



City of Nedlands

Minutes

Council Meeting

27 March 2018

Attention

These Minutes are subject to confirmation.

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

Table of Contents

Declaration of Opening	4
Present and Apologies and Leave Of Absence (Previously Approved)	4
1. Public Question Time	5
1.1 Mr Mal Jacoby & Mrs Elaine Jacoby, 29 Jutland Parade, Dalkeith	5
1.2 Mr Colin Latchem, 2 Sherwood Road, Dalkeith	8
1.3 Mr Guy Churchill, 67 Hardy Road, Nedlands	10
1.4 Mr Guy Churchill, 67 Hardy Road, Nedlands	11
2. Addresses by Members of the Public.....	12
3. Requests for Leave of Absence	12
4. Petitions	12
5. Disclosures of Financial Interest	13
6. Disclosures of Interests Affecting Impartiality.....	13
6.1 Councillor Horley – PD07.18 - (Lot 54) No. 14 Odern Crescent, Swanbourne – Amendments to DA17/275 (Two- Storey Single House with Under-croft)	13
7. Declarations by Members That They Have Not Given Due Consideration to Papers.....	13
8. Confirmation of Minutes	13
8.1 Ordinary Council meeting 27 February 2018	13
9. Announcements of the Presiding Member without discussion	14
10. Members announcements without discussion.....	15
10.1 Councillor Horley.....	15
10.2 Councillor Wetherall	15
10.3 Councillor McManus.....	15
11. Matters for Which the Meeting May Be Closed	16
12. Divisional reports and minutes of Council committees and administrative liaison working groups.....	17
12.1 Minutes of Council Committees	17
12.2 Planning & Development Report No's PD07.18 to PD11.18 (copy attached)	18
PD07.18 (Lot 54) No. 14 Odern Crescent, Swanbourne – Amendments to DA17/275 (Two-Storey Single House with Under-croft).....	18
PD08.18 (Lot 136) No. 77 Viking Road, Dalkeith – Proposed Cabana	20
PD09.18 (Lot 271) No. 37 Weld Street, Nedlands – Proposed Home Business (Occupational Therapy Paediatric)	22
PD10.18 (Lot 101) No. 8 Bishop Road, Dalkeith – Two Storey Single House.....	26
PD11.18 (Lot 46) No. 154 Adelma Road, Dalkeith – Two Storey Single House with Under-croft	30
12.3 Technical Services Report No's TS01.18 to TS04.18 (copy attached).....	34
TS01.18 Point Resolution Reserve Enviro-scape Master Plan.....	34
TS02.18 City of Nedlands 2018 Annual Waste Report.....	36

TS03.18	Proposed Road Names for the Shenton Park Rehabilitation Hospital Redevelopment	37
TS04.18	Proposed Extension of Archdeacon Street	38
12.4	Corporate & Strategy Report No's CPS04.18 to CPS06.18 (copy attached)	39
CPS04.18	List of Accounts Paid – January 2018	39
CPS05.18	2017 Compliance Audit Return	40
CPS06.18	Mid-Year Budget Review – 2017/18.....	41
13.	Reports by the Chief Executive Officer	42
13.1	Common Seal Register Report – February 2018	42
13.2	List of Delegated Authorities – January 2018.....	43
13.3	Local Government Act Review	53
13.4	Monthly Financial Report – February 2018	54
13.5	Monthly Investment Report – February 2018	58
14.	Elected Members Notices of Motions of Which Previous Notice Has Been Given.....	60
14.1	Councillor James – Tree Removal – 100 Archdeacon Street, Nedlands.....	60
15.	Elected members notices of motion given at the meeting for consideration at the following ordinary meeting on 24 April 2018	63
16.	Urgent Business Approved By the Presiding Member or By Decision	63
17.	Confidential Items	63
17.1	Alfred Road and Claremont Triangle Underground Power Project.....	63
	Declaration of Closure	64

City of Nedlands

Minutes of an Ordinary Meeting of Council held in the Council Chambers, Nedlands on Tuesday 27 March 2018 at 7 pm.

Declaration of Opening

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

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

Present and Apologies and Leave Of Absence (Previously Approved)

Councillors	His Worship the Mayor, R M C Hipkins (Presiding Member)	
	Councillor C M de Lacy	Hollywood Ward
	Councillor B G Hodsdon	Hollywood Ward
	Councillor J D Wetherall	Hollywood Ward
	Councillor G A R Hay	Melvista Ward
	Councillor T P James	Melvista Ward
	Councillor N W Shaw	Melvista Ward
	Councillor N B J Horley	Coastal Districts Ward
	Councillor L J McManus	Coastal Districts Ward
	Councillor K A Smyth	Coastal Districts Ward
	Councillor I S Argyle	Dalkeith Ward
	Councillor W R B Hassell	Dalkeith Ward
	Councillor A W Mangano	Dalkeith Ward

Staff	Mr G K Trevaskis	Chief Executive Officer
	Mrs L M Driscoll	Director Corporate & Strategy
	Mr P L Mickleson	Director Planning & Development
	Mr M A Glover	Director Technical Services
	Mrs N M Ceric	Executive Assistant to CEO & Mayor

Public There were 16 members of the public present.

Press The Post Newspaper representative.

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

Apologies Nil.

Absent Nil.

Disclaimer

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

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

1. Public Question Time

1.1 Mr Mal Jacoby & Mrs Elaine Jacoby, 29 Jutland Parade, Dalkeith

Question 1

In my opinion Transparency has been one of the main casualties of the submission process conducted by Council for community comment on the WAPC LPS3 Draft plan. Mr Lumsden in a throw away remark, said submissions had to address Planning Principles or they would not be considered.

Why weren't electors given criteria and guidelines to address when composing their submissions on the YourVoice site or given as hard copy? Surely evaluating the submissions would be far easier if specific criteria had been advocated? Who other than a specialised Town Planner would know all the planning principles that may be applied to the WAPC plan?

Answer 1

The Planning and Development Act and Regulations specify how the submission process for a Draft Local Planning Scheme is to be conducted. They make reference to "planning principles". The Council followed the required process. Specifying "criteria and guidelines" could be interpreted by some as unduly trying to influence responses as it is up to individual submitters to determine how they should respond.

Question 2

Why were the 2 maps not in full view and enlarged to the same size, so people were able to comprehend more easily WAPC's proposal?

Answer 2

The "large beige plan" is the "official" plan from the WAPC that was required to be advertised. The "2 maps" (colour coded smaller plans) were created for the purposes of mailing to residents and ratepayers in A4 format which could not be enlarged beyond A3 size without losing critical definition and detail. Staff were on hand at all times and anyone who asked was given a one-on-one explanation of any of the maps.

Question 3

Why was Council's LPS3 Plan amended in the WAPC LPS3 to show 8,985 extra dwellings when the original target set by the WAPC of 4,400 had been achieved in the Councils plan?

Answer 3

The draft LPS3 was modified by the WAPC to show additional areas of higher density zoned land. The dwelling estimates were made by City staff using the same assumptions as used in the Council endorsed draft LPS3.

Question 4

Did WAPC dictate that 8,985 extra dwellings should be in the amended WAPC LPS3, or did Council Planners produce that?

Answer 4

The draft LPS3 was modified by the WAPC to show additional areas of higher density zoned land.

Question 5

Why are approx 90% of new zoning in the WAPC LPS3 shown as R40? Could the answer be all zoning of R40 and above can end up with far greater densities granted after appeal to DAP's and SAT?

Answer 5

Unknown.

Question 6

Because of question 5 above, is the number of new dwellings under WAPC LPS3 more likely to become a multiple of the face value 8,985? Could this number become say, 27,000 extra dwellings after successful appeals?

Answer 6

Unknown.

Question 7

There are examples of exemptions already approved:

- 144 Broadway Nedlands, R80 became the equivalent of R284
- Aria Development Swanbourne, R80 became the equivalent of R238

With the target of 4,400 extra dwellings being reached in a very short time due to the out-of-control appeals system, how will you put a halt on further developments that you have already zoned for?

Answer 7

Council has not seen its role to "put a halt on further developments" for developments that comply with the zoning and applicable development standards and any allowable discretion.

Question 8

Who decided to spread the increased density areas shown in Councils LPS3 further afield, as shown in WAPC LPS3?

Answer 8

The Western Australian Planning Commission.

Question 9

Who chose some of these new areas in Q 5 above to be adjacent to primary schools?

Answer 9

The Western Australian Planning Commission.

Question 10

Given that demands on existing infrastructure may eventuate far quicker than anticipated and financial demands out strip the funds available for new or repair and maintenance of essential infrastructure, has a business plan been implemented to cost the improvements and possible renewal, repair and maintenance of infrastructure?

Answer 10

No.

Question 11

The submission forms require a mandatory response as to whether the submitter is a landowner/tenant/business owner/visitor.

Will the number of responses in each category be made public?

Answer 11

Has not been decided yet however all submissions will be public.

Question 12

If not, what was the purpose of demanding this information?

Answer 12

Information is required under the Planning and Development Act Regulations.

Question 13

Could the allowance of the "visitor " category permit developers to lodge a response?

Answer 13

Yes. A developer could also respond as a landowner/tenant/business owner.

1.2 Mr Colin Latchem, 2 Sherwood Road, Dalkeith

Question 1

How many have people attended the Council's Open Days, how many submissions have been received so far and how many submissions have been rejected so far for not conforming to the requirements?

Answer 1

306 people signed in at an Open Day. 592 submissions have been received as at 22 March. One submission has been deemed invalid as an address was not provided. The submitter has been informed and offered the opportunity to provide this information.

Question 2

Is the Planning Department confident that it has done everything possible to inform the electorate about all of the facts and ramifications of the WAPC's Draft LPS3 and how they should frame their submissions in response to these?

Answer 2

The Council wished to conduct a very "clean" process in relation to submissions on the draft LPS3 in order to avoid any legal challenge and to that end has followed the process prescribed by the Planning and Development Act and Regulations. Mr Latchem will be aware that there are various community groups promoting different views in relation to draft LPS3 and the City's Administration is confident that ample information has been available to the community to inform any submissions made.

Question 3

Might it have been useful for the public to have had a chance to compare the current plan of the City Nedlands, how it would look under the Council's LPS3 and how it would be under the WAPC draft LPS3?

Answer 3

Only the Draft LPS3, as modified by the WAPC, has been advertised for comment. Many members of the public have made the comparisons referred to in this question. TPS2 is available on Council's website.

