



City of Nedlands

Minutes

Council Committee Meeting

14 May 2013

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 Council Meeting next following this meeting to ensure that there has not been a correction made to any resolution.

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City of Nedlands

Minutes of a meeting of the Council Committee held in the Council Chambers, Nedlands on Tuesday 14 May 2013 at 7 pm.

Prior to declaring the meeting open, the Presiding Member invited Councillor Wetherall to make a presentation of a cheque for \$3,830.71, being the balance of funds from the Nedlands Cultural and Community Society for use by the City of Nedlands for public artworks.

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 Hipkins	(Presiding Member)
	Councillor K E Collins	Coastal Districts Ward
	Councillor N B J Horley	Coastal Districts Ward
	Councillor L J McManus	Coastal Districts 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 J Wetherall	Hollywood Ward
	Councillor N Shaw	Melvista Ward
	Councillor M L Somerville-Brown	Melvista Ward

Staff	Mr G Trevaskis	Chief Executive Officer
	Mr M Cole	Director Corporate & Strategy
	Mr P Mickleson	Director Planning & Development
	Mr M Goodlet	Director Technical Services
	Ms D Blake	Director Community & Organisational Development
	Mrs N Ceric	Executive Assistant

Public There were 8 members of the public present.

Press The Post Newspaper representative.

Leave of Absence (Previously Approved) Nil.

Apologies	Councillor I S Argyle Councillor T James	Dalkeith Ward Melvista Ward
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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 will be invited to be made as each item relating to their address is discussed by the Committee.

Mr K Doepel, Doepel Marsh Architects, 61 Forrest Street, Subiaco
(spoke on behalf of the owner of 75 Stirling Hwy) Report PD17.13

Mr N Spadaccini, 226 Beaufort Street, Northbridge Report PD17.13
(spoke in support of the recommendation)

Mr C Kleyweg, 10 Calendia Way, West Swan
(spoke in opposition to the recommendation)

Report PD 21.13

Mr M Burns, 3 Metters Lane, Subiaco
(spoke in relation to the item)

Report PD22.13

2. 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.

3. 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*.

3.1 Councillor Shaw – PD17.13 - No. 73 (Lot 41) Stirling Highway & 105 (Lot 42) Smyth Road, Nedlands – Proposed Child Day Care Centre and Two Storey Building

Councillor Shaw disclosed an impartiality interest in Report PD17.13 - No. 73 (Lot 41) Stirling Highway & 105 (Lot 42) Smyth Road, Nedlands – Proposed Child Day Care Centre and Two Storey Building. He disclosed that he had numerous meetings and conversations with the applicant and as a consequence, there may be a perception that his impartiality on the matter may be affected. He declared that he would consider this matter on its merits and vote accordingly.

3.2 Councillor Shaw – PD22.13 - Unit 1 / Nos. 83, 85 & 87 (Lots 281 – 283) Stirling Hwy, Nedlands – Proposed Change of Use (from Showroom) to Health Studio & Signage

Councillor Shaw disclosed an impartiality interest in Report PD22.13 - Unit 1 / Nos. 83, 85 & 87 (Lots 281 – 283) Stirling Hwy, Nedlands – Proposed Change of Use (from Showroom) to Health Studio & Signage. He disclosed that he had numerous meetings and conversations with the applicant and as a consequence, there may be a perception that his impartiality on the matter may be affected. He declared that he would consider this matter on its merits and vote accordingly.

3.3 Councillor Collins – PD20.13 - No. 11 (Lot 701) Bedbrook Place, Shenton Park - Proposed Single-Storey St John Ambulance Depot

Councillor Collins disclosed an impartiality interest in Report PD2013 - No. 11 (Lot 701) Bedbrook Place, Shenton Park - Proposed Single-Storey St John Ambulance Depot. He disclosed that he is a member of the Friends of St John Ambulance and a former commissioner of the St John Ambulance First Aid Service and as a consequence, there may be a perception that his impartiality on the matter may be affected. He declared that he 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 9 April 2013

Moved – Councillor Shaw
Seconded – Councillor Collins

The minutes of the Council Committee held 9 April 2013 are confirmed.

