradients;
- Minor amendments to Level 3 apartments including stairwell dimensions, window to stairwell for Apartment 302, to northern elevation, window treatments, and internal modification to layout of store and laundry;
- Minor amendments to roof terrace including stairwell dimensions, glass balustrade instead of metal balustrade, and retractable shade sail to pergola structures instead of pergola structures; and
- Inclusion of vehicle and pedestrian doors to the rear laneway.

### 4.0 Consultation

#### Public Consultation

The application was advertised for a period of 28 days from 20 August 2021 until 17 September 2021. Due to the nature of the amendments, the following forms of notification were included:

- A total of 193 letters sent to all landowners and occupiers within a 200m radius of the site informing them of the application and inviting comments;
- An advertisement was published on the City's website with all documents relevant to the application made available for viewing during the advertising period;
- A sign was erected on the subject lot advising of the amended application.

At the close of advertising a total of 4 submissions were received, all objecting to the proposal. A summary of the submissions is listed below:

Issue Raised	Officer's comments
Bulk, scale, plot ratio, overshadowing, car parking, increase in traffic	Subject amendment is for minor changes resulting in no impact to vehicle numbers and only minimal impact in bulk, scale and overshadowing - Refer to Planning Assessment below.

Oppose additional height	Height increase is minimal and supportable - Refer to Planning Assessment below.
Roller door to rear of car park as the site has no legal access through this private property	The site has legal access to the laneway to the rear. Though the laneway is currently landlocked, the intent of the roller door is to future-proof the building in the event that the laneway is connected to a gazetted road in the future.

## 5.0 Recommendation to JDAP

That the Metro Inner-North Joint Development Assessment Panel resolves to:

1. **Accept** that the DAP Application reference DAP/20/01922 as detailed on the DAP Form 2 dated 5 July 2021 is appropriate for consideration in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*;
2. **Approve** DAP Application reference DAP/20/01922 and accompanying plans (Attachment 2) in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of Clause No.16 of the City of Nedlands Local Planning Scheme No. 3, for the proposed minor amendment to the approved residential development (10 multiple dwellings) at No.12 Philip Road, Nedlands

### Amended Conditions

Nil.

### New Conditions

Nil.

Council's recommendation will be incorporated into the Responsible Authority Report (RAR) and lodged with the DAP Secretariat on 11 August 2021.

## 6.0 Conclusion

An application under r.17 of the *Development Assessment Panel Regulations 2011* is not an application for a review or reconsideration of the original decision. The assessment is based on the extent of the amendments sought. Although the City has previously recommended refusal on the original application for 10 Multiple Dwellings, it is Administration's view that the proposed modifications sought are deemed minor in nature. They are considered to appropriately address the Element Objectives of the R-Codes, objectives of the 'Residential' zone and matters to be considered under clause 67 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. Approval of the amendments is recommended.

Councillor Bennett & Councillor Smyth returned at 11.42pm.

Adjournment

Moved – Mayor Argyle

Seconded – Councillor McManus

**That the meeting be adjourned and resumed on Thursday 30 September 2021 at 7pm.**

**CARRIED 9/3**

**(Against: Crs. Smyth Bennett & Youngman)**

The meeting adjourned at 11.45pm and reconvened on Thursday 30 September 2021 at 7pm with the following people in attendance:

<b>Councillors</b>	Mayor F E M Argyle	(Presiding Member)
	Councillor F J O Bennett	Dalkeith Ward
	Councillor A W Mangano	Dalkeith Ward
	Councillor N R Youngman	Dalkeith Ward
	Councillor B G Hodsdon	Hollywood Ward
	Vacant	Hollywood Ward
	Councillor J D Wetherall (until 9.02pm)	Hollywood Ward
	Councillor R A Coghlan (from 7.03pm)	Melvista Ward
	Councillor R Senathirajah	Melvista Ward
	Councillor B Tyson	Melvista Ward
	Councillor N B J Horley	Coastal Districts Ward
	Councillor L J McManus (until 8.55pm)	Coastal Districts Ward
	Councillor K A Smyth	Coastal Districts Ward

<b>Staff</b>	Mr W R Parker	Chief Executive Officer
	Mr E K Herne	Director Corporate & Strategy
	Mr T G Free	Director Planning & Development
	Mr A D Melville	Acting Technical Services
	Ms M E Granich	Executive Manager Community
	Mrs N M Ceric	Executive Officer

**Public** There were 3 members of the public present and 2 online.

**Press** The Post Newspaper.

**Leave of Absence** Nil.  
**(Previously Approved)**

**Apologies** Nil



## 12 PHILIP ROAD, DALKEITH. MINOR AMENDMENTS TO APPROVED 10 MULTIPLE DWELLING DEVELOPMENT

### Form 2 – Responsible Authority Report (Regulation 17)

<b>DAP Name:</b>	Metro Inner-North Joint Development Assessment Panel	
<b>Local Government Area:</b>	City of Nedlands	
<b>Proposed Amendments:</b>	Minor Alterations to x 10 Multiple Dwellings	
<b>Applicant:</b>	Stewart Urban Planning Pty Ltd	
<b>Owner:</b>	Gunner Development Pty Ltd	
<b>Value of Amendment:</b>	\$ 0	
<b>Responsible Authority:</b>	City of Nedlands	
<b>Authorising Officer:</b>	Tony Free – Director Planning	
<b>LG Reference:</b>	DA21-66025	
<b>DAP File No:</b>	DAP/20/01922	
<b>Date of Original DAP decision:</b>	1 April 2021	
<b>Application Received Date:</b>	5 July 2021	
<b>Application Statutory Process Timeframe:</b>	90 Days	
<b>Attachment(s):</b>	<ol style="list-style-type: none"> <li>1. Location Plan &amp; Zoning Plan</li> <li>2. Development Plans</li> <li>3. Previous Determination Notice</li> <li>4. Applicant Justification</li> </ol>	
<b>Is the Responsible Authority Recommendation the same as the Officer Recommendation?</b>	<input type="checkbox"/> Yes	Complete Responsible Authority Recommendation section
	<input type="checkbox"/> N/A	
	<input type="checkbox"/> No	Complete Responsible Authority and Officer Recommendation sections

#### Details: outline of development application

Region Scheme	Metropolitan Region Scheme
Region Scheme Zone/Reserve	Urban
Local Planning Scheme	City of Nedlands Local Planning Scheme No. 3
Local Planning Scheme Zone/Reserve	Residential R80
Use Class (proposed) and permissibility:	Residential 'P' (Multiple Dwelling)
Lot Size:	1,136m <sup>2</sup>
Plot Ratio:	1.29
Number of Dwellings:	10 Multiple Dwellings
Existing Land Use:	Residential (Single House)
State Heritage Register	No
Local Heritage	<input checked="" type="checkbox"/> N/A <input type="checkbox"/> Heritage List <input type="checkbox"/> Heritage Area

Design Review	<input checked="" type="checkbox"/> N/A <input type="checkbox"/> Local Design Review Panel <input type="checkbox"/> State Design Review Panel <input type="checkbox"/> Other
Bushfire Prone Area	No
Swan River Trust Area	No

**Proposal:**

Minor amendments are proposed to the previously-approved development of 10 multiple dwellings at 12 Philip Road, Dalkeith. The application is made under r.17 (c) of the P&D (DAP) Regs 2011. The modifications are considered to be consistent with r.17(c) and will not substantially change the development as approved.

The proposed modifications subject to this amendment are summarised below:

- The total building height has increased by 285 millimetres
- Minor amendments to ramp and car park gradients
- Minor amendments to Level 3 apartments including stairwell dimensions, window to stairwell for Apartment 302, to northern elevation, window treatments, and internal modification to layout of store and laundry.
- Minor amendments to roof terrace including stairwell dimensions, glass balustrade instead of metal balustrade, and retractable shade sail to pergola structures instead of pergola structures.
- Inclusion of vehicle and pedestrian doors to the rear laneway.

The proposed modifications do not result in changes to the current conditions, or a request for an extension of the term of the approval. The amended Development Plans are provided in **Attachment 2**.

**Background:**

Site Description

The site is located within the street block bounded by Philip Road to the north, Adelma Road to the east, Waratah Avenue to the south and Alexander Road to the west (Attachment 1). An aerial and zoning map is provided in **Attachment 1**.

The site is 1,136m<sup>2</sup> in area and there is a slope in natural ground level of approximately 2.5m from the front boundary (north) to the rear boundary (south). The site is zoned R80 and has its street frontage to Philip Road. The land to the south has is zoned R-AC3 and forms the Waratah Village precinct.

The southern lot boundary of the site abuts a 7.0m wide laneway managed by the City of Nedlands. The subject site has legal right of access over this laneway, however, this laneway is landlocked by private property on all sides and is not directly connected to the local road network.

Vehicle access from the rear laneway was not able to be achieved as no agreement between the site and 81 Waratah Avenue, Dalkeith (Waratah Village) was reached to allow vehicle access though to Waratah Village car park and exit/enter through Waratah Avenue.

A Location & Zoning Plan is provided in Attachment 1.

### History

An application for 10 Multiple Dwellings was previously considered at the Joint Development Assessment Panel (JDAP) meeting held on 1 April 2021. The JDAP resolved to approve the application, subject to conditions. A copy of the determination and approved plans is included as Attachment 3.

### **Legislation and Policy:**

#### Legislation

- *Planning and Development Act 2005*
- *Planning and Development (Local Planning Schemes) Regulations 2015*
- *Planning and Development (Development Assessment Panel) Regulations 2011*
- *Metropolitan Region Scheme*
- *City of Nedlands Local Planning Scheme No. 3 – clauses 9, 16, 18, 32 and 34*

#### State Government Policies

- *State Planning Policy 7.0 – Design of the Built Environment (SPP7.0)*
- *State Planning Policy 7.3 – Residential Design Codes Volume 2 – Apartments (R-Codes Vol. 2)*

#### Local Policies

- *Local Planning Policy – Consultation of Planning Proposals*
- *Local Planning Policy – Waste Management*

### **Consultation:**

#### Public Consultation

The application was advertised for a period of 28 days from 20 August 2021 until 17 September 2021. Due to the nature of the amendments, the following forms of notification were included:

- A total of 193 letters sent to all City of Nedlands landowners and occupiers within a 200m radius of the site informing them of the application and inviting comments;
- An advertisement was published on the City's website with all documents relevant to the application made available for viewing during the advertising period;
- A sign was erected on the subject lot advising of the amended application.

At the close of advertising a total of 4 submissions were received, all objecting to the proposal. A summary of the submissions is listed below:

Issue Raised	Officer's comments
Bulk, scale, plot ratio, overshadowing, car parking, increase in traffic	Subject amendment is for minor changes resulting in no impact to vehicle numbers and only minimal impact in bulk, scale and overshadowing - Refer to Planning Assessment below
Oppose additional height	Height increase is minimal and supported - Refer to Planning Assessment below
Roller door to rear of car park as the site has no legal access through this private property	The site has legal access to the laneway to the rear. Though the laneway is currently landlocked, the intent of the roller door is to future-proof the building in the event that the laneway is connected to a gazetted road in the future.

The concerns relating to this assessment are discussed below.

Design Review Panel Advice

Due to the minor nature and extent of the modifications proposed, the application was not reviewed by the Design Review Panel.

**Planning Assessment:**

The proposed amendment only seeks to modify the following provisions under the R-Codes.

- Building Height

No other discretion is sought through these amendments. It is further noted that an application under r.17 is not an application for a review or reconsideration of the original decision. The assessment is based on the extent of the amendments sought. The key considerations are outlined and discussed below:

Element 2.2 Building Height

*Overall building height*

The default acceptable outcomes for the site under Volume 2 of the R-Codes are four (4) storeys with a 15m indicative building height limit. The development does not modify the number of storeys but does propose an increase in the overall building height of 285mm.

The applicant has stated that the reason for this height increase is to accommodate the recently revised National Construction Codes, which now require sprinkler systems to each floor. This change would ordinarily add 200mm in height to each storey (totalling an addition 800mm), however, the applicant has somewhat mitigated this by reducing the overall finished floor levels by sinking the basement further. The overall effect is a minimal increase to building height that will be largely unnoticeable from the street or adjoining properties. The applicant's full summary is available as **Attachment 4**.

The increase in height has nominally increased the overshadowing to the neighbouring property to the south (87 Waratah Avenue, Dalkeith) to 64m<sup>2</sup> or 2% of its total area, with most of the shadow falling on the rear laneway. The result is an overshadowing increase of by 2m<sup>2</sup>. Accordingly, due to the minor nature and extent of these changes, it is considered to meet Element 2.2 of the R-Codes relating to building height.

#### Other changes

The additional amendments summarised below do not require any further R-Codes assessment and are proposed mainly as a response to the amended internal floor heights:-

#### *Window dimensions*

The applicant has proposed minor modifications to window treatments on the western elevation to Level 3, and the southern elevation to Level 2. On the northern elevation, a window to the stairwell for Apartment 302 has been included at the roof terrace level. Minor changes to openings of windows, the overall size and position of the affected windows remain the same. The modifications do not impact setbacks or visual privacy.

#### *Ramp and Car Park Gradients*

To limit the overall building height increase to 285mm, minor adjustments have been made to the gradients of the vehicle access ramp, car park and pedestrian ramp to the bin store. The bin store pedestrian ramp and balustrade have also been lengthened so that they now commence at the front boundary of the site.

#### *Level 3 Apartments*

To accommodate the revised floor-to-floor heights, it has been necessary to slightly increase the length of the staircases leading from the two Level 3 apartments to the Roof Terrace. The position of the store and laundry inside the Level 3 apartments has also been adjusted to accommodate the revised stairwell (internal design modification only).

#### *Roof Terrace*

To accommodate the revised floor-to-floor heights, it has been necessary to increase the length of the stair enclosures at Roof Terrace level (+0.8m for Apartment 301 and +1.0m for Apartment 302). The minor adjustment to the length of the stair enclosures is not considered to have any notable or significant impact on the appearance, bulk and scale of the building and will not be noticeable from the street.

In addition, it is proposed to replace the metal balustrading to the Roof Terraces with a glass balustrade and replace the pergola structures with retractable shade sails. There is no impact on visual privacy or amenity to adjoining properties or occupants.

#### *Pedestrian Door to Rear Wall of Car Park*

In order to meet National Construction Code, a pedestrian exit door has been included to the rear of the development at the car park level at grade. The approved development already incorporated pedestrian access from the Ground Floor via stairs.

#### Roller Door to the Rear Wall of Car Park for Potential Future Vehicle Access

It is proposed to introduce a roller door to the rear wall of the car park. The addition is intended to 'future proof' the building in the event that legal vehicle access to a gazetted road becomes available in the future.

**Conclusion:**

An application under r.17 of the *Development Assessment Panel Regulations 2011* is not an application for a review or reconsideration of the original decision. The assessment is based on the extent of the amendments sought. Although the City has previously recommended refusal on the original application for 10 Multiple Dwellings, it is the City's view that the proposed modifications sought are deemed minor in nature. They are considered to appropriately address the Element Objectives of the R-Codes, objectives of the 'Residential' zone and matters to be considered under clause 67 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. Approval of the amendments is recommended.

**Responsible Authority Recommendation**

To be completed after Ordinary Council Meeting on 28 September 2021

That the Metro Inner-North JDAP resolves to:

1. **Accept** that the DAP Application reference DAP/20/01922 as detailed on the DAP Form 2 dated 5 July 2021 is appropriate for consideration in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*;
2. **Approve** DAP Application reference DAP/20/01922 and accompanying plans (Attachment 2) in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of Clause No.16 of the City of Nedlands Local Planning Scheme No. 3, for the proposed minor amendment to the approved residential development (10 multiple dwellings) at No.12 Philip Road, Nedlands

**New Conditions**

1. Nil.

**Amended Advice Notes**

1. Nil.

**New Advice Notes**

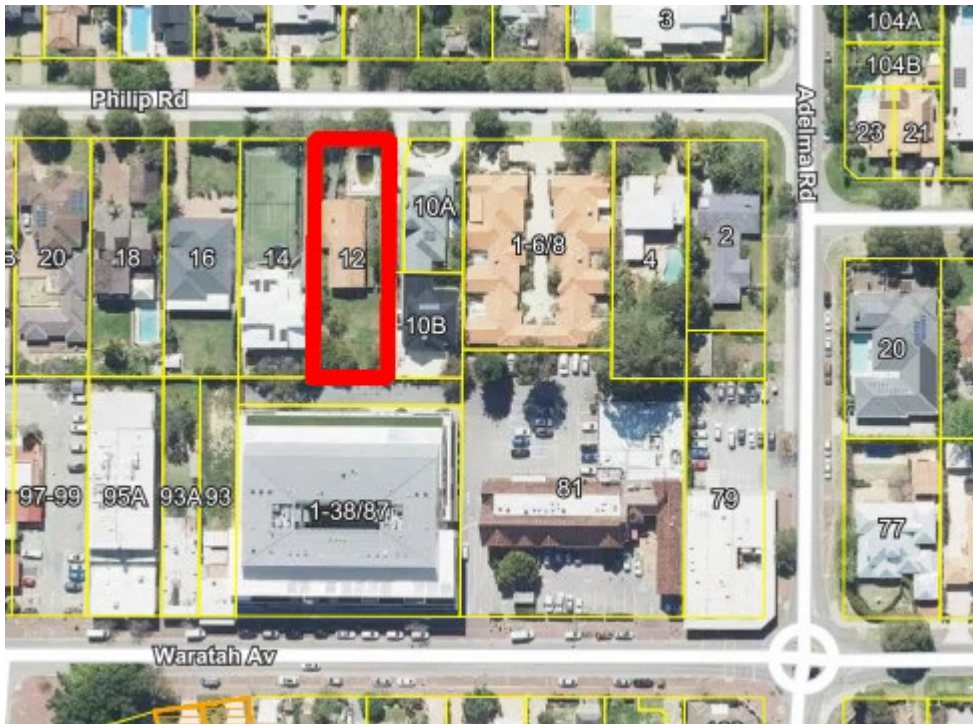
1. Nil.

All other conditions and requirements detailed on the previous approval dated 1 April 2021 shall remain unless altered by this application.

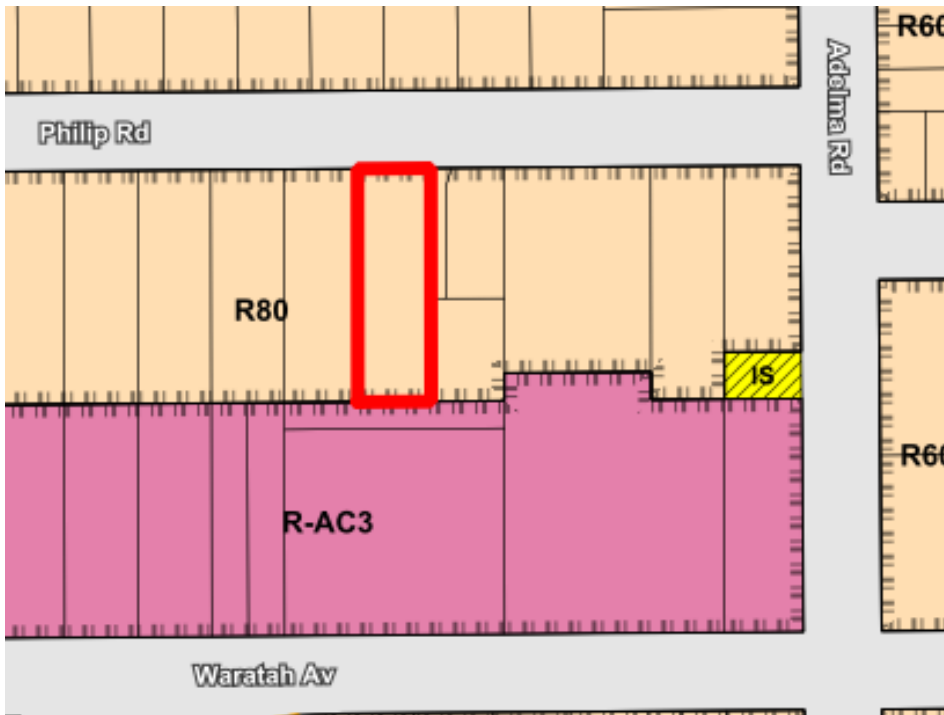


12 Philip Road, Dalkeith

Location Plan



Zoning Plan



DA SET

Project: 12 Philip Rd, Dalkeith  
 Client: Gormon Development Plc Ltd  
 Drawing Title: Cover Page  
 Scale: 1:1000  
 Date: 17/08/2021

NUMBER	TITLE	REV
A0.00	Cover Page	F
A1.00	Survey + Demolition Plan	B
A1.01	Site Plan	D
A2.00	Basement Plan	C
A2.01	Ground Floor Plan	E
A2.02	Level 01 Plan	B
A2.03	Level 02 Plan	B
A2.04	Level 03 Plan	B
A2.05	Roof Plan	C
A3.00	Elevations	D
A3.01	Elevations	D
A4.00	Sections	C
A5.00	Solar Access & Ventilation Diagrams	A
A5.01	Solar Access & Ventilation Diagrams	A
A8.00	Apt G01/G02 - Types A & B	A
A8.01	Apt 101 & 201 - Type C	A
A8.02	Apt 102/202 & 103/203 - Types D & E	B
A8.03	Apt 301 - Type F	A
A8.04	Apt 302 - Type G	A



