



City of Nedlands

Minutes

Council Committee Meeting

14 February 2012

Attention:

This is a Committee which has only made recommendations to Council. No action should be taken on any recommendation contained in these Minutes. The Council resolution pertaining to an item will be made at the Ordinary Council Meeting next following this meeting.

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City of Nedlands

Minutes of a meeting of the Council Committee held in the Council Chambers, Nedlands on Tuesday 14 February at 7.00 pm.

Declaration of Opening

The Presiding Member declared the meeting open at 7.00 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).

Councillors	His Worship the Mayor, R M Hipkins	(Presiding Member)
	Councillor K E Collins	Coastal Districts Ward
	Councillor L J McManus	Coastal Districts Ward
	Councillor I S Argyle	Dalkeith Ward
	Councillor W R Hassell	Dalkeith Ward
	Councillor S J Porter	Dalkeith Ward
	Councillor R M Binks	Hollywood Ward
	Councillor B G Hodsdon	Hollywood Ward
	Councillor K Walker	Hollywood Ward
	Councillor T James	Melvista Ward
	Councillor N Shaw	Melvista Ward
	Councillor M L Somerville-Brown (until 9.37 pm)	Melvista Ward

Staff	Mr M Cole	Acting Chief Executive Officer
	Mr R Senathirajah	Acting Director Corporate & Strategy
	Ms J Heyes	A/ Director Planning & Development Services
	Mr A Melville	A/ Director Sustainable Infrastructure
	Ms D Blake	Director Community & Organisational Development
	Ms N Borowicz	Executive Assistant

Public There were 17 members of the public present.

Press The Post Newspaper representative.

Leave of Absence (Previously Approved) Nil.

Apologies Councillor N B J Horley Coastal Districts Ward

Absent Nil.

Disclaimer

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In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or intimation of approval made by a member or officer of the City of Nedlands during the course of any meeting is not intended to be and is not to be taken as notice of approval from the City of Nedlands. The City of Nedlands warns that anyone who has any application lodged with the City of Nedlands must obtain and should only rely on written confirmation of the outcome of the application, and any conditions attaching to the decision made by the City of Nedlands in respect of the application.

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1. Addresses By Members of the Public (only for items listed on the agenda)

Addresses by members of the public who have completed Public Address Session Forms were invited to be made as each item relating to their address is discussed by the Committee.

Mr S Rofe, 21 Circe Circle, Dalkeith
(spoke in opposition to the recommendation) Report D01.12

Ms M Rowbottom, 37 Lisle Street, Mt Claremont
(spoke in opposition to the recommendation) Report D02.12

Mr G Morris, 37 Lisle Street, Mt Claremont
(spoke in opposition to the recommendation) ReportD02.12

Ms J Williams, 20 Croydon Street, Nedlands
(spoke in support of the recommendation) Report D03.12

Mr L Munslow-Davies, 19 Croydon Street, Nedlands
(spoke in opposition to the recommendation) Report D03.12

Mr A Leyland, 17 Burwood Street, Nedlands
(spoke in relation to the recommendation) Report D03.12

Ms A Soo, 73 Melvista Avenue, Nedlands
(spoke in opposition to the recommendation) Report T01.12

2. Disclosures of Financial Interest

The Presiding Member to remind 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.

2.1 Councillor Porter – Item 7.1 – No. 23 (Lot 759) Circe Circle, Dalkeith Retrospective Front Fencing

Councillor Porter disclosed a financial interest in Item 7.1 - No. 23 (Lot 759) Circe Circle, Dalkeith Retrospective Front Fencing. His interest being that he is a close friend and has a business relationship with the applicant. He advised that he would leave the meeting during this matter.

2.2 Mayor Hipkins – T06.12 - Keeping of Bee Hive - 38 Minora Road, Dalkeith

Mayor Hipkins disclosed a proximity interest in Report T06.12 - Keeping of Bee Hive - 38 Minora Road, Dalkeith. His interest being that he lives next door to the applicant. He advised that he would leave the meeting during this matter.

3. Disclosures of Interests Affecting Impartiality

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

3.1 Councillor Walker – D03.12 - Omnibus Scheme Amendment No. 194 – Actions to be taken by Council

Councillor Walker disclosed an impartiality interest in Item D03.12 – Omnibus Scheme Amendment No. 194 – Actions to be taken by Council. She disclosed that she has an association with the people who have lobbied on this item as a friend and a neighbour, and as a consequence, there may be a perception that her impartiality on the matter may be affected. She declared that she would consider this matter on its merits and vote accordingly.

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

Nil.

5. Confirmation of Minutes

5.1 Committee Meeting 29 November 2011

Moved – Councillor Shaw
Seconded – Councillor Binks

The minutes of the Council Committee held 29 November 2011 are confirmed.

**CARRIED 11/1
(Against: Cr. Walker)**

6. Matters for Which the Meeting May Be Closed

In accordance with Standing Orders and for the convenience of the public, the Presiding Member notified the members of the public that the meeting will be closed for item No. 38 (Lot 51) Jutland Parade Dalkeith- Proposed 4 Storey Dwelling, Fill, Retaining and Swimming Pool and item 10.2 No. 40 (Lot 50 – Proposed Lots 61 & 62) Jutland Parade, Dalkeith – Proposed 2x Multi Storey Dwellings (including Swimming Pools, Front Fence, Landscaping and Fill) in accordance with Section 5.23(2)(d) of the Local Government Act 1995.

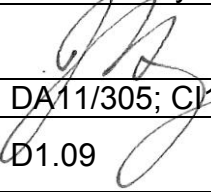
7. Divisional Reports

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.