CARRIED UNANIMOUSLY 11/-

6. Matters for Which the Meeting May Be Closed

In accordance with Standing Orders and for the convenience of the public, the Committee 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.

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 Planning & Development Report No's PD16.13 to PD21.13

Planning & Development Report No's PD16.13 to PD19.13 to be dealt with at this point (copy attached yellow cover sheet).

PD16.13	Proposed Light Rail System for Perth - Metro Area Express (MAX)
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Committee	14 May 2013
Council	28 May 2013
Applicant	City of Nedlands
Owner	N/A
Officer	Gabriela Poezyn – Manager Strategic Planning
Director	Peter Mickleson – Director Planning & Development
File Reference	TPN/112
Previous Item	Nil.

Regulation 11(da) – Councillors agreed to minor changes to provide more clarity in the resolution.

Moved – Councillor Shaw
 Seconded – Councillor Hodsdon

That the Recommendation to Committee is adopted subject to changing the word “alignment” to “route” in clause 1 and adding the words “as part of stage 1” after the word “date” in clause 2.

**CARRIED 7/2
 (Against: Crs. Porter & Binks)
 (Abstained: Crs. Horley & Hassell)**

Committee Recommendation	
Council	
1.	supports the proposed route of MAX along Hampden Road and Broadway;
2.	requests that the Hampden Road and Broadway leg of the system be completed at the earliest possible date, as part of stage 1.

Recommendation to Committee

Council

1. supports the proposed alignment of MAX along Hampden Road and Broadway;
2. requests that the Hampden Road and Broadway leg of the system be completed at the earliest possible date.

PD17.13	No. 73 (Lot 41) Stirling Highway & 105 (Lot 42) Smyth Road, Nedlands – Proposed Child Day Care Centre and Two Storey Building
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Committee	14 May 2013
Council	28 May 2013
Applicant	Buggles Childcare
Officer	Laura Sabitzer – Planning Officer
Director	Peter Mickleson – Director Planning & Development
File Reference	DA12/468 : ST6/73
Previous Item	Nil.

Councillor Shaw – Impartiality Interest

He disclosed that he had numerous meetings and conversations with the applicant and as a consequence, there may be a perception that his impartiality on the matter may be affected. He declared that he would consider this matter on its merits and vote accordingly.

Non-Elector

Moved – Councillor Binks

Seconded – Councillor Hodsdon

That Mr Doepel, a non-elect of the City be permitted to address the meeting.

CARRIED UNANIMOUSLY 11/-

Mr K Doepel, Doepel Marsh Architects, 61 Forrest Street, Subiaco

(spoke on behalf of the owner of 75 Stirling Hwy)

Report PD17.13

Non-Elector

Moved – Councillor Hodsdon

Seconded – Councillor Hassell

That Mr Spadaccini, a non-elect of the City be permitted to address the meeting.

CARRIED UNANIMOUSLY 11/-

Mr N Spadaccini, 226 Beaufort Street, Northbridge

(spoke in support of the recommendation)

Report PD17.13

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

Moved – Councillor Shaw

Seconded – Councillor Somerville-Brown

That the Recommendation to Committee is adopted.