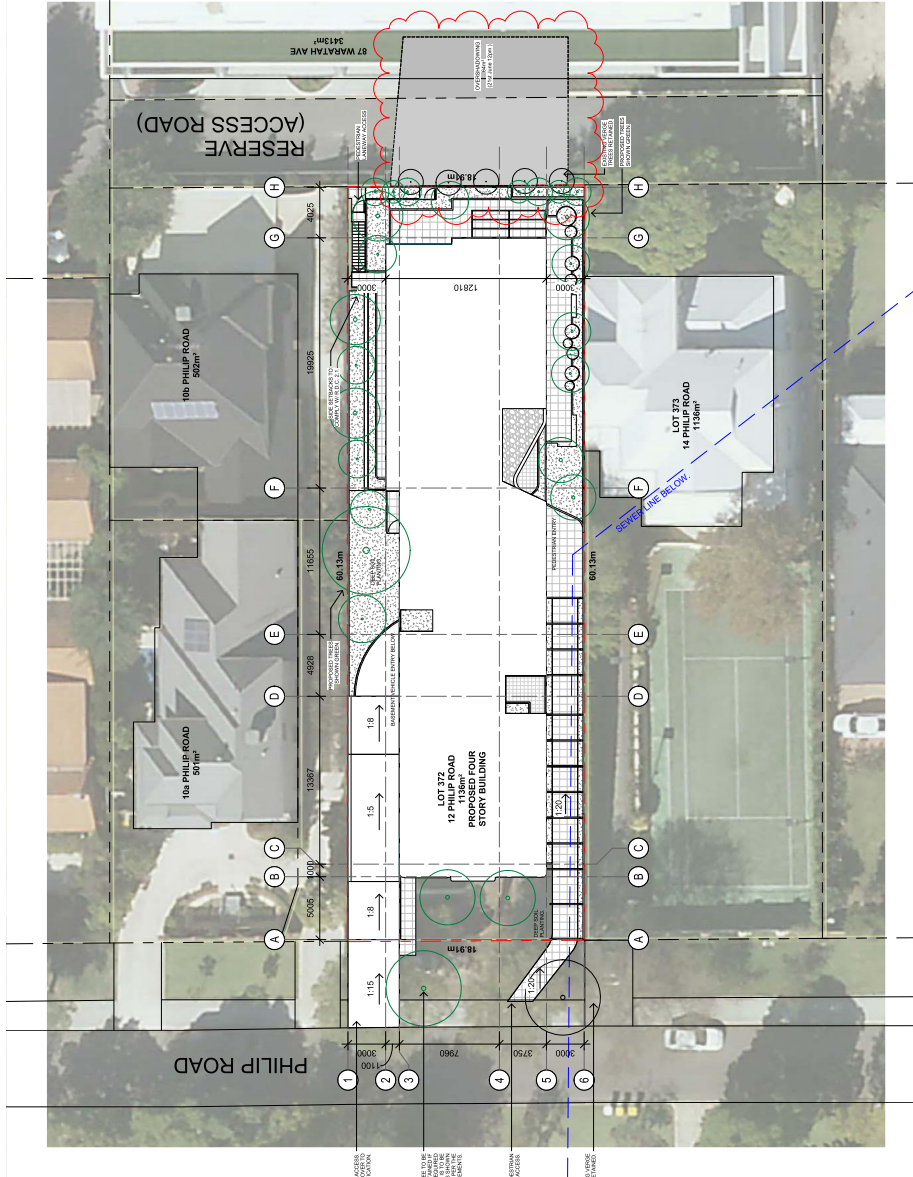
# 12 PHILIP ROAD DALKEITH LEVEL ADJUSTMENTS AMENDED DA SET UPDATES

17/08/2021

LOCATION PLAN  
 1:1000







2 Site Plan  
1:200

DA SET

Project: 12 Philip Rd, Dandenong  
Client: Gorman Development Pty Ltd  
Drawing Title: Site Plan  
Scale: 1:200  
Date: 20/08/20

NO.	DATE	DESCRIPTION
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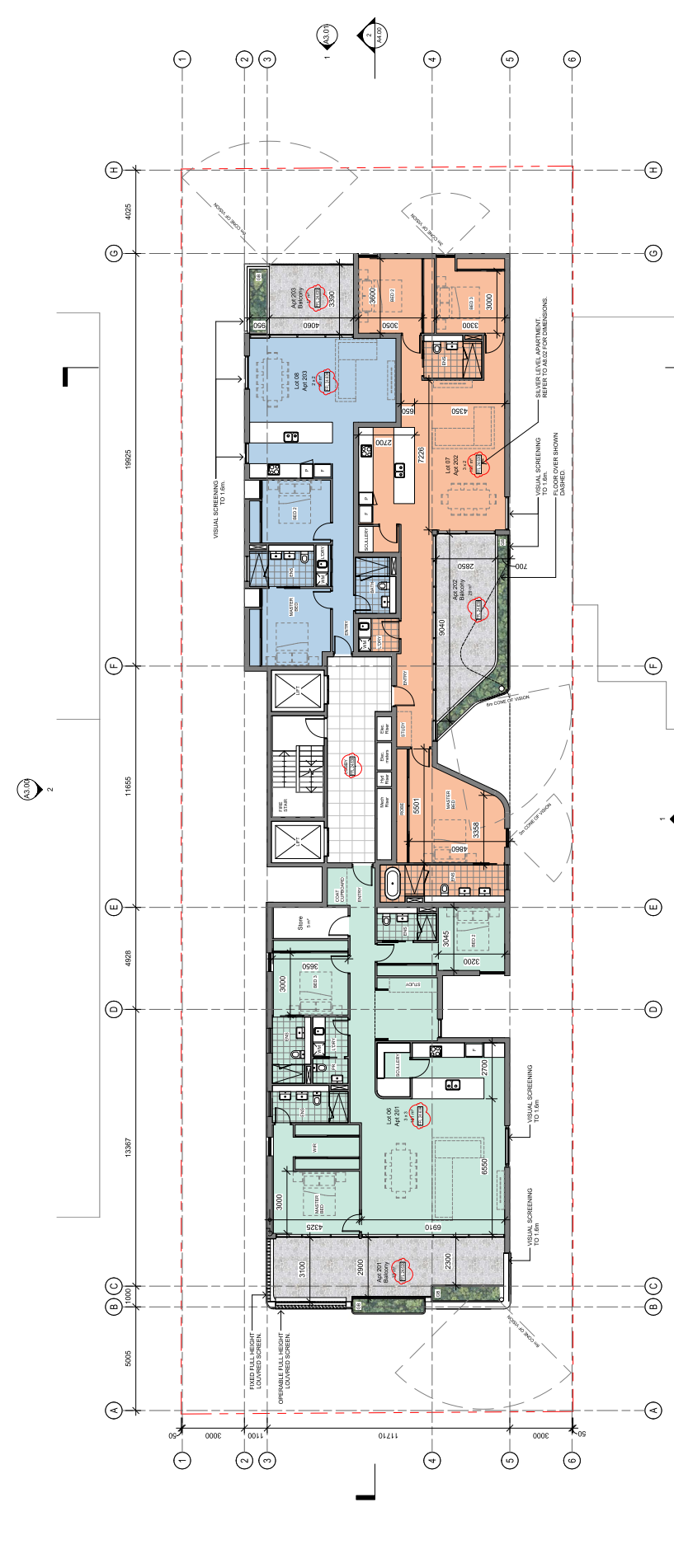




DA SET

Project: 12 Philip Rd, Daresbury  
 Client: Gannett Development Plc Ltd  
 Drawing No: Level 02 Plan  
 Date: 20/08/18  
 Scale: 1:100

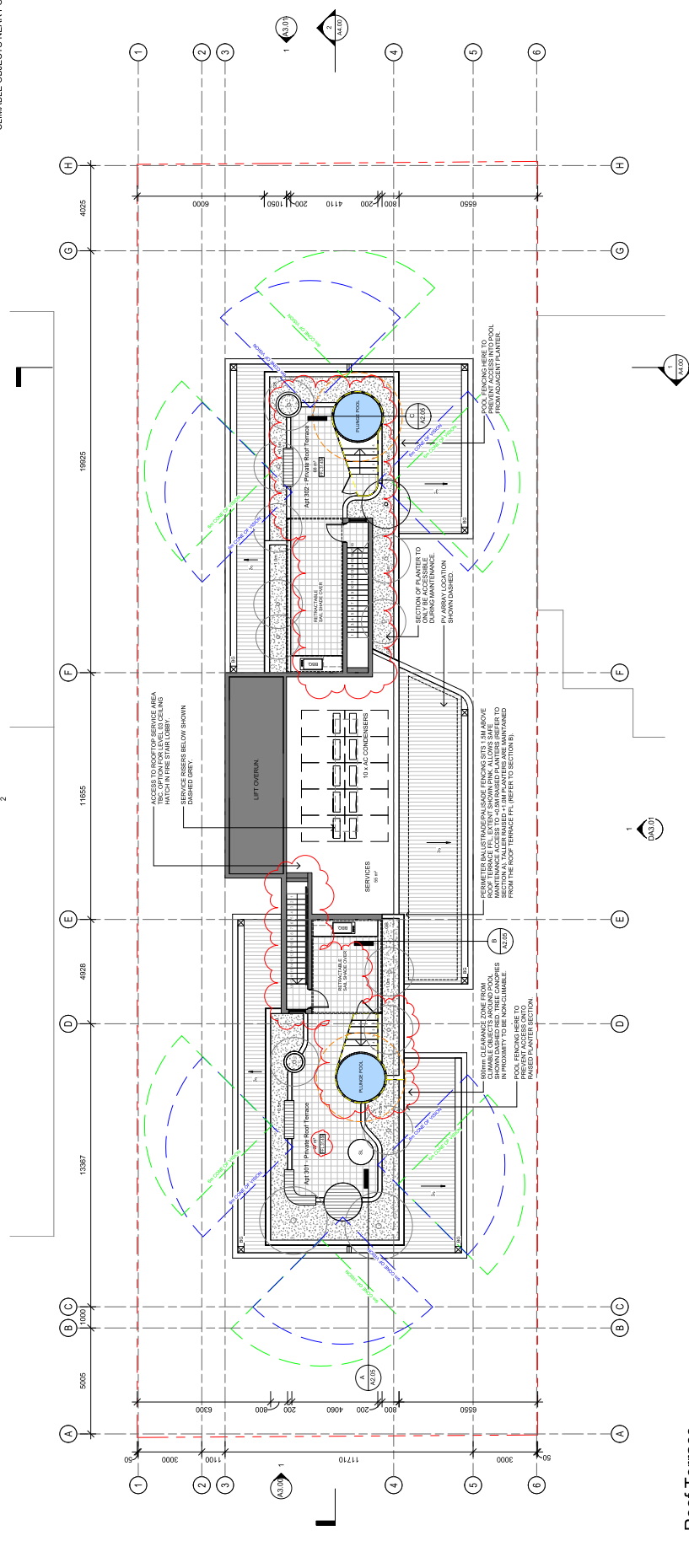
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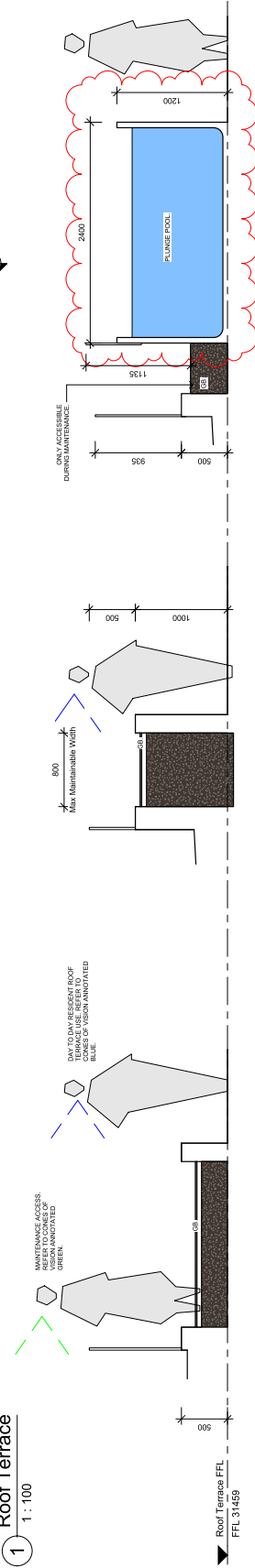
1 Level 2  
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- LINework LEGEND**
- POOL FENCING (1200mm)
  - CONE OF VISION (6000mm) MAINTENANCE ACCESS
  - CONE OF VISION (6000mm) DAY TO DAY RESIDENT USE
  - PERIMETER BALUSTRADE PALISADE FENCING (1000mm)
  - CLEARANCE ZONE CLIMBABLE OBJECTS NEAR POOL (900mm)



1 Roof Terrace  
1 : 100



A Roof Terrace Planter Section A  
1 : 25

B Roof Terrace Planter Section B  
1 : 25

C Roof Terrace Plunge Pool Section C  
1 : 25

DA SET

Project: 12 Philip Rd, Darlinghurst  
Client: Corner Development Pty Ltd  
Drawing Title: Roof Plan  
Drawing No: 13.11  
Scale: 1:100  
Date: 20/08/2018  
Author: [Signature]  
Checked: [Signature]  
Approved: [Signature]





DA SET

Project: 12 Philip Rd, Dandenong  
 Drawing Title: Elevations  
 Scale: 1:100  
 Date: 2008

- MATERIALS KEY**
- BAL - 1 Vertical Flat Bar Metal Balustrade
  - BAL - 2 Glass Balustrade
  - CL - 1 Metal Cladding - Type 1
  - FE - 1 Fluted Privacy Glass
  - PL - 1 Planter Box - Metal
  - RE - 1 Texture Coat Render - Type 1
  - RE - 2 Texture Coat Render - Type 2
  - SC - 1 Vertical Aluminium Louvered Screen
  - ST - 1 Perforated Aluminium Screen
  - ST - 2 Limestone Cladding - Type 2



1 South Elevation  
1:100



2 West Elevation  
1:100



LG Ref: DA20-57964  
DAP Ref: DAP/20/01922  
Enquiries: (08) 6551 9919

Mr Alan Stewart  
Stewart Urban Planning Pty Ltd  
PO Box 261  
Northbridge WA 6865

Dear Mr Stewart

**METRO INNER-NORTH JDAP - CITY OF NEDLANDS - DAP APPLICATION - DA20-57964 - DETERMINATION**

Property Location:	Lot 372 (12) Philip Road, Dalkeith
Application Details:	Multiple Dwelling Development (10 Apartments)

Thank you for your Form 1 Development Assessment Panel (DAP) application and plans submitted to the City of Nedlands on 9 December 2020 for the above-mentioned development.

This application was considered by the Metro Inner-North JDAP at its meeting held on 1 April 2021, where in accordance with the provisions of the City of Nedlands Local Planning Scheme No.3, it was resolved to **approve** the application as per the attached notice of determination.

Should the applicant not be satisfied by this decision, an application may be made to amend or cancel this planning approval in accordance with regulation 17 and 17A of the *Planning and Development (Development Assessment Panels) Regulations 2011*.

Please also be advised that there is a right of review by the State Administrative Tribunal in accordance with Part 14 of the *Planning and Development Act 2005*. Such an application must be made within 28 days of the determination, in accordance with the *State Administrative Tribunal Act 2004*.

Should you have any queries with respect to the conditions of approval, please contact Ms Pacey Lang on behalf of the City of Nedlands on 9273 3500.

Yours sincerely,



**DAP Secretariat**

12 April 2021

Encl. DAP Determination Notice  
Approved Plans

Cc: Ms Pacey Lang  
City of Nedlands

***Planning and Development Act 2005***

**City of Nedlands Local Planning Scheme No.3**

**Metro Inner-North Joint Development Assessment Panel**

**Determination on Development Assessment Panel  
Application for Planning Approval**

**Property Location:** Lot 372 (12) Philip Road, Dalkeith

**Application Details:** Multiple Dwelling Development (10 Apartments)

In accordance with regulation 8 of the *Planning and Development (Development Assessment Panels) Regulations 2011*, the above application for planning approval was **granted** on 1 April 2021, subject to the following:

**Approve** DAP Application reference DAP/20/01922 and accompanying plans (attachment 3) in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of the City of Nedlands Local Planning Scheme No. 3, subject to the following conditions:

**Conditions**

General

1. Pursuant to clause 26 of the Metropolitan Region Scheme, this approval is deemed to be an approval under clause 24(1) of the Metropolitan Region Scheme.
2. This decision constitutes planning approval only and is valid for a period of four (4) years from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.
3. The development shall at all times comply with the application and the approved plans, subject to any modifications required as a consequence of any condition(s) of this approval.

Landscaping

4. Prior to the issue of a building permit, a detailed Landscaping Management Plan shall be submitted to and approved by the City of Nedlands and such landscaping is to be installed and maintained by the landowner in accordance with that plan, or any modifications approved thereto, for the lifetime of the development thereafter, to the satisfaction of the City of Nedlands. (Planning / Park Services)
5. Prior to the issue of a building permit, an Arborist Report shall be submitted to the City of Nedlands, demonstrating that the construction and built development will not adversely affect the health of trees on the verge and to adjoining properties, to the satisfaction of the City of Nedlands. (Planning / Park Services)

6. Prior to the issue of a building permit, the established Queensland Box Street Tree (City Tree Asset ID 1019) can be removed only if the street tree impacts upon vehicle safety and visual sightlines of the development which will be further investigated by the applicant, to the satisfaction of the City of Nedlands. (Planning / Technical / Park Services)

#### Demolition, Construction and Dilapidation Management

7. Prior to the issue of a building permit, the Demolition and Construction Management Plan and Dilapidation Report is to apply:
  - a) A Demolition and Construction Management Plan addressing the control of; vibration, dust, noise, waste, sand, sediment, temporary fencing, hoardings, gantries, site access / egress, site deliveries, heavy construction machinery and traffic control shall be provided to the City of Nedlands with or before the demolition permit and building permit approval applications are submitted.
  - b) Dilapidation Reports shall be conducted prior to demolition and/or excavation works for all adjoining property owners at the cost of the development applicant.
    - 10A and 10B Philip Road, Dalkeith
    - 14 Philip Road, Dalkeith
  - c) All adjoining property owners, as listed in b *and including* 87-89 Waratah Road, Dalkeith, will be notified in writing at least 14 days prior to the commencement of demolition and/or excavation works.

The Demolition and Construction Management Plan and Dilapidation Report is to undertaken to undertaken to the satisfaction of the City of Nedlands. (Building / Environmental Health / Waste / Technical Services)

#### Visual Privacy

8. Visual Privacy Screening:
  - a) Screening of balconies as shown on the approved plans to be installed prior to occupation and at least 1.6m high from the finished floor level.
  - b) Balcony balustrading to be obscure glaze or solid material for Apartments 4, 5, 7, 8 and 10 prior to occupation.

All visual privacy screening is to be installed for the lifetime of the development thereafter, to the satisfaction of the City of Nedlands. (Planning Services)

#### Noise Management

9. Prior to the issuing of a building permit, the applicant is to demonstrate compliance with the recommendations within the Acoustic Report by Sealhurt Acoustic Design and Engineering dated 9 March 2021 to the satisfaction of the City of Nedlands. Where detailed acoustic assessment is recommended to achieve compliance with the requirements of the Environmental Protection (Noise) Regulations 1997 this is to be undertaken. (Environmental Health Services)



10. Prior to the issue of a building permit, a Noise Management Plan is to be submitted detailing measures that will be undertaken to ensure noise levels are kept within levels prescribed in the Environmental Protection (Noise) Regulations 1997. The plan is to be prepared by a suitably qualified consultant and is to include:
- a) sound proofing measures used in the design and construction of the development;
  - b) separation of noise-emitting equipment from bedroom windows and walls to habitable rooms;
  - c) predictions of noise levels;
  - d) control measures to be undertaken (including monitoring procedures);
  - e) a complaint response procedure; and
  - f) demonstration of all dwellings exceeding the minimum requirements of the National Construction Code as it relates to acoustic management.

