



City of Nedlands

Minutes

Council Committee Meeting

9 September 2014

ATTENTION

These minutes are subject to confirmation

Prior to acting on any resolution of the Council contained in these minutes, a check should be made of the Ordinary Meeting of Council 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,
on Tuesday 9 September 2014 at 7.00pm.**

Council Committee Agenda

Declaration of Opening

The Presiding Member declared the meeting open at 7.00pm and drew attention to the disclaimer below:

(Note: At the Ordinary Meeting held on 24 August 2004, Council resolved that should the meeting time reach 11.00pm, the meeting is to consider an adjournment motion to reconvene the next day).

Councillors	His Worship the Mayor, R M Hipkins	(Presiding Member)
	Councillor G Hay	Melvista Ward
	Councillor T James	Melvista Ward
	Councillor N Shaw	Melvista Ward
	Councillor N B J Horley	Coastal Districts Ward
	Councillor L J McManus	Coastal Districts Ward
	Councillor K Smyth	Coastal Districts Ward
	Councillor I S Argyle	Dalkeith Ward
	Councillor R M Binks	Hollywood Ward
	Councillor B G Hodsdon	Hollywood Ward
	Councillor J Wetherall	Hollywood Ward

Staff	Mr M Goodlet	A/Chief Executive Officer
	Mr M Cole	Director Corporate & Strategy
	Mr P Mickleson	Director Planning & Development
	Ms M Hulls	A/Director Technical Services
	Ms M Granich	Manager Community Development
	Mrs A Sunderland	Executive Assistant

Public There were 2 members of the public present.

Press The Post Newspaper representative.

Leave of Absence Councillor W R Hassell Dalkeith Ward
(Previously Approved)

Apologies Councillor S J Porter Dalkeith Ward
Mr G Trevaskis Chief Executive Officer

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 received.

2. Address by Members of the Public (only items listed on the Agenda)

Ms A Iliadis, C'Giorgi Exclusive Homes, 1/24 Parkland Road Osborne Park PD31.14
(Spoke in opposition of the recommendation)

3. Disclosures of Financial Interest

The Presiding Member reminded Councillors and Staff of the requirements of Section 5.65 of the *Local Government Act (1995)* to disclose any interest during the meeting when the matter is discussed.

3.1 Mayor Hipkins – PD33.14 – Proposed Scheme Amendment No. 199 – Omnibus Changes to the City of Nedlands Town Planning Scheme No. 2.

Mayor Hipkins disclosed a proximity interest in Item PD33.14 – Proposed Scheme Amendment No. 199 – Omnibus Changes to the City of Nedlands Town Planning Scheme No. 2. His interest being that his wife owns a property at 7A Vincent Street, Nedlands, near Stirling Highway. He believed his interest to be common to a significant number of electors with the extent of the interest being the property is a strata unit with no redevelopment potential. He advised that he would like to participate in the meeting on the matter and would leave the meeting while the Council voted on whether he was permitted to stay or not.

Mayor Hipkins departed the Chambers at 7.02pm to allow Council to discuss whether he can participate in Item PD33.14.

Moved – Councillor McManus

Seconded – Councillor Shaw

Councillor Shaw act as the Presiding Member for debate on this item.

CARRIED UNANIMOUSLY 10/-

Procedural Motion

Moved – Councillor Argyle

Seconded – Councillor James

Council allows the disclosing member, Mayor Max Hipkins to:

- 1. Be present during any discussion or decision making procedure;**
- 2. Participate in discussions and the decision making procedures; and**
- 3. Preside at the meeting;**

for item PD33.14, Proposed Scheme Amendment No. 199 – Omnibus changes to the City of Nedlands Town Planning Scheme No. 2, given that the Mayor has disclosed the extent of the interest and the matter is considered trivial or insignificant as to be unlikely to influence the disclosing member’s conduct.

Ms Granich departed the Chambers at 7.08pm and returned at 7.15pm.