(Printed below for ease of reference)

**CARRIED 10/1
(Against: Mayor Hipkins)**

Committee Recommendation / Recommendation to Committee

Council approves an application for a proposed Child Day Care Centre and two storey building at Nos. 73 (Lot 41) Stirling Highway & 105 (Lot 42) Smyth Road, Nedlands in accordance with the application received 27 November 2012 and plans received 5 April 2013 the following conditions:

- 1. The hours of operation shall be limited to 6.30am to 6.30pm Monday to Friday and 8.30am to 6.30pm Saturday;**
- 2. The facility shall operate with a maximum of sixty-two (62) children and thirteen (13) staff at one time;**
- 3. Lot 41 & Lot 42 shall be amalgamated into a single lot on one Certificate of Title prior to the issue of a Building Permit;**
- 4. No part of the development is to be constructed within the proposed Metropolitan Region Scheme Primary Regional Road reservation, including the proposed truncation (refer to Advice Note 1);**
- 5. The portion of Lot 41 identified as proposed Primary Regional Roads reservation in Metropolitan Region Scheme 1210/41 Rationalisation of Stirling Highway Reservation is to be ceded and vested in the Crown for the public purpose of regional road, such land is to be ceded free of cost and without any payment of compensation by the Crown (refer to Advice Note 1);**
- 6. The landscaping shall be established prior to the occupation of the building and thereafter maintained to the satisfaction of the City throughout the life of the development;**
- 7. The bicycle racks, shown on the site plan, shall be installed prior to the occupation of the building and remain in place permanently;**
- 8. The car-parking bays shall be marked onsite as indicated on the approved site plan and such marking shall be subsequently**

- maintained so that the delineation of bays remains clearly visible at all times (refer to Advice Note 4);**
- 9. The parking area shall have an internal turn around bay that enables vehicles to turn around and exit the development in a forward direction (refer to Advice Note 4);**
 - 10. The car park is to be enclosed on the north and west boundary with either laminated glass or block glass to contain noise to the satisfaction of the City;**
 - 11. Where the development necessitates the removal or relocation of the City's infrastructure the developer shall bear the full cost of the City's Works;**
 - 12. The Child Day Care Centre is to comply with the Environmental Protection (Noise) Regulations 1997 (refer to Advice Note 5);**
 - 13. Boundary walls shall be finished to a quality finish and professional standard, to the satisfaction of the City;**
 - 14. All footings and structures to retaining walls, fences and boundary walls shall be constructed wholly inside the site boundaries of the Certificate of Title;**
 - 15. All vehicle access to the site shall be restricted to the proposed crossover on Smyth Road;**
 - 16. The crossover 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 (refer to Advice Note 4);**
 - 17. Concrete footpaths shall be retained across crossovers;**
 - 18. The use of bare or painted metal building materials is permitted on the basis that, if during or following the erection of the development the Council forms the opinion that glare which is produced from the building / roof has or will have a significant detrimental effect upon the amenity of neighbouring properties, the Council may require the owner to treat the building / roof to reduce the reflectivity to a level acceptable to Council;**
 - 19. The storm water disposal system shall cater for a 20 year storm event with an overland path provided, or shall cater for a 100 year storm event; and**

- 20. Any additional development, which is not in accordance with the approved plans or above conditions, requires further approval by the City.**

Advice Notes specific to this approval:

- 1. Main Roads advises that the existing 28m Primary Regional Road Reservation over Lot 41 is proposed to be significantly reduced to 2.7m (as measured from the Stirling Highway title boundary of Lot 41) plus truncation as part of Metropolitan Region Scheme Amendment 1210/41 Rationalisation of Stirling Highway Reservation;**
- 2. Any proposed signage requires a separate planning application and sign licence application to be submitted and issued by the City;**
- 3. The identified car bays shown on the site plan, are to be marked according to the following purposes:**
 - a. bays 1, 3, 4, 5, 6, 7, 12 & 13 are to be designated for staff;**
 - b. bays 6 & 7 on the site plan are for small cars only, and**
 - c. bay 11 on the site plan is an accessible parking bay.**
- 4. The crossover is to match the existing footpath levels and is to be constructed with a bund to prevent water entering the property from Smyth Road;**
- 5. The City notes that the ND Engineering Noise Impact Assessment received 5 February 2013, provides the following recommendation in order to assist in achieving compliance with the Environmental Protection (Noise) Regulations 1997:**
 - a. Staff are not to arrive on site prior to 0600 hours and must be off site by 1900 hours;**
 - b. Children are not permitted outdoors (including play areas) prior to 0700 hours excluding the car park;**
 - c. Parents are not to drop their children off prior to 0700 hours;**
 - d. The north-west sand pit concentrated play area is not to have swings, slides or forts;**
 - e. Fixed play equipment is to be non metallic and non fixed metal play equipment is to have filled hollow sections using expanding foam or sand;**

