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***Minutes***

***Council Meeting***

***26 November 2019***

**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 26 November 2019 at 7 pm.**

# Declaration of Opening

The Presiding Member declared the meeting open at 7 pm and will draw 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** Her Worship the Mayor, C M de Lacy (Presiding Member)

Councillor F J O Bennett Dalkeith Ward

Councillor W R B Hassell Dalkeith Ward

Councillor A W Mangano Dalkeith Ward

Councillor B G Hodsdon Hollywood Ward

Councillor J D Wetherall Hollywood Ward

Councillor R A Coghlan Melvista Ward

Councillor G A R Hay Melvista Ward

Councillor R Senathirajah 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 M A Goodlet Chief Executive Officer

Mrs L M Driscoll Director Corporate & Strategy

Mr P L Mickleson Director Planning & Development

Mr J Duff Director Technical Services

Mrs N M Ceric Executive Assistant to CEO & Mayor

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

**Press** The Post Newspaper & Western Suburbs Newspaper representatives.

**Leave of Absence** Nil.

**(Previously Approved)**

**Apologies** Nil.

**Disclaimer**

Members of the public who attend Council meetings should not act immediately on anything they hear at the meetings, without first seeking clarification of Council’s position. For example, by reference to the confirmed Minutes of 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.

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# Public Question Time

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

## Mr Ian Love, 70 Kingsway, Nedlands

Question 1

The below proposed amendment to the R-Codes gives an important planning control a discretionary matter for the City planning dept.

LPS 3 modification of R-Codes 4.1 Street setback 4.1.1

The following Local Housing Objective provides guidance for decision making in considering a development application which does not meet the Design Principles of 5.1.2 Street Setback: (a) Where a lot has a significant site constraint (including but not limited to an irregular configuration, topography changes or being considerably undersized for the assigned density code), which prevents the setback of a dwelling being consistent with an established streetscape, a reduced setback may be considered appropriate where the mass and form of the building is designed with an appropriate bulk and scale which minimises impact to the streetscape.

I have been advised that the WAPC will not approve any new controls, such as block size changes to R-Codes.

If it is the case that the WAPC are expected to approve of this change why is it that measures to increase planning control are not similarly approved?

Answer 1

The amendment to the R-Codes gives discretion to the decision maker be that Administration under delegated authority from Council, the Council, the JDAP or the SAT.

The second part of the question should be directed to the WAPC however the following applies:

Clause 7.3 R Codes V1 SPP7.3. Scope of local planning policies, local development plans and activity centre plans in relation to R Codes V1.

This clause in 7.3.1 and 7.3.2 outlines which areas of the R Codes the Local Government can amend or replace the deemed to comply provisions set out in Part 5 of the Codes. This clause outlines that street setbacks are included in this category. Clause 5.1.1 of the R Codes V1 (SPP7.3) Site Area, this clause stipulated the deemed to comply provisions for development site area, this also relates to subdivision / lot size within the designated R Coding and references Table 1. Any variation to lot size, including 5% lot variance is at the discretion of the WAPC not the Local Government.

Question 2

What will be the transparent and objective criteria the planning department use to determine if they will exercise their discretion?

Answer 2

The guidance for the decision maker will be as per the Local Housing objective where it states, "where the mass and form of the building is designed with an appropriate bulk and scale which minimises impact to the streetscape". The application of the policy and this clause will always relate back to the policy objectives and will require the applicant to provide justification.

# Addresses by Members of the Public

Mr Ian Love, 70 Kingsway, Nedlands PD43.19

(spoke in support to the recommendation)

Dr Freya Keogh, 42 Jutland Parade, Dalkeith PD44.19

(spoke in opposition to the recommendation)

Mr Tom Hockley, Allerding & Associates,

125 Hamersley Road, Subiaco PD44.19

(spoke in opposition to the recommendation)

Mrs Janine Lindsay, 41A Pawlett Way, Karrinyup PD45.19

(spoke in support of the recommendation)

Mr Ian Love, 70 Kingsway, Nedlands PD47.19

(spoke in opposition to the recommendation)

Dr Gary Ward, 16 Cooper Street, Nedlands 13.5

(spoke in opposition to the recommendation)

Mr Ian Love, 70 Kingsway, Nedlands 16.1

(spoke in opposition to the recommendation)

Mr Stephen Quantrill, 23A Airlie Street, Claremont

UWA – Nedlands Football Club

(spoke in relation to UWA – Nedlands Football Club progress & appreciation to Council)

Mr Arthur Hiemstra, President, UWA- Nedlands Football Club

(spoke in relation to UWA – Nedlands Football Club progress & appreciation to Council)

Mr Rod Griffiths, 30 Swansea Street, Swanbourne

(spoke in relation to Capital Works Programme – Allen Park Cottage)

# Requests for Leave of Absence

Moved – Councillor Hassell

Seconded – Councillor Hay

**Councillor Hodsdon be granted leave of absence from 13 December 2019 to the 20 February 2020.**

**CARRIED UNANIMOUSLY 12/-**

# Petitions

## Ms Maria del Carmen Tutor, 8A Alexander Road, Dalkeith – Alexander Road – Height of Dwellings

The Chief Executive Officer tabled a petition on behalf of Ms Maria De Carmen Tutor of 8A Alexander Road, Dalkeith and 268 petitioners requesting that the Council consider our application to retain the height of dwellings for Alexander Road, Dalkeith, between Phillip Road and Waratah Avenue (house numbers 1-10) at the current 2 Storey height limit so that the elevations are consistent with the existing streetscape (10 metre height to roof).

Moved – Councillor Mangano

Seconded – Councillor Hay

**That Council received the petition.**

**CARRIED UNANIMOUSLY 12/-**

# 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.

There were no disclosures of financial interest.

# 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*.

There were no disclosures affecting impartiality.

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

Councillor Hassell advised he had not given due consideration to paper in regard to item 16.1.

# Confirmation of Minutes

## Ordinary Council Meeting 22 October 2019

Moved – Councillor Coghlan

Seconded – Councillor Hodsdon

**The Minutes of the Ordinary Council Meeting held 22 October 2019 be confirmed.**

**CARRIED UNANIMOUSLY 12/-**

# Announcements of the Presiding Member without discussion

Mayor de Lacy advised that her first month as Mayor of Nedlands has gone by very quickly.

Building relationships and community is core to my role as Mayor and so I have been busily meeting with local community groups, businesses and schools to listen to their issues and help advise them on ways to achieve their goals. From the Waratah Avenue, Broadway and Hampden Rd commercials precincts, to Allen Park and Hollywood bushland, Nedlands Tennis and Golf Clubs, and Shenton College, Hollywood and Quintilian Primary Schools there is a lot of community spirit in our City which I am keen to harness.

This month saw us gather to celebrate the amazing work our volunteers do across our City, and to sincerely thank them for the time they so generously give. Our volunteer rates are much higher than the national average, so we do punch above our weight in this area.

On the 11th we gathered in the Commonwealth War Graves Cemetery for Remembrance Day. A very touching event led by the Nedlands RSL Subbranch and Barry Nunn. So good to see local primary schools marking this day with us and students making their teachers and parents very proud.

I attended my first WESROC forum discussing issues that cross local government boundaries, for which in the western suburbs there are many! Managing groundwater for our parks and ovals, aged care, glyphosate use, citizenship ceremonies and the recent elections were all discussed.

With November also Bike Month I’ve done my very best to get out of my car and ride to meetings. It’s been a great way to get a better feel for our suburb and I took a ride past the Safe Active Street under construction. I also rode to a morning tea at Shenton College with the School Chaplains, who along with the Principal, were most impressed that I rode my bike!

Opening two new tennis courts at Nedlands Tennis Club this month has been a big highlight for me, as I am aware how long the Club has been on the journey with the project and it’s so great our City could contribute. Finally, I thoroughly enjoyed participating in the first Bush School lesson that Hollywood Primary undertook with our City and Friends of Hollywood Reserve. Great to see children getting back to nature!

# Members announcements without discussion

## Councillor Smyth

Councillor Smyth advised she had attended the following events and meetings during November 2019.

* Friends of Allen Park Bushland Group Meeting – 1 November 2019 6.00pm at Matty Furphy House, Allen Park

Friends of Allen Park Bushland Group AGM – Ward Councillors Informal Report

* AAM Live 19–- 4 November 2019 at 1:00pm at the City of Perth

Update on Smart City Technology Options

* Volunteer Appreciation Event - 4 November 2019 at 5:30pm at John Leckie Pavillion

City & Councillors outreach to our Volunteers and show appreciation

* Lake Claremont Advisory Committee meeting - 7 November 2019 at 8:00am at the Town of Claremont

Agenda & Minutes available on ToC website <https://www.claremont.wa.gov.au/Council/Committee-and-Council-Meetings>

* Residents Meeting - 7 November 2019 at 5:30pm Hakea Room, Mt Claremont Community Centre

Subject: Montgomery Avenue Retaining Wall and closed footpath.

* Metro West JDAP meeting - 11 November 2019 at 9:00am at the City of Nedlands to determine the following applications:

Lot 684 (135) Broadway, Nedlands, Serviced Apartments.

* Business Sundowner - 11 November 2019 at 5:30pm at the Adam Armstrong Pavilion, Dalkeith.

City & Councillors outreach to Businesses that operate in the area.

* Friends of Allen Park Meeting – 25 November 2019 6pm at Allen Park Cottage

Cottage Refurbishment Status Review, introduction for Mayor.

# 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 Hodsdon

Seconded – Councillor Hay

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

**Council Committee 8 October 2019**

Unconfirmed, circulated to Councillors on 16 October 2019

**CARRIED UNANIMOUSLY 12/-**

**Note: As far as possible all the following reports under items 12.2, 12.3 12.4 and 12.5 will be moved en-bloc and only the exceptions (items which Councillors wish to amend) will be discussed.**

En Bloc

Moved - Councillor Hassell

Seconded – Councillor Hay

**That all Committee Recommendations relating to Reports under items 12.2, 12.3, 12.4 and 12.5 with the exception of Report Nos. PD44.19 & CM06.19 are adopted en bloc.**

**CARRIED UNANIMOUSLY 12/-**

## Planning & Development Report No’s PD42.19 to PD47.19 (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.

|  |  |
| --- | --- |
| **PD42.19** | **Nedlands Town Centre Precinct Plan (Local Planning Policy) – Additional Budget Required** |
|  | |
| **Committee** | 12 November 2019 |
| **Council** | 26 November 2019 |
| **Applicant** | City of Nedlands |
| **Director** | Peter Mickleson – Director Planning & Development |
| **Employee Disclosure under *section 5.70 Local Government Act 1995*** | The report writer previously worked with an Urban Planner who is now employed by a consultancy which provided a price estimate to the City for traffic services. |
| **Previous Item** | Nil |
| **Attachments** | 1. Summary of Estimate Responses (Confidential) |

Moved – Councillor Hassell

Seconded – Councillor Hay

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

(Printed below for ease of reference)

**CARRIED UNANIMOUSLY EN BLOC12/-**

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

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

**Council:**

1. **instructs the CEO to undertake additional analysis regarding traffic and movement as well as built form and urban design analysis to further test the Draft Nedlands Town Centre Precinct Plan (Local Planning Policy) prior to advertising; and**
2. **approves the additional budget funding of $125,000, in addition to its existing budget, for the purpose of engaging consultants to deliver built form and traffic modelling for the draft Nedlands Town Centre Precinct Plan.**

|  |  |
| --- | --- |
| **PD43.19** | **Broadway Precinct Plan (Local Planning Policy) – Additional Budget Request** |
|  | |
| **Committee** | 12 November 2019 |
| **Council** | 26 November 2019 |
| **Applicant** | City of Nedlands |
| **Director** | Peter Mickleson – Director Planning & Development |
| **Employee Disclosure under section 5.70 Local Government Act 1995** | The report writer previously worked with someone who now works for a traffic consultancy which provided a price estimate. |
| **Previous Item** | Nil |
| **Attachments** | 1. Summary of Estimate Responses (Confidential) |

Moved – Councillor Hassell

Seconded – Councillor Hay

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

(Printed below for ease of reference)

**CARRIED UNANIMOUSLY EN BLOC12/-**

**Council Resolution / Committee Recommendation**

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

**Council:**

1. **instructs the CEO to commence the development of the Broadway Precinct Plan as a Local Planning Policy;**
2. **instructs the CEO to undertake additional analysis regarding traffic and movement, community engagement and urban design analysis and modelling of the built form to provide adequate supporting documentation for preparation of the Broadway Precinct Plan;**
3. **approves the additional budget funding of $110,000, in addition to its existing budget, for the purpose of engaging consultants to deliver community engagement, built form and urban design, traffic modelling and the Precinct Plan for the Broadway area; and**
4. **instructs the CEO to undertake negotiations with the City of Perth in regard to funding the traffic study.**

Recommendation to Committee

Council:

1. instructs the CEO to commence the development of the Broadway Precinct Plan as a Local Planning Policy;
2. instructs the CEO to undertake additional analysis regarding traffic and movement, community engagement and urban design analysis and modelling of the built form to provide adequate supporting documentation for preparation of the Broadway Precinct Plan; and
3. approves the additional budget funding of $110,000, in addition to its existing budget, for the purpose of engaging consultants to deliver community engagement, built form and urban design, traffic modelling and the Precinct Plan for the Broadway area.

|  |  |
| --- | --- |
| **PD44.19** | **No. 40 Jutland Parade, Dalkeith – Additions (Stair landing) to Single House (Retrospective)** |
|  | |
| **Committee** | 12 November 2019 |
| **Council** | 26 November 2019 |
| **Applicant** | Urbanista Town Planners |
| **Landowner** | Mr M R Franco |
| **Director** | Peter Mickleson – Director Planning & Development |
| **Employee Disclosure under section 5.70 Local Government Act 1995** | Nil. |
| **Report Type**  Quasi-Judicial | When Council determines an application/matter that directly affects a person’s right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications and other decisions that may be appealable to the State Administrative Tribunal. |
| **Reference** | DA19/39448 |
| **Previous Item** | DA14/307 – PD17.3 (of 2015) |
| **Delegation** | In accordance with the City’s Instrument of Delegation, Council is required to determine the application due to objections being received. |
| **Attachments** | 1. Site photographs 2. Department of Biodiversity, Conservation and Attractions referral response. 3. Applicant’s justification 4. Plans (Confidential) 5. Submission (Confidential) |

Moved – Councillor Hay

Seconded – Councillor Senathirajah

That the Recommendation to Committee be adopted.

(Printed below for ease of reference)

Lost 2/10

(Against: Mayor de Lacy Crs. Horley McManus Smyth Bennett Hassell Mangano Hodsdon Wetherall & Coghlan)

Moved – Councillor Mangano

Seconded – Councillor Bennett

**Council Resolution**

**Regulation 11(da) – The applicant has a history of not complying with his development approvals and therefore Council determined that it should do the right thing by the ratepayers and refuse this retrospective application.**

**That Council does not approve the retrospective development application dated 10 September 2019 for Additions (Stair landing) to Single House at No. 40 (Lot 1000) Jutland Parade, Dalkeith.**

**CARRIED 11/1**

**(Against: Cr. Wetherall)**

Please note: No recommendation was made at Committee.

Recommendation to Committee

Council approves the retrospective development application dated 10 September 2019 for Additions (Stair landing) to Single House at No. 40 (Lot 1000) Jutland Parade, Dalkeith, 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; and
2. The previous development approval (DA18/33555, dated 15 August 2019) and conditions there-in, remain in effect. This excludes the plans approved as part of the previous development application.