Amendment

Moved – Councillor McManus

Seconded – Councillor Hay

Council allows the disclosing member, Mayor Max Hipkins to;

- 1. Be present during any discussion or decision making procedure;**
- 2. Participate in discussions; and**
- 3. Preside at the meeting;**

for item PD33.14, Proposed Scheme Amendment No. 199 – Omnibus changes to the City of Nedlands Town Planning Scheme No. 2, given that the Mayor has disclosed the extent of the interest and the matter is considered trivial or insignificant as to be unlikely to influence the disclosing member’s conduct.

Moved – Cr Binks

Seconded – Cr Hay

That the Motion be put.

CARRIED UNANIMOUSLY 10/-

Amendment

Moved – Councillor McManus

Seconded – Councillor Hay

Council allows the disclosing member, Mayor Max Hipkins to;

1. Be present during any discussion or decision making procedure;
2. Participate in discussions; and
3. Preside at the meeting;

for item PD33.14, Proposed Scheme Amendment No. 199 – Omnibus changes to the City of Nedlands Town Planning Scheme No. 2, given that the Mayor has disclosed the extent of the interest and the matter is considered trivial or insignificant as to be unlikely to influence the disclosing member's conduct.

LOST 4/6

(Against: Crs. James, Argyle, Hodsdon, Wetherall, Horley & Shaw)

Substantive Motion

Moved – Councillor Argyle

Seconded – Councillor James

Council allows the disclosing member, Mayor Max Hipkins to;

1. Be present during any discussion or decision making procedure;
2. Participate in discussions and the decision making procedures; and
3. Preside at the meeting;

for item PD33.14, Proposed Scheme Amendment No. 199 – Omnibus changes to the City of Nedlands Town Planning Scheme No. 2, given that the Mayor has disclosed the extent of the interest and the matter is considered trivial or insignificant as to be unlikely to influence the disclosing member's conduct.

LOST 1/9

(Against: Crs. Hay, Horley, McManus, Argyle, Binks, Hodsdon, Wetherall & Shaw)

Foreshadow Motion

Moved – Councillor Wetherall

Seconded – Councillor Hodsdon

That Council vote on Item PD33.14 in two parts.

- 1. The first part will include all items in PD33.14 except clauses relating to 6.1.20 (Stirling Highway); and**
- 2. The second part relating to 6.1.20 be discussed as a separate item in which members who have declared a financial interest be excluded from the debate and decision making process.**

Cr Hodsdon departed the Chambers at 7.53pm and returns to the Chambers at 7.54pm.

Cr Hay departed the Chambers at 7.55pm and returned at 8.00pm.

Cr Binks left the chambers at 7.59pm and returned at 8.00pm

Moved – Cr McManus

Seconded – Cr Argyle

That the motion be put.

**CARRIED 9/1
(Against: Cr Smyth)**

Moved – Councillor Wetherall

Seconded – Councillor Hodsdon

That Council vote on Item PD33.14 in two parts.

- 1. The first part will include all items in PD33.14 except clauses relating to 6.1.20 (Stirling Highway); and**
- 2. The second part relating to 6.1.20 be discussed as a separate item in which members who have declared a financial interest be excluded from the debate and decision making process.**

**CARRIED 7/3
(Against: Crs. James, Argyle & Smyth)**

Mayor Hipkins returned to the Chambers 8.02pm and resumed the Chair.

3.2 Councillor Hodsdon – PD33.14 - Proposed Scheme Amendment No. 199 – Omnibus Changes to the City of Nedlands Town Planning Scheme No. 2.

Councillor Hodsdon disclosed a Financial Interest in Item PD33.19, Proposed Scheme Amendment No. 199 – Omnibus Changes to the City of Nedlands Planning Scheme No. 2. His interest being that he owns a property on Stirling Highway, Nedlands. Cr Hodsdon advised that he will leave the meeting during this matter.