Question 4

Should it not have been stressed more that the WAPC is insisting upon a more than 100% increase in the number of dwelling units in the City of Nedlands when the projected population increase in the greater Perth area is 45% and that the additional 4,400 dwelling units proposed by the Council would have actually met this target?

Answer 4

The Council did not want to influence submitters by "stressing" any particular part of Draft LPS3.

Question 5

The WAPC Chairman has stated that if the submissions do not conform to WAPC “planning principles” they will not be considered. What are these “planning principles” and have the electors been made aware of these?

Answer 5

It is the City’s view that the WAPC is required to consider recommendations from the Council on submissions to Draft LPS3 in accordance with the Planning and Development Act and Regulations, which make no reference to “Planning Principles”.

Question 6

What steps have been taken to obtain the data and research undertaken by the WAPC to justify its Draft LPS3 or the environmental, economic and impact studies?

Answer 6

The City and the Mayor has formally asked the WAPC for this information but no response has been received.

Question 7

The WAPC states that it requires “the substantive planning implications of the submissions”. How will this be achieved when the electors have received no guidance in how they should respond to these highly complex and technical issues and their consequences?

Answer 7

It is the City’s view that the WAPC is required to consider recommendations from the Council on submissions to Draft LPS3 in accordance with the Planning and Development Act and Regulations.

Question 8

The WAPC states that the Act “does not allow for a simple counting of numbers, i.e., submissions for and against.” So what procedures will the Planning Department take in systemically and objectively assembling, analysing and drawing substantive conclusions from all the submissions that the Councillors will need in order to make their judgements and recommendations?

Answer 8

The City is not aware of any requirement in the Act that “does not allow for a simple counting of numbers i.e. submissions for and against.” The City’s Administration has not yet finalised the procedure it will use for dealing with submissions.

Question 9

In what forms will the facts, opinions and evidence in the public submissions be presented to the Councillors? As summaries from the Planning Department or as copies of all the actual submissions?

Answer 9

A report will be provided to Council along with a summary of submissions. Copies of all submissions will also be made available to Councillors.

Question 10

What opportunity will the electors have to comment on Council's findings and response to WAPC?

Answer 10

Once submissions close the Act does not provide for any further public participation in the process. However, all submissions are public documents and subject to privacy concerns, will be available for public inspection, together with Council's response to the WAPC.

1.3 Mr Guy Churchill, 67 Hardy Road, Nedlands

Local Planning Scheme 3

Question 1

Opponents of LPS3 have been clearly instructed to use "planning principles" when voicing their objections. Are supporters of LPS3 held to the same standard, do they need to provide valid planning principles to validate their support?

Answer 1

The Planning and Development Act or Regulations do not refer to "Planning Principles" in relation to submissions. The Chair of the WAPC made reference to "Planning Principles" in an address to elected members.

Question 2

In the statistical analysis of the submissions, how will the council deal with multiple submissions from the same household? Has the Council informed the ratepayers, prior to submissions being due, how this will be handled?

Answer 2

It has not been determined if there will be "statistical analysis" of submissions. At this stage it is likely that submissions will be considered according to "themes".

Question 3

How will the council handle late submissions, i.e. submissions received after 5pm on 29th March 2018. Will the content of late submissions be recognized in the report, but deemed inadmissible? Will the late submission be dismissed entirely and not recognised or acknowledged in the report? Will the late submission be included and counted in the report?

Answer 3

Council has the discretion to consider submissions lodged after the end of the submission period.

Question 4

Each area of the City is affected differently and will have different issues. Will the submissions be grouped into the different areas so the Council can get a clear picture of the issues in each area?

Answer 4

Yet to be determined.

1.4 Mr Guy Churchill, 67 Hardy Road, Nedlands

Confidential Item 17.1 Alfred Road and Claremont Triangle Underground Power Project

Question 1

What elements are confidential in this report, so it can't be discussed in a public forum?

Answer 1

The estimate provided by Western Power is commercial in confidence, as are negotiations with the Town of Claremont.

Question 2

Is there any way to redact the confidential elements so the rest of the report can be discussed in a public forum?

Answer 2

No.

Question 3

Have the council explored the possibility of separating or redesigning the reports so that any confidential elements are easily removed so the remainder of the report can be discussed in a public forum?

Answer 3

Administration endeavour to limit the number of confidential reports however in this instance the estimate is a key element and Western Power has requested that it be considered as commercial in confidence as the project is still subject to the tender process.

2. Addresses by Members of the Public

Mr Mark Hands, 14 Odern Crescent, Swanbourne PD07.18
(spoke in support of the recommendation)

Ms Jenny Colegate & Mr Peter Farrer-Smith, PD09.18
37 Weld Street, Nedlands
(spoke in support of the recommendation)

Mr Carlo Famiano, 1/3 Mulgul Road, Malaga PD11.18
(spoke in opposition to the recommendation)

Mr David Free, 8 Freshwater Parade, Claremont TS01.18
(spoke in opposition to the recommendation)

Mr Sean Kao, 100 Archdeacon Street, Nedlands 14.1
(spoke in support of the motion)

Mr Colin Latchem, 2 Sherwood Road, Dalkeith LPS3
(spoke in relation to LPS3)

Mrs Elaine Jacoby, 29 Jutland Parade, Dalkeith LPS3
(spoke in relation to LPS3)

3. Requests for Leave of Absence

Moved – Councillor Wetherall
Seconded – Councillor Hassell

Councillor Smyth be granted leave of absence for 1st to 14th April 2018 and Councillor Hodsdon be granted leave of absence for 13th April 2018 to 13th May 2018.

CARRIED UNANIMOUSLY 13/-

4. Petitions

Nil.

5. 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.

6. 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*.

6.1 Councillor Horley – PD07.18 - (Lot 54) No. 14 Odern Crescent, Swanbourne – Amendments to DA17/275 (Two-Storey Single House with Under-croft)

Councillor Horley disclosed an impartiality interest in Item PD07.18 - (Lot 54) No. 14 Odern Crescent, Swanbourne – Amendments to DA17/275 (Two-Storey Single House with Under-croft). Councillor Horley disclosed that a family member has an association with the applicant, and as a consequence, there may be a perception that her impartiality on the matter may be affected. Councillor Horley declared that she would consider this matter on its merits and vote accordingly.

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

Nil.

8. Confirmation of Minutes

8.1 Ordinary Council meeting 27 February 2018

Moved – Councillor Argyle
Seconded – Councillor Hay

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

CARRIED UNANIMOUSLY 13/-

9. Announcements of the Presiding Member without discussion

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

28 February 2018	City of Nedlands	LPS3 Open Day
1 March 2018	City of Nedlands	Library Event – History of Trams in Nedlands
1 March 2018	Nedlands Uniting Church	World Day of Prayer
8 March 2018	Water Sensitive Cities	Project Update Workshop
9 March 2018	Property Council	Perth's Inner Western Suburbs
12 March 2018	Planning Institute of Australia	Transport and Design Seminar
13 March 2018	City of Nedlands	Captain Stirling Hub Committee Meeting
14 March 2018	UDIA	Medium Density breakfast
14 March 2018	Main Roads WA	Metro Regional Roads Group Technical Meeting
14 March 2018	PCC	The Avenue Options Exhibition
14 March 2018	Town of Mosman Park	Thank You for Mayor Norris
15 March 2018	Innovate Australia	Space Innovation Network Meeting
22 March 2018	City of Nedlands	Pt Resolution Child Care Easter Picnic
23 March 2018	Western Suburbs Bike Network	Ride2School Day – Hollywood Primary School
23 March 2018	State Government	Perth & Peel @ 3.5 Million – Eric Lumsden
23 March 2018	Australian Institute of Architects	Network Sundowner
25 March 2018	Save Lemnos Bush	Bush not Bricks Rally

10. Members announcements without discussion

10.1 Councillor Horley

Councillor Horley acknowledged and thanked Hon Colin Barnett who has been the Local Member of Parliament for the City's Coastal Ward since 1990 and his contribution to the State and local community has been significant and much appreciated. Councillor Horley also congratulated the new Member for Cottesloe David Honey.

Councillor Horley advised that members of the Coastal Ward have asked her to seek a slight increase in the submission period for LPS3, so that submissions close on Monday (2 April 2018) night as per normal practice, instead of Thursday (29 April 2018) night this week.

The Mayor advised that this would be taken into consideration.

10.2 Councillor Wetherall

Councillor Wetherall noted that the latest report from the Australian Bureau of Statistics listed four suburbs from the western suburbs of Perth, including the City of Nedlands, as being in the top 10 of the national survey of most advantaged Local Government areas.

10.3 Councillor McManus

Councillor McManus payed tribute to a distinguished resident of the City of Nedlands who passed away 10 days ago from cancer at the young age of 66.

Dexter Davies was a long-time resident of the City living here for approximately 20 years. He was a gentleman and highly respected. He was a great contributor to public life both in his home town of Wyalkatchem and here in Perth and particularly in the City of Nedlands.

Councillor McManus declared that Dexter Davies had been his mate for over 40 years. He will be greatly missed by all who knew him.

Dexter was a great sportsman. He played 15 games with East Fremantle before injury took its toll. However, he excelled at the once noble game of cricket. Councillor McManus is sure he would have been disgusted at the goings on in South Africa over the weekend. He played A grade cricket for Claremont-Nedlands Cricket Club (CNCC) for a number of years topping the wicket taking aggregate in the WACA A grade competition one season. He played in a premiership side and was president of a premiership team. He was the clubs President for 10 years.

Dexter is a life member of the Claremont Nedlands Cricket Club. He was also on the WACA Board.

Remarkably Dexter passed away on the very weekend his beloved CNCC won the A Grade Grand Final. He would have been an enthusiastic supporter at the game.

Dexter was an outstanding all-round athlete at Wesley College winning the 100, 200 and 400m at the Inter School Athletics. His record in the 100m stood for over 20 years.

He is a member of an outstanding farming family from West Yorkrakine just outside Wyalkatchem. Together with his father Lloyd and his 5 brothers they were all terrific contributors to the local community.

Dexter's contribution to the National Party is legendary being a past President, an MLC, member of the Federal Executive and Federal Vice-President. He is a Life Member of the National Party. He covered vast distances over this great state talking to people and bringing them together. He was the quintessential people's man. Dexter's talented daughter Mia is of course the present Leader of the National Party in WA and is doing a fantastic job which her father was very proud of.

Dexter was farewelled by nearly 1,000 friends at Karrakatta and Mounts Bay Sailing Club last Friday.