- f. Play equipment is not to be used on brick or paved areas;**
 - g. External windows and doors are to be closed when playing music (consideration given to the use of evaporative air conditioners as these require external windows to remain open);**
 - h. Music is not permitted outside;**
 - i. Music is to be kept at 60 Db and is to be non impulsive with minimal bass;**
 - j. Children are permitted to play outside for up to 2 hours per day typically in 30 minute sessions;**
 - k. Play times are to be staggered between the age groups;**
 - l. Air conditioner units shall be of the inverter type with quiet/night time mode that will be used at all times when operating;**
 - m. Air conditioner units must not be located within 6m of a residential boundary. The maximum practical distance from residential premises is to be observed, as well as using the building as a shield where possible;**
 - n. Air conditioning units are to have a maximum Sound Pressure Level of 61dB (A) at 1 metre when operating at rated conditions;**
 - o. Exhausts fan units are to be contained in the ceiling space and then ducted to the outside. There are to be no exhaust units on the roof of the premise;**
 - p. Should the kitchen require a commercial kitchen exhaust canopy (kitchen equipment with inputs greater than 8KW or 29MJH gas) this must be located more than 6m from residential boundary and discharge vertically. Maximum practical distance from residential premises is to be observed;**
 - q. Commercial kitchen exhausts are to have a maximum speed of 960rpm. The Sound Pressure Level not exceeding 52Db(A) at 3.0 metres at the operating speed;**
- 6. Prior to the commencement of a food business:**
- a. The proprietor shall lodge with the City a Food Business Registration / Notification Form;**
 - b. The proprietor shall lodge with the City an application for *Food Business Alteration/Fit Out* along with the associated**

- documentation; including fit out plans to a scale of 1:50 for the kitchen, milk room/store and any other food handling areas within the premise;
- c. Upon commencement of a Food Business, a Food Safety Program which meets the requirements of the *Australian New Zealand Food Standards Code Standard 3.2.1 Food Safety Programs* shall be implemented and maintained;
 - d. The premises shall receive an inspection from an Environmental Health Officer at the City which cites the Food Business may commence operation; and
 - e. Adjacent to any food preparation area, there shall be a dedicated stand alone hand wash basin connected to a supply of warm running potable water, which can be operated other than by hand.
7. Food handling areas within the premise are to meet the requirements of the Australian New Zealand Food Standards Code;
 8. Liquid waste which includes kitchen, scullery and any other domestic or trade wastes that are discharged by means of a drain to a receptacle for drainage shall be disposed of by discharging into the sewerage system in a manner approved by the Water Corporation;
 9. The applicant is advised to consult the Water Corporation with respect to the disposal of industrial waste and the provision of a grease trap / grease arrestor where necessary;
 10. Designated storage areas for cleaning chemicals and equipment and personal belongings shall be available and separate from any food preparation or food storage area;
 11. An enclosure for the storage and cleaning of waste receptacles shall be provided on the premises, per the requirements as follows:
 - a. Constructed of brick, concrete, corrugated compressed fibre cement sheet or other material of suitable thickness approved by the City;
 - b. Walls not less than 1.8m in height and access of not less than 1.0 metre in width fitted with a self closing gate;
 - c. Smooth and impervious floor not less than 75mm thick and evenly graded to a approved liquid refuse disposal system;
 - d. Easily accessible to allow for the removal of the receptacles;