3.3 Councillor Argyle – PD33.14 – Proposed Scheme Amendment NO. 199 – Omnibus Changes to the City of Nedlands Town Planning Scheme No. 2

Councillor Argyle disclosed a Financial Interest in Item PD33.14, Proposed Scheme Amendment No. 199 – Omnibus Changes to the City of Nedlands Planning Scheme No. 2. His interest being that he owns a property in Thomas St and his daughter owns a property in close proximity to Stirling Highway. He advised that as a consequence he would leave the meeting during this matter.

4. Disclosures of Interests Affecting Impartiality

The Presiding Member is to remind Councillors and Staff of the requirements of the Council's *Code of Conduct* in accordance with Section 5.103 of the *Local Government Act (1995)*.

None received.

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

Cr McManus declared that he had read the agenda papers but declared that he required more time to read the agenda given the size of item PD33.14. No request for extra time was made.

6. Confirmation of Minutes

6.1 Committee Meeting 12 August 2014

Moved – Councillor Shaw
Seconded – Councillor Hodsdon

That the Minutes of the Council Committee held on 12 August 2014 be confirmed.

CARRIED UNANIMOUSLY 11/-

7. Matters for Which the Meeting May Be Closed

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.

8.1 Planning and Development Report No's PD30.14 to PD37.14

PD30.14	No. 28 (Lot 112) Browne Avenue, Dalkeith – Proposed Additions (Carport) to a Single House
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Committee	9 September 2014
Council	23 September 2014
Applicant	N Lauw
Landowner	N & J Lauw
Officer	Matt Stuart, Senior Statutory Planning Officer
Director	Peter Mickleson, Director Planning & Development
File Reference	DA14/170 – BR8/28
Previous Item	Nil

Regulation 11(da) – Not applicable – Recommendation adopted

Moved – Councillor Shaw

Seconded – Councillor James

That the Recommendation to Committee is adopted.

(Printed below for ease of reference)

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

Committee Recommendation / Recommendation to Committee

Council refuses the application for additions (carport) to a single house at No. 28 (Lot 112) Browne Avenue, Dalkeith, in accordance with the application and plans received on 17 April 2014, for the following reasons:

- 1. The proposed carport does not meet element 5.1.4 C4 nor P4 of the Residential Design Codes of WA 2013, as it contrasts with the existing and desired streetscape character, and it introduces undesirable building bulk;**
- 2. The proposal does not comply with the amenity considerations of cl. 5.5.1 of Town Planning Scheme No. 2; and**
- 3. The proposal does not represent orderly and proper planning, in accordance with of cl. 6.5.1 of Town Planning Scheme No. 2.**

PD31.14	No. 14 (Lot 47) Walba Way Swanbourne – Two Storey Single House & Pool
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Committee	9 September 2014
Council	23 September 2014
Applicant	Building Corporation WA Pty Ltd
Landowner	K T & C A Hogan
Officer	Thomas Geddes, Planning Officer
Director	Peter Mickleson, Director Planning & Development
File Reference	DA2014/153 – WA1/14
Previous Item	Nil

Ms A Iliadis, C/Giorgi Exclusive Homes, 1/24 Parkland Road, Osborne Park PD31.14
(Spoke against the Officer's recommendation and in support of the application)

Cr Wetherall departed the Chambers at 8.10pm and returned at 8.12pm.

Regulation 11(da) – Not applicable – Recommendation adopted

Moved – Councillor Shaw

Seconded – Councillor James

That the Recommendation to Committee is adopted.

(Printed below for ease of reference)

CARRIED 6/2

(Against: Cr's. Smyth & Argyle)

(Abstained: Cr's. Binks, Wetherall & Hodsdon)

Mr Cole departed the Chambers at 8.15pm and returned at 8.17pm.

