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***Minutes***

***Council Meeting***

***18 December 2018***

**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, Nedlands on Tuesday 18 December 2018 at 7 pm.**

# Declaration of Opening

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

(NOTE: Council at its meeting on 24 August 2004 resolved that should the meeting time reach 11.00 p.m. the meeting is to consider an adjournment motion to reconvene the next day).

# Present and Apologies and Leave Of Absence (Previously Approved)

**Councillors** His Worship the Mayor, R M C Hipkins (Presiding Member)

Councillor I S Argyle Dalkeith Ward

Councillor W R B Hassell Dalkeith Ward

 Councillor A W Mangano Dalkeith Ward

Councillor C M de Lacy Hollywood Ward

Councillor B G Hodsdon Hollywood Ward

Councillor J D Wetherall Hollywood Ward

Councillor T P James Melvista Ward

Councillor N W Shaw Melvista Ward

Councillor N B J Horley Coastal Districts Ward

Councillor L J McManus Coastal Districts Ward

Councillor K A Smyth Coastal Districts Ward

**Staff** Mr P L Mickleson Acting Chief Executive Officer

Mr M A Glover Director Technical Services

Mrs P Panayotou Acting Director Corporate & Strategy

Mrs N M Ceric Executive Assistant to CEO & Mayor

**Public** There were 32 members of the public present.

**Press** The Post Newspaper representative.

**Leave of Absence** Nil.

**(Previously Approved)**

**Apologies** Councillor G A R Hay Melvista Ward

**Absent** Nil.

**Disclaimer**

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

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.

# Public Question Time

## Ms Jennifer Brauhart, 48 Lisle Street, Mt Claremont

Question 1

The City identified local residents of Mount Claremont as a key stakeholder group who would be impacted or potentially impacted by the Westside Wolves hockey proposal, and specifically sent correspondence to 1410 households, inviting feedback. Can the administration please explain why it considers the reporting on the response from this identified stakeholder group to be “inappropriate manipulation of the data” (as per the response provided to Question 1 in minutes Section 1.1 of Council Meeting of 4 December) rather than reporting on information that Council was specifically seeking and one of the critical outcomes of the community consultation process?

Question 2

Following on from my first question, can the staff please assess and advise the Councillors and members of the public what percentage of the 675 residents of Mount Claremont who responded to the survey indicated opposition to the Westside Wolves hockey proposal? This information should very heavily influence the Council’s decision on whether or not the proposal should proceed and is a very significant gap in the data analysis undertaken.

Answer 1 & 2

The feedback consisted of three petitions, hardcopy/hand written surveys, online surveys, emails, telephone calls, written letters/submissions. There were instances of more than one response received from individuals. In total the City received over 2000 surveys. In addition, the survey required a street address to be completed. This requirement, however, was not completed by everyone in the same way resulting in reduced data integrity. The purpose for this engagement was to understand the community’s views (not just Mt Claremont) on this proposal on whether to approve a period of time for the hockey club to further investigate and develop a detailed proposal and business plan for Council consideration.

The Administration believes that it is important that its collective response should be the basis for further decision-making by the Council. The engagement outcomes are not just about providing the Council with a number to support/not support the proposal from any particular area.

# Addresses by Members of the Public

Ms Heidi Herget, Move Consultants, Traffic Engineer PD66.18

(spoke in support of the recommendation)

Mr Angus Davies, 1/10 Richardson Avenue, Claremont PD66.18

(spoke in support of the recommendation)

Mr Lee Martin, 2/23 Carrington Street, Nedlands PD67.18

(spoke in support of the application)

Ms Sasha Bosich, 13 Brockway, Mt Claremont PD72.18

(spoke in opposition to the recommendation)

Mr Michael Huston PD72.18

(spoke in opposition to the recommendation)

Mr Stashu Poliwka, 11B Brockway, Mt Claremont PD72.18

(spoke in support of the recommendation)

Mr Ben Lisle, Linc Property Group, Level 3, 338 Barker Road, Subiaco PD74.18

(spoke in support of the recommendation)

Ms Michelle Newsome, 145 Alfred Road, Mt Claremont PD74.18

(spoke in support of the recommendation)

Ms Robyn Lawrence, 8 Daglish Street, Wembley 13.2

(spoke in opposition to the recommendation)

Mr Alistair Murray, 8 Stephanie Street, Dalkeith 13.2

(spoke in opposition to the recommendation)

Ms Juanita Toleman, 4 Chessington Gardens, Mt Claremont 13.2

(spoke in support of the recommendation)

Mr Scott Gladman, Pine Tree Lane, Mt Claremont 13.2

(spoke in support of the recommendation)

Ms Emily Dickson, 40A Strickland Street, Mt Claremont 14.1

(spoke in support of the motion)

Ms Rebecca Coghlan, 37 Bulimba Road, Nedlands Leisure Activities

(spoke in relation to Leisure Activities in Nedlands)

# Requests for Leave of Absence

Nil.

# Petitions

Nil.

# Disclosures of Financial Interest

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

## Mayor Hipkins – 13.8 - Conference Attendance Request – Mayor Hipkins to Attend 4th CRC Water Sensitive Cities National Conference, Brisbane from 26 to 28 March 2019 & 4th International Street Lighting & Smart Controls Conference, Sydney from 2 to 4 April 2019

Mayor Hipkins disclosed a financial interest in Item 13.8 – Conference Attendance Request – Mayor Hipkins to Attend 4th CRC Water Sensitive Cities National Conference, Brisbane from 26 to 28 March 2019 & 4th International Street Lighting & Smart Controls Conference, Sydney from 2 to 4 April 2019, his interest being that he is the applicant. Mayor Hipkins declared that he would leave the room during discussion on this item.

## Councillor Hodsdon – PD74.18 - Christ Church Grammar School - Possible Acquisition of Landfill Site

Councillor Hodsdon disclosed a financial interest in Item PD74.18 – Christ Church Grammar School - Possible Acquisition of Landfill Site, his interest being that the applicant is his employer. Councillor Hodsdon declared that he would leave the room during discussion on this item.

## Councillor Hodsdon – 13.7 - Conference Attendance Request – Councillor Hodsdon & Councillor Horley – 3rd Annual Cities & Regions Summit, Melbourne from 12 to 14 March 2019

Councillor Hodsdon disclosed a financial interest in Item 13.7 – Conference Attendance Request – Councillor Hodsdon & Councillor Horley – 3rd Annual Cities & Regions Summit, Melbourne from 12 to 14 March 2019, his interest being that he is the applicant. Councillor Hodsdon declared that he would leave the room during discussion on this item.

## Councillor Horley – 13.7 - Conference Attendance Request – Councillor Hodsdon & Councillor Horley – 3rd Annual Cities & Regions Summit, Melbourne from 12 to 14 March 2019

Councillor Horley disclosed a financial interest in Item 13.7 – Conference Attendance Request – Councillor Hodsdon & Councillor Horley – 3rd Annual Cities & Regions Summit, Melbourne from 12 to 14 March 2019, her interest being that she is the applicant. Councillor Horley declared that she would leave the room during discussion on this item.

# Disclosures of Interests Affecting Impartiality

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

## Councillor Argyle – PD74.18 - Christ Church Grammar School - Possible Acquisition of Landfill Site

Councillor Argyle disclosed an impartiality interest in Item PD74.18 - Christ Church Grammar School - Possible Acquisition of Landfill Site. Councillor Argyle disclosed that he was an old boy of Christ Church Grammar School, and as a consequence, there may be a perception that his impartiality on the matter may be affected. Councillor Argyle declared that he would consider this matter on its merits and vote accordingly.

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

Nil.

# Confirmation of Minutes

## Ordinary Council Meeting 27 November 2018

Moved – Councillor Shaw

Seconded – Councillor Hodsdon

**The Minutes of the Ordinary Council Meeting held 27 November 2018 be confirmed.**

**CARRIED UNANIMOUSLY 12/-**

# Announcements of the Presiding Member without discussion

Events where the Mayor had represented the City since the last Council meeting:

|  |  |  |
| --- | --- | --- |
| 28 November 2018 | Dalkeith Primary School | Pool Opening  |
| 29 November 2018 | UWA  | Carbon in the Landscape Symposium |
| 30 November 2018 | Hollywood Private Hospital | Expanded Theatre Opening |
| 3 December 2018  | Town of Cambridge | Westside Wolves |
| 4 December 2018  | Shelton Christian Youthcare Council | Morning Tea |
| 4 December 2018  | City of Nedlands | Private Citizenship Ceremony |
| 5 December 2018  | Planning Institute of Australia  | Fellows Meeting |
| 6 December 2018  | City of Nedlands | Pt Resolution Child Care Christmas Party |
| 7 December 2018  | UDIA | Christmas Lunch |
| 7 December 2018  | City of Nedlands | Tresillian Christmas Party |
| 7 December 2018  | City of Nedlands | CEO Farewell  |
| 9 December 2018  | Nedlands Electors Association | AGM |
| 11 December 2018  | WAPC Statutory Planning Committee | Presentation on LPS3 |
| 12 December 2018  | WAPC | Presentation on bushland at Montario Quarter |
| 13 December 2018  | City of Nedlands | Annual Electors Meeting |
| 14 December 2018  | Department of Transport | Western Suburbs Bikeways |
| 17 December 2018  | Museum of Perth | Murder on the Swan Exhibition |

# Members announcements without discussion

Nil.

# Matters for Which the Meeting May Be Closed

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

Nil.

# Divisional reports and minutes of Council committees and administrative liaison working groups

## 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 Shaw

Seconded – Councillor Hodsdon

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

**Council Committee 4 December 2018**

Circulated to Councillors on 11 December 2018

 **CARRIED UNANIMOUSLY 12/-**

## Minutes of Captain Stirling Hub Committee

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 – Mayor Hipkins

Seconded – Councillor Hodsdon

**The attached Minutes of the Captain Stirling Hub Committee Meetings for the following dates be received:**

**30 June 2015 14 July 2015 28 July 2015**

**25 August 2015 13 October 2015 8 December 2015**

**5 April 2016 18 October 2016 25 October 2016**

**10 October 2017 7 November 2017 13 March 2018**

**12 June 2018 29 August 2018 16 October 2018**

**CARRIED UNANIMOUSLY 12/-**

**Note: As far as possible all the following reports under items 12.2, 12.3, 12.4, 12.5, 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 Shaw

Seconded – Councillor James

**That all Committee Recommendations relating to Reports under items 12.2, 12.3, 12.4, 12.5 & 13.1 with the exception of Report Nos. PD66.18, PD67.18, PD72.18, PD74.18, TS28.18, 13.1 & 13.2 are adopted en bloc.**

**CARRIED UNANIMOUSLY 12/-**

## Planning & Development Report No’s PD66.18 to PD75.18 (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.

|  |  |
| --- | --- |
| **PD66.18** | **No. 29A Carrington Street, Nedlands – Proposed Animal Establishment (Dog Day Care) (Use Not Listed)** |
|  |
| **Committee** | 4 December 2018 |
| **Council** | 18 December 2018 |
| **Applicant** | Canine Lounge |
| **Landowner** | A and D Ognenis |
| **Director** | Peter Mickleson – Director Planning & Development  |
| **Reference** | DA18/31110 |
| **Previous Item** | Nil.  |
| **Delegation** | In accordance with Clause 6.7.1a) of the City’s Instrument of Delegation, Council is required to determine the application due to objections being received.  |
| **Attachments** | 1. Photograph of the subject property |

**Regulation 11(da) – Not Applicable – Recommendation adopted with minor amendments.**

Moved – Councillor de Lacy

Seconded – Councillor Hodsdon

**That the Recommendation to Council be adopted subject to:**

**Condition 8 being amended as follows:**

**8. An amended site plan being provided as part of the building permit application which shows removal of the bin enclosure, a maximum of 4 on site car parking bays including one acrod (disabled) car parking bay being provided on site in accordance with AS2890.6 2009 and AS1428.1 2009;**

**Conditions 10 and 17 be removed; and**

**An additional advice note 9 be added as follows:**

**9. The applicant line marks Carrington Street outside the premises as no stopping to the satisfaction of the City of Nedlands, Chief Executive Officer.**

