

AGENDA

Special Council Meeting

Tuesday, 1 July 2025

Notice of Meeting

Mayor & Councillors

A Council Meeting Agenda Forum of the City of Nedlands is to be held on Tuesday, 1 July 2025 in the Council chambers at 71 Stirling Highway Nedlands commencing at 5.30pm.

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



Keri Shannon | Chief Executive Officer

27 June 2025



Information

Council Meeting Agenda are run in accordance with the City of Nedlands Standing Orders 2016. If you have any questions in relation to the agenda, procedural matters, addressing the Council or attending these meetings please contact the Governance Officer on 9273 3500 or council@nedlands.wa.gov.au

Public Question Time

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

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

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

Deputations

Members of the public may make presentations or ask questions on items contained within the agenda. Presentations are limited to 3 minutes. Members of the public must complete the online registration form available on the City's website: [Public Address Registration Form | City of Nedlands](#)

Disclaimer

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

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



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1. DECLARATION OF OPENING

The Presiding Member will declare the meeting open at 5.30pm and acknowledge the Whadjuk Nyoongar people, Traditional Custodians of the land on which we meet, and pay respect to Elders past, present and emerging. The Presiding Member will draw attention to the disclaimer on page 2 and advise the meeting is being livestreamed.

2. PRESENT AND APOLOGIES AND LEAVE OF ABSENCE (PREVIOUSLY APPROVED)

Leave of Absence

Councillor H Amiry

Coastal Ward

Apologies

3. PUBLIC QUESTION TIME

Questions received from members of the public will be read at this point. The order in which the CEO receives questions shall determine the order of questions, unless the Mayor determines otherwise. Questions must relate to a matter affecting the City of Nedlands.

4. DEPUTATIONS

Deputations by members of the public who have completed Public Address Registration Forms.

5. DISCLOSURES OF FINANCIAL INTEREST

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

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

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



interest is trivial or insignificant or is common to a significant number of electors or ratepayers.

6. DISCLOSURES OF INTERESTS AFFECTING IMPARTIALITY

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

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

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

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

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

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

7. DECLARATIONS BY MEMBERS THAT THEY HAVE NOT GIVEN DUE CONSIDERATION TO PAPERS

This item will be dealt with during the meeting.



8. DIVISIONAL REPORTS – CORPORATE SERVICES

8.1 Acknowledgment of Submissions received for Differential Rates 2025/2026

Report Number	CPS36.07.25
Meeting & Date	Special Council Meeting – 1 July 2025
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	Nil
Report Author	John Vojkovich – Acting Director Corporate Services
Director/ CEO	Keri Shannon – Chief Executive Officer
Attachments	Attachment 1 – Copy of Advertisements Attachment 2 – Submission Table (<i>to be provided as late attachment due to closing date of submissions</i>)

Purpose

The purpose of the report is to provide to Council details of the submissions received and for Council to adopt the

Administration Recommendation

That Council **RECEIVES** the submissions on the differential rates as contained in attachment 2.

Voting Requirement

Simple Majority

Key points

The purpose of this report is to consider any feedback provided during the public notice period on advertise the proposed differential rates and minimums for 2025/26.



1. The advertising of differential rates for 2025/26 was approved by Council at a Special Council Meeting on 3 June 2025.
2. Advertisements in accordance with section 6.36 were placed on 7 June 2025 inviting submissions from electors and ratepayers.
3. The closing date for submission is 29 June 2025. As at the time of publication of this report, no submissions have been received.
4. In adopting the 2025/26 Budget, the City is required to consider and provide a response to the submissions received.

Background

Under the section 6.33 of the Local Government Act, a local government may impose differential general rates according to any, or a combination, of the following characteristics —

- (a) the purpose for which the land is zoned, whether or not under a local planning scheme or improvement scheme in force under the Planning and Development Act 2005; or
- (b) a purpose for which the land is held or used as determined by the local government; or
- (c) whether or not the land is vacant land; or
- (d) any other characteristic or combination of characteristics prescribed

Currently, the City uses 3 differential rate classifications as detailed below:

1. Residential
2. Residential Vacant
3. Non-Residential

The City also establishes a minimum rate for each differential rating classification to ensure that all ratepayers make a reasonable contribution to the cost of providing services and infrastructure by the City.

Discussion

Rate increases of 4.8% referred to in this report use the 2024/25 rates in the dollar for Gross Rental Value (GRV) valued properties and 2024/25 rates revenue for minimum valued properties as the base for the increase.