Advice Notes specific to this proposal:

1. The applicant shall make application to the City’s Building Services for a Building Permit, to acknowledge any unauthorised works.

|  |  |
| --- | --- |
| **PD45.19** | **No. 96-100 Stirling Highway, Nedlands – Extension of a Non-Conforming Use (Cinema)** |
|  | |
| **Committee** | 12 November 2019 |
| **Council** | 26 November 2019 |
| **Applicant** | Ecologic Homes – Janine Lindsay |
| **Landowner** | Atari |
| **Director** | Peter Mickleson – Director Planning & Development |
| **Employee Disclosure under section 5.70 Local Government Act 1995** | Nil |
| **Report Type**  Quasi-Judicial | When Council determines an application/matter that directly affects a person’s right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications and other decisions that may be appealable to the State Administrative Tribunal. |
| **Reference** | DA19/34537 |
| **Previous Item** | Nil |
| **Delegation** | The City’s Instrument of Delegation allows Administration to determine applications involving the extension of a non-conforming use, however due to the parking shortfall this application has been referred to Council for determination. |
| **Attachments** | 1. External Referral Comments 2. Applicant Justification 3. Site photographs 4. Draft LPP – Parking 5. Plans (Confidential) 6. Assessment (Confidential) 7. Shared Car Parking Agreement (Confidential) |

Moved – Councillor Hassell

Seconded – Councillor Hay

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

(Printed below for ease of reference)

**CARRIED UNANIMOUSLY EN BLOC12/-**

**Council Resolution / Committee Recommendation**

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

**Council approves the development application dated 8 August 2019 for extension of non-conforming use (cinema) at No. 96 (Lot 2) and 100 (Lot 123) Stirling Highway, 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 extension of the cinema and associated works.**
3. **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.**
4. **The development, hereby approved, shall at all times comply with the definition of a cinema land use, as defined in the City of Nedlands Local Planning Scheme No. 3.**
5. **A Car Parking Management Plan shall be lodged with and approved by the City of Nedlands. All measures included in the Car Parking Management Plan shall be implemented and complied with at all times to the satisfaction of the City of Nedlands.**
6. **Prior to the occupation of the development, the owners/occupiers is to enter into a legal agreement with the adjoining tenancies (Maharajas Restaurant located on 96 Stirling Highway and Surrounds located on 102 Stirling Highway) to provide for reciprocal rights of vehicular parking between the lots. The legal agreement is to be vetted by the City’s solicitors at the expense of the owners/occupiers.**
7. **An Acoustic Report prepared by a suitably qualified Acoustic Consultant or Engineer, demonstrating compliance with the Environmental Protection (Noise) Regulations 1997 shall be lodged with and approved by the City prior to the commencement of the development. All of the recommended measures included in the approved Acoustic Report shall be implemented as part of the development, to the satisfaction of the City prior to the submission of a building permit use or occupation of the development and maintained thereafter to the satisfaction of the City at the expense of the owners/occupiers.**
8. **Amended plans shall be submitted with the building permit demonstrating that the development has incorporated noise mitigation measures, in accordance with 'State Planning Policy 5.4 Road and Rail Transport Noise and Freight Considerations in Land Use Planning - Implementation Guidelines'. The drawings and specifications contained within that application are to be to the specifications and satisfaction of the City of Nedlands and thereafter implemented by the landowner/applicant to the satisfaction of the City of Nedlands.**
9. **The proposed cinema on No. 96 Stirling Highway (lot 96) shall not operate independently of the existing cinema at No. 100 (lot 123) Stirling Highway.**

**Advice Notes specific to this proposal:**

1. **In relation to Condition 4, a cinema/theatre is defined as ‘a premises where the public may view a motion picture or theatre production’.**

1. **All works in the proposed development shall comply with National Construction Code Building Code of Australia (NCC BCA) Vol. 1.**
2. **The applicant is advised that separation of development across lot boundaries or to adjoining buildings will require further investigation. The City’s Building department advises that the building could be considered as a “United Building” however it must be fire separated from the adjacent restaurant and shall have standalone fire services for the additional cinema which will be operated in unison with the reminder of the Windsor Cinema site.**
3. **The applicant is advised that in order to achieve a building permit, plans shall be provided which demonstrate compliance with Australian Standards AS1428 and Part D3 – Access for People with a Disability of the NCC BCA as applicable.**
4. **The applicant is advised that in order to achieve a building permit, plans shall be provided with the Building Permit Application which shall demonstrate compliance with Section E – Services & Equipment of the NCC BCA as applicable.**
5. **Upon completion of building works for the cinema addition the builder shall apply for an Occupancy Permit. The development shall not be occupied until such time as an Occupancy Permit is granted by the Permit Authority (City of Nedlands).**
6. **The applicant shall lodge with the City a Form 1 Application to Construct, Extend or Alter a Public Building, prior to the City issuing a Building Permit.**
7. **Upon completion of construction and/or fit-out works, applicant shall lodge with the City a Form 2 Application for Certificate of Approval and a Form 5 Certificate of Electrical Compliance which has been completed by a licensed electrician.**
8. **In relation to condition 5, An Acoustic Report must address the following as a minimum, with consideration of noise sensitive residences and commercial premises likely to be impacted by the development:**
9. **Noise modelling, demonstrating compliance, for the proposed development including consideration of operational times and noise from audio-visual equipment associated with the use of the cinema;**
10. **All plant, equipment, air conditioners/refrigeration/compressor equipment and any other mechanically operated systems; and**
11. **Construction noise management.**
12. **All internal water closets 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.**
13. **Adequate staff and public sanitary conveniences shall be provided in accordance with the Building Code of Australia.**
14. **The landowner is advised that all mechanical equipment (e.g. air-conditioner, swimming pool or spa) is required to comply with the Environmental Protection (Noise) Regulations 1997, in relation to noise.**
15. **The current Certificate of Accommodation, issued under the Health (Public Building) Regulations 1992 issued in 2013 limits the capacity of the Windsor Cinema site to 460 in total, based on the number of available female sanitary facilities. The Plans associated with this Development Application appear to provide additional toilets, which may permit an increased capacity, however more detailed plans will need to be provided to allow for this determination. Sanitary facilities provided to be compliant with the BCA;**
16. **As plans indicate that there is only one designated exit for Cinema 4, the maximum capacity is limited to 50 persons.**

Recommendation to Committee

Council refuses the development application dated 8 August 2019 for extension of non-conforming use (cinema) at No. 96 (Lot 2) and 100 (Lot 123) Stirling Highway, for the following reasons:

1. Having regard to clause 67(s) of Schedule 2 (Deemed Provisions) of Planning and Development (Local Planning Schemes) Regulations 2015 and the provisions of draft Local Planning Policy – Parking, the application is not considered to provide adequate number of car parking bays; and
2. The application does not comply with the requirements of Table 6, Clause 32.2 of the Scheme relating to Shared Car Parking provision given that the applicant has not demonstrated the shared car parking on any adjoining or nearby site.

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| **PD46.19** | **No. 72 Louise Street, Nedlands – Two Grouped Dwellings** |
|  | |
| **Committee** | 12 November 2019 |
| **Council** | 26 November 2019 |
| **Applicant** | Timothy Jones |
| **Landowner** | Mary Uttamchandani & Thui Wong |
| **Director** | Peter Mickleson – Director Planning & Development |
| **Employee Disclosure under section 5.70 Local Government Act 1995** | Nil. |
| **Report Type**  Quasi-Judicial | When Council determines an application/matter that directly affects a person’s right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications and other decisions that may be appealable to the State Administrative Tribunal. |
| **Reference** | DA19/34945 |
| **Previous Item** | Nil |
| **Delegation** | In accordance with the City’s Instrument of Delegation, Council is required to determine the application due to objections being received. |
| **Attachments** | 1. Site photographs 2. SAT case – Corp and Town of Cambridge [2019] WASAT 65 3. Plans (Confidential) 4. Assessment (Confidential) 5. Submissions (Confidential) |

Moved – Councillor Hassell

Seconded – Councillor Hay

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

(Printed below for ease of reference)

**CARRIED UNANIMOUSLY EN BLOC12/-**

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

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

**Council refuses the development application dated 13 March 2019 for two grouped dwellings at No. 72 (Lot 189) Louise Street, Nedlands for the following reasons:**

1. **The development does not satisfy the deemed-to-comply requirements of clause 5.1.1 - Site area of the Residential Design Codes, which are not subject to variation or Clause 67 (a) of the Planning and Development Regulation (Local Planning Schemes) Regulations 2015;**
2. **The development does not comply with non-discretionary clause 2.5.3 of the Residential Design Codes, in so far as the development varies the minimum site area requirement set out in Table 1;**
3. **The development does not satisfy the design principles for clause 5.1.2 - Street setback of the Residential Design Codes, due to the proposed street setback of the development which is inconsistent with the established streetscape;**
4. **The development does not satisfy the design principles for clause 5.1.3 – Lot boundary setback Residential Design Codes, due to the proposed rear setback which will add to the perception of bulk and adversely affect the amenity of the locality and streetscape;**
5. **The development does not satisfy the design principles for clause 5.1.4 – Open space and Residential Design Codes, as the development is not consistent with or contribute to the existing streetscape character;**
6. **The proposal is not considered an ancillary dwelling due to its size and scale. Regardless, if it were to be considered an ancillary dwelling by Council, it does not satisfy the design principles of the clause 5.5.1 - Ancillary Dwellings of the Residential Design Codes;**
7. **The development does not comply with Clause 67 (a), (m) and (n) of the Planning and Development Regulation (Local Planning Schemes) Regulations 2015 as the proposed size and design of the development will negatively impact on the character of the locality and relationship of the building to the existing streetscape context and surrounding properties; and**
8. **The development does not satisfy the clause 1.3.1 – General objectives for residential development of the Residential Design Codes in so far as the development is not an appropriate design for the intended density and development context.**

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| **PD47.19** | **Local Planning Scheme 3 – Local Planning Policy Short Term Accommodation** |
|  | |
| **Committee** | 12 November 2019 |
| **Council** | 26 November 2019 |
| **Applicant** | City of Nedlands |
| **Director** | Peter Mickleson – Director Planning & Development |
| **Employee Disclosure under section 5.70 Local Government Act 1995** | The report writer previously worked with an Urban Planner who is now employed by a consultancy which provided a price estimate to the City for traffic services. |
| **Previous Item** | Council Meeting 27 August 2019 – PD31.19 |
| **Attachments** | 1. Draft Short-Term Accommodation LPP 2. Draft Short-Term Accommodation LPP – tracked changes |

Moved – Councillor Hassell

Seconded – Councillor Hay

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

(Printed below for ease of reference)

**CARRIED UNANIMOUSLY EN BLOC12/-**

**Council Resolution / Committee Recommendation**

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

**Council:**

1. **adopts the Short-Term Accommodation Local Planning Policy, with modifications as set out in Attachment 1, in accordance with the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2, Part 2, Clause 4;**
2. **approves a 6-month amnesty period from December 2019 until May 2020 (inclusive) for any retrospective change of use applications received for short-term accommodation uses as defined in the Short Term Accommodation Local Planning Policy where they will be charged the standard change of use fee rather than the retrospective (3 times) fee; and**
3. **instructs the CEO when the State Government makes amendments to the deemed provisions, the CEO is to review and amend the relevant Local Planning Policy as required for presentation to Council for approval.**

Recommendation to Committee

Council:

1. adopts the Short-Term Accommodation Local Planning Policy, with modifications as set out in Attachment 1, in accordance with the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2, Part 2, Clause 4; and
2. approves a 6-month amnesty period from December 2019 until May 2020 (inclusive) for any retrospective change of use applications received for short-term accommodation uses as defined in the Short Term Accommodation Local Planning Policy where they will be charged the standard change of use fee rather than the retrospective (3 times) fee.

## Technical Services Report No’s TS20.19 to TS21.19 (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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| **TS22.19 Bishop Road Reserve Enviro-scape Master Plan** |

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| --- | --- |
| **Committee** | 12 November 2019 |
| **Council** | 26 November 2019 |
| **Applicant** | City of Nedlands |
| **Employee Disclosure under *section 5.70 Local Government Act 1995*** | Nil. |
| **Director** | Jim Duff – Director Technical Services |
| **Attachments** | 1. Bishop Road Reserve Enviro-scape Master Plan 2. Bishop Road Reserve Enviro-scape Master Plan Flyer |

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

Moved – Councillor Hassell

Seconded – Councillor Hay

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

(Printed below for ease of reference)

**CARRIED UNANIMOUSLY EN BLOC12/-**

**Council Resolution / Committee Recommendation**

**That this item be deferred for costings to be provided for future projects and the matter is returned to Council for further consideration.**

Recommendation to Committee

Council:

1. endorses the Bishop Road Reserve Enviro-scape Master Plan concept; and
2. agrees to include an item in the 2019/20 midyear budget review to consider approving funding of $66,096, previously approved in the 2018/19 capital works budget, for the upgrade of the irrigation system and associated works at Bishop Road Reserve.

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| **TS23.19 2019/20 Budget – Variation of Adopted Capital Works Budget** |

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| --- | --- |
| **Committee** | 12 November 2019 |
| **Council** | 26 November 2019 |
| **Applicant** | City of Nedlands |
| **Employee Disclosure under *section 5.70 Local Government Act 1995*** | Nil. |
| **Director** | Jim Duff – Director Technical Services |
| **Attachments** | 1. Proposed Capital Works Budget Variations |

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

Moved – Councillor Hassell

Seconded – Councillor Hay

**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 variation of the adopted 2019/20 budget in accordance with the proposed change to the capital works budget as detailed in Attachment 1:**

1. **deferral of $61,770 in funding allocated to College Park Relocation of Eastern Turf Wicket, to be included in a future financial year following completion of the Strategic Recreational Plan;**
2. **surplus from three (3) Parks and Reserves capital project budgets totaling $369,575, resulting from savings following project completion;**
3. **include funding of $132,024 to be allocated Annie Dorrington Park New Playground; and**
4. **include funding of $270,000 to be allocated to Swanbourne Beach Oval Rehabilitation.**

## Community Development No’s CM06.19 (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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| **CM06.19 Changes to Citizenship Ceremonies** |

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| --- | --- |
| **Committee** | 12 November 2019 |
| **Council** | 26 November 2019 |
| **Applicant** | City of Nedlands |
| **Employee Disclosure under *section 5.70 Local Government Act 1995*** | Nil. |
| **Director** | Lorraine Driscoll |
| **Attachments** | 1. Citizenship Ceremony 2019/2020 Budget Breakdown |

**Regulation 11(da) – Council is seeking Federal Government acknowledgement of the additional cost to hold Citizenship ceremonies on Australia Day.**

Moved – Councillor Hassell

Seconded – Councillor Wetherall

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

(Printed below for ease of reference)

Amendment

Moved - Councillor Hodsdon

Seconded - Councillor McManus

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

1. **Council instructs the Chief Executive Officer send a request to the federal government via our local member for the additional amount incurred due to the Citizenship Ceremony having to be held on Australia Day.**

**CARRIED 7/5**

**(Against: Mayor de Lacy Crs. Bennett Hassell**

**Wetherall & Senathirajah)**

**The Substantive Motion was PUT and was**

**CARRIED 10/2**

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

**Council Resolution**

**Council:**

1. **approves an increase for the Citizenship Ceremony budget from $10,000 to $18,707 for the financial year 2019/2020; \***
2. **approves the dress code as “attendees are required to dress in a manner appropriate to the occasion and that may also celebrate the history and cultural identity they bring to Australia”; and**
3. **instructs the Chief Executive Officer send a request to the federal government via our local member for the additional amount incurred due to the Citizenship Ceremony having to be held on Australia Day.**

Committee Recommendation / Recommendation to Committee

Council:

1. approves an increase for the Citizenship Ceremony budget from $10,000 to $18,707 for the financial year 2019/2020; and \*

2. approves the dress code as “attendees are required to dress in a manner appropriate to the occasion and that may also celebrate the history and cultural identity they bring to Australia”.

\*ABSOLUTE MAJORITY REQUIRED

## Corporate & Strategy Report No’s CPS16.19 to CPS17.19 (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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| **CPS16.19 Western Suburbs Cricket Club Inc. – Management Licence of John Leckie Pavilion Clubrooms – Reserve 1670** |

|  |  |
| --- | --- |
| **Committee** | 12th November 2019 |
| **Council** | 26th November 2019 |
| **Applicant** | City of Nedlands |
| **Employee Disclosure under *section 5.70 Local Government Act 1995*** | Nil. |
| **Director** | Lorraine Driscoll – Director Corporate & Strategy |
| **Attachments** | 1. Draft Management Licence |

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

Moved – Councillor Hassell

Seconded – Councillor Hay

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

(Printed below for ease of reference)

**CARRIED UNANIMOUSLY EN BLOC12/-**

**Council Resolution / Committee Recommendation**

**Council:**

1. **endorses the draft management licence by Western Suburbs Cricket Club Inc. for a portion of John Leckie Pavilion, College Park, 100 Princess Road, Nedlands as in Attachment 1;**
2. **requests that after receiving the Minister for Lands consent to the management licence, the Mayor and CEO sign the agreement and apply the City’s common seal; and**
3. **restricts the amount to $1,500.00 until the end of the current lease.**

Recommendation to Committee

Council:

1. endorses the draft management licence by Western Suburbs Cricket Club Inc. for a portion of John Leckie Pavilion, College Park, 100 Princess Road, Nedlands as in Attachment 1; and
2. requests that after receiving the Minister for Lands consent to the management licence, the Mayor and CEO sign the agreement and apply the City’s common seal.

