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**Agenda**

**Council Committee Meeting**

**10 August 2021**

Dear Council Member

The next meeting of the Council Committee will be held on Tuesday 10 August 2021 in the Council Chamber at the City of Nedlands located at 71 Stirling Highway, Nedlands commencing at 7.00pm.

Please be aware that any COVID-19 restrictions relevant at the time of meeting will apply. Once the venue is at capacity no further admission into the room will be permitted. Prior to entry, attendees will be required to register using the SafeWA App or by completing the manual contact register prior to entry - as stipulated by Department of Health mandatory requirements.

The public can participate by submitting questions and addresses via the required online submission forms at:

<http://www.nedlands.wa.gov.au/intention-address-council-or-council-committee-form>

<http://www.nedlands.wa.gov.au/public-question-time>



Bill Parker

Chief Executive Officer

7 August 2021

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**City of Nedlands**

**Notice of a meeting of the Council Committee to be held in the Council Chambers, 71 Stirling Highway, Nedlands on Tuesday 10 August 2021 at 7 pm. The meeting will be livestreamed.**

###### Council Committee Agenda

# Declaration of Opening

The Presiding Member will declare the meeting open at 7 pm and will draw attention to the disclaimer below.

# Present and Apologies and Leave of Absence (Previously Approved)

**Leave of Absence** Nil.

**(Previously Approved)**

**Apologies** None as at distribution of this agenda.

**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.

Any plans or documents in agendas and minutes may be subject to copyright. The express permission of the copyright owner must be obtained before copying any copyright material.

# Public Question Time

A member of the public wishing to ask a question should register that interest by notification in writing to the CEO in advance, setting out the text or substance of the question.

The order in which the CEO receives registrations of interest shall determine the order of questions unless the Mayor determines otherwise. Questions must relate to a matter affecting the City of Nedlands.

# 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.

# Disclosures of Financial and/or Proximity Interest

The Presiding Member to remind Council Members and Employees of the requirements of Section 5.65 of the *Local Government Act* to disclose any interest during the meeting when the matter is discussed.

A declaration under this section requires that the nature of the interest must be disclosed. Consequently, a member who has made a declaration must not preside, participate in, or be present during any discussion or decision-making procedure relating to the matter the subject of the declaration.

However, other Council Members may allow participation of the declarant if the Council Member further discloses the extent of the interest. Any such declarant who wishes to participate in the meeting on the matter, shall leave the meeting, after making their declaration and request to participate, while other Council Members consider and decide upon whether the interest is trivial or insignificant or is common to a significant number of electors or ratepayers.

# Disclosures of Interests Affecting Impartiality

The Presiding Member to remind Council Members and Employees of the requirements of Council’s Code of Conduct in accordance with Section 5.103 of the *Local Government Act*.

Council Members and Employees are required, in addition to declaring any financial interests to declare any interest that may affect their impartiality in considering a matter. This declaration does not restrict any right to participate in or be present during the decision-making procedure.

The following pro forma declaration is provided to assist in making the disclosure.

"With regard to the matter in item x ….. I disclose that I have an association with the applicant (or person seeking a decision). This association is ….. (nature of the interest).

As a consequence, there may be a perception that my impartiality on the matter may be affected. I declare that I will consider this matter on its merits and vote accordingly."

The Council Member or employee is encouraged to disclose the nature of the association.

# Declarations by Council Members That They Have Not Given Due Consideration to Papers

Council Members who have not read the business papers to make declarations at this point.

# Confirmation of Minutes

## Committee Meeting 13 July 2021

The Minutes of the Council Committee held 13 July 2021 are to be confirmed.

# 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.

# 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.

## Planning & Development Report No PD27.21

Planning & Development Report No PD27.21 to be dealt with at this point (copy attached yellow cover sheet).

PD27.21 Reconsideration of Planning Application – No. 37 Strickland Street, Mount Claremont – Holiday House (Short Term Accommodation)

## Community Development Report No CSD08.21

Corporate & Strategy Report No’s CSD08.21 to be dealt with at this point (copy attached green cover sheet).