**CARRIED 10/2**

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

**Council Resolution**

**Council approves the development application dated 6 September 2018 to operate a dog day care business at Lot 387 (29A) Carrington Street, Nedlands, subject to the following conditions and advice:**

1. **The development shall at all times comply with the application and the approved plans, subject to any modifications required as a consequence of any condition(s) of this approval.**
2. **All stormwater from the development, which includes permeable and non-permeable areas, shall be contained onsite**
3. **No animals shall be kept on the premises overnight.**
4. **No more than two staff members being on site at any given time.**
5. **A maximum of 30 dogs are permitted on site at any one time.**
6. **The recommendations in the environment noise assessment prepared by EcoAcoustics dated 23 August 2018 being implemented prior to the business commencing, and be complied with thereafter by the applicant, to the City’s satisfaction.**
7. **The recommendations under sections 3 to 6 of the waste management plan prepared by Move Consultants dated August 2018 being implemented prior to the business commencing, and be complied with thereafter by the applicant, to the City’s satisfaction.**
8. **An amended site plan being provided as part of the building permit application which shows removal of the bin enclosure, a maximum of 4 on site car parking bays including one acrod (disabled) car parking bay being provided on site in accordance with AS2890.6 2009 and AS1428.1 2009;**
9. **The acrod bay is to be provided on site prior to the use commencing.**
10. **The onsite car parking bays for the unit being continually maintained by the applicant to the City’s satisfaction.**
11. **The use only being permitted to operate between Monday and Friday 7:30am and 6:00pm (excluding public holidays).**
12. **No dogs being kept on the premises outside of the permitted operating hours.**
13. **Dog care spaces are to be booked in advance with no ‘same day’ ‘drop-ins’ permitted.**
14. **Service and/or delivery vehicles shall not to service the premises before 7:00am or after 7:00pm Monday to Saturday or before 9:00am or after 7:00pm on any Sunday or public holiday, unless otherwise approved by the City.**
15. **The signage being maintained by the applicant to the City’s satisfaction.**

**Advice Notes specific to this proposal:**

1. **This decision constitutes planning approval only and is valid for a period of two years from the date of approval. If the subject development is not substantially commenced within the two-year period, the approval shall lapse and be of no further effect.**
2. **A separate development applicant is required to be lodged with and approved by the City prior to installing any further signage not part of this approval, and if the number of dogs and/or staff stipulated in this approval is proposed to be increased.**
3. **Noise levels are to comply with the *Environmental Protection (Noise) Regulations 1997.***
4. **The business shall not commence operating unless a Trade Waste Permit has been issued by the Water Corporation and/or the Water Corporation is satisfied with the premises’ drainage to sewer;**
5. **No washing or cleaning activity or disposing of liquid wastes is to occur outside the building, or anywhere except as permitted by the Water Corporation;**
6. **Arthropod pests and rodents shall be controlled such they are not harboured or allowed to breed at the premises;**
7. **The premises shall be kept clean and sanitary and waste shall be kept frozen and contained in bags in dedicated freezers inside the premises building. Frozen bagged waste shall only be placed in rubbish bins on collection day;**
8. **The applicant should ensure that they comply with the Pet Industry Association’s Standards and Guidelines for Best Practice - Boarding Facilities/Establishments and Doggy Day Care Centres.**

**9. The applicant line marks Carrington Street outside the premises as no stopping to the satisfaction of the City of Nedlands, Chief Executive Officer.**

Committee Recommendation

Council approves the development application dated 6 September 2018 to operate a dog day care business at Lot 387 (29A) Carrington Street, Nedlands, subject to the following conditions and advice:

1. The development shall at all times comply with the application and the approved plans, subject to any modifications required as a consequence of any condition(s) of this approval.
2. All stormwater from the development, which includes permeable and non-permeable areas, shall be contained onsite
3. No animals shall be kept on the premises overnight.
4. No more than two staff members being on site at any given time.
5. A maximum of 30 dogs are permitted on site at any one time.
6. The recommendations in the environment noise assessment prepared by EcoAcoustics dated 23 August 2018 being implemented prior to the business commencing, and be complied with thereafter by the applicant, to the City’s satisfaction.
7. The recommendations under sections 3 to 6 of the waste management plan prepared by Move Consultants dated August 2018 being implemented prior to the business commencing, and be complied with thereafter by the applicant, to the City’s satisfaction.
8. An amended site plan being provided as part of the building permit application which shows at least 1 acrod (disabled) car parking bay being provided on site in accordance with AS 2890.6 2009 and AS 1428.1 2009.
9. The acrod bay is to be provided on site prior to the use commencing.
10. Prior to the use commencing 2 of the onsite car parking bays being marked by the applicant as being for staff only, to the City’s satisfaction.
11. The onsite car parking bays for the unit being continually maintained by the applicant to the City’s satisfaction.
12. The use only being permitted to operate between Monday and Friday 7:30am and 6:00pm (excluding public holidays).
13. No dogs being kept on the premises outside of the permitted operating hours.
14. Dog care spaces are to be booked in advance with no ‘same day’ ‘drop-ins’ permitted.
15. Service and/or delivery vehicles shall not to service the premises before 7:00am or after 7:00pm Monday to Saturday or before 9:00am or after 7:00pm on any Sunday or public holiday, unless otherwise approved by the City.
16. The signage being maintained by the applicant to the City’s satisfaction.
17. All parking and drop offs be from Government Road.

Advice Notes specific to this proposal:

1. This decision constitutes planning approval only and is valid for a period of two years from the date of approval. If the subject development is not substantially commenced within the two-year period, the approval shall lapse and be of no further effect.
2. A separate development applicant is required to be lodged with and approved by the City prior to installing any further signage not part of this approval, and if the number of dogs and/or staff stipulated in this approval is proposed to be increased.
3. Noise levels are to comply with the *Environmental Protection (Noise) Regulations 1997.*
4. The business shall not commence operating unless a Trade Waste Permit has been issued by the Water Corporation and/or the Water Corporation is satisfied with the premises’ drainage to sewer;
5. No washing or cleaning activity or disposing of liquid wastes is to occur outside the building, or anywhere except as permitted by the Water Corporation;
6. Arthropod pests and rodents shall be controlled such they are not harboured or allowed to breed at the premises;
7. The premises shall be kept clean and sanitary and waste shall be kept frozen and contained in bags in dedicated freezers inside the premises building. Frozen bagged waste shall only be placed in rubbish bins on collection day;
8. The applicant should ensure that they comply with the Pet Industry Association’s Standards and Guidelines for Best Practice - Boarding Facilities/Establishments and Doggy Day Care Centres.

Recommendation to Committee

Council approves the development application dated 6 September 2018 to operate a dog day care business at Lot 387 (29A) Carrington Street, Nedlands, subject to the following conditions and advice:

1. The development shall at all times comply with the application and the approved plans, subject to any modifications required as a consequence of any condition(s) of this approval.
2. All stormwater from the development, which includes permeable and non-permeable areas, shall be contained onsite.
3. No animals shall be kept on the premises overnight.
4. No more than two staff members being on site at any given time.
5. A maximum of 30 dogs are permitted on site at any one time.
6. The recommendations in the environment noise assessment prepared by EcoAcoustics dated 23 August 2018 being implemented prior to the business commencing, and be complied with thereafter by the applicant, to the City’s satisfaction.
7. The recommendations under sections 3 to 6 of the waste management plan prepared by Move Consultants dated August 2018 being implemented prior to the business commencing, and be complied with thereafter by the applicant, to the City’s satisfaction.
8. An amended site plan being provided as part of the building permit application which shows at least 1 acrod (disabled) car parking bay being provided on site in accordance with AS 2890.6 2009 and AS 1428.1 2009.
9. The acrod bay is to be provided on site prior to the use commencing.
10. Prior to the use commencing 2 of the onsite car parking bays being marked by the applicant as being for staff only, to the City’s satisfaction.
11. The onsite car parking bays for the unit being continually maintained by the applicant to the City’s satisfaction.
12. The use only being permitted to operate between Monday and Friday 7:30am and 6:00pm (excluding public holidays).
13. No dogs being kept on the premises outside of the permitted operating hours.
14. Dog care spaces are to be booked in advance with no ‘same day’ ‘drop-ins’ permitted.
15. Service and/or delivery vehicles shall not to service the premises before 7:00am or after 7:00pm Monday to Saturday or before 9:00am or after 7:00pm on any Sunday or public holiday, unless otherwise approved by the City.
16. The signage being maintained by the applicant to the City’s satisfaction.

Advice Notes specific to this proposal:

1. This decision constitutes planning approval only and is valid for a period of two years from the date of approval. If the subject development is not substantially commenced within the two-year period, the approval shall lapse and be of no further effect.
2. A separate development applicant is required to be lodged with and approved by the City prior to installing any further signage not part of this approval, and if the number of dogs and/or staff stipulated in this approval is proposed to be increased.
3. Noise levels are to comply with the *Environmental Protection (Noise) Regulations 1997.*
4. The business shall not commence operating unless a Trade Waste Permit has been issued by the Water Corporation and/or the Water Corporation is satisfied with the premises’ drainage to sewer;
5. No washing or cleaning activity or disposing of liquid wastes is to occur outside the building, or anywhere except as permitted by the Water Corporation;
6. Arthropod pests and rodents shall be controlled such they are not harboured or allowed to breed at the premises;
7. The premises shall be kept clean and sanitary and waste shall be kept frozen and contained in bags in dedicated freezers inside the premises building. Frozen bagged waste shall only be placed in rubbish bins on collection day;
8. The applicant should ensure that they comply with the Pet Industry Association’s Standards and Guidelines for Best Practice - Boarding Facilities/Establishments and Doggy Day Care Centres.

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| --- | --- |
| **PD67.18** | **No. 2/23 Carrington Street, Nedlands – Proposed Additional Customer Seating (Retrospective) for Brick Alley Café – Change of Use Restaurant** |
|  |
| **Committee** | 4 December 2018 |
| **Council** | 18 December 2018 |
| **Applicant** | L and F Martin |
| **Landowner** | L and F Martin |
| **Director** | Peter Mickleson – Director Planning & Development  |
| **Reference** | DA18/29389 |
| **Previous Item** | Item PD06.18 – February 2018 |
| **Delegation** | In accordance with Clause 6.7.1a) of the City’s Instrument of Delegation, Council is required to determine the application due to an objection being received.  |
| **Attachments** | 1. Photographs of the subject property
 |

Moved – Councillor Hodsdon

Seconded – Councillor James

That the Recommendation to Council be adopted.

(Printed below for ease of reference)

LOST -/12

(Against: Mayor Hipkins Crs. Argyle Hassell Mangano de Lacy Hodsdon Wetherall James Shaw Horley McManus & Smyth)

**Regulation 11(da) – Council determined that it had discretion to specify the maximum number of seats for a lunch bar, as maximum number of seats for a lunch bar is not specified under Town Planning Scheme No. 2 or policy.**

Moved – Mayor Hipkins

Seconded – Councillor Hodsdon

**Council Resolution**

**Council approves the retrospective development application dated 7 June 2018 to increase the number of customer seats for the lunch bar at (Lot 120) No. 2/23 Carrington Street, Nedlands, subject to the following conditions and advice:**

1. **The development shall at all times comply with the approved plans.**
2. **The previous development approval for the lunch bar (DA2017/239, dated 7 March 2018) and conditions and advice notes there-in, remain in effect.  This excludes the plans approved as part of the previous development application, and also excludes Condition 5 of the previous development approval decision.**
3. **A maximum of 19 seats being available for customers.**

**Advice Notes specific to this proposal:**

1. **The applicants are advised that if they intend on either of the following:**
2. **Primarily serve food which cannot be consumed off the premises; and/or**
3. **Increase the seating numbers on the premises**

**The use will be deemed to be a restaurant which is not permitted on the property under the City’s Town Planning Scheme No. 2 due to being zoned Light Industry;**

**CARRIED UNANIMOUSLY 12/-**

Committee Recommendation / Recommendation to Committee

Council refuses the retrospective development application dated 7June 2018 to increase the number of customer seats from 6 to 19 resulting in a Change of Use from Lunch Bar to Restaurant at Lot 102 (2/23) Carrington Street, Nedlands, for the following reasons:

1. The current retrospective operating land use being deemed to be a restaurant which is a use not permitted within the Light Industry zone under Table 1 (Use Class Table) of Town Planning Scheme No. 2.
2. The development and use are contrary to the terms of an approved development application for a lunch bar and contrary to conditions attached to that approval in accordance with Clause 6.6b of Town Planning Scheme No. 2.
3. A restaurant (café) land use located in a light industrial zone contravenes orderly and proper planning and gives rise to potential future and current land use conflict in the light industrial zone.
4. As a restaurant the proposal land use does not comply with Schedule III – Car Parking Requirement by Use Class of Town Planning Scheme No.2 representing a 17-car parking bay shortfall.
5. The proposal does not satisfy provisions (m), (n) and (s) of Clause 67 within the *Planning and Development (Local Planning Schemes) Regulations 2015*, as the proposal will likely create car parking issues within the locality considering its nature and scale.