7.1 Development Services Report No's D01.12 to D04.12

D01.12	No. 23 (Lot 759) Circe Circle, Dalkeith – Retrospective Front Fencing
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Committee	14 February 2012
Council	28 February 2012

Applicant	David Bayly – Two Kind Pty Ltd
Owner	David Bayly – Two Kind Pty Ltd
Officer	Laura Sabitzer – Planning Officer
Director	Jennifer Heyes – A/Director Development Services
Director Signature	
File ref.	DA11/305; C11/23-02
Previous Item No's	D1.09
Disclosure of Interest	No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> .

Councillor Porter – Financial Interest

Councillor Porter disclosed a financial interest. His interest being that he is a close friend and has a business relationship with the applicant. He advised that he would leave the meeting during this matter.

Councillor Porter left the meeting at 7.05 pm.

Mr S Rofe, 21 Circe Circle, Dalkeith
(spoke in opposition to the recommendation)

Report D01.12

Regulation 11(da) – Councillors agreed that the height of the fence shall be in line with height of the front fence.

Moved – Councillor Shaw

Seconded – Councillor Binks

Council approves an application for retrospective front fencing at No. 23 (Lot 759) Circe Circle, Dalkeith in accordance with the application dated 19 July 2011 and the plans dated 27 October 2011 subject to the following conditions:

- 1. The front fencing on the eastern side boundary, as marked in red on the approved plans, shall be amended to meet the following conditions within 60 days from the date of this decision:
 - a. The surface of the fencing shall be finished to a quality finish and to a professional standard to the satisfaction of the City (refer to Advice Note 1); and**
 - b. The gap of the fencing around the retained tree, shall be enclosed and/or finished to the satisfaction of the City (refer to Advice Note 2).****
- 2. The fencing and footings shall be constructed wholly inside the allotment.**
- 3. Any additional development, which is not in accordance with the original application or conditions of approval, as outlined above, will require further approval by Council.**

Advice Notes specific to this approval:

- 1. As a minimum, the finish of the fence shall be painted to a professional standard and be of a colour approved by the City;**
- 2. The enclosure and/or finish of the gap of fencing around the retained tree, shall be carried out in consultation with the City's Manager Park Services.**

**CARRIED 7/4
(Against: Mayor Hipkins Crs. Hodsdon
Walker & James)**

Committee Recommendation

Council approves an application for retrospective front fencing at No. 23 (Lot 759) Circe Circle, Dalkeith in accordance with the application dated 19 July 2011 and the plans dated 27 October 2011 subject to the following conditions:

- 1. The front fencing on the eastern side boundary, as marked in red on the approved plans, shall be amended to meet the following conditions within 60 days from the date of this decision:
 - a. The surface of the fencing shall be finished to a quality finish and to a professional standard to the satisfaction of the City (refer to Advice Note 1); and**
 - b. The gap of the fencing around the retained tree, shall be enclosed and/or finished to the satisfaction of the City (refer to Advice Note 2).****
- 2. The fencing and footings shall be constructed wholly inside the allotment.**
- 3. Any additional development, which is not in accordance with the original application or conditions of approval, as outlined above, will require further approval by Council.**

Advice Notes specific to this approval:

- 1. As a minimum, the finish of the fence shall be painted to a professional standard and be of a colour approved by the City;**
- 2. The enclosure and/or finish of the gap of fencing around the retained tree, shall be carried out in consultation with the City's Manager Park Services.**

Recommendation to Committee

Council approves an application for retrospective front fencing at No. 23 (Lot 759) Circe Circle, Dalkeith in accordance with the application dated 19 July 2011 and the plans dated 27 October 2011 subject to the following conditions:

1. The front fencing on the eastern side boundary, as marked in red on the approved plans, shall be amended to meet the following conditions within 60 days from the date of this decision:
 - a. The fencing shall be a maximum height of 1.2 m from natural ground level and be visually permeable in accordance with the Acceptable Development provisions of Clause 6.2.5 A5 of the Residential Design Codes;
 - b. The surface of the fencing shall be finished to a quality finish and to a professional standard to the satisfaction of the City (refer to Advice Note 1); and
 - c. The gap of the fencing around the retained tree, shall be enclosed and/or finished to the satisfaction of the City (refer to Advice Note 2).
2. The fencing and footings shall be constructed wholly inside the allotment.
3. Any additional development, which is not in accordance with the original application or conditions of approval, as outlined above, will require further approval by Council.

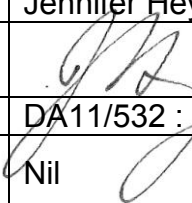
Advice Notes specific to this approval:

1. As a minimum, the finish of the fence shall be painted to a professional standard and be of a colour approved by the City;
2. The enclosure and/or finish of the gap of fencing around the retained tree, shall be carried out in consultation with the City's Manager Park Services.

Councillor Porter returned to the meeting at 7.23 pm.

D02.12	No. 37 (Lot 20) Lisle Street, Mount Claremont – Proposed Single Storey Dwelling & Carport
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Committee	14 February 2012
Council	28 February 2012

Applicant	Melissa Rowbottom & Paul Nimmo
Owner	Melissa Rowbottom & Paul Nimmo
Officer	Laura Sabitzer – Planning Officer
Director	Jennifer Heyes – A/Director Development Services
Director Signature	
File ref.	DA11/532 : L11/37
Previous Item No's	Nil
Disclosure of Interest	No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> .