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| **CPS17.19 Suburban Lions Hockey Club Inc. Management Licence of J.C. Smith Pavilion, Melvista Oval, Nedlands (Reserve 1669)** |

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| --- | --- |
| **Committee** | 12th November 2019 |
| **Council** | 26th November 2019 |
| **Applicant** | City of Nedlands |
| **Employee Disclosure under *section 5.70 Local Government Act 1995*** | Nil. |
| **Director** | Lorraine Driscoll – Director Corporate & Strategy |
| **Attachments** | 1. Draft Management Licence |

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

Moved – Councillor Hassell

Seconded – Councillor Hay

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

(Printed below for ease of reference)

**CARRIED UNANIMOUSLY EN BLOC12/-**

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

**Council:**

**1. endorses the draft management licence by Suburban Lions Hockey Club Inc. for J.C. Smith Pavilion, 140 Melvista Avenue, Nedlands as in Attachment 1; and**

**2. requests that after receiving the Minister for Lands consent to the management licence, the Mayor and CEO sign the agreement and apply the City’s common seal.**

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| **CPS18.19 List of Accounts Paid – September 2019** |

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| **Committee** | 12 November 2019 |
| **Council** | 26 November 2019 |
| **Applicant** | City of Nedlands |
| **Employee Disclosure under *section 5.70 Local Government Act 1995*** | Nil. |
| **Director** | Lorraine Driscoll – Director Corporate & Strategy |
| **Attachments** | 1. Creditor Payment Listing September 2019 2. Purchasing Card Payments September 2019 (29th August 2019 – 28th September 2019) 3. CEO Credit Card Listing June 2019 – September 2019 |

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

Moved – Councillor Hassell

Seconded – Councillor Hay

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

(Printed below for ease of reference)

**CARRIED UNANIMOUSLY EN BLOC12/-**

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

**Council receives the List of Accounts Paid for the month of September 2019** **(refer to attachments).**

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| --- |
| **CPS19.19 Perth Flying Squadron Yacht Club Inc. – Right of Entry (Business and Goods) Document for Execution to Support Mortgage to Fund Works** |

|  |  |
| --- | --- |
| **Committee** | 12 November 2019 |
| **Council** | 26 November 2019 |
| **Applicant** | Perth Flying Squadron Yacht Club Inc. |
| **Employee Disclosure under *section 5.70 Local Government Act 1995*** | Nil. |
| **Director** | Lorraine Driscoll – Director Corporate & Strategy |
| **Attachments** | 1. Right of Entry (Business and Goods) 2. Letter with Ministerial Approval to Mortgage dated 12 September 2019 |

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

Moved – Councillor Hassell

Seconded – Councillor Hay

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

(Printed below for ease of reference)

**CARRIED UNANIMOUSLY EN BLOC12/-**

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

**Council:**

**1. subject to the condition in clause 2 below, agrees to execute the Right of Entry – Goods and Business as in Attachment 1 and approves the City’s common seal be applied to the document and the Mayor and Chief Executive Officer to sign the document as required; and**

**2. approves the condition of the City executing the Right of Entry- Goods and Business is that the Club will use a portion of the mortgage funds to resolve all compliance issues noted in Council’s earlier item PD58.17. The Club must confirm this undertaking in writing before the City executes the Right of Entry – Goods and Business in Attachment 1.**

# Reports by the Chief Executive Officer

## Common Seal Register Report – October 2019

Moved – Councillor Hassell

Seconded – Councillor Hodsdon

**The attached Common Seal Register Report for the month of October 2019 be received.**

**CARRIED UNANIMOUSLY 12/-**

**October 2019**

| **SEAL NUMBER** | **DATE SEALED** | **DEPARTMENT** | **MEETING DATE / ITEM NO.** | **REASON FOR USE** |
| --- | --- | --- | --- | --- |
| 931 | 31 October 2019 | Corporate & Strategy | Delegated Authority | Withdrawal of Caveat for 52A Adderley Street, Mt Claremont to secure unpaid rates when property is sold. Settlement on 7 November 2019 |