All sound attenuation measures, identified by the plan or as additionally required by the City, are to be implemented prior to occupancy of the development or as otherwise required by the City and the requirements of the plan are to be observed at all times. (Environmental Health Services)

#### Lighting Management

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

The Lighting Management Plan implemented for the lifetime of the development thereafter, to the satisfaction of the City of Nedlands. (Environmental Health Services)

#### Vehicle Access, Car and Bicycle Parking

12. Prior to occupation, the car park ramp is to be managed by a priority-controlled system comprising of signage, traffic-controlled light system and appropriate set of mirrors to give priority to vehicles entering the development from Philip Road first as detailed in the Transport Impact Statement dated 3 December 2020, to the satisfaction of the City of Nedlands. (Technical Services)
13. All car parking dimensions, manoeuvring areas, crossovers and driveways shall comply with Australian Standard AS2890.1 to the satisfaction of the City of Nedlands. (Technical Services)

14. The visitor parking bays are to be clearly marked, signposted and made available to visitors at all times through use of an intercom system or similar, to the satisfaction of the City of Nedlands. (Technical Services)
15. The bicycle rack shall be installed prior to occupation of the development and maintained for the life of the development to the satisfaction of the City of Nedlands. (Planning Services)

Energy Efficiency / Liveable Housing

16. Prior to the issue of a building permit, the applicant shall provide a report to the City that demonstrates that all dwellings exceed the minimum NATHERS requirement for apartments by 0.5 stars in accordance with A4.15.1 of State Planning Policy 7.3 - Residential Design Codes - Volume 2 Apartments. (Building Services)
17. Prior to the issue of a Building Permit, a minimum of 5 dwellings shall meet the 'Silver' performance level or 2 dwellings meet the 'Platinum' performance level as defined by the Liveable Housing Australia's Liveable Housing Design Guidelines and in accordance with A4.9.1 of State Planning Policy 7.3 - Residential Design Codes - Volume 2 Apartments. (Planning Services)

Waste Management

18. The Waste Management Plan dated 11 March 2021 prepared in accordance with the City of Nedlands Waste Management Local Planning Policy and Guidelines is to be implemented prior to occupation and maintained at all times, to the satisfaction of the City of Nedlands. (Waste Services)

Materials and Services

19. Upon lodgement of the Building Permit, the materials, finishes and colours (as shown and annotated on the approved plans) shall be shown on the Building Permit plans (unless otherwise approved by the City) enacted prior to practical completion of the development and thereafter remain in place for the life of the development to the satisfaction of the City. (Planning Services)
20. Prior to occupation of the development the finish of the parapet / retaining walls is to be finished externally to the same standard as the rest of the development or 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. (Planning Services)
21. Prior to occupation of the development, each dwelling unit shall be provided with mechanical clothes driers or alternatively shall have an adequate area provided for drying clothes. Any drying area shall be screened from view from any adjacent public place to the satisfaction of the City of Nedlands. (Environmental Health Services)



22. Prior to occupation of the development, all external fixtures including, but not limited to TV and radio antennae, satellite dishes, plumbing vents and pipes, solar panels, air conditioners, hot water systems and utilities shall be integrated into the design of the building and not be visible from the primary street, secondary street to the satisfaction of the City of Nedlands. (Environmental Health Services)
23. Prior to occupation of the development, all air-conditioning plant, satellite dishes, antennae and any other plant and equipment to the roof of the building shall be located or screened so as not to be highly visible from beyond the boundaries of the development site to the satisfaction of the City of Nedlands. (Environmental Health Services)
24. All dwellings to be individually metered for water usage prior to occupation. (Planning Services)

#### Stormwater

25. All stormwater generated on site is to be retained on site. An onsite storage/infiltration system is to be provided within the site for at least 1 in 100-year storm event. No stormwater will be permitted to enter the City of Nedlands's stormwater drainage system unless otherwise approved. (Technical Services)

#### **Advice Notes**

##### General Advice

1. This Approval relates to the details provided in the application; to undertake the development in a different manner to that stated in the application, a new application for Development Approval must be submitted to the City of Nedlands. (Planning)
2. A Certified Building Permit must be obtained prior to construction and thereafter an Occupancy Permit must be obtained; the applicant and owner should liaise with the City's Building Services in this regard. (Building)
3. The applicant is advised that the responsible entity (landowner) is responsible for the maintenance of any common property within the development. (Technical Services)
4. Any public spaces within the development which are proposed for activities (temporary or permanent) that are deemed to be a public building under the Health (Public Buildings) Regulations 1992, will need to comply fully with those Regulations. (Environmental Health)

##### Landscaping Advice

5. All street tree assets in the nature-strip (verge) shall not be removed. Any approved street tree removals shall be undertaken by the City of Nedlands and paid for by the owner of the property where the development is proposed, unless otherwise approved by the City of Nedlands. (Parks Services)

6. The contractor/developer shall protect the City's street trees from any damage that may be caused by the scope of works covered by this contract for the duration of the contract. All work carried out under this contract is to comply with the City's policies, guidelines and Australian Standards relating to the protection of trees on or adjacent to development sites (AS 4870-2009). (Parks Services)
7. Prior to commencing landscaping of the nature strip / verge, refer to the City of Nedlands' Nature Strip Improvement Guidelines to ascertain if there is a requirement to obtain a Nature Strip Improvement Permit. (Parks Services)

Demolition, Construction and Dilapidation Management Advice

8. In relation to the Demolition and Construction Management Plan, the applicant is advised that the plan is to address but is not limited to the following matters:
  - a) hours of construction;
  - b) traffic management;
  - c) parking management;
  - d) access management;
  - e) management of loading and unloading of vehicles;
  - f) heavy vehicle access;
  - g) dust management;
  - h) waste management (where applicable);
  - i) protection of infrastructure and street trees within the road reserve;
  - j) the need for a dilapidation report of adjoining properties;
  - k) if required, details of and reasons for construction work on the construction site that is likely to be carried out other than between 7.00 am and 7.00 pm on any day which is not a Sunday or public holiday;
  - l) if required, details of and duration of activities on the construction site likely to result in noise emissions that fail to comply with the standard prescribed under regulation 7 of the Environmental Protection (Noise) Regulations 1997;
  - m) predictions of noise emission on the construction site;
  - n) use of City car parking bays for construction related activities;
  - o) protection of infrastructure and street trees within the road reserve;
  - p) security fencing around construction sites;
  - q) gantries;
  - r) dewatering management plan;
  - s) contact details;
  - t) site offices;
  - u) details of measures to be implemented to control noise (including vibration) emissions;
  - v) complaint response procedure to be adopted;
  - w) details of how dust will be suppressed (e.g. by use of water tanker, independently powered water pumps, high volume hoses) or whether an approval from the water corporation for hydrant standpipe has been granted;
  - x) details of how dust and sand drift will be controlled in the event that the landscape remains bare for any period of time after demolition (consideration of more permanent dust suppression or sand drift measures such as hydromulching); and
  - y) any other relevant matters.(Building / Environmental Health / Waste / Technical Services)

9. The applicant is advised that prior to the commencement of any demolition works, any Asbestos Containing Material (ACM) in the structure to be demolished, shall be identified, safely removed and conveyed to an appropriate landfill which accepts ACM.

Removal and disposal of ACM shall be in accordance with Health (Asbestos) Regulations 1992, Regulations 5.43 - 5.53 of the Occupational Safety and Health Regulations 1996, Code of Practice for the Safe Removal of Asbestos 2nd Edition, Code of Practice for the Management and Control of Asbestos in a Workplace, and any Department of Commerce Worksafe requirements.

Where there is over 10m<sup>2</sup> of ACM or any amount of friable ACM to be removed, it shall be removed by a Worksafe licensed and trained individual or business. (Environmental Health Services)

10. The applicant is advised that dust control measures are to be applied during construction in accordance with City of Nedlands Health Local Laws 2017 and Department of Water and Environmental Regulation requirements. (Environmental Health Services)

#### Noise Management Advice

11. The applicant is advised to consult the City's Acoustic Advisory Information in relation to locating any mechanical equipment (e.g. air-conditioner, swimming pool or spa) such that noise, vibration impacts on neighbours are mitigated. The City does not recommend installing any equipment near a property boundary where it is likely that noise will intrude upon neighbours. Prior to selecting a location for an air-conditioner, the applicant is advised to consult the online fairair noise calculator at [www.fairair.com.au](http://www.fairair.com.au) and use this as a guide to prevent noise affecting neighbouring properties. (Environmental Health Services)

#### Lighting Management Advice

12. The applicant is advised that in relation to the Lighting Management Plan:
- a) a Suitably qualified lighting consultant – is to be a Member of the Illuminating Engineering Society of Australia and New Zealand;
  - b) the Relevant Australian Standard is Australian Standard AS.4282 – Control of the Obtrusive Effects of Outdoor Lighting; and
  - c) certification by a suitably qualified lighting consultant shall demonstrate that the development is in compliance with the relevant Australian Standard. On completion of the installation, the consultant is to confirm that the lighting conforms to the relevant Australian Standard and if not, remedial measures are to be undertaken to rectify the situation and bring about compliance with the relevant Australian Standard. The requirement for confirmation certification on completion of the installation is to be included as a condition on all planning approvals granted by the City.
- (Environmental Health Services)

Vehicle Access, Car and Bicycle Parking Advice

13. The applicant is advised that all works within the adjacent thoroughfare, i.e. road, kerbs, footpath, verge, crossover or right of way, also require a separate approval from the City of Nedlands prior to construction commencing. (Technical Services)
14. A new crossover or modification to an existing crossover will require a separate approval from the City of Nedlands prior to construction commencing. (Technical Services)
15. All redundant crossovers to be removed and the verge and kerbing reinstated prior to occupation of the development to the satisfaction of the City of Nedlands. (Technical Services)

Waste Management Advice

16. The responsible entity (strata/corporate body) shall be liable for all bin replacement costs and/or repair costs relating to damage caused as a result of the bin compaction process. (Waste Services)
17. Recyclable waste stream waste bins shall not be compacted. (Waste Services)
18. Prior to the occupation of the development the responsible entity (strata/corporate body) shall confirm written service agreement for the 360L waste compactor. (Waste Services)
19. The applicant is advised that as the proposal consists of more than 3 dwellings, the City's Health Local Laws 2017 require an enclosure for the storage and cleaning of waste receptacles to be provided on the premises, per the following requirements:
  - a) sufficient in size to accommodate all receptacles used on the premises;
  - b) constructed of brick, concrete, corrugated compressed fibre cement sheet or other material of suitable thickness approved by the City;
  - c) walls not less than 1.8m in height and access of not less than 1.0 metre in width fitted with a self-closing gate;
  - d) smooth and impervious floor not less than 75mm thick and evenly graded to an approved liquid refuse disposal system;
  - e) easily accessible to allow for the removal of the receptacles;
  - f) provided with a ramp into the enclosure having a gradient of no steeper than 1:8 unless otherwise approved by the City;
  - g) provided with a tap connected to an adequate supply of water;
  - h) adequately ventilated, such that they do not create a nuisance to residences (odour); and
  - i) the location of all exhaust systems, ductwork and any other mechanical service is not to be such that it will cause a nuisance for residents.(Environmental Health Services)

Materials and Services Advice

20. The applicant is advised that:
- a) All internal water closets and ensuites without fixed or permanent window access to outside air or which open onto a hall, passage, hobby or staircase, are to be serviced by a mechanical ventilation exhaust system which is ducted to outside air, with a minimum rate of air change equal to or greater than 25 litres / second
  - b) Laundry facilities are to be provided in accordance with the Building Code of Australia, and adequately ventilated to reduce condensation, in accordance with AS1668.2 The use of mechanical ventilation and Air-conditioning in buildings.
- (Environmental Health Services)

Stormwater Advice

21. The applicant is advised that all downpipes from guttering are to be connected so as to discharge into drains, which shall empty into a soak-well; and each soak-well shall be located at least 1.8m from any building, and at least 1.8m from the boundary of the block. Soak-wells of adequate capacity to contain runoff from a 100-year recurrent storm event. Soak-wells are to be a minimum capacity of 1.0m<sup>3</sup> for every 80m<sup>2</sup> of calculated surface area of the development. (Technical Services)
22. The applicant is advised that a sewage treatment and effluent disposal system or greywater reuse or treatment system is not to be installed unless an Approval to Construct or Install an Apparatus for the Treatment of Sewage has been issued by the City beforehand. (Technical Services)

Swimming Pool Advice

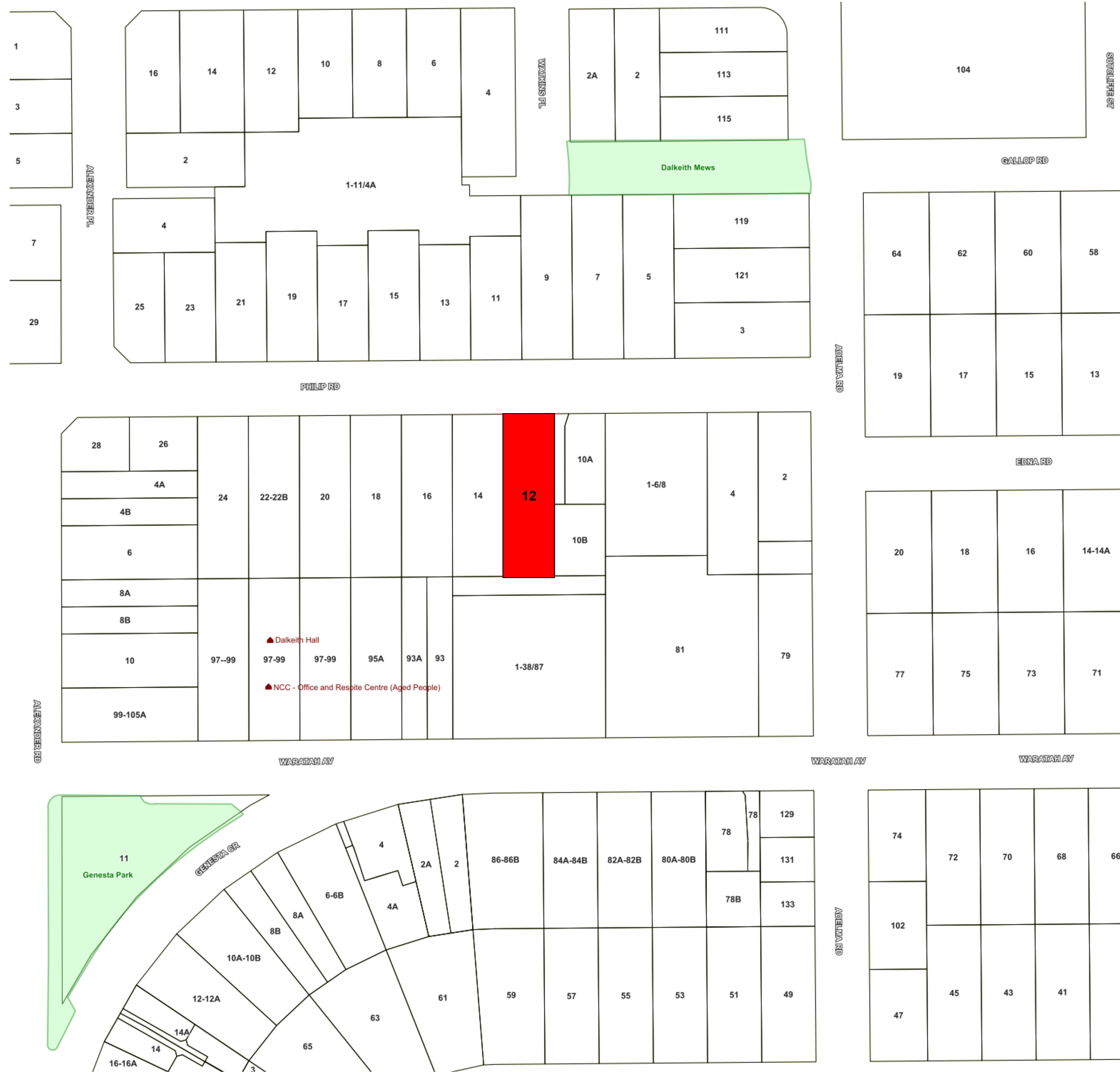
23. All swimming pool wastewater shall be disposed of into an adequately sized, dedicated soak-well located on the same lot. Soak-wells shall not be situated closer than 1.8m to any boundary of a lot, building, septic tank or other soak-well. (Environmental Health Services)

Telecommunications Advice

24. The applicant is advised by the City's Planning Services that developers are responsible for providing telecommunications infrastructure in their developments. To provide this infrastructure, they need to contract a carrier to install telecommunications infrastructure in their new development. If you choose National Broadband Network (NBN) to service your development, you will need to enter into a developer agreement with NBN. The first step is to register the development via <http://www.NBNco.com.au/develop-or-plan-with-the-NBN/new-developments.html>, once registered NBN will be in contact to discuss the specific requirements for the development. NBN requires you to apply at least six months before the required service date. All telecommunications infrastructure should be built to NBN guidelines found at <http://www.NBNco.com.au/develop-or-plan-with-the-NBN/new-developments/builders-designers.html>

Where an approval has so lapsed, no development shall be carried out without further approval having first been sought and obtained, unless the applicant has applied and obtained Development Assessment Panel approval to extend the approval term under regulation 17(1)(a) or local government approval under regulation 17A of the *Planning and Development (Development Assessment Panels) Regulations 2011*.





LOCATION PLAN  
1:1000

DRAWING LIST		
NUMBER	TITLE	REV
A0.00	Cover Page	D
A1.00	Survey + Demolition Plan	B
A1.01	Site Plan	B
A2.00	Basement Plan	B
A2.01	Ground Floor Plan	D
A2.02	Level 01 Plan	A
A2.03	Level 02 Plan	A
A2.04	Level 03 Plan	A
A2.05	Roof Plan	B
A3.00	Elevations	B
A3.01	Elevations	B
A4.00	Sections	B
A5.00	Solar Access & Ventilation Diagrams	A
A5.01	Solar Access & Ventilation Diagrams	A
A8.00	Apt G01/G02 - Types A & B	A
A8.01	Apt 101 & 201 - Type C	A
A8.02	Apt 102/202 & 103/203 - Types D & E	B
A8.03	Apt 301 - Type F	A
A8.04	Apt 302 - Type G	A



# 12 PHILIP ROAD DALKEITH DA PLANNING UPDATES SET 11/03/2021

City of Nedlands  
Amended Plans  
Received  
11 March 2021

DA SET

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rev	date	description	title
A	18.12.20	DA Set Updates	
B	25.02.21	DA Planning Updates	
C	09.03.21	Additional DA Planning Updates	
D	11.03.21	DA Planning Set Store Update	

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Project: 12 Philip Rd, Dalkeith  
Client: Gunner Developments Pty Ltd

Drawing Title: Cover Page

designed	drawn	checked	approved
M&S	M&S		

project no	scale	drawing no	rev
2008	1 : 1000 <sub>PA1</sub>	A0.00	D

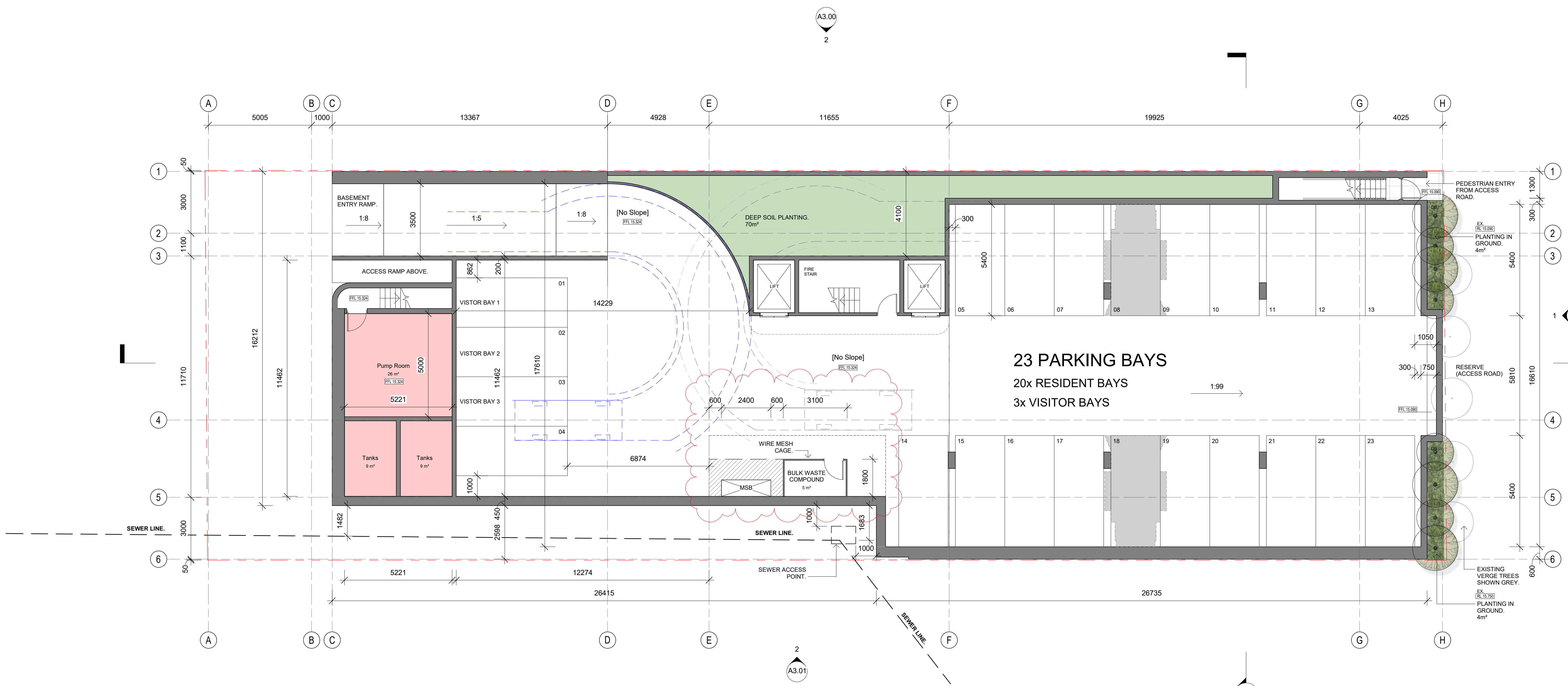












1 Basement  
1 : 100

**DEVELOPMENT  
ASSESSMENT PANEL**

---

**APPROVED**

**01-Apr-2021**

City of Nedlands  
Amended Plans  
Received  
11 March 2021

DA SET

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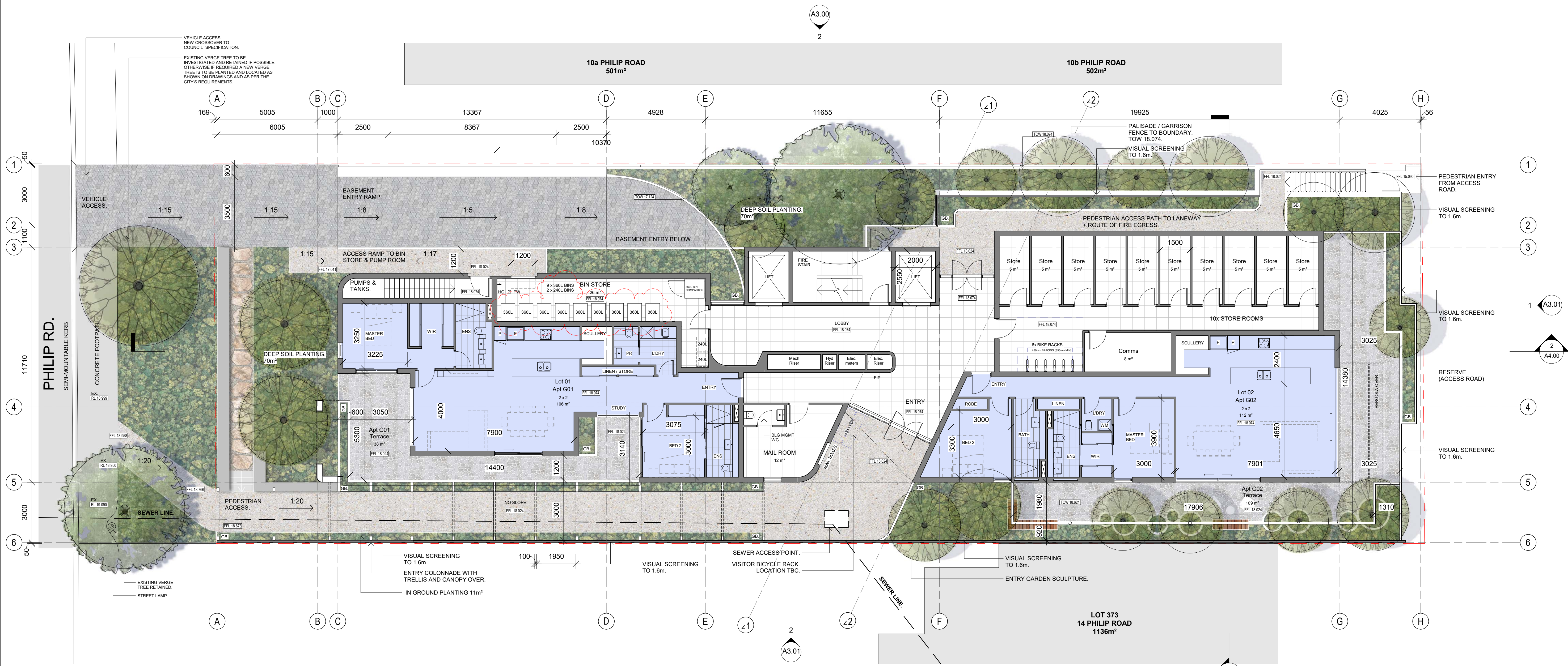
Project 12 Philip Rd, Dalketh  
 Client Gunner Developments Pty Ltd