Ms M Rowbottom, 37 Lisle Street, Mt Claremont
(spoke in opposition to the recommendation)

Report D02.12

Mr G Morris, 37 Lisle Street, Mt Claremont
(spoke in opposition to the recommendation)

Report D02.12

Moved – Councillor McManus
Seconded – Councillor Argyle

Council:

1. Approves an application for a single storey dwelling and carport at No. 37 (Lot 20) Lisle Street, Mt Claremont in accordance with the application dated 2 December 2011 and amended plans dated 8 December 2011 and 18 January 2012 for the following reasons:

This motion was ruled out of order by the Presiding Member as the application is contrary to the requirements of the City's Town Planning Scheme No. 2.

Regulation 11(da) – Councillors agreed to defer the item for further consideration.

Moved – Councillor James
Seconded – Councillor Porter

That the Recommendation to Committee is adopted.
(Printed below for ease of reference)

Procedural Motion

Moved – Councillor Shaw
Seconded – Councillor Hassell

That the item be deferred for further consideration.

CARRIED 11/1
(Against: Cr. Porter)

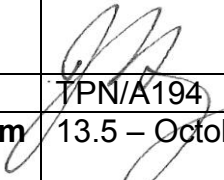
Recommendation to Committee

Council:

2. **Refuses an application for a single storey dwelling and carport at No. 37 (Lot 20) Lisle Street, Mt Claremont in accordance with the application dated 2 December 2011 and amended plans dated 8 December 2011 and 18 January 2012 for the following reasons:**
 - a. **The application does not meet Clause 5.3.3(a) and 5.5.6(i) of the City of Nedlands Town Planning Scheme No.2.**
 - b. **The proposed carport does not comply with Council's Policy 6.23 Carport and Minor Structures Forward of the Primary Street Setback.**
 - c. **The proposal will not be orderly and proper planning.**

D03.12	Omnibus Scheme Amendment No. 194 – Actions to be taken by Council
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Committee	14 February 2012
Council	28 February 2012

Applicant	N/A
Owner	Various
Officer	Michael Swanepoel – Senior Strategic Planner
Director	Jennifer Heyes – A/Director Development Services
Director Signature	
File ref.	TPN/A194
Previous Item No's	13.5 – October 2010
Disclosure of Interest	No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> .

Councillor Walker – Impartiality Interest

Councillor Walker disclosed an impartiality interest. She disclosed that she has an association with the people who have lobbied on this item as a friend and a neighbour, and as a consequence, there may be a perception that her impartiality on the matter may be affected. She declared that she would consider this matter on its merits and vote accordingly.

Ms J Williams, 20 Croydon Street, Nedlands Report D03.12
(spoke in support of the recommendation)

Mr L Munslow-Davies, 19 Croydon Street, Nedlands Report D03.12
(spoke in opposition to the recommendation)

Mr A Leyland, 17 Burwood Street, Nedlands Report D03.12
(spoke in relation to the recommendation)

Regulation 11(da) – Not applicable – Recommendation adopted.

Moved – Councillor Shaw
Seconded – Councillor Walker

That the Recommendation to Committee is adopted.

(Printed below for ease of reference)

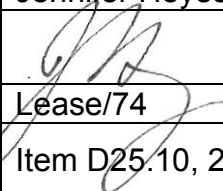
CARRIED 9/2
(Against: Crs. Binks & Hodson)
(Abstained Cr. James)

Committee Recommendation / Recommendation to Committee

Council instructs Administration to seek approval from the Western Australian Planning Commission to delay its decision on Scheme Amendment No. 194 until the outcomes of the North Hollywood Precinct Study are confirmed.

D04.12	Sub-Lease of a portion of Nedlands Yacht Club Inc leased premises, Reserve 17391 (Lot 254 on Deposited Plan 37070), House Number 254 Birdwood Avenue, Dalkeith.
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Committee	14 February 2012
Council	28 February 2012

Applicant	Nedlands Yacht Club Inc & Yachting Western Australia Inc
Owner	State of WA – Vested to City of Nedlands
Officer	Neil Scanes – Property Management Officer
Director	Jennifer Heyes – A/Director Development Services
Director Signature	
File ref.	Lease/74
Previous Item No's	Item D25.10, 27 April 2010
Disclosure of Interest	No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> .

Councillor Shaw left the meeting at 8.20 pm.

Regulation 11(da) – Not applicable – Recommendation adopted.

Moved – Councillor Argyle
 Seconded – Councillor Somerville-Brown

That the Recommendation to Committee is adopted.
 (Printed below for ease of reference)

CARRIED 11/-
(Abstained: Crs. James)

Councillor Shaw returned to the meeting at 8.22 pm.


Committee Recommendation / Recommendation to Committee

Council approves and endorses an exclusive use Sub-Lease for a one (1) year term with the option of a further two, two (2) year terms between the City of Nedlands, Nedlands Yacht Club Inc and Yachting Western Australia Inc for the latter's use of an office administration building and two dry boat storage sheds as shown in attachment 1, annexure 1.

7.2 Technical Services Report No's T01.12 to T06.12

T01.12	Quarterly Report – Requests for Street Tree Removals Referred for Council Consideration
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Committee	14 February 2012
Council	28 February 2012

Applicant	City of Nedlands
Owner	City of Nedlands
Officer	Andrew Dickson – A/Manager Parks Services
Director	Andrew Melville – Acting Director Sustainable Infrastructure and Waste
Director Signature	
File ref.	ME2, ME2/73, DO1, D11/19121
Previous Item No's	Council Minutes 27 July 2010 Item CM18.10
Disclosure of Interest	No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> .

Ms A Soo, 73 Melvista Avenue, Nedlands
(spoke in opposition to the recommendation)

Report T01.12

Regulation 11(da) – Council agreed to the removal of these trees on the grounds of safety for the residents concerned.