## List of Delegated Authorities – October 2019

Moved – Councillor Senathirajah

Seconded – Councillor Hay

**The attached List of Delegated Authorities for the month of October 2019 be received.**

**CARRIED UNANIMOUSLY 12/-**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Date of use of delegation of authority** | **Title** | **Position exercising delegated authority** | **Act** | **Section of Act** | **Applicant / CoN / Property Owner / Other** |
| **October 2019** | | | | | |
| 1/10/2019 | (APP) - DA19-38466 - 20 Jarrah Lane, Mt Claremont - Home Business | Coordinator Statutory Planning | Planning and Development (Local Planning Schemes) Regulations 2015 | Regulation 82 | Ms E Crage |
| 1/10/2019 | BA50694 - Application to Extend Building Permit - Dwelling | A/Manager Building Services | Building Act 2011 | S32.3 | Palazzo Exclusive Homes Pty Ltd |
| 2/10/2019 | (APP) - DA19-35476 - 7 ALderbury St, Floreat - Additions (Carport) to Single House | Manager Planning | Planning and Development (Local Planning Schemes) Regulations 2015 | Regulation 82 | Laura & Graeme Holly |
| 2/10/2019 | (APP) - DA19-37275 - 47 Philip Rd, Dlakeith - Single Storey House | Manager Planning | Planning and Development (Local Planning Schemes) Regulations 2015 | Regulation 82 | Summit Homes Group |
| 2/10/2019 | BA50423 - Uncertified Building Permit - Wall removals | Acting Manager Building Services | Building Act 2011 | S20.1 | Djohan Salim |
| 2/10/2019 | BA51557 - Certified Building Permit - Alts & Adds | Acting Manager Building Services | Building Act 2011 | S20.1 | Axis Building Approvals Pty Ltd |
| 2/10/2019 | BA51841 - Verge Materials Permit - 55 Clifton | Acting Manager Building Services | Local Government (Uniform Local Provisions) Regulations 1996 | 6-1 | Ventura Homes Group Pty Ltd |
| 3/10/2019 | (APP) - DA19-38878 - 2-73 Broadway, Nedlands - Additions (Bathroom & Alfresco) to Grouped Dwelling | Coordinator Statutory Planning | Planning and Development (Local Planning Schemes) Regulations 2015 | Regulation 82 | Addstyle Constructions Pty Ltd |
| 3/10/2019 | BA51920 - Certified Building Permit - Dwelling | Acting Manager Building Services | Building Act 2011 | S20.1 | Distinctive Homes WA |
| 4/10/2019 | (APP) - DA19-38049 - 44 Waratah Ave, Dalkeith - Additions to Dwelling and Fencing | Manager Planning | Planning and Development (Local Planning Schemes) Regulations 2015 | Regulation 82 | A L Cinanni |
| 4/10/2019 | (APP) - DA19-39270 - 19 Broadway, Nedlands - Signage | Manager Planning | Planning and Development (Local Planning Schemes) Regulations 2015 | Regulation 82 | Jason Signmakers |
| 4/10/2019 | (APP) - DA19-40176 - 64 Tyrell St, Nedlands - Additions to Single House | Coordinator Statutory Planning | Planning and Development (Local Planning Schemes) Regulations 2015 | Regulation 82 | J R Kolbusz |
| 4/10/2019 | BA51985 - Certified Building Permit - Pool and Barrier | Acting Manager Building Services | Building Act 2011 | S20.1 | Barrier Reef Pools Perth |
| 4/10/2019 | BA51874 - Demolition Permit - Dwelling & Site Clearance | Acting Manager Building Services | Building Act 2011 | S21.1 | Brajkovich Demolition & Salvage (WA) Pty Ltd |
| 4/10/2019 | BA51316 - Uncertifed Building Permit - Fence | Acting Manager Building Services | Building Act 2011 | S20.1 | Andrew Packard |
| 6/10/2019 | (APP) - DA19-38975 - 115 North St, Swanbourne - Amendment to DA16-194 (Removal of Condition 4 & 5) | Coordinator Statutory Planning | Planning and Development (Local Planning Schemes) Regulations 2015 | Regulation 82 | V J Plazy |
| 7/10/2019 | BA45984 - Certified Building Permit - Lighting Towers | Acting Manager Building Services | Building Act 2011 | S20.1 | City of Nedlands |
| 7/10/2019 | BA51852 - Demolition Permit - Full site clearance | Acting Manager Building Services | Building Act 2011 | S21.1 | Hazelton Property Group Pty Ltd |
| 7/10/2019 | BA50507 - Certified Building Permit - Pool | Acting Manager Building Services | Building Act 2011 | S20.1 | Aquatic Leisure Technologies Pty Ltd |
| 7/10/2019 | BA51618 - Certified Building Permit - Dwelling | Acting Manager Building Services | Building Act 2011 | S20.1 | Building Corporation WA Pty Ltd |
| 8/10/2019 | (APP) - DA19-39722 - 2 Fox Green, Floreat - Amendment to DA19-36866 | Coordinator Statutory Planning | Planning and Development (Local Planning Schemes) Regulations 2015 | Regulation 82 | Antonelli Investments Pty Ltd |
| 8/10/2019 | (APP) - DA19-38474 - 48 Robinson St, Nedlands - Additions (Patios) to Single House | Manager Planning | Planning and Development (Local Planning Schemes) Regulations 2015 | Regulation 82 | T J Hydzik |
| 8/10/2019 | BA51956 - Certified Building Permit - dwelling (amendment) | Acting Manager Building Services | Building Act 2011 | S20.1 | Nulook Homes Pty Ltd |
| 8/10/2019 | BA52176 - Verge Materials Permit - 19 Carrington | Acting Manager Building Services | Local Government (Uniform Local Provisions) Regulations 1996 | 6-1 | Nexus Home Improvements |
| 8/10/2019 | BA51304 - Uncertified Building Permit - Decking | Acting Manager Building Services | Building Act 2011 | S20.1 | Neil Halpin |
| 9/10/2019 | (APP) - DA19-37524 - 78 Brookdale St, Floreat - Additions (Patio & Decking) to Single House | Manager Planning | Planning and Development (Local Planning Schemes) Regulations 2015 | Regulation 82 | Seabreeze Outdoor |
| 10/10/2019 | (APP) - DA19-35580 - 24 Mayfair St, Mt Claremont - Single House | Coordinator Statutory Planning | Planning and Development (Local Planning Schemes) Regulations 2015 | Regulation 82 | Distinctive Homes WA Pty Ltd |
| 11/10/2019 | BA49440 - Certified Building Permit - Yoga Studio Fitout and Consulting Room | Acting Manager Building Services | Building Act 2011 | S20.1 | Resolve Group Pty Ltd |
| 11/10/2019 | BA51580 - Uncertified Building Permit - Wall Removals | Acting Manager Building Services | Building Act 2011 | S20.1 | Galileo Holding Pty Ltd |
| 11/10/2019 | BA52305 - Certified Building Permit - Dwelling & Undercroft | Acting Manager Building Services | Building Act 2011 | S20.1 | Kershaw Construction WA Pty Ltd |
| 14/10/2019 | (APP) - 62 Kirwan Street, Floreat - Front Fence and Retaining Walls | Coordinator Statutory Planning | Planning and Development (Local Planning Schemes) Regulations 2015 | Regulation 82 | P J Esslemont |
| 14/10/2019 | BA51999 - Certified Building Permit - Office Fitout | Acting Manager Building Services | Building Act 2011 | S20.1 | Raveen Sinnathambi |
| 15/10/2019 | (APP) - DA19-39624 - 40A Mengler Avenue, Claremont - Addition (Patio) to Grouped Dwelling | Manager Planning | Planning and Development (Local Planning Schemes) Regulations 2015 | Regulation 82 | Great Aussie Patios |
| 15/10/2019 | BA52093 - Demolition Permit - Partila demolition | Acting Manager Building Services | Building Act 2011 | S21.1 | Simon Delaney |
| 15/10/2019 | BA49733 - Building Approval Certificate - Mezzanine Additions | Acting Manager Building Services | Building Act 2011 | S58.1 | Geoff Knights |
| 16/10/2019 | (APP) - DA19-37831 - 5 Rockton Road, Nedlands - Additions to Single House | Coordinator Statutory Planning | Planning and Development (Local Planning Schemes) Regulations 2015 | Regulation 82 | Fringe Architects |
| 16/10/2019 | (APP) - DA-19-38428 - 123 Dalkeith Road, Nedlands - Single House | Coordinator Statutory Planning | Planning and Development (Local Planning Schemes) Regulations 2015 | Regulations 82 | Neil Cownie Architect |
| 16/10/2019 | BA52496 - Certified Building Permit - Patio | Acting Manager Building Services | Building Act 2011 | S20.1 | Phoenix Patios |
| 16/10/2019 | BA52064 - Occupancy Permit - Office Fitout | Acting Manager Building Services | Building Act 2011 | S58.1 | Raveen Sinnathambi |
| 16/10/2019 | BA51863 - Uncertified Building Permit - Patio | Acting Manager Building Services | Building Act 2011 | S20.1 | Complete Approvals |
| 16/10/2019 | BA52136 - Demolition Permit - Dwelling & Site Clearance | Acting Manager Building Services | Building Act 2011 | S21.1 | AAA Demolition & Tree Services - Scott Perry |
| 16/10/2019 | BA52105 - Certified Building Permit - Sales Suite | Acting Manager Building Services | Building Act 2011 | S20.1 | Scott Archibald |
| 17/10/2019 | (APP) - DA19-38710 - 83 Philip Road, Dalkeith - Single House and Ancillary Dwelling | Coordinator Statutory Planning | Planning and Development (Local Planning Schemes) Regulations 2015 | Regulation 82 |  |
| 17/10/2019 | BA51337 - Certified Building Permit - Front Fence | Acting Manager Building Services | Building Act 2011 | S20.1 | 383 Design Homes & Additions |
| 17/10/2019 | 3043138 - Withdrawn Parking Infringement Notice Other Compassionate Grounds | Manager Health and Compliance |  | 9.20/6.12(1) | Odelle Templeton |
| 17/10/2019 | 3043137 - Withdrawn Parking Infringement Notice Other Compassionate Grounds | Manager Health and Compliance | Local Government Act 1995 | 9.20/6.12(1) | Odelle Templeton |
| 17/10/2019 | 3041446 - Withdrawn Parking Infringement Notice Officer Error | Manager Health and Compliance | Local Government Act 1995 | 9.20/6.12(1) | Jim Hancock |
| 17/10/2019 | 3041444 - Withdrawn Parking Infringement Notice Officer Error | Manager Health & Compliance | Local Government Act 1995 | 9.20/6.12(1) | Carmel Matthews |
| 17/10/2019 | 3041447 - Withdrawn Parking Infringement Other Compassionate Grounds | Manager Health and Compliance |  | 9.20/6.12(1) | Matthew Hancock |
| 17/10/2019 | 3041448 - Withdrawn Parking Infringement Notice Other Compassionate Grounds | Manager Health and Compliance | Local Government Act 1995 | 9.20/6.12(1 | Dave Majumder |
| 17/10/2019 | BA52352 - Certified Building Permit - Dwelling, Pool, Pool Barrier & Fences | Acting Manager Building Services | Building Act 2011 | S20.1 | Azure Construction WA Pty Ltd T/A Azure Luxury Homes |
| 18/10/2019 | BA52855 - Verge Materials Permit - 53 Minora Rd | Acting Manager Building Services | Local Government (Uniform Local Provisions) Regulations 1996 | 6-1 | Steven Trench |
| 18/10/2019 | [BA51644 - Certified Building Permit - Earthworks, Footings, Swimming Pool, Boundary Fencing & Retaining Walls](https://nedlands365.sharepoint.com/sites/compliance/governance/delegations_register/Forms/Active_Doc_Sets.aspx?RootFolder=/sites%2Fcompliance%2Fgovernance%2Fdelegations%5Fregister%2FBA51644%20%2D%20Certified%20Building%20Permit%20%2D%20Earthworks%2C%20Footings%2C%20Swimming%20Pool%2C%20Boundary%20Fencing%20%26%20Retaining%20Walls&View=%7B0388EA9D%2DE183%2D4EAB%2D860E%2D1E5EF37282C8%7D) | Acting Manager Building Services | Building Act 2011 | S20.1 | Secunda Pty Ltd |
| 18/10/2019 | [BA47177 - Uncertified Building Permit - Patio](https://nedlands365.sharepoint.com/sites/compliance/governance/delegations_register/Forms/Active_Doc_Sets.aspx?RootFolder=/sites%2Fcompliance%2Fgovernance%2Fdelegations%5Fregister%2FBA47177%20%2D%20Uncertified%20Building%20Permit%20%2D%20Patio&View=%7B0388EA9D%2DE183%2D4EAB%2D860E%2D1E5EF37282C8%7D) | Acting Manager Building Services | Building Act 2011 | S20.1 | Allstyle Patios |
| 18/10/2019 | [BA52262 - Certified Building Permit - Pergola, Decking & Re-Alignment of Pool Barrier](https://nedlands365.sharepoint.com/sites/compliance/governance/delegations_register/Forms/Active_Doc_Sets.aspx?RootFolder=/sites%2Fcompliance%2Fgovernance%2Fdelegations%5Fregister%2FBA52262%20%2D%20Certified%20Building%20Permit%20%2D%20Pergola%2C%20Decking%20%26%20Re%2DAlignment%20of%20Pool%20Barrier&View=%7B0388EA9D%2DE183%2D4EAB%2D860E%2D1E5EF37282C8%7D) | Acting Manager Building Services | Building Act 2011 | S20.1 | Tim Davies Landscaping |
| 21/10/2019 | [BA50447 - Certified Building Permit - Patio](https://nedlands365.sharepoint.com/sites/compliance/governance/delegations_register/Forms/Active_Doc_Sets.aspx?RootFolder=/sites%2Fcompliance%2Fgovernance%2Fdelegations%5Fregister%2FBA50447%20%2D%20Certified%20Building%20Permit%20%2D%20Patio&View=%7B0388EA9D%2DE183%2D4EAB%2D860E%2D1E5EF37282C8%7D) | Acting Manager Building Services | Building Act 2011 | S20.1 | Softwoods Timberyard PTY LTD T/A Patio Living |
| 21/10/2019 | [BA52936 - Demolition Permit - Dwelling](https://nedlands365.sharepoint.com/sites/compliance/governance/delegations_register/Forms/Active_Doc_Sets.aspx?RootFolder=/sites%2Fcompliance%2Fgovernance%2Fdelegations%5Fregister%2FBA52936%20%2D%20Demolition%20Permit%20%2D%20Dwelling&View=%7B0388EA9D%2DE183%2D4EAB%2D860E%2D1E5EF37282C8%7D) | Acting Manager Building Services | Building Act 2011 | S21.1 | Brajkovich Demolition & Salvage Pty Ltd |
| 21/10/2019 | [BA52542 - Certified Building Permit - Pool](https://nedlands365.sharepoint.com/sites/compliance/governance/delegations_register/Forms/Active_Doc_Sets.aspx?RootFolder=/sites%2Fcompliance%2Fgovernance%2Fdelegations%5Fregister%2FBA52542%20%2D%20Certified%20Building%20Permit%20%2D%20Pool&View=%7B0388EA9D%2DE183%2D4EAB%2D860E%2D1E5EF37282C8%7D) | Acting Manager Building Services | Building Act 2011 | S20.1 | Aquatic Leisure Technologies Pty Ltd |
| 21/10/2019 | [BA51906 - Uncertified Building Permit - Patio](https://nedlands365.sharepoint.com/sites/compliance/governance/delegations_register/Forms/Active_Doc_Sets.aspx?RootFolder=/sites%2Fcompliance%2Fgovernance%2Fdelegations%5Fregister%2FBA51906%20%2D%20Uncertified%20Building%20Permit%20%2D%20Patio&View=%7B0388EA9D%2DE183%2D4EAB%2D860E%2D1E5EF37282C8%7D) | Acting Manager Building Services | Building Act 2011 | S20.1 | Perth Patio Magic |
| 21/10/2019 | [BA50472 - Uncertified Building Permit - Pergola](https://nedlands365.sharepoint.com/sites/compliance/governance/delegations_register/Forms/Active_Doc_Sets.aspx?RootFolder=/sites%2Fcompliance%2Fgovernance%2Fdelegations%5Fregister%2FBA50472%20%2D%20Uncertified%20Building%20Permit%20%2D%20Pergola&View=%7B0388EA9D%2DE183%2D4EAB%2D860E%2D1E5EF37282C8%7D) | Acting Manager Building Services | Building Act 2011 | S20.1 | Benjamin Ware |
| 21/10/2019 | [BA52226 - Certified Building Permit - Solar Panels (Amendment to BA49204)](https://nedlands365.sharepoint.com/sites/compliance/governance/delegations_register/Forms/Active_Doc_Sets.aspx?RootFolder=/sites%2Fcompliance%2Fgovernance%2Fdelegations%5Fregister%2FBA52226%20%2D%20Certified%20Building%20Permit%20%2D%20Solar%20Panels%20%28Amendment%20to%20BA49204%29&View=%7B0388EA9D%2DE183%2D4EAB%2D860E%2D1E5EF37282C8%7D) | Acting Manager Building Services | Building Act 2011 | S20.1 | Solgen Energy Group |
| 22/10/2019 | [(APP) - DA19-37422 - 47 Goldsmith Road, Dalkeith - Two Storey Single Dwelling](https://nedlands365.sharepoint.com/sites/compliance/governance/delegations_register/Forms/Active_Doc_Sets.aspx?RootFolder=/sites%2Fcompliance%2Fgovernance%2Fdelegations%5Fregister%2F%28APP%29%20%2D%20DA19%2D37422%20%2D%2047%20Goldsmith%20Road%2C%20Dalkeith%20%2D%20Two%20Storey%20Single%20Dwelling&View=%7B0388EA9D%2DE183%2D4EAB%2D860E%2D1E5EF37282C8%7D) | Manager Planning | Planning and Development (Local Planning Schemes) Regulations 2015 | Regulation 81 | Oswald Homes (1972) Pty Ltd |
| 22/10/2019 | [(APP) - DA19-38045 - 65 Birdwood Parade, Dalkeith - Amendments to DA16-322 (Retrospective)](https://nedlands365.sharepoint.com/sites/compliance/governance/delegations_register/Forms/Active_Doc_Sets.aspx?RootFolder=/sites%2Fcompliance%2Fgovernance%2Fdelegations%5Fregister%2F%28APP%29%20%2D%20DA19%2D38045%20%2D%2065%20Birdwood%20Parade%2C%20Dalkeith%20%2D%20Amendments%20to%20DA16%2D322%20%28Retrospective%29&View=%7B0388EA9D%2DE183%2D4EAB%2D860E%2D1E5EF37282C8%7D) | Manager Planning | Planning and Development (Local Planning Schemes) Regulations 2015 | Regulation 82 | Palazzo Homes Pty Ltd |
| 22/10/2019 | [(APP) - DA19-39939 - 4 Mayfair Street, Mt Claremont - Single House](https://nedlands365.sharepoint.com/sites/compliance/governance/delegations_register/Forms/Active_Doc_Sets.aspx?RootFolder=/sites%2Fcompliance%2Fgovernance%2Fdelegations%5Fregister%2F%28APP%29%20%2D%20DA19%2D39939%20%2D%204%20Mayfair%20Street%2C%20Mt%20Claremont%20%2D%20Single%20House&View=%7B0388EA9D%2DE183%2D4EAB%2D860E%2D1E5EF37282C8%7D) | Coordinator Statutory Planning | Planning and Development (Local Planning Schemes) Regulations 2015 | Regulation 82 | Distinctive Homes WA Pty Ltd |
| 22/10/2019 | [3040898 - Withdrawn Parking Infringement Notice - Other Compassionate Grounds](https://nedlands365.sharepoint.com/sites/compliance/governance/delegations_register/Forms/Active_Doc_Sets.aspx?RootFolder=/sites%2Fcompliance%2Fgovernance%2Fdelegations%5Fregister%2F3040898%20%2D%20Withdrawn%20Parking%20Infringement%20Notice%20%2D%20Other%20Compassionate%20Grounds&View=%7B0388EA9D%2DE183%2D4EAB%2D860E%2D1E5EF37282C8%7D) | Manager Health and Compliance | Local Government Act 1995 | 9.20/6.12(1) | Charles Tully |
| 22/10/2019 | [3043160 - Withdrawn Parking Infringement Other Compassionate Grounds](https://nedlands365.sharepoint.com/sites/compliance/governance/delegations_register/Forms/Active_Doc_Sets.aspx?RootFolder=/sites%2Fcompliance%2Fgovernance%2Fdelegations%5Fregister%2F3043160%20%2D%20Withdrawn%20Parking%20Infringement%20Other%20Compassionate%20Grounds&View=%7B0388EA9D%2DE183%2D4EAB%2D860E%2D1E5EF37282C8%7D) | Manager Health and Compliance |  | 9.20/6.12(1) | Matt Clifford |
| 22/10/2019 | [3043201 & 3043202 - Withdrawn parking infringement - Vehicle broken down](https://nedlands365.sharepoint.com/sites/compliance/governance/delegations_register/Forms/Active_Doc_Sets.aspx?RootFolder=/sites%2Fcompliance%2Fgovernance%2Fdelegations%5Fregister%2F3043201%20%26%203043202%20%2D%20Withdrawn%20parking%20infringment%20%2D%20Vehicle%20broken%20down&View=%7B0388EA9D%2DE183%2D4EAB%2D860E%2D1E5EF37282C8%7D) | Manager Health and Compliance | Local Government Act 1995 | 9.20/6.12(1) | Neil Scott |
| 22/10/2019 | [3043181 - Withdrawn Parking Infringement Notice - Other Compassionate Grounds](https://nedlands365.sharepoint.com/sites/compliance/governance/delegations_register/Forms/Active_Doc_Sets.aspx?RootFolder=/sites%2Fcompliance%2Fgovernance%2Fdelegations%5Fregister%2F3043181%20%2D%20Withdrawn%20Parking%20Infringement%20Notice%20%2D%20Other%20Compassionate%20Grounds&View=%7B0388EA9D%2DE183%2D4EAB%2D860E%2D1E5EF37282C8%7D) | Manager Health and Compliance | Local Government Act 1995 | 9.20/6.12(1) | Stephen Coffey |
| 22/10/2019 | [3041437 - Withdrawn Parking Infringement Error made by Issuing Officer](https://nedlands365.sharepoint.com/sites/compliance/governance/delegations_register/Forms/Active_Doc_Sets.aspx?RootFolder=/sites%2Fcompliance%2Fgovernance%2Fdelegations%5Fregister%2F3041437%20%2D%20Withdrawn%20Parking%20Infringement%20Error%20made%20by%20Issuing%20Officer&View=%7B0388EA9D%2DE183%2D4EAB%2D860E%2D1E5EF37282C8%7D) | Manager Health and Compliance | Local Government Act 1995 | 9.20/6.12(1) | Bryan Mansell |
| 23/10/2019 | [(APP) - DA19-39618 - 6 Adelma Place, Dalkeith - Additions to Single House](https://nedlands365.sharepoint.com/sites/compliance/governance/delegations_register/Forms/Active_Doc_Sets.aspx?RootFolder=/sites%2Fcompliance%2Fgovernance%2Fdelegations%5Fregister%2F%28APP%29%20%2D%20DA19%2D39618%20%2D%206%20Adelma%20Place%2C%20Dalkeith%20%2D%20Additions%20to%20Single%20House&View=%7B0388EA9D%2DE183%2D4EAB%2D860E%2D1E5EF37282C8%7D) | Manager Planning | Planning and Development (Local Planning Schemes) Regulations 2015 | Regulation 82 | Suzanne Hunt Architect |
| 23/10/2019 | [(APP) - DA19-38832 - 47 Strickland Street, Claremont - Outbuilding](https://nedlands365.sharepoint.com/sites/compliance/governance/delegations_register/Forms/Active_Doc_Sets.aspx?RootFolder=/sites%2Fcompliance%2Fgovernance%2Fdelegations%5Fregister%2F%28APP%29%20%2D%20DA19%2D38832%20%2D%2047%20Strickland%20Street%2C%20Claremont%20%2D%20Outbuilding&View=%7B0388EA9D%2DE183%2D4EAB%2D860E%2D1E5EF37282C8%7D) | Manager Planning | Planning and Development (Local Planning Schemes) Regulations 2015 | Regulation 82 | Struan and Brighid Richards |
| 23/10/2019 | [(APP) - DA19-40254 - 35 Webster Street, Nedlands - Carport](https://nedlands365.sharepoint.com/sites/compliance/governance/delegations_register/Forms/Active_Doc_Sets.aspx?RootFolder=/sites%2Fcompliance%2Fgovernance%2Fdelegations%5Fregister%2F%28APP%29%20%2D%20DA19%2D40254%20%2D%2035%20Webster%20Street%2C%20Nedlands%20%2D%20Carport&View=%7B0388EA9D%2DE183%2D4EAB%2D860E%2D1E5EF37282C8%7D) | Manager Planning | Planning and Development (Local Planning Schemes) Regulations 2015 | Regulation 82 | G J Gardner Homes |
| 23/10/2019 | [(APP) - DA19-37944 - 108 Stirling Highway, Nedlands - Signage](https://nedlands365.sharepoint.com/sites/compliance/governance/delegations_register/Forms/Active_Doc_Sets.aspx?RootFolder=/sites%2Fcompliance%2Fgovernance%2Fdelegations%5Fregister%2F%28APP%29%20%2D%20DA19%2D37944%20%2D%20108%20Stirling%20Highway%2C%20Nedlands%20%2D%20Signage&View=%7B0388EA9D%2DE183%2D4EAB%2D860E%2D1E5EF37282C8%7D) | Coordinator Statutory Planning | Planning and Development (Local Planning Schemes) Regulations 2015 | Regulation 82 | Globetrotter Travel |
| 23/10/2019 | [(APP) - DA19-41026 - 19 Napier Street, Nedlands - Additions to Single House (Over Height Dividing Fence and Pool Fencing)](https://nedlands365.sharepoint.com/sites/compliance/governance/delegations_register/Forms/Active_Doc_Sets.aspx?RootFolder=/sites%2Fcompliance%2Fgovernance%2Fdelegations%5Fregister%2F%28APP%29%20%2D%20DA19%2D41026%20%2D%2019%20Napier%20Street%2C%20Nedlands%20%2D%20Additions%20to%20Single%20House%20%28Over%20Height%20Dividing%20Fence%20and%20Pool%20Fencing%29&View=%7B0388EA9D%2DE183%2D4EAB%2D860E%2D1E5EF37282C8%7D) | Manager Planning | Planning and Development (Local Planning Schemes) Regulations 2015 | Regulation 82 | M Stone & R Stone |
| 23/10/2019 | [BA52894 - Certified Building Permit](https://nedlands365.sharepoint.com/sites/compliance/governance/delegations_register/Forms/Active_Doc_Sets.aspx?RootFolder=/sites%2Fcompliance%2Fgovernance%2Fdelegations%5Fregister%2FBA52894%20%2D%20Certified%20Building%20Permit&View=%7B0388EA9D%2DE183%2D4EAB%2D860E%2D1E5EF37282C8%7D) | Acting Manager Building Services | Building Act 2011 | S20.1 | Oswald Homes (1972) Pty Ltd |
| 23/10/2019 | [BA52277 - Certified Building Permit - Alterations & Additions](https://nedlands365.sharepoint.com/sites/compliance/governance/delegations_register/Forms/Active_Doc_Sets.aspx?RootFolder=/sites%2Fcompliance%2Fgovernance%2Fdelegations%5Fregister%2FBA52277%20%2D%20Certified%20Building%20Permit%20%2D%20Alterations%20%26%20Additions&View=%7B0388EA9D%2DE183%2D4EAB%2D860E%2D1E5EF37282C8%7D) | Acting Manager Building Services | Building Act 2011 | S20.1 | Addstyle Constructions Pty Ltd |
| 24/10/2019 | [(APP) - DA19-39797 - 16 Iris Avenue, Dalkeith - Amendment to DA17-337](https://nedlands365.sharepoint.com/sites/compliance/governance/delegations_register/Forms/Active_Doc_Sets.aspx?RootFolder=/sites%2Fcompliance%2Fgovernance%2Fdelegations%5Fregister%2F%28APP%29%20%2D%20DA19%2D39797%20%2D%2016%20Iris%20Avenue%2C%20Dalkeith%20%2D%20Amendment%20to%20DA17%2D337&View=%7B0388EA9D%2DE183%2D4EAB%2D860E%2D1E5EF37282C8%7D) | Coordinator Statutory Planning | Planning and Development (Local Planning Schemes) Regulations 2015 | Regulation 82 | PJ PJ Architecture Pty Ltd |
| 24/10/2019 | [BA52328 - Certified Building Permit - Pool, Shoring & Temporary Barrier](https://nedlands365.sharepoint.com/sites/compliance/governance/delegations_register/Forms/Active_Doc_Sets.aspx?RootFolder=/sites%2Fcompliance%2Fgovernance%2Fdelegations%5Fregister%2FBA52328%20%2D%20Certified%20Building%20Permit%20%2D%20Pool%2C%20Shoring%20%26%20Temporary%20Barrier&View=%7B0388EA9D%2DE183%2D4EAB%2D860E%2D1E5EF37282C8%7D) | Acting Manager Building Services | Building Act 2011 | S20.1 | Freedom Pools & Spas |
| 24/10/2019 | [BA52631 - Certified Building Permit - Dwelling & Retaining Walls](https://nedlands365.sharepoint.com/sites/compliance/governance/delegations_register/Forms/Active_Doc_Sets.aspx?RootFolder=/sites%2Fcompliance%2Fgovernance%2Fdelegations%5Fregister%2FBA52631%20%2D%20Certified%20Building%20Permit%20%2D%20Dwelling%20%26%20Retaining%20Walls&View=%7B0388EA9D%2DE183%2D4EAB%2D860E%2D1E5EF37282C8%7D) | Acting Manager Building Services | Building Act 2011 | S20.1 | Plunkett Homes |
| 24/10/2019 | [BA52382 - Demolition Permit - Dwelling](https://nedlands365.sharepoint.com/sites/compliance/governance/delegations_register/Forms/Active_Doc_Sets.aspx?RootFolder=/sites%2Fcompliance%2Fgovernance%2Fdelegations%5Fregister%2FBA52382%20%2D%20Demolition%20Permit%20%2D%20Dwelling&View=%7B0388EA9D%2DE183%2D4EAB%2D860E%2D1E5EF37282C8%7D) | Acting Manager Building Services | Building Act 2011 | S21.1 | Hazelton Property Group Pty Ltd |
| 25/10/2019 | [(APP) - 131 Circe Circle, D - Single House](https://nedlands365.sharepoint.com/sites/compliance/governance/delegations_register/Forms/Active_Doc_Sets.aspx?RootFolder=/sites%2Fcompliance%2Fgovernance%2Fdelegations%5Fregister%2F%28APP%29%20%2D%20131%20Circe%20Circle%2C%20D%20%2D%20Single%20House&View=%7B0388EA9D%2DE183%2D4EAB%2D860E%2D1E5EF37282C8%7D) | Coordinator Statutory Planning | Planning and Development (Local Planning Schemes) Regulations 2015 | Regulation 82 | Boughton Architecture |
| 29/10/2019 | [(APP) - DA19-40755 - 40 Doonan, Nedlands - Extension of Time](https://nedlands365.sharepoint.com/sites/compliance/governance/delegations_register/Forms/Active_Doc_Sets.aspx?RootFolder=/sites%2Fcompliance%2Fgovernance%2Fdelegations%5Fregister%2F%28APP%29%20%2D%20DA19%2D40755%20%2D%2040%20Doonan%2C%20Nedlands%20%2D%20Extension%20of%20Time&View=%7B0388EA9D%2DE183%2D4EAB%2D860E%2D1E5EF37282C8%7D) | Manager Planning | Planning and Development (Local Planning Schemes) Regulations 2015 | Regulation 82 | Rhys Mitchell |
| 29/10/2019 | [BA52872 - Certified Building Permit - Amendment to BA49679](https://nedlands365.sharepoint.com/sites/compliance/governance/delegations_register/Forms/Active_Doc_Sets.aspx?RootFolder=/sites%2Fcompliance%2Fgovernance%2Fdelegations%5Fregister%2FBA52872%20%2D%20Certified%20Building%20Permit%20%2D%20Amendment%20to%20BA49679&View=%7B0388EA9D%2DE183%2D4EAB%2D860E%2D1E5EF37282C8%7D) | Acting Manager Building Services | Building Act 2011 | S20.1 | Amerex Pty Ltd |
| 29/10/2019 | [BA53178 - Certified Building Permit - Dwelling](https://nedlands365.sharepoint.com/sites/compliance/governance/delegations_register/Forms/Active_Doc_Sets.aspx?RootFolder=/sites%2Fcompliance%2Fgovernance%2Fdelegations%5Fregister%2FBA53178%20%2D%20Certified%20Building%20Permit%20%2D%20Dwelling&View=%7B0388EA9D%2DE183%2D4EAB%2D860E%2D1E5EF37282C8%7D) | Acting Manager Building Services | Building Act 2011 | S20.1 | Tangent Nominees Pty Ltd |
| 30/10/2019 | [BA53078 - Certified Building Permit - Re-roof (tiles to tin)](https://nedlands365.sharepoint.com/sites/compliance/governance/delegations_register/Forms/Active_Doc_Sets.aspx?RootFolder=/sites%2Fcompliance%2Fgovernance%2Fdelegations%5Fregister%2FBA53078%20%2D%20Certified%20Building%20Permit%20%2D%20Re%2Droof%20%28tiles%20to%20tin%29&View=%7B0388EA9D%2DE183%2D4EAB%2D860E%2D1E5EF37282C8%7D) | Acting Manager Building Services | Building Act 2011 | S20.1 | Eldridge Enterprises Pty Ltd T/As Top Gun Roofing & Restoration |
| 30/10/2019 | [BA52839 - Uncertified Building Permit - Solar Panels](https://nedlands365.sharepoint.com/sites/compliance/governance/delegations_register/Forms/Active_Doc_Sets.aspx?RootFolder=/sites%2Fcompliance%2Fgovernance%2Fdelegations%5Fregister%2FBA52839%20%2D%20Uncertified%20Building%20Permit%20%2D%20Solar%20Panels&View=%7B0388EA9D%2DE183%2D4EAB%2D860E%2D1E5EF37282C8%7D) | Acting Manager Building Services | Building Act 2011 | S20.1 | Belenus |
| 30/10/2019 | [BA51976 - Uncertified Building Permit - Pergolas](https://nedlands365.sharepoint.com/sites/compliance/governance/delegations_register/Forms/Active_Doc_Sets.aspx?RootFolder=/sites%2Fcompliance%2Fgovernance%2Fdelegations%5Fregister%2FBA51976%20%2D%20Uncertified%20Building%20Permit%20%2D%20Vergolas&View=%7B0388EA9D%2DE183%2D4EAB%2D860E%2D1E5EF37282C8%7D) | Acting Manager Building Services | Building Act 2011 | S20.1 | Sola Shade Pty Ltd |
| 31/10/2019 | [(APP) - DA19-38062 - 155 Princess Road, Nedlands - Single House](https://nedlands365.sharepoint.com/sites/compliance/governance/delegations_register/Forms/Active_Doc_Sets.aspx?RootFolder=/sites%2Fcompliance%2Fgovernance%2Fdelegations%5Fregister%2F%28APP%29%20%2D%20DA19%2D38062%20%2D%20155%20Princess%20Road%2C%20Nedlands%20%2D%20Single%20House&View=%7B0388EA9D%2DE183%2D4EAB%2D860E%2D1E5EF37282C8%7D) | Manager Planning | Planning and Development (Local Planning Schemes) Regulations 2015 | Regulation 82 | Residential Building WA |
| 31/10/2019 | [(APP) - DA19-39374 - 75 Philip Road, Dalkeith - Amendment to DA19-35073 Additions (Gym & Bathroom) to Single House](https://nedlands365.sharepoint.com/sites/compliance/governance/delegations_register/Forms/Active_Doc_Sets.aspx?RootFolder=/sites%2Fcompliance%2Fgovernance%2Fdelegations%5Fregister%2F%28APP%29%20%2D%20DA19%2D39374%20%2D%2075%20Philip%20Road%2C%20Dalkeith%20%2D%20Amendment%20to%20DA19%2D35073%20Additions%20%28Gym%20%26%20Bathroom%29%20to%20Single%20House&View=%7B0388EA9D%2DE183%2D4EAB%2D860E%2D1E5EF37282C8%7D) | Manager Planning | Planning and Development) Local Planning Schemes) Regulations 2015 | Regulation 82 | Gobet-Hur Architects |
| 31/10/2019 | [(APP) - DA19-37658 - 19 Adderley Street, Mount Claremont - Two Grouped Dwellings](https://nedlands365.sharepoint.com/sites/compliance/governance/delegations_register/Forms/Active_Doc_Sets.aspx?RootFolder=/sites%2Fcompliance%2Fgovernance%2Fdelegations%5Fregister%2F%28APP%29%20%2D%20DA19%2D37658%20%2D%2019%20Adderley%20Street%2C%20Mount%20Claremont%20%2D%20Two%20Grouped%20Dwellings&View=%7B0388EA9D%2DE183%2D4EAB%2D860E%2D1E5EF37282C8%7D) | Manager Planning | Planning and Development (Local Planning Schemes) Regulations 2015 | Regulation 82 | Tascone Design Team |
| 31/10/2019 | [BA52661 - Verge Materials Permit - 26 Shann](https://nedlands365.sharepoint.com/sites/compliance/governance/delegations_register/Forms/Active_Doc_Sets.aspx?RootFolder=/sites%2Fcompliance%2Fgovernance%2Fdelegations%5Fregister%2FBA52661%20%2D%20Verge%20Materials%20Permit%20%2D%2026%20Shann&View=%7B0388EA9D%2DE183%2D4EAB%2D860E%2D1E5EF37282C8%7D) | Acting Manager Building Services | Local Government (Uniform Local Provisions) Regulations 1996 | 6.1 | Cathrine Bishop |
| 31/10/2019 | [BA52669 - Uncertified Building Permit - Patio](https://nedlands365.sharepoint.com/sites/compliance/governance/delegations_register/Forms/Active_Doc_Sets.aspx?RootFolder=/sites%2Fcompliance%2Fgovernance%2Fdelegations%5Fregister%2FBA52669%20%2D%20Uncertified%20Building%20Permit%20%2D%20Patio&View=%7B0388EA9D%2DE183%2D4EAB%2D860E%2D1E5EF37282C8%7D) | Acting Manager Building Services | Building Act 2011 | S20.1 | Oasis Patios Pty Ltd |
| 31/10/2019 | [3041440 - Withdrawn Parking Infringement Notice - Other Compassionate Grounds](https://nedlands365.sharepoint.com/sites/compliance/governance/delegations_register/Forms/Active_Doc_Sets.aspx?RootFolder=/sites%2Fcompliance%2Fgovernance%2Fdelegations%5Fregister%2F3041440%20%2D%20Withdrawn%20Parking%20Infringement%20Notice%20%2D%20Other%20Compassionate%20Grounds&View=%7B0388EA9D%2DE183%2D4EAB%2D860E%2D1E5EF37282C8%7D) | Manager Health and Compliance | Local Government Act 1995 | 9.20/6.12(1) | Brett Kotelko |
| 31/10/2019 | [3040945 - Withdrawn Parking Infringement Notice - Other Compassionate Grounds](https://nedlands365.sharepoint.com/sites/compliance/governance/delegations_register/Forms/Active_Doc_Sets.aspx?RootFolder=/sites%2Fcompliance%2Fgovernance%2Fdelegations%5Fregister%2F3040945%20%2D%20Withdrawn%20Parking%20Infringement%20Notice%20%2D%20Other%20Compassionate%20Grounds&View=%7B0388EA9D%2DE183%2D4EAB%2D860E%2D1E5EF37282C8%7D) | Manager Health and Compliance |  | 9.20/6.12(1) | Sam Lightfoot |
| 31/10/2019 | [3043138 - Withdrawn Parking Infringement Notice - Other Compassionate Grounds](https://nedlands365.sharepoint.com/sites/compliance/governance/delegations_register/Forms/Active_Doc_Sets.aspx?RootFolder=/sites%2Fcompliance%2Fgovernance%2Fdelegations%5Fregister%2F3043138%20%2D%20Withdrawn%20Parking%20Infringement%20Notice%20%2D%20Other%20Compassionate%20Grounds&View=%7B0388EA9D%2DE183%2D4EAB%2D860E%2D1E5EF37282C8%7D) | Manager Health and Compliance | Local Government Act 1995 | 9.20/6.12(1) | Zoe Williams |