Drawing Title: **Basement Plan**

designed	date	scale	drawing no	rev
M&S				
M&S				

project no: 20008    scale: 1 : 100    drawing no: A1    rev: A2.00    B





1 Ground Floor Plan  
1 : 100

Apartment Schedule						
Lot	Level	Apt	Apt Type	Layout Type	Internal Area	Plot Ratio Area
Lot 01	Ground Floor	Apt G01	Type A	2 x 2	106 m <sup>2</sup>	114 m <sup>2</sup>
Lot 02	Ground Floor	Apt G02	Type B	2 x 2	112 m <sup>2</sup>	118 m <sup>2</sup>
Lot 03	Level 1	Apt 101	Type C	3 x 3	161 m <sup>2</sup>	174 m <sup>2</sup>
Lot 04	Level 1	Apt 102	Type D	3 x 2	137 m <sup>2</sup>	153 m <sup>2</sup>
Lot 05	Level 1	Apt 103	Type E	2 x 2	90 m <sup>2</sup>	98 m <sup>2</sup>
Lot 06	Level 2	Apt 201	Type C	3 x 3	161 m <sup>2</sup>	174 m <sup>2</sup>
Lot 07	Level 2	Apt 202	Type D	3 x 2	137 m <sup>2</sup>	153 m <sup>2</sup>
Lot 08	Level 2	Apt 203	Type E	2 x 2	90 m <sup>2</sup>	98 m <sup>2</sup>
Lot 09	Level 3	Apt 301	Type F	3 x 3	194 m <sup>2</sup>	210 m <sup>2</sup>
Lot 10	Level 3	Apt 302	Type G	3 x 3	162 m <sup>2</sup>	179 m <sup>2</sup>
Total Apartments: 10					1350 m <sup>2</sup>	1471 m <sup>2</sup>

Site Area: 1135.6m<sup>2</sup>  
**R80** Allowable Plot Ratio: 1136m<sup>2</sup> (1.0)  
**R100** Allowable Plot Ratio: 1476m<sup>2</sup> (1.3)  
 Current Plot Ratio Total: 1471m<sup>2</sup> (5m<sup>2</sup> under R100)

**DEVELOPMENT ASSESSMENT PANEL**

---

**APPROVED**

**01-Apr-2021**

City of Nedlands  
 Amended Plans  
 Received  
 11 March 2021

DA SET

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C	09.03.21	Additional DA Planning Updates	
D	11.03.21	DA Planning Bin Store Update	

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Project: 12 Philip Rd, Dalketh  
 Client: Gunner Developments Pty Ltd

Drawing Title: Ground Floor Plan

designed	date	scale	drawing no	rev
M&S				
		1 : 100	A2.01	D





1 Level 1  
1 : 100

**DEVELOPMENT  
ASSESSMENT PANEL**

---

**APPROVED**

**01-Apr-2021**

City of Nedlands  
Amended Plans  
Received  
11 March 2021

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Project 12 Philip Rd, Dalketh  
 Client Gunner Developments Pty Ltd

Drawing Title: **Level 01 Plan**

designed	drawn	checked	scale	drawing no	rev
M&S	M&S		1 : 100	A2.02	A



1 Level 2  
1 : 100

**DEVELOPMENT  
ASSESSMENT PANEL**

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**01-Apr-2021**

City of Neelds  
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11 March 2021

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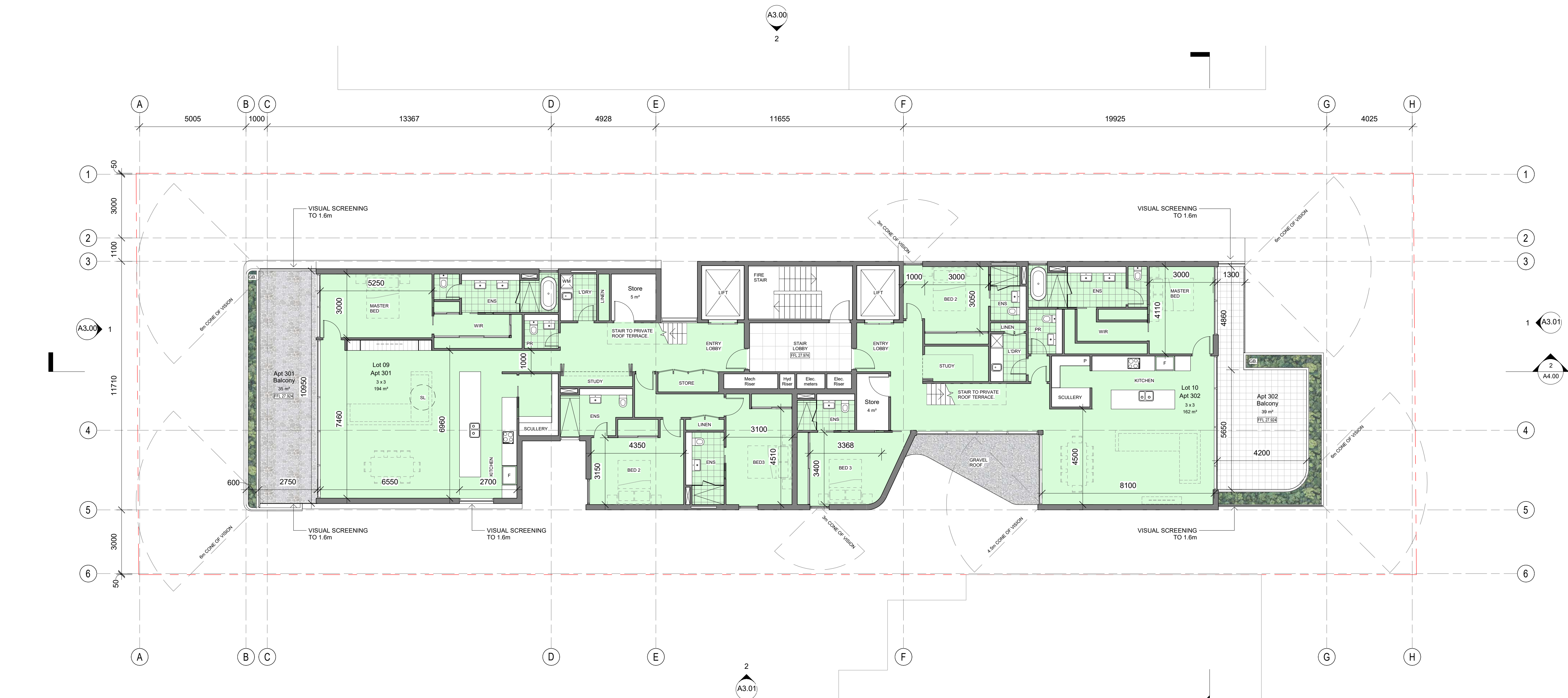
Project 12 Philip Rd, Dalketh  
 Client Gunner Developments Pty Ltd

Drawing Title: Level 02 Plan

designed	drawn	checked	scale	drawing no	rev
M&S	M&S		1 : 100	A2.03	A

project no: 20008





1 Level 3  
1 : 100

**DEVELOPMENT ASSESSMENT PANEL**

---

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**01-Apr-2021**

City of Nedlands  
Amended Plans  
Received  
11 March 2021

DA SET

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Project 12 Philip Rd, Dalketh  
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Drawing Title  
**Level 03 Plan**

designed	drawn	checked	scale	drawing no	rev
M&S	M&S		1 : 100	A2.04	A

2008 1 : 100 A2.04 A

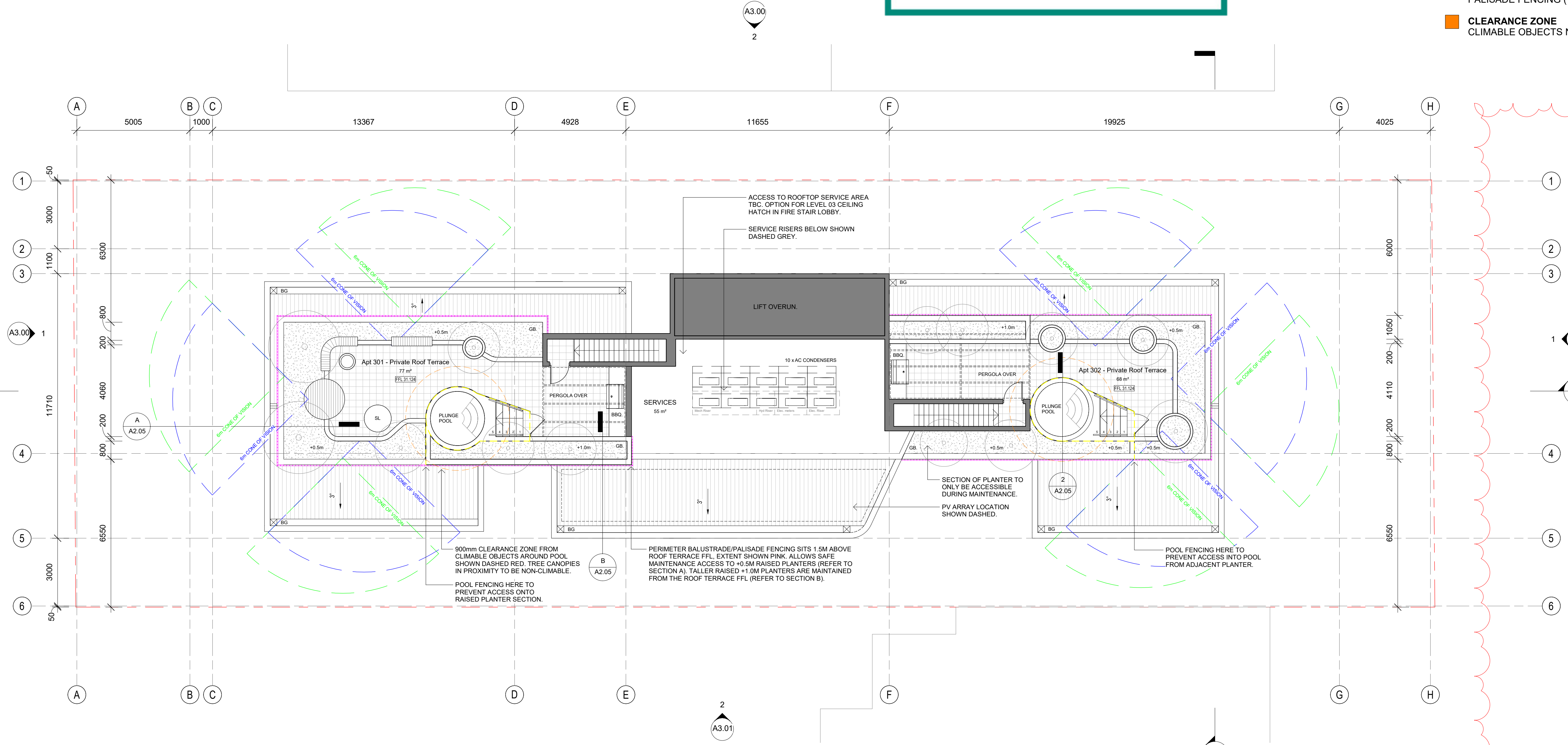
**DEVELOPMENT  
ASSESSMENT PANEL**

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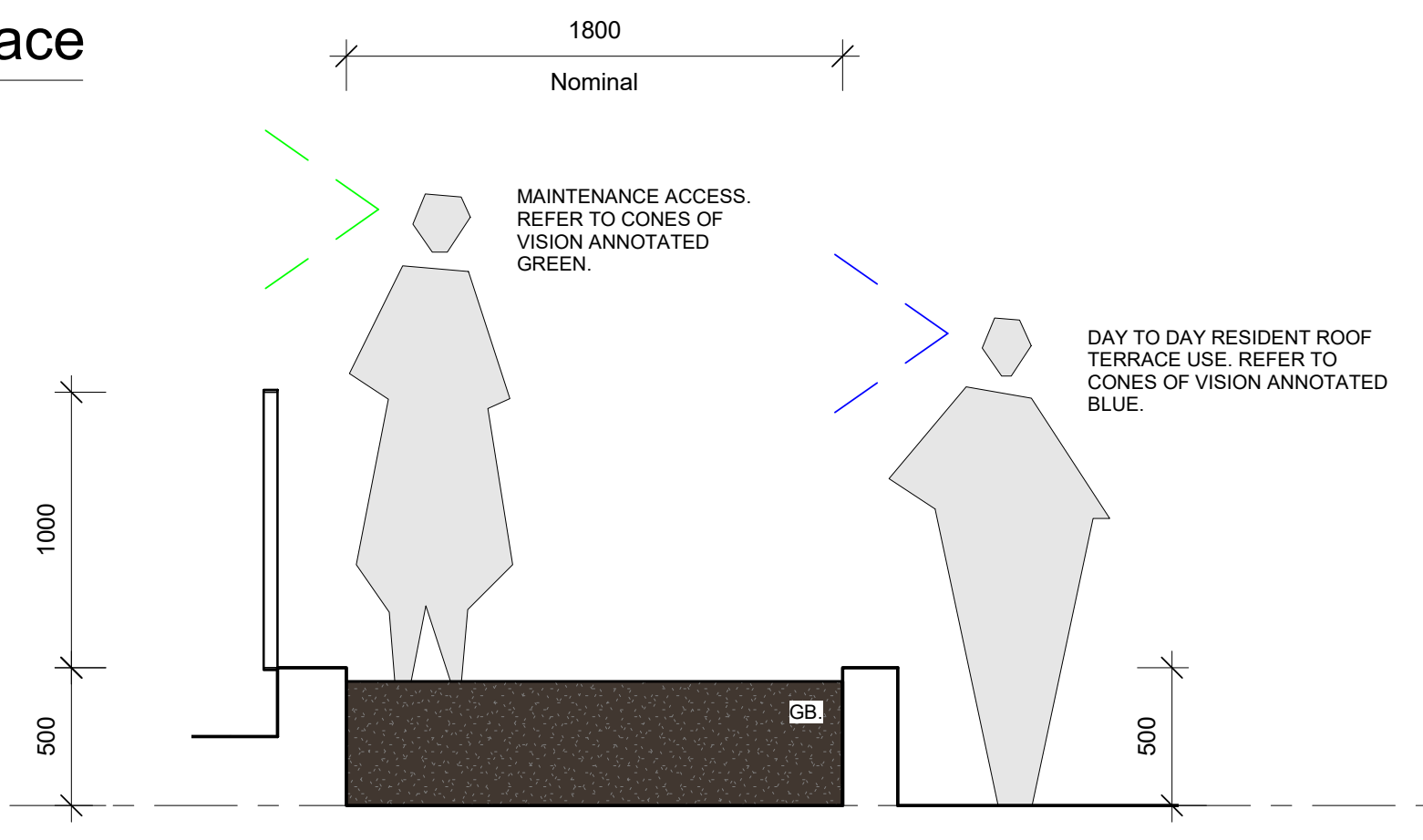
**APPROVED**

**01-Apr-2021**

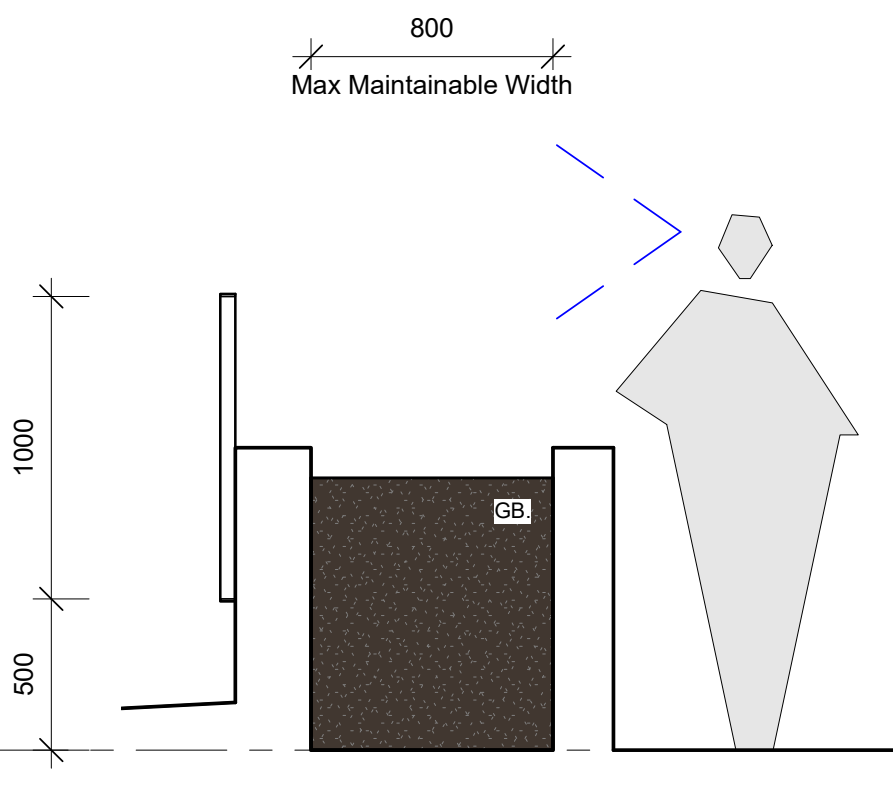
- LINWORK LEGEND**
- POOL FENCING (1200mm)
  - CONE OF VISION (6000mm) MAINTENANCE ACCESS
  - CONE OF VISION (6000mm) DAY TO DAY RESIDENT USE
  - PERIMETER BALUSTRADE PALISADE FENCING (1500mm)
  - CLEARANCE ZONE CLIMBABLE OBJECTS NEAR POOL (900mm)