CSD08.21 CSRFF Applications: Nedlands Tennis Club & Claremont Junior Football Club

# Reports by the Chief Executive Officer

## Review of Assignment of House Numbers Council Policy and Graffiti Management Council Policy

|  |  |
| --- | --- |
| **Committee** | 10 August 2021 |
| **Council** | 24 August 2021 |
| **Applicant** | City of Nedlands  |
| **Employee Disclosure under section 5.70 Local Government Act 1995**  | Nil. |
| **CEO** | Bill Parker |
| **Attachments** | 1. Assignment of House Numbers
2. Graffiti Management
 |
| **Confidential Attachments** | Nil. |

**Executive Summary**

All Council policies are required to be reviewed regularly and approved by Council. This report contains policies that have been reviewed and require formal Council adoption.

**Recommendation to Council**

**Council adopts the following Council Policies:**

1. **Assignment of House Numbers Council Policy (attachment 1); and**
2. **Graffiti Management Policy (attachment 2).**

**Discussion/Overview**

Council policies are reviewed periodically to ensure they reflect the strategic direction and responsibilities of Council and are kept up to date.

The procedure for policy reviews is as follows:

* Policies will be reviewed and updated by relevant staff with any amendments due to changes in any Legislation, Local Laws, Regulations etc. and recommendations made to the Executive Management Team;
* Staff recommendations are reviewed by the Executive Management Team and the CEO and amended as required and recommendations made to Council;
* Where there are major amendments to existing policies these policies are then presented at a Councillor Briefing for discussion prior to presentation to Council;
* Where a number of policies have common themes, these policies may be combined to establish a new policy. Redundant and old policies will be revoked where they are substantially changed, and a new replacement policy will be presented at a Councillor Briefing for discussion prior to presentation to Council; and
* Administration may at times recommend a policy be revoked with no Council Policy to replace it. This may occur when it has been identified that the policy is operational or covered under legislation and/or the responsibility of the Chief Executive Officer.

Policy statements should provide guidance for decision-making by Council and demonstrate the transparency of the decision-making process.

**Assignment of House Numbers Council Policy**

This policy has been reviewed by the relevant staff, Executive Management Team and the Chief Executive Officer and only two minor changes are recommended (as showed in track changes in attachment 1). The first change being the removal of the reference to KFA (Key Focus Areas) in the Strategic Community Plan as these are no longer listed in the City’s current Strategic Community Plan and also the removal of the remove of the Manager Building Services and replacing with Director Planning & Development.

**Graffiti Management Council Policy**

This policy has been reviewed by the relevant staff, Executive Management Team and the Chief Executive Officer and only two minor changes are recommended (as showed in track changes in attachment 2). The first change being the removal of the reference to KFA (Key Focus Areas) in the Strategic Community Plan as these are no longer listed in the City’s current Strategic Community Plan and other minor changes as tracked for clearer understanding of intent and what can be done under this policy.

**Key Relevant Previous Council Decisions:**

Nil.

**Consultation**

Council Policies with only minor changes are reviewed by relevant staff followed by the Executive Management Team and then referred to Council requesting feedback to ascertain whether a Council Member Workshop is required.

The Assignment of House Numbers Council Policy and Graffiti Management Council Policy was circulated to Council Members via email on the 26 June 2021 requesting feedback by Friday 2 July 2021.

As only a few minor questions were received from 2 council members it was concluded that a workshop was not required, and the policies could proceed to a Council Meeting for formal review and adoption.

**Budget/Financial Implications**

Nil.

**Conclusion**

The Council Policies listed in this report have been reviewed and are now presented to Council for formal review in accordance with the Review of Policies Council Policy and are recommended for adoption with minor changes.

## Consideration of Responsible Authority Report for 15 Multiple Dwellings, Office and Consulting Rooms at 119 Broadway, Nedlands

|  |  |
| --- | --- |
| **Council** | 10 August 2021 – Committee Meeting |
| **Applicant** | Agave Developments |
| **Employee Disclosure under section 5.70 Local Government Act 1995** | The author, reviewers and authoriser of this report declare they have no financial or impartiality interest with this matter. There is no financial or personal relationship between City staff and the proponents or their consultants. Whilst parties may be known to each other professionally, this relationship is consistent with the limitations placed on such relationships by the Codes of Conduct of the City and the Planning Institute of Australia*.* |
| **Director** | Tony Free, Director Planning & Development |
| **Attachments** | 1. Responsible Authority Report and Attachments
2. Alternate Recommendation for Approval with Conditions
 |

**1.0 Executive Summary**

The purpose of this report is for Council to consider the Development Assessment Panel application that proposes a Mixed-Use development comprising of 15 Multiple Dwellings, Office and Consulting Rooms at 119 Broadway, Nedlands. Council is requested to make its recommendation to the Joint Development Assessment Panel (JDAP) as the Responsible Authority. Council’s recommendation will be incorporated into the Responsible Authority Report (RAR) and lodged with the DAP Secretariat on 11 August 2021.