Advice to Applicant

1. The current approval for lunch bar dated February 2018 remains valid and the conditions associated with land use and numbers of customer seating forms part of that approval and shall be complied with. The applicant is required to remove the additional unauthorised seating including outdoor tables and chairs within 14 days of receipt of Council’s decision in order to avoid compliance action in accordance with the *Planning and Development Act 2005.*
2. The applicant is advised that if it wishes to operate a Café “Restaurant” on this site in this light industrial zone that they may apply for an application to amend the Town Planning Scheme for an Additional Use “Restaurant” and provide all relevant information to the City in accordance with the *Planning and Development Local Planning Scheme Regulations (2015)* Through that statutory process the City will consider whether or not in this particular instance, a Café “Restaurant” land use should be permitted as an exception to the Scheme, Table 1 Use Class Table and determine whether or not it is appropriate within the light industry zone.
3. The applicant is advised that the existing wall signage on the external façade of the building is to be removed within 14 days from the date of this decision to the City’s satisfaction. Alternatively, a separate (retrospective) development application is required to be submitted within 14 days from the date of this decision for it to possibly remain.

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| **PD68.18** | **No. 42 Kirwan Street, Floreat – Additions (Two Carports) to Existing Single Dwelling** |
|  |
| **Committee** | 4 December 2018 |
| **Council** | 18 December 2018 |
| **Applicant** | Classic Home & Garage Innovations Pty Ltd |
| **Landowner** | G Van Ierland and S Griffiths |
| **Director** | Peter Mickleson – Director Planning & Development  |
| **Reference** | DA18-31588 |
| **Previous Item** | Nil |
| **Delegation** | In accordance with Clause 6.7.1a) of the City’s Instrument of Delegation, Council is required to determine the application due to an objection being received. |
| **Attachments** | 1. Photographs of the carports’ proposed locations
 |

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

Moved – Councillor Shaw

Seconded – Councillor James

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

(Printed below for ease of reference)

**CARRIED UNANIMOUSLY EN BLOC 12/-**

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

**Council approves the development application dated 27 September 2018 for additions (two carports) to the existing single dwelling at Lot 179 (42) Kirwan Street, Floreat, subject to the following conditions and advice:**

1. **The development shall at all times comply with the application and the approved plans, subject to any modifications required as a consequence of any condition(s) of this approval.**
2. **This development approval only pertains to the carports behind the street setback area, one being adjacent to the property’s eastern lot boundary and the other being adjacent to the western lot boundary.**
3. **All footings and structures to the Carports, shall be constructed wholly inside the site boundaries of the property’s Certificate of Title.**
4. **All stormwater from the development, which includes permeable and non-permeable areas shall be contained onsite.**

**Advice Notes specific to this proposal:**

1. **Any development in the nature-strip (verge), including footpaths, will require a Nature-Strip Development Application (NSDA) to be lodged with, and approved by, the City’s Technical Services department, prior to construction commencing.**
2. **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 under the Nature Strip Development approval.**
3. **All downpipes from guttering shall 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 20-year recurrent storm event. Soak-wells shall be a minimum capacity of 1.0m3 for every 80m2 of calculated surface area of the development.**
4. **This decision constitutes planning approval only and is valid for a period of two years from the date of approval. If the subject development is not substantially commenced within the two-year period, the approval shall lapse and be of no further effect.**

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| **PD69.18** | **No. 50 Florence Road, Nedlands – Amendment to Existing Approval (DA17/306)** |
|  |
| **Committee** | 4 December 2018 |
| **Council** | 18 December 2018 |
| **Applicant** | Kensington Design Australia |
| **Landowner** | D Ganley and R Ganley |
| **Director** | Peter Mickleson – Director Planning & Development  |
| **Reference** | DA18-30985 |
| **Previous Item** | Item PD02.18 - 27 February 2018 |
| **Delegation** | In accordance with Clause 6.7.1a) of the City’s Instrument of Delegation, Council is required to determine the application due to objections being received. |
| **Attachments** | 1. Site photographs
 |

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

Moved – Councillor Shaw

Seconded – Councillor James

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

(Printed below for ease of reference)

**CARRIED UNANIMOUSLY EN BLOC 12/-**

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

**Council approves the development application dated 3 September 2018 for Amendments to DA17/306 (additions to the existing dwelling) at Lot 389 (50) Florence Road, Dalkeith, subject to the following conditions and advice:**

1. **The previous development approval (DA17/306, dated 7 March 2018) and conditions there-in, remain in effect. This application excludes the plans approved as part of the previous development application.**

**Advice Notes specific to this proposal:**

1. **This decision constitutes planning approval only and is valid for a period of two years from the date of approval. If the subject development is not substantially commenced within the two-year period, the approval shall lapse and be of no further effect.**

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| **PD70.18** | **No. 7 Nardina Crescent, Dalkeith – Proposed Street Boundary Fencing (Retrospective)** |
|  |
| **Committee** | 4 December 2018 |
| **Council** | 18 December 2018 |
| **Applicant** | C Wang |
| **Landowner** | C Wang |
| **Director** | Peter Mickleson – Director Planning & Development  |
| **Reference** | DA2017/334 |
| **Previous Item** | Item PD34.18 – July 2018 |
| **Delegation** | Council has been requested by the SAT to reconsider its decision pursuant to Section 31(1) of the *SAT Act 2004.* |
| **Attachments** | 1. Photographs of the subject property
 |

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

Moved – Councillor Shaw

Seconded – Councillor James

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

(Printed below for ease of reference)

**CARRIED UNANIMOUSLY EN BLOC 12/-**

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

**Pursuant to Section 31(1) of the *State Administrative Tribunal Act 2004 (WA)*, Council approves the development application with amended plans received on 2 November 2018 for proposed street boundary fencing at (Lot 3) No. 7 Nardina Crescent, Dalkeith, subject to the following conditions and advice notes:**

1. **The development shall at all times comply with the application and the approved plans, subject to any modifications required as a consequence of any condition(s) of this approval.**
2. **This development approval only pertains to the fencing which exists along the Nardina Crescent and Minora Road boundaries of the property.**
3. **The alterations to the letterbox pillar and to the fencing on the southern side of the driveway, as shown on the approved plans, being undertaken by the landowner within 28 days of this decision, to the City’s satisfaction.**
4. **The unauthorised step which encroaches into the Nardina Crescent road reserve being removed by the landowner of 7 Nardina Crescent, Dalkeith, within 28 days of this decision, to the City’s satisfaction.**
5. **The alterations required to be made to the fencing specified under Condition 3 of this approval decision being made within 28 days of the Building Certificate being issued by the landowner to the City’s satisfaction, or by an alternative date agreed to in writing by the City.**
6. **All footings and structures to the fencing shall be constructed wholly inside the site boundaries of the property’s Certificate of Title.**

**Advice Notes specific to this approval:**

* + - 1. **A separate development application is required to be submitted to and approved by the City prior to erecting any further fencing within the street setback area(s) which does not form part of this approval, is not compliant with the deemed-to-comply provisions of the Residential Design Codes, and/or erecting any fencing behind the primary street setback area which is more than 1.8m in height above natural ground level.**
			2. **The applicant shall make application to the City’s Building Services for a Building Permit, to acknowledge any unauthorised works.**

|  |  |
| --- | --- |
| **PD71.18** | **No. 82 Kingsway, Nedlands – Front Fencing Addition to Single House** |
|  |
| **Committee** | 4 December 2018  |
| **Council** | 18 December 2018 |
| **Applicant** | Walter Hunter and Penny Watson Architects  |
| **Landowner** | Mr J M & Mrs J O'Dea |
| **Director** | Peter Mickleson – Director Planning & Development  |
| **Reference** | DA18/31279 |
| **Previous Item** | Nil |
| **Delegation** | *In accordance with Clause 6.7.1a) of the City’s Instrument of Delegation, Council is required to determine the application due to objections being received.* |
| **Attachments** | 1. Site and Streetscape Photographs
 |

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

Moved – Councillor Shaw

Seconded – Councillor James

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

(Printed below for ease of reference)

**CARRIED UNANIMOUSLY EN BLOC 12/-**

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

**Council approves the development application dated 13September 2018 for a Front Fence addition to an existing Single House at Lot 673 (No. 82) Kingsway, Nedlands, subject to the following conditions and advice:**

1. **The development shall at all times comply with the application and the approved plans, subject to any modifications required as a consequence of any condition(s) of this approval.**
2. **This development approval only pertains to the proposed front fencing as shown on the approved plans.**
3. **All footings and structures to the fencing shall be constructed wholly inside the site boundaries of the property’s Certificate of Title.**

**Advice Notes specific to this proposal:**

1. **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 under the Nature Strip Development approval.**
2. **This decision constitutes planning approval only and is valid for a period of two years from the date of approval. If the subject development is not substantially commenced within the two-year period, the approval shall lapse and be of no further effect.**

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| **PD72.18** | **No. 11B Brockway Road, Mount Claremont – Two Storey Single House** |
|  |
| **Committee** | 4 December 2018 |
| **Council** | 18 December 2018 |
| **Applicant** | Webb and Brown-Neaves Pty Ltd |
| **Landowner** | S Poliwka |
| **Director** | Peter Mickleson – Director Planning & Development  |
| **Reference** | DA18/29985 |
| **Previous Item** | Nil.  |
| **Delegation** | In accordance with Clause 6.7.1a) of the City’s Instrument of Delegation, Council is required to determine the application due to an objection being received.  |
| **Attachments** | 1. Site Photograph
 |

Procedural Motion

Moved – Councillor Smyth

Seconded – Councillor McManus

That Council Proceed to the next item of business.

Lost 2/10

(Against: Crs. Argyle Hassell Mangano de Lacy

Hodsdon Wetherall James Shaw & McManus)

Moved – Councillor Shaw

Seconded – Councillor James

That the Recommendation to Council be adopted.

(Printed below for ease of reference)

Procedural Motion

Moved – Councillor McManus

Seconded – Councillor Smyth

**That this item be deferred to the February 2019 Council Meeting to allow the Council Administration, the applicant and neighbours to discuss the application.**

**CARRIED 9/3**

**(Against: Crs. Argyle Mangano & James)**

Committee Recommendation / Recommendation to Committee

Council approves the development application dated 17 July 2018with amended plans received on 18 September 2018to construct a Two Storey Single House at (Lot 700) No. 11B Brockway Road, Mount Claremont subject to the following conditions and advice:

1. The development shall always comply with the application and the approved plans, subject to any modifications required as a consequence of any condition(s) of this approval.
2. This development approval only pertains to the proposed single dwelling.
3. All footings and structures to retaining walls and fences shall be constructed wholly inside the site boundaries of the property’s Certificate of Title.
4. All stormwater from the development, which includes permeable and non-permeable areas shall be contained onsite.
5. The parapet walls being finished to a professional standard within 14 days of the proposed development’s practicable completion and be maintained thereafter by the landowner to the City’s satisfaction.