- e. Provided with a ramp into the enclosure having a gradient of no steeper than 1:8; and**
 - f. Provided with a tap connected to an adequate supply of water.**
- 12. 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;**
- 13. The landowner is advised to limit construction noise and hours as per the Environmental Protection (Noise) Regulations 1997; and**
- 14. Noise from service and/or delivery vehicles should be mitigated and such vehicles should not service the premises before 7.00 am or after 7.00 pm Monday to Saturday, or before 9.00 am or after 7.00 pm on Sundays and Public Holidays.**

PD18.13**2012/13.10 Natural Area Maintenance Services**

Committee	14 May 2013
Council	28 May 2013
Applicant	City of Nedlands
Owner	City of Nedlands
Officer	Vicki Shannon
Director	Peter Mickleson – Director Planning & Development
File Reference	TEN/344
Previous Item	D102.09 Bushland Maintenance Services TEN/2009/10.05 - 26 November 2009

Councillor Wetherall left room at 7.44 pm.

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

Moved – Councillor Somerville-Brown

Seconded – Councillor Shaw

That the Recommendation to Committee is adopted.

(Printed below for ease of reference)

CARRIED UNANIMOUSLY 10/-

Committee Recommendation / Recommendation to Committee

Council:

1. agrees to award tender number 2012/13.10 to Green Skills Inc for the provision of natural area maintenance services in accordance with their submitted price schedule; and
2. authorises the Chief Executive Officer to sign an acceptance of offer for this tender.

PD19.13	Review of Western Central Local Emergency Management Arrangements
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Committee	14 May 2013
Council	28 May 2013
Applicant	City of Nedlands
Officer	Andrew Melville
Director	Peter Mickleson – Director Planning & Development
File Reference	EMM/004-08-8
Previous Item	CP32.09

Councillor Wetherall returned to the room at 7.45 pm.

Councillor Shaw left the room at 7.46 pm.

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

Moved – Councillor McManus
 Seconded – Councillor Hodsdon

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

CARRIED UNANIMOUSLY 10/-

Committee Recommendation / Recommendation to Committee

Council

- 1. adopts the Western Central Local Emergency Management Arrangements dated March 2013; and**
- 2. acknowledges that, in the event of an emergency situation, the City of Nedlands may incur essential costs for which no budget item has been identified.**

PD20.13	No. 11 (Lot 701) Bedbrook Place, Shenton Park - Proposed Single-Storey St John Ambulance Depot
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Council	28 May 2013
Applicant	TPG Town Planning & Urban Design
Landowner	Palmaya Pty Ltd
Officer	Matt Stuart – Senior Statutory Planning Officer
Director	Peter Mickleson – Director Planning & Development
File Reference	BE2/11 : DA13/104 : M13/9327
Previous Item	Nil.

Councillor Collins – Impartiality Interest

He disclosed that he is a member of the Friends of St John Ambulance and a former commissioner of the St John Ambulance First Aid Service and as a consequence, there may be a perception that his impartiality on the matter may be affected. He declared that he would consider this matter on its merits and vote accordingly.

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

Moved – Councillor Binks
Seconded – Councillor Hassell

Council supports the City’s Responsible Authority Report to the DAP.

Councillor Shaw returned to the room at 7.48 pm.

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

Committee Recommendation

Council supports the City’s Responsible Authority Report to the DAP.

Information & Discussion Item Only

It is advised that the City’s Responsible Authority Report (dated 02 May 2013), recommends the DAP approve an application for a Single-Storey Transport Depot (St John Ambulance) at No. 11 (Lot 701) Bedbrook Place, Shenton Park, in accordance with the application (dated 15 March 2013) and amended (dated 23 April 2013).

PD21.13	Unit 1 / Nos. 83, 85 & 87 (Lots 281 – 283) Stirling Hwy, Nedlands – Proposed Change of Use (from Showroom) to Health Studio & Signage
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Committee	14 May 2013
Council	28 May 2013
Applicant	Australian Fitness Management c/- The Planning Group NSW
Owner	Strzelecki Holdings Pty Ltd
Officer	Laura Sabitzer – Planning Officer
Director	Peter Mickleson – Director Planning & Development
File Reference	DA12/468 : ST6/73
Previous Item	Nil

Non-Elector

Moved – Councillor McManus
 Seconded – Councillor Hassell

That Mr Kleyweg, a non-electror of the City be permitted to address the meeting.