## Monthly Financial Report – October 2019

|  |  |
| --- | --- |
| **Council** | 26 November 2019 |
| **Applicant** | City of Nedlands |
| **Employee Disclosure under section 5.70 Local Government Act** | Nil |
| **Director** | Lorraine Driscoll – Director Corporate & Strategy |
| **CEO** | Mark Goodlet |
| **Attachments** | 1. Financial Summary (Operating) by Business Units – 31 October 2019 2. Capital Works & Acquisitions – 31 October 2019 3. Statement of Net Current Assets – 31 October 2019 4. Statement of Financial Activity – 31 October 2019 5. Borrowings – 31 October 2019 6. Statement of Financial Position – 31 October 2019 7. Operating Income & Expenditure by Reporting Activity – 31 October 2019 8. Operating Income by Reporting Nature & Type – 31 October 2019 |

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

Moved – Councillor McManus

Seconded – Councillor Senathirajah

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

(Printed below for ease of reference)

**CARRIED UNANIMOUSLY 12/-**

**Council Resolution / Recommendation to Council**

**Council receives the Monthly Financial Report for 31 October 2019.**

**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 31 October 2019 together with a Statement of Net Current Assets as at 31 October 2019.

The operating revenue at the end of October 2019 was $30.2 M which represents $84k favourable variance compared to the year-to-date budget.

The operating expense at the end of October 2019 was $9.7 M, which represents $116k unfavourable 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 $ 247,595

Revenue: Unfavourable variance of $ (87,008)

The favourable expenditure variance is mainly due to special projects and professional fees of $177k not incurred yet. Other employee costs and staff recruitment cost in HR are lower by $77k due to timing differences and will even out during the year.

The unfavourable revenue variance is due to timing difference of WESROC Invoice to other Western Suburbs.

**Corporate and Strategy**

Expenditure: Favourable variance of $ 339,863

Revenue: Favourable variance of $ 177,487

Favourable expenditure variance is mainly due to timing difference in professional fees of $93k and ICT Expenses of $171k. Salaries are lower by $61k due to delay in back-filling vacant positions.

Favourable revenue variance is due to timing difference of rates income of $221k mainly arising from higher instalment interest and administration charges of $138k. The annual budget for Rates is $24.477m compared to Rates levied YTD is $24.411m. The higher rates revenue is offset by reduced interest income of $49k due to lower interest rates.

**Community Development and Services**

Expenditure: Favourable variance of $ 86,699

Revenue: Favourable variance of $107,360

The favourable expenditure variance is mainly due to expenses not expended yet for special projects of $34k and Tresillian course tutor fees of $58k.

Favourable expenditure variance is mainly due to increase in fees & charges and grant income from Tresillian, NCC, Positive Ageing and PRCC of $105k.

**Planning and Development**

Expenditure: Favourable variance of $ 147,851

Revenue: Favourable variance of $ 105,853

The favourable expenditure variance is mainly due to expenses not expended yet for Strategic projects, Professional fees, Environmental other expenses, OPRL activities and Ranger services other expenses of $98k. Salaries are lower by $53k mainly due to vacant positions not backfilled.

Favourable revenue variance is due to higher income on fees and charges for Town Planning and Environmental Health of $104K.

**Technical Services**

Expenditure: Unfavourable variance of $ (938,263)

Revenue: Unfavourable variance of $ (219,997)

The unfavourable expenditure variance mainly due to UGP refund from Western Power of $842k budgeted in 2019/20. However, the refund has since been accrued in 2018/19 as the refund was confirmed in June 2019 and relates to expenses incurred in 2017/18 and 2018/19 and will be adjusted during the midyear budget review. Due to a lower level of capital works completed than budgeted year to-date, on cost of $239k have also not been costed to projects. This will even out as the level of completed capital works increases.

Unfavourable revenue variance is due to lower Underground power Service Charges of $69k and timing difference of fees & charges, grant income, contribution & reimbursement income for street road, plant, waste management and infrastructure services of $132k.

**Borrowings**

At 31 October 2019, we have a balance of borrowings of $7 M. There were no additional borrowings for the year in 2019/20 budget and the estimated loan balance as at 30 June 2020 is $5.9 M.

**Net Current Assets Statement**

At 31 October 2019, net current assets were $25 M compared to $22 M as at 31 October 2018.

**Capital Works Programme**

At the end of September, the expenditure on capital works were $1.4M with further commitments of $3.2 M which is 36.44% of a total budget of $12.8 M.

**Conclusion**

The statement of financial activity for the period ended 31 October 2019 indicates that operating expenses are above the year-to-date budget by 1.2% or $116k, while revenue is above the Budget by 0.3% or $84k.

**Key Relevant Previous Council Decisions:**

Nil.

**Consultation**

N/A

**Budget/Financial Implications**

As outlined in the Monthly Financial Report.

## Monthly Investment Report – October 2019

|  |  |
| --- | --- |
| **Council** | 26 November 2019 |
| **Applicant** | City of Nedlands |
| **Employee Disclosure under section 5.70 Local Government Act** | Nil. |
| **Director** | Lorraine Driscoll – Director Corporate & Strategy |
| **CEO** | Mark Goodlet |
| **Attachments** | * + - 1. Investment Report for the period ended 31 October 2019 |

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

Moved – Councillor McManus

Seconded – Councillor Hodsdon

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

(Printed below for ease of reference)

**CARRIED UNANIMOUSLY 12/-**

**Council Resolution / Recommendation to Council**

**Council receives the Investment Report for the period ended 31 October 2019.**

**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 Summary shows that as at 31 October 2019 the City held the following funds in investments:

Municipal Funds $ 15,073,401.04

Reserve Funds $ 6,785,065.61

Total $ 21,858,466.65

The total interest earned from investments as at 31 October 2019 was $77,695.73.

The Investment Portfolio comprises holdings in the following institutions:

|  |  |  |  |
| --- | --- | --- | --- |
| **Financial Institution** | **Funds Invested** | **Interest Rate** | **Proportion of Portfolio** |
| NAB | $6,396,281.90 | 1.40% - 2.73% | 29.26% |
| Westpac | $8,604,488.87 | 1.75% - 2.50% | 39.36% |
| ANZ | $2,185,086.46 | 1.64%-2.20% | 10.00% |
| CBA | $4,672,609.42 | 1.56% - 2.38% | 21.38% |
| **Total** | **$21,858,466.65** |  | **100.00%** |

**Conclusion**

The Investment Report is presented to Council.

**Key Relevant Previous Council Decisions:**

Nil.

**Consultation**

Required by legislation: Yes  No

Required by City of Redlands policy: Yes  No

**Budget/Financial Implications**

Investment income is steady as per budget.

The Mayor granted a recess for the purposes of a refreshment break.