Advice Notes specific to this proposal:

1. A separate development application is required to be submitted to and approved by the City prior to erecting any fencing within the street setback area(s) which is not compliant with the deemed-to-comply provisions of the Residential Design Codes, and/or erecting any fencing behind the primary street setback area which is more than 1.8m in height above natural ground level.
2. All crossovers to the street(s) shall be constructed to the Council’s Crossover Specifications and the applicant / landowner to obtain levels for crossovers from the Council’s Infrastructure Services under supervision onsite, prior to commencement of works.
3. Any development in the nature-strip (verge), including footpaths, will require a Nature-Strip Development Application (NSDA) to be lodged with, and approved by, the City’s Technical Services department, prior to construction commencing.
4. All downpipes from guttering shall 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 20-year recurrent storm event. Soak-wells shall be a minimum capacity of 1.0m3 for every 80m2 of calculated surface area of the development.
5. 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, shall 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.
6. The applicant is advised to consult the City’s Visual and Acoustic Privacy Advisory Information in relation to locating any mechanical equipment (e.g. air-conditioner, swimming pool or spa) such that noise, vibration and visual 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 and use this as a guide to prevent noise affecting neighbouring properties.

Prior to installing mechanical equipment, the applicant is advised to consult neighbours, and if necessary, take measures to suppress noise.

1. This decision constitutes planning approval only and is valid for a period of two years from the date of approval. If the subject development is not substantially commenced within the two-year period, the approval shall lapse and be of no further effect.

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| **PD73.18** | **Scheme Amendment No. 214 – Lot 381 (No.45) Carrington Street, Nedlands** |
|  |
| **Committee** | 4 December 2018 |
| **Council** | 18 December 2018 |
| **Applicant** | CF Town Planning and Development |
| **Landowner** | Mr B Gray – Pine Ridge Holdings Pty Ltd |
| **Director** | Peter Mickleson – Director Planning & Development  |
| **Previous Item** | Nil.  |
| **Attachments** | 1. Scheme Amendment No. 214 Report
2. Applicants Further Information
 |

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

Moved – Councillor Shaw

Seconded – Councillor James

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

(Printed below for ease of reference)

**CARRIED UNANIMOUSLY EN BLOC 12/-**

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

**Council:**

1. **Pursuant to Section 75 of the *Planning and Development Act 2005*, initiate an Amendment to Town Planning Scheme No. 2 by:**
	1. **Amending the Scheme Text by inserting into Schedule I - Additional Uses entry ‘A 115’ over Lot 381 (45) Carrington Street, Nedlands for ‘Child Day Care Centre’; and**
	2. **Amend the Scheme Map accordingly.**
2. **In accordance with *Planning and Development (Local Planning Schemes) Regulations 2015* section 35(2),the City believes that the amendment is a Standard Amendment for the following reasons:**
	1. **the proposed amendment is consistent with a local planning strategy which has been endorsed by the Commission;**
	2. **the proposed amendment will have minimal impact on land in the scheme area that is not the subject of the amendment; and**
	3. **the proposed amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area.**
3. **Pursuant to Section 81 of the *Planning and Development Act 2005*, refers Scheme Amendment 214 – Carrington Street to the Environmental Protection Authority.**
4. **Subject to Section 84 of the *Planning and Development Act 2005* advertises Scheme Amendment 214 – Carrington Street in accordance with Regulation 47 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and Council Policy – Community Engagement.**

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| **PD74.18** | **Christ Church Grammar School - Possible Acquisition of Landfill Site** |
|  |
| **Committee** | 4 December 2018 |
| **Council** | 18 December 2018 |
| **Applicant** | Taylor Burrell Barnett |
| **Landowner** | State of WA |
| **Director** | Peter Mickleson – Director Planning & Development  |
| **Previous Item** | Nil.  |
| **Attachments** | 1. Applicants formal request for endorsement
 |

**Councillor Hodsdon – Financial Interest**

Councillor Hodsdon disclosed a financial interest, his interest being that the applicant is his employer. Councillor Hodsdon declared that he would leave the room during discussion on this item.

Councillor Hodsdon left the room at 8.21 pm.

**Councillor Argyle – Impartiality Interest**

Councillor Argyle disclosed an impartiality interest, his interest being that he was an old boy of Christ Church Grammar School, and as a consequence, there may be a perception that his impartiality on the matter may be affected. Councillor Argyle declared that he would consider this matter on its merits and vote accordingly.

**Regulation 11(da) – Not Applicable – Council agreed to defer this item as requested by the applicant.**

Procedural Motion

Moved – Councillor Hassell

Seconded – Councillor Smyth

**That the application be deferred.**

**CARRIED UNANIMOUSLY 11/-**

Councillor Hodsdon returned to the room at 8.22 pm.

Committee Recommendation

Council requests the CEO to:

1. Write a letter of response from the City to decline support to Christ Church Grammar Schools endeavours to acquire the former landfill site, lots shown in Table 1;
2. Include in the letter the Council’s progress on the North East Mt Claremont Local Structure Plan covering the subject area;
3. Outline in the letter the requirement for access or easement across the area for the School & Sport Circuit Pathway Project and related services; and
4. Seek a meeting with the Minister for Sport & Recreation to investigate possible establishment of public sporting facilities at this location.

Recommendation to Committee

Council instructs Administration to write a letter of endorsement from the City to support Christ Church Grammar Schools endeavours to acquire the former landfill site, lots shown in Table 1.

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| **PD75.18** | **West Australian Bridge Club Inc. at Reserve 7804, Swanbourne – Extension to Lease Term** |
|  |
| **Committee** | 4 December 2018 |
| **Council** | 18 December 2018 |
| **Applicant** | Western Australia Bridge Club Inc. |
| **Landowner** | City of Nedlands |
| **Director** | Peter Mickleson – Director Planning & Development  |
| **Previous Item** | C27.05 on 26 April 2005 |
| **Attachments** | 1. Nil
 |

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

Moved – Councillor Shaw

Seconded – Councillor James

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

(Printed below for ease of reference)

**CARRIED UNANIMOUSLY EN BLOC 12/-**

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

1. **Council agrees to extend the term of lease by the West Australian Bridge Club Inc. for premises located at Reserve 7804, Allen Park Swanbourne subject to the following:**
2. **The extended term will be for a further 20 years, from the expiration of the current term of lease, being 30 June 2026;**
3. **The extension to the term of lease will be recorded in a Deed of Variation of Lease prepared by the City’s solicitors;**
4. **The Club will pay for all costs associated with the preparation, execution and stamping of documentation to record the variation of the Lease and associated registration fees; and**
5. **The Minister for Lands approval is obtained.**
6. **Council delegates authority to the Chief Executive Officer and Mayor to sign the Deed of Variation of Lease and apply the City’s common seal.**

## Technical Services Report No’s TS27.18 to TS29.18 (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.

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| **TS27.18 Leon Road Footpath between Robert Street and Alexander Road** |

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| **Committee** | 4 December 2018 |
| **Council** | 18 December 2018 |
| **Applicant** | City of Nedlands |
| **Officer** | Irene Chiang – Design Engineer |
| **Director** | Martyn Glover – Director Technical Services  |
| **Attachments** | 1. Proposed Design Drawing F-2018-48-01-A
 |

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

Moved – Councillor Shaw

Seconded – Councillor James

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

(Printed below for ease of reference)

**CARRIED UNANIMOUSLY EN BLOC 12/-**

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

**That Council withdraws the footpath on Leon Road between Robert Street and Alexander Road from the Capital Works Program and redirects the funds to other existing or future projects.**

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| **TS28.18 Quintilian Road Traffic Management** |

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| **Committee** | 4 December 2018 |
| **Council** | 18 December 2018 |
| **Applicant** | City of Nedlands  |
| **Officer** | James Cresswell - Manager Infrastructure Services |
| **Director** | Martyn Glover - Director Technical Services |
| **Attachments** | 1. Quintilian Road and Brockway Road Proposed Traffic Management Concept Plan
 |

**Regulation 11(da) – Council agreed to increase the consultation area of effected residents and landowners.**

Amendment

Moved - Councillor de Lacy

Seconded - Councillor Wetherall

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

**This is to include writing to all residents and landowners within the area bound by Mimosa Avenue, Alfred Road, Stubbs Terrace, Quintilian Road, Camelia Avenue and those living in Jubaea Gardens seeking their comments on the proposed partial road closure.**

Councillor Hassell left the room at 8.24 pm and returned at 8.26 pm.

**CARRIED 10/2**

**(Against: Mayor Hipkins & Cr. Mangano)**

**Council Resolution**

**That Council:**

* + - 1. **supports the proposed left-out only partial road closure of Quintilian Road at Brockway Road for purposes of a consultation process with the effected residents and landowners; and**
			2. **includes writing to all residents and landowners within the area bound by Mimosa Avenue, Alfred Road, Stubbs Terrace, Quintilian Road, Camelia Avenue and those living in Jubaea Gardens seeking their comments on the proposed partial road closure.**

Committee Recommendation / Recommendation to Committee

That Council supports the proposed left-out only partial road closure of Quintilian Road at Brockway Road for purposes of a consultation process with the effected residents and landowners.

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| **TS29.18 Western Metropolitan Regional Council (WMRC) Funding Request** |

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| **Committee** | 4 December 2018 |
| **Council** | 18 December 2018 |
| **Applicant** | City of Nedlands  |
| **Officer** | James Cresswell - Manager Infrastructure Services |
| **Director** | Martyn Glover - Director Technical Services |
| **Attachments** | 1. WMRC Request letter
 |

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

Moved – Councillor Shaw

Seconded – Councillor James

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

(Printed below for ease of reference)

**CARRIED UNANIMOUSLY EN BLOC 12/-**

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

**That Council does not support the Western Metropolitan Regional Council’s request for a contribution to Resource Recovery and Waste Education services.**

## Community & Organisational Development Report No’s CM05.18 (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.

|  |
| --- |
| CM05.18 Purchase of Artwork from Sculptures By The Sea  |

|  |  |
| --- | --- |
| **Committee** | 4 December 2018 |
| **Council** | 18 December 2018 |
| **Applicant** | City of Nedlands |
| **Officer** | Marion Granich - Manager Community Development |
| **Director** | Lorraine Driscoll - Director Corporate and Strategy |
| **Attachments** | 1. Support Information Artworks Under Consideration for Purchase by City.
 |

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

Moved – Councillor Shaw

Seconded – Councillor James

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

(Printed below for ease of reference)

**CARRIED UNANIMOUSLY EN BLOC 12/-**

**Council Resolution / Committee Recommendation**

**Council agrees to:**

**1. purchase the artwork “Inspired by Rosie” by Tanya Spencer and install it within the Tresillian grounds, on the site currently occupied by a play equipment due for removal; and**

**2. purchase the artwork “Loyalty” by Ayad Alqaragholli and install it in or near the Carrington Street Dog Park, Carrington Street, Nedlands.**

Recommendation to Committee

Council agrees to:

1. purchase the artwork “Inspired by Rosie” by Tanya Spencer and install it within the Tresillian grounds, on the site currently occupied by a play equipment due for removal;

2. purchase the artwork “Loyalty” by Ayad Alqaragholli and install it in the Carrington Street Dog Park, Carrington Street, Nedlands; and

3. purchase the artwork “Pot Will Fly” by Yoshio Nitto and install it on Melvista Reserve, Nedlands.