CARRIED UNANIMOUSLY 11/-

Mr C Kleyweg, 10 Calendia Way, West Swan
 (spoke in opposition to the recommendation)

Report PD21.13

Regulation 11(da) – Councillors referred the matter back to allow Administration to prepare suitable conditions for approval of the development.

Moved – Councillor Shaw
 Seconded – Councillor Somerville-Brown

That the item be referred back to Administration for preparation of conditions for approval for the May Council meeting.

**CARRIED 8/2
 (Against: Crs. Horley & Binks)
 (Abstained: Mayor Hipkins)**

Committee Recommendation

That the item be referred back to Administration for preparation of conditions for approval for the May Council meeting.

Recommendation to Committee

Council refuses an application for proposed change of use (from Showroom) to Health Studio and signage at Unit 1 / Nos. 83, 85 & 87 (Lots 281 – 283) Stirling Hwy, Nedlands in accordance with the application received 26 February 2013 and the plans received 26 February 2013 & 15 March 2013 for the following reasons:

1. An insufficient number of car bays are provided for the proposed use;
2. The proposed use does not satisfy the conditions and standards of clause 5.5.1 and clause 6.4.2 of the City of Nedlands Town Planning Scheme No.2, due to insufficient car parking; and
3. The proposal is not orderly and proper planning.

PD22.13	Nos. 87-91 (Lots 3-5) Waratah Avenue, Dalkeith – Proposed Mixed-Use Development – Reconsideration of DAP Decision via the SAT
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Committee	14 May 2013
Applicant	McDonald Jones Architects
Landowner	Waratah Ave Dalkeith Pty Ltd ATFT Waratah Ave Dalkeith Unit Trust
Officer	Matt Stuart – Senior Statutory Planning Officer
Director	Peter Mickleson – Director Planning & Development
File Reference	WA3/87 : DA12/156 : M13/10956
Previous Item	February 2013 Council Meeting, item 16.1

Councillor Shaw – Impartiality Interest

He disclosed that he had numerous meetings and conversations with the applicant and as a consequence, there may be a perception that his impartiality on the matter may be affected. He declared that he would consider this matter on its merits and vote accordingly.

Non-Elector

Moved – Councillor Binks
 Seconded – Councillor Collins

That Mr M Burns, a non-elect of the City be permitted to address the meeting.

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

Mr M Burns, 3 Metters Lane, Subiaco
 (spoke in relation to the item)

Report PD22.13

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

Moved – Councillor Shaw
 Seconded – Councillor Hassell

Council supports option B in the City’s Responsible Authority Report to the DAP.

Councillor Wetherall left the room at 8.26 pm and returned at 8.27 pm.

Councillor Hodsdon left the room at 8.46 pm and returned at 8.48 pm.

CARRIED 9/2
(Against: Mayor Hipkins & Cr. Horley)

Committee Recommendation

Council supports option B in the City's Responsible Authority Report to the DAP.

Information & Discussion Item only

Committee be advised of the City's Responsible Authority Report (dated 09 May 2013) to the DAP, to amend a condition on the approval for a Mixed-Use Development at Nos. 87-91 (Lots 3-5) Waratah Avenue, Dalkeith, in accordance with the application (dated 23 April 2012).

7.2 Technical Services Report No's TS07.13 to TS08.13

Technical Services Report No's TS07.13 to TS08.13 to be dealt with at this point (copy attached blue cover sheet).