This application seeks to construct housing suitable for the National Disability Insurance Scheme (NDIS). All apartments will meet NDIS requirements in relation to form and function to accommodate occupants with varying degrees of disability. The development includes a specialised occupational therapy space for people with disabilities that is defined by the City’s local planning scheme as ‘Consulting Rooms’.

Administration recommends that the application be deferred to allow for resolution of issues relating to plot ratio and the western interface of the building with the adjoining R60 residential area.

**Recommendation to Council**

**Council:**

1. **adopts as the Responsible Authority the Officer Recommendation contained in the Responsible Authority Report for the development of 15 Multiple Dwellings, Office and Consulting Rooms at 119 Broadway, Nedlands included at Attachment 1;**
2. **instructs the CEO to incorporate Council’s Responsible Authority recommendation into the Responsible Authority Report for the development of 15 Multiple Dwellings, Office and Consulting Rooms at 119 Broadway, Nedlands; and**
3. **appoints Councillor (insert name) and Councillor (insert name) to coordinate Council’s submission and presentation to the Metro Inner-North JDAP for the development of 15 Multiple Dwellings, Office and Consulting Rooms at 119 Broadway, Nedlands.**

**2.0 Application Details**

The proposal is for a Mixed-Use development over 6 storeys comprising of 15 Multiple Dwellings, Consulting Rooms (Specialised Gym) and Office with Basement Parking at No.119 (Lot 551) Broadway, Nedlands. The proposed development is designed for specialist disability accommodation, which will meet the NDIS guideline requirements for residents who require high physical support.

A 240m² “Consulting Room” tenancy is located on the first-floor level. The Consulting Room will be used as a specialist ‘Neurozone’ gym operated by health practitioners who undertake training sessions to assist in the recovery and physical improvement for people with disabilities. These services will be offered to residents of the dwelling in additional to external patrons that are registered with the NDIS.

A total of 18 residential car parking bays have been provided at the basement level, with 5 non-residential car bays and 2 ACROD bays at the ground floor level.

**3.0 Consultation**

In accordance with the City’s Local Planning Policy – Consultation of Planning Proposals, the development was advertised for a period of 28 days, from 21 May 2021 to 18 June 2021.

* Letters sent to all City of Nedlands and City of Perth landowners and occupiers within a 200m radius of the site;
* A sign on site was installed at the site’s street frontage for the duration of the advertising period;
* An advertisement was published on the City’s website with all documents relevant to the application made available for viewing during the advertising period;
* An advertisement was placed in The Post newspaper published on 24 May 2021;
* A Social media post was made on one of the City’s Social Media platforms;
* A notice was affixed to the City’s Noticeboard at the City’s Administration Offices; and
* A community information session was held by City Officers on 2 June 2021.

At the close of the advertising period, the City received a total of 17 submissions; 4 in support, 12 objections and 1 neither objected or support the proposal. Concerns raised in the objections included, but are not limited to:

* Building height;
* Plot ratio;
* Side and rear setbacks;
* Amenity and streetscape;
* Noise;
* Tree canopy;
* Deep soil area;
* Visual privacy;
* Overshadowing;
* Traffic impacts;
* Parking;
* Sustainability; and
* Construction impacts.

Each of these issues are discussed in the Responsible Authority Report.

