



City of Nedlands

Minutes

Council Committee Meeting

8 September 2015

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.

Table of Contents

Declaration of Opening	3
1. Public Question Time	4
2. Address by Members of the Public (only items listed on the Agenda).....	4
3. Disclosures of Financial Interest.....	5
4. Disclosures of Interests Affecting Impartiality	5
5. Declarations by Members That They Have Not Given Due Consideration	5
6. Confirmation of Minutes.....	5
6.1 Committee Meeting	5
7. Matters for Which the Meeting May Be Closed	5
8. Divisional Reports	6
PD39.15 (Lot 3) No. 7 Nardina Crescent, Dalkeith – Two Storey Single House	7
PD41.15 Girl Guides Western Australia Inc. – Lease of Guides Hall at 121 Monash Avenue, Nedlands – Portion of Reserve 20838.....	10
TS22.15 Mt Claremont Shopping Centre Parking.....	11
PD40.15 (Lot 300) No. 3/29 Asquith Street, Mount Claremont – Proposed Change of Use (From Shop to Lunch Bar).....	13
CM06.15 Community Sport and Recreation Facilities Fund Application – Allen Park Pavilion Upgrade	16
CPS21.15 List of Accounts Paid – July 2015.....	17
CPS22.15 Corporate Business Plan – Quarter 4 2014/15.....	18
9. Reports by the Chief Executive Officer.....	19
10. Urgent Business Approved by the Presiding Member or by Decision	19
11. Confidential Items.....	19
Declaration of Closure.....	19

City of Nedlands

Minutes of a meeting of the Council Committee held in the Council Chambers, Nedlands on Tuesday 8 September 2015 at 7.00pm.

At 7.00pm the CEO called for nominations for the position of Acting Presiding Officer in the absence of the Mayor.

Councillor Hodsdon – Nominated Cr Shaw

Councillor Smyth – Nominated Cr James

The CEO asked Councillors to vote by the show of hands.

Councillor Shaw 5

Councillor Smyth 4

The CEO declared Cr Shaw as Acting Presiding Officer.

Declaration of Opening

The Acting Presiding Member declared the meeting open at 7.02pm 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	Councillor G A R Hay	Melvista Ward
	Councillor T P James	Melvista Ward
	Councillor N W Shaw	Melvista Ward
	Councillor I S Argyle	Dalkeith Ward
	Councillor S J Porter	Dalkeith Ward
	Councillor R Binks	Hollywood Ward
	Councillor B Hodsdon	Hollywood Ward
	Councillor L J McManus	Coastal Districts Ward
	Councillor K Smyth	Coastal Districts Ward

Staff	Mr G K Trevaskis	Chief Executive Officer
	Mr M R Cole	Director Corporate & Strategy
	Mr M A Goodlet	Director Technical Services
	Ms M Granich	Manager Community Development
	Ms J Heyes	Acting Director Planning & Development
	Miss D Maxwell	Executive Assistant

Public **There were 37 members of the public present.**

Press The Post Newspaper representative

Leave of Absence	Councillor W R Hassell	Dalkeith Ward
(Previously Approved)	Councillor J D Wetherall	Hollywood Ward

Apologies	R M Hipkins	His Worship the Mayor
	Councillor N B J Horley	Coastal Districts Ward
	Mr P L Mickleson	Director Planning & Development

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 a Council's position. For example, by reference to the Confirmed Minutes of a 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. Address by Members of the Public (only items listed on the Agenda)

Ms M Whittington, 5 Nardina Crescent, Dalkeith PD39.15
(Spoke against the recommendation)

Mr Lance Karapetrov, 7 Nadina Crescent, Dalkeith PD39.15

Mr Hudson, 15 Jarrad Street, Cottesloe PD40.15
(Spoke on the proposal)

Ms Elsie Payne, 132 Rochdale Road, Mount Claremont PD40.15
(Spoke against the recommendation)

Mr Jeff Malcolm, MGA Town Planners, 28 Mayfair Street, West Perth PD40.15
(Spoke against the recommendation)

Mrs Betty McGorrery, 13 Lisle Street, Mt Claremont PD40.15
(Spoke in support for the recommendation)

Mr Vittorio Tassone, 25 Queenscliffe Road, Doubleview PD40.15
(Spoke on the proposal)

Mr Glenn Chapman, 29 Strickland Street, Claremont PD40.15
(Spoke against the recommendation)

Mr Paul Anderson, 34 Robinson Street, Nedlands CM06.15
(Spoke in support for the recommendation)

3. 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.