RIP Dexter.

Councillor McManus also advised that although he didn't really want to talk about cricket tonight after the South African debacle, he was very pleased to advise that the CNCC won the A grade grand final last weekend. We played University in the grand final another team that is in the City of Nedlands area, playing at McGilvray Oval as well as James Oval at the University.

The club will be celebrating this great win at the Claremont Yacht Club tomorrow night so please don't be in the vicinity.

The CNCC wishes to thank the City of Nedlands for its support over another great cricket season, particularly Martyn Glover and Maria Hulls for the terrific job they did in refurbishing the JC Smith Pavilion at Melvista Oval.

11. Matters for Which the Meeting May Be Closed

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

17.1 Alfred Road and Claremont Triangle Underground Power Project

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

12.1 Minutes of Council Committees

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

Moved – Councillor McManus
Seconded – Councillor Hodsdon

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

Arts Committee	19 February 2018
Circulated to Councillors on 1 March 2018	
Audit & Risk Committee	22 February 2018
Circulated to Councillors on 28 February 2018	
Council Committee	13 March 2018
Circulated to Councillors on 16 March 2018	

CARRIED UNANIMOUSLY 13/-

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 James

That all Committee Recommendations relating to Reports under items 12.2, 12.3, 12.4 and 12.5 with the exception of Report Nos. PD09.18, PD11.18, TS01.18 are adopted en bloc.

CARRIED UNANIMOUSLY 13/-

12.2 Planning & Development Report No's PD07.18 to PD11.18 (copy attached)

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

PD07.18	(Lot 54) No. 14 Odern Crescent, Swanbourne – Amendments to DA17/275 (Two-Storey Single House with Under-croft)
----------------	-----------------------------------------------------------------------------------------------------------------------

Committee	13 March 2018
Council	27 March 2018
Applicant	TPG + Place Match
Landowner	M E Hands & A M Cullen
Director	Peter Mickleson – Director Planning & Development
Reference	DA18/013
Previous Item	Nil.
Delegation	In accordance with Clause 6.7.1a) of the City's Instrument of Delegation, Council is required to determine the application due to objections being received.
Attachments	1. Applicant's Site Photographs 2. Applicant's Justification

Councillor Horley – Impartiality Interest

Councillor Horley disclosed that a family member has an association with the applicant, and as a consequence, there may be a perception that her impartiality on the matter may be affected. Councillor Horley declared that she would consider this matter on its merits and vote accordingly.

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Hassell
Seconded – Councillor James

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

CARRIED UNANIMOUSLY EN BLOC 13/-

Council Resolution / Committee Recommendation / Recommendation to Committee

Council approves the development application dated 24 January 2018 to amend the plans for a two-storey single house with under-croft at (Lot 54) No. 14 Odern Crescent, Swanbourne, 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. The previous development approval (DA17/275, dated 18 December 2017) and conditions there-in, remain in effect. This excludes the plans approved as part of the previous development application.**

Advice Notes:

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

PD08.18	(Lot 136) No. 77 Viking Road, Dalkeith – Proposed Cabana
----------------	-----------------------------------------------------------------

Committee	13 March 2018
Council	27 March 2018
Applicant	T Grapsas
Landowner	T Grapsas
Director	Peter Mickleson – Director Planning & Development Services
Reference	DA2018/14
Previous Item	Nil.
Delegation	In accordance with Clause 6.7.1a) of the City’s Instrument of Delegation, Council is required to determine the application due to an objection being received.
Attachments	1. Nil.

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Hassell
 Seconded – Councillor James

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

CARRIED UNANIMOUSLY EN BLOC 13/-

Council Resolution / Committee Recommendation / Recommendation to Committee

Council approves the development application to construct a cabana at the rear of (Lot 136) No.77 Viking Road, Dalkeith, received on 24 January 2018, 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 pertains to the proposed cabana only.**
- 3. All stormwater from the development, which includes permeable and non-permeable areas, shall be contained onsite.**

Advice Notes specific to this approval:

- 1. Stormwater to be contained on site by draining to soak-wells of adequate capacity to contain runoff from a 20 year recurrent storm event. All downpipes from guttering shall be connected so as to discharge into drains, which shall empty into a soak-well; and each soak-well shall be located at least 1.8m from any building, at least 1.8m from the boundary of the block. Soak-wells shall be a minimum capacity of 1.0m³ for every 80m² of calculated surface area of the development.**
- 2. The swimming pool shall be kept dry during the construction period. Alternatively, the water shall be maintained to a quality which prevents mosquitoes from breeding.**
- 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.**

PD09.18	(Lot 271) No. 37 Weld Street, Nedlands – Proposed Home Business (Occupational Therapy Paediatric)
----------------	----------------------------------------------------------------------------------------------------------

Committee	13 March 2018
Council	27 March 2018
Applicant	J Colegate and P Farrer-Smith
Landowner	J Colegate and P Farrer-Smith
Director	Peter Mickleson – Director Planning & Development Services
Reference	DA2018/9
Previous Item	Nil.
Delegation	In accordance with Clause 6.7.1a) of the City’s Instrument of Delegation, Council is required to determine the application due to an objection being received.
Attachments	1. Photograph of the subject property

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Hodsdon
 Seconded – Councillor Wetherall

That the Recommendation to Council be adopted subject to condition 5 being amended by replacing the word “Administration” with “full Council”.

Amendment

Moved - Councillor McManus
 Seconded - Councillor James

That Condition 5 be removed.

Put Motion

Moved - Councillor Mangano
 Seconded - Councillor de Lacy

That the Amendment be put.

**CARRIED 12/1
 (Against: Mayor Hipkins)**

The AMENDMENT was PUT and was

LOST 6/7
 (Against: Mayor Hipkins Crs. Argyle Hassell Mangano de Lacy Hodsdon Shaw & Smyth)

Further Amendment

Moved – Councillor Horley

Seconded – Councillor Wetherall

That the Original Recommendation to Council be adopted.

(Printed below for ease of reference)

CARRIED 9/4

(Against: Crs. Argyle Hassell Mangano & de Lacy)

The Substantive Motion was PUT and was

CARRIED 11/2

(Against: Crs. Mangano & de Lacy)

Council Resolution / Committee Recommendation

Council approves the development application to operate a home business (occupational therapy paediatric) at (Lot 271) No.37 Weld Street, Nedlands, received on 17 January 2018, subject to the following conditions and advice:

- 1. With the exception of the hours of operation, 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. The proposed use complying with the home business definition stipulated under the City's Town Planning Scheme No. 2 (refer to advice note 1).**
- 3. Patients visiting the property by prior appointment only.**
- 4. A maximum of 6 patients per day.**
- 5. That the approval be for 12 months with an extension being subject to the satisfaction of Administration.**
- 6. No people who are not family members of the occupier household are to be employed and no signage advertising the business is permitted.**

Advice Notes specific to this approval:

- 1. With regard to Condition 2, The applicant is advised that the use 'Home Business' is defined as being the following under the City's Town Planning Scheme No. 2:**

“Home Business - means a business, service or profession carried out in a dwelling or on land around a dwelling by an occupier of the dwelling which:

- i) does not employ more than 2 people not members of the occupier's household;***
 - ii) will not cause injury to or adversely affect the amenity of the neighbourhood;***
 - iii) does not occupy an area greater than 50 square metres;***
 - iv) does not involve the retail sale, display or hire of goods of any nature;***
 - v) in relation to vehicles and parking, does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood, and does not involve the presence, use or calling of a vehicle more than 3.5 tonnes tare weight; and***
 - vi) does not involve the use of an essential service of greater capacity than normally required in the zone.”***
- 2. Noise levels are to comply with the *Environmental Protection (Noise) Regulations 1997*.**
 - 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.**

Recommendation to Committee

Council approves the development application to operate a home business (occupational therapy paediatric) at (Lot 271) No.37 Weld Street, Nedlands, received on 17 January 2018, 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. The proposed use complying with the home business definition stipulated under the City's Town Planning Scheme No. 2 (refer to advice note 1).
3. Patients visiting the property by prior appointment only.
4. A maximum of 6 patients per day.

5. The home business only being permitted to operate at the following times:

Tuesdays – 9.00am to 6.00pm
Fridays – 4.00pm to 6.00pm
Saturdays – 9.00am to midday
Sundays – 9.00am to 3.00pm

Advice Notes specific to this approval:

1. With regard to Condition 2, The applicant is advised that the use 'Home Business' is defined as being the following under the City's Town Planning Scheme No. 2:

"Home Business - means a business, service or profession carried out in a dwelling or on land around a dwelling by an occupier of the dwelling which:

- i) does not employ more than 2 people not members of the occupier's household;*
 - ii) will not cause injury to or adversely affect the amenity of the neighbourhood;*
 - iii) does not occupy an area greater than 50 square metres;*
 - iv) does not involve the retail sale, display or hire of goods of any nature;*
 - v) in relation to vehicles and parking, does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood, and does not involve the presence, use or calling of a vehicle more than 3.5 tonnes tare weight; and*
 - vi) does not involve the use of an essential service of greater capacity than normally required in the zone."*
2. Noise levels are to comply with the *Environmental Protection (Noise) Regulations 1997*.
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.

PD10.18	(Lot 101) No. 8 Bishop Road, Dalkeith – Two Storey Single House
----------------	------------------------------------------------------------------------

Committee	13 March 2018
Council	27 March 2018
Applicant	Boughton Architecture
Landowner	J L Jones
Director	Peter Mickleson – Director Planning & Development
Reference	DA17/298
Previous Item	PD03.18 – February 2018
Delegation	In accordance with Clause 6.7.1a) of the City's Instrument of Delegation, Council is required to determine the application due to objections being received.
Attachments	1. Site Photographs 2. Applicant's response to submissions

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Shaw

Seconded – Councillor McManus

That the Recommendation to Council be adopted.

(Printed below for ease of reference)

CARRIED UNANIMOUSLY 13/-

Council Resolution / Committee Recommendation

Council agrees that this item be withdrawn as requested by the applicant.

Recommendation to Committee

Council approves the development application received on 19 October 2017 and amended plans received 20 November 2017, for a Two Storey Single House at (Lot 101) No. 8 Bishop Road, 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.
2. This development approval only pertains to the two-storey single house, associated dividing fencing and site works.
3. Amended plans shall be submitted with the building permit showing the proposed dividing fencing to the northern and eastern side lot **boundaries** being a maximum of 1.8m above the higher of the ground levels at the lot boundary.