TS07.13	Proposed New Reserve for Purposes of "Public Recreation" and "Rights of Way" – Lot 415 on Deposited Plan 71165, Mt Claremont
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Committee	14 May 2013
Council	28 May 2013
Applicant	City of Nedlands
Officer	Andrew Dickson – Manager Parks Services
Director	Mark Goodlet – Director Technical Services
File Reference	TPN/104, ST1/L12040, WAPC/131108, WAPC/131109
Previous Item	Items 13.1 and 13.2 – Council Minutes – 19 May 2009 Items 13.1 and 13.2 – Council Minutes – 21 July 2009 Item 8.1 report D58.10 – Council Minutes – 10 August 2010 Item 12.2 report PD18.12 – Council Minutes – 22 May 2012 Item 12.3 Report TS05.13 – Council Minutes – 26 March 2013

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

Moved – Councillor McManus
Seconded – Councillor Hassell

That this matter be referred back to Administration to allow for public consultation with affected land owners prior to being considered by Council.

Lost 2/7
(Against: Mayor Hipkins Crs. Collins Porter Binks
Hodsdon Wetherall & Somerville-Brown)
(Abstained: Crs. Horley & Hassell)

Moved – Councillor Somerville-Brown

Seconded – Councillor Horley

1. **Instructs Administration to advise State Land Services that Council accepts the management order for Lot 415 on deposited plan 71165, Mt Claremont conditional to:**
 - a. **negotiating an arrangement with the Department of Regional Development and Lands for the transfer of title of 648 square metres of crown land at lot 375 on deposited plan 82163 to the City of Nedlands as freehold land, or another such arrangement, to Council's satisfaction; and**
2. **in the event an arrangement as described in item (a) above is unable to be secured, Council will defer a decision on accepting the management order until it is able to secure suitable financial arrangements, to its satisfaction, allowing for development of the reserve.**

Mr M Cole, Director Corporate & Strategy left the room at 9.27 pm.

Amendment

Moved - Councillor Porter

Seconded - Councillor Hassell

That clause 2 be deleted.

Councillor Wetherall left the room at 9.30 pm and returned at 9.31 pm.

Mr M Cole, Director Corporate & Strategy returned to the room at 9.32 pm.

AMENDMENT Lost 5/6

(Against: Crs. Collins Horley Binks Hodsdon Shaw & Somerville-Brown)

The substantive motion was put and

CARRIED UNANIMOUSLY 11/-

Committee Recommendation

- 1. Instructs Administration to advise State Land Services that Council accepts the management order for Lot 415 on deposited plan 71165, Mt Claremont conditional to:**
 - a. negotiating an arrangement with the Department of Regional Development and Lands for the transfer of title of 648 square metres of crown land at lot 375 on deposited plan 82163 to the City of Nedlands as freehold land, or another such arrangement, to Council's satisfaction; and**
- 2. in the event an arrangement as described in item (a) above is unable to be secured, Council will defer a decision on accepting the management order until it is able to secure suitable financial arrangements, to its satisfaction, allowing for development of the reserve.**

Recommendation to Committee

Council

1. Instructs Administration to advise State Land Services that Council accepts the management order for Lot 415 on deposited plan 71165, Mt Claremont conditional to:
 - a. negotiating an arrangement with the Department of Regional Development and Lands for the transfer of title of 648 square metres of crown land at lot 375 on deposited plan 82163 to the City of Nedlands as freehold land, or another such arrangement, to Council's satisfaction, to allow the raising of capital funds for the development of the reserve to a 'high level' of aesthetic and functionality;
 - alternatively;
 - b. the acceptance of surrounding property owners bounded by St Johns Wood Boulevard to the north, John XXIII College to the east, Mooro Drive to the south and Montgomery Avenue to the West to a "Special Area Rates" of \$500, payable over two years, to raise the necessary capital funds allowing for the development of the reserve to a 'moderate level' of aesthetic and functionality; and
2. in the event an arrangement as described in item a. and/or b. above is unable to be secured, Council will defer a decision on accepting the management order until it is able to secure suitable financial arrangements, to its satisfaction, allowing for development of the reserve.