Nil

4. 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*.

Nil

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

Nil

6. Confirmation of Minutes

6.1 Committee Meeting

Moved – Councillor Binks
Seconded – Councillor Hodsdon

The Minutes of the Council Committee held on the 11 August 2015, be confirmed.

**CARRIED 8/-
(ABSTAINED Cr James)**

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 Act (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. Not a decision to only note the matter or to return the recommendation for further consideration.

Moved – Councillor Smyth
Seconded – Councillor McManus

The order of business be adjusted to consider the following reports PD39.15, PD41.15, TS22.15 & PD40.15.

CARRIED UNANIMOUSLY 9/-

PD39.15	(Lot 3) No. 7 Nardina Crescent, Dalkeith – Two Storey Single House
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Committee	8 September 2015
Council	22 September 2015
Applicant	Glory Holdings (WA) Pty Ltd
Owner	C Wang
Officer	Kate Bainbridge – Senior Statutory Planning Officer
Director	Peter Mickleson – Director Planning & Development Services
File Reference	DA2015/150
Previous Item	Nil.
Attachments	1 – Site Plan and Survey Plan 2 – Ground Floor Plan 3 – Upper Floor Plan 4 – Elevations 5 – Site photographs

Ms M Whittington, 5 Nardina Crescent, Dalkeith
(Spoke against the recommendation)

PD39.15

Mr Lance Karapetrov, 7 Nardina Crescent, Dalkeith

PD39.15

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

Moved – Councillor James

Seconded – Councillor Argyle

Committee Recommendation / Recommendation to Committee

Council approves the application for a Two Storey Single House and Pool at (Lot 3) No. 7 Nardina Crescent, Dalkeith, in accordance with the application received on 1 May 2015 and amended plans received on 19 June 2015, subject to the following conditions and advice:

- 1. Amended plans are to be submitted with the building permit application demonstrating the upper floor balcony being setback 9m from the front boundary.**
- 2. The development shall at all times comply with the approved plans.**
- 3. All proposed visual privacy screens and obscure glass panels to Major Openings and Active Habitable Spaces shown on the approved drawings, shall prevent overlooking in accordance with the visual privacy requirements of the *Residential Design Codes 2013 (R-Codes)*. The structures shall be installed and remain in place permanently, unless otherwise approved by the City.**

4. The crossover to the street shall be constructed to the Council's Crossover Specifications and the applicant / landowner to obtain levels for the crossover from the Council's Infrastructure Services under supervision onsite, prior to commencement of works.
5. The redundant portion of the existing crossover shall be removed and the nature-strip / verge reinstated with grass or landscaping in accordance with Council's Nature-Strip / Verge Development Policy.
6. A grated channel strip-drain shall be constructed across the driveway, aligned with and wholly contained within the property boundary, and the discharge from this drain to be run to a soak-well situated within the property.
7. All stormwater from the development, which includes permeable and non-permeable areas, shall be contained onsite.
8. All footings and structures to retaining walls and fences, shall be constructed wholly inside the site boundaries of the Certificate of Title.
9. The street tree is to be retained and shall not be removed without prior written approval from the City.

Advice Notes specific to this approval:

1. The applicant is advised that a further planning application will be required for any new primary or secondary street fencing.
2. Any construction in the nature-strip / verge will require a Nature-Strip Development Application (NSDA) to be lodged with, and approved by, the City's Technical Services, prior to construction.
3. Dividing fences behind the front setback line, height no greater than 1.8m above approved levels and complying with the provisions of the *City of Nedlands Fencing Local Law 2007* are deemed-to-comply with the Scheme and do not require further planning approval. A further planning application and approval is required for other fencing, including heights greater than 1.8m above approved ground levels and/or forward of the front setback line.
4. All internal water closets and ensuites without fixed or permanent window access to outside air or which open onto a hall, passage, hobby or staircase, shall be serviced by a mechanical ventilation exhaust system which is ducted to outside air, with a minimum rate of air change equal to or greater than 25 litres / second.
5. All swimming pool waste water shall be disposed of into an adequately sized, dedicated soak-well located on the same lot. Soak-wells shall not be situated closer than 1.8m to any boundary of a lot, building, septic tank or other soak-well.
6. The swimming pool fencing installed is to comply with the *Building Act 2011*, the *Building Regulations 2012* and Australian Standard S 1926.1-1992.