4. The parapet wall being finished to a professional standard within 14 days of the proposed development's practicable completion and be maintained thereafter by the landowner to the City's satisfaction.
5. All footings and structures to retaining walls, fences and parapet walls, shall be constructed wholly inside the site boundaries of the property's Certificate of Title.
6. All visual privacy screens and obscure glass panels to Major Openings and Unenclosed Active Habitable Spaces as shown on the approved plans, shall prevent overlooking in accordance with the visual privacy requirements of the *Residential Design Codes 2015*. The visual privacy screens and obscure glass panels shall be installed prior to the development's practicable completion and remain in place permanently, unless otherwise approved by the City.
7. All stormwater from the development, which includes permeable and non-permeable areas shall be contained onsite.
8. No soil, building materials, rubbish or any other deleterious matter shall be placed on the Parks and Recreation Reserve or be allowed to enter the river as a result of the demolition and construction works.
9. There shall be no access to the site via the Parks and Recreation reserve unless authorised by the City of Nedlands to do so.
10. No wastewater or backwash from the swimming pools are to be discharged onto the land, into the river or into the local government drainage system.
11. Stormwater drainage shall be contained on site, or connected to the local government stormwater drainage system, to the satisfaction of the City of Nedlands.

Advice Notes specific to this proposal:

1. In relation to Department of Biodiversity, Conservation and Attractions, conditions, the following advice notes are applicable:
 - a) In regard to condition 11, stormwater runoff from constructed impervious surfaces generated by 1 year, 1 hour average occurrence interval (ARI) events (approximately a 15mm rainfall depth) should be retained and/or detained on the lot.
 - b) The applicant is advised that it is an offence under the *Swan and Canning Rivers Management Regulations 2007* to destroy, pull up, cut back or injure any tree, shrub or perennial plant that is on land within the Swan Canning Development Control Area, except with the approval of the Department of Biodiversity Conservation and Attractions or unless otherwise exempt by the Regulations.

2. A separate development application is required to be submitted to and approved by the City prior to erecting any fencing within the street setback area which is not compliant with the deemed-to-comply provisions of the Residential Design Codes.
3. The crossovers to the street shall be constructed to the Council's Crossover Specifications and the applicant / landowner to obtain levels for the crossover from the Council's Infrastructure Services under supervision onsite, prior to commencement of works.
4. Any development in the nature-strip (verge), including footpaths, will require a Nature-Strip Development Application (NSDA) to be lodged with, and approved by, the City's Technical Services department, prior to construction commencing.
5. All street tree assets in the nature-strip (verge) shall not be removed. Any approved street tree removals shall be undertaken by the City of Nedlands and paid for by the owner of the property where the development is proposed, unless otherwise approved under the Nature Strip Development approval.
6. All swimming pool waste water shall be disposed of into an adequately sized, dedicated soak-well located on the same lot. Soak-wells shall not be situated closer than 1.8m to any boundary of a lot, building, septic tank or other soak-well.
7. All swimming pools, whether retained, partially constructed or finished, shall be kept dry during the construction period. Alternatively, the water shall be maintained to a quality which prevents mosquitoes from breeding.
8. All downpipes from guttering shall be connected so as to discharge into drains, which shall empty into a soak-well; and each soak-well shall be located at least 1.8m from any building, and at least 1.8m from the boundary of the block. Soak-wells of adequate capacity to contain runoff from a 20 year recurrent storm event. Soak-wells shall be a minimum capacity of 1.0m³ for every 80m² of calculated surface area of the development.
9. All internal water closets and ensuites without fixed or permanent window access to outside air or which open onto a hall, passage, hobby or staircase, shall be serviced by a mechanical ventilation exhaust system which is ducted to outside air, with a minimum rate of air change equal to or greater than 25 litres / second.
10. Prior to the commencement of any demolition works, any Asbestos Containing Material (ACM) in the structure to be demolished, shall be identified, safely removed and conveyed to an appropriate landfill which accepts ACM.

Removal and disposal of ACM shall be in accordance with Health (Asbestos) Regulations 1992, Regulations 5.43 - 5.53 of the Occupational Safety and Health Regulations 1996, Code of Practice for the Safe Removal of Asbestos 2nd Edition, Code of Practice for the Management and Control of Asbestos in a Workplace, and any Department of Commerce Worksafe requirements.

Where there is over 10m² of ACM or any amount of friable ACM to be removed, it shall be removed by a Worksafe licensed and trained individual or business.

11. The applicant is advised to consult the City's Visual and Acoustic Privacy Advisory Information in relation to locating any mechanical equipment (e.g. air-conditioner, swimming pool or spa) such that noise, vibration and visual impacts on neighbours are mitigated. The City does not recommend installing any equipment near a property boundary where it is likely that noise will intrude upon neighbours.

Prior to selecting a location for an air-conditioner, the applicant is advised to consult the online fairair noise calculator at www.fairair.com.au and use this as a guide to prevent noise affecting neighbouring properties.

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

12. 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.

PD11.18	(Lot 46) No. 154 Adelma Road, Dalkeith – Two Storey Single House with Under-croft
----------------	------------------------------------------------------------------------------------------

Committee	13 March 2018
Council	27 March 2018
Applicant	Seacrest Homes
Landowner	58 Ocean Drive Pty Ltd T/A Seacrest Homes
Director	Peter Mickleson – Director Planning & Development
Reference	DA17/127
Previous Item	PD53.17 (withdrawn)
Delegation	In accordance with Clause 6.7.1a) and d) of the City’s Instrument of Delegation, Council is required to determine the application due to objections being received.
Attachments	1. Site Photographs 2. Applicant Justification

Regulation 11(da) – Council agreed to adjourn this item until the next meeting to allow time to review amended plans submitted 26 March 2018.

Moved – Councillor Wetherall
Seconded – Councillor Shaw

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

Procedural Motion

Moved – Councillor Hassell
Seconded – Councillor de Lacy

That the item be adjourned until the next Council Meeting.

**CARRIED 11/2
(Against: Crs. Wetherall & McManus)**

Committee Recommendation

Council does not approve the development application.

Recommendation to Committee

Council approves the development application dated 01 June 2017 with amended plans dated 31 January 2018 to construct a two-storey single house with an under-croft at (Lot 46) No. 154 Adelma Road, 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.
2. This development approval only pertains to the two-storey single house with an undercroft, associated landscaping, fill & retaining and fencing.
3. The dwelling shall not be used as a display home without further planning approval from the City being obtained.
4. The upper floor of the dwelling shall not be used for short-term accommodation or ancillary accommodation without further planning approval from the City being obtained.
5. The use of the basement level shall be restricted to the uses of plant and equipment, storage, toilets and/or the parking of wheeled vehicles. Prior to occupation of the dwelling, the owner shall execute and provide to the City a notification pursuant to s. 70A of the *Transfer of Land Act 1893* to be registered on the title to the land as notification to prospective purchasers that the use of the basement level is subject to the restriction set-out above.
6. The north and south facing obscured windows to habitable rooms are fixed obscured up to 1.6m above the finished floor level.
7. The front fencing in-fill panels shall be visually permeable in accordance with the Residential Design Codes.
8. All footings and structures to retaining walls and fences, shall be constructed wholly inside the site boundaries of the property's Certificate of Title.
9. All dividing fencing, visual privacy screens and obscure glass panels to Major Openings and Unenclosed Active Habitable Spaces as shown on the approved plans, shall prevent overlooking in accordance with the visual privacy requirements of the *Residential Design Codes 2015*. The dividing fencing, visual privacy screens and obscure glass panels shall be installed prior to the development's practicable completion and remain in place permanently, unless otherwise approved by the City.
10. The pool pump area shall not have water permeable roofing without obtaining further planning approval.

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

Advice Notes:

1. Should the cost of development exceed the amount stated in the development application, the development application fee required to be paid will increase. This remainder of the required development application fee shall be paid prior to the processing of the building permit.
2. All crossovers to the street shall be constructed to the Council's Crossover Specifications and the applicant / landowner to obtain levels for crossovers from the Council's Infrastructure Services under supervision onsite, prior to commencement of works.
3. The redundant crossover shall be removed and the nature-strip (verge) reinstated to the City's satisfaction.
4. Any development in the nature-strip (verge), including footpaths, will require a Nature-Strip Development Application (NSDA) to be lodged with, and approved by, the City's Technical Services department, prior to construction commencing.
5. All street tree assets in the nature-strip (verge) shall not be removed. Any approved street tree removals shall be undertaken by the City of Nedlands and paid for by the owner of the property where the development is proposed, unless otherwise approved under the Nature Strip Development approval.
6. All swimming pool waste water shall be disposed of into an adequately sized, dedicated soak-well located on the same lot. Soak-wells shall not be situated closer than 1.8m to any boundary of a lot, building, septic tank or other soak-well.
7. All swimming pools, whether retained, partially constructed or finished, shall be kept dry during the construction period. Alternatively, the water shall be maintained to a quality which prevents mosquitoes from breeding.
8. All downpipes from guttering shall be connected so as to discharge into drains, which shall empty into a soak-well; and each soak-well shall be located at least 1.8m from any building, and at least 1.8m from the boundary of the block. Soak-wells of adequate capacity to contain runoff from a 20 year recurrent storm event. Soak-wells shall be a minimum capacity of 1.0m³ for every 80m² of calculated surface area of the development.

9. All internal water closets and ensuites without fixed or permanent window access to outside air or which open onto a hall, passage, hobby or staircase, shall be serviced by a mechanical ventilation exhaust system which is ducted to outside air, with a minimum rate of air change equal to or greater than 25 litres / second.
10. Prior to the commencement of any demolition works, any Asbestos Containing Material (ACM) in the structure to be demolished, shall be identified, safely removed and conveyed to an appropriate landfill which accepts ACM.

Removal and disposal of ACM shall be in accordance with *Health (Asbestos) Regulations 1992*, Regulations 5.43 - 5.53 of the *Occupational Safety and Health Regulations 1996*, *Code of Practice for the Safe Removal of Asbestos 2nd Edition*, *Code of Practice for the Management and Control of Asbestos in a Workplace*, and any Department of Commerce Worksafe requirements.

Where there is over 10m² of ACM or any amount of friable ACM to be removed, it shall be removed by a Worksafe licensed and trained individual or business.

11. The applicant is advised to consult the City's Visual and Acoustic Privacy Advisory Information in relation to locating any mechanical equipment (e.g. air-conditioner, swimming pool or spa) such that noise, vibration and visual impacts on neighbours are mitigated. The City does not recommend installing any equipment near a property boundary where it is likely that noise will intrude upon neighbours.