Moved – Councillor James
Seconded – Councillor McManus

Council:

- a) **approves the request for the removal of two (2) Lemon Scented Gum street trees adjacent to 73 Melvista Avenue, Nedlands (Doonan Road verge) and replanting with Willow Peppermint Trees; and**
- b) **approves the request for the removal of the River Red Gum located in Poplar Gardens reserve adjacent to the units at 7 Lantana Avenue, Mt Claremont.**

CARRIED 10/1
(Against: Cr. Shaw)
(Abstained: Mayor Hipkins)

Committee Recommendation

Council:

- a) **approves the request for the removal of two (2) Lemon Scented Gum street trees adjacent to 73 Melvista Avenue, Nedlands (Doonan Road verge) and replanting with Willow Peppermint Trees; and**
- b) **approves the request for the removal of the River Red Gum located in Poplar Gardens reserve adjacent to the units at 7 Lantana Avenue, Mt Claremont.**


Recommendation to Committee

Council:

- a) refuse the request for the removal of two (2) Lemon Scented Gum street trees adjacent to 73 Melvista Avenue, Nedlands (Doonan Road verge); and
- b) refuse the request for the removal of the River Red Gum located in Poplar Gardens reserve adjacent to the units at 7 Lantana Avenue, Mt Claremont

T02.12	Undertake Tree Audit and Compile Tree Database
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Committee	14 February 2012
Council	28 February 2012

Applicant	City of Nedlands
Owner	City of Nedlands
Officer	Steve Crossman – Special Projects
Director	Andrew Melville – Acting Director Sustainable Infrastructure and Waste
Director Signature	
File ref.	TEN/335
Previous Item No's	CM08.10, CM18.10, 14.6 – Council Minutes – 27 April 2011
Disclosure of Interest	No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> .

Ms J Heyes, Acting Director Planning Development left the meeting at 8.51 pm.

Regulation 11(da) – Not applicable – Recommendation adopted.

Moved – Councillor Binks
 Seconded – Councillor Somerville-Brown

That the Recommendation to Committee is adopted.
 (Printed below for ease of reference)

Councillor Hodsdon left the meeting at 8.54 pm.

Ms J Heyes, Acting Director Planning Development returned to the meeting at 8.55 pm.

Councillor Hodsdon returned to the meeting at 8.56 pm.


CARRIED 9/2
(Against: Cr. Hassell Porter)
(Abstained: Cr. James)

Committee Recommendation / Recommendation to Committee

Council accepts the tender submitted by Homewood Consulting Pty Ltd to undertake an audit of all the trees owned by the City and compile a database in accordance with the submitted price schedule (see Attachment 1).

T03.12	Sustainable Nedlands Committee
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Committee	14 February 2012
Council	28 February 2012

Applicant	City of Nedlands
Owner	City of Nedlands
Officer	Andrew Melville – Manager Sustainable Nedlands
Director	Andrew Melville – Acting Director Sustainable Infrastructure and Waste
Director Signature	
File ref.	Nil
Previous Item No's	Item No 8.6 – Special Council Meeting 18 October 2011
Disclosure of Interest	No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> .

Regulation 11(da) – Not applicable – Recommendation adopted.

Moved – Councillor Walker
 Seconded – Councillor Shaw

That the Recommendation to Committee is adopted.
 (Printed below for ease of reference)

Councillor Porter left the meeting at 9.10 pm and returned at 9.12 pm.

Councillor Hassell left the meeting at 9.16 pm and returned at 9.18 pm.

CARRIED 9/2
(Against: Crs. Hassell & Somerville-Brown)
(Abstained: Cr. McManus)


Committee Recommendation / Recommendation to Committee

Council appoint the following seven (7) persons to the Sustainable Nedlands Committee for a period ending at the next ordinary Local Government election in 2013:

- 1. Bronwen Channon;**
- 2. Gordon Davies;**
- 3. Rod Griffiths;**
- 4. Susan Hartley;**
- 5. Agnes Pallagi;**
- 6. Bronwen Tyson; and**
- 7. Kay Whyte**

T04.12	Point Walter Family Concert and Fireworks, Sunday 4 March 2012 – Point Walter Reserve, Bicton
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Committee	14 February 2012
Council	28 February 2012

Applicant	Dr Shayne Silcox, CEO - City of Melville
Owner	City of Melville
Officer	Shannon Berdal – Environmental Health Officer
Director	Andrew Melville – Acting Director Sustainable Infrastructure and Waste
Director Signature	
File ref	ENV/017-04
Previous Item No's	Nil
Disclosure of Interest	No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> .

Regulation 11(da) – Not applicable – Recommendation adopted.

Moved – Councillor Shaw
 Seconded – Councillor Hodsdon

That the Recommendation to Committee is adopted.

(Printed below for ease of reference)

CARRIED UNANIMOUSLY 12/-


Recommendation to Committee

Council, pursuant to Regulation 18 (12) of the *Environmental Protection (Noise) Regulations 1997*, agrees to the City of Melville's proposed conditions, (outlined in the attachment 1) for the Point Walter Family Concert and Fireworks to be held at Point Walter Reserve, Bicton on Sunday 4 March 2012, subject to:

- a) the Notice of the event being publicised in the 'Post' and 'Western Suburbs Weekly' local newspapers on the week commencing 27 February 2012;**
- b) the notification to City of Nedlands being distributed to residences along Jutland Pde and Victoria Ave, Dalkeith by way of letter drop at least seven (7) days prior to the event; and**
- c) that a delegated policy statement be prepared for presentation to Council which outlines the conditions under which officers may approve this type of application.**

T05.12	Soundwave Festival, Monday 5 March 2012 – Claremont Showground, Claremont
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Committee	14 February 2012
Council	28 February 2012

Applicant	Town of Claremont
Owner	Town of Claremont
Officer	Chris Hammond – Environmental Health Coordinator
Director	Andrew Melville – Acting Director Sustainable Infrastructure and Waste
Director Signature	
File ref	ENV/017-04
Previous Item No's	Nil
Disclosure of Interest	No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> .