Each year where the City of Nedlands seeks to impose differential rates, it is required under section 6.36 of the Local Government Act 1995 to advertise the proposed differential rates by local public notice for a period of at least 21 days, seeking submissions. Section 6.36(4) of the Local Government Act 1995 requires the local government to consider any submissions.



The Council approved the following differential rates to advertise for public comment:

Differential Rate	Minimum Rate Proposed	Rate in the Dollar Proposed
Residential	\$1,652	\$0.063456
Non-Residential	\$2,178	\$0.078298
Residential Vacant	\$2,008	\$0.083959

Consultation

As required by the *Local Government Act 1995*, the City commenced advertising of the proposed differential rates on 7 June 2025 with the submission period closing on 29 June 2025, inviting comments over a period of 21 days.

No submissions were received at publication of the agenda on 27 June 2025; therefore, rates are proposed to keep by the amount advertised.

Strategic Implications

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

Vision **Sustainable and responsible for a bright future**

All pillars will be supported

Budget/Financial Implications

Proposed differential rates for the 2025/26 budget with an increase of 4.8% will provide additional revenue of approximately \$1.7m to the 2024/25 budget total rates to the City.

Legislative and Policy Implications

[WALW - Local Government \(Financial Management\) Regulations 1996 - Home Page](#)
[WALW - Local Government Act 1995 - Home Page](#)

Decision Implications

Should Council endorse the recommendation then the City will fulfill its Statutory obligations under s6.36 of the *Local Government Act 1995* to advertise proposed differential rates for 2025/26 by giving Local Public Notice for 21 days and consider any submissions received.



Should Council not endorse the recommendation, this would result in delays to the adoption of the final budget for 2025/26.

Conclusion

Council's approval will complete the statutory obligation to advertise the proposed rate in the dollar and minimum rates for 21 days for public comments and consider and provide a response to the submissions received.

Further Information

Nil



Notice of Intention to Impose Differential Rates for 2025/26

In accordance with Section 6.36 of the *Local Government Act 1995*, notice of the Council's Intention to Levy Differential Rates for the 2024/25 Financial Year on various categories of properties within the City is hereby given.

The following differential rates are to be levied in accordance with Sections 6.33 of the *Local Government Act 1995*.

Differential Rate	Minimum Rate Proposed	Rate in the Dollar (\$) Proposed
Residential	\$1,652	\$0.063456
Non-Residential	\$2,178	\$0.078298
Residential Vacant	\$2,008	\$0.083959

A copy of the objects and reasons for each of the differential rates can be found on the City of Nedlands website at www.nedlands.wa.gov.au/publicnotices

Electors and ratepayers of the City of Nedlands are invited to submit their comments on the above rates in writing no later than **11.59pm 29 June 2025**. Submissions should be addressed to the Chief Executive Officer, City of Nedlands, PO Box 9, Nedlands WA 6909 or council@nedlands.wa.gov.au, with "Differential Rates" in the subject line.

Keri Shannon
CHIEF EXECUTIVE OFFICER

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to Impose Differential Rates
for 2025/26**

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The following differential rates are to be levied in accordance with Section 6.33 of the Local Government Act 1995.

Differential Rate**Residential**

Minimum Rate Proposed

\$1,652

Rate in the Dollar Proposed

\$0.063456

Differential Rate**Non-Residential**

Minimum Rate Proposed

\$2,178

Rate in the Dollar Proposed

\$0.078298

Differential Rate**Residential Vacant**

Minimum Rate Proposed

\$2,008

Rate in the Dollar Proposed

\$0.083959

A copy of the objects and reasons for each of the differential rates can be found on the City of Nedlands website at www.nedlands.wa.gov.au/publicnotices

Electors and ratepayers of the City of Nedlands are invited to submit their comments on the above rates in writing and must be received no later than 11:59pm on 29 June 2025.

Submissions should be addressed to the Chief Executive Officer, City of Nedlands, PO Box 9, Nedlands WA 6909 or council@nedlands.wa.gov.au, with "Differential Rates" in the subject line.