TS08.13

Bulk Rubbish Collection Tender 2012/13.09

Committee	14 May 2013
Council	28 May 2013
Applicant	City of Nedlands
Officer	Chaminda Mendis – Waste Minimisation Officer
Director	Mark Goodlet – Director Technical Services
File Reference	TEN/391
Previous Item	Nil

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

Moved – Councillor Hodsdon

Seconded – Councillor Binks

That the Recommendation to Committee is adopted.

(Printed below for ease of reference)

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

CARRIED UNANIMOUSLY 11/-

Committee Recommendation / Recommendation to Committee

That Council agrees to award the bulk rubbish collection tender 2012/13.09 to Western Maze Pty Ltd T/A WA Recycling Services, excluding the collection of e-waste and mattresses from the tender and authorises the Chief Executive Officer to sign an acceptance of offer for this tender.

7.3 Community & Organisational Development No CM04.13

Report No CM04.13 to be dealt with at this point (copy attached pink cover sheet).

CM04.13	Moerlina School Request for Funding
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Committee	14 May 2013
Council	28 May 2013
Applicant	City of Nedlands
Officer	Megan Chittock – Community Development Officer (Youth & Children) Marion Granich – Manager Community Development
Director	Darla Blake – Director Community & Organisational Development
File Reference	CMS/505
Previous Item	N/A

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

Moved – Councillor Hassell
Seconded – Councillor Binks

That the Recommendation to Committee is adopted.

(Printed below for ease of reference)

CARRIED UNANIMOUSLY 11/-

Committee Recommendation / Recommendation to Committee

Council agrees to provide the Moerlina School with a letter of support for its proposed workshop series on play, but does not agree to enter into the \$1,000 sponsorship arrangement as requested by the school.

7.4 Corporate & Strategy Report No's CPS18.13 to CPS19.13

Report No's CPS18.13 to CPS19.13 to be dealt with at this point (copy attached green cover sheet).

CPS18.13	List of Accounts Paid – March 2013
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Committee	14 May 2013
Council	28 May 2013
Applicant	City of Nedlands
Officer	Rajah Senathirajah – Manager Finance
Director	Michael Cole – Director Corporate & Strategy
File Reference	Fin/072-17
Previous Item	Nil

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

Moved – Councillor Shaw
Seconded – Councillor Binks

That the Recommendation to Committee is adopted.

(Printed below for ease of reference)

CARRIED UNANIMOUSLY 11/-

Committee Recommendation / Recommendation to Committee

Council receives the List of Accounts Paid for the month of March 2013 (Refer to Attachment).

CPS19.13	Policy Review
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Committee	14 May 2013
Council	28 May 2013
Applicant	City of Nedlands
Officer	Phoebe Huigens, Acting Manager Corporate & Strategy
Director	Michael Cole, Director Corporate & Strategy
File Reference	CRS/065/02
Previous Item	

Regulation 11(da) – Councillors agreed to defer this item pending the review of the City of Nedlands Heritage Municipal Inventory.

Moved – Councillor Wetherall
 Seconded – Councillor Hassell

Council defers consideration of the Demolition – Heritage Policy until the present review of the City of Nedlands Heritage Municipal Inventory is complete.

Put Motion

Moved – Councillor Hodsdon
 Seconded – Councillor Binks

That the motion be put.

**PUT MOTION CARRIED 9/1
 (Against: Cr. Horley)
 (Abstained: Mayor Hipkins)**

The motion was put and

**CARRIED 9/1
 (Against: Cr. Shaw)
 (Abstained: Mayor Hipkins)**

Committee Recommendation

Council defers consideration of the Demolition – Heritage Policy until the present review of the CON heritage municipal inventory is complete.

Recommendation to Committee

Council approves the Demolition – Heritage Policy.

8. Reports by the Chief Executive Officer

Nil.

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

Nil.

10. Confidential Items

Nil.

Declaration of Closure

There being no further business, the Presiding Member declared the meeting closed at 10.07 pm.