Regulation 11(da) – Not applicable – Recommendation adopted.

Moved – Councillor Shaw
 Seconded – Councillor McManus

That the Recommendation to Committee is adopted.
 (Printed below for ease of reference)

CARRIED UNANIMOUSLY 12/-


Committee Recommendation / Recommendation to Committee:

Council, pursuant to Regulation 18 (12) of the *Environmental Protection (Noise) Regulations 1997*, agrees to the Town of Claremont's proposed conditions, (outlined in the Attachment 1) for the Soundwave Festival to be held at the Claremont Showground on Monday 5 March 2012, subject to:

- the Town of Claremont notifying the City of Nedlands Manager Sustainable Nedlands in writing, of any noise complaints received from residents in the City of Nedlands, within five (5) days after the event.**

T06.12	Keeping of Bee Hive - 38 Minora Road, Dalkeith
---------------	---

Committee	14 February 2012
Council	28 February 2012

Applicant	Dr Nevin Watson
Owner	Dr Nevin Watson
Officer	Shannon Berdal - Environmental Health Officer
Director	Andrew Melville – Acting Director Sustainable Infrastructure and Waste
Director Signature	
File ref	M12/1257
Previous Item No's	Nil
Disclosure of Interest	No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> .

Mayor Hipkins – Proximity Interest

Mayor Hipkins declared a proximity interest. His interest being that he lives next door to the applicant. He advised that he would leave the meeting during this matter.

Mayor Hipkins left the meeting at 9.21 pm & Deputy Mayor Councillor Collins assumed the chair as Presiding Member.

Moved – Councillor James
 Seconded – Councillor Walker

That Bee Hives are not permitted to be kept in the City.

Lost 2/9
 (Against: Crs. McManus Argyle Hassell Porter Binks
 Hodsdon Walker Shaw & Somerville-Brown)

Regulation 11(da) – Council agreed to notify neighbours in the immediate vicinity.

Moved – Councillor Hassell

Seconded – Councillor Shaw

Council:

1. Pursuant to the *City of Nedlands Health Local Laws 1997 Division 7 - Bee Keeping*, agrees to the request of Dr Nevin Watson to retain a non-commercial hobby bee hive subject to:
 - a) maintenance of the Swarm Control Management Plan already in place; and
 - b) the City of Nedlands Health Local Law where should the bees from this hive, in the opinion of the Manager create a nuisance, direction may be given to remove the hive(s).
2. Sustainable Nedlands is satisfied that the resident of the property has sufficient knowledge, understanding and support to minimise any potential adverse effects that keeping a bee hive within a residential area may have.
3. Seek a report from Administration outlining conditions under which approval for similar applications can be delegated to staff; and
4. That immediate neighbours be notified and be given the opportunity to comment.

**CARRIED 10/-
(Abstained: Cr James)**

Committee Recommendation

Council:

1. Pursuant to the City of Nedlands Health Local Laws 1997 Division 7 - Bee Keeping, agrees to the request of Dr Nevin Watson to retain a non-commercial hobby bee hive subject to:
 - a) maintenance of the Swarm Control Management Plan already in place; and
 - b) the City of Nedlands Health Local Law where should the bees from this hive, in the opinion of the Manager create a nuisance, direction may be given to remove the hive(s).
2. Sustainable Nedlands is satisfied that the resident of the property has sufficient knowledge, understanding and support to minimise any potential adverse effects that keeping a bee hive within a residential area may have.
3. Seek a report from Administration outlining conditions under which approval for similar applications can be delegated to staff; and
4. That immediate neighbours be notified and be given the opportunity to comment.

Recommendation to Committee

Council:

1. Pursuant to the City of Nedlands Health Local Laws 1997 Division 7 - Bee Keeping, agrees to the request of Dr Nevin Watson to retain a non-commercial hobby bee hive subject to:
 - a) maintenance of the Swarm Control Management Plan already in place; and
 - b) the City of Nedlands Health Local Law where should the bees from this hive, in the opinion of the Manager create a nuisance, direction may be given to remove the hive(s).
2. Sustainable Nedlands is satisfied that the resident of the property has sufficient knowledge, understanding and support to minimise any potential adverse effects that keeping a bee hive within a residential area may have.
3. Seek a report from Administration outlining conditions under which approval for similar applications can be delegated to staff.

Councillor Somerville-Brown retired from the meeting at 9.37 pm.

The Presiding Member granted an adjournment for 5 minutes for the purpose refreshments.

The meeting adjourned at 9.37 pm and reconvened at 9.42 pm with the following people in attendance:

Councillors	His Worship the Mayor, R M Hipkins	(Presiding Member)
	Councillor K E Collins	Coastal Districts Ward
	Councillor L J McManus	Coastal Districts Ward
	Councillor I S Argyle	Dalkeith Ward
	Councillor W R Hassell	Dalkeith Ward
	Councillor S J Porter	Dalkeith Ward
	Councillor R M Binks	Hollywood Ward
	Councillor B G Hodsdon	Hollywood Ward
	Councillor K Walker	Hollywood Ward
	Councillor T James	Melvista Ward
	Councillor N Shaw	Melvista Ward

Staff	Mr M Cole	Acting Chief Executive Officer
	Mr R Senathirajah	Acting Director Corporate & Strategy
	Ms J Heyes	A/ Director Planning & Development Services
	Mr A Melville	A/ Director Sustainable Infrastructure
	Ms D Blake	Director Community & Organisational Development
	Ms N Borowicz	Executive Assistant


Public There was 1 member of the public present.

