



City of Nedlands

# Minutes

## Council Committee Meeting

10 October 2017

### **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 next Ordinary Meeting of Council 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 10 October 2017 at 7 pm.

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#### 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)

<b>Councillors</b>	His Worship the Mayor, R M C Hipkins (Presiding Member)	
	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 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

<b>Staff</b>	Mrs L M Driscoll	Acting Chief Executive Officer
	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 5 members of the public present.

**Press** The Post Newspaper representative.

**Leave of Absence (Previously Approved)** Councillor N W Shaw Melvista Ward

**Apologies** Councillor R M Binks Hollywood Ward

**Absent** Nil.

## **Disclaimer**

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

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### **1. Public Question Time**

Nil.

### **2. Addresses By Members of the Public (only for items listed on the agenda)**

Nil.

### **3. 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.

### **4. 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*.

#### **4.1 Councillor Hassell – PD46.17 - Scheme Amendment No.212 – 80 Stirling Highway, Nedlands**

Councillor Hassell disclosed an impartiality interest in Item PD46.17 - Scheme Amendment No.212 – 80 Stirling Highway, Nedlands. Councillor Hassell disclosed that he has known Mrs Wordsworth the owner of the land for many years, and as a consequence, there may be a perception that his impartiality on the matter may be affected. Councillor Hassell declared that he would consider this matter on its merits and vote accordingly.

**4.2 Councillor Argyle – PD46.17 - Scheme Amendment No.212 – 80 Stirling Highway, Nedlands**

Councillor Argyle disclosed an impartiality interest in Item PD46.17 - Scheme Amendment No.212 – 80 Stirling Highway, Nedlands. Councillor Argyle disclosed that he has known Mrs Wordsworth the owner of the land for many years, and as a consequence, there may be a perception that his impartiality on the matter may be affected. Councillor Argyle declared that he would consider this matter on its merits and vote accordingly.

**4.3 Councillor Hodsdon – PD46.17 - Scheme Amendment No.212 – 80 Stirling Highway, Nedlands**

Councillor Hodsdon disclosed a proximity interest in Item PD46.17 - Scheme Amendment No.212 – 80 Stirling Highway, Nedlands. Councillor Hodsdon disclosed that he owns property at 112 Stirling Highway, and as a consequence, there may be a perception that his impartiality on the matter may be affected however is common to a significant number of electors or ratepayers. Councillor Hodsdon declared that he would consider this matter on its merits and vote accordingly.

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

Nil.

**6. Confirmation of Minutes**

**6.1 Committee Meeting 12 September 2017**

Moved – Councillor Hay  
Seconded – Councillor McManus

**The Minutes of the Council Committee held 12 September 2017 be confirmed.**

**CARRIED UNANIMOUSLY 10/-**

**7. 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.

Nil.

**8. 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.

**8.1 Planning & Development Report No's PD45.17 to PD46.17**

Planning & Development Report No's PD45.17 to PD46.17 to be dealt with at this point (copy attached yellow cover sheet).

<b>PD45.17</b>	<b>Proposed City of Nedlands Civic Design Awards</b>
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<b>Committee</b>	10 October 2017
<b>Council</b>	24 October 2017
<b>Director</b>	Peter Mickleson – Director Planning & Development
<b>Attachments</b>	1. City of Nedlands Civic Design Awards

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

Moved – Mayor Hipkins  
 Seconded – Councillor Hodsdon

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

**CARRIED 6/4**  
**(Against: Crs. Wetherall McManus Argyle & Hassell)**

**Committee Recommendation / Recommendation to Committee**

**Council approves the proposed Civic Design Awards for implementation as outlined in Attachment 1, with the first commencing in 2018.**

<b>PD46.17</b>	<b>Scheme Amendment No.212 – 80 Stirling Highway, Nedlands</b>
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<b>Committee</b>	10 October 2017
<b>Council</b>	24 October 2017
<b>Applicant</b>	Urbis
<b>Landowner</b>	Various
<b>Director</b>	Peter Mickleson – Director Planning & Development
<b>Attachments</b>	1. Proposed Schedule V 2. Scheme Amendment No.212 Report 3. Development Framework

**Councillor Hassell – Impartiality Interest**

Councillor Hassell disclosed that he has known Mrs Wordsworth the owner of the land for many years, and as a consequence, there may be a perception that his impartiality on the matter may be affected. Councillor Hassell declared that he would consider this matter on its merits and vote accordingly.

**Councillor Argyle – Impartiality Interest**

Councillor Argyle disclosed that he has known Mrs Wordsworth the owner of the land for many years, and as a consequence, there may be a perception that his impartiality on the matter may be affected. Councillor Argyle declared that he would consider this matter on its merits and vote accordingly.

**Councillor Hodsdon – Proximity Interest**

Councillor Hodsdon disclosed that he owns property at 112 Stirling Highway, and as a consequence, there may be a perception that his impartiality on the matter may be affected however is common to a significant number of electors or ratepayers. Councillor Hodsdon declared that he would consider this matter on its merits and vote accordingly.