Prior to selecting a location for an air-conditioner, the applicant is advised to consult the online fair-air noise calculator at www.fairair.com.au and use this as a guide to prevent noise affecting neighbouring properties.

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

12. 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.

12.3 Technical Services Report No's TS01.18 to TS04.18 (copy attached)

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

TS01.18	Point Resolution Reserve Enviro-scape Master Plan
----------------	----------------------------------------------------------

Committee	13 March 2018
Council	27 March 2018
Applicant	City of Nedlands
Officer	Andrew Dickson – Manager Parks Services
Director	Martyn Glover – Director Technical Services
Attachments	1. Point Resolution Reserve Enviro-scape Master Plan 2. Community Engagement Results

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Hodsdon
Seconded – Councillor Wetherall

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

Amendment

Moved - Councillor Mangano
Seconded - Councillor Argyle

That Council endorses the Point Resolution Reserve Enviro-scape Master Plan concept subject to the removal of the path and playground.

Put Motion

Moved - Councillor Hay
Seconded - Councillor Wetherall

That the Amendment be put.

CARRIED 12/1
(Against: Cr. Horley)

The AMENDMENT was PUT and was

LOST 4/9
(Against: Mayor Hipkins Crs. Hassell Hodsdon Wetherall
James Shaw Horley McManus & Smyth)

The Original Motion was PUT and was

**CARRIED 10/3
(Against: Crs. Argyle Mangano & de Lacy)**

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

**Council endorses the Point Resolution Reserve Enviro-scape Master Plan
concept.**

TS02.18	City of Nedlands 2018 Annual Waste Report
----------------	--------------------------------------------------

Committee	13 March 2018
Council	27 March 2018
Applicant	City of Nedlands
Officer	Chaminda Mendis - Waste Minimisation Co-ordinator
Director	Martyn Glover - Director Technical Services
Attachments	Nil

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Hassell
 Seconded – Councillor James

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

CARRIED UNANIMOUSLY EN BLOC 13/-

Council Resolution / Committee Recommendation / Recommendation to Committee

Council:

- 1. notes the City of Nedlands 2018 Annual Waste Report; and**
- 2. seeks a review of the effectiveness of the second recycling bin at no charge in preparation of the 2018-2019 budget.**

TS03.18	Proposed Road Names for the Shenton Park Rehabilitation Hospital Redevelopment
----------------	---------------------------------------------------------------------------------------

Committee	13 March 2018
Council	27 March 2018
Applicant	MNG and Landcorp
Officer	Steve Crossman – Asset Management Coordinator
Director	Martyn Glover – Director Technical Services
Attachments	<ol style="list-style-type: none"> 1. Proposed Road Names 2. Alternative Road Names 3. Montario Quarter Shenton Park 4. Extract of Policies and Standards for Geographical Naming in Western Australia

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Hassell
 Seconded – Councillor James

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

CARRIED UNANIMOUSLY EN BLOC 13/-

Council Resolution / Committee Recommendation / Recommendation to Committee

Council endorses the proposed road names list as provided in Attachment 1 with any relevant changes.

TS04.18	Proposed Extension of Archdeacon Street
----------------	------------------------------------------------

Committee	13 March 2018
Council	27 March 2018
Applicant	City of Nedlands
Officer	Pollyanne Fisher – Policy & Projects Officer
Director	Martyn Glover – Director Technical Services
Attachments	<ol style="list-style-type: none"> 1. Alternative Proposed Road Names 2. Extract of Policies and Standards for Geographical Naming in Western Australia

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Hassell

Seconded – Councillor James

That the Recommendation to Council be adopted.

(Printed below for ease of reference)

CARRIED UNANIMOUSLY EN BLOC 13/-

Council Resolution / Committee Recommendation / Recommendation to Committee

Council:

- 1. approves an application to be made to the Department of Lands for the excision of land from Reserve 1669, Lot 122 on deposited plan 222793, for the dedication of road reserve to provide formal public access to Lot 203 on deposited plan 27668;**
- 2. endorses the new road reserve to be dedicated as an extension of ‘Archdeacon Street’; and**
- 3. in the case that the Geographical Names Committee of Landgate does not approve for the new road reserve to be dedicated as an extension of ‘Archdeacon Street’, endorses the names provided in Attachment 1 for the alternative naming of the new road.**

12.4 Corporate & Strategy Report No's CPS04.18 to CPS06.18 (copy attached)

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

CPS04.18	List of Accounts Paid – January 2018
Committee	13 March 2018
Council	27 March 2018
Applicant	City of Nedlands
Officer	Vanaja Jayaraman – Manager Finance
Director	Lorraine Driscoll – Director Corporate & Strategy
Attachments	<ol style="list-style-type: none"> 1. Creditor Payment Listing January 2018 2. Purchasing Card Payments January 2018 (29th December – 28th January)

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Hassell
 Seconded – Councillor James

That the Recommendation to Council be adopted.

(Printed below for ease of reference)

CARRIED UNANIMOUSLY EN BLOC 13/-

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

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

CPS05.18	2017 Compliance Audit Return
-----------------	-------------------------------------

Committee	13 March 2018
Council	27 March 2018
Applicant	City of Nedlands
Officer	Stacey Gibson – PA to Director Corporate & Strategy
Director	Lorraine Driscoll – Director Corporate & Strategy
Attachments	1. Compliance Audit Return 2017

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Hassell
 Seconded – Councillor James

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

CARRIED UNANIMOUSLY EN BLOC 13/-

Council Resolution / Committee Recommendation / Recommendation to Committee

Council adopts the 2017 Compliance Audit Return as per recommendation by the Audit & Risk Committee.

CPS06.18	Mid-Year Budget Review – 2017/18
-----------------	-----------------------------------------

Committee	13 March 2018
Council	27 March 2018
Applicant	City of Nedlands
Officer	Vanaja Jayaraman – Manager Financial Services
Director	Lorraine Driscoll – Director Corporate & Strategy
Attachments	<ol style="list-style-type: none"> 1. Revised Rate Setting Statement for the year ending 30 June 2018; 2. List of Changes Required to the Revised Operating Budget 2017/18; and 3. List of Changes Required to the Revised Capital Works & Acquisition Program Budget 2017/18

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Hassell
 Seconded – Councillor James

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

CARRIED UNANIMOUSLY EN BLOC 13/-

Council Resolution / Committee Recommendation / Recommendation to Committee

Council:

- 1. receives and adopts, in accordance with Regulation 33A of the Local Government (Financial Management) Regulations 1996, the mid-year budget review and the revised Rate Setting Statement for the year ending 30 June 2018;**
- 2. notes the brought forward surplus from 2016/2017 Financial Year of \$2,965,451;**
- 3. notes the requested changes to the current 2017/18 Annual Budget listed in Attachments 2 and 3, and summarised in this report;**
- 4. approves the Revised Budget incorporating all the changes listed in Attachments 2 and 3 of this report, providing an estimated net deficit of \$112,886 (Attachment 1).**

ABSOLUTE MAJORITY REQUIRED

Councillor Mangano & Councillor de Lacy left the room at 8.53 pm.

13. Reports by the Chief Executive Officer

13.1 Common Seal Register Report – February 2018

Moved – Councillor James
Seconded – Councillor Shaw

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

CARRIED UNANIMOUSLY 11/-

February 2018

SEAL NUMBER	DATE SEALED	DEPARTMENT	MEETING DATE / ITEM NO.	REASON FOR USE
905	1 February 2018	Planning & Development	Delegated Authority	Seal Certification - Seal No. 905 - WAPC approved a Deposited Plan for Lot 888 and 889 Monash Avenue, Nedlands, carriageway and footway easements are to be removed from the Titles for the properties. The applicant has requested that the City sign and seal the attached application for the discharge of easements.
906	12 February 2018	Planning & Development	Delegated Authority	Seal Certification - Seal No. 906 - Section 70A Notification form in order to satisfy condition 3 of development approval granted for ancillary accommodation at 35 Bruce Street, Nedlands (Reference DA2016/246)

Councillor Mangano returned to the room at 8.54 pm.

13.2 List of Delegated Authorities – January 2018

Moved – Councillor Shaw
 Seconded – Councillor Hodsdon

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

CARRIED UNANIMOUSLY 12/-

January 2018					
2/01/2018	BA28432 37A Waroonga Road, NEDLANDS, Lot 2, 65650 Two storey dwelling, retaining and screen walls	Manager Building Services - Paul Busby	Building Act 2011	20-1 = Grant a building permit	P T Black
02/01/2018	(APP) – DA17/302 – 47 Rockton Rd, Nedlands – Single Storey Single House	Manager Planning – Jennifer Heyes	City of Nedlands TPS2	Section 6.7.1	Brolga Developments and Cosntruction
02/01/2018	(APP) – DA17/347 – 5 Minora Rd, Dalkeith – Amendments to DA17/271	Coordinator Statutory Planning – Andrew Bratley	City of Nedlands TPS2	Section 6.7.1	Germano Designs
02/01/2018	(APP) – DA17/349 – 30 Brockman Ave, Dalkeith – Amendments to DA17/223 (Outbuilding)	Coordinator Statutory Planning – Andrew Bratley	City of Nedlands TPS2	Section 6.7.1	Averna Homes
2/01/2018	BA27659 26 Strickland Street, MT CLAREMONT, Lot 279, 11986 Pergola with shade cloth cover	Manager Building Services - Paul Busby	Building Act 2011	20-1 = Grant a building permit	Ms C Collins

3/01/2018	BA27886 31 Caladenia Parade, MT CLAREMONT, Lot 289, 80225 Enclose balcony	Manager Building Services - Paul Busby	Building Act 2011	20-1 = Grant a building permit	M V Bonve
3/01/2018	BA29073 129 Stirling Highway, NEDLANDS, Lot 317, 43864 Removal of internal finishes, walls and concrete hardstand	Manager Building Services - Paul Busby	Building Act 2011	21-1 = Grant a demolition permit	Gull Property Pty Ltd
4/01/2018	BA27727 13 Bedbrook Place, SHENTON PARK, Lot 700, 81625 Factory with associated offices and retaining walls	Manager Building Services - Paul Busby	Building Act 2011	20-1 = Grant a building permit	Ularring Pty Ltd ACN 606296824
4/01/2018	BA28349 47 Rockton Road, NEDLANDS, Lot 220, 58477 swimming pool barrier	Manager Building Services - Paul Busby	Building Act 2011	20-1 = Grant a building permit	K L Tay
4/01/2018	BA28295 81 Vincent Street, NEDLANDS, Lot 8, 65155 Shed	Manager Building Services - Paul Busby	Building Act 2011	20-1 = Grant a building permit	P C Ferraris
4/01/2018	BA28877 105 Dalkeith Road, NEDLANDS, Lot 298, 50851 Patio	Manager Building Services - Paul Busby	Building Act 2011	20-1 = Grant a building permit	C J Agnew
05/01/2018	Approval to write off minor rates debt December 2017 - \$8.34	Chief Executive Officer – Greg Trevaskis	Local Government Act	Section 6.12 (1) (c)	City of Nedlands