Press The Post Newspaper representative.

7.3 Community & Strategy Report No's CM01.12

CM01.12	Policy Review
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Committee	14 February 2012
Council	28 February 2012

Applicant	City of Nedlands
Owner	City of Nedlands
Director	Darla Blake - Director Community and Organisational Development
Director Signature	
File ref	CRS/065
Previous Item No's	Nil
Disclosure of Interest	No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> .

Regulation 11(da) – Councillors also agreed to refer Elected Members Entitlements and Underground Power Policies to the Council Workshop.

Moved – Councillor Walker
 Seconded – Councillor Collins

- 1. Council approves the following policies:**
 - a) **Trading in Public Places**
 - b) **Graffiti Management**
 - c) **Retention of Existing Dwelling During Construction of New Dwelling**
 - d) **Requirement for a Section 70a Notification on the Title of Land**
 - e) **Domestic Receiving Dishes**

- 2. Council approves the Bulk Waste Collection and Waste Receptacles on Verges, replacing Rubbish on Streets and Public Places.**

3. Council refers the following Policies to a Council Workshop - the Council Provided Grants, Subsidies & Donations, replacing Donations (3.6), Subsidies and Donations: Hollywood Primary School and Nedlands Primary School (10.28), Sponsorship of Youth Initiatives Fund (10.18), Subsidies and Donations: League of Home Help (10.29), Community Grants, Subsidy for the Sterilisation of Domestic Cats, Elected Members - Entitlements and Underground Power – Council Schemes.

CARRIED 11/1
(Against: Cr. Binks)

Committee Recommendation

1. Council approves the following policies:
 - a) Trading in Public Places
 - b) Graffiti Management
 - c) Retention of Existing Dwelling During Construction of New Dwelling
 - d) Requirement for a Section 70a Notification on the Title of Land
 - e) Domestic Receiving Dishes
2. Council approves the Bulk Waste Collection and Waste Receptacles on Verges, replacing Rubbish on Streets and Public Places.
4. Council refers the following Policies to a Council Workshop - the Council Provided Grants, Subsidies & Donations, replacing Donations (3.6), Subsidies and Donations: Hollywood Primary School and Nedlands Primary School (10.28), Sponsorship of Youth Initiatives Fund (10.18), Subsidies and Donations: League of Home Help (10.29), Community Grants, Subsidy for the Sterilisation of Domestic Cats, Elected Members - Entitlements and Underground Power – Council Schemes.

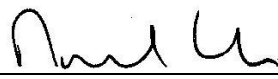
Recommendation to Committee

1. Council approves the following policies:
 - a) Trading in Public Places
 - b) Elected Members – Entitlements
 - c) Graffiti Management
 - d) Underground Power – Council Schemes
 - e) Retention of Existing Dwelling During Construction of New Dwelling
 - f) Requirement for a Section 70a Notification on the Title of Land
 - g) Domestic Receiving Dishes
2. Council approves the Bulk Waste Collection and Waste Receptacles on Verges, replacing Rubbish on Streets and Public Places.
3. Council approves the Council Provided Grants, Subsidies & Donations, replacing Donations (3.6), Subsidies and Donations: Hollywood Primary School and Nedlands Primary School (10.28), Sponsorship of Youth Initiatives Fund (10.18), Subsidies and Donations: League of Home Help (10.29), Community Grants and Subsidy for the Sterilisation of Domestic Cats.

7.4 Corporate Services Report No's CP01.12 to CP11.12

CP01.12	Review of Wards and Representation
----------------	---

Committee	14 February 2012
Council	28 February 2012

Applicant	City of Nedlands
Owner	City of Nedlands
Officer	Phoebe Huigens – Project Officer
Director	Michael Cole – Director Corporate Service
Director Signature	
File ref.	BND/003
Previous Item No's	Nil
Disclosure of Interest	No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> .

Regulation 11(da) – Not applicable – Recommendation adopted.

Moved – Councillor James
 Seconded – Councillor Shaw

That the Recommendation to Committee is adopted.
 (Printed below for ease of reference)

Moved – Councillor Shaw
 Seconded – Councillor Collins

That the motion be put

CARRIED 6/5
(Against: Crs. Argyle Hassell Porter Walker & James)

The motion was put and

CARRIED 9/2
(Against: Crs. Argyle & Hassell)


Committee Recommendation / Recommendation to Committee

Council:

- 1. Resolves to commence the review of its ward boundaries and representation in accordance with schedule 2.2 of the *Local Government Act 1995*; and**
- 2. Authorises Administration to undertake the steps required to facilitate the review.**

CP02.12 General Meeting of Electors – December 2011

Committee	14 February 2012
Council	28 February 2012

Applicant	City of Nedlands
Owner	City of Nedlands
Officer	Natalie Wilson – A/Coordinator Corporate Services
Director	Michael Cole – Director Corporate Service
Director Signature	
File ref.	CRS/059-15
Previous Item No's	Nil
Disclosure of Interest	No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> .

Regulation 11(da) – Not applicable – Recommendation adopted.

Moved – Councillor McManus
 Seconded – Councillor Hodsdon

That the Recommendation to Committee is adopted with the correction on page 7 to the answer to question 2 “Councillor Porter did not move the motion”.