The meeting adjourned at 8.27 pm and reconvened at 8.35 pm with the following people in attendance:

**Councillors** Her Worship the Mayor, C M de Lacy (Presiding Member)

Councillor F J O Bennett Dalkeith Ward

Councillor W R B Hassell Dalkeith Ward

Councillor A W Mangano Dalkeith Ward

Councillor B G Hodsdon Hollywood Ward

Councillor J D Wetherall Hollywood Ward

Councillor R A Coghlan Melvista Ward

Councillor G A R Hay Melvista Ward

Councillor R Senathirajah 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 M A Goodlet Chief Executive Officer

Mrs L M Driscoll Director Corporate & Strategy

Mr P L Mickleson Director Planning & Development

Mr J Duff Director Technical Services

Mrs N M Ceric Executive Assistant to CEO & Mayor

## 18 Cooper Street, Nedlands – Ten Multiple Dwellings

|  |  |
| --- | --- |
| **Council** | 26 November 2019 |
| **Applicant** | Urbanista Town Planning |
| **Landowner** | Yuki Yama Pty Ltd |
| **Director** | Peter Mickleson – Director Planning & Development |
| **Employee Disclosure under *section 5.70 Local Government Act 1995*** | Nil. |
| **Report Type**  Advocacy | When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency. |
| **Reference** | DA19/-38065 |
| **Previous Item** | Nil. |
| **Delegation** | Not applicable – Joint Development Assessment Panel Application. |
| **Attachments** | 1. Development Plans for determination dated 28 October 2019 2. Applicant Planning Report and Supporting Information 3. Summary of Submissions 4. Architectural Review 5. Advertised Plans dated 26 July 2019 6. Submissions (CONFIDENTIAL) |

Moved – Councillor Hassell

Seconded – Councillor Hay

**That the Recommendation to Council be adopted subject to the following comments being added:**

**Council advises the JDAP that it agrees with the Community’s key concerns on bulk, scale, amenity, setbacks and parking; and**

**Council acknowledges that the upcoming precinct planning will provide greater guidance to the specific character for the area.**

**CARRIED 9/3**

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

**Council Resolution**

**Regulation 11(da) – Council has concerns regarding the appropriateness of the proposal and wishes to inform the JDAP of its precinct planning work.**

**Council:**

1. **notes the assessment undertaken to date on the matters that must be considered in providing a recommendation to the JDAP for the development application dated 26 July 2019 for ten multiple dwellings at Lot 395, No. 18 Cooper Street, Nedlands;**
2. **advises the JDAP that it agrees with the Community’s key concerns on bulk, scale, amenity, setbacks and parking; and**
3. **acknowledges that the upcoming precinct planning will provide greater guidance to the specific character for the area.**

Recommendation to Council

Council notes the assessment undertaken to date on the matters that must be considered in providing a recommendation to the JDAP for the development application dated 26 July 2019 for ten multiple dwellings at Lot 395, No. 18 Cooper Street, Nedlands.

1. **Executive Summary**

The purpose of this report is for Council to make its submission on the Development Assessment Panel (DAP) application for ten multiple dwellings received from the applicant on the 26 July 2019, at No. 18 (Lot 395) Cooper Street, Nedlands.

The application was advertised in accordance with LPP – Consultation of Planning Proposals. In addition to Administration’s concerns, the issues raised during public consultation were forwarded to the applicant to address. The applicant has made some key changes to the development and provided an amended set of plans and supporting information.

At the time of writing this report, the amended development plans have not been fully assessed, however the Responsibility Authority Report will be submitted and published in accordance with the (Development Assessment Panels) Regulations 2011. Whilst there is no statutory requirement for Council to make a submission on the application, Administration is of the view that it is important for Council to communicate its position to the Joint Development Assessment Panel.

Based on the assessment thus far, Administration considers that the changes made to the application are now capable of support. Administration has provided an overview of the changes made and a discussion of the key issues for Council to consider when making its submission.

1. **Recommendation to Council**

**Council notes the assessment undertaken to date on the matters that must be considered in providing a recommendation to the JDAP for the development application dated 26 July 2019 for ten multiple dwellings at Lot 395, No. 18 Cooper Street, Nedlands.**

1. **Background**

**2.1 Land Details**

|  |  |
| --- | --- |
| **Metropolitan Region Scheme Zone** | Urban |
| **Local Planning Scheme Zone** | Residential |
| **R-Code** | R60 |
| **Land area** | 910.5m2 |
| **Additional Use** | No |
| **Special Use** | No |
| **Local Development Plan** | No |
| **Structure Plan** | No |
| **Land Use** | Existing – Single house  Proposed – Ten Multiple dwellings |
| **Use Class** | Proposed – P |

**2.2 Locality Plan**

The subject site is zoned Residential with a density code of R60. The site is located within the street block bounded by Cooper Street to the north-east, Broadway to the north-east, Clark Street to the south-east and Bruce Street to the west. The site lies in an area that has recently been re-zoned and up-coded from Residential R12.5 to Residential R60 and forms a transition between the Mixed-Use high density along Broadway (R-AC3) and Stirling Highway (R-AC3) and the lower density to the west of Bruce Street.

The site is 910.5m2 in area, is oriented north-north-west to south-south-east, and has its sole street frontage to Cooper Street. The site is relatively flat and the property appurtenant to the site has no identified heritage value.



**Application Details**

Development approval is sought for the demolition of a single house and the construction of a Multiple dwelling development at No. 18 (Lot 395) Cooper Street, Nedlands (the site) within the Residential (R60). The development includes the following:

**Ground floor**

* 1 x 1-bedroom dwelling
* 1 x 2-bedroom dwelling
* 13 parking bays
* 7 storerooms
* Communal BBQ area
* Bin store

**First Floor**

* 4 x 2-bedroom dwellings

**Second Floor**

* 4 x 2-bedroom dwellings

1. **Consultation**

Given that the application is for multiple dwellings it was advertised in accordance with the requirements of a ‘Complex’ application as per City’s Local Planning Policy - Consultation of Planning Proposals which included the following:

* 257 Letters sent to all City of Nedlands landowners and occupiers within a 200m radius of the site;
* A sign on site was installed on the frontage of the site for the advertising period;
* An advertisement was uploaded to the City’s website with all documents relevant to the application made available for viewing during the advertising period;
* An advertisement was placed in the Post newspaper;
* Social media post made on one of the City’s Social Media platforms;
* A notice was affixed to the City’s Noticeboard at the City’s Administration Offices; and
* A community information session was held by City officers attended by approximately 50 residents and elected members.

At the conclusion of advertising, the City received 12 objections to the proposal, 2 submission in support and 1 submission providing conditional support. The following pie chart is graphical representation of the submissions.

A comprehensive list of issues raised during advertising including an Officer response, is contained as **Attachment 3.**

Note: A full copy of all relevant consultation feedback received by the City has been given to the Councillors prior to the Council meeting.

1. **Assessment of Statutory Provisions**

The following changes were made to the development following the City’s Request for Further Information.

|  |  |  |  |
| --- | --- | --- | --- |
| **Element** | **Plans dated 26 July 2019** | **Plans dated 28 October 2019** | **Officer Comment** |
| Street setback | Ground floor: **2.1m**  1st-2nd floor: **2.352m** | Ground floor: **4.45m**  1st-2nd floor: **4m** | This is a material improvement for the development’s streetscape presentation. |
| Rear Setback | **6m** | **6.6m** | The rear setback has been improved |
| Plot Ratio | **0.967** or **880.5m2** | **0.9** or **827m2** | The development is now closer to the default plot ratio standard and remains consistent with the element objectives. |
| Solar Access | Approximately  **177.22m2** | Approximately **87m2** | Subject to final assessment. However, appears to be a significant improvement. |
| Façade and materials | Refer to the City’s Architectural review (see **Attachment 4**) | * Gabled roof design * Red Face brick * Removal of projecting building entry * Sun shading to windows * Screening to balconies | The development is now more in-keeping with the character of the area. |

**5.1 Key Issues of Assessment**

**Building Height**

The height including the bulk and scale of the development was identified as a key issue during public consultation. While the City notes the Community’s concern with the change from the general single and two storey buildings within the surrounding area, the development is consistent with the R Code Primary Controls table 3-storey building height for the R60 density. Administration’s initial assessment found that the development achieved all element objectives. This element is not able to be used as a reason for refusal.

**Street Setback**

Whilst the development meets the default street setback, Administration requested the applicant to improve the streetscape presentation of the building by way of landscaping in order to achieve the element objectives. The setback of development from the street has almost doubled, reducing the bulk experienced at pedestrian level. In the absence of a local planning policy which articulates the desired streetscape character, or the expertise of a Landscape Architect of an appointed Design Review Panel, Administration is of the view that the development achieves the element objectives and considers this element capable of support.

**Plot Ratio**

The development has been reduced in size from a plot ratio of 0.967 or 880.5m2 to 0.9 or 827m2. The development remains consistent with the element objectives of the R- Codes. The City is of the view that the development is consistent with the expected bulk and scale of a development coded Residential R60 and is capable of support.

**Landscaping**

The development proposes one deep soil area, and three other areas of significant landscaping, and will include one medium sized tree, a retained large tree and four small trees. The landscaping plan is considered straight forward and would have benefited from the landscape design expertise of an appropriately qualified person or Design Review Panel. However, Administration is of the view that the loss of tree canopy is adequately offset by the proposed landscaping.

**Traffic and Parking**

In terms of the impact of the development on local traffic, the applicant has provided a Traffic Impact Statement (TIS) which has concluded that the development will not adversely affect the surrounding road network. Given the scale of development, this is not considered a valid reason for refusal.

In terms of the parking provided on-site, the development satisfies the default parking requirements in the R-Codes Volume 2, which are considered appropriate for a development of this type and scale. Whilst the City acknowledges that this area is subject to higher demand for on-street parking bays, the City is of the view that the number of parking bays is adequate and is not considered a valid reason for refusal.

1. **Conclusion**

Administration is cognisant of the community’s desire for the application to be put on hold until a precinct plan has been adopted for this area. Pursuant to DAP Regulations 2011, Administration must assess the application in accordance with the planning framework at the time of lodgement within the statutory timeframe.

It is noted that many residents requested the application to be refused, however, in working with the applicant Administration has gained key improvements to the design which are considered to reduce the overall impact of the development on the locality, specifically in relation to street setback, rear setback, plot ratio and overshadowing. Further improvements could be made, however, without a Design Review Panel to provide architectural advice or a local planning policy articulating the desired building envelope and character, the City is limited in what it can request.

The changes made by the applicant have addressed Administration’s key concerns. The City, must therefore, be reasonable in its recommendation. If Administration recommends refusal for all DAP applications, it will lose its ability to negotiate with applicants as there would be no perceived benefit to make key changes.

In light of the above Administration is of the view that the development is capable of support under the current planning framework.

## RFP 2018-19.02 Consulting Services Panel Council Report

|  |  |
| --- | --- |
| **Council** | 26 November 2019 |
| **Applicant** | City of Nedlands |
| **Employee Disclosure under *section 5.70 Local Government Act 1995*** | Nil. |
| **Director** | Jim Duff – Director Technical Services |
| **CEO** | Mark Goodlet |
| **Attachments** | 1. Evaluation Scoresheet - Confidential |

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

Moved – Councillor Hassell

Seconded – Councillor Senathirajah

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

(Printed below for ease of reference)

**CARRIED UNANIMOUSLY 12/-**

**Council Resolution / Recommendation to Council**

**Council:**

1. **agrees to appoint the following contractors to the RFP 2018-19.02 Consulting Services Panel:**

**Landscape Architecture**

1. **Tim Davies Landscaping Pty Ltd**
2. **Emerge Associates**
3. **Cardno (WA) Pty Ltd**

**Architectural Services**

1. **Hodge Collard Preston Architects**
2. **Bollig Design Group**
3. **Holton Connor Architects & Planners**

**Surveying licenced cadastral**

1. **Veris Australia Pty Ltd**
2. **Land Surveys No Problems Just Solutions Pty Ltd**
3. **Towntrek Pty Ltd trading as Brown McAllister Surveyors**

**Surveying General**

1. **Veris Australia Pty Ltd**
2. **Land Surveys No Problems Just Solutions Pty Ltd**
3. **Brown McAllister Surveyors**
4. **R.K.Roach**

**Transport Engineering;**

1. **GHD Pty Ltd**
2. **GTA Consultants (WA) Pty Ltd**
3. **Cardno (WA) Pty Ltd**

**Structural Engineering**

1. **Advisian Pty Ltd**
2. **WGA WA Pty Ltd**
3. **Pritchard Francis Consulting Pty Ltd**

**Electrical Engineering**

1. **Alliance Power & Data Ltd**
2. **Powerlyt Group Pty Ltd**
3. **Underground Power Development Pty Ltd**

**Geotechnical Engineering**

1. **Douglas Partners Pty Ltd**
2. **Advisian Pty Ltd**
3. **GHD Pty Ltd**

**Civil Drainage Engineering;**

1. **GHD Pty Ltd**
2. **McDowall Affleck Pty Ltd**
3. **Porter Consulting Engineers**

**Hydrology**

1. **GHD Pty Ltd**
2. **Advisian Pty Ltd**
3. **RPS Australia West Pty Ltd**

**Coastal/Marine Engineering**

1. **BMT Western Australia Pty Ltd**
2. **M P Rogers & Associates Pty Ltd**
3. **GHD Pty Ltd; and**
4. **authorises the Chief Executive Officer to sign the acceptance of offers.**

**Executive Summary**

To appoint pre-qualified suppliers to a panel for consulting services.

**Discussion/Overview**

In 2014, the City established a panel of pre-qualified suppliers for a range of consulting services, which expired in April 2018, in lieu of using the WALGA panel contractor service. The City has been seeking individual consulting services since this time, but now intends to establish a panel for a range of services which will support the delivery of the Nedlands Strategic Community Plan, Corporate Business Plan and Annual Budget.

Panel Tenders are advantageous to the City to secure providers, as they allow for a one-off assessment of the skills and capabilities of prospective consultants. As projects arise, works can be carried out based on the schedule of rates provided or on submission of a lump sum price. The Tenderer does not need to repeatedly demonstrate that they can satisfy the qualitative criteria, thus saving the City and the Tenderer time and cost while still complying with the Local Government Act 1995.

It is likely the combined expenditure on these services will exceed $150,000. In order to comply with legislative requirements outlined in the *Local Government Act 1995* and ensure the best value for money for the City, the supply of these services must be tendered.

The City may still elect to select a Consultant not on the Panel of Consultants, subject to normal quotation and tendering requirements of the Local Government Act 1995.

**Panel information**

The *Local Government (Functions and General) Regulations 1996* allows for local governments to establish panels of pre-qualified suppliers.

Request for Panel 2018-19.02 was advertised on 16 January 2019 in the West Australian Newspaper and at www.tenderlink.com/nedlands. The Panel invitation ended on 14 February 2019 and submitted responses were opened by officers of the City at 10.00am on 18 February 2019.

Tenders were sought from Consultants experienced in a range of consultancy services and associated specialist expertise, for appointment to a Panel of Consultants from the date of award of the contract for three (3) years, with an option to extend the contract for two (2) further periods of 12 months, exercisable at the City's absolute discretion.

The disciplines sought were;

* Landscape Architecture
* Architectural Services
* Surveying – Licensed cadastral
* Surveying – General
* Transport Engineering
* Structural Engineering
* Electrical Engineering
* Geotechnical Engineering
* Civil Drainage Engineering
* Hydrology; flood estimation
* Coastal/Marine Engineering.

Sixty-Two (62) compliant submissions were received by the City, totalling One Hundred and Thirty (130) applications to the various disciplines, by the following companies;

1. 360 Environmental Pty Ltd
2. Acor Consultants (WA) Pty Ltd
3. Advisian Pty Ltd
4. Airey Taylor Pty Ltd t/a Airey Taylor Consulting
5. Alliance Power & Data Pty Ltd
6. Architectus Group Pty Ltd
7. ASPECT Studios Pty Ltd
8. BCE Surveying Pty Ltd
9. BHT Group Pty Ltd
10. Bollig Design Group
11. BMT Western Australia Pty Ltd
12. BPA Operations Pty Ltd
13. Brook and Marsh Pty Ltd
14. Brown McAllister Surveyors
15. Capital House Australasia
16. Cardno (WA) Pty Ltd
17. Construction Sciences Pty Ltd
18. Donald Veal Consultants Pty Ltd
19. Douglas Partners Pty Ltd
20. DWA Consulting Pty Ltd T/A David Wills and Associates
21. Edge Transport Solutions Pty Ltd
22. Emerge Associates
23. Engineering Technology Consultants
24. Focus Consulting WA Pty Ltd
25. Geotechnical and Geological Consultants
26. GHD Pty Ltd
27. Glen Flood Group Pty Ltd T/A GFG Consulting
28. GTA Consultants (WA) Pty Ltd
29. H.S.V. Nominees Pty Ltd
30. Hocking Planning and Architecture Trading as Hocking Heritage Studio
31. Hodge Collard Preston Pty Ltd
32. Holton Connor Architects & Planners
33. Hydro-Plan Pty Ltd
34. Land Surveys No Problems Just Solutions Pty Ltd
35. Level 5 Design Pty Ltd
36. Local Geotechnics
37. M P Rogers & Associates Pty Ltd
38. McDowall Affleck Pty Ltd
39. McMullen Nolan Group Pty Ltd
40. MGC Solutions Pty Ltd
41. Peak Consultants Pty Ltd
42. Place Laboratory Pty Ltd
43. Plan E Landscape Architects
44. Porter Consulting Services
45. Powerlyt Group Pty Ltd
46. Pritchard Francis Consulting Pty Ltd
47. R.K.Roach
48. RM Surveys Pty Ltd
49. RPS Australia West Pty Ltd
50. Serling Consulting (Australia) Pty Ltd
51. SMEC Australia Pty Ltd
52. Talis Consultants Pty Ltd
53. Tim Davies Landscaping Pty Ltd
54. Transcore Pty Ltd
55. UDLA Pty Ltd
56. Underground Power Development Pty Ltd
57. Urbaqua Ltd
58. Veris Australia Pty Ltd
59. W & G Engineers Pty Ltd
60. Water Technology Pty Ltd
61. Wood & Grieve Engineers Limited
62. WSP Australia Pty Ltd

**Evaluation**

Each discipline was independently evaluated by three (3) City officers in accordance with the qualitative criteria specified in the Panel documentation. The final evaluation scores were collated for each discipline and used to determine a ranking for each Consultant. These evaluation scores are published in Attachment 1 – Evaluation Scoresheet.