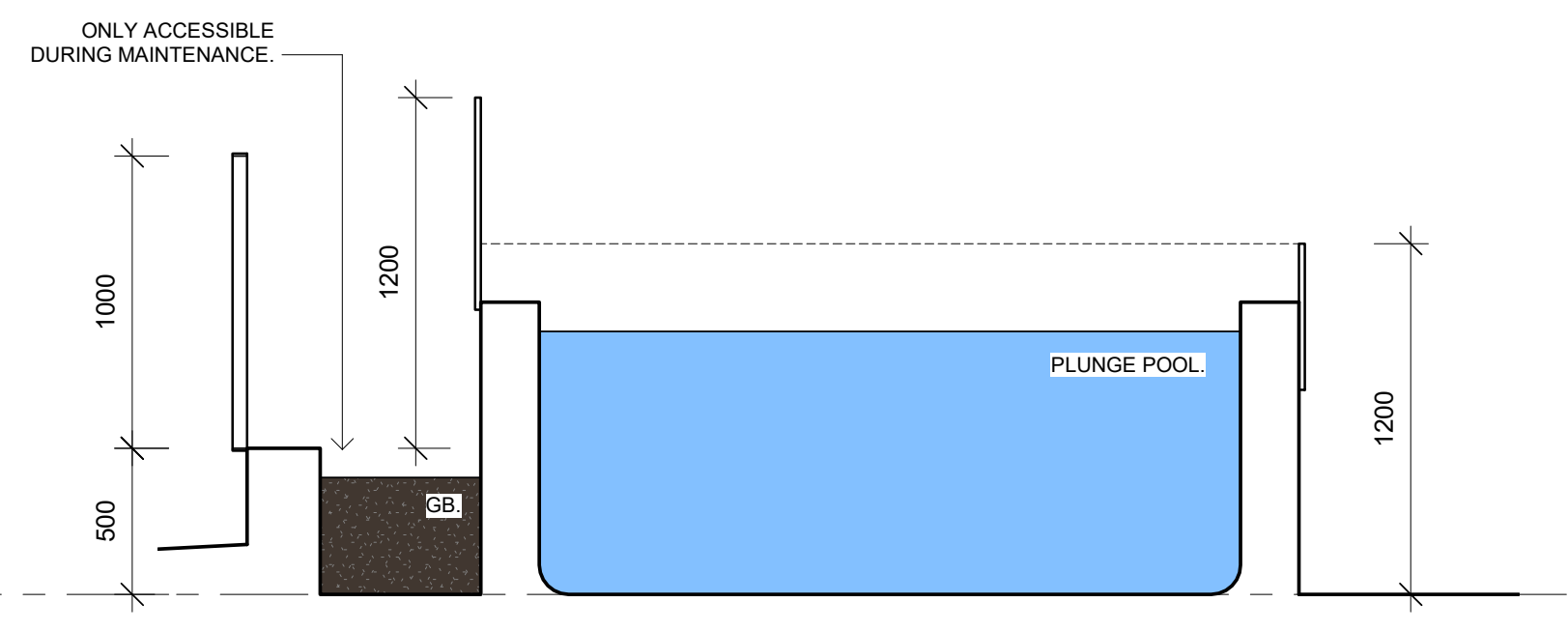
**1 Roof Terrace**  
1 : 100



**A Roof Terrace Planter Section A**  
1 : 25



**B Roof Terrace Planter Section B**  
1 : 25



**2 Roof Terrace Plunge Pool Section C**  
1 : 25

City of Nedlands  
Amended Plans  
Received  
11 March 2021

DA SET

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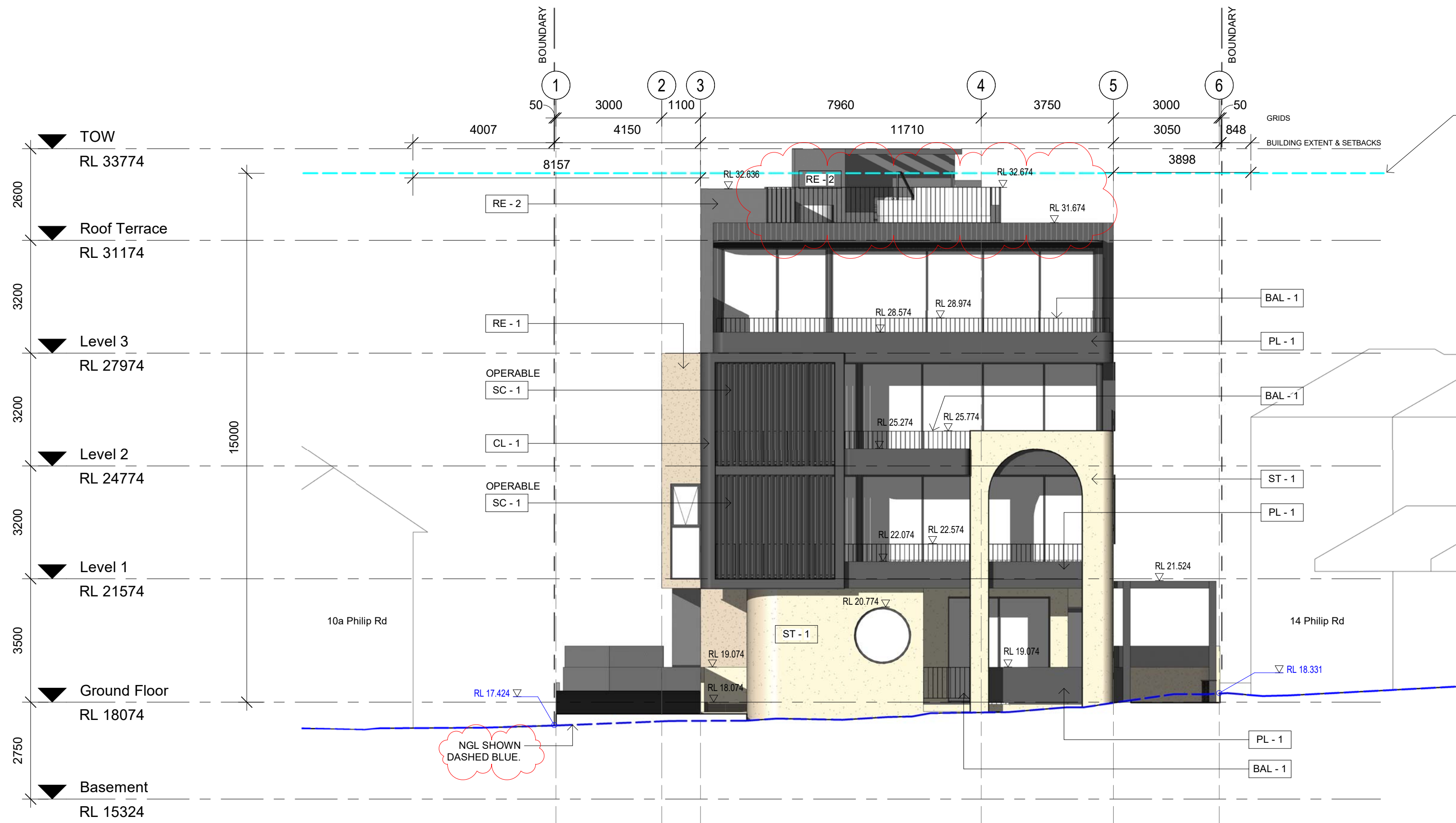
Project 12 Philip Rd, Dalketh  
Client Gunner Developments Pty Ltd

Drawing Title: **Roof Plan**

designed	drawn	checked	approved
M&S	M&S		

project no	scale	drawing no	rev
2008	As indicated	A2.05	B





1 North Elevation  
1 : 100

**MATERIALS KEY**

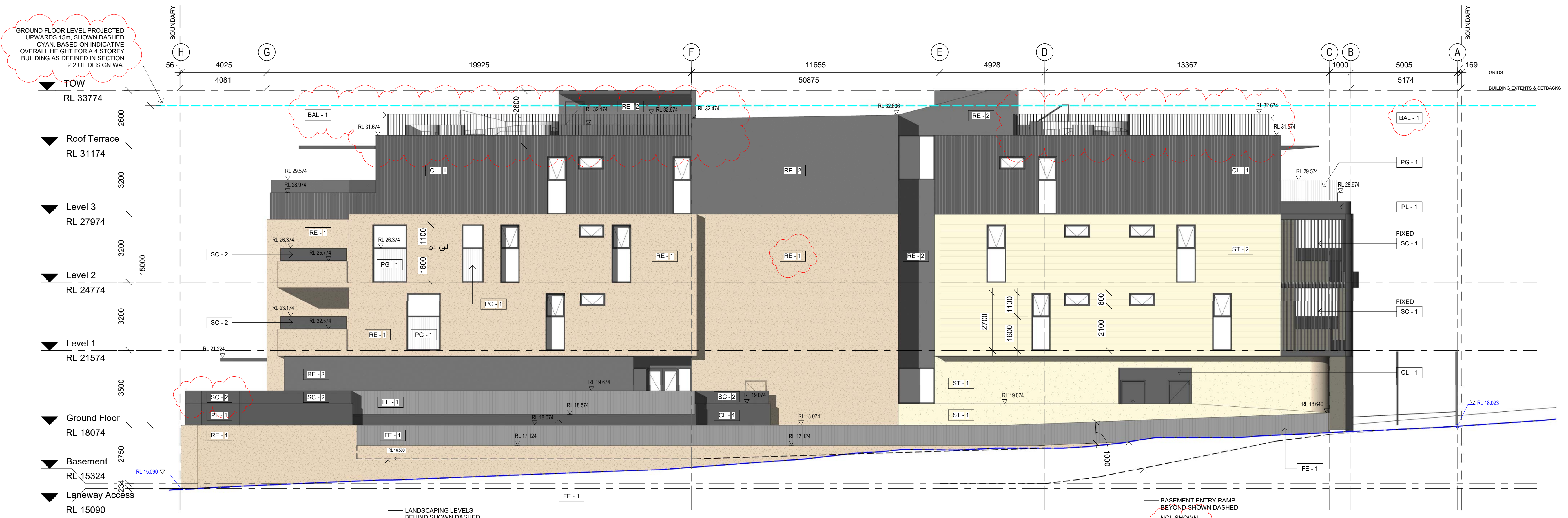
- BAL - 1 Vertical Flat Bar Metal Balustrade
- CL - 1 Metal Cladding - Type 1
- FE - 1 Palisade Fence
- PG - 1 Fluted Privacy Glass
- PL - 1 Planter Box - Metal
- RE - 1 Texture Coat Render - Type 1
- RE - 2 Texture Coat Render - Type 2
- SC - 1 Vertical Aluminium Louvred Screen
- SC - 2 Perforated Aluminium Screen
- ST - 1 Limestone Cladding - Type 1
- ST - 2 Limestone Cladding - Type 2

**DEVELOPMENT  
ASSESSMENT PANEL**

---

**APPROVED**

**01-Apr-2021**



2 East Elevation  
1 : 100

City of Neilds  
Amended Plans  
Received  
11 March 2021

DA SET

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Project 12 Philip Rd, Dalketh  
Client Gunner Developments Pty Ltd

Drawing Title: Elevations

designed	M&S	date	M&S	project no	scale	drawing no	rev
2008					1 : 100	A3.00	B





1 South Elevation  
1 : 100

**MATERIALS KEY**

- BAL - 1 Vertical Flat Bar Metal Balustrade
- CL - 1 Metal Cladding - Type 1
- FE - 1 Palisade Fence
- PG - 1 Fluted Privacy Glass
- PL - 1 Planter Box - Metal
- RE - 1 Texture Coat Render - Type 1
- RE - 2 Texture Coat Render - Type 2
- SC - 1 Vertical Aluminium Louvred Screen
- SC - 2 Perforated Aluminium Screen
- ST - 1 Limestone Cladding - Type 1
- ST - 2 Limestone Cladding - Type 2

**DEVELOPMENT  
ASSESSMENT PANEL**

---

**APPROVED**

**01-Apr-2021**



2 West Elevation  
1 : 100

City of Nedlands  
Amended Plans  
Received  
11 March 2021

DA SET

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 w: www.marchitects.com.au

Project 12 Philip Rd, Dalketh  
Client Gunner Developments Pty Ltd

Drawing Title: Elevations

designed	drawn	checked	approved
M&S	M&S		





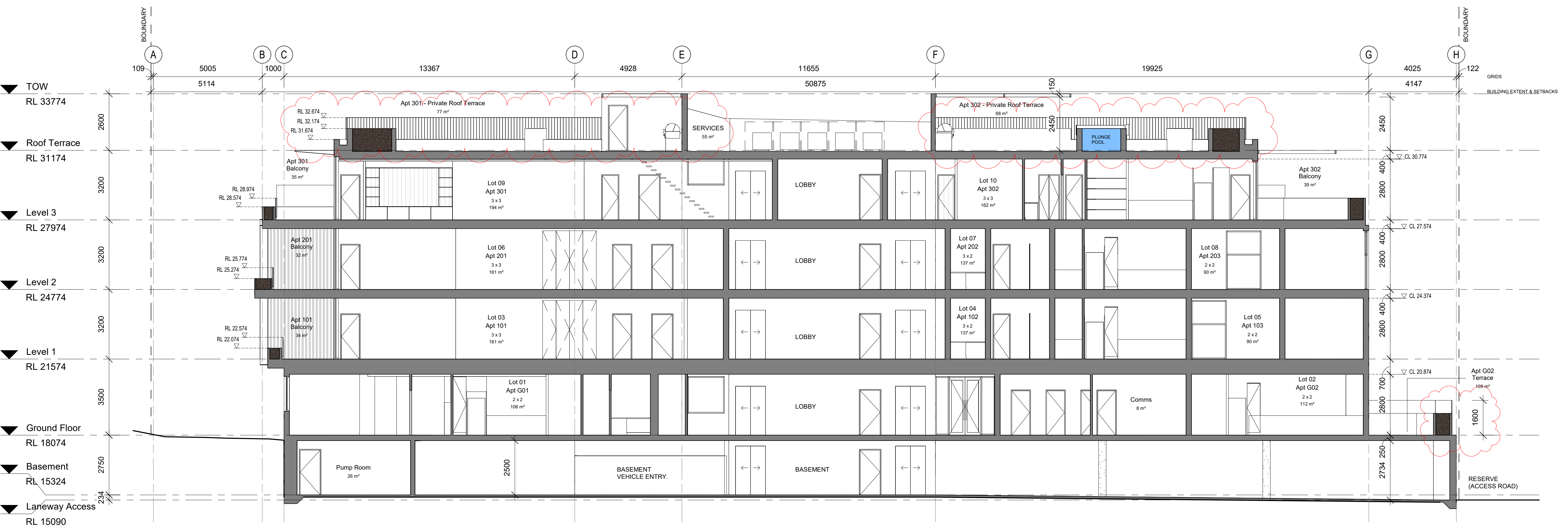
1 Section 1  
1 : 100

**DEVELOPMENT  
ASSESSMENT PANEL**

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**APPROVED**

**01-Apr-2021**



2 Section 2  
1 : 100

City of Nedlands  
Amended Plans  
Received  
11 March 2021

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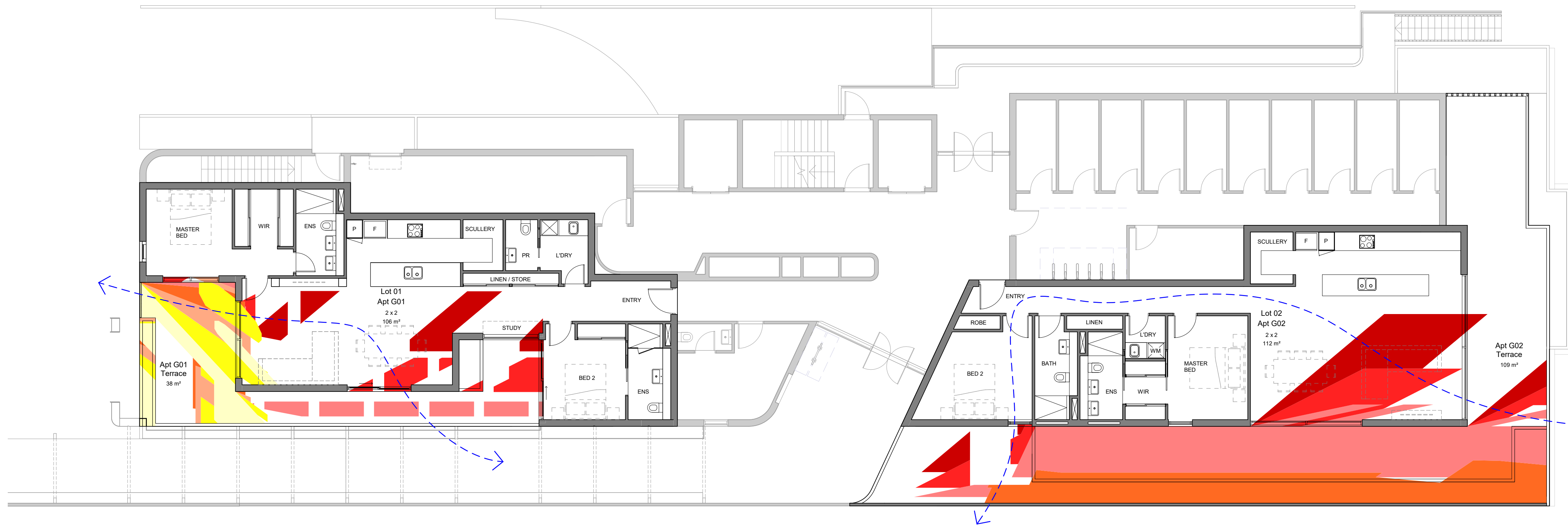
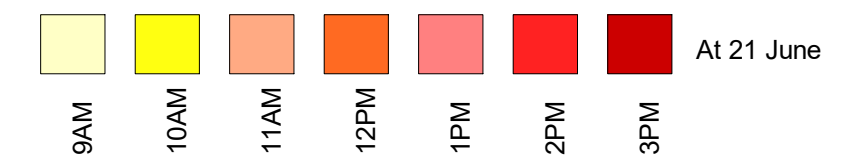
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Project 12 Philip Rd, Dalketh  
Client Gunner Developments Pty Ltd

Drawing Title: Sections

designed	drawn	checked	approved
M&S	M&S		

project no	scale	drawing no	rev
2008	1 : 100	A4.00	B



APT TYPE	DIRECT SUN HRS PER APARTMENT	NATURAL VENTILATION
APT G01	7 HRS	✓
APT G02	3 HRS	✓
APT 101	7 HRS	✓
APT 102	3 HRS	✓
APT 103	3 HRS	✓
APT 201	7 HRS	✓
Apt 202	3 HRS	✓
Apt 203	3 HRS	✓
Apt 301	7 HRS	✓
Apt 301	5 HRS	✓

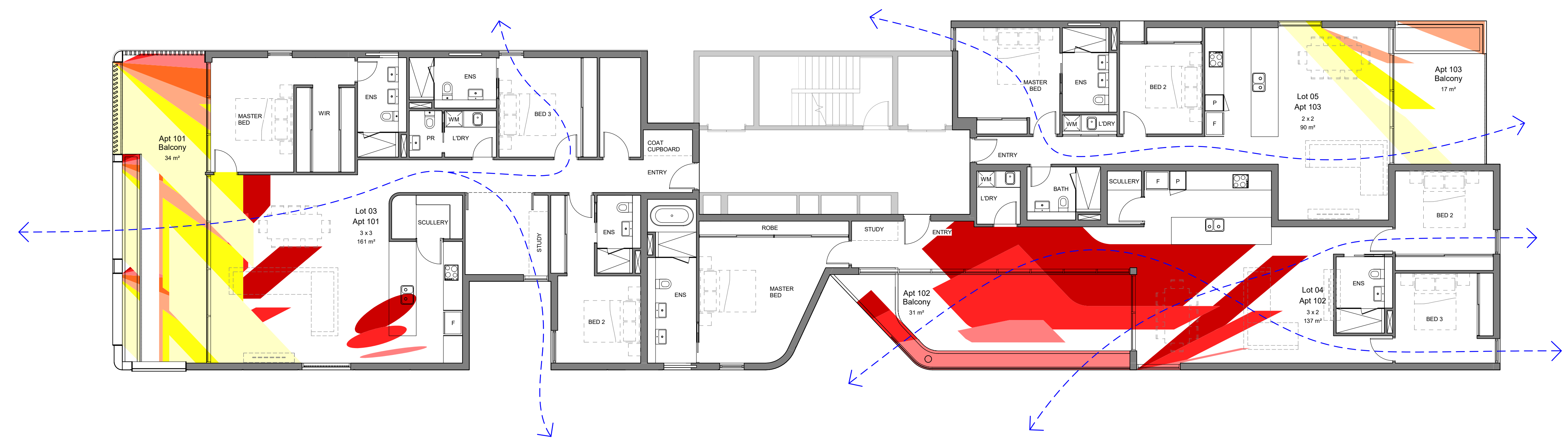
TOTAL APRTMENTS: 10  
 100% of total apartments receive at least 3 hours of sunlight between 9am - 3pm.  
 Ground: 100%  
 Level 01: 100%  
 Level 02: 100%  
 Level 03: 100%  
 TOTAL: 100%

1 Ground Floor - Daylight Analysis  
 1 : 100

**DEVELOPMENT ASSESSMENT PANEL**

**APPROVED**

**01-Apr-2021**



2 Level 01 - Daylight Analysis  
 1 : 100

City of Nedlands  
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 11 March 2021

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A	18.12.20		

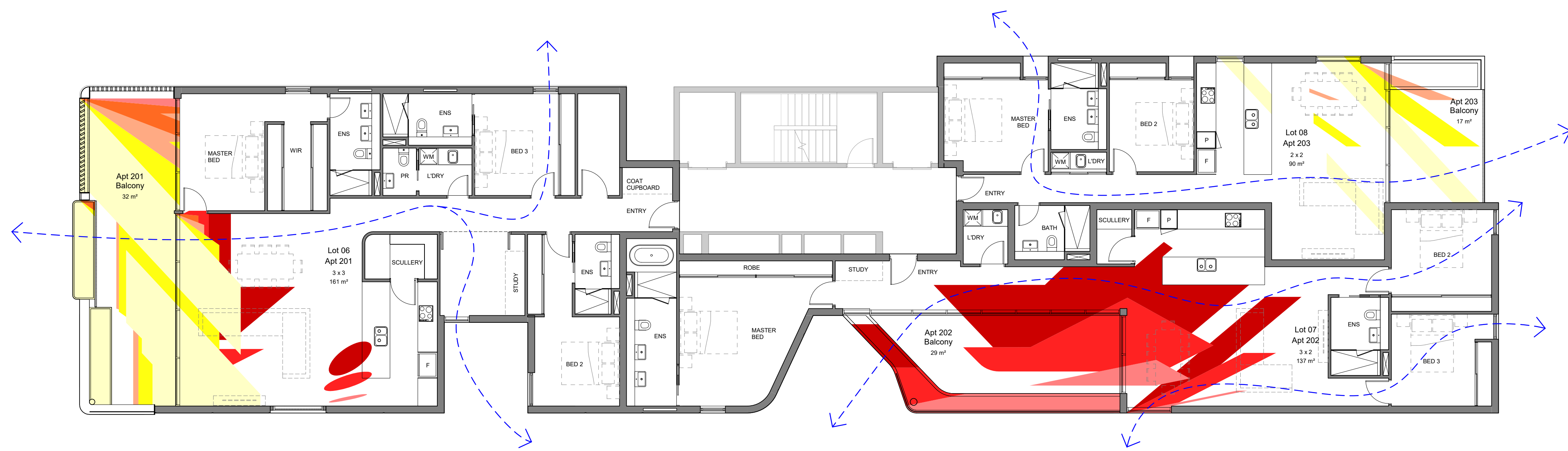
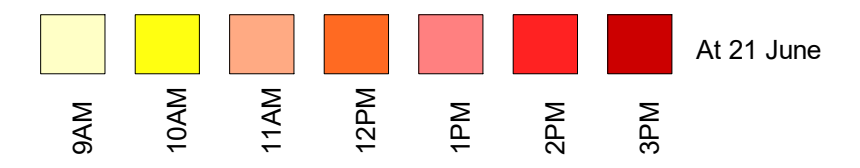
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 ARCHITECTS

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 f: (08) 9316 0498  
 w: www.mandsarchitecture.com.au

Project: 12 Philip Rd, Dalketh  
 Client: Gunner Developments Pty Ltd  
 Drawing Title: Solar Access & Ventilation Diagrams

designed	drawn	checked	scale	drawing no	rev
M&S	M&S		1 : 100	A1	A





APT TYPE	DIRECT SUN HRS PER APARTMENT	NATURAL VENTILATION
APT G01	7 HRS	✓
APT G02	3 HRS	✓
APT 101	7 HRS	✓
APT 102	3 HRS	✓
APT 103	3 HRS	✓
APT 201	7 HRS	✓
Apt 202	3 HRS	✓
Apt 203	3 HRS	✓
Apt 301	7 HRS	✓
Apt 301	5 HRS	✓