7. The swimming pool, whether partially constructed or finished, shall be kept dry during the construction period. Alternatively, the water shall be maintained to a quality which prevents mosquitoes from breeding.
8. All downpipes from guttering shall be connected so as to discharge into drains, which shall empty into a soak-well; and each soak-well shall be located at least 1.8m from any building, and at least 1.8m from the boundary of the block.
9. The applicant is advised to consult the City's *Visual and Acoustic Privacy Advisory Information* in relation to locating any mechanical equipment (e.g. air-conditioner, swimming pool or spa) such that noise, vibration and visual impacts on neighbours are mitigated. The City does not recommend installing any equipment near a property boundary where it is likely that noise will intrude upon neighbours.
Prior to selecting a location for an air-conditioner, the applicant is advised to consult the online fairair noise calculator at www.fairair.com.au and use this as a guide to prevent noise affecting neighbouring properties.
Prior to installing mechanical equipment, the applicant is advised to consult neighbours, and if necessary, take measures to suppress noise.
10. Prior to the commencement of any demolition works, any Asbestos Containing Material (ACM) in the structure to be demolished, shall be identified, safely removed and conveyed to an 5
Removal and disposal of ACM shall be in accordance with *Health (Asbestos) Regulations 1992*, Regulations 5.43 - 5.53 of the *Occupational Safety and Health Regulations 1996*, *Code of Practice for the Safe Removal of Asbestos 2nd Edition*, *Code of Practice for the Management and Control of Asbestos in a Workplace*, and any Department of Commerce Worksafe requirements.
Where there is over 10m² of ACM or any amount of friable ACM to be removed, it shall be removed by a Worksafe licensed and trained individual or business.
11. This decision constitutes planning approval only and is valid for a period of two years from the date of approval. If the subject development is not substantially commenced within the two year period, the approval shall lapse and be of no further effect.

CARRIED 6/-
(Abstained: Crs. Binks Porter & Smyth)

PD41.15	Girl Guides Western Australia Inc. – Lease of Guides Hall at 121 Monash Avenue, Nedlands – Portion of Reserve 20838
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Committee	15 September 2015
Council	29 September 2015
Applicant	Girl Guides Western Australia Inc.
Owner	City of Nedlands
Officer	Rebecca Boley – Leased Assets Co-ordinator
Director	Peter Mickleson – Planning & Development
File Reference	CAP-LB-00007
Previous Item	D22.10 on 27 April 2010

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

Moved – Councillor Binks
 Seconded – Councillor Hay

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

Committee Recommendation / Recommendation to Committee

Council

- 1. Approves and endorses the lease agreement with Girl Guides Western Australia Inc. for premises at Reserve 20838 in the terms contained in Attachment 1 and**
- 2. Authorises the Mayor and CEO to execute the Deed of Lease with application of the City’s common seal.**

CARRIED UNANIMOUSLY 9/-

TS22.15	Mt Claremont Shopping Centre Parking
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Committee	8 September 2015
Council	22 September 2015
Applicant	City of Nedlands
Officer	Mark Goodlet – Director Technical Services
Director	Mark Goodlet – Director Technical Services
File Reference	TS-008753
Previous Item	Nil

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

Moved – Councillor Smyth

Seconded – Councillor McManus

Committee Recommendation

Council:

- 1. Agrees to investigate the provision of an extra 15 parking bays in Asquith Street by:**
 - a) Relocation of the bus stop at Asquith Park and the provision of angled parking; and
 - b) The addition of parallel parking bays adjacent to 32 Strickland Street (corner lot).
 - c) Review street parking bays availability.