CARRIED UNANIMOUSLY 11/-

Committee Recommendation

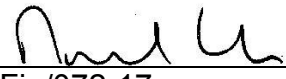
That the Recommendation to Committee is adopted with the correction on page 7 to the answer to question 2 “Councillor Porter did not move the motion”.

Recommendation to Committee

Council receives the minutes of the General Meeting of Electors held 6 December 2011. (Refer to Attachment)

CP03.12	Monthly Financial Report – November 2011
----------------	---

Committee	14 February 2012
Council	28 February 2012

Applicant	City of Nedlands
Owner	City of Nedlands
Officer	Rajah Senathirajah – Manager Finance
Director	Michael Cole – Director Corporate Service
Director Signature	
File ref.	Fin/072-17
Previous Item No's	Nil
Disclosure of Interest	No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> .

Regulation 11(da) – Not applicable – Recommendation adopted.

Moved – Councillor Shaw
 Seconded – Councillor Collins

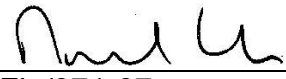
That the Recommendation to Committee is adopted.
 (Printed below for ease of reference)

CARRIED 9/1
(Against: Cr. Walker)
(Abstained Cr Hodsdon)

Committee Recommendation / Recommendation to Committee
Council receives the Monthly Financial Report for November 2011.
(Refer to Attachments)

CP04.12	Investment Report – November 2011
----------------	--

Committee	14 February 2012
Council	28 February 2012

Applicant	City of Nedlands
Owner	City of Nedlands
Officer	Rajah Senathirajah – Manager Finance
Director	Michael Cole – Director Corporate Service
Director Signature	
File ref.	Fin/071-07
Previous Item No's	Nil
Disclosure of Interest	No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> .

Regulation 11(da) – Not applicable – Recommendation adopted.

Moved – Councillor James
 Seconded – Councillor Collins

That the Recommendation to Committee is adopted.
 (Printed below for ease of reference)


CARRIED UNANIMOUSLY 11/-

Committee Recommendation / Recommendation to Committee

Council receives the Investment Report for the period ended 30 November 2011. (Refer to Attachment)

CP05.12	List of Accounts Paid – November 2011
----------------	--

Committee	14 February 2012
Council	28 February 2012

Applicant	City of Nedlands
Owner	City of Nedlands
Officer	Rajah Senathirajah – Manager Finance
Director	Michael Cole – Director Corporate Service
Director Signature	
File ref.	Fin/072-17
Previous Item No's	Nil
Disclosure of Interest	No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> .

Regulation 11(da) – Note applicable – Recommendation adopted.

Moved – Councillor Binks
 Seconded – Councillor Shaw

That the Recommendation to Committee is adopted.
 (Printed below for ease of reference)

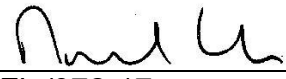
CARRIED 10/1
(Against: Crs. Walker)

Committee Recommendation / Recommendation to Committee

Council receives the List of Accounts Paid for the month of November 2011. (Refer to Attachment)

CP06.12	Monthly Financial Report – December 2011
----------------	---

Committee	14 February 2012
Council	28 February 2012

Applicant	City of Nedlands
Owner	City of Nedlands
Officer	Rajah Senathirajah – Manager Finance
Director	Michael Cole – Director Corporate Service
Director Signature	
File ref.	Fin/072-17
Previous Item No's	Nil
Disclosure of Interest	No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> .

Regulation 11(da) – Not applicable – Recommendation adopted.

Moved – Councillor Binks
 Seconded – Councillor Shaw

That the Recommendation to Committee is adopted.
 (Printed below for ease of reference)


CARRIED 10/1
(Against: Crs. Walker)

Committee Recommendation / Recommendation to Committee

**Council receives the Monthly Financial Report for December 2011.
 (Refer to Attachments)**

CP07.12 Investment Report – December 2011

Committee	14 February 2012
Council	28 February 2012

Applicant	City of Nedlands
Owner	City of Nedlands
Officer	Rajah Senathirajah – Manager Finance
Director	Michael Cole – Director Corporate Service
Director Signature	
File ref.	Fin/071-07
Previous Item No's	Nil
Disclosure of Interest	No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> .

Regulation 11(da) – Not applicable – Recommendation adopted.

Moved – Councillor Binks
 Seconded – Councillor Shaw

That the Recommendation to Committee is adopted.
 (Printed below for ease of reference)

CARRIED UNANIMOUSLY 11/-

Committee Recommendation / Recommendation to Committee

Council receives the Investment Report for the period ended 31 December 2011. (Refer to Attachment)

CP08.12	List of Accounts Paid – December 2011
----------------	--

Committee	14 February 2012
Council	28 February 2012

Applicant	City of Nedlands
Owner	City of Nedlands
Officer	Rajah Senathirajah – Manager Finance
Director	Michael Cole – Director Corporate Service
Director Signature	
File ref.	Fin/072-17
Previous Item No's	Nil
Disclosure of Interest	No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> .

Regulation 11(da) – Not applicable – Recommendation adopted.

Moved – Councillor Collins
 Seconded – Councillor Binks

That the Recommendation to Committee is adopted.
 (Printed below for ease of reference)

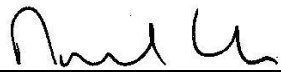
CARRIED 10/1
(Against: Crs. Walker)

Committee Recommendation / Recommendation to Committee

Council receives the List of Accounts Paid for the month of December 2011. (Refer to Attachment)

CP09.12	Tenders Awarded During Council Recess
----------------	--

Committee	14 February 2012
Council	28 February 2012

Applicant	City of Nedlands
Owner	City of Nedlands
Officer	Rajah Senathirajah – Manager Finance
Director	Michael Cole – Director Corporate Service
Director Signature	
File ref.	Fin/072-17
Previous Item No's	Nil
Disclosure of Interest	No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> .