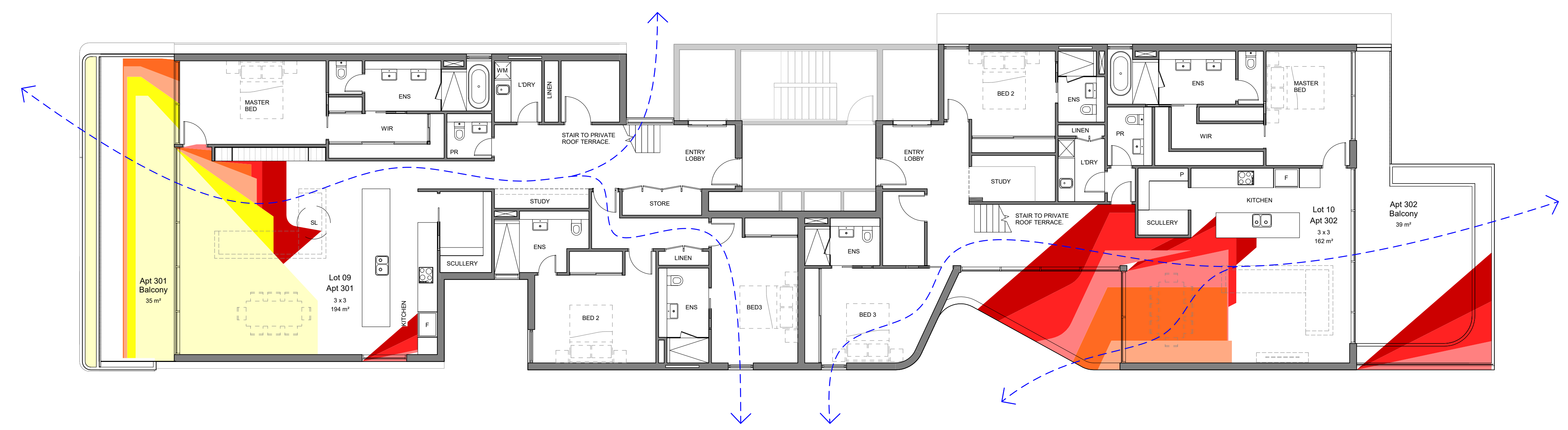
TOTAL APRTMENTS: 10  
 100% of total apartments receive at least 3 hours of sunlight between 9am - 3pm.  
 Ground: 100%  
 Level 01: 100%  
 Level 02: 100%  
 Level 03: 100%  
 TOTAL: 100%

1 Daylight Analysis - 2 Second Floor  
 1 : 100

**DEVELOPMENT ASSESSMENT PANEL**

**APPROVED**

**01-Apr-2021**



2 Daylight Analysis - 3 Third Floor  
 1 : 100

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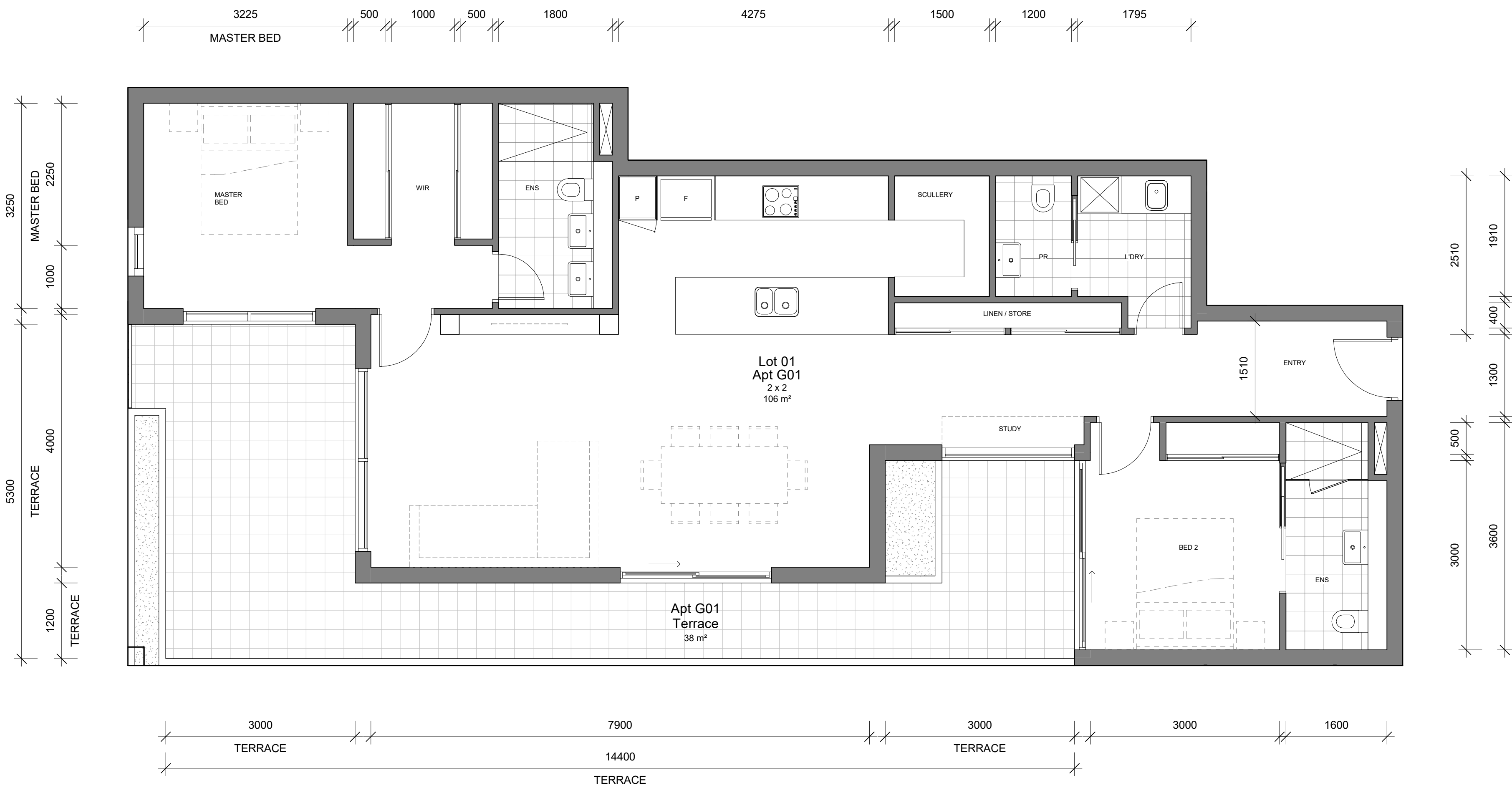
Project: 12 Philip Rd, Dalketh  
 Client: Gunner Developments Pty Ltd  
 Drawing Title: Solar Access & Ventilation Diagrams  
 designed: M&S  
 drawn: M&S  
 project no: 20008  
 scale: 1 : 100  
 drawing no: A5.01  
 rev: A

**DEVELOPMENT ASSESSMENT PANEL**

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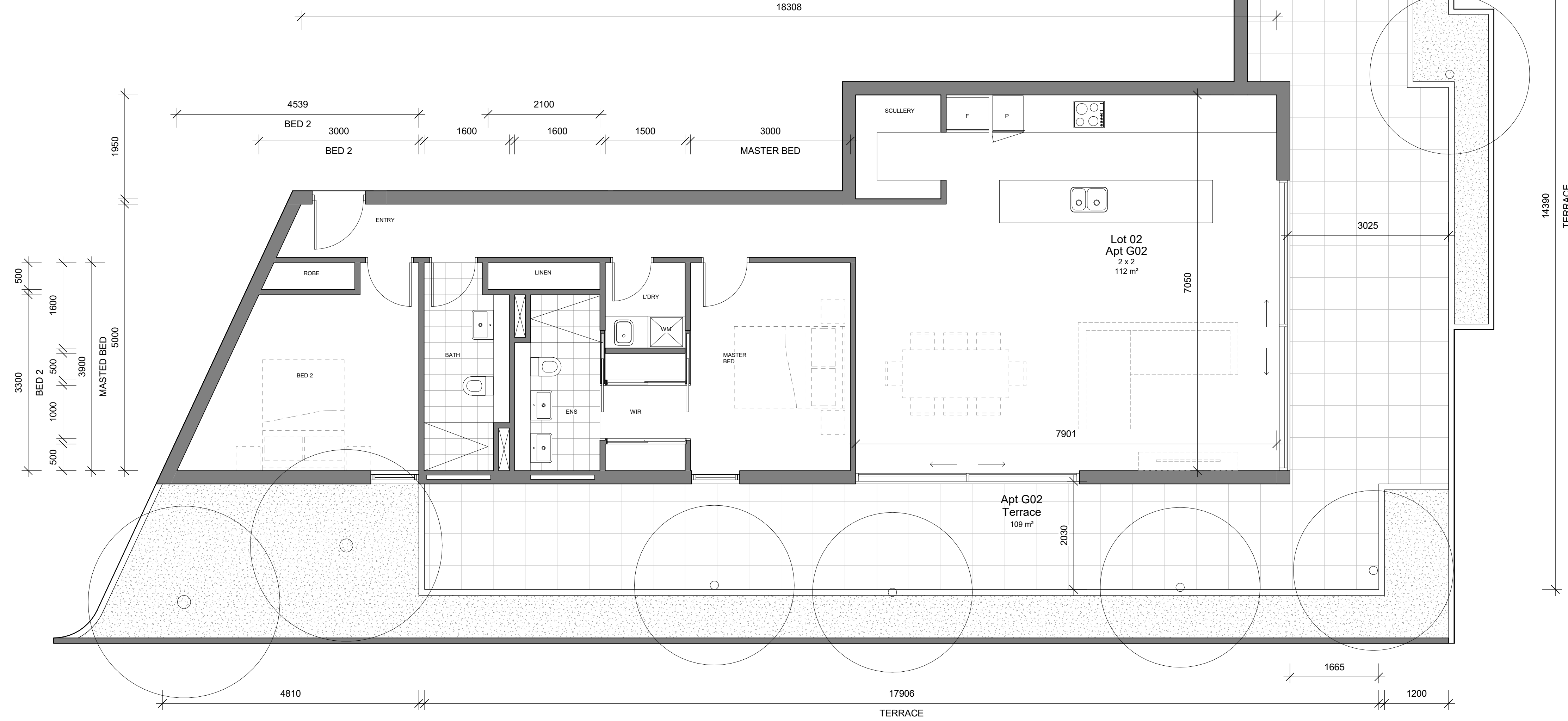
**APPROVED**

**01-Apr-2021**



Lot Number	Apt Name	Apt Type	Level	Layout Type (Bed x Bath)	Internal Area	Plot Ratio	Store	Terrace
Lot 01	Apt G01	Type A	Ground Floor	2 x 2	106 m <sup>2</sup>	114 m <sup>2</sup>	5m <sup>2</sup> (Ground Floor)	38m <sup>2</sup>
Lot 02	Apt G02	Type B	Ground Floor	2 x 2	112 m <sup>2</sup>	118 m <sup>2</sup>	5m <sup>2</sup> (Ground Floor)	109m <sup>2</sup>

**1 Apt G01 - Type A**  
1 : 50



**2 Apt G02 - Type B**  
1 : 50

City of Nedlands  
Amended Plans  
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11 March 2021

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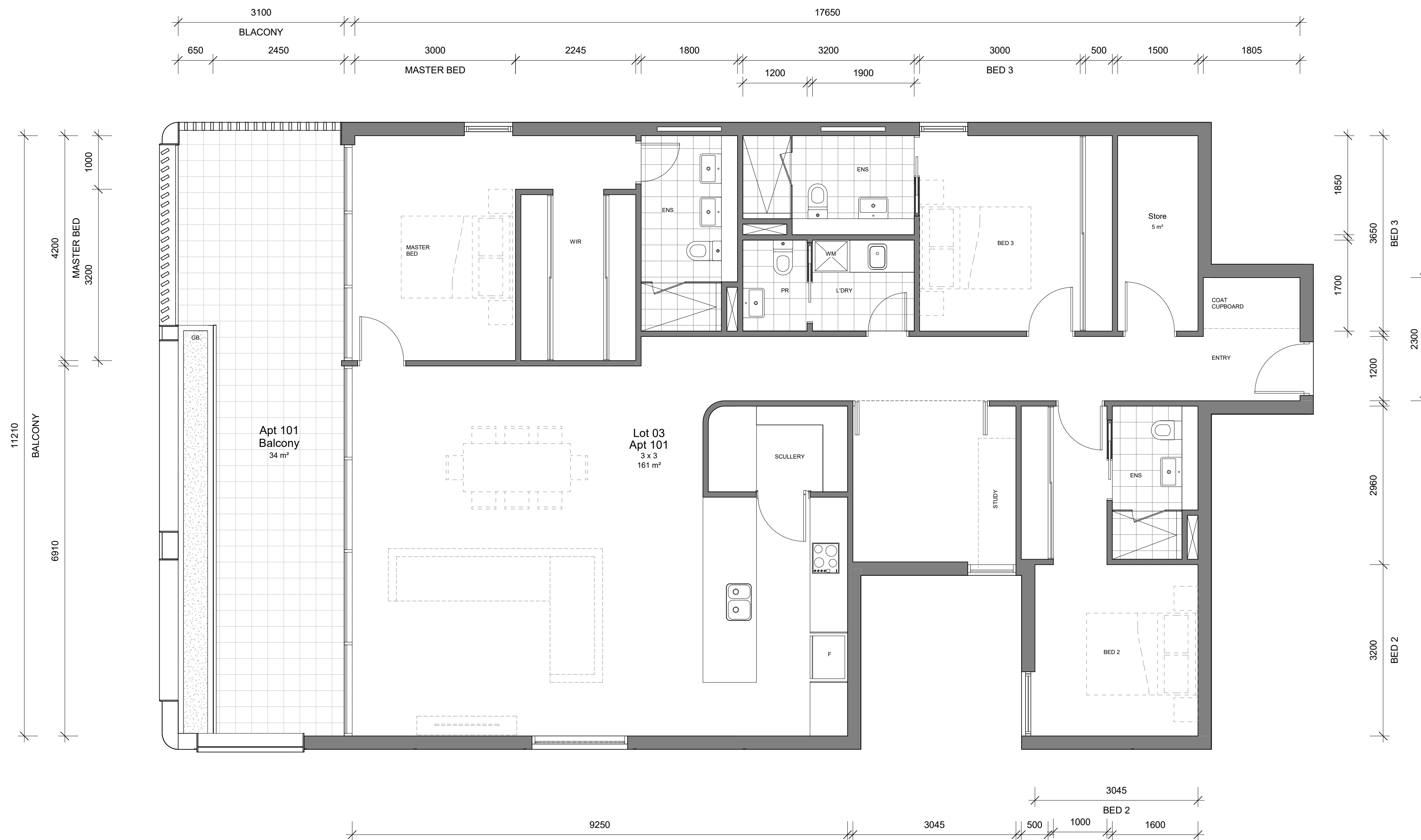
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w: www.mandsarchitecture.com.au

Project: 12 Philip Rd, Dalketh  
Client: Gunner Developments Pty Ltd

Drawing Title: **Apt G01/G02 - Types A & B**

designed	date	scale	drawing no	rev
M&S	M&S	1 : 50	A8.00	A





**DEVELOPMENT  
ASSESSMENT PANEL**

**APPROVED**

**01-Apr-2021**

City of Nedlands  
Amended Plans  
Received  
11 March 2021

DA SET

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Project 12 Philip Rd, Dalketh  
Client Gunner Developments Pty Ltd

Apt 101 & 201 - Type C				
designed	drawn	scale	drawing no	rev
M&S	M&S	1:50	A8.01	A

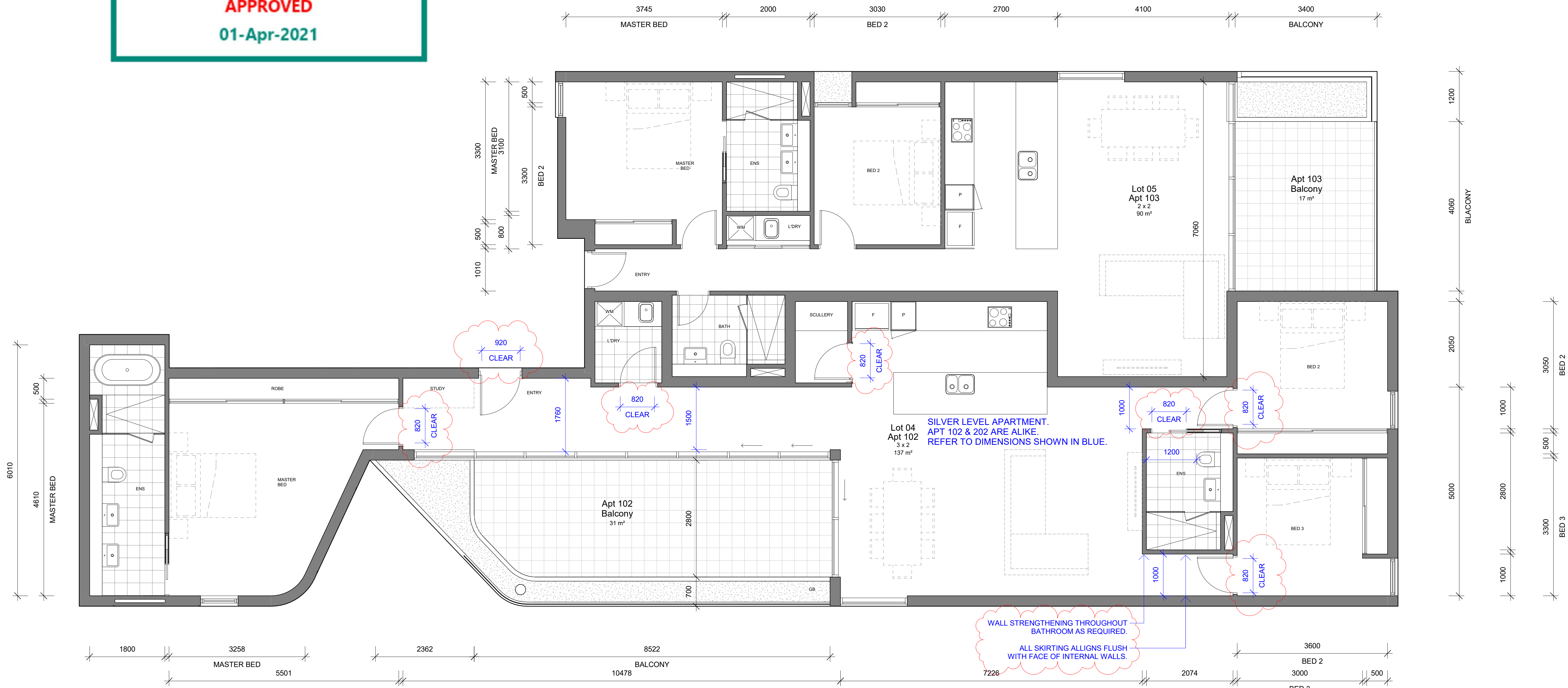
**1** Apt 101 & 201 - Type C  
1 : 50

Lot Number	Apt Name	Apt Type	Level	Layout Type (Bed x Bath)	Internal Area	Plot Ratio	Store	Balcony
Lot 03	Apt 101	Type C	Level 1	3 x 3	161 m <sup>2</sup>	174 m <sup>2</sup>	5m <sup>2</sup> (Apartment) & 5m <sup>2</sup> (Ground Floor)	34m <sup>2</sup>
Lot 06	Apt 201	Type C	Level 2	3 x 3	161 m <sup>2</sup>	174 m <sup>2</sup>	5m <sup>2</sup> (Apartment) & 5m <sup>2</sup> (Ground Floor)	32m <sup>2</sup>

**DEVELOPMENT  
ASSESSMENT PANEL**

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**APPROVED**  
01-Apr-2021



1 Apt 102/202 & 103/203 - Types D & E  
1 : 50

Lot Number	Apt Name	Apt Type	Level	Layout Type (Bed x Bath)	Internal Area	Plot Ratio	Store	Balcony	Silver Level
Lot 04	Apt 102	Type D	Level 1	3 x 2	137 m <sup>2</sup>	153 m <sup>2</sup>	5m <sup>2</sup> (Ground Floor)	31m <sup>2</sup>	Achieved
Lot 07	Apt 202	Type D	Level 2	3 x 2	137 m <sup>2</sup>	153 m <sup>2</sup>	5m <sup>2</sup> (Ground Floor)	29m <sup>2</sup>	Achieved
Lot 05	Apt 103	Type E	Level 1	2 x 2	90 m <sup>2</sup>	98 m <sup>2</sup>	5m <sup>2</sup> (Ground Floor)	17m <sup>2</sup>	
Lot 08	Apt 203	Type E	Level 2	2 x 2	90 m <sup>2</sup>	98 m <sup>2</sup>	5m <sup>2</sup> (Ground Floor)	17m <sup>2</sup>	

- LIVABLE HOUSING DESIGN GUIDELINES  
SILVER LEVEL COMPLAINE CRITERIA**
- DWELLING ACCESS**  
- CAR PARKING AND ACCESS CORRIDORS COMPLIANT WITH RELEVANT BCA STANDARDS
  - DWELLING ENTRANCE**  
- MIN 820MM CLEAR OPENING  
- LEVEL THRESHOLD TRANSITION  
- LEVEL LANDING AREA OF 1200MM X 1200MM AT ENTRY
  - CAR PARKING (WHERE PART OF DWELLING ACCESS)**  
- N/A
  - INTERNAL DOORS AND CORRIDORS**  
- ALL DOORWAYS TO ROOMS ON ENTRY LEVEL PROVIDE:  
- CLEAR OPENING OF 820MM  
- LEVEL TRANSITION  
- INTERNAL CORRIDORS PROVIDE MINIMUM CLEARANCE OF 1000MM
  - TOILET**  
- PROVIDE A TOILET ON ENTRY LEVEL THAT PROVIDES:  
- 900MM CLEAR BETWEEN WALLS  
- 1200MM CLEAR FORWARD OF PAN  
- TOILET PAN LOCATED IN CORNER OF ROOM TO ENABLE GRABRAIL INSTALLATION
  - SHOWER**  
- PROVIDE SLIP RESISTANT HOBLESS SHOWER RECESS  
- SHOWER RECESS LOCATED IN CORNER OF ROOM TO ENABLE GRABRAIL INSTALLATION
  - REINFORCEMENT OF BATHROOM AND TOILET WALLS**  
- BATHROOM AND TOILET WALLS TO BE REINFORCED IN ACCORDANCE WITH REQUIREMENTS RELATING TO SAFE AND ECONOMICAL INSTALLATION OF GRABRAILS
  - INTERNAL STAIRWAYS**  
- N/A
  - KITCHEN SPACE**  
- NO REQUIREMENTS
  - LAUNDRY SPACE**  
- NO REQUIREMENTS
  - ENTRY LEVEL BEDROOM SPACE**  
- NO REQUIREMENTS
  - SWITCHES AND POWERPOINTS**  
- NO REQUIREMENTS
  - DOOR AND TAP HARDWARE**  
- NO REQUIREMENTS
  - FAMILY/LIVING ROOM SPACE**  
- NO REQUIREMENTS
  - WINDOW SILLS**  
- NO REQUIREMENTS
  - FLOORING**  
- NO REQUIREMENTS