To ensure that agreements are compatible with the City’s risk profile, negotiation has taken place with consultants who requested variations to the panel conditions.

A confidential evaluation and recommendation report was completed and approved by the evaluation panel, Purchasing and Tenders Coordinator, Manager Infrastructure Services and Director Technical Services. References were sought from appropriate sources for quality assurance purposes which backed up the findings of the evaluation panel.

**Conclusion**

After an assessment of the submitted tenders it is proposed that Council agrees to award RFP 2018-19.02, as per the schedules of rates submitted, for a period of three (3) years, to the Consultants detailed in the table supplied in the recommendations to Council. These Consultants have been assessed as having attained the highest scores in the evaluation and are ranked accordingly as providing the most cost-efficient outcome and best overall value for each discipline tendered for.

The final scores can be found in confidential Attachment 1.

**Key Relevant Previous Council Decisions:**

Nil.

**Consultation**

Nil.

**Budget/Financial Implications**

The City will utilise the services of the Consultants on an as-needed basis where budget provision has been made for their services.

## Annual & Financial Reports 2018/19

|  |  |
| --- | --- |
| **Owner** | City of Nedlands |
| **Employee Disclosure under *section 5.70 Local Government Act 1995*** | Nil. |
| **Director** | Lorraine Driscoll - Director Corporate & Strategy |
| **CEO** | Mark Goodlet |
| **Attachments** | 1. Annual Report 2018-19 2. Financial Report 2018-19 3. Audit Completion Report |

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

Moved – Councillor McManus

Seconded – Councillor Hodsdon

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

(Printed below for ease of reference)

**CARRIED UNANIMOUSLY 12/-**

**Council Resolution / Recommendation to Council**

**Council:**

1. **accepts the Annual & Financial Reports of the City of Nedlands for the year ended 30 June 2019 in accordance with the provisions of section 5.54 of the Local Government Act 1995;**
2. **refers the Annual & Financial Reports for the year ended 30 June 2019 to the Annual General Meeting of Electors of the City of Nedlands to be held at 6.00pm, Thursday 12 December 2019 at the Adam Armstrong Pavilion; and**
3. **receives the 2019 Audit Completion Report.**

**Executive Summary**

The Annual Report for the year ended 30 June 2019 is presented to Council for acceptance. The Annual Report is presented in two parts, being the Annual Report, and the Financial Report, a summary of income and expenditure is included in the highlights section of this report. Also included is a full set of audited annual financial statements and the Independent Auditor’s report.

Once formally received and accepted by Council, the Annual Report can be referred for discussion at the Annual Electors’ Meeting.

**Discussion/Overview**

**Background**

*Section 6.4 of the Local Government Act 1995* requires a Local Government to prepare an Annual Report in the manner and form prescribed and by 30 September submit to its Auditor the accounts balanced up to the last day of the preceding year and the annual financial report for each financial year.

*Section 5.53 of the Local Government Act 1995* requires a Local Government to prepare an Annual Report for each financial year. The Annual Report is to contain a report from the Mayor, a report from the Chief Executive Officer, the Financial Report for the Financial Year, the Auditor’s Report for the Financial Year, a number of other matters in relation to principal activities and such other information as may be prescribed.

Once received Council is then required by *Section 5.27* of the *Local Government Act 1995* to hold a General Meeting of Electors once every financial year to discuss the contents of the Annual Report for the previous financial year and any other general business.

**Key Relevant Previous Council Decisions:**

Not applicable.

**Consultation**

Required by legislation: Yes  No

Required by City of Nedlands policy: Yes  No

**Legislation/Policy**

*Sections 5.27, 5.29, 5.53, 5.54 and 6.4 of the Local Government Act 1995* respectively deal with the requirement for a General Meeting of Electors each financial year and the requirement for an Annual Financial Report.

**Budget/Financial Implications**

**2018/19 Highlights**

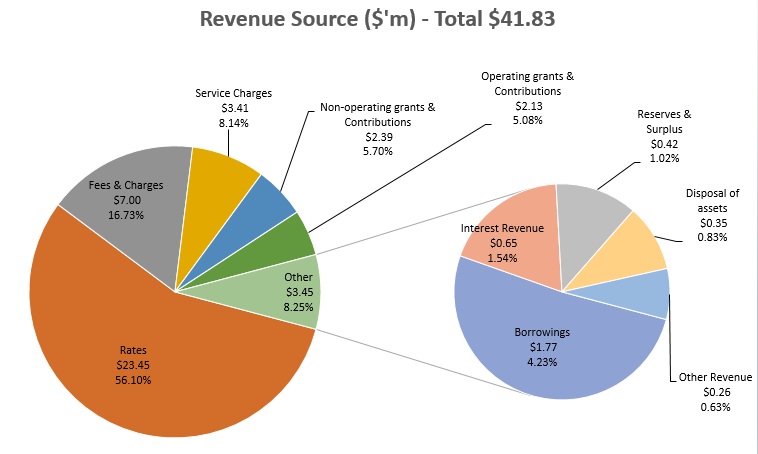
1. Local Planning Scheme No 3 was published in the Government Gazette on Tuesday, 30 April 2019 – a step that completes the approval process.
2. The City undertook more than 90 engagement projects in 2018/19 and achieved a participant membership of approximately 2,300 people through its online engagement hub Your Voice Nedlands. Your Voice Nedlands continued to be a major resource for our ratepayers with 30,938 visits compared to 25,000 in the previous year.
3. The City is leading the way with power-saving light emitting diode (LED) streetlight technology, being the first partnership between Local Government and Western Power to deliver the technology and program. Requiring less maintenance than traditional streetlights, the lights send messages when there is a fault, eliminating the need for physical inspections.
4. The City successfully completed the installation of underground power in the West Hollywood under-budget and ahead of schedule, also projects in Alfred Road, Mt Claremont triangle and Alderbury Street.
5. 3.2km of the City’s roads and 3,200m2 of footpath were renewed, with a further 417m2 of new footpaths constructed, along with improving 1 blackspot area.
6. Sustainability remained a key focus with over 547 street trees and

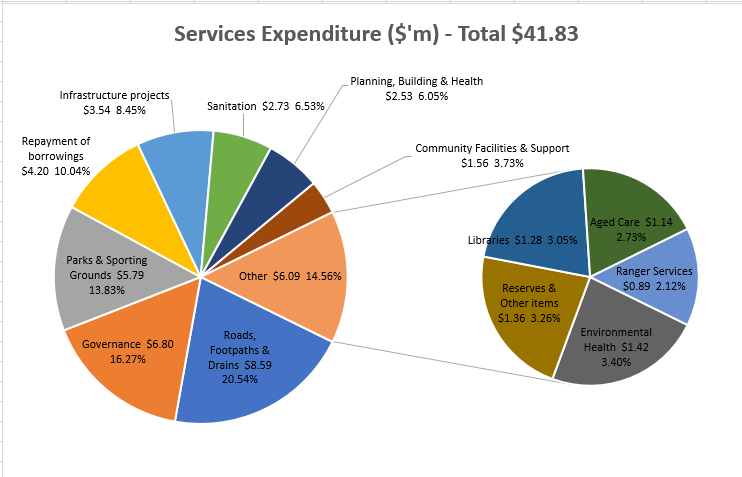
23,000 native seedlings planted across the City.

1. The City completed a feasibility study report on potential introduction of a Food Organic Garden Organic (FOGO) services for the City’s residents including how to integrate a FOGO service using the current infrastructure.
2. The building projects undertaken during the year include:
   1. Construction of changing places accessible toilet at the Jo Wheatley All Abilities Play Space;
   2. College Park Community Centre – complete renovation to the building including asbestos removal;
   3. John XXIII Avenue – enhancements to improve operational efficiency and create resource sharing opportunities at the works depot; and
   4. JC Smith Pavilion – replacement of the roof including removal of asbestos.
3. More than 8,400 people attended the City’s major community events,

including four Summer Concerts in the Park, Party in the Park to celebrate the City’s 60th Anniversary, two Nedlands Going Place Tour, Anzac Day ceremony, Remembrance Day Ceremony and three Citizenship Ceremonies.

**Snapshot of Financial Performance**





**Overview of 2018/19 Financial Performance**

The City completed the 2018/19 financial year with a surplus net result in the Statement of Comprehensive Income of $2,493,592 compared to the adopted budget deficit of $594,370. The Statement of Comprehensive Income includes all operating revenues and expenses, both cash and non-cash and grants & contributions. In terms of setting its rates Council does not budget to raise rates to recover the non-cash costs of depreciation but does budget to generate sufficient operating revenue to fund its capital works program and financing activities. Any shortfall is covered by borrowings and/or transfers from reserves.

Key factors contributing to the variances by ‘Nature or Type’ between actual and adopted budget are provided in this report.

The significant reasons for the variances are:

1. Operating revenue for the year was $36,900,467 compared to the budget of $33,607,060, which represents an increase of $3,293,407 (9.80%).
2. Rates levied were $332,483 (1.44%) higher than budget due to increased revenue from interim rates.
3. Operating Grants & Contributions received was $505,513 (31.18%) higher than budget. This was mainly due to the receipt of $555,076 operating grants for 2019/20 which was received in advance in this financial year and therefore recorded as income in 2018/19.
4. Fees and Charges raised were higher than budget by $441,836 (6.74%). The higher income was due to increased course fees, Point Resolute Child Care fees and Planning fees.
5. Service charges for the Hollywood underground power project were higher than budget by $2,246,530 (193.68%) due to higher uptake of up-front payment and inclusion of revenue from future instalments receivable.
6. Interest income from investments were higher by $65,924 (11.37%) than budget due to improved cashflow management during the year.
7. Other Revenue was lower than the budget by $298,879 (53.21%). This was largely due to the certain WESROC Projects not undertaken and therefore less amounts were invoiced to the member local governments in 2018/19 financial year.

**Operating Expenses**

1. Operating expenses for the year were $30,585,391 compared to the budget of $34,843,085, a decrease of $4,257,694 (12.22%).

1. Employee costs was lower by $129,371 (0.96%) compared to the budget. This is mainly due to increased cost control measures by management and delay in replacing staff immediately upon resignation.
2. Materials and Contracts costs decreased by $1,374,360 (11.13%) compared to the budget. This is due to the deferment of some operating projects due to factors outside the City’s control and savings due to constant monitoring of expenses. The Hollywood underground power project cost was less than budgeted and Western Power subsequently refunded the City $750,906.
3. Interest charges was lower by $79,743 (21.05%) due to a higher uptake of up-front payments for the underground power project compared to instalments, thus reducing the borrowings to fund the project. Further due to a lower capital works completed the City did not require the budgeted borrowings of $1 million for capital works.
4. Depreciation of non-current assets was lower by $2,692,265 due to an infrastructure revaluation on 30th June 2018, in accordance with Department of Local Government, Sport and Cultural Industries review timetable and standard accounting practice.

**Capital Income**

During the financial year, the City received lower non-operating grants, subsidies and contributions by $1,459,302 (37.94%) due to lower grants received for the following projects:

**Projects**  ($)

Safe Active Street 530,000

Birdwood Parade 172,000

All Abilities Play Space 168,000

Various Parks Projects 255,500

Various Footpath Rehabilitation 148,619

**Capital Works**

During the financial year the City spent $9,679,074 in carrying out its Capital Works program of which $7,619,246 was spent on improving infrastructure assets – roads, footpaths, drainage, parks and gardens and $2,059,828 was spent on upgrading and renovating the City’s buildings and purchase of plant and equipment.

The 2018/19 capital budget was $13,885,100, of which $11,316,100, was for improving infrastructure assets and $2,569,000 was for upgrading and renovating the City’s buildings and purchase of plant and equipment.

The following project was completed below budget due to improved project management leading to cost savings

**Project**

All Abilities Play Space $178,000

The following projects were not carried out in 2018/19 due to change in external factors:

**Projects**

Footpath Rehabilitation – Waratah Avenue $414,900

Hackett Hall Renovation $210,000

College Park Irrigation Upgrade $432,480

St John’s Wood Blv – Playground $136,000

Of the total funds expended on capital works, $2,386,090 were funded from grants and contributions and the balance of $7,292,984 was funded from operating surplus, transfers from reserves and sale of plant.

The values of capital works completed in each of the past 5 years is shown in the following chart. It is to be noted that the major projects contributing to the high value of capital works in 2017/18 was due to All Abilities Play Space, Road works at Birkdale Street, Browne Street, Shann Street, Brockway Road and Brockway/Brookdale, whilst in 2016/17 it was due to All Abilities Play Space, Allen Park Lower Pavilion Renovations and Road Rehabilitation works at Gallop Road, Boronia Avenue, Leon Road and Princess Road.

**Cash and Cash Equivalents**

The cash and cash equivalent balance at 30 June 2019 was $8,170,423 compared to $5,097,698, an increase of $3,072,725 (60.28%). This is due to bonds and retention amount of $1,874,670 being accounted for as part of City’s restricted funds and Term Deposits increased by $2,296,460 due to change in classification of deposits placed for more than 90 days.

**Receivables**

The increase in Receivables in 2018/19 of $2,208,421 compared to the previous year. This is mainly due to a refund receivable from Western Power of $750,509, service charges on instalments of $874,254 accounted for upfront in 2019 and increased GST receivable due to increase in trade payables. As a %, the rates outstanding compared to rates revenue for this financial year is 3.97% compared to 3.55% for the previous financial year, a slight increase due to interim rates being levied later in the financial year.

**Payables**

The increase in payables of $2,695,742 was as a result of the change in the accounting treatment of bonds and deposits which in previous years were excluded from the financial statement but effective 2018/19 are being included in the financial statements. The amount of bonds and deposits held at year end was $1,874,670. Furthermore, large amounts of capital works were completed towards the end of financial year which resulted in an increased sundry creditor of $520,178. $234,603 of the refund from Western Power was set aside as a liability as this amount is refundable to the affected owners.

**Borrowings**

The City had additional long term borrowing of $806,734 for the underground power project. However, the City managed to finance all capital works without having to borrow the $1 million budgeted for that purpose. As at 30 June 2019, the City had total borrowings of $7,555,716 after principal repayment of $1,597,168 compared to 2017/18 total borrowings of $8,346,150.

The short-term borrowings of $1,652,524 as at 30 June 2018 was fully repaid during 2018/19 financial year.

**Financial Performance Indicators**

The Financial Ratios in Note 37 to the accounts give an overview of the financial performance of the City in 2018/19 compared with the previous two years. All the ratios except for the Asset Consumption ratio are within recommended standard benchmarks set by the Department of Local Government.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Ratio** | **Target** | **2019** | **2018** | **2017** |
| Liquidity - Current Ratio | >1.00 | 0.98 | 0.85 | 1.31 |
| Debt Ratio - Debt Service Cover Ratio | >2.00 | 5.61 | 1.83 | 6.44 |
| Coverage Ratio - Own Source Revenue Coverage Ratio | >40% | 114% | 84% | 94% |
| Financial Performance - Operating Surplus Ratio | >1% | 18% | -12% | 2% |
| Asset Management Ratios - Asset Sustainability Ratio | >90-110% | 233% | 145% | 165% |
| Asset Consumption Asset Consumption Ratio | >50% >>%>50% | 58% | 57% | 67% |
| Asset Renewal Funding Ratio | 75-95% | 92% | 86% | 88% |

The current ratio is slightly below the target of 1.00, however indicates a 13% improvement from the previous year.

**Audit Report**

The Auditor General has completed the audit of the Annual Financial Statements in line with current Australian Standards and have stated that they will give an Unqualified Opinion following the meeting with the Audit and Risk Committee.