Committee Recommendation / Recommendation to Committee

Council refuses the application for a two storey single house at No. 14 (Lot 47) Walba Way Swanbourne, in accordance with the application received on 1 May 2014 and amended plans received on 11 August 2014, for the following reasons:

- 1) The proposal is not considered to meet the design principles of the Residential Design Codes of Western Australia (2013) in relation to clause 5.1.3 (Lot Boundary Setbacks) due to the bulk impact of the dwelling located in the rear setback;**
- 2) The proposal does not comply with the amenity considerations of cl. 5.5.1 of Town Planning Scheme No. 2 due to the impact of the bulk of the building upon adjacent properties and the streetscape; and**
- 3) The proposal does not represent orderly and proper planning, in accordance with of cl. 6.5.1 of Town Planning Scheme No. 2.**

PD32.14	No. 2 (Lot 2) Genesta Crescent, Dalkeith – Two Storey Single House
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Committee	9 September 2014
Council	23 September 2014
Applicant	Atrium Homes
Landowner	Y Kuang, Y Li, T Shen, W Zhang
Officer	Thomas Geddes, Planning Officer
Director	Peter Mickleson, Director Planning & Development
File Reference	GE1/2 : DA2014/51
Previous Item	Nil

Regulation 11(da) – Not applicable – Recommendation adopted

Moved – Councillor Shaw

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 approves the application for a Two Storey Single House at No. 2 (Lot 2) Genesta Crescent, Dalkeith in accordance with the application received on 13 February 2014 and amended plans received on 30 May 2014, subject to the following conditions:

- 1) The development shall at all times comply with the approved plans;**
- 2) The “screen wall” to the eastern side of the proposed balcony as marked in red on the approved drawings, shall prevent overlooking in accordance with the visual privacy requirements of the *Residential Design Codes 2013* (R-Codes). The structure(s) shall be installed and remain in place permanently, unless otherwise approved by the City;**
- 3) All crossovers to the street shall be constructed to the Council’s Crossover Specifications and the applicant / landowner to obtain levels for crossovers from the Council’s Infrastructure Services under supervision onsite, prior to commencement of works;**
- 4) 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;**
- 5) Any construction in the nature-strip / verge (including footpaths) will require a Nature-Strip / Verge Licence application to be lodged with, and approved by, the City’s Engineering section, prior to construction;**

- 6) All stormwater from the development, which includes permeable and non-permeable areas, shall be contained onsite by draining to soak-wells of adequate capacity to contain runoff from a 20 year recurrent storm event. Soak-wells shall be a minimum capacity of 1.0m³ for every 80m² of calculated surface area of the development;
- 7) All footings and structures to retaining walls, fences and parapet walls shall be constructed wholly inside the site boundaries of the Certificate of Title; and
- 8) The parapet wall shall be finished to a professional standard, to the satisfaction of the City.

Advice Notes specific to this approval:

- a) 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;
- b) a sanitary convenience shall not have an entrance opening from a habitable room, a room used for the manufacture or storage of food for human consumption or a room used as a factory workshop or workplace, except through an airlock which has a floor area of at least 1.85m² and direct ventilation to open air;
- c) 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;
- d) the landowner is advised to limit construction noise and hours as per the *Environmental Protection (Noise) Regulations 1997*;
- e) prior to the commencement of any demolition works, any Asbestos Containing Material (ACM) in the structure to be demolished, shall be identified, safely removed and conveyed to an appropriate landfill which accepts ACM;
- f) 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;

- g) 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; and**
- h) 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 (2) year period, the approval shall lapse and be of no further effect.**

PD33.14	Proposed Scheme Amendment No. 199 – Omnibus changes to the City of Nedlands Town Planning Scheme Number 2
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Committee	9 September 2014
Council	23 September 2014
Officer	Peter Mickleson, Director Planning & Development
Director	Peter Mickleson, Director Planning & Development
File Reference	TPN/A 199
Previous Item	Item 9.1 February 2013

Regulation 11(da) - *

Cr Shaw departed the Chambers at 8.24pm and returned at 8.25pm.

Cr Argyle declared a Financial Interest in this item as stated in Item 3 of this agenda and departed the chambers at 8.26pm.