- 2. Agrees to investigate the provision of an extra 16 parking bays in the residential block known as Asquith Park by:**
 - a) Redesign of the park layout to incorporate the existing 8 bays; and
 - b) Creation of an improved village centre park with landscaped garden, shelter and upgraded furniture.

- 3. Agrees to investigate the provision of an alternative park at 26a Adderley Street by:**
 - a) Re-engineer of the council owned drainage sump;
 - b) Design of a park layout to incorporate a playground and 4 new car bays; and
 - c) Allocation of \$5,000 to fund feasibility of work.

- 4. Agrees to investigate the provision of an alternative park at west Asquith St cul-der-sac by:**
 - a) Dual purposing of the un-constructed road reserve servicing golf course;**
 - d) Design of a thoroughfare layout to incorporate the mulberry tree and 4 new car bays;**
 - e) Maximising the goodwill landscaping of adjacent property stakeholders.**

- 5. Writes to the owners of Strata Title 30656 for the Mt Claremont Village requesting measures be taken to:**
 - a) Maximising the availability of onsite parking, including the use of a multi-levelled parking structure;**
 - b) Ideally provide an additional 53 of 73 bays of the onsite shortfall;**
 - c) Be within the extent permitted under Town Planning Scheme No. 2 and Strata Titles Act 1985.**

CARRIED 4/3
(Against: Crs. Binks Arglye & Hodsdon)
(Abstained: Crs. James & Porter)

Recommendation to Committee

Council:

1. Agrees to investigate the provision of an extra 15 parking bays in Asquith Street by removal of the bus stop at Asquith Park and the provision of angled parking and by the addition of parallel parking bays adjacent to 32 Strickland Street, subject to the owners of the Mt Claremont Shopping Centre maximising the availability of onsite parking including the use of second storey parking to the extent permitted under Town Planning Scheme No. 2.

2. Requests that the CEO write to the owners of the Mt Claremont Shopping Centre advising the owner of Council's position on this matter.

PD40.15 (Lot 300) No. 3/29 Asquith Street, Mount Claremont – Proposed Change of Use (From Shop to Lunch Bar)

Committee	8 September 2015
Council	22 September 2015
Applicant	K Hughie-Williams
Landowner	Burgess Rawson
Officer	Mr A D Bratley – Coordinator Statutory Planning
Director	Peter Mickleson – Director Planning & Development Services
File Reference	DA2015/183 – AS2/29
Previous Item	Nil
Attachments	1. Site Plan (A3) 2. Floor Plan (A3)

Mr Hudson, 15 Jarrad Street, Cottesloe PD40.15
(Spoke on the proposal)

Ms Elsie Payne, 132 Rochdale Road, Mount Claremont PD40.15
(Spoke against the recommendation)

Mr Jeff Malcolm, MGA Town Planners, 28 Mayfair Street, West Perth PD40.15
(Spoke against the recommendation)

Mrs Betty McGorrery, 13 Lisle Street, Mt Claremont PD40.15
(Spoke in support for the recommendation)

Mr Vittorio Tassone, 25 Queenscliffe Road, Doubleview PD40.15
(Spoke on the proposal)

Mr Glenn Chapman, 29 Strickland Street, Claremont PD40.15
(Spoke against the recommendation)

Cr Shaw vacated the chair and left the Chamber at 9.01pm and returned at 9.03pm

Cr James assumed the Chair whilst the Acting Presiding Member Cr Shaw left the Chambers.

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

Moved – Councillor McManus

Seconded – Councillor Binks

That the Recommendation to Committee be adopted.

(Printed below for ease of reference)

Committee Recommendation / Recommendation to Committee

- 1) Council approves the retrospective application for a lunch bar to continue operating at (Lot 300) No. 3/29 Asquith Street, Mount Claremont, subject to the following conditions and advice:
 - a) The development shall at all times comply with the approved plans.
 - b) Unless otherwise approved by the City, there shall be no tables and chairs available for customers.
 - c) The existing tables and chairs shall be removed from the premises within 14 days from this decision, to the City's satisfaction.
 - d) The use complying with the lunch bar definition as stipulated under Town Planning Scheme No. 2 (refer to advice note 1).
 - e) No unloading of vehicles is to occur that interferes with the parking of vehicles in the car park by visitors and employees. All car parking bays in the car park are to be made available at all times for the parking of vehicles by visitors and employees.
 - f) The operating hours of the lunch bar are restricted to:
Monday and Friday 7.00am to 6.00pm;
Saturday 7.00am to 4.00pm; and
Sunday 7.00am to 2.00pm.