City of Nedlands  
Amended Plans  
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11 March 2021

DA SET

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A	18.12.20	DA Set Updates	
B	25.02.21	DA Planning Updates	

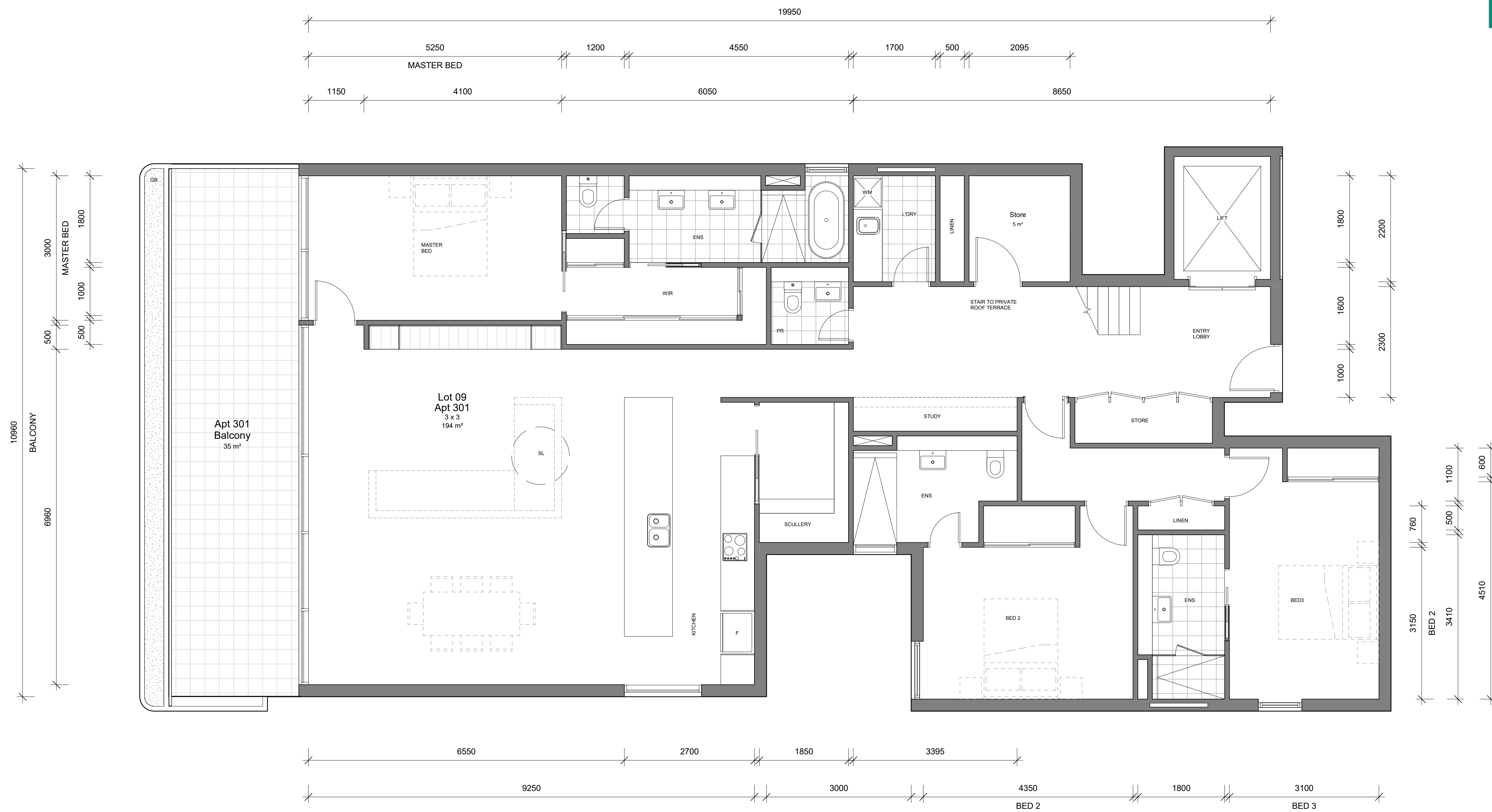
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Project 12 Philip Rd, Dalketh  
Client Gunner Developments Pty Ltd  
Drawing Title Apt 102/202 & 103/203 - Types D & E  
designed M&S  
drawn M&S  
project no 20008  
scale 1 : 50  
drawing no A8.02  
rev B

**DEVELOPMENT  
ASSESSMENT PANEL**

**APPROVED**

**01-Apr-2021**



**1** Apt 10 - Type F  
1 : 50

Lot Number	Apt Name	Apt Type	Level	Layout Type (Bed x Bath)	Internal Area	Plot Ratio	Store	Balcony
Lot 09	Apt 301	Type F	Level 3	3 x 3	194 m²	210 m²	5m² (Apartment) & 5m² (Ground Floor)	35m²

City of Nedlands  
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Project 12 Philip Rd, Dalketh  
 Client Gunner Developments Pty Ltd  
 Drawing Title  
**Apt 301 - Type F**

designed	date	scale	drawing no	rev
M&S		1 : 50	A1	A

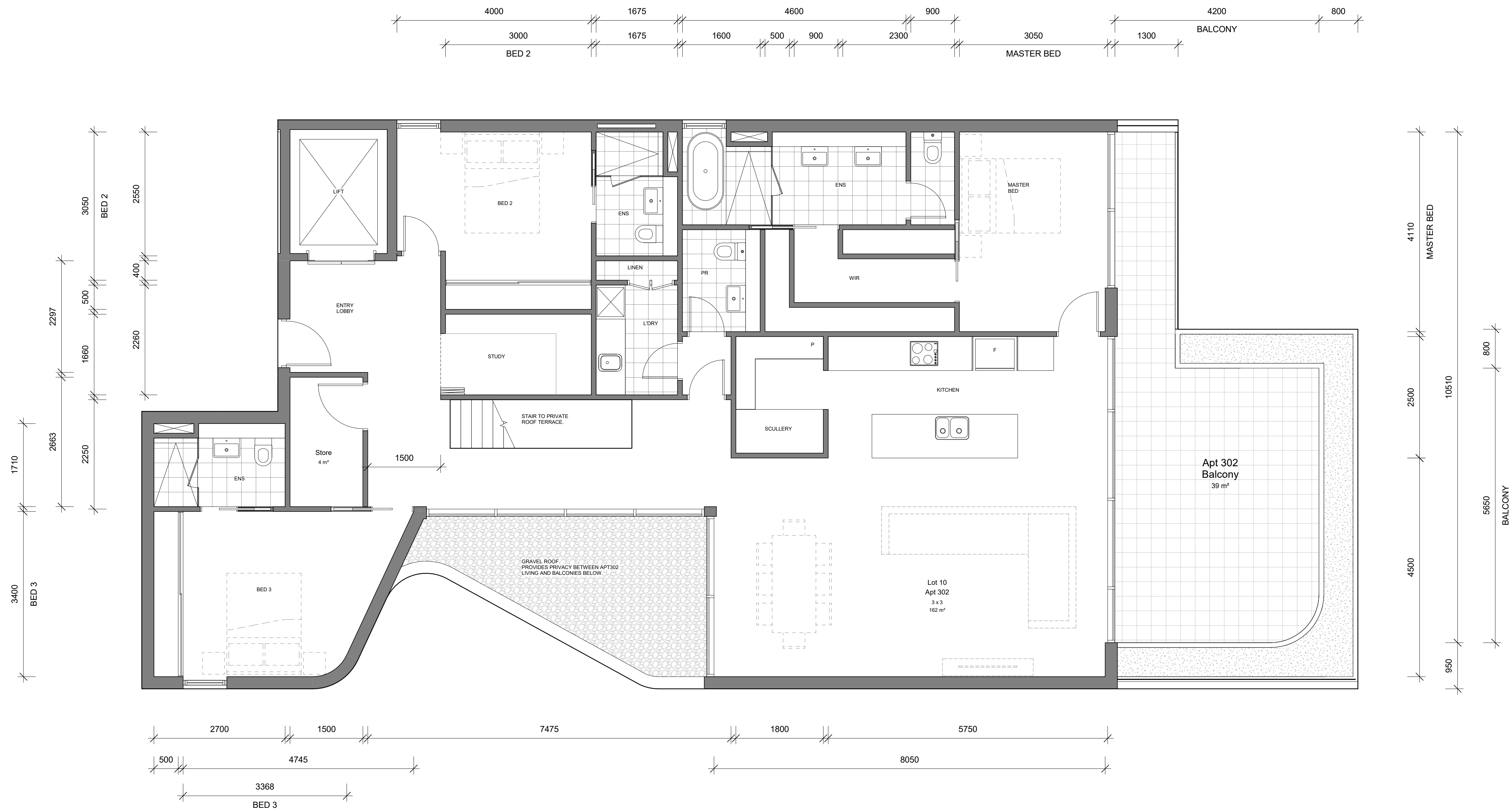
project no 20008



**DEVELOPMENT  
ASSESSMENT PANEL**

**APPROVED**

**01-Apr-2021**



**1** Apt 11 - Type G  
1 : 50

Lot Number	Apt Name	Apt Type	Level	Layout Type (Bed x Bath)	Internal Area	Plot Ratio	Store	Balcony
Lot 10	Apt 302	Type G	Level 3	3 x 3	162 m <sup>2</sup>	179 m <sup>2</sup>	4m <sup>2</sup> (Apartment) & 5m <sup>2</sup> (Ground Floor)	39m <sup>2</sup>

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11 March 2021

**DA SET**

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f: (08) 9316 0488  
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Project 12 Philip Rd, Dalketh  
Client Gunner Developments Pty Ltd

Drawing Title: **Apt 302 - Type G**

designed	drawn	checked	scale	drawing no	rev
M&S	M&S		1 : 50	A8.04	A



25 June 2021

Pacey Lang  
City of Nedlands  
PO Box 9  
Nedlands WA 6909

Dear Ms Lang,

**AMENDED DAP APPLICATION (DAP REFERENCE 20/01922)  
10 MULTIPLE DWELLINGS  
LOT 372 (No.12) PHILIP ROAD, DALKEITH**

We refer to our recent discussions with respect to the above.

At its meeting of 1 April 2021, the Metro Inner-North Joint Development Assessment Panel ('DAP') approved an Application for Development Approval ('Application') for 10 multiple dwellings on the site.

Pursuant to Regulation 17 (1) (c) of the Planning and Development (Development Assessment Panels) Regulations, we hereby enclose an Amended DAP Application for minor design modifications that, in our opinion, do not substantially change the approved development. The Amended DAP Application comprises:

- Application Forms and supporting documents for an Amended DAP Application;
- The applicable fee for an Amended DAP Application (\$536);
- A complete set of Amended Drawings; and
- This letter describing the proposed changes.

Since receipt of approval, the proponent has progressed with detailed design of the development with input from various consultants, including architecture, structural engineering, and building services (mechanical, electrical, hydraulic). This process has naturally resulted in some minor modifications to the approved building design, as explained below.

**Building Height**

The total building height has increased by 285 millimetres. This is due to new National Construction Code ('NCC') requirements introduced in May 2021, which require installation of fire sprinklers throughout the building, adding approximately 200 millimetres per floor. Whilst this would ordinarily equate to a total building height increase of 800 millimetres, the finished floor levels and floor-to-floor heights have been adjusted to limit the overall additional height to just 285 millimetres.



The table below compares the height for the approved and proposed designs.

Storey	Approved Design	Amended Design	Difference (+/-)
Basement			
• FFL near Right of Way (rear)	15.090	15.030	-60mm
• FFL near Ramp (front)	15.324	14.859	-465mm
Ground Floor			
• FFL internal	18.074	18.009	-65mm
First Floor			
• FFL internal	21.574	21.369	-205mm
Second Floor			
• FFL internal	24.774	24.639	-135mm
Third Floor			
• FFL internal	27.974	27.909	-65mm
Roof Terrace Level			
• FFL	31.174	31.459	+285mm
• Top of Lift / Fire Escape	32.636	32.925	+289mm
• Top of Balustrade	32.674	32.959	+285mm
• Top of Stairwells / BBQ Wall	33.774	34.059	+285mm

The number of 'storeys' as defined in State Planning Policy 7.3 – Volume 2 Apartments ('SPP7.3') remains the same, being four storeys, consistent with SPP7.3 Acceptable Outcome A2.2.1.

With respect to height in metres, Table 2.2 of SPP7.3 suggests an indicative overall building height of 15 metres for a four storey building, calculated as follows:

*Overall building heights are set by adding together the floor to ceiling heights for the desired number of storeys, with a nominal allowance of 4m for the ground floor and 3m for subsequent floors. Add at least 2m to the total to allow for rooftop articulation.*

The proposed overall building height, measured from the finished level of the Ground Floor (18.009m), is:

- 14.916 metres to the top of the Lift / Fire Escape;
- 14.95 metres to the top of the Roof Terrace balustrading; and
- 16.05 metres to the top of the Roof Terrace stairwells / BBQ areas.

The portions of the building extending above an indicative building height of 15 metres are minor elements at roof level that will not be visible from Philip Road in front of the site.

The minor increase in overall building height, by just 285mm, is not significant and will have little to no impact on the building's overall appearance, bulk and scale.



### Ramp and Car Park Gradients

To limit the overall building height increase to just 285mm, minor adjustments have been made to the gradients of the vehicle access ramp, car park and pedestrian ramp to the bin store. The bin store pedestrian ramp and balustrade have also been lengthened so that they now commence at the front boundary of the site.

### Window Dimensions

To accommodate the revised floor-to-floor heights, minor adjustments have been made to some of the window dimensions on the side and rear elevations. The overall size and position of the affected windows remains the same and all visual privacy Acceptable Outcomes under SPP7.3 continue to be satisfied.

### Level 3 Apartments

To accommodate the revised floor-to-floor heights, it has been necessary to slightly increase the length of the staircases leading from the two Level 3 apartments to the Roof Terrace. The position of the store and laundry inside the Level 3 apartments has also been adjusted to accommodate the revised stair (this is an internal design modification that does not require Development Approval).

### Roof Terrace

To accommodate the revised floor-to-floor heights, it has been necessary to increase the length of the stair enclosures at Roof Terrace level (+0.8 metres for Apartment 301 and +1.0 metres for Apartment 302). The minor adjustment to the length of the stair enclosures does not have any notable or significant impact on the appearance, bulk and scale of the building.

In addition, it is proposed to replace the metal balustrading to the Roof Terraces with a glass balustrade and replace the pergola structures with retractable shade sails. These changes will enhance the appearance of the building without any detrimental impact on visual privacy or amenity for adjoining residents and future occupants.

### **Pedestrian Door to Rear Wall of Car Park**

The rear wall of the car park has been amended to meet National Construction Code requirements. This has necessitated the introduction of a pedestrian exit door to the Right of Way abutting the site's rear boundary.

This presents an opportunity to improve pedestrian access from the rear of the site to Waratah Avenue, consistent with the suggestion made by the DAP when it determined the Application.

The site enjoys a legal right of access over the Right of Way abutting the site's rear boundary. In addition, a 1-metre wide pedestrian easement on the eastern side of the 'Dalkeith on Waratah' building (Strata Plan 65478) means that residents can legally access Waratah Avenue from the rear of the proposed development.



The approved development already incorporated pedestrian access from the Ground Floor via stairs, however, residents will now be able to access the rear Right of Way at-grade from the car park via the new door.

**Roller Door to Rear Wall of Car Park for Future Vehicle Access**

It is also proposed to introduce a roller door to the rear wall of the car park. The roller door presents an opportunity to 'future proof' the building in the event that legal vehicle access to the rear of the building becomes available in the future.

While the site enjoys access rights over the Right of Way, there is no legal means for vehicles to travel between the Right of Way and Waratah Avenue via any adjoining properties. Should legal access over an adjoining property become available, the introduction of the roller door will facilitate vehicle access from the rear of the site, consistent with the intent of the Waratah Village Laneway Local Planning Policy.

We trust the enclosed Amended DAP Application is to your satisfaction.

Should you require any further information or clarification in relation to this matter, please contact Alan Stewart on 0413 842 645.

Yours faithfully,

*Alan Stewart*

**Alan Stewart**

Director

Stewart Urban Planning

**13.10 RFT 21-NB01 Rehabilitation of Lobelia Street and Pine Tree Lane, Mount Claremont**

<b>Council</b>	28 September 2021
<b>Applicant</b>	City of Nedlands
<b>Employee Disclosure under section 5.70 Local Government Act 1995</b>	Nil
<b>Director</b>	Andrew Melville
<b>CEO</b>	Bill Parker
<b>Attachments</b>	Nil
<b>Confidential Attachments</b>	1. Tender Evaluation and Recommendation Report - Rehabilitation of Lobelia Street and Pine Tree Lane, Mount Claremont (Confidential)

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

Moved – Councillor Horley  
 Seconded – Councillor Smyth

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

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

**Council Resolution / Recommendation to Council**

**Council:**

- 1. approves the award of the contract for Rehabilitation of Lobelia Street and Pine Tree Lane, Mount Claremont to West Coast Profilers in accordance with the City’s Request for Tender number RFT21NB01 and comprising of that request, the City’s Conditions of Contract, the West Coast Profilers tender submissions inclusive of the Lump Sum and all post tender clarifications and negotiations; and**
- 2. instructs the CEO to arrange for a Letter of Acceptance and a Contract document to be sent to West Coast Profilers to be executed.**

**Executive Summary**

The City commenced a tender process to test the market and publicly invited bids from suitably qualified and experienced contractors to provide civil construction services for the rehabilitation of Pine Tree Lane and Lobelia Street in Mount Claremont. Both projects are identified in the Capital Works Program

for renewal in 2021/22.

One submission was received by the closing date of Friday 3 September 2021 from 10 requests issued.

This process has now been finalised and Council is requested to accept the evaluation and recommendation for award of the new contract to West Coast Profilers Pty. Ltd. The attached RFT21NB01 Tender Evaluation and Recommendation Report is provided to assist you in your decision.

## **Voting Requirement**

Simple Majority.

## **Discussion/Overview**

Submissions were rated against the following criteria, Relevant experience (30%), Key personnel skills and experience (30%) and Project Methodology (40%).

West Coast Profilers demonstrated recent experience with similar local government projects showing a solid capacity to deliver the proposed works. The personnel dedicated to the project are experienced and suitably qualified giving confidence that they can complete the requirements of the RFT.

West Coast Profilers provided a detailed program of works that is considered and reasonable, encompassing the entirety of the scope with a proposed program of 75 days between 8 October and 16 December 2021, which is in line with the requirements.

References provided by the Cities of Albany and South Perth both recommended West Coast Profilers services and have engaged the Contractor for similar works.

Following the due diligence processes that the City has undertaken, the City is confident that West Coast Profilers can complete the scope of work to the required standards and their offer represents good value for money to the City.

## **Key Relevant Previous Council Decisions:**

Nil.

## **Consultation**

No consultation is required as part of these works.



## Strategic Implications

### How well does it fit with our strategic direction?

These works are listed within the endorsed Capital Works Program.

### Who benefits?

Road users, pedestrians and home owners in the area benefit from the award of this contract, as it will ensure the City's roads, pathways, driveway aprons and drainage are well maintained and performs to a high standard.

### Does it involve a tolerable risk?

The RFT and Minor Works Contract Conditions is setup to ensure contractor is accountable for the delivery to the program. Contractor has submitted risks and mitigation strategies to minimize risk to project and ensure delivery by the required completion date. The risk has been reviewed and deemed an acceptable risk.

### Do we have the information we need?

Specialist City Officers have the necessary skills to expertly advise Council on the best contractor to supply the services at best value to the City.

### Does this affect any CEO Key Result Areas?

No.

## Budget/Financial Implications

### Can we afford it?

The Budget allocated for these works totals \$462,992. The Tendered price is higher than the estimate due to the current high demand for civil works Contractors resulting from economic stimulus measures being implemented by both the State and Federal governments. Additional funds will be made available to address budget overrun during the mid-year Budget Review process and the subsequent Budget Adjustment.

### Costing Summary

Project Number	Project Name	Budget	Tendered Cost	Difference
841	Lobelia Street	\$175,838	263,682.00	-\$87,844.00
843	Pine Tree Lane	\$287,154	248,978.00	\$38,176.00
<b>Total</b>		\$462,992	512,660.00	-\$49,668.00

The budget allocation for the total of these two projects exceeds the budgeted estimate cost. It is clear from the poor tender submission rate that the impacts of economic stimulus measures are having an effect both in terms of cost and supplier choice. These procurement challenges will need to be monitored for further budget impacts as they may impact the City's capacity to deliver this year's capital works program.

### How does the option impact upon rates?

Nil.

## **Conclusion**

Pine Tree Lane and Lobelia Street have been identified for rehabilitation as part of the City annual capital works. West Coast Profilers have completed road rehabilitation and civil services for similar local governments.

West Coast Profilers will provide an as new road pavement, pathways, kerbing and driveway aprons. In order to continue to provide effective ongoing maintenance to preserve the safety and condition of road and associated infrastructure, it is recommended to award this RFT to West Coast Profilers.

**Please note: This item was brought forward see page 101.**

- 13.11 Consideration of Responsible Authority Report for Minor Amendments to Approved 10 Multiple Dwellings at 12 (Lot 372) Philip Road, Dalkeith**

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

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

Councillor Coghlan joined the meeting at 7.03pm.

**14.1 Councillor Horley – Allen Park A Class Recreation Reserve**

At the Council meeting on 24 August 2021 Councillor Horley gave notice of her intention to move the following at this meeting.