Amendment

Moved – Councillor Shaw

Seconded – Councillor James

Council, in relation to all items excluding those referred to in section 6.1.20 of the report on this item:

- 1. Initiates the proposed omnibus scheme amendment;**
- 2. Instructs the Chief Executive Officer to make any minor typographical changes required to ensure the text and maps are aligned; and**
- 3. Instructs the Chief Executive Officer to progress the proposal in accordance with the requirements of the relevant legislation.**

Amendment

Moved – Councillor Wetherall

Seconded – Councillor Binks

Council include a clause to the substantive motion that Administration call a workshop to discuss and review the changes in the proposed Town Planning Scheme Omnibus supporting documents.

Moved – Cr Smyth
Seconded – Cr Hodsdon

That the motion be put.

CARRIED 10/-

Amendment 1

Moved – Councillor Wetherall
Seconded – Councillor Binks

Council include a clause to the substantive motion that Administration call a workshop to discuss and review the changes in the proposed Town Planning Scheme Omnibus supporting documents.

**CARRIED 9/-
(Abstained: Cr McManus)**

Substantive Motion

Moved – Councillor Shaw
Seconded – Councillor James

Council, in relation to all items excluding those referred to in section 6.1.20 of the report on this item:

- 1. Initiates the proposed omnibus scheme amendment;**
- 2. Instructs the Chief Executive Officer to make any minor typographical changes required to ensure the text and maps are aligned; and**
- 3. Instructs the Chief Executive Officer to progress the proposal in accordance with the requirements of the relevant legislation.**

Amendment 2

Amendment 2 was considered complex and was broken into parts with separate motions to aid clarity.

Amendment 2 Motion A

Moved – Mayor Hipkins
Seconded – Councillor James

Council approves in relation to the number of covered residential car bays to be provided in clause 5.3.12 to add the following:

"Notwithstanding the provisions of the Residential Design Codes or any other provision specified elsewhere in the scheme every dwelling shall be provided with a minimum of two covered car spaces for the storage of wheeled vehicles, boats, and other goods, provided that for a single residential lot with an area of 800m² or more, there shall be a minimum of three covered car spaces."

Reasons

The provision of three covered car spaces for new houses on large lots was originally recommended in the Administration report for the Ordinary Meeting of Council held on 26 February 2013 but not adopted by Council. The City of Nedlands has among the highest car ownership use in Western Australia. The last census in 2011 showed more than two-thirds of households had more than two vehicles, in addition to boats, trailers and caravans.

Moved – Cr Binks
Seconded – Cr Hay

That the Motion be put.

**CARRIED 9/1
(Against: Cr Horley)**

Amendment 2 Motion A

Moved – Mayor Hipkins
Seconded – Councillor James

Council approves in relation to the number of covered residential car bays to be provided in clause 5.3.12 to add the following:

"Notwithstanding the provisions of the Residential Design Codes or any other provision specified elsewhere in the scheme every dwelling shall be provided with a minimum of two covered car spaces for the storage of wheeled vehicles, boats, and other goods, provided that for a single residential lot with an area of 800m² or more, there shall be a minimum of three covered car spaces."

AMENDMENT LOST 4/6
(Against: Cr's Wetherall, Hodsdon, Binks, Shaw, Horley & McManus)

Councillor Smyth departed the Chambers at 9.20pm and returned at 9.22pm.

The POST representative departed the Chambers at 9.26pm and returned at 9.30pm.

Cr Hay departed the Chambers at 9.29pm and returned at 9.30pm.

Moved - Mayor Hipkins
Seconded – Councillor James

Amendment 2 Motion B

In relation to the On-site Power generation to be provided in clause 5.20, replace the clause with the following:

"All new development and at Council's discretion, substantial additions to existing development shall provide on-site power generation by solar, wind or other means, approved by Council as follows:

- a. For each residential dwelling – a minimum capacity of 1.5kW; and**
- b. For each non-residential development with a value exceeding \$1 million – capacity determined by Council with due regard to roof area and height.**

**CARRIED 7/3
(Against: Cr's. McManus, Binks & Wetherall)**

Reasons

The take-up of domestic solar power generation avoids the necessity for additional centralised power plants and constrains the rising cost of power. The more local on-site power generation, the fewer power transmission lines are required within the City of Nedlands. If on-site power generation is to be applied to residential development, it should also be applied to non-residential development, with a minimum project value of \$1 million.