Advice Notes specific to this approval:

1. The applicant is advised that the use 'Lunch Bar' is defined as being the following under the City's Town Planning Scheme No. 2:

"Means premises used for the preparation and/or sale of take-away sandwiches and similar foodstuffs within industrial and commercial areas in a form ready to be consumed without further preparation off the premises."
2. The applicant shall lodge with the City an *Application for Food Premises Alteration / Fit-out* which an Environmental Health Officer at the City is satisfied demonstrates food safety outcomes.
3. Prior to commencing a Food Business, the premises shall receive an inspection from an Environmental Health Officer at the City which cites the Food Business may commence operation.
4. 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.
5. Adequate staff and public sanitary conveniences shall be provided in accordance with the Building Code of Australia.

- 6. 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.**

- 7. Prior to commencing a Food Business* a proprietor shall lodge with the City a *Food Business Registration / Notification Form*.**
****A food business is any business or activity that involves the sale of food or the handling of any type of food for sale in Australia.***

**CARRIED 8/1
(Against: Cr. Argyle)**

CM06.15	Community Sport and Recreation Facilities Fund Application – Allen Park Pavilion Upgrade
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Committee	8 September 2015
Council	22 September 2015
Applicant	City of Nedlands
Officer	Amanda Cronin – Senior Community Development Officer (Recreation) Marion Granich - Manager Community Development
Director	Michael Cole – Director Corporate and Strategy
File Reference	CD-004384
Previous Item	N/A

Paul Anderson, 34 Robinson Street, Nedlands
(Spoke in support for the recommendation)

CM06.15

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

Greg Trevaskis left the room at 9.20pm and returned at 9.23pm.

Moved – Councillor McManus
Seconded – Councillor Hodsdon

That the Recommendation to Committee be adopted.

(Printed below for ease of reference)

Committee Recommendation / Recommendation to Committee

Council:

- a) Advises the Department of Sport and Recreation that it endorses the City’s Community Sport and Recreation Facilities Fund grant application for \$244,233 towards an upgrade of the Allen Park Pavilion;
- b) Ranks and rates this application as follows:
1 – Allen Park Pavilion Upgrade: Well Planned and Needed by Sport.

CARRIED UNANIMOUSLY 9/-

CPS21.15	List of Accounts Paid – July 2015
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Committee	8 September 2015
Council	22 September 2015
Applicant	City of Nedlands
Officer	Kim Chua – Manager Finance
Director	Michael Cole – Director Corporate & Strategy
File Reference	Fin/072-17
Previous Item	Nil

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

Cr James left the room at 9.35pm and returned at 9.37pm

Cr Hay left the room at 9.35pm and returned at 9.39pm

Moved – Councillor James

Seconded – Councillor McManus

Committee Recommendation / Recommendation to Committee

Council receives the List of Accounts Paid for the month of July 2015 (Refer to Attachment).

**CARRIED 8/-
(Abstained: Cr. Binks)**

CPS22.15	Corporate Business Plan – Quarter 4 2014/15
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Committee	8 September 2015
Council	22 September 2015
Applicant	City of Nedlands
Officer	Pollyanne Fisher - Policy & Projects Officer
Director	Michael Cole - Director Corporate & Strategy
File Reference	CS-BP-00002
Previous Item	CPS15.15 (Quarter 3 Report)

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

Cr Porter left the room at 9.44pm and returned at 9.48pm

Moved – Councillor James

Seconded – Councillor McManus

Committee Recommendation / Recommendation to Committee

Council receives the Quarter 4 2014/2015 report on progress towards “Nedlands 2023 – Making it Happen”, the Corporate Business Plan.

CARRIED UNANIMOUSLY 9/-

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 9.46 pm.