05/01/2017	3029544 – Parking Infringement Withdrawal – other compassionate grounds	Manager Health & Compliance – Andrew Melville	Local Government Act 1995	Section 9.20/6.12(1)	Steven Wityk
05/01/2017	3028859 – Parking Infringement Withdrawal – other compassionate grounds	Manager Health & Compliance – Andrew Melville	Local Government Act 1995	Section 9.20/6.12(1)	Carla Le Courteur
05/01/2018	3028734 – Parking Infringement Withdrawal – other compassionate grounds	Manager Health & Compliance – Andrew Melville	Local Government Act 1995	Section 9.20/6.12(1)	Dr Zhiliang Ou
5/01/2018	BA28181 23 Bedford Street, NEDLANDS, Lot 368, 31518 Alterations and additions to dwelling	Manager Building Services - Paul Busby	Building Act 2011	20-1 = Grant a building permit	Ms H S Purser
5/01/2018	BA28239 31 Bulimba Road, NEDLANDS, Lot 267, 49585 Demolition of outbuilding	Manager Building Services - Paul Busby	Building Act 2011	21-1 = Grant a demolition permit	C M Mellor
8/01/2018	BA28818 13 Bedford Street, NEDLANDS, Lot 347, 31411 Single storey dwelling	Manager Building Services - Paul Busby	Building Act 2011	20-1 = Grant a building permit	A D Brooks
8/01/2018	BA29016 18 Blenheim Lane, MT CLAREMONT, Lot 17, 72977 Patio	Manager Building Services - Paul Busby	Building Act 2011	20-1 = Grant a building permit	M A Moors
08/01/2018	3029577 – Parking Infringement Withdrawal – other compassionate grounds	Manager Health & Compliance – Andrew Melville	Local Government Act 1995	Section 9.20/6.12(1)	Angela Ienco

08/01/2018	3029573 – Parking Infringement Withdrawal – other compassionate grounds	Manager Health & Compliance – Andrew Melville	Local Government Act 1995	Section 9.20/6.12(1)	Binita Chhachhi
08/01/2018	3029567 – Parking Infringement Withdrawal – other compassionate grounds	Manager Health & Compliance – Andrew Melville	Local Government Act 1995	Section 9.20/6.12(1)	Therese Used
09/01/2018	(APP) – DA17/350 – 15 Bromilow Green, Mt Claremont – Additions (Patio, Shed and Front Boundary Walls) to Single House	Coordinator Statutory Planning – Andrew Bratley	City of Nedlands TPS2	Section 6.7.1	M B Ilyas
9/01/2018	BA29101 93 Grovedale Road, FLOREAT, Lot 1, 79400 Patio	Manager Building Services - Paul Busby	Building Act 2011	20-1 = Grant a building permit	C T Oeding
10/01/2018	BA29060 47 Alderbury Street, FLOREAT, Lot 157, 1014 Two storey dwelling, retaining walls and masonry fence	Manager Building Services - Paul Busby	Building Act 2011	20-1 = Grant a building permit	Ms D E Fraser
10/01/2018	BA28946 14 Leon Road, DALKEITH, Lot 200, 22765 Two storey dwelling, gatehouse, swimming pool, pool barrier and screen wall	Manager Building Services - Paul Busby	Building Act 2011	20-1 = Grant a building permit	S J Smith
10/01/2018	BA28319 5 Alderbury Street, FLOREAT, Lot 273, 822 Swimming pool	Manager Building Services - Paul Busby	Building Act 2011	20-1 = Grant a building permit	B W Hurrell

10/01/2018	(CANCELLED) – DA17/321 – 51 Haldane St, Mt Claremont – 2 x Two Storey Grouped Dwellings	Coordinator Statutory Planning – Andrew Bratley	City of Nedlands TPS2	Section 6.7.1	Peter Webb & Associates
10/01/2018	(APP) – DA17/311 – 45 Viking Rd, Dalkeith – Two Storey Single House	Coordinator Statutory Planning – Andrew Bratley	City of Nedlands TPS2	Section 6.7.1	Mercedes Group Pty Ltd
11/01/2018	(APP) – DA17/322 – 26 Kennedia Lane, Mt Claremont – Retaining Walls and Over Height Fence	Senior Statutory Planning Officer – Kate Bainbridge	City of Nedlands TPS2	Section 6.7.1	M C & H E Martella
12/01/2018	BA28962 2/25 Arenga Court, MT CLAREMONT, Lot 2, 77140 Patio	Manager Building Services - Paul Busby	Building Act 2011	20-1 = Grant a building permit	K Farley
12/01/2018	BA29336 5 Minora Road, DALKEITH, Lot 786, 23509 Storage of materials on verge	Manager Building Services - Paul Busby	Local Government (Uniform Local Provisions) Regulations 1996	6-1 = Grant verge materials permit LG(ULP)Regs	Kings Rd Constructions
12/01/2018	BA29111 51 Adderley Street, MT CLAREMONT, Lot 64, 686 Ancillary accommodation	Manager Building Services - Paul Busby	Building Act 2011	20-1 = Grant a building permit	Mr O J Ashby

15/01/2018	BA28782 79 Victoria Avenue, DALKEITH, Lot 2, 26507 Additions to dwelling	Manager Building Services - Paul Busby	Building Act 2011	20-1 = Grant a building permit	Mr G C Dunthorne
16/01/2018	BA29354 47 Alderbury Street, FLOREAT, Lot 157, 1014 single dwelling demolition	Manager Building Services - Paul Busby	Building Act 2011	21-1 = Grant a demolition permit	Ms D E Fraser
17/01/2018	BA28557 37 Clifton Street, NEDLANDS, Lot 411, 33900 carport and fence	Manager Building Services - Paul Busby	Building Act 2011	20-1 = Grant a building permit	J H Chia
17/01/2018	3029410 – Parking Infringement Withdrawal – Other Compassionate Grounds	Manager Health & Compliance – Andrew Melville	Local Government Act 1995	Section 9.20/6.12(1)	Brendan Tribbeck
17/01/2018	3029044 – Parking Infringement Withdrawal – Officer Error	Manager Health & Compliance – Andrew Melville	Local Government Act 1995	Section 9.20/6.12(1)	Kathryn Delaney
17/01/2018	3029033 – Parking Infringement Withdrawal – Officer Error	Manager Health & Compliance – Andrew Melville	Local Government Act 1995	Section 9.20/6.12(1)	Geoff Gilbert
17/01/2018	3030413 – Parking Infringement Withdrawal – Compassionate Grounds	Manager Health & Compliance – Andrew Melville	Local Government Act 1995	Section 9.20/6.12(1)	Andrew Lam
17/01/2018	3030439 – Parking Infringement Withdrawal – Compassionate Grounds	Manager Health & Compliance – Andrew Melville	Local Government Act 1995	Section 9.20/6.12(1)	Kate Lindley

17/01/2018	3028758 – Parking Infringement Withdrawal – Compassionate Grounds	Manager Health & Compliance – Andrew Melville	Local Government Act 1995	Section 9.20/6.12(1)	Ali Mahmood
17/01/2018	3028455 – Parking Infringement Withdrawal – Compassionate Grounds	Manager Health & Compliance – Andrew Melville	Local Government Act 1995	Section 9.20/6.12(1)	Ben McNeil
18/01/2018	(APP) – DA17/184 – 16 Robinson St, Nedlands – Single Storey Single House	Coordinator Statutory Planning – Andrew Bratley	City of Nedlands TPS2	Section 6.7.1	Residential Building WA
18/01/2018	(CANCELLED) – DA17/187 – 30 Loch St, Nedlands – Additions (Alfresco) to Single House	Coordinator Statutory Planning – Andrew Bratley	City of Nedlands TPS2	Section 6.7.1	Mr L Kellett
18/01/2018	BA28326 77 Viking Road, DALKEITH, Lot 136, 28062 Swimming pool and spa	Manager Building Services - Paul Busby	Building Act 2011	20-1 = Grant a building permit	T Grapsas
18/01/2018	BA29325 5 Minora Road, DALKEITH, Lot 786, 23509 Addition to dwelling	Manager Building Services - Paul Busby	Building Act 2011	20-1 = Grant a building permit	Mr B K Saleeba
18/01/2018	BA27859 85 Meriwa Street, NEDLANDS, Lot 597, 39702 Swimming pool	Manager Building Services - Paul Busby	Building Act 2011	20-1 = Grant a building permit	A J Hywood
19/01/2018	3028914 – Parking Infringement Withdrawal – Compassionate Grounds	Manager Health & Compliance – Andrew Melville	Local Government Act 1995	Section 9.20/6.12(1)	Vince Cinanni

22/01/2018	BA28846 45 Stirling Highway, NEDLANDS, Lot 10, 43149 solar panels	Manager Building Services - Paul Busby	Building Act 2011	58-1 = Grant and occupancy permit or building approval certificate	Balwyn Commercial Properties Pty Ltd
22/01/2018	(APP) – DA17/242 – 29 Leon Rd, Two Storey House & Outbuilding	Senior Statutory Planning Officer – Kate Bainbridge	City of Nedlands TPS2	Section 6.7.1	Building Corporation WA Pty Ltd
22/01/2018	(APP) – DA18/7 – 61 Kirwan St, Floreat – Additions (Boundary Wall) to Grouped Dwelling	Coordinator Statutory Planning – Andrew Bratley	City of Nedlands TPS2	Section 6.7.1	J P Hocking
22/01/2018	BA29083 77 Viking Road, DALKEITH, Lot 136, 28062 Two storey dwelling	Manager Building Services - Paul Busby	Building Act 2011	20-1 = Grant a building permit	T Grapsas
24/01/2018	(APP) – DA18/8 – 183 Stirling Hwy, Nedlands – Solar Panels to Existing Commercial Building	Coordinator Statutory Planning – Andrew Bratley	City of Nedlands TPS2	Section 6.7.1	Infinite Energy
25/01/2018	BA29310 47 Alderbury Street, FLOREAT, Lot 157, 1014 swimming pool, barrier fence and water feature	Manager Building Services - Paul Busby	Building Act 2011	20-1 = Grant a building permit	Ms D E Fraser
25/01/2018	BA29402 129 Stirling Highway, NEDLANDS, Lot 317, 43864 Alterations and additions works for BP rosegarden	Manager Building Services - Paul Busby	Building Act 2011	20-1 = Grant a building permit	Gull Property Pty Ltd