**4.0 Design Review**

The applicant sought pre-lodgement design review advice. At the time, the City did not have a formal Design Review Panel and therefore an independent Architectural and Landscape design review of the proposal was undertaken by The Fulcrum Agency and UDLA. For consistency, the original consultants were appointed to review the revised plans once the formal application was received.Both the design reviews were assessed in accordance with SPP 7.0 - State Planning Policy 7.0 – Design of the Built Environment is summarised below.

|  |  |
| --- | --- |
| 3 | *Supported* |
| 2 | *Supported with conditions / Further Information required* |
| 1 | *Not supported*  |
|  | Pre-lodgement 10 November 2020 | Revised Plans 6 May 2021 |
| Principle 1 – Context & Character |  |  |
| Principle 2 – Landscape Quality  |  | \* |
| Principle 3 – Built Form & Scale |  |  |
| Principle 4 – Functionality & Build Quality  |  |  |
| Principle 5 - Sustainability |  |  |
| Principle 6 – Amenity  |  |  |
| Principle 7 - Legibility |  |  |
| Principle 8 – Safety  |  |  |
| Principle 9 – Community  |  |  |
| Principle 10 – Aesthetics  |  |  |

\*Further information has been requested to address Element 3.3. Elements 3.2, 3.4, 3.6 and 4.12 are supported without modification.

**5.0 Recommendation to JDAP**

The main area of concerns relates to:

* The height is not considered to respond appropriately to the adjoining R60 coded interface to the west as it presents as five-storeys. Further 3D modelling has not been provided to demonstrate that the interface is acceptable;
* The proposed plot ratio of 2.26 does not reflect the expectations of R-AC3 ‘Mid-rise urban centre’ which has a default plot ratio of 2.0. Insufficient justification has been provided to support its increase, particuarly considering visual privacy, setbacks and its interface with the western property;
* The reduced building separation from Levels 4, 5 & 6 are not considered to provide for adequate separation between the site and neighbouring properties. The reduced setbacks exacerbated building bulk as viewed from the west in particular, and compromises on visual privacy, extent of shadow cast and amenity;
* The design of the Deep Soil Area is reduced in area and does not meet the minimum area to sustain healthy growth. It is further noted that other approvals on Broadway have provided for a minimum 3m – 6m Deep Soil Area that acts as an appropriate interface to the west;

That the Metro Inner-North Joint Development Assessment Panel resolves to:

1. **Defer** DAP Application reference DAP/21/01994 and accompanying plans (Attachment 1) in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of the City of Nedlands Local Planning Scheme No. 3, and pursuant to clause 24(1) and 26 of the Metropolitan Region Scheme to allow for the following matters to be addressed:
2. Reduction in plot ratio to allow for a greater articulation and separation from upper levels for the western elevation of the building to the rear boundary of the property;
3. Addressing of visual privacy on the western elevation; and
4. Addressing of Deep Soil Area in order to demonstrate healthy tree growth.

Council’s recommendation will be incorporated into the Responsible Authority Report (RAR) and lodged with the DAP Secretariat on 11 August 2021.

**7.0 Conclusion**

Administration recommends that this proposal be deferred in order to address plot ratio, setbacks, visual privacy and deep soil areas.

## Consideration of Responsible Authority Report for Change of Use from 20 Serviced Apartments, 8 Multiple Dwellings and Café to 16 Multiple Dwellings at Lot 684 (No.135) Broadway, Nedlands

|  |  |
| --- | --- |
| **Council** | 10 August 2021 |
| **Applicant** | Urbanista Town Planning |
| **Employee Disclosure under section 5.70 Local Government Act 1995** | The author, reviewers and authoriser of this report declare they have no financial or impartiality interest with this matter. There is no financial or personal relationship between City staff and the proponents or their consultants. Whilst parties may be known to each other professionally, this relationship is consistent with the limitations placed on such relationships by the Codes of Conduct of the City and the Planning Institute of Australia*.* |
| **Director** | Tony Free  |
| **Attachments** | 1. Responsible Authority Report and Attachments
2. Alternate Recommendation for Approval with Conditions
 |

**1.0 Executive Summary**

The purpose of this report is for Council to consider a Development Assessment Panel application at No.135 Broadway, Nedlands and make its recommendation to the Metro Inner-North Joint Development Assessment Panel as the Responsible Authority. Council’s recommendation will be incorporated into the Responsible Authority Report (RAR) and lodged with the DAP Secretariat on 11 August 2021.

This application is for a proposed Form 2 Application for a change of use from Mixed-Use comprising of 20 Serviced Apartments, 8 Multiple Dwellings and Café to 16 Multiple Dwellings.