Keri Shannon
Chief Executive Officer



8.2 Appointment of Presiding Member to Audit Risk and Improvement Committee

Report Number	CPS37.07.25
Meeting & Date	Special Council Meeting – 1 July 2025
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	Nil
Report Author	Alyce Martin – Governance Legal and Risk Coordinator
Director	John Vojkovich – Acting Director Corporate Services
Attachments	Nil

Purpose

The purpose of this report is to appoint the presiding member to the Audit Risk and Improvement Committee.

A change to the *Local Government Act 1995* (WA) as of 7 December 2024 requires that presiding members for committees must be appointed by the local government and not the committee.

Administration Recommendation

That Council APPOINTS Richard Burnell as the presiding member of the Audit Risk and Improvement Committee.

Voting Requirement

Absolute Majority

Background

The Audit Risk and Improvement Committee (Audit Committee as it was previously known) had appointed a Chair at the first formal committee meeting following its reestablishment in May 2024. The presiding member elected at that meeting was Cr Amiry.

A change to the *Local Government Act 1995* (WA) on 7 December 2024 now requires that the presiding member of committees be appointed by the local government rather than by the committee.



Discussion

On 7 December 2024 s5.12 of the *Local Government Act 1995* (WA) was amended. This section now requires that the appointment of a presiding member of a committee is now a function of the local government and such appointment requires an absolute majority.

s5.12 *Local Government Act 1995* (WA) is extracted below:

5.12. Presiding members and deputies

- (1) The local government must appoint* a member of a committee to be the presiding member of the committee.

* Absolute majority required.

- (2) The local government may appoint* a member of a committee to be the deputy presiding member of the committee.

* Absolute majority required.

[Section 5.12 inserted: No. 47 of 2024 s. 39.]

Although this requirement came in on 7 December 2024 transitional provisions included in the *Local Government Act 1995* (WA) which relate to existing committees require at subclause (2), that for each of its existing committees a local government must make its first appointment of the presiding member under new section 5.12(1) no later than 1 July 2025. The full clause is extracted below:

67. Presiding members

- (1) In this clause —
amendment day means the day on which section 39 of the 2024 amendment Act comes into operation;
existing committee means a committee of the council of a local government that is in place immediately before amendment day;
new section 5.12(1) means section 5.12(1) as inserted by section 39 of the 2024 amendment Act.
- (2) For each of its existing committees, a local government must make its first appointment of the presiding member under new section 5.12(1) no later than 1 July 2025.
- (3) Until the first appointment is made, the person who, immediately before amendment day, is the presiding member of the existing committee may continue to be the presiding member.
- (4) If that person goes out of office before the first appointment is made, the person's replacement as presiding member must be appointed by the local government under new section 5.12(1) as soon as practicable (but no later than 1 July 2025).

[Clause 67 inserted: No. 47 of 2024 s. 159.]



A report was included as part of the June Ordinary Council Meeting on 24 June 2025 for the appointment of the presiding member to the Audit Risk and Improvement Committee but did not meet the voting requirements of an absolute majority with the votes being cast as follows:

For: Mayor Argyle, Deputy Mayor Smyth, Cr Coghlan, Cr Brackenridge
Against: Cr Bennett, Cr Youngman, Cr Hodsdon

The members of the Audit Risk and Improvement Committee are:

- Cr Amiry,
- Cr Coghlan,
- Cr Brackenridge,
- Deputy Mayor Smyth,
- Cr Bennett,
- Cr Youngman,
- Mayor Argyle, and
- Mr Richard Burnell

Consultation

An email was sent on 13 June 2025 to all committee members calling for nominations to be the presiding member. Nominations were requested to be submitted by 18 June 2025.

A single nomination was received from Mr Richard Burnell.

Strategic Implications

This item is strategically aligned to the City of Nedlands Council Plan 2023-33 vision and desired outcomes as follows:

Vision	Sustainable and responsible for a bright future
Pillar	Performance
Outcome	11. Effective leadership and governance.

Budget/Financial Implications

There will be no budget implications from this decision.



Legislative and Policy Implications

Local Government Act 1995 (WA) [Local Government Act 1995 - \[07-ao0-00\].pdf](#)

Decision Implications

The appointment of a presiding member will ensure good governance of the Audit Risk and Improvement Committee.

Should the appointment of the presiding member not be made the local government will have failed to comply with the requirements of clause 67, Division 7, Schedule 9.3 of the *Local Government Act 1995* (WA)

Conclusion

It is recommended that Council appoint a presiding member to the Audit Risk and Improvement Committee.

Further Information

Nil



9. DECLARATION OF CLOSURE

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