## Corporate & Strategy Report No’s CPS22.18 to CPS24.18 (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.

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| --- |
| **CPS22.18 List of Accounts Paid – October 2018** |

|  |  |
| --- | --- |
| **Committee** | 4 December 2018 |
| **Council** | 18 December 2018 |
| **Applicant** | City of Nedlands  |
| **Officer** | Vanaja Jayaraman – Manager Finance |
| **Director** | Lorraine Driscoll – Director Corporate & Strategy |
| **Attachments** | 1. Creditor Payment Listing October 2018
2. Purchasing Card Payments October 2018 (29th September – 28th October)
 |

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

Moved – Councillor Shaw

Seconded – Councillor James

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

(Printed below for ease of reference)

**CARRIED UNANIMOUSLY EN BLOC 12/-**

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

**Council receives the List of Accounts Paid for the month of October 2018** **(refer to attachments).**

|  |
| --- |
| **CPS23.18 Policy Review** |

|  |  |
| --- | --- |
| **Committee** | 4 December 2018 |
| **Council** | 18 December 2018 |
| **Applicant** | City of Nedlands  |
| **Officer** | Nicole Ceric – Executive Assistant to CEO & Mayor |
| **Director** | Lorraine Driscoll – Director Corporate & Strategy |
| **Attachments** | 1. Assignment of House Numbers
2. Council Provided Grants, Subsidies and Donations
 |

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

Moved – Councillor Shaw

Seconded – Councillor James

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

(Printed below for ease of reference)

**CARRIED UNANIMOUSLY EN BLOC 12/-**

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

**Council adopts the following updated policies:**

1. **Assignment of House Numbers; and**
2. **Council Provided Grants, Subsidies and Donations.**

|  |
| --- |
| **CPS24.18 Post Audit Changes to 2018/19 Budget** |

|  |  |
| --- | --- |
| **Committee** | 4 December 2018 |
| **Council** | 18 December 2018 |
| **Applicant** | City of Nedlands  |
| **Officer** | Vanaja Jayaraman – Manager Financial Services |
| **Director** | Lorraine Driscoll – Director Corporate & Strategy |
| **Attachments** | 1. Revised Rate Setting Statement as at 31 October 2018
2. Capital Works Program and Operational Income and Expenses
 |

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

Moved – Councillor Shaw

Seconded – Councillor James

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

(Printed below for ease of reference)

**CARRIED UNANIMOUSLY EN BLOC 12/-**

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

**Council:**

**1. receives and adopts the changes to the 2018/19 adopted Budget following the audit of the Annual Financial Statements for the 2017/18 financial year;**

**2. notes the brought forward surplus from 2017/18 financial year of $2,201,756 as per the audited financial statements compared to the forecast brought forward surplus included in the adopted budget of $1,352,512;**

1. **approves:**
	1. **the inclusion and exclusion in the 2018/19 Capital Works Budget;**
	2. **the brought forward capital works;**
	3. **additional scope and reduction in scope (as listed in Attachment 2);**

**Resulting in an overall increase in capital spend of $489,787 (mainly arising from the projects which were forecast to be completed in 2017/18 but were postponed due to various reasons and thus contributing to the increase in the 2017/18 year end surplus);**

1. **approves the adjustment of the 2018/19 Operational Budget of additional and reduction in expenses and additional underground power service charge revenue (as listed in Attachment 2) resulting in an increased net result by $1,620,720;**
2. **approves the reduced borrowings by a total of $1,661,275 and reduced repayment of borrowings by a total of $152,974 for the underground power projects;**
3. **approves the revised Rate Setting Statement incorporating the above (Attachment 1), with a projected deficit of $122,494 and being subject to the mid-year budget review in January 2019; and**
4. **notes that the net result of all the above changes is a decrease in the 2018/19 year end deficit of $594,370 in the adopted budget to a deficit of $122,494 in the revised budget.**

**ABSOLUTE MAJORITY REQUIRED**

# Reports by the Chief Executive Officer

## Lisle Villages Inc – Draft New Rules of Association

|  |  |
| --- | --- |
| **Committee** | 4 December 2018 |
| **Council** | 18 December 2018 |
| **Applicant** | Lisle Villages Inc |
| **CEO** | Greg Trevaskis |
| **Attachments** | 1. Extract Council Minutes 26 September 2017
2. Lisle Villages Inc Letter – 20 July 2018
3. Response letter to Lisle Villages re Draft New Rules of the Association - 24 July 2018
4. Lisle Villages Inc Letter – 26 November 2018
5. Lisle Villages Inc Final Draft New Rules of Association
 |

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

Moved – Councillor Shaw

Seconded – Councillor James

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

(Printed below for ease of reference)

**CARRIED 8/4**

**(Against: Crs. Hassell Mangano Horley & McManus)**

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

**Council approves the Final Draft New Rules of Association received from Lisle Villages (Inc) on the 26 November 2018 as per attachment 5.**

**Executive Summary**

Lisle Villages Inc has requested the City to expeditiously approve the Final Draft of the latest version of the proposed new Rules of Association. There is a deadline for the latest version of the constitution to be submitted to the Commissioner for Consumer Protection within 1 month of passing the special resolution at the Association’s Extraordinary General Meeting held on 21 November 2018 (i.e. by 20 December 2018).

*“We believe that the amendments that were made to the Final Draft do not prejudice or materially affect the City, given the City’s previous correspondence with Lisle and its request to remove any reference to the involvement of the City in the affairs of Lisle. Further, the Final Draft has received overwhelming support from Members, and is supported by the Commissioner for Consumer Protection.”*

**Key Relevant Previous Council Decisions:**

Ordinary Council Meeting of 26 September 2018

*Council Resolution*

*Council formally advises Lisle Villages Board of Management that it no longer intends to nominate a Councillor to be a Board Member and suggest that the Constitutions should be amended to remove this requirement.*

**Consultation**

Not required.

**Budget/Financial Implications**

There are no financial implications for the City of Nedlands if this report is approved or not.

**Conclusion**

The new Rules of the Association are for the Board and membership of Lisle Villages (Inc) have been endorsed by the Association’s membership. The Constitution is a matter for Lisle Villages (Inc) and not the City. The requirement for a councillor to be on the Board was a past anomaly and this requirement has now been sensibly removed. Council is asked to finally approve this final draft to ensure the current rules are adhered to avoid potential complications for Lisle Villages (Inc).

## Hockey Proposal at Mt Claremont Reserve – Community Engagement Results

|  |  |
| --- | --- |
| **Committee** | 4 December 2018 |
| **Council** | 18 December 2018 |
| **Applicant** | Westside Wolves Hockey Club |
| **Officer** | Caroline Walker, Community Engagement Coordinator |
| **CEO** | Greg Trevaskis |
| **Attachments** | 1. Community Engagement Report
 |

Moved – Councillor Smyth

Seconded – Councillor Horley

Council:

1. Receives the Community Engagement Report (Attachment A) in relation to the proposal by Westside Wolves Hockey Club to establish a synthetic hockey pitch and club facilities at the Mt Claremont Reserve;

2. Requests the Chief Executive Officer to prepare a report to the March 2019 Council round of meetings on the formation of a working group (including proposed composition and terms of reference) to explore the feasibility of establishing a hockey facility on land in the north-east Mt Claremont vicinity, as suggested by the community, and as voted at the Annual Meeting of Electors on Thursday 13th December 2018;

3. Requests the Chief Executive Officer to include the key options for future use at Mt Claremont Reserve from the Community Engagement Report, into the upcoming review of the city’s Strategic Recreation Plan 2005-2015; and

4. Receives the petitions submitted in opposition to the Westside Wolves Hockey Club proposal:

a. Petition 1: Save Mt Claremont Oval – Ditch the Pitch;

b. Petition 2: Save Mt Claremont Oval – Ditch the Pitch, change.org; and

c. Petition 3: Leaweena and Lisle Villages – Rejection of Westside Wolves Proposal.

Dissent Motion

Moved – Councillor Hodsdon

Seconded – Councillor James

**That the motion is not voted on separately.**

**CARRIED 10/2**

**(Against: Mayor Hipkins & Cr. Horley)**

The Motion was PUT and was

LOST 4/8

(Against: Mayor Hipkins Crs. Argyle Hassell de Lacy

Hodsdon Wetherall James & Shaw)

**Regulation 11(da) – Not Applicable – resolution was similar to Administrations original recommendation.**

Moved – Councillor de Lacy

Seconded – Councillor Hodsdon

**Council Resolution**

**Council:**

1. **Receives the Community Engagement Report (Attachment A) in relation to the proposal by Westside Wolves Hockey Club to establish a synthetic hockey pitch and club facilities at the Mt Claremont Reserve;**
2. **Requests the CEO to prepare a report for the March 2019 Council round of meetings that strategically analyses the feedback received during the community consultation period on the proposal and provides recommendations to inform the City’s review of the Strategic Recreation Plan 2005-15; and**
3. **Receives the petitions submitted in opposition to the Westside Wolves Hockey Club proposal:**
4. **Petition 1: Save Mt Claremont Oval – Ditch the Pitch;**
5. **Petition 2: Save Mt Claremont Oval – Ditch the Pitch, change.org; and**
6. **Petition 3: Leaweena and Lisle Villages – Rejection of Westside Wolves Proposal.**

**CARRIED 11/1**

**(Against: Cr. Mangano)**

Committee Recommendation

Council:

1. Receives the Community Engagement Report (Attachment A) in relation to the proposal by Westside Wolves Hockey Club to establish a synthetic hockey pitch and club facilities at the Mt Claremont Reserve.
2. Receives the petitions submitted in opposition to the Westside Wolves Hockey Club proposal:
3. Petition 1: Save Mt Claremont Oval – Ditch the Pitch
4. Petition 2: Save Mt Claremont Oval – Ditch the Pitch, change.org
5. Petition 3: Leaweena and Lisle Villages – Rejection of Westside Wolves Proposal

Recommendation to Committee

Council:

1. Receives the Community Engagement Report (Attachment A) in relation to the proposal by Westside Wolves Hockey Club to establish a synthetic hockey pitch and club facilities at the Mt Claremont Reserve.
2. Requests the Chief Executive Officer to prepare a report to the March 2019 Council round of meetings on the key options for future use at Mt Claremont Reserve as suggested by the community.
3. Receives the petitions submitted in opposition to the Westside Wolves Hockey Club proposal:
4. Petition 1: Save Mt Claremont Oval – Ditch the Pitch
5. Petition 2: Save Mt Claremont Oval – Ditch the Pitch, change.org
6. Petition 3: Leaweena and Lisle Villages – Rejection of Westside Wolves Proposal

**Executive Summary**

Council at its meeting on 23 October 2018 resolved:

“That Council endorses the proposed community engagement plan for Mt Claremont Oval and seeks a report to be prepared on the results of the consultation for consideration in December 2018.”

This report presents the findings form the community engagement activities undertaken as contained in Attachment 1 of this report. Submissions and surveys have been summarised along with the identification of the key themes resulting from the feedback received.

Access to all documents have been provided to Councillors (via Council portal) to maintain confidentiality for respondents. An overview of the results from the community engagement activities follow.

**Discussion/Overview**

Community engagement has been undertaken with residents, property owners, user groups, sporting clubs, associations and stakeholders, along with the broader community, on a proposal for the Westside Wolves to develop permanent hockey facilities (club rooms, artificial turf and car park) on a section of green space at Mt Claremont Reserve.

The aim of the engagement project was to understand the level of community support and their views on the proposal, to assist with the Council’s decision-making on whether to approve a period for the club to further investigate and develop a detailed proposal and business plan (including designs, costings and sources of funding).

The community was invited to complete an online survey to enable the City to gauge the level of community support for this proposal. Opportunities were also provided for submissions via email, post or delivery to the Administration Centre. Hardcopy surveys were produced and submissions by telephone were provided for people who did not have access or did not use computers.

1. **Communications and participation**

1,410 property owners and residents were directly contacted within the area bounded by Lantana Avenue, Moora Drive, Heritage Lane, St Johns Wood Boulevard, Haldene Street and Rochdale Road as they would be impacted or potentially impacted by this proposal (1,424 including stakeholders).

A media release was issued and advertising was published in the POST and Western Suburbs Weekly newspapers along with notices and large banners displayed in various locations in key traffic areas around the reserve.

Posts were placed on the City’s Facebook and Twitter accounts which reached 3,099 people and included 334 reactions, comments and shares.

During the engagement period, the City became aware of the unsolicited promotion and awareness of the project by local community and activist groups:

* + Westside Wolves Hockey Club – full-page advertising in the POST newspaper and a brochure insert along with information on their website promoting “the Wolves need a Den”.
	+ A group called “Friends of the Mt Claremont Oval” produced a Facebook page, website and a flyer “Save Mt Claremont Park/oval from the Westside Wolves”. This flyer was distributed within the community, placed on the Mt Claremont Community Centre noticeboard and attached to the City of Nedlands hardcopy survey.
	+ Two petitions were attached to the Friends of the Mt Claremont Oval submission: Ditch the Pitch petition (paper) and electronic (change.org) (see Section below)
	+ One petition from the Leaweena and Lisle Villages rejecting the proposal (see Section below)
	+ Numerous Facebook posts from the Friends of the Mt Claremont Oval, the Westside Wolves Hockey Club and their supporters.
	+ Notices and statements from users of the oval were attached to the cricket practice nets at the reserve.
	+ There were also numerous complaints to the City regarding the behaviour of people within the community protesting the proposal and those supporting the proposal.
	+ Facebook posts were also placed by the POST newspaper, Western Suburbs Weekly, Sunday Times and the online publication, Perth Now.
	+ Approximately 30 letters to the editor in the POST newspaper and the Western Suburbs Weekly.