The Auditor General has made the following comments in their Report on Other Legal and Regulatory Requirements:

1. The following material matters indicating non-compliance with Part 6 of the *Local Government Act 1995, the Local Government (Financial Management) Regulations 1996* or applicable financial controls of any other written law were identified during the course of my audit:
2. The City has continued to procure goods and services from two suppliers after the contract expiry, without a valid extension.
3. Although accounting journal entries are approved in a record-keeping system before being entered in the accounting system, there is no independent review of journals that have been input to the accounting system. This could result in unauthorised journals being posted in the accounting system without detection.

In relation to (a) above, further explanation is provided as follows:

* The City has continued to procure goods and services without a valid contract between 30th June 2018 and 26th February 2019. The goods and services related to maintenance of natural areas and the supplier was formally approved by Council on 26th February 2019, with a value of $59,500.
* The second supply was with the City’s Insurance Broker for a value of $22,500 per annum. This contract was extended at a formal contract renewal meeting with the supplier, - all terms and formalities were agreed by both parties at this meeting.

In relation to (b) above, the City has subsequently amended the journal entry process to include a check by an independent officer on the journal entered in the accounting system.

**Risk Management**

Not applicable.

## Appointment of Community Member – Audit & Risk Committee

|  |  |
| --- | --- |
| **Council** | 26 November 2019 |
| **Applicant** | City of Nedlands |
| **Employee Disclosure under section 5.70 Local Government Act** | Nil |
| **Director** | Lorraine Driscoll – Director Corporate & Strategy |
| **CEO** | Mark Goodlet |
| **Attachments** | 1. Paul Setchell’s CV - Confidential |

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

Moved – Councillor Hodsdon

Seconded – Councillor McManus

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

(Printed below for ease of reference)

**CARRIED UNANIMOUSLY 12/-**

**Council Resolution / Recommendation to Council**

**Council appoints Mr Paul Setchell as Community Member on the Audit & Risk Committee.**

**Executive Summary**

The Purpose of this report is for Council to consider the appointing of a community member to the Audit & Risk Committee as recommended by the Audit & Risk Committee.

**Discussion/Overview**

**Background**

At the Ordinary Council Meeting of 24 October 2017, Council resolved to appoint up to two community members to the Audit & Risk Committee. An advertisement calling for nominations to the Committee was advertised in the local press.

**Discussion**

In response to an advertisement in the local press, Administration received one expression of interest from Residents.

The following nomination from residents is presented for consideration:

* Mr Paul Setchell.

A copy of Mr Setchell’s CVs has been provided to Council Members under confidential cover.

**Legislative Requirement**

*Local Government Act 1995* sets out the requirements for the establishment of the Audit Committee and provides for community members.

**Consultation**

The Audit and Risk Committee has been consulted prior to formal consideration by Council and now recommends that Mr Paul Setchell be appointed as the Community Member for the Audit & Risk Committee.

**Budget/Financial Implications**

Not Applicable.

# 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 Mangano – Monthly Reporting of Staff Numbers

On the 7th November 2019 Councillor Mangano gave notice of his intention to raise the following at this meeting:

Moved – Councillor Mangano

Seconded – Councillor Senathirajah

**That the Chief Executive Officer report the following at each Council Meeting:**

1. **the number of employees (total of full-time, part-time and casual employees) as of the last day of the previous month;**
2. **the number of contract staff (temporary/agency staff) as of the last day of the previous month;**
3. **the FTE (Full Time Equivalent) count as of the last day of the previous month; and**
4. **the number of unfilled staff positions at the end of each month.**

**CARRIED UNANIMOUSLY 12/-**

Justification

Employee and contract staff costs represent a significant amount of Council’s budget. Employee and contract staff require accommodating vehicles and other costs in addition to salaries. Elected Members are entitled to be provided with any information pertaining to the performance of their roles as per section 5.92 of the Local Government Act 1995.

Administration Comment

The requested information can be provided within the monthly Finance report.

End of month reconciliation of head count staff numbers across the various employment categories (full time permanent and contract, part time permanent and contract, temporary agency and casual), and entry of the data, will cost $2,200 per year.

Council should consider the value of this information for its decision-making. Curtailing or dictating the terms under which staff are engaged will eliminate cost-saving opportunities which is a core consideration for the organisation, and this will force higher costs into other service delivery mechanisms such as consultants. This will lead to higher overall costs to the City.

# Elected members notices of motion given at the meeting for consideration at the following ordinary meeting on 17 December 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 November 2019 to be tabled at this point in accordance with Clause 3.9(2) of Council’s Local Law Relating to Standing Orders.

Nil.

# Urgent Business Approved by the Presiding Member or By Decision

## Options for Council Governance of LPS3 Policy Framework

|  |  |
| --- | --- |
| **Council** | 26 November 2019 |
| **Applicant** | City of Nedlands |
| **Employee Disclosure under section 5.70 Local Government Act 1995** | Nil. |
| **Director** | Peter Mickleson |
| **CEO** | Mark Goodlet |
| **Attachments** | 1. Terms of Reference - Planning and Infrastructure Committee 2. Term of Reference - Community Advisory Group |

Moved – Councillor Wetherall

Seconded – Councillor Hodsdon

That the Recommendation to Council be adopted.

(Printed below for ease of reference)

Councillor Hassell left the room at 9.34 pm and returned at 9.36 pm.

Lost 5/7

(Against: Mayor de Lacy Crs. Horley Smyth Bennett Hassell Coghlan & Hay)

Moved – Mayor de Lacy

Seconded – Councillor Wetherall

**Regulation 11(da) – Council felt that more time was needed to consider this report.**

**Council Resolution**

**That Council defers this item to a December Councillor Briefing and brings the matter back to the February 2020 Council Meeting.**

**CARRIED UNANIMOUSLY 12/-**

Recommendation to Council

Council determines that, for the time being, the most appropriate governance structure to deliver a policy framework for LPS3 is the current arrangement of the Committee of Council making recommendations to Council on all planning matters encountered by the City.

**Executive Summary**

Council asked for a report on the most appropriate governance structure to deliver the policy framework for LPS 3. In line with the key assumption that Council wants Precinct Plans completed as quickly as possible Administration have concluded that the most appropriate structure is the status quo (Committee consideration and Council decision). This governance structure will deliver Precinct Plans quickly and at least cost but may not meet other objectives of Council.

**Overview**

What is the most appropriate governance structure to meet Council’s planning objectives for the City of Nedlands?

Council should note that the existing planning framework for the City is made up of the:

* Local Planning Strategy;
* Local Planning Scheme No. 3 (LPS3);
* State Planning Policy 7.3;
* Residential Design Codes (R-Codes); and
* Local Planning Policies (LPP’s).

The main policy work of the Council is focused on Precinct Plans for “up-coded” areas of the City and other LPP’s to ensure that an appropriate planning framework is in place to guide decision making on Development Applications by either Council, the Joint Development Assessment Panel (JDAP) or the State Administrative Tribunal (SAT).

Council will recall that approximately 7-8% of lots in the City have been up coded by the new scheme.  Those fringing residents near or adjacent to the up-coded lots are also potentially directly affected, while others may be impacted by the changing character of the City in these up-coded locations.  There are also a proportion of businesses and residents in the up-coded areas who welcome lot value increases and/or future increase in customer trade.

**Key Assumptions**

1. That Precinct Plans are developed for up-coded areas of the City in the shortest time possible in accordance with the priority resolved and/or discussed by Council (currently Town Centre, Waratah Ave, Broadway, Transition Areas, remainder of Stirling Highway, Hampton, other)
2. That Council is seen to be and acknowledged by the Community as taking a leadership role in addressing community concerns resulting from increased density allowed under LPS3. (Note this assumption is not addressed in this report).
3. Precinct Planning cannot resolve all issues. “Character” is being addressed in the Precinct Plans (as Local Planning Policies) noting that the legislation has not yet been finalised but where the Council hopefully will shortly have jurisdiction and the ability to influence the outcomes.  Council has no ability to affect changes to the new Local Planning Scheme for matters such as height, which the Western Australian Planning Commission has indicated will not permit to be included in Precinct Plan policies.  Putting planning resources into this effort will waste City funds.
4. The normal Council decision making process for most ordinary items is a minimum of 7 weeks from report completion - where the Committee agenda aligns with the Council meeting agenda. This allows for the report to go through internal checking and Executive approval, inclusion on the Committee agenda and then Council agenda and minutes. Publishing of the minutes is usually the stage at which the decision is deemed to have been made.

These assumptions are based on Administration’s interpretation of what the Council wants. Council may wish to debate and change these assumptions however they have been used as a basis for the subsequent discussion, conclusion and recommendation.

**Discussion**

Three options for the Council governance structure have been identified below:

1. Status quo (Council)
2. Planning and Infrastructure Committee (name can be varied)
3. Community Advisory Group (name can be varied)
4. **Status quo**

This is the default option and the governance structure that currently exists. This has the Council (or CEO under delegation) as the decision maker for development applications based on recommendations from the Committee of Council (noting that some decisions are required to be made by the JDAP or the SAT). This option has seen work on the Town Centre and Waratah Ave Precinct Plans progressing relatively quickly. For example, the stakeholder pre-consultation for the Town Centre occurred within 6 weeks including sourcing and engaging expert consultation advice, preparing the consultation plan and delivering a draft Precinct Plan to a formal meeting of Council for consideration.

In terms of community engagement each project undertaken, including Precinct Plans, involves the development of a community engagement plan tailored to the project and the community.  The City works within the IAP2 framework and Council’s policy. The City’s develops an engagement plan and engagement events against this framework and policy. Proposals are contextualised, scoped and the purpose of the engagement is identified. A detailed stakeholder analysis is undertaken to identify the stakeholders, their level of impact/potential impact from the project and their level of influence on the engagement events. The City provides information to create awareness and increase the level of understanding of the proposal along with assessing risks associated with community outrage/aggressive behaviour (including monitoring media). Engagement planning also addresses elements of the proposal which are fixed (e.g. legislative requirements) and those elements that the community can have an influence over.

The precinct planning has followed the above process where directly affected businesses, residents, property owners (stakeholders) were engaged with to contribute to the development of the draft plan. The next phase will be the broader community engagement on the draft plan and the key parts of the plan. This involves a number of events to encourage participation from a range of demographics and feedback will be received via a number of mechanisms, instead of the traditional written submission approach.

Feedback to date from the two pre-consultation exercises undertaken has been generally positive with many participants finding the exercise worthwhile in terms of a greater understanding of the process including timeframes, what can and cannot be achieved with Precinct Plans and having some input/influence into the development of the draft Precinct Plans to be presented to Council.

This option is the simplest and quickest method identified by staff for developing Precinct Plans in that Council determines what is required and the CEO uses whatever resources he has available to determine how the Precinct Plans are developed. As Council gets into more detail in specifying *what* and more particularly *how* the CEO should carry out some action the more likely it is that the process will take longer and use more resources all other things being equal.

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1. **Planning and Infrastructure Committee**

This option would see a separate Committee of Council established to oversee and presumably “get more involved” in the development of Precinct Plans and other matters. This may include discussing options, helping to select expert advisors, approving consultation plans and who should be consulted etc. Some pros and cons of such a Committee are list below.

|  |  |
| --- | --- |
| **Pros** | **Cons** |
| Elected members with specialist technical knowledge/interest could consider issues prior to Council consideration and add value to subsequent Council deliberations. | Elected members could consider information provided by professional staff/consultants at Tuesday workshops which allow for informal feedback that may shape draft documents. |
| Could streamline subsequent Council deliberations by having matters considered by a Precinct Committee. i.e. some options could be debated and discarded before draft documents are produced. | All of Council would need to acknowledge the work of the Committee and not attempt to re-litigate matters that had already been addressed. |
| A number of Precinct Plans could be considered simultaneously thereby saving time. | Only generic matters could be treated this way and any unique characteristics would still need to be addressed individually. |
| Community may perceive that Council is placing a high importance on Precinct Planning by establishing such a Committee. | Unless Committee are empowered to make binding recommendations (which they currently are not), the Committees work could be seen as a duplication of Council’s role. |
|  | Community may view Committee recommendations as the “Council’s” position when it may be subject to further consideration. |
|  | Depending on the make-up of the Committee (Elected members and/or members of the public) a “power” imbalance may exist whereby some members dominate others. |
|  | The Committees recommendation may be considered professional technical advice, but members may not be technically qualified. |
|  | Generally, any recommendations from the Committee will not have the benefit of feedback from the community as it would usually be “pre-consultation”. |
|  | Council and Committee meetings cycles will create delays in the Precinct Plan workflows that cumulatively will lead to long delays in the final Plan. |

As noted, because a Committee is a formal part of the Council governance processes the normal formality around process would apply such as developing a Terms of Reference, agendas being developed and circulated, notice of meetings given, formal procedures at meetings including the taking of minutes and decisions or recommendations being referred to Council for final approval. This Committee meeting cycle may or may not coincide with the Council meeting cycle risking additional delays.

A possible draft Terms of Reference has been attached to this report as Attachment 1.

1. **Community Advisory Group (CAG)**

This is a governance structure where a significant proportion or all of the “Group” are non-elected representatives. The idea is to draw on the expertise and enthusiasm in the community and have these representatives make recommendations to Council on, in this case, Precinct Plans and other LPP’s that are being developed in the City. The make-up of the Group is critical in that a broad cross section of expert (or even life experience) individuals is represented and in this case that may be experts in, for example, planning, traffic, architecture, landscape, history of the area etc.

It is vitally important not to have the group “captured” by single issue advocates. Therefore, group membership by people who have no direct link with the location (i.e. landowners), while somewhat counter intuitive, may be desirable.

Some pros and cons of CAG’s are listed below:

|  |  |
| --- | --- |
| **Pros** | **Cons** |
| Ability to tap into community expertise | Group can be captured by single issue interests |
| Strong facilitator can bring out best in Group | Funding of facilitator required |
| Community may feel they are more involved/engaged in the process | May not get a broad representation of the community |
| Group may be able to influence the decision | Will the feedback really influence the decision? |
|  | Information overload for the Group |
|  | Bad behaviours can be disruptive to the functioning of the Group |

Some of the key matters to be resolved with a CAG include:

* Its’ role – Terms of Reference are required
* Membership – who should be represented?
* Meetings – how often and where?
* Resourcing – facilitator, minute taker, meeting space?
* Effectiveness – what are they actually empowered to achieve?

A possible draft Terms of Reference for a CAG is attached as Attachment 2.

**Key Relevant Previous Council Decisions:**

At the Special Council meeting of 5 November, the Council resolved as follows:

“Council Resolution

Council instructs the Chief Executive Officer to provide a report to Council in November 2019 as part of the Resourcing Plan to deliver a policy framework for LPS3, which considers options for appropriate Council governance (including a formal Committee, advisory group or other mechanisms), and proposed Terms of Reference.”

**Consultation**

N/A

**Budget/Financial Implications**

Option 1 – no additional cost for this governance structure.

Option 2 – the following are some indicative costs for the preparation of a Committee agenda assuming 3 reports per agenda. This is the additional governance cost per meeting.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Activity** | **No.** | **Hours** | **Hourly Rate** | **Total Hours** | **Amount** |
| Report Preparation | 3 | 15.2 | $100 | 45.6 | $4,560 |
| Report Proof, edit, finalize | 3 | 2 | $ 80 | 6 | $480 |
| Report Approval | 3 | 1 | $150 | 3 | $450 |
| Agenda Preparation | 1 | 2 | $80 | 2 | $160 |
| Public Notice | 1 | 1 | $180 |  | $180 |
| Meeting Setup and dismantle | 1 | 1 | $ 80 | 1 | $80 |
| Meeting Attendance Minute taker | 1 | 2 | $80 | 2 | $160 |
| Meeting Attendance Senior Officer | 1 | 2 | $100 | 2 | $200 |
| Meeting Attendance Report Officer | 1 | 2 | $150 | 2 | $300 |
| Drafting Minutes | 1 | 1 | $80 | 1 | $80 |
| Minutes Approval | 1 | 0.5 | $150 | 0.5 | $75 |
| Minutes Distribution | 1 | 0.5 | $ 80 | 0.5 | $40 |
| Minutes through Council | 1 | 1.5 | $100 | 1.5 | $150 |
|  |  |  | **Total** | 67.1 | **$6,915** |

Option 3 – Costs would be similar to option 2 in that reports would have to be prepared for the CAG to consider; however, additional costs would be facilitator and meeting venue costs. There is possibly a saving in meeting advertising costs if members of the public were excluded from the meetings.

**Conclusion**

The most appropriate governance structure to meet assumption 1 is the status quo whereby Council determines what it wants the CEO to achieve and provides the necessary resources for this to happen. This is working well for the Precinct Planning done to date in that Council has determined what it wants and has provided the CEO with the necessary resources. The CEO has then used the skills and experience of staff and, where necessary, other experts to progress the desired outcome.

This governance structure may not give effect to assumption 2 to the degree desired by Council and that is acknowledged. However, this report is not addressing that assumption and may be the subject of a further report to Council. In the meantime, plenty of thought and consideration is being given to that matter by the CEO and his senior staff who are investigating various options that could address assumption 2.

# Confidential Items

Nil.

# Declaration of Closure

There being no further business, the Presiding Member declared the meeting closed at 9.47 pm.