Regulation 11(da) – Not applicable – Recommendation adopted.

Moved – Councillor Argyle
 Seconded – Councillor Walker

That the Recommendation to Committee is adopted.
 (Printed below for ease of reference)


CARRIED UNANIMOUSLY 11/-

Committee Recommendation / Recommendation to Committee

Council notes the tender awarded under delegated authority to Broadway Marine Constructions for the repairs to the river wall along Beaton Park (west of Tawarri Jetty) at a cost of \$489,000, excluding GST.

CP10.12	Shared Depot – Town of Claremont
----------------	---

Committee	14 February 2012
Council	28 February 2012

Applicant	City of Nedlands
Owner	City of Nedlands
Officer	Michael Cole Director Corporate Services
Director	Michael Cole Director Corporate Services
Director Signature	
File ref.	BR7/3
Previous Item No's	14.10 - 27 September 2011
Disclosure of Interest	No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> .

Regulation 11(da) – Not applicable – Recommendation adopted.

Moved – Councillor Binks
 Seconded – Councillor Shaw

That the Recommendation to Committee is adopted.
 (Printed below for ease of reference)

Ms J Heyes, Acting Director Planning & Development left the meeting at 10.28 pm and returned at 10.29 pm.

CARRIED UNANIMOUSLY 11/-

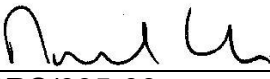
Committee Recommendation / Recommendation to Committee

Council:

- 1. notes the proposal to lease of land to the Town of Claremont; and**
- 2. authorises the Mayor and CEO to sign a lease with the Town of Claremont for space at the Broome Street and Mt Claremont depots in line with the following terms:**
 - a. the City's standard lease template be utilized;**
 - b. the term be 3 years with an option to extend by a further 2 years;**
 - c. lease rate of \$25 per square metre per annum for Broome Street depot and \$10 per square metre per annum for space at the Mt Claremont depot; an**
 - d. provision to either make good at the end of the term or for the City of Nedlands to acquire any improvements at an agreed value.**

CP11.12	Disposal of Grader
----------------	---------------------------

Committee	14 February 2012
Council	28 February 2012

Applicant	City of Nedlands
Owner	City of Nedlands
Officer	Phoebe Huigens – Project Officer
Director	Michael Cole – Director Corporate Service
Director Signature	
File ref.	PRS/095-03
Previous Item No's	Nil
Disclosure of Interest	No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> .

Regulation 11(da) – Not applicable – Recommendation adopted.

Moved – Councillor Hodsdon
 Seconded – Councillor James

That the Recommendation to Committee is adopted.
 (Printed below for ease of reference)

CARRIED UNANIMOUSLY 11/-

Committee Recommendation / Recommendation to Committee

Council agrees to donate the old grader to the Serpentine Tractor and Machinery Museum, who will pay all removal and transport costs.

8. Reports by the Chief Executive Officer

Nil.

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

Moved – Councillor James
Seconded – Councillor Collins

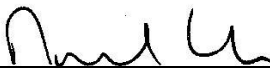
That the following Item be accepted as urgent business.

CARRIED UNANIMOUSLY 11/-

9.1 Technical Services Report No T07.12

T07.12	Tender No. 2011/12.07 – Stormwater Drainage Construction
---------------	---

Committee	14 February 2012
Council	28 February 2012

Applicant	City of Nedlands
Owner	City of Nedlands
Officer	Maria Hulls – Manager Engineering Services
Director	Andrew Melville – Acting Director Sustainable Infrastructure and Waste
CEO Signature	
File ref.	TEN/347
Previous Item No's	Nil
Disclosure of Interest	No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> .

Regulation 11(da) – Not applicable – Recommendation adopted.

Moved – Councillor James
 Seconded – Councillor Walker

That the Recommendation to Committee is adopted.

(Printed below for ease of reference)

**CARRIED 10/1
 (Against: Cr. Walker)**

Committee Recommendation / Recommendation to Committee

Council:

1. **Accept the tender submitted by Spearwood Draining Company for the provision of Stormwater Drainage Services for the 2011/12 financial year as per the schedule of rates (Attachment 1) submitted; and**
2. **Accept the option to extend the contract for two (2) twelve month periods at the end of the initial period ending 28 February 2015, at the Principals discretion.**

10. Confidential Items

10.1 No. 38 (Lot 51) Jutland Parade Dalkeith- Proposed 4 Storey Dwelling, Fill, Retaining and Swimming Pool

10.2 No. 40 (Lot 50 – Proposed Lots 61 & 62) Jutland Parade, Dalkeith – Proposed 2x Multi Storey Dwellings (including Swimming Pools, Front Fence, Landscaping and Fill)

Closure of Meeting to the Public

Moved – Councillor James

Seconded - Councillor Hassell

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

**CARRIED 9/2
(Against: Crs. Argyle & Walker)**

The meeting was closed to members of the public at 10.37 pm.

Opening of Meeting to the Public

Moved - Councillor James

Seconded - Councillor Walker

That the meeting be re-opened to members of the public and the press.

**CARRIED 10/1
(Against: Cr. Hodsdon)**

The meeting reopened to the public and the press at 10.51 pm.

Declaration of Closure

There being no further business, the Presiding Member declared the meeting closed at 10.52 pm.