The communication activities resulted in **6,920 visits**, mostly using the methods of: typing Your Voice Nedlands into the address bar after receiving the letter (3,781 people, 55 per cent). 2,330 people (34 per cent) accessed the site via social media with another 483 people (7 per cent) using a search engine. 200 people were referred from other websites (3 per cent) and 81 (1 per cent) used a .gov site (City of Nedlands) to access the site.

Of the 6,920 visits to the engagement page, 5,427 people viewed at least one page with 3,291 people progressing further to look at the images, download the concept plans (549) and read the key dates (42) and FAQs (510). 1,613 of these people progressed to becoming engaged with the project by completing the online survey (1,582) and/or asking questions (31) of the City. Submissions were also received from community groups both in support and opposing the hockey facility.

1. **Petitions received**

Three petitions were received opposing the proposal from the Westside Wolves Hockey Club, as follows:

***Petition 1: Save Mt Claremont Oval – Ditch the Pitch (paper petition)***

This petition stated “The Westside Wolves propose to take approximately 40% of the oval for fenced Astro Turf Hockey Pitch, new Club House and a 60 space carpark. The remaining 60% grassed area will not be large enough to facilitate the needs of the Mt Claremont Primary Schools sporting activities, not the current 4 sporting clubs that use it. We fear this is privatising public space. Westside Wolves will become the exclusive lessee for one code, one club and one single use.

There will be an impact on the local residents and school children crossing the road due to the increased generation of traffic for the facility. Not to mention the environmental impact on the surrounding bushland.

To see more reasons as why we need to save Mt Claremont oval as open green space, go to “Friends of Mount Claremont Oval” Facebook Page [www.saveoouroval.com](http://www.saveoouroval.com)

We, the undersigned oppose the Mt Claremont Oval – Proposal from Westside Wolves Hockey Club.”

***Petition 2: Save Mt Claremont Oval – Ditch the Pitch (change.org)***

This petition was an electronic survey through the website [www.change.org](http://www.change.org) and stated, “Save Mt Claremont Oval – Ditch the Pitch.” No other commentary was provided.

***Petition 3: Leaweena and Lisle Villages***

This petition was presented from the Residents’ Committee, titled “Mount Claremont Oval Westside Wolves Hockey Club Proposal”. This petition stated “We the undersigned residents of Lisle & Leaweena Villages reject unequivocally the above proposal.”

1. **Overall results**

Due to the nature of responses to the engagement activities, particularly the completeness of the hardcopy surveys, the receipt of informal petitions, emails, letters and the complexity in tracking duplications has resulted in difficulties with determining the number of multiple responses by the same people.

In addition, the City received three informal petitions, two were attached to the Friends of Mt Claremont Oval (781 signatures) submission and one (41 signatures) came from the Leaweena and Lisle Villages opposing the project. The signatures from these petitions have not been recorded in the table below, however, appear to represent 45 per cent per cent of the Mt Claremont area. Signatures may be duplicated in other forms of feedback on this subject and therefore cannot be validated.

Of the surveys received, 675 (43 per cent) surveys were received from residents who indicated they lived in Mt Claremont and 195 (12 per cent) were residents who indicated they lived in Claremont. The remaining 715 (45 per cent) relate to the remainder of the western suburbs, metropolitan Perth and country Western Australia. The table below provides the level of support for the proposal from all feedback mechanisms used for this project.

**Support for the Proposal**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Support** | **Online Survey** | **Hardcopy Surveys** | **Stakeholder Submissions** | **Emails** | **Phone Calls** | **Total** |
| Yes, I support the proposal | 846 | 274 | 0 |  7 | 7 | 1134 |
| No, I do not support the proposal  | 725 | 150 | 6 | 43 | 6 | 930 |
| I am unsure |  11 | 2 | 0 |  2 | 0 | 15 |
| **Total Received** | **1582** | **426** | **6** | **52** | 13 | **2,078** |

Regarding the survey responses, people indicated their interest in the reserve and the age range as follows:





The results of the community engagement feedback: comments recorded (online survey, hardcopy surveys, telephone conversations, emails, letters, face-to-face) during the period have been analysed and developed into key themes which emerged from the review.

Several detailed submissions were received.

All feedback received was grouped and summarised into key themes (refer to Section 8 of the Community Engagement Report).

**Key Relevant Previous Council Decisions**

Ordinary Council meeting – 23 October 2018 (to adopt a community engagement plan and provide for a report on the outcomes of the engagement for the December 2018 Ordinary Council meeting).

Ordinary Council Meeting – 22 May 2018 (to convene a workshop and explore possible alternative sites).

Councillor Briefing – 4th September 2018 (review Workshop Minutes 9 August 2018).

**Budget/Financial Implications**

Should the Mt Claremont Reserve be selected as a potential site for a new hockey pitch, the Westside Wolves Hockey Club will be required to prepare a detailed business plan on funding for capital works, sources of funding, independent environmental study, quantity surveyors report, detailed working drawings, project lifecycle/maintenance costs and a traffic management study.

Any decision by Council to progress to the next stage does not pre-commit Council to future funding obligations for this project. The decision to assist with funding is a separate decision and will be considered on its merits, Council’s financial capacity and any other relevant considerations.

**Conclusion**

Community engagement to understand the level of support for the Westside Wolves proposal to construct an artificial turf, car parking and clubrooms on a portion of green space at the Mt Claremont Oval Reserve has been completed.

The aim of the engagement was to receive community opinion on the proposal to assist with Council’s decision-making to approve/not approve a period of time for the club to further investigate and develop a detailed proposal and business plan (including designs, costings and sources of funding).

There has been significant community interest in this proposal resulting in a high level of engagement and one of the most successful engagement projects the City has undertaken in terms of participation. The significant input has been provided resulting in there being an equal view on the proposal, to support or not support the proposal. The feedback has also identified a variety of benefits and challenges.

Based on the feedback received, it is proposed that the City’s administration will now prepare a report to the March 2019 Council round of meetings on the key options for future use at Mt Claremont Reserve as suggested by the community.

## Common Seal Register Report – November 2018

Councillor Mangano, Councillor Horley & Councillor McManus left the room at 9.30 pm.

Moved – Councillor Shaw

Seconded – Councillor Hassell

**The attached Common Seal Register Report for the month of November 2018 be received.**

**CARRIED UNANIMOUSLY 9/-**

**November 2018**

| **SEAL NUMBER** | **DATE SEALED** | **DEPARTMENT** | **MEETING DATE / ITEM NO.** | **REASON FOR USE** |
| --- | --- | --- | --- | --- |
| 913 | 28 November 2018 | Human Resources | Ordinary Council Meeting 27 November 2018Confidential Item 17.1 | Seal Certification Seal No. 913 Signing of CEO Employment Contract between City of Nedlands & Mark Goodlet (2 copies) |
| 914 | 30 November 2018 | Planning & Development | Delegated Authority | Seal Certification - Seal No. 914 - Section 70A to condition 4 of approved development application DA18-30462 - 73 Alderbury Street Floreat - requiring a notification on the property title informing limitations of the use of the approved ancillary accommodation. |

## List of Delegated Authorities – November 2018

Moved – Councillor Shaw

Seconded – Councillor Hassell

**The attached List of Delegated Authorities for the month of November 2018 be received.**

 **CARRIED UNANIMOUSLY 9/-**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Date of use of delegation of authority** | **Title** | **Position exercising delegated authority** | **Act** | **Section of Act** | **Applicant / CoN / Property Owner / Other** |
| **November 2018** |
| **1/11/2018** | Approval to write off minor rates debt October 2018 - $6.86 | A/Chief Executive Officer – Martyn Glover | Local Government Act | Section 6.12 | City of Nedlands |
| **09/11/2018** | (APP) – DA18/31988 – 23 Hillway Nedlands – Verandah | Manager Planning – Ross Jutras-Minett | City of Nedlands TPS2 | Section 6.7.1 | M & H Bombara  |
| **12/11/2018** | (APP) – DA18/32101 – 22 Ord Street – Amendment to DA18/29456 | Coordinator Statutory Planning - Andrew Bratley | City of Nedlands TPS2 | Section 6.7.1 | Broadway Homes Pty Ltd |
| **12/11/2018** | (APP) – DA18/31992 – 11 Hotchin Street – Additions to Single House  | Coordinator Statutory Planning - Andrew Bratley | City of Nedlands TPS2 | Section 6.7.1 | Kellet Design Group  |
| **13/11/2018** | (APP) – DA18/30123 – 103 Rochdale Road MC – Additions to Single house | Coordinator Statutory Planning - Andrew Bratley | City of Nedlands TPS2 | Section 6.7.1 | J & L Clarke |
| **14/11/2018** | 3038381 - Parking Infringement Withdrawal – compassionate grounds | Manager Health & Compliance – Andrew Melville | Local Government Act 1995 | Section 9.20/6.12(1) | Jayne-Lee Garratt |
| **15/11/2018** | (APP) – DA18/32084 – 2/189 Stirling Highway, Nedlands – Change of Use (Office to Consulting Room)  | Coordinator Statutory Planning – Andrew Bratley  | City of Nedlands TPS2 | Section 6.7.1 | MacLean Pty Ltd  |
| **15/11/2018** | (APP) – DA18/30540 – 60 Goldsmith Road – Two Storey Single House  | Coordinator Statutory Planning – Andrew Bratley  | City of Nedlands TPS2 | Section 6.7.1 | Mr P Groom  |
| **16/11/2018** | (APP) – DA18/32719 – 153 Broadway – Illuminated Signage  | Coordinator Statutory Planning – Andrew Bratley  | City of Nedlands TPS2 | Section 6.7.1 | Duet Property Group  |
| **20/11/2018** | (APP) – DA18/32605 – 64 Florence Street – Amendment to DA18/28642 | Coordinator Statutory Planning – Andrew Bratley  | City of Nedlands TPS2 | Section 6.7.1 | Atrium Homes (WA) Pty Ltd  |
| **20/11/2018** | (APP) – DA18/31106 – 19 Weld Street – Additions to Single House  | Coordinator Statutory Planning – Andrew Bratley | City of Nedlands TPS2 | Section 6.7.1 | Kevin O’Brien  |
| **21/11/2018** | (APP) – DA18/32344 – 11A Brockway Rd – Two Storey Single House  | Coordinator Statutory Planning – Andrew Bratley | City of Nedlands TPS2 | Section 6.7.1 | Mr C Wang & Ms R Zhang  |
| **21/11/2018** | (APP) – DA18/32710 – 16 Chessington Gardens - Patios  | Senior Statutory Planning Officer – Kate Bainbridge | City of Nedlands TPS2 | Section 6.7.1 | One Stop Patio Shop |
| **23/11/2018** | 3038333 - Parking Infringement Withdrawal – compassionate grounds | Manager Health & Compliance – Andrew Melville | Local Government Act 1995 | Section 9.20/6.12(1) | Glenda Thomson |
| **23/11/2018** | 3035592 - Parking Infringement Withdrawal – compassionate grounds | Manager Health & Compliance – Andrew Melville | Local Government Act 1995 | Section 9.20/6.12(1) | Jessica McClelland |
| **26/11/2018** | 3032046 - Parking Infringement Withdrawal – compassionate grounds | Manager Health & Compliance – Andrew Melville | Local Government Act 1995 | Section 9.20/6.12(1) | Mary Nisbet |
| **26/11/2018** | 3038400 - Parking Infringement Withdrawal – compassionate grounds | Manager Health & Compliance – Andrew Melville | Local Government Act 1995 | Section 9.20/6.12(1) | Bernard Hii |
| **26/11/2018** | 3038458 - Parking Infringement Withdrawal – compassionate grounds | Manager Health & Compliance – Andrew Melville | Local Government Act 1995 | Section 9.20/6.12(1) | Jaqueline Reid |
| **27/11/2018** | 3038474 - Parking Infringement Withdrawal – compassionate grounds | Manager Health & Compliance – Andrew Melville | Local Government Act 1995 | Section 9.20/6.12(1) | Vanaja Jayaraman |
| **27/11/2018** | (APP) – DA18/32405 – 11 Hotchin Street – Front fence (amendment)  | Coordinator Statutory Planning – Andrew Bratley | City of Nedlands TPS2 | Section 6.7.1 | Mr A Spagnolo |

## Monthly Financial Report – November 2018

|  |  |
| --- | --- |
| **Council** | 18 December 2018 |
| **Applicant** | City of Nedlands |
| **Officer** | Vanaja Jayaraman – Manager Financial Services |
| **Director** | Lorraine Driscoll – Director Corporate & Strategy  |
| **Attachments** | 1. Financial Summary (Operating) by Business Units – 30 November 2018
2. Capital Works & Acquisitions – 30 November 2018
3. Statement of Net Current Assets – 30 November 2018
4. Statement of Financial Activity – 30 November 2018
5. Borrowings – 30 November 2018
6. Statement of Financial Position – 30 November 2018
7. Operating Income & Expenditure by Reporting Activity – 30 November 2018
8. Operating Income by Reporting Nature & Type – 30 November 2018
 |

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

Moved – Councillor Hassell

Seconded – Councillor Shaw

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

(Printed below for ease of reference)

**CARRIED UNANIMOUSLY 9/-**

Councillor Mangano return to the room at 9.31 pm.