**Regulation 11(da) – Council agreed that the Committee Recommendation reflected an outcome consistent with what the applicant was seeking.**

Moved – Mayor Hipkins

Seconded – Councillor Wetherall

**Committee Recommendation**

**Council instructs the Chief Executive Officer to prepare an amendment to Town Planning Scheme No. 2 for incorporation in Local Planning Scheme No. 3 to create a Town Centre Zone for land including that controlled by Woolworths and Aldi, comprising residential, retail and other non-residential uses on the south side of Stirling Highway.**

It was requested by Councillor Hassell that the list of members of the Captain Stirling Local Hub Steering Committee be listed in the minutes. This request was approved by the Presiding Member.

The Captain Stirling Local Hub Steering Committee is an informal Committee which was established on 26 May 2015 by Council Resolution and consists of the following Members:

**Captain Stirling Local Hub Steering Committee Members**

**City of Nedlands Councillors**

Mayor Max Hipkins  
Councillor Gordon Hay  
Councillor Toni James  
Councillor John Wetherall

The following Community Representatives were appointed by the Committee at its first meeting on 30 June 2015.

**Community Representatives**

Mr Barry Nunn  
Mr Sean Gregory

The Captain Stirling Local Hub Steering Committee provided advice to Council in accordance with its Terms of Reference.

Councillor Hodsdon declared a Proximity Interest in this item.

Mr Glover left the room at 7.58 pm and returned at 8.03 pm.

**CARRIED 8/1**  
**(Against: Cr. Smyth)**  
**(Abstained: Cr. Hodsdon)**



## Recommendation to Committee

### Council:

1. Considers the amendment is a Complex Amendment for the following reason:
  - a) The amendment is not consistent with a local planning strategy for the scheme that has been endorsed by the Commission.
2. Refuses to adopt Scheme Amendment No. 212 to Town Planning Scheme No. 2 for the following reasons:
  - a) The amendment request does not adequately address traffic and access issues.
  - b) The amendment is considered ad hoc as it does not allow for the development of the activity centre as a whole.
  - c) The amendment does not adequately address the residential transition concept as required by the Local Planning Strategy.
3. Does not proceed to advertise Scheme Amendment No. 212 to Town Planning Scheme No. 2
4. Notes the following aspects of the amendment would also need to be further addressed to ensure the centre develops in a manner consistent with the Local Planning Strategy:
  - a) Peer review of Retail Sustainability Assessment (once other issues are adequately addressed, i.e. traffic).
  - b) Stepping of building bulk to adjacent residences.
  - c) Treatment and urban design of Stanley Street interface.
  - d) Boundary setbacks.
  - e) Residential density provisions (including minimums and/or maximums).
  - f) Building massing controls and solar access.
  - g) Appropriate controls for the Captain Stirling Hotel curtilage and eastern landmark building.

**8.2 Corporate & Strategy Report No's CPS25.17 to CPS26.17**

Report No's CPS25.17 to CPS26.17 to be dealt with at this point (copy attached green cover sheet).

<b>CPS25.17</b>	<b>List of Accounts Paid – August 2017</b>
<b>Committee</b>	10 October 2017
<b>Council</b>	24 October 2017
<b>Applicant</b>	City of Nedlands
<b>Officer</b>	Vanaja Jayaraman – Acting Manager Finance
<b>Director</b>	Lorraine Driscoll – Director Corporate & Strategy
<b>Attachments</b>	1. Creditor Payment Listing August 2017 2. Purchasing Card Payments August 2017 (29 <sup>th</sup> July – 28 <sup>th</sup> August)

Councillor McManus left the room at 8.06 pm.

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

Moved – Councillor James

Seconded – Councillor Hassell

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

(Printed below for ease of reference)

**CARRIED UNANIMOUSLY 9/-**

**Committee Recommendation / Recommendation to Committee**

**Council receives the List of Accounts Paid for the month of August 2017 (refer to attachments).**

<b>CPS26.17</b>	<b>Delegation of Regulation 15D Health (Asbestos) Regulations 1992</b>
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<b>Committee</b>	10 October 2017
<b>Council</b>	24 October 2017
<b>Applicant</b>	City of Nedlands
<b>Officer</b>	Pollyanne Fisher – Policy & Projects Officer
<b>Director</b>	Lorraine Driscoll – Director Corporate & Strategy
<b>Attachments</b>	Nil.

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

Moved – Councillor Hassell

Seconded – Councillor Hay

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

(Printed below for ease of reference)

**CARRIED UNANIMOUSLY 9/-**

**Committee Recommendation / Recommendation to Committee**

**Council delegate the power or duty conferred or imposed on the local government by Regulation 15D of the *Health (Asbestos) Regulations 1992*, to the Chief Executive Officer.**

**ABSOLUTE MAJORITY REQUIRED**

**9. Reports by the Chief Executive Officer**

Nil.

**10. Urgent Business Approved By the Presiding Member or By Decision**

Nil.

**11. Confidential Items**

Nil.

**Declaration of Closure**

There being no further business, the Presiding Member declared the meeting closed at 8.08 pm.