Cr Horley departed the Chambers at 9.36pm and returned at 9.39pm.

Cr Hodsdon departed the Chambers at 9.39pm and returned at 9.41pm.

Cr James departed the Chambers at 9.40pm returned at 9.45pm.

Mr Cole departed the Chambers at 9.46pm and returned at 9.48pm.

Moved – Mayor Hipkins
Seconded – Councillor James

Amendment 2 Motion C

Notwithstanding the provisions of the Residential Design Codes, the following provisions apply, provided that setbacks may be averaged to retain existing trees...

Reason:

The setbacks specified in clauses 5.3.3 will reduce overlooking and increase privacy but there should be flexibility to encourage the retention of existing trees on-site.

Council approves clauses 5.3.3 (large lots) to add the following words:

"Notwithstanding the provisions of the Residential Design Codes, the following provisions apply, provided that setbacks may be averaged to retain existing trees..."

LOST 4/6
(Against: Cr's. Horley, Wetherall, Binks, Smyth, & McManus)
(Abstained: Cr Hodsdon)

Substantive Motion

CARRIED 7/-
(Abstained: Cr's McManus, Smyth & Wetherall)

Committee Recommendation

Council, in relation to all items excluding those referred to in section 6.1.20 of the report on this item:

- 1. Initiates the proposed omnibus scheme amendment;**
- 2. Instructs the Chief Executive Officer to make any minor typographical changes required to ensure the text and maps are aligned; and**
- 3. Instructs the Chief Executive Officer to progress the proposal in accordance with the requirements of the relevant legislation.**
- 4. Instructs the Chief Executive Officer to call a workshop to discuss and review changes in the Proposed Town Planning Scheme Omnibus supporting documents; and**
- 5. In relation to the On-site Power generation to be provided in clause 5.20, replace the clause with the following:**

- a. **"All new development and at Council's discretion, substantial additions to existing development shall provide on-site power generation by solar, wind or other means, approved by Council as follows:**
- i. **For each residential dwelling – a minimum capacity of 1.5kW; and**
 - ii. **For each non-residential development with a value exceeding \$1 million – capacity determined by Council with due regard to roof area and height.**

Mayor Hipkins and Cr Hodsdon departed the Chambers at 9.53pm.

Moved – Councillor McManus
Seconded – Councillor Binks

That Councillor Shaw resumes as Acting Presiding Member for the purposes of this item.

**CARRIED 7/-
(Against: Cr. Smyth)**

Mrs Sunderland departed the Chambers at 10.02pm and returned at 10.03pm.

Moved - Councillor Hay
Secunder – Councillor Binks

Council, in relation to items addressed in section 6.1.20 (Stirling Highway) of this report:

- 1. Initiates the proposed omnibus scheme amendment;**
- 2. Instructs the Chief Executive Officer to make any minor typographical changes required to ensure the text and maps are aligned; and**
- 3. Instructs the Chief Executive Officer to progress the proposal in accordance with the requirements of the relevant legislation.**

Amendment

Moved – Cr James
Secunder – Cr Hay

Add subclause b(vi) to clause 5.19 so the buildings on Stirling Highway comply with residential design codes with regard to overshadowing.

CARRIED 5/3
(Against: Crs. Wetherall, Binks & McManus)

Substantive Motion

Moved - Councillor Hay

Seconder – Councillor Binks

Council, in relation to items addressed in section 6.1.20 of this report:

- 1. Initiates the proposed omnibus scheme amendment;**
- 2. Instructs the Chief Executive Officer to make any minor typographical changes required to ensure the text and maps are aligned; and**
- 3. Instructs the Chief Executive Officer to progress the proposal in accordance with the requirements of the relevant legislation.**
- 4. Add sub -clause b(vi) to clause 5.19 complies with residential design codes with regard to overshadowing.**

CARRIED 4/2
(AGAINST: Crs. Wetherall & Binks)
(Abstained: Crs. Smyth & McManus)

Cr Horley departed at 10.15pm and returned at 10.16pm.