**Council Resolution / Recommendation to Council**

**Council receives the Monthly Financial Report for 30 November 2018.**

**Executive Summary**

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

**Discussion/Overview**

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

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

This report gives an overview of the revenue and expenses of the City for the year to date November 2018 together with Borrowings, Statement of Net Current Assets and Capital Works Program as at 30 November 2018.

The operating revenue at the end of November 2018 was $32.32 M which represents $2 M favourable variance compared to the year-to-date budget.

The operating expense at the end of November 2018 was $14.71 M, which represents $1.55 M favourable variance compared to the year-to-date budget.

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

**Governance**

Expenditure: Favourable variance of $ 259,660

Revenue: Unfavourable variance of $ (75,891)

The favourable expenditure variance is mainly due to lower expenditure for the WESROC project by $115k, and professional fees, insurance and office communications of $144k not expensed yet.

The unfavourable revenue variance is due to lower revenue from Hollywood private hospital parking and WESROC.

**Corporate and Strategy**

Expenditure: Favourable variance of $ 320,693

Revenue: Favourable variance of $ 226,274

The favourable expenditure variance is mainly due to timing differences in the commencement of special projects and the use of professional services and ICT expenses of $264k. Interest expense on borrowings is less by $52k due to timing differences.

Favourable revenue variance is due to timing difference of interest income $38k and higher rates revenue of $152k arising from profiling issue. Year to-date rates revenue is $23.4 M compared to annual budget of $23.4 M.

**Community Development and Services**

Expenditure: Favourable variance of $373,685

Revenue: Favourable variance of $106,710

The favourable expenditure variance is mainly due to expenses not expended yet for community donations of $67k, Special projects $20k and operational activities $50k, Tresillian courses fees and other Nedlands Library expenses of $70k. Small savings on NCC expenses and MT Claremont Library expenses of $49k. Salaries and other employee expenses is lower by $105k mainly due to delay in filling vacant positions.

The Favourable revenue variance is due to increase fees & charges income from Tresillian courses and Positive Ageing activities of $21k. Timing difference on Grant receipt for NCC of $137k also contributed to favourable variance.

**Planning and Development**

Expenditure: Favourable variance of $ 314,631

Revenue: Favourable variance of $ 88,186

|  |  |  |
| --- | --- | --- |
|  |  |  |

The favourable expenditure variance is mainly due to expenses not expended yet for operational activities for Environmental Health and Environmental Conservation of $193k, professional fees, ICT and other expenses of $44k. Salaries is lower by $45k mainly due to delay in filling vacant positions, and timing differences.

Small favourable revenue variance is due to higher income for planning fees & charges of $93k and Ranger services of $39k, timing difference in Operating grants received of $14k, partly offset by less fees & charges from Health services of $15k and Building services of $43k.

**Technical Services**

Expenditure: Favourable variance of $ 279,419

Revenue: Favourable variance of $ 1,674,532

The favourable expenditure variance is mainly due to expenses not expended yet for Building maintenance of $225k, park services of $310k, road and footpath maintenance of $180k and underground power cost of $348k, offset by overspend in waste minimisation of $80k due to timing difference and lower on-charging of cost of $850k due to lower capital and maintenance works spend.

The favourable revenue variance is due to higher revenue from upfront payment of underground power (UGP) service charge of $1.7 M. The underground power revenue budget will be updated at budget review, with the confirmed figures based on owners who have elected to pay up-front or in 10-year instalments.

UGP – As at 30 November 2018, the City’s service charge, spend and borrowings since the commencement of the project is as follows:

|  |  |  |  |
| --- | --- | --- | --- |
| **Project** | **Service Charge****$** | **Spend****$** | **Borrowings****$** |
| Alderbury Street | $184,509 | $0 | $66,956 |
| West Hollywood | $2,280,596 | $5,495,228 | $3,574,691 |
| Alfred Road & Mt Claremont | $396,290 | $674,661 | $94,279 |
| Total | 2,861,395 | 6,169,889 | 3,735,926 |

The invoice from the Town of Cambridge for City’s share of the underground power works for the Alderbury Street project is in the process of being issued by the Town. The budgeted spend is $369k.

**Borrowings**

At 30 November 2018, we have a balance of borrowings of $8.55 M. 2018/19 budget included borrowings of $4.4M including $2.47M for the UGP based on the assumption that 75% of the owners will opt for a 10-year loan. However, only 23% of owners have opted for the 10-year loan, thus reducing the loan requirement for the owners’ portion of the UGP to $806k. This will reduce the borrowings for the year by $1.66M with an estimated total outstanding borrowings of $8.5M at year end compared to the budget of $10M.

**Net Current Assets Statement**

At 30 November 2018, net current assets were $20.2M compared to $18.1M as at 30 November 2017. This is mainly due to a net inflow of $1.2M arising from the Underground Power projects and lower creditor balance arising from lower capital expenditure.

Rates debtors outstanding are 28% as at 30 November 2018 and 30 November 2017.

Sundry debtors as at 30 November 2018 is $620k compared to $575k as at 30 November 2017. This is mainly due to outstanding contribution for All Abilities Play Space, and higher infringement balances outstanding due to increased infringement notices issued.

**Capital Works Programme**

At the end of November, the expenditure on capital works were $2.67 M with further commitments of $2.49 M which is 37.2% of a total budget of $13.88 M.

**Conclusion**

The statement of financial activity for the period ended 30 November 2018 indicates that operating expenses are under the year-to-date budget by 6.7% or $2.0 M, while revenue is above the Budget by 9.5% or $1.5 M.

**Key Relevant Previous Council Decisions:**

Nil.

**Consultation**

N/A

**Budget/Financial Implications**

As outlined in the Monthly Financial Report.

## Monthly Investment Report – November 2018

|  |  |
| --- | --- |
| **Council** | 18 December 2018 |
| **Applicant** | City of Nedlands |
| **Officer** | Vanaja Jayaraman – Manager Financial Services |
| **Director** | Lorraine Driscoll – Director Corporate & Strategy |
| **Attachments** | * + - 1. Investment Report for the period ended 30 November 2018
 |

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

Moved – Councillor Hodsdon

Seconded – Councillor Shaw

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

(Printed below for ease of reference)

**CARRIED UNANIMOUSLY 10/-**

**Council Resolution / Recommendation to Council**

**Council receives the Investment Report for the period ended 30 November 2018.**

**Executive Summary**

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

**Discussion/Overview**

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

The Investment Policy of the City, which is reviewed each year by the Audit and Risk Committee of Council, is structured so as 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 Policy of the City, which is reviewed each year by the Audit and Risk Committee of Council, is structured so as 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 30 November 2018 the City held the following funds in investments:

Municipal Funds $ 13,098,459.31

Reserve Funds $ 6,202,804.66

Total $ 19,301,263.97

The total interest earned from investments as at 30 November 2018 was $160,174.48.

The Investment Portfolio comprises holdings in the following institutions:

|  |  |  |  |
| --- | --- | --- | --- |
| **Financial Institution** | **Funds Invested** | **Interest Rate** | **Proportion of Portfolio** |
| NAB | $5,814,632.17 | 2.30% - 2.74% | 30.13% |
| Westpac | $5,663,105.55 | 2.30% - 2.75% | 29.34% |
| ANZ | $2,189,884.04 | 2.20% - 2.30%  |  11.35% |
| CBA | $5,633,642.21 | 1.30% - 2.46% | 29.18% |
| **Total** | **$19,301,263.97** |  | **100.00%** |

**Conclusion**

The Investment Report is presented to Council.

**Key Relevant Previous Council Decisions:**

Nil.

**Consultation**

Required by legislation: Yes [ ]  No [x]

Required by City of Redlands policy: Yes [ ]  No [x]

**Budget/Financial Implications**

Investment income is steady as per budget.

## Conference Attendance Request – Councillor Hodsdon & Councillor Horley – 3rd Annual Cities & Regions Summit, Melbourne from 12 to 14 March 2019

|  |  |
| --- | --- |
| **Council** | 18 December 2019 |
| **Applicant** | City of Nedlands  |
| **Officer** | Nicole Ceric, Executive Assistant to CEO & Mayor |
| **Acting CEO** | Peter Mickleson |
| **Attachments** | 1. 3rd Annual Cities & Regions Summit 2019 Programme
 |

**Councillor Hodsdon – Financial Interest**

Councillor Hodsdon disclosed a financial interest, his interest being that he is the applicant. Councillor Hodsdon declared that he would leave the room during discussion on this item.

 **Councillor Horley - Financial Interest**

Councillor Horley disclosed a financial interest, her interest being that she is the applicant. Councillor Horley declared that she would leave the room during discussion on this item.

Councillor Hodsdon left the room at 9.32 pm.

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

Moved – Councillor Shaw

Seconded – Councillor James

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

(Printed below for ease of reference)

Councillor McManus returned to the room at 9.34 pm.

**CARRIED 9/1**

**(Against: Cr. Mangano)**

**Council Resolution / Recommendation to Council**

**Council:**

1. **approves the Councillor Hodsdon’s & Councillor Horley’s request to attend the 3rd Annual Cities & Regions Summit 2019; and**
2. **accepts all costs associated with Councillor Hodsdon’s & Councillor Horley’s 3 Full day Conference registration (includes 1 x dinner ticket per registration), attendance and incidental costs.**

**Executive Summary**

The purpose of this report is to seek Council approval for the Councillor Hodsdon & Councillor Horley to attend the 3rd Annual Cities & Regions Summit 2019 being held in Melbourne from 12 to 14 March 2019.

**Discussion / Overview**

**Background**

The Council has a budget for elected members to attend training and conferences. This budget is usually underspent due to elected members work commitments or other obligations.

**Discussion**

Benefits of attending this Summit is the opportunity to hear from, meet and interact with leading industry worldwide and peers with the focus on planning a better future. Includes local and state government leaders in their field, technology innovators worldwide and academics. Range of subjects from technology, smart governance and best practice planning. An example topic is how to develop a clear vision around environmental and financial sustainability in urban development.

Discussions are designed to find solutions to critical urban challenges and develop strategies to support future growth and liveability of local areas and regions.

Councillor Hodsdon & Councillor Horley requests that Council pay for:

* Conference Registration $3590.00
* Incidental Costs (approximately) $400.00
* Economy Airfare (approximately) $1200.00
* Accommodation (4 nights) (approximately) $1500.00

TOTAL $6690.00

**Key Relevant Previous Council Decisions:**

Nil.

**Consultation**

Required by legislation: Yes [ ]  No [x]

Required by City of Nedlands policy: Yes [ ]  No [x]

No public consultation required.