29/01/2018	BA29230 42 Adderley Street, MT CLAREMONT, Lot 48, 589 Swimming pool barrier	Manager Building Services - Paul Busby	Building Act 2011	20-1 = Grant a building permit	Mr B B Boylson
29/01/2018	BA29246 75 Mooro Drive, MT CLAREMONT, Lot 140, 71976 Patio	Manager Building Services - Paul Busby	Building Act 2011	20-1 = Grant a building permit	R U Kong
29/01/2018	BA29604 12 Weld Street, NEDLANDS, Lot 347, 44739 Storage of materials on verge	Manager Building Services - Paul Busby	Local Government (Uniform Local Provisions) Regulations 1996	6-1 = Grant a verge materials permit LG(ULP)Regs	Scoullar Ink Pty Ltd
29/01/2018	BA29634 30 Brockman Avenue, DALKEITH, Lot 140, 16570 Garage amendment to previous permit BA28574	Manager Building Services - Paul Busby	Building Act 2011	20-1 = Grant a building permit	J Clements
29/01/2018	BA29799 14 Alfred Road, CLAREMONT, Lot 5140, 1323 Storage of materials on verge	Manager Building Services - Paul Busby	Local Government (Uniform Local Provisions) Regulations 1996	6-1 = Grant a verge materials permit LG(ULP) Regs	Residential Building WA
29/01/2018	(APP) – DA17/337 – 16 Iris Ave, Dalkeith – Flagpole and Alterations to Street Fencing and Swimming Pool Area (Amendments to DA16/60)	Manager Planning - Jennifer Heyes	City of Nedlands TPS2	Section 6.7.1	P Jones

30/01/2018	BA29574 28 Rockton Road, NEDLANDS, Lot 180, 58281 Swimming pool	Manager Building Services - Paul Busby	Building Act 2011	20-1 = Grant a building permit	S J Kirby
30/01/2018	BA29219 42 Adderley Street, MT CLAREMONT, Lot 48, 589 swimming pool	Manager Building Services - Paul Busby	Building Act 2011	20-1 = Grant a building permit	Mr B B Boylson
30/01/2018	BA29361 21 Grainger Drive, MT CLAREMONT, Lot 75, 68666 Fences	Manager Building Services - Paul Busby	Building Act 2011	20-1 = Grant a building permit	F D Magnus
30/01/2018	(APP) – DA17/246 – 101 Rochdale Rd, Mt Claremont – Street Boundary Fencing	Manager Planning – Jennifer Heyes	City of Nedlands TPS2	Section 6.7.1	S Wilson
30/01/2018	(APP) – DA17/328 – 48 Williams Rd, Nedlands – Additions to Single Dwelling	Manager Planning – Jennifer Heyes	City of Nedlands TPS2	Section 6.7.1	G Harris
31/1/2018	3029040 – Parking Infringement Withdrawal - error made by issuing officer	Manager Health & Compliance – Andrew Melville	Local Government Act 1995	Section 9.20/6.12(1)	Laura Cort
31/1/2018	3028772 – Parking Infringement Withdrawal - other compassionate grounds	Manager Health & Compliance – Andrew Melville	Local Government Act 1995	Section 9.20/6.12(1)	Ian Love
31/1/2018	3028773 – Parking Infringement Withdrawal - other compassionate grounds	Manager Health & Compliance – Andrew Melville	Local Government Act 1995	Section 9.20/6.12(1)	Ian Love

13.3 Local Government Act Review

Committee	13 March 2018
Council	27 March 2018
Applicant	City of Nedlands
Officer	Pollyanne Fisher – Policy & Projects Officer
Acting CEO	Peter Mickleson
Attachments	1. Review Consultation Paper 2. Proposed Submission to the Local Government Act Review Process

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Hassell
Seconded – Councillor James

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

CARRIED 11/1
(Against: Cr. Smyth)

Council Resolution / Committee Recommendation

Council does not submit a Local Government Act Review Submission for this round and will reconsider its position at the second round of submissions.

Recommendation to Committee

Council endorse the proposed submission to the Local Government Act Review as provided in Attachment 2.

13.4 Monthly Financial Report – February 2018

Council	27 March 2018
Applicant	City of Nedlands
Officer	Vanaja Jayaraman – Manager Financial Services
Director	Lorraine Driscoll – Director Corporate & Strategy
Attachments	<ol style="list-style-type: none"> 1. Financial Summary (Operating) by Business Units – 28 February 2018 2. Capital Works & Acquisitions – 28 February 2018 3. Net Current Assets – 28 February 2018 4. Statement of Activity – 28 February 2018

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Shaw

Seconded – Councillor James

That the Recommendation to Council be adopted.

(Printed below for ease of reference)

Councillor de Lacy returned to the room at 8.55 pm.

Councillor Hodsdon left the room at 8.56 pm and returned at 8.58 pm.

CARRIED UNANIMOUSLY 13/-

Council Resolution / Recommendation to Council

Council receives the Monthly Financial Report for 28 February 2018.

Executive Summary

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

Discussion/Overview

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

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

This report gives an overview of the year to date revenue and expenses of the City for the month of February together with a Net Assets Statement as at 28 February 2018.

The operating expenditure at the end of February 2018 was \$22.44 M, which represents a \$2.19 M favourable variance compared to the year-to-date budget.

The operating revenue at the end of February 2018 was \$30.69 M which represents a \$722K favourable variance compared to the year-to-date budget.

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

Governance

Expenditure:	Favourable variance of	\$ 160,962
Revenue:	Favourable variance of	\$ 114,952

The favourable expenditure variance is mainly due to expenses not expended yet for special projects of \$102K. Savings on Communication salaries of \$25K and other employee costs in Human Resource of \$56K.

The favourable revenue variance is due to the invoicing of the 2016/17 cost of WESROC projects invoiced to other Councils in July and income from Hollywood parking fees due to the extension of the contract.

Corporate and Strategy

Expenditure:	Favourable variance of	\$ 451,250
Revenue:	Favourable variance of	\$ 410,420

Favourable expenditure variance is mainly due to Customer Service and Finance salary savings of \$184K due to vacancies not filled yet, and expenses not expended yet for special projects, professional fees and ICT Expenses of \$188K. There is also cost savings in other employee cost of \$28K and interest of \$65K on loans have not been expended yet.

Favourable revenue variance is due to higher rates of \$423K. However, Landgate has informed us that there are errors in some valuations they provided. The rates we have raised based on the wrong valuation is \$358K and we are awaiting their confirmation before we adjust the errors.

Community Development and Services

Expenditure:	Favourable variance of	\$ 503,719
Revenue:	Favourable variance of	\$ 119,914

The favourable expenditure variance is mainly due to a lower community development donation payment of \$74K, community events yet to be organised of \$72K. Savings and timing difference on other employee cost and salaries of \$190k and savings on others of \$92K. Also, a small savings on Tresillian courses of \$27K and savings on NCC motor vehicles and depreciation expenses of \$24K.

The Favourable revenue variance is due to timing difference of NCC and other grants of \$164K received earlier than budgeted, off-set by lower fees and charges received of \$52K.

Planning and Development

Expenditure:	Favourable variance of	\$ 433,487
Revenue:	Unfavourable variance of	\$(122,520)

The favourable expenditure variance is mainly due to savings in Strategic projects of \$68K and other operational activities of Sustainability, Environmental Health, and Conservation of \$121K not expended yet. Further cost not expended yet include Environmental and Building Professional fees of \$42K, Environmental Health and Ranger services ICT expenses and Other of \$88K. There is also some cost savings in salaries and other employee costs of \$111K arising from vacancies not filled yet and timing difference with budget allocation.

Unfavourable revenue variance is mainly due to less income on fees and charges of \$111K from Planning and Building services due to less applications received, and also Building fine & penalties of \$10K less than the budget amount.

Technical Services

Expenditure:	Favourable variance of	\$ 637,880
Revenue:	Favourable variance of	\$ 199,446

The favourable expenditure variance is mainly due to expenses not expended yet for maintenance of parks services, drainage and building maintenance of \$811K. Net savings on Depreciation of \$687K due to increase in remaining useful life of buildings based on the revaluation exercise carried out as at 30th June 2017, reducing depreciation and increased infrastructure capital cost, increasing depreciation. There is an overspend on the Underground Power Project of \$547K due to profiling issue and is a temporary timing issue. We also have a reduction of cost allocation to projects of \$371K which is expected to be recovered by the year end.

Favourable variance is due to an extra revenue on infrastructure services of \$44K for Montario Quarter subdivision supervision fees and Parks fines & penalties of \$137K for unauthorised development activities within the reserve by the Aria apartments development.

Capital Works Programme

At the end of February, the expenditure on capital works were \$6.5M with further commitments of \$2.3M which is 61% of a total post-audit revised budget of \$14.23 million.

Net Current Assets Statement

At 28 February 2017, net current assets were \$10.92M compared to \$14.74M in prior period. This is mainly due to a higher creditor payment of \$3.65M in February 2018.

The sundry receivable balance is higher by \$796K arising from invoicing of \$729K to Rotary for the All Abilities Play Space Grant, of which we have subsequently received \$426K in March.

The Payable – Sundry Creditors is higher by \$2.16M due to the invoice from Western Power of \$2M for the underground power works, which was subsequently paid on 1st March.

Conclusion

The statement of financial activity for the period ended 28 February indicates that operating expenses are under the year-to-date budget by 8.9% or \$2.19M, while revenue is above the Budget by 2.4% or \$722K.

Key Relevant Previous Council Decisions:

Nil.

Consultation

N/A

Budget/Financial Implications

As outlined in the Monthly Financial Report.

13.5 Monthly Investment Report – February 2018

Council	27 March 2018
Applicant	City of Nedlands
Officer	Vanaja Jayaraman – Manager Financial Services
Director	Lorraine Driscoll – Director Corporate & Strategy
Attachments	1. Investment Report for the period ended 28 February 2018

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Hassell
 Seconded – Councillor James

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

CARRIED UNANIMOUSLY 13/-

Council Resolution / Recommendation to Council

Council receives the Investment Report for the period ended 28 February 2018.