Mayor Hipkins returned to the Chambers and resumed the Chair at 10.16pm.

Crs Hodsdon and Argyle returned to the Chambers at 10.16pm.

PD34.14	Draft Local Planning Policy – Ancillary Accommodation
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Committee	9 September 2014
Council	23 September 2014
Applicant	City of Nedlands
Officer	Christie Downie, Sustainable Planning Officer
Director	Peter Mickleson, Director Planning & Development
File Reference	TPN/165 : PLAN-LPP-00002
Previous Item	PD11.14 – 22 April 2014 PD27.14 – 22 July 2014

Cr Hay departed the room at 10.16pm and returned to the Chambers at 10.17pm.

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

Moved – Cr James

Seconded – Cr Shaw

That the Recommendation to Committee is adopted.

(Printed below for ease of reference)

CARRIED 8/-

(Abstained: Crs. Horley, Smyth & Wetherall)

Committee Recommendation / Recommendation to Committee

Council:

- 1. Adopts the proposed Draft Local Planning Policy – Ancillary Accommodation: and**
- 2. Instructs Administration to finalise the policy in accordance with Clause 8.3.5 of Town Planning Scheme No. 2.**

PD35.14	Planning Reform Phase Two
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Committee	9 September 2014
Council	23 September 2014
Applicant	City of Nedlands
Officer	Peter Mickleson, Director Planning & Development
Director	Peter Mickleson, Director Planning & Development
File Reference	PLAN-002419
Previous Item	Nil

Regulation 11(da) – Councillors agreed to provide feedback to the Minister with regard to qualified support for some issues but advised of objections to:

- b. There is objection to the following:**
 - i) No planning approvals for R-Code compliant single houses;**
 - ii) Consistent processing of Development Applications across Local Governments; and**
 - iii) Changes to the value of the thresholds for Development Assessment Panels.**

For the reasons outlined in the Administration report.

Amended Recommendation to Committee

Moved – Mayor Hipkins

Seconded – Cr Shaw

Council:

- 1. Receive the report; and**
- 2. Advises the Minister for Planning and Chair of the WA Planning Commission that:**
 - a. There is a qualified support for the following:**
 - i) The concurrent amendment of MRS and Local Planning Schemes;**
 - ii) Introduction of an on-line application system; and**
 - iii) A focus of quality design in complex urban infill and high density developments;**
 - b. There is objection to the following:**
 - i) No planning approvals for R-Code compliant single houses;**
 - ii) Consistent processing of Development Applications across Local Governments; and**
 - iii) Changes to the value of the thresholds for Development Assessment Panels.**

for the reasons outlined in the Administration report.

**CARRIED 9/2
(Against: Crs. Wetherall & Smyth)**

Committee Recommendation

Council:

- 1. Receive the report; and**
 - 2. Advises the Minister for Planning and Chair of the WA Planning Commission that:**
 - a. There is a qualified support for the following:**
 - i) The concurrent amendment of MRS and Local Planning Schemes;**
 - ii) Introduction of an on-line application system; and**
 - iii) A focus of quality design in complex urban infill and high density developments;**
 - b. There is objection to the following:**
 - i) No planning approvals for R-Code compliant single houses;**
 - ii) Consistent processing of Development Applications across Local Governments; and**
 - iii) Changes to the value of the thresholds for Development Assessment Panels.**
- for the reasons outlined in the Administration report.**

Recommendation to Committee

Council receives the report.