**Budget/Financial Implications**

Within current approved budget: Yes [x]  No [ ]

Requires further budget consideration: Yes [ ]  No [x]

The 2017/18 budget for Members of Council Conferences & Meetings is $15,000. At 14 December 2018, $3181.66 had been allocated. The Mayor’s request to attend the 4th CRC Water Sensitive Cities National Conference is within the current approved budget.

Councillor Hodsdon & Councillor Horley returned to the room at 9.39 pm.

## Conference Attendance Request – Mayor Hipkins to Attend 4th CRC Water Sensitive Cities National Conference, Brisbane from 26 to 28 March 2019 & 4th International Street Lighting & Smart Controls Conference, Sydney from 2 to 4 April 2019

|  |  |
| --- | --- |
| **Council** | 18 December 2019 |
| **Applicant** | City of Nedlands  |
| **Officer** | Martyn Glover, Director Technical Services |
| **Acting CEO** | Peter Mickleson |
| **Attachments** | 1. 4th CRC Water Sensitive Cities National Conference Programme
2. 4th International Street Lighting & Smart Controls Conference, Sydney from 2 to 4 April 2019 Programme
 |

**Mayor Hipkins – Financial Interest**

Mayor Hipkins disclosed a financial interest, his interest being that he is the applicant. Mayor Hipkins declared that he would leave the room during discussion on this item.

Mayor Hipkins left the room at 9.40 pm.

Councillor Hassell assumed the Chair.

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

Moved – Councillor James

Seconded – Councillor Shaw

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

(Printed below for ease of reference)

Amendment

Moved - Councillor Argyle

Seconded - Councillor de Lacy

That Mayor Hipkins pays his own air fares from Brisbane to Sydney and Sydney to Perth.

The AMENDMENT was PUT and was

LOST 3/8

(Against: Deputy Mayor Hassell Crs. Hodsdon

James Shaw Horley McManus & Smyth)

**The Original Motion was PUT and was**

**CARRIED 8/3**

**(Against: Crs. Mangano de Lacy & Wetherall)**

**Council Resolution / Recommendation to Council**

**Council:**

1. **approves the Mayor’s request to attend the 4th CRC Water Sensitive Cities National Conference being held in Brisbane from 26 to 28 March 2019;**
2. **accepts incidental costs;**
3. **accepts the provision of hospitality offered by the CRCWSC to cover the Mayor’s airfares and accommodation;**
4. **approves the Mayor’s request to attend the 4th IPWEA International Street Lighting and Smart Controls Conference, Sydney from 2 to 4 April 2019; and**
5. **accepts all costs associated with the Mayor’s 3 Full day Conference registration (includes 1 x dinner ticket), attendance, air fares, accommodation and incidental costs;**

**Executive Summary**

The purpose of this report is to seek Council approval for the Mayor to attend the 4th CRC Water Sensitive Cities National Conference being held in Brisbane from 26 to 28 March 2019 and the 4th IPWEA International Street Lighting and Smart Controls Conference being held in Sydney from 2 to 4 April 2019.

**Discussion / Overview**

**Background**

The City of Nedlands is recognized as a leader for both its management of ground water resources and the introduction of LED street lighting and smart control.

**Discussion**

The Mayor has previously represented the City at both CRCWSC and Street Light/Smart Control Conferences which has contributed to the City of Nedlands activities in these areas. The City is a member of the CRCWSC.

Projects such as the Nedlands (West Hollywood) Underground Power Program street lighting and the Carrington Park subterranean infiltration facility had their genesis at previous conferences.

The conferences are close together, so it would be recommended the Mayor remain in the Eastern States between the two and the Director Technical Services has offered to arrange visits to lighting and water conservation projects for the City’s and the Mayor’s interest.

The Director Technical Services has CEO approved attendance at the 4th IPWEA International Street Lighting and Smart Controls Conference.

The approximate value of the hospitality to be provided to the Mayor for the 4th CRC Water Sensitive Cities National Conference, Brisbane from 26 to 28 March 2019:

* Economy Airfare $500.00
* Accommodation (4 nights) $600.00
* Conference Registration $850.00

The Mayor requests that Council pay for:

* Incidental Costs (approximately) $200.00

TOTAL $200.00

For the 4th IPWEA International Street Lighting and Smart Controls Conference, Sydney from 2 to 4 April 2019 the Mayor requests that Council pay for:

* Conference Registration $1500.00
* Economy Airfare (approximately) $1200.00
* Accommodation (4 nights) (approximately) $800.00
* Incidental Costs (approximately) $200.00

TOTAL $3700.00

**Key Relevant Previous Council Decisions:**

Nil.

**Consultation**

Required by legislation: Yes [ ]  No [x]

Required by City of Nedlands policy: Yes [ ]  No [x]

No public consultation required.

**Budget/Financial Implications**

Within current approved budget: Yes [x]  No [ ]

Requires further budget consideration: Yes [ ]  No [x]

The 2017/18 budget for Members of Council Conferences & Meetings is $15,000. At 14 December 2018, $3181.66 had been allocated. The Mayor’s request to attend the 4th CRC Water Sensitive Cities National Conference is within the current approved budget.

The Mayor returned to the room at 9.58 pm and assumed the Chair.

# Elected Members Notices of Motions of Which Previous Notice Has Been Given

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

## Councillor Horley – Public Open Space

At the Council meeting on 27 November Councillor Horley gave notice of her intention to move the following at this meeting.

That the areas of recreational land indicated in the City’s agenda item TS23.18 be zoned Public Open Space: (25 Strickland Street; the west end of Asquith Park; and the road reservation at the west end of Asquith Street).

**Councillor Horley deferred her Notice of Motion until the February 2019 Council Meeting.**

Justification

1. Lack of Public Open Space in the local precinct;
2. Increased density planned for this precinct;
3. The need to protect these areas from potential further decreases in POS in the future, and
4. Have the zoning reflect the land use as well as community expectations.

Administration Comment

The motion is not supported.

For clarity, Council considered options to accommodate additional parking bays within Mt Claremont’s ‘Asquith Street Precinct’ at the Council meeting in November 2018. In relation to the locations the subject of this motion:

* There was no resolution made in relation to No. 25 Strickland Street which is currently occupied by a play school and park;
* It was resolved the western side of Asquith Park be converted into a 20-bay car park; and
* It was resolved the road reservation at the western end of Asquith Street be improved with installation of 4-5 bays and construction of a playground in an area of land within the Cottesloe Golf Club.

The motion requests these three locations be reserved for Public Open Space.

Currently, Asquith Park and No. 25 Strickland Street are zoned ‘Residential’ under Town Planning Scheme No.2 (TPS 2). The road reservation at the western end of Asquith Street is not zoned under TPS 2. However, given the timing of LPS3 it would not be prudent to attempt an amendment to TPS2.

Under LPS3, changing the zone to a Public Open Space Reserve would not preclude the sites from being developed in the future with parking bays. The objective of the Public Open Space Reserve under LPS 3 is ‘To provide for a range of active and passive recreation uses such as recreation buildings and courts and associated car parking and drainage.’

However, the City’s Planning Department are progressing a Public Open Space Strategy. The POS Strategy will guide the City in prioritising future investment, acquisition, development and/or improvements to public open space.

Further, under draft Local Planning Scheme 3 (LPS 3), Asquith Park and No. 25 Strickland Street are proposed with a ‘Local Centre’ zone. It is anticipated that following LPS 3 gazettal, a Local Development Plan (LDP) can be prepared to guide future redevelopment of the shopping centre precinct which could include car parking and public open space considerations and locations. An LDP is considered the most appropriate mechanism to plan holistically for the centre’s future. This should, be undertaken prior to significant works being undertaken in the precinct.

## Councillor Hodsdon – Speed Limit Waratah Avenue

At the Council meeting on 27 November Councillor Hodsdon gave notice of his intention to move the following at this meeting.

Moved – Councillor Hodsdon

Seconded – Councillor Mangano

**That the City investigates with Main roads Department to have a 40 km/h speed limit instigated on Waratah Avenue between Alexander Road and Adelma Road.**

**CARRIED UNANIMOUSLY 12/-**

Justification

1. Very low cost.
2. Will add to the safety of the area.
3. Make it more pedestrian friendly.
4. The area is similar to the 40 km/h gone on Hampden Road

Administration Comment

To achieve a 40Km/hr speed zone, Main Roads WA requires the existing 85th percentile speed to close to or below the proposed 40Km/hr limit, that is the Local Government has created a road environment that encourages low speed. The Administration believes that the roundabout at Alexander Road and the mid-block pedestrian plateau will achieve this and consequently has every intention to apply for 40Km/hr speed zoning on Waratah Avenue between Alexander Road and Adelma Road once the works are complete. The Administration supports the Notice of Motion.

# Elected members notices of motion given at the meeting for consideration at the following ordinary meeting on 26 February 2019

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

Notices of motion for consideration at the Council Meeting to be held on 26 February 2019 to be tabled at this point in accordance with Clause 3.9(2) of Council’s Local Law Relating to Standing Orders.

## Councillor Mangano – FTE Headcount Reporting

That reporting of FTE as of the balance date be reinstated in future  Financial Reports.

Justification

For many years up to and including 2016/2017, the City of Nedlands has reported the number of FTE (Full time equivalent) employees as of the balance date (30th June) in its Annual Financial Report.

In 2017/18, this item was not stated.

It is important for elected members and the ratepayers to know the FTE number as employee costs are approximately 40% of the financial costs incurred by Council.

## Councillor de Lacy – Underground Power

Council requests the CEO to complete the detailed design for underground power for the remaining lots across the City without this service that are not part of the West Hollywood, Claremont triangle, Alfred Road or Alderbury Street projects, and present it to Council.

This is to be accompanied by a report containing analysis and recommendations on the sequencing of projects, timing, funding (including likelihood of further SUPP funding and an update on the status of Western Power’s trial of client funded projects in West Hollywood and Claremont), financing and a post completion audit of West Hollywood’s underground power project.

Justification

1. Currently $490,813 in underground power reserve.  Expected cost for a detailed design of remaining lots is approximately $200k.
2. Reduced borrowings in 2017/18 of $1,661,275 and reduced repayments of borrowings by a total of $152,974 for underground power projects given the 72% take up rate for upfront payment of underground power service charges versus the budgeted for take up rate of 25% for upfront payment.
3. If and when another round of SUPP is announced, having a detailed design ready to go if one or more of Nedlands projects secures funding, allows our City to go ahead of schedule of others that do not have a detailed design.  This is what happened with the Town of Cambridge’s successful bid for SUPP Round 6 funding.  This is important because the last time the City secured funding in SUPP (which was Round 3) there was a 2-3-year delay in actual delivery of the project which increased initial cost estimates provided to residents thereby causing problems.
4. Ratepayers raised questions at the 2018 Annual Elector’s meeting about the Council’s ambitious target to complete underground power by 2030 and whether this really reflected it being the number one priority for Council.  This interest in the issue plus the fact that 72% of landowners elected to pay upfront for underground power in West Hollywood is indicative of the need for Council to prepare a report examining funding and financing options ahead of a review of the 10-year financial plan.
5. Information obtained from Western Power via the Hon Bill Marmion’s questions in Parliament indicates that Western Power will need to reinforce or replace 138 poles across our City by 2026.  This could cost Western Power about $1.141m.  Given the benefits to West Hollywood residents and the City in terms of cost reductions by ‘upgrading’ a planned project in West Hollywood to replace 84 poles with underground power, it would be beneficial to discuss these plans with Western Power with a view to ‘upgrading’ this work to underground power.  We will be in a much better position to do this if we have the detailed design complete.

Administration Comment

It is anticipated that the cost to prepare the detail design for the remaining 1,707 lots will be in order of $250k and will take approximately eight months to prepare. The Administration had intended to list this as a project for the 2019/20 budget. The City has insufficient resources to commence any earlier and audited reports on the completion of the current projects from Western Power are unlikely to be available until June/July 2019 at the earliest.

# Urgent Business Approved By the Presiding Member or By Decision

Nil.

# Confidential Items

Nil.

# Declaration of Closure

There being no further business, the Presiding Member declared the meeting closed at 10.00 pm.