Moved – Councillor Horley  
Seconded – Councillor Smyth

**Council Resolution**

**That Council:**

- 1. requests an update from the CEO with regard to the land tenure arrangements as suggested in the Allen Park Master Plan (extract below); and**

Land Tenure - multiple land tenure arrangements and concern that land currently utilised for bushland preservation may be reclaimed for development.	The masterplan study area comprises of a number of varying land vesting and land tenure arrangements:				The community acknowledge that they are passionate about the Allen Park Precinct and the community they live and recreate in, and will fight for what they believe is important to retaining the social fabric of their community. The issues of land tenure over a number of blocks and reserves continues be of huge concern.  It is recommended that Council aim to resolve the outstanding land tenure issues within the Allen Park Precinct that continue to be of high community concern, in particular Lots 139 and 353 ("the walkway"). These 2 lots provide a valuable link and connection point within the precinct, and should if possible be retained as remnant bushland and connection walkway. In particular, the walkway provides the link for people that are aged or infirmed to access the precinct from residential areas to the north and north-east. The only alternative routes are either through melon hill or via the street footpath network which would increase distance to travel.  Lot 150 is requested to be revegetated as additional bushland. It is not possible for ABV to recommend that this lot be provided to community for this purpose at no cost, as the land is considered of financial value to the City. There has been some suggestions that the community may consider a financial arrangement with the City for the land, and it is recommended this be further explored.
	Class A Reserve 19349	AP upper pavilion	MO vested to City for purpose of recreation		
	Class A Reserve 7804 – Lot 406 on DP 36773	Includes WA Bridge club, APTC, AP Lower Pav, SNSLSC, Mattie Furphy House, Tom Collins House	MO vested to City for purpose of recreation and recreation		
	Reserve 19283, 27250 Class A Reserves		MO vested to City for purpose of recreation		
	Reserve 47257 – Class C Reserve		MO vested to City for purpose of recreation		
	Lot 1	Coastal beach Area	Freehold – Bush Forever Site		
	Lot 131	Old Mayo House	Owned Freehold by the City		
	Lot 149	9 Sayer Street	Owned by the State	Residential – Urban	
	Lot 150	11 Sayer Street	Owned freehold by the City of Nedlands	Residential	
Lot 139	12 Sayer Street	Owned freehold by the City of Nedlands	Zoned recreation in the City's TPS		
Lot 353 "the Walkway"	8 Sayer Street	City of Nedlands	Crown Grant for the purpose of Aged Care.		

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			Zoned recreation in the City's TPS	
Lot 301		Registered Proprietor Commonwealth of Australia		
<p>Class A has the greatest degree of protection, requiring approval of Parliament to amend the reserve's purpose or area, or to cancel the reservation. The A classification is used solely to protect areas of high conservation or high community value.</p> <p>Aside from conservation estate reserves, the Minister has general powers to deal with reserves which are not Class A or B, and retains legal and policy oversight of the use of reserves generally.</p> <p>Lot 150 highlighted in orange is owned freehold by the City of Nedlands. The FOAPBG have identified this land as important to the development of additional greenway for bush preservation.</p> <p>Lots, 139 and 353 ("the walkway") highlighted in pink are of considerable concern to the community in that there is belief that the land could be reused/sold for alternative purposes, with the potential for developments on those sites. The City of Nedlands are the registered proprietor of the land. The land is for the purpose of home for the aged and there is a Crown Grant over the land. The zoning has been changed within the Towns Planning Scheme to recreation, however the formal purpose of the land is still for aged care.</p> <p>A Crown Grant also reserves to the Crown the right to resume (now called Taking) the land or use part of it for the construction of public works under the Transfer of Land Act.</p> <p>There is a significant amount of unrest within the community regarding Lots 150, 139 and Lot 353 in particular. Over a number of years, Lots 139 and 353 have been revegetated as part of the bushland precinct. Lot 353 includes a major walkway that links the North East residential area of Swanbourne to the Allen Park bush trails and sporting precinct. The area is now considered important to the biodiversity of the precinct and is home to wildlife and fauna.</p>				

2. if no progress has been made requests the CEO to formally commence discussions with the Department of Planning, Lands and Heritage to reclassify each of the below parcels of land as Class A Reserve. (image depicting where these parcels are located below):

- Class C Reserve 47257
- Lot 1, DP24967 (the big triangle piece of land in Swanbourne)
- Lot 131, DP222332 (old Mayo House)
- Lot 149, DP222332 (9 Sayer Street)

- Lot 150, DP222332 (11 Sayer Street)
- Lot 139, DP222332 (12 Sayer Street)
- Lot 301, DP22248 (Owned by Commonwealth)



**CARRIED 8/4**  
**(Against: Crs. McManus Hodsdon Wetherall & Senathirajah)**

#### Justification

The Allen Park Master Plan was endorsed in 2017 and noted various land tenure arrangements and the community concern that land currently utilised for bushland preservation may be reclaimed for development in the future. This notice of motion will ensure that the land identified within the Allen Park Master Plan as having environmental value will be protected as a Class A Reserve in the future.

#### Administration Response

Given the onerous process required to reclassify land as Class A, it would be prudent to investigate not only these parcels but all parcels of land under the City's control within the general precinct. The City's Administration can present a report to Council in November 2021 outlining each opportunity for Council's consideration.

**Please note: This item was brought forward see page 76.**

**14.2 Councillor Coghlan – Local Planning Policy – Primary Controls for Apartment Developments**



**14.3 Councillor Smyth – Lot 500 Montgomery Drive Mt Claremont – Care and Protection of remnant bushland (Reserve R43379)**

At the Council meeting on 24 August 2021 Councillor Smyth gave notice of her intention to move the following at this meeting.

Moved – Councillor Smyth

Seconded – Councillor Horley

**Council Resolution**

**Council:**

- 1. requests the CEO to provide a workshop on the land swap between Western Power and the City, including but not limited to;**
  - Lot configuration, abutments to adjoining properties and access points;**
  - Anticipated land-use and potential for development; and**
  - Viability as contiguous bushland reserve.**
- 2. instructs the CEO to;**
  - a. ensure that the newly configured Reserve R43379 with its encumbered remnant bushland flora and fauna are protected during the development and construction on adjoining lots;**
  - b. instructs the CEO to negotiate with the Botanic Garden & Parks Authority on the feasibility of a shared bush-care management plan at the interface of Mt Claremont Reserve and Banksia Farm Reserve R45409; and**
  - c. prepare a cost projection for any remedial work and impact on Budget in out years.**

**CARRIED UNANIMOUSLY 12/-**

Justification

1. To inform and update Council of the strategy and dealings concerning the land subject to a recent land swap and rationalisation with Western power.
2. Western Power subsequently sold the northern portion to a developer; while the southern portion adjoining the Mt Claremont Community Centre and Haldane House has returned to the City of Nedlands as a Reserve for purposes that have not been determined.
3. Protect land and vegetation during construction on Lot 100 immediately to the north.
4. Manage connection with adjoining bush land administered by the Town of Cambridge.
5. Facilitates forward planning and future budget allocations.

This land has remnant bushland including banksias that are at risk, particularly in the event of nearby construction. This land reserve is adjacent to the Mt Claremont Community Centre and as we have seen in the construction adjacent to Dalkeith Hall, building sites have little regard for their neighbours. We should not have to carry the cost of natural asset degradation and remediation.

#### Administration Comment

The land swap relating to Lot 500 Montgomery Drive, Mt Claremont, between Western Power and the City of Nedlands was completed with no variances to what has already been endorsed by Council in July 2019 (PD23.19). Lots 500 and 501 are now both part of Class C Reserve 43379 which is vested to the City for the purpose of 'Public Recreation'

Reserve 43379 (Lot 500) is only 830sqm in area, thus from a natural areas perspective the perimeter circumference relative to the total area, will make the maintenance of the site not cost efficient and is unlikely to be recommended by Administration. Its management as a park which preserves the trees on the site is possible.

The interface with Reserve 45409 located within the Town of Cambridge is separated from Reserve 43379 by Lot 6987 which is owned by the City of Nedlands (Mt Claremont Playgroup /Community Centre) . This lack of an interface combined with the size of Reserve 43379 (Lot 500) makes the joint management of the sites problematic. With regard to Reserve 45409, this land is actually vested to the Botanic Gardens and Parks Authority for 'Parks' purposes.

The long term use of Reserve 43379 (Lot 500) should include consideration of the community uses on the balance of Reserve 43379 and on Lot 6987, which could occur with the retention of the vegetation currently on the site.

Lot 100 is currently subject to a Development Application process. During the construction process, as a condition of the approval, Reserve 43379 will be able to be protected and will not be permitted to be used as part of the construction process, without Council's consent.

It is recommended that the Council resolve the following:

A workshop of Councillors on the future use of Reserve 43379 (Lot 500) be held, including considerations of the protection of the vegetation currently on the site and the associated cost implications.

#### 14.4 Councillor Mangano – Repair of damaged footpaths on Waratah Avenue

On 30 August Councillor Mangano gave notice of his intention to move the following at this meeting.

Moved – Councillor Mangano

Seconded – Councillor Bennett

#### **Council Resolution**

**That Council instructs the CEO to rectify recent and long-standing footpath damage on Waratah Ave, both in the shopping centre precinct and westwards to Victoria Avenue.**

**CARRIED 9/3  
(Against: Crs. McManus Hodsdon & Wetherall)**

#### Justification

1. Builders, in particular Niche Living, have damaged the footpath to such an extent that it presents a safety issue, particularly to elderly residents.
2. Subsidence where poor reinstatement work has been done.
3. Trip hazards where pits are above the level of the footpath, or pits are damaged.

The City has an obligation and duty of care to provide safe footpaths where footpaths exist.

#### Administration Comment

In response to the Notice of Motion for the footpath issues along Waratah Ave, Administration confirms the following:

- The City will be engaging contractors to undertake repairs from operational budgets to the broken pram ramp and adjacent panel, on the corner of Alexander Rd and School Rd.
- The works within the shopping precinct form part of this years Capital Works Program. These works are currently in the planning phase and are scheduled to be delivered this financial year. These works will be coordinated with the construction of 95A Waratah Ave in order to minimise the impacts to local residents and the overall quality of the road project. As this project is partially grant funded, the Administration will be striving to ensure that the works are completed this financial year.
- Administration has prepared a cost estimate for the area along Waratah Ave (towards Victoria av) of \$65,000 (excluding oncosts). This work is not budgeted as part of the 21/22 Capital Works Program. It is important to note that the Administration is about to commence the development of Asset Management Plans for all of the City's Asset classes. As part of

this work the condition data for all Asset Classes will be reviewed, and a prioritised 10 year CWP will be developed. It is recommended that no Capital Project be committed to by Council until these works are complete and adopted by Council.

- Any other areas that are inspected and determined to present an immediate safety concern by the Administration will be repaired as necessary within the existing maintenance budget.

#### 14.5 Councillor Mangano – Dalkeith Hall Carpark Clean Up

On 30 August 2021 Councillor Mangano gave notice of his intention to move the following at this meeting.

Moved – Councillor Mangano

Seconded – Councillor Youngman

#### Council Resolution

That Council instruct the CEO:

1. to arrange the removal of the temporary fence erected by Pyramid from the Dalkeith Hall car park and to erect it on its own property, and the carpark is cleaned, including all soak wells and drains; and
2. erect signage to deter use of the car park by Pyramid or its contractors.

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

Justification

1. The car park is mess and leaves a poor impression to ratepayers of the City's maintenance of its assets.
2. The temporary fence obstructs parking bays, and potentially could fall on parked cars.
3. The builders and their contractors are using the carpark without permission.

Administration Comment

The carpark at the Nedlands Community Care site (Carpark) is a public place under the care, control and management of the City. The temporary fencing placed within the Carpark by Pyramid Constructions (WA) Pty Ltd (Builder) is serving to prevent the public entering unsafe ground conditions in the Carpark and onto the adjoining worksite at 95A Waratah Avenue, Dalkeith (Worksite).

The building works at the Worksite include excavations up to the boundary of the Carpark and within the Carpark itself. The site conditions are such that there is no prospect of relocating the fence back onto the building site without compromising public safety. In the event Council resolved to proceed to have the fence removed from its current location, the City would have a duty of care to erect a temporary fence in the same location at its own cost in order to discharge its duty of care to the public using the Carpark.

The City is currently working with the Builder to facilitate remediation of the damage to the Carpark resulting from building activities associated with the Worksite. It is expected that remediation of the Carpark will be completed shortly, and all materials and equipment stored on the Carpark will be removed. This work was expected to be completed during the week beginning 13 September, although there has been a delay for reasons currently unknown to the City. The Carpark repair will allow the temporary fencing to be removed, the Carpark to be further tidied, and for unimpeded use to be reinstated.

The City will then arrange inspection of all drainage infrastructure to ascertain if any remedial actions are required.

The City also notes that there are numerous activities that have been undertaken by the Builder that the City has been investigating with the intent to enforce future compliance through various options where relevant. Additionally, the City is currently investigating the installation of new signage to discourage construction vehicles from accessing the Carpark, and the installation of a surveillance camera to monitor for any unauthorised access to the Carpark.

Adoption of this Notice of Motion is not recommended as if approved, the City will be required to install new fencing at its cost.

**14.6 Councillor Mangano – Cancellation of Use of Verge Permit – 102 Adelma Road**

At the Council meeting on 6 August 2021 Councillor Mangano gave notice of his intention to move the following at this meeting.

Moved – Councillor Mangano

Seconded – Councillor Bennett

**Council Resolution**

**That Council resolves that the permit to use the verge at 102 Adelma Road Dalkeith be cancelled.**

**CARRIED 7/5  
(Against: Mayor Argyle Crs. McManus  
Hodsdon Wetherall & Senathirajah)**

Justification

- Not leaving 1m clear for pedestrians
- No use of any traffic or pedestrian management at any time
- Damage to the city's road surface
- Disregard for safety of the road users by blocking road without traffic management when pumping concrete
- Disregard for pedestrians generally

Administration Comment

The development approved at No 102 Adelma Road consists of three town houses on three separate lots, being two storey in height, with undercroft car parking. The developments are set back three metres from the street and are all being constructed as one. The undercroft car parking and site coverage has made construction of the dwellings without the use of the verge, all but impossible.

The permission to use the nature strip (verge) is granted under the Local Government (Uniform Local Provisions) Regulations 1996.

The permission to use the verge was first granted on 25 January 2021. For a two week period from late May to early June City officers and the builder were in communication in relation to sand and a concrete mixer being located on the verge, resulting the builder relocating the concrete mixer and tidying up the site. From this point onwards officers were closely monitoring the site and were in regular communication with the builder.



On 9 August 2021, City officers meet with the builder and a new site manager, when a commitment was made to:

- erect a new fence along the length of the verge,
- construct a drain to limit sand running off the site,
- install gates in the fence to allow supplies to be placed behind the fence when delivered.

A new nature strip (verge) permit was granted on 11 August. With the new verge permit and the new site manager, the site has been managed to the satisfaction of City officers.

The City's approach to managing construction sites is to communicate directly with the builder / site supervisor to explain our concerns and to seek compliance via co-operation. If this fails then infringements are used.

Moving to cancel a verge permit may result in the City having to defend its decision in the State Administrative Tribunal. In that defence, consideration will be given to how reasonable was the City's action in cancelling the permit. In this case, the question of why infringements weren't imposed prior to the cancelling of the verge permit is likely to be raised.

Addressing the points raised in the notice of motion directly, the following responses are provided;

1. Not leaving 1m clear for pedestrians

Each time this issue has been raised with the builder, they have addressed the matter. Since the erection of the new fence in mid-August, this has not been an issue. That notwithstanding future breaches are likely to result in an infringement being issued. The issuing of infringements prior to cancellation is considered to be the most appropriate course of action.

2. No use of any traffic or pedestrian management at any time

There is a footpath on the western side of Adelma Road. Thus pedestrian movements north-south along Adelma Road have not been unreasonably restricted by the verge permit.

3. Damage to the City's road surface

Separate to the verge permit, a bond is held by the City which covers potential damage to the City's assets, which will be inspected after construction is completed, with the bond being used if appropriate. The existing kerb was removed on the basis of it being a trip hazard. This approach is supported by officers.

4. Disregard for safety of the road users by blocking road without traffic management when pumping concrete

A traffic management plan has recently been submitted to the City. Any breaches of the traffic management plan will result in officers issuing an infringement.

5. Disregard for pedestrians generally.

There is no footpath along this verge and as such no dedicated pedestrian access on this side of the road. The one metre separation from the kerb line, to the fence location allows pedestrians to access the street parking directly in front of the site.

The cancellation of the verge permit at this stage is not supported. The management of the site has significantly improved since mid-August. The issuing of infringements should occur prior to any cancellation of the permit.

**15. Council Members notices of motion given at the meeting for consideration at the following ordinary meeting on 23 November 2021**

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

Notices of motion for consideration at the Council Meeting to be held on 23 November 2021 to be tabled at this point in accordance with Clause 3.9(2) of Council's Local Law Relating to Standing Orders.

Mayor Argyle gave notice that she would raise a notice of motion on Solar Energy at the November Council Meeting.

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

**16.1 Councillor Bennett - Cricket Turf Curating Subsidy for College Park**

The Presiding Member accepted the following item as urgent business.

Councillor Tyson left the meeting at 8.38pm.

**Councillor McManus – 16.1 - Councillor Bennett - Cricket Turf Curating Subsidy for College Park**

Councillor McManus disclosed an impartiality interest in Item 16.1 - Councillor Bennett - Cricket Turf Curating Subsidy for College Park. Councillor McManus disclosed that he is the Vice President and life member of the Claremont Nedlands Cricket Club, and as a consequence, there may be a perception that his impartiality on the matter may be affected. Councillor McManus declared that he would consider this matter on its merits and vote accordingly.

Councillor Tyson returned to the meeting at 8.40pm.

A point of order was raised, and the Presiding Member put the item of accepting the motion as Urgent Business to the vote of Council.

Moved – Councillor Mangano  
Seconded – Councillor Youngman

**That the motion be accepted as urgent business.**

**CARRIED 8/4**

**(Against: Mayor Argyle Crs. McManus Wetherall & Senathirajah)**

Moved – Councillor Bennett  
Seconded – Councillor Mangano

**Council resolves that the CEO will rescind the decision to award a cricket turf curating subsidy for College Park to the Claremont Nedlands Cricket Club, and instead award the cricket turf curating subsidy for College Park to the Western Suburbs Cricket Club who are the primary users of the turf facilities and who have a greater incentive to maintain their home ground facilities to a higher standard.**

Councillor McManus retired from the meeting at 8.55pm.

Councillor Wetherall retired from the meeting at 9.02pm.

Amendment

Moved - Councillor Horley

Seconded - Councillor Hodsdon

That the following clauses be added be added as follows:

That Council resolves:

1. that should the CEO be unable to reach a consensus between the two groups by Monday 4 October 2021; and the wicket is not ready and fit for purpose by game two of the season; and
2. the City use the cricket turf curating subsidy to fund the required works for the training and centre wickets at College Park.

The AMENDMENT was PUT and was

Lost 2/8

(Against: Mayor Argyle Crs. Smyth Bennett Mangano Youngman Coghlan Senathirajah & Tyson)

**The Original motion was PUT and was**

**CARRIED 9/1**

**(Against: Cr. Horley)**

## **Council Resolution**

**Council resolves that the CEO will rescind the decision to award a cricket turf curating subsidy for College Park to the Claremont Nedlands Cricket Club, and instead award the cricket turf curating subsidy for College Park to the Western Suburbs Cricket Club who are the primary users of the turf facilities and who have a greater incentive to maintain their home ground facilities to a higher standard.**

### Justification

The status quo arrangement for the City to grant funding to the lowest bidder without any conditions to maintain an appropriate standard have created player safety issues, diminished the prestige and enjoyment experienced by anyone who plays or trains on the College Park cricket turf, and caused a financial burden to the Western Suburbs Cricket Club who frequently must hire alternate facilities which also results in a loss of revenue with no home ground bar/canteen sales for events such as finals.

The College Park cricket turf is currently unfit for both play and training due to neglect resulting in pot holes, shifting and uneven playing surface which represent a safety issue to players. In addition to this the outfield is riddled with

clumps of weeds resulting in an uneven playing surface that also represents a safety issue to players. The uneven playing surface is unsafe because it causes unpredictable ball behaviour that often result in hand and facial injuries during fielding as well as slips and falls for batters and bowlers while traversing the pitch.

Even though there is an additional centre wicket and additional practice nets that must be curated at College Park the subsidy for College Park and Melvista oval turf curating is the same funding amount. That is two centre wickets and a heavily used set of practise nets at College Park vs a single wicket at Melvista Oval with the practice nets unused and not curated for several years. Clearly there is substantially more turf curating work to be done at College Park and the subsidy should reflect this. The disparity in the quotes submitted between the clubs is due to the Western Suburbs Cricket Club providing a responsible quote to properly address these safety concerns, the additional work for extra wicket and practise nets turf curating, and to address the degenerating standards of curation which require additional maintenance attention.

For several years the Claremont Nedlands Cricket Club have not been maintaining the College Park turf curating to the same standard as their own home ground facilities. The lower standard of turf curating at College Park is caused by under quoting for the necessary works required to properly maintain the turf pitches to the appropriate standard in combination with a conflict of interest whereby a competing sporting organisation is responsible for their competitors cricket turf curating.

The cricket turf curating subsidy is intended to provide cricket clubs with a subsidy to maintain their home ground facilities supplemented by the clubs own fundraising and volunteer work. The Claremont Nedlands Cricket Club has no incentive to invest any additional funds or volunteer work into a competitor's home ground.

Granting the Western Suburbs Cricket Club control of the subsidy for their own home ground will increase parity between equivalent sporting clubs as is currently enjoyed by Claremont Nedlands Cricket Club at Melvista Oval and Swanbourne Cricket Club at Allen Park.

**17. Confidential Items**

Any confidential items to be considered at this point.

Nil.



**Declaration of Closure**

There being no further business, the Presiding Member declared the meeting closed at 9.33pm.