PD36.14	Draft Local Planning Policy – Signs
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Committee	9 September 2014
Council	23 September 2014
Applicant	City of Nedlands
Officer	Aron Holbrook, Senior Strategic Planning Officer
Director	Peter Mickleson, Director Planning & Development
File Reference	PLAN-LPP-00003
Previous Item	Nil

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 11/-

Committee Recommendation / Recommendation to Committee

Council:

1. **Instructs Administration to advertise the City’s intention to revoke the City of Nedlands Signs Local Law 2007;**
2. **Approves draft Local Planning Policy – Signs for the purpose of public consultation; and**
3. **Instructs Administration to advertise the draft Local Planning Policy in accordance with clause 8.3.2 of Town Planning Scheme No. 2.**

ABSOLUTE MAJORITY REQUIRED

PD37.14	Dog Amendment Regulations 2014
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Committee	9 September 2014
Council	23 September 2014
Applicant	City of Nedlands
Officer	Daniel Sharples, Ranger Team Leader
Director	Peter Mickleson, Director Planning & Development
File Reference	RAN-005080
Previous Item	Nil

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)

CARRIED 9/2
(Against: Crs. Smyth & Horley)

Committee Recommendation / Recommendation to Committee

Council approves re-establishing dog exercise areas and prohibiting dog areas as per the Dog Amendment Regulations 2014 Location List (Attachment 1).

ABSOLUTE MAJORITY REQUIRED

8.2 Technical Services

Nil Reports.

8.3 Community & Organisational Development

CM06.14	Dalkeith Nedlands Bowling Club – Community Sport and Recreation Facilities Fund (CSRFF) Application
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Committee	9 September 2014
Council	23 September 2014
Applicant	City of Nedlands
Officer	Phoebe Huigens, Policy & Projects Officer; Marion Granich, Manager Community Development
Director	Michael Cole, Director Corporate & Strategy
File Reference	CD-000267
Previous Item	CM03.14

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 11/-

Recommendation to Committee

Council:

1. **Advises the Department of Sport and Recreation that it endorses the Dalkeith Nedlands Bowling Club's application to the Community Sport and Recreation Facilities Fund;**
2. **Agrees to allocate a grant of \$265,095 (excluding GST) to Dalkeith Nedlands Bowling club for consideration in the 2015/16 budget, subject to the following conditions:**
 - a. **Approval of grant funding by Department of Sport and Recreation;**
 - b. **The Club secures all necessary planning and building approvals.**

8.4 Corporate & Strategy's Report No's CPS29.14 to CPS31.14

CPS29.14	List of Accounts Paid – July 2014
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Committee	9 September 2014
Council	23 September 2014
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 James

Seconded – Councillor McManus

That the Recommendation to Committee is adopted.

(Printed below for ease of reference)

**CARRIED 10/-
(Abstained: Cr. Binks)**

Committee Recommendation / Recommendation to Committee

Council receives the List of Accounts Paid for the month of July 2014 (Refer to Attachment).

CPS30.14	Policy Review
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Committee	9 September 2014
Council	23 September 2014
Applicant	City of Nedlands
Officer	Phoebe Huigens, Policy & Projects Officer
Director	Michael Cole, Director Corporate & Strategy
File Reference	Policy & Projects
Previous Item	Nil

Regulation 11(da) – Not applicable – Recommendation adopted

Moved – Councillor Shaw
 Seconded – Councillor James

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

CARRIED 10/1
(Against: Cr. James)

Committee Recommendation / Recommendation to Committee

Council approves the following policies:

- 1. Waterwise Garden Competition; and**
- 2. Demolition and Disposal of Materials**

CPS31.14	Corporate Business Plan – Quarter 4 2013/14
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Committee	9 September 2014
Council	23 September 2014
Applicant	City of Nedlands
Officer	Phoebe Huigens, Policy & Projects Officer
Director	Michael Cole, Director Corporate & Strategy
File Reference	Corporate Strategy & Systems
Previous Item	Nil

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)

CARRIED 10/1
(Against: Cr. Horley)

Committee Recommendation / Recommendation to Committee

Council receives the Quarter 4 2013/14 report on progress towards “Nedlands 2023 – Making it Happen”, the Corporate Business Plan.

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 10.46pm.



Mark Goodlet
A/Chief Executive Officer
15 September 2014