Executive Summary

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

Discussion/Overview

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

The Investment Policy of the City, which is reviewed each year by the Audit and Risk Committee of Council, is structured so as to minimise any risks associated with the City's cash investments. The officers adhere to this Policy, and continuously monitor market conditions to ensure that the City obtains attractive and optimum yields without compromising on risk management.

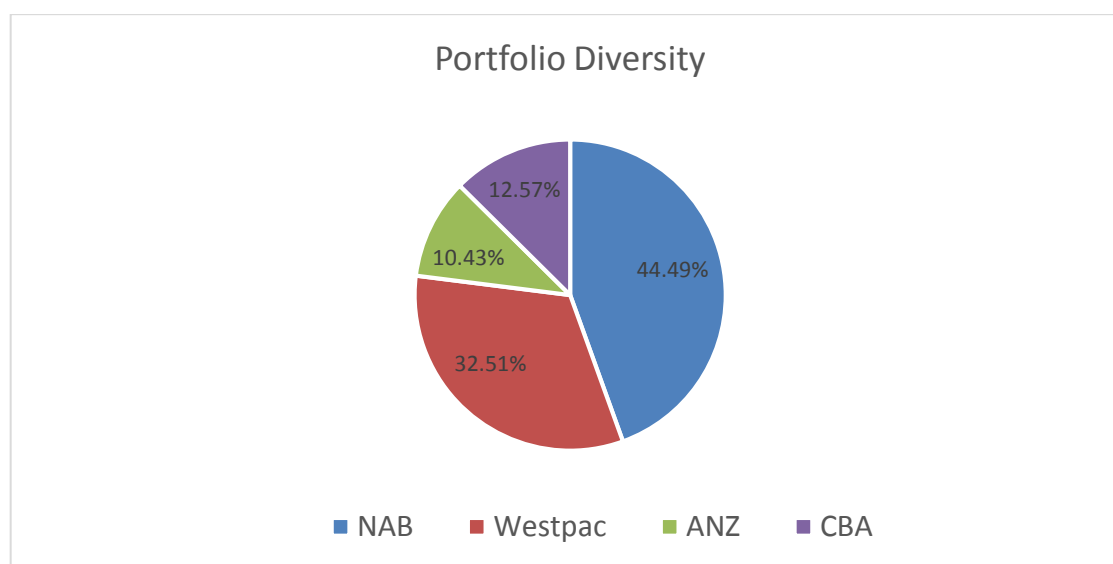
The Investment Summary shows that as at 28 February 2018 the City held the following funds in investments:

Municipal Funds	\$ 8,139,857.71
Reserve Funds	\$ 4,589,050.58
Total	<u>\$ 12,728,908.29</u>

The total interest earned from investments as at 28 February 2018 was \$245,110.84

The Investment Portfolio comprises holdings in the following institutions:

Financial Institution	Funds Invested	Interest Rate	Proportion of Portfolio
NAB	\$5,663,216.13	1.97% - 2.47%	44.49%
Westpac	\$4,137,565.93	2.50% - 2.75%	32.51%
ANZ	\$1,327,943.84	2.30% - 2.50%	10.43%
CBA	\$1,600,182.39	0.60% - 2.38%	12.57%
Total	\$12,728,908.29		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.

14. 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 Shaw left the room at 8.59 pm.

14.1 Councillor James – Tree Removal – 100 Archdeacon Street, Nedlands

On 26 February 2018 Councillor James gave notice of her intention to move the following at this meeting.

Moved – Councillor James

Seconded – Councillor Wetherall

Council Resolution

That Council approves the removal and replacement of the Tasmanian Blue Gum and Lemon-scented Gum trees on the nature strip adjacent to 100 Archdeacon Street, Nedlands subject to the following conditions in accordance with Council policy:

- 1. The removal and replacement of the Tasmanian Blue Gum and Lemon-scented Gum trees on the nature strip to be undertaken by the City;**
- 2. Both trees are to be replaced, with the replacement trees to be selected in consultation with the owners of 100 Archdeacon Street; and**
- 3. All costs for removal of the existing trees and supply, planting and maintenance of the replacement trees are to be borne by the owners of 100 Archdeacon Street.**

Councillor Shaw returned to the room at 9.01 pm.

**CARRIED 8/5
(Against: Mayor Hipkins Crs. de Lacy Hay Horley & Smyth)**

Justification

There are currently two large mature street trees on the nature strip adjacent to 100 Archdeacon Street, one being a Tasmanian Blue Gum and the other a Lemon-scented Gum. The owners of 100 Archdeacon Street have advised they have a high level of concern regarding falling branches from both these trees that may result in damage to their property or injury to someone. A large branch fell from the Tasmanian Blue Gum during a storm on 16 October 2017 causing damage to their garage and a car resulting in a claim being made against their house insurance. The Tasmanian Blue Gum has since been pruned by the City to reduce the amount of encroachment over their property boundary, however the owners believe this is not adequate to address future risks associated with the trees and would like them both removed.

The location of both trees, closer to the property boundary than the established planting alignment, and the selected species suggest they were not planted by the City as part of a street tree planting program. Though boundary reduction pruning of the Tasmanian Blue Gum has taken place, branches still encroach significantly across the front boundary into the property and close to the house causing the owners considerable inconvenience and concern. Administration has advised the property owners both trees are inspected annually and no concerns with structural integrity has been observed or reported to date with either tree. Administration has advised that the size, location and species of both trees present some risks that are difficult to manage, one being that both species have a known inclination to drop limbs without prior indication. There is an argument to be made that the trees are not suitable for the location and, due to safety concerns, they should be removed and replaced with street trees of a more suitable species for the nature strip.

Administration Comment

The subject street trees are a large mature Tasmanian Blue Gum (*Eucalyptus globulus*) and a Lemon Scented Gum (*Corymbia citriodora*) located on the nature strip adjoining 100 Archdeacon Street, Nedlands. Indications are both trees are likely to be in the age range of 30 to 50 years old. Both trees are located offset from the established street tree planting alignment, close to the front boundary of the adjoining residence. Due to the proximity of both trees to the front boundary of the property, a significant portion of their canopies extends over the boundary and into the property, particularly the Tasmanian Blue Gum. Given the species and location of both trees, there is a high likelihood they were not planted by the City.

The City has received requests from the property owners to prune the canopy of the Tasmanian Blue Gum back from the property. The City has undertaken some reduction pruning; however, this must be done incrementally to ensure it does not place the tree under unnecessary stress and increase the probability of future branch failures. Consequentially, continued boundary reduction pruning is unlikely to reduce the encroachment of the canopy to any significant proportion in the short to medium term due to the substantial encroachment over the property.

Both trees are listed on the City's Annual Visual Tree Assessment register and have been inspected annually by a suitably qualified and competent arborist commencing in 2006. There is evidence of previous branch failures in the Tasmanian Blue Gum, with some appearing to be associated with wind loading (i.e. high winds) and others being difficult to determine the cause. Previous visual tree assessments have not identified any concerns with the structural integrity of either tree.

The property owners have corresponded with the Administration that it would be their preference to have the Tasmanian Blue Gum removed. Council Policy prescribes that a street tree is not authorised to be removed unless certain circumstances apply. One circumstance is where a tree poses a hazard whether to persons or property and pruning or other techniques cannot effectively remedy the hazard. Administration is satisfied that all indications are both trees are healthy and structurally sound, having been assessed over a significant period, and that the trees do not pose a hazard to persons or property currently. Therefore, previous requests to remove the Tasmanian Blue Gum have been refused in accordance with policy.

Notwithstanding both trees being in a generally healthy condition, the Lemon Scented Gum is one of several tree species native to Australia that are associated with a higher propensity to drop branches for unexplained reasons. The 'Sudden Branch Drop Phenomenon' is not well understood by science other than it is associated more with certain species following periods of drought or hot weather. The Tasmanian Blue Gum has been associated with the 'Sudden Branch Drop Phenomenon', however this is to a much lesser extent than numerous other Eucalypt species. As both species of tree are associated with this phenomenon, the risks connected with this are essentially unknown and therefore difficult to manage. Generally, the approach to managing this risk is to reduce the weight bearing on tree branches through selective pruning, noting this is no guarantee to remedying the risk entirely. The risks associated with a sudden branch failure with either of these trees is exacerbated by their size and location proximate to the property boundary, crossover and road. The only measure that could guarantee elimination of the risks associated with sudden branch drop would be removal of the trees.

15. Elected members notices of motion given at the meeting for consideration at the following ordinary meeting on 24 April 2018

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 24 April 2018 to be tabled at this point in accordance with Clause 3.9(2) of Council's Local Law Relating to Standing Orders.

Nil.

16. Urgent Business Approved By the Presiding Member or By Decision

Nil.

17. Confidential Items

Closure of Meeting to the Public

Moved – Councillor James

Seconded - Councillor Hay

That the meeting be closed to the public in accordance with Section 5.23 (c) of the *Local Government Act 1995* to allow confidential discussion on the following Item.

**CARRIED 9/4
(Against: Crs. Argyle Mangano de Lacy & Shaw)**

The meeting was closed to the public at 9.20 pm.

17.1 Alfred Road and Claremont Triangle Underground Power Project

Moved - Councillor Hodsdon

Seconded - Councillor Wetherall

That the meeting be reopened to members of the public and the press.

CARRIED UNANIMOUSLY 13/-

The meeting was reopened to members of the public and the press at 9.21 pm.

In accordance with Standing Orders 12.7(3) the Presiding Member read out the motions passed by the Council whilst it was proceeding behind closed doors and the vote of the members to be recorded in the minutes under section 5.21 of the *Local Government Act 1995*.

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

Moved – Councillor de Lacy
Seconded – Councillor Mangano

That the Recommendation to Council be adopted.

(Printed below for ease of reference)

CARRIED UNANIMOUSLY 12/-

Council Resolution / Recommendation to Council

Council advises the Town of Claremont and Western Power that the City will progress with the extension projects to the Town of Claremont Underground Power Project known as Alfred Road and Claremont Triangle comprised of a total 157 properties/dwellings at a total cost of \$623,125 plus or minus ten percent.

Councillor McManus returned to the room at 9.22 pm.

Declaration of Closure

There being no further business, the Presiding Member declared the meeting closed at 9.23 pm.