
**LATE ITEM C21/5865 - SELECTION OF SITE SURVEYOR FOR 18A AND 18B
TWEEDDALE ROAD, APPECROSS (REC)****KEY ISSUES / SUMMARY**

- At the Ordinary Meeting of the Council held on 21 September 2021 the Council selected AAM Pty Ltd to undertake a site survey to establish the natural ground level at 18a and 18b Tweeddale Road, Applecross.
- The surveyor has declined to do the work and this report now represents the matter the Council for further consideration and direction.
- It is recommended that the administration conduct a procurement process in accordance with Council Policy and obtain quotes from suppliers sourced from the WALGA Panel PSP002-013 Engineering, Environmental and Technical Consultancy – Surveying.

BACKGROUND

At the Ordinary Council meeting held on Tuesday, 21 September 2021 in relation to report C21/5864 Selection of Site Surveyor For 18a and 18b Tweeddale Road, Applecross the Council resolved as follows:

That the officer recommendation be amended to read:

- 1. Select AAM Pty Ltd to conduct a site survey to determine the true natural ground levels of 18A and 18B Tweeddale Road, Applecross.**
- 2. Directs the CEO to include in scope of works a requirement that the surveyor produce a statutory declaration that establishes that they hold the results of their survey to be true and correct.**
- 3. Request a report on the results of the site survey verses the approved ground levels set in 2008.**
- 4. Allows the results and report of the site survey to be made available to the public.**

DETAIL

The selected land surveyor has declined to undertake the work and therefore the matter will need to be reconsidered by Council to make an alternative resolution.

The requirement for a statutory declaration to be provided by the selected land surveyor has not been recommended by officers as land surveyors are professionally qualified and licensed and the preparation of the site survey is subject to professional standards and indemnities.

**LATE ITEM C21/5865 - SELECTION OF SITE SURVEYOR FOR 18A AND 18B
TWEEDDALE ROAD, APPECROSS (REC)****STAKEHOLDER ENGAGEMENT****I. COMMUNITY**

No community engagement has been undertaken with regard to the survey or selecting and appointing a surveyor.

II. OTHER AGENCIES / CONSULTANTS

Apart from the selected surveyor no other engagement with agencies, consultants or surveyors has been undertaken.

STATUTORY AND LEGAL IMPLICATIONS

Should access to the site be required to undertake the survey, consent of the owners of the properties will be required.

The entry and inspection powers that are provided to the Local Government are from Cl 79 Sched 2 Pt10 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. These allow the CEO to make an officer of the Local Government an authorised officer, and such officers are authorised to enter and inspect for monitoring purposes. A third party surveyor is not and cannot be an authorised person under these Regulations.

The question of access is one for the approval of the landowners. Contact should be made with the owners to gauge whether such approval is likely to be given. If approval is not given, then it would be impossible for an accurate survey of the site to be undertaken. It remains of course possible that the City's qualified surveyor be asked to undertake the work for Council.

FINANCIAL IMPLICATIONS

The cost of the survey will be established upon the seeking of quotations from suitably qualified and licenced suppliers.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

Not applicable.

**LATE ITEM C21/5865 - SELECTION OF SITE SURVEYOR FOR 18A AND 18B
TWEEDDALE ROAD, APPECROSS (REC)****POLICY IMPLICATIONS**

CP-023 Procurement of Products or Services should now be applied in relation to the selection of an appropriately qualified and experienced surveyor.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

The alternative to the Officer Recommendation for the Administration to undertake the procurement and appointment of a surveyor, using the scope of works decided by the Council, is for the Council to appoint an alternative surveyor or for the City's surveyor to undertake the survey.

CONCLUSION

As the selected surveyor declined to undertake the work an alternative surveyor should be appointed to report on the results of the site survey verses the approved ground levels set in 2008.

OFFICER RECOMMENDATION (5865)**APPROVAL****That the Council:**

- 1. Directs the CEO to appoint a suitably qualified and experienced surveyor in accordance with Council Policy CP-023 Procurement of Products or Services, to conduct a site survey to determine the natural ground levels of 18a and 18b Tweeddale Road, Applecross as per the approvals provided by the City in 2008.**
- 2. Note that the Council requires the results and report of the site survey to be made available to the public.**