**Recommendation to Council**

**Council:**

1. **adopts as the Responsible Authority the Officer Recommendation contained in the Responsible Authority Report for the development of 16 Multiple Dwellings at No.135 Broadway, Nedlands included at Attachment 1;**
2. **instructs the CEO to incorporate Council’s Responsible Authority recommendation into the Responsible Authority Report for the development of 16 Multiple Dwellings at No.135 Broadway, Nedlands; and**
3. **appoints Councillor (insert name) and Councillor (insert name) to coordinate Council’s submission and presentation to the Metro Inner-North JDAP for the development for 16 Multiple Dwellings at No.135 Broadway, Nedlands**

**2.0 Background**

History

* On 14 August 2019 a Form 1 JDAP Application was lodged for a seven-storey mixed use development with 26 serviced apartments (9 of which are dual key functionality in the form of short stay accommodation).
* On 11 November 2019 the Metro West JDAP deferred the item to consider several design issues particularly in relation to height, bulk/scale, mixed use objectives, internal amenity and parking.
* On 18 December 2019 the Metro West JDAP resolved to refuse the application. The applicant lodged an application to the State Administrative Tribunal seeking a review of the decision.
* On 6 April 2020, the Metro West JDAP resolved to approve the application, via a section 31 reconsideration process, subject to conditions. The amended proposal included 20 Serviced Apartments, 8 Multiple Dwellings and Café with basement parking.

**3.0 Application Details**

The development proposal, as applied via the Form 2 process includes a Change of Use from Mixed Use Development comprising of 20 Serviced Apartments units, 8 Multiple Dwellings and Café with Basement Parking to Mixed Use comprising of 16 Multiple Dwellings with Basement Parking.

In addition to, the plans illustrate modifications have been made to the proposal. This can be summarised as follows:

* Removal of the fifth floor lounge terrace being removed and being replaced with an additional residential apartment. This results in an increase in plot ratio from 2.28 to 2.30;
* Removal of two levels of basement parking. All parking will be provided from ground level, aided by car stackers;
* The reconfiguration of the ground floor car park;
* A change of use from Café and converted to a resident gym;
* Modifications to setbacks;
* The removal of the commercial bin area and end of trip facilities;
* Additional lifts and extension of roof area;
* Existing gym removed from the first floor
* All serviced apartments being reconfigured and converted into larger residential apartments; and
* Modification to private balcony areas.

The current application was lodged as a change of use Form 2, minor amendment with a total application fee of $278. The above list of changes demonstrates that the proposal is a new development proposal and as such appropriate application fees should be charged, the application advertised as a new development proposal via the Form 1 process and the application processed as a completely new development. This matter is addressed later in the report.

Consideration of a Form 2 Application

S17(1) of the *Planning and Development (Development Assessment Panels) Regulations 2011* state –

*“(1) An owner of land in respect of which a development approval has been granted by a DAP pursuant to a DAP application may apply for the DAP to do any or all of the following –*

1. *to amend the approval so as to extend the period within which any development approved must be substantially commenced under regulation 16A(2);*
2. *to amend or delete any condition to which the approval is subject;*
3. *to amend an aspect of the development approved which, if amended, would not substantially change the development approved;*
4. *to cancel the approval,”*

Sub clause (c) is relevant to the subject change of use application. It is Administration’s view that the proposed land uses and built form changes substantially change the development that has been previously approved and consideration in the full assessment of this application. In particular:

* The change of use for Serviced Apartments to Multiple Dwellings require a new assessment against the State Planning Policy 7.3 – Residential Design Codes (Volume 2) – Apartments;
* The removal of commercial land use at ground level which requires a new assessment against the ‘Mixed Use Objectives’ as there is no longer an active use at ground level; and
* The new basement area which requires new technical assessments (parking and waste) by the City.

**4.0 Consultation**

In accordance with the City’s Local Planning Policy – Consultation of Planning Proposals, the development was advertised for a period of 28 days, from 15 May 2021 until 12 June 2021. Public consultation consisted of:

* Letters sent to all City of Nedlands and City of Perth landowners and occupiers within a 200m radius of the site;
* A sign on site was installed at the site’s street frontage for the duration of the advertising period;
* An advertisement was published on the City’s website with all documents relevant to the application made available for viewing during the advertising period;
* An advertisement was placed in The Post newspaper published on 15 May 2021;
* A Social media post was made on one of the City’s Social Media platforms;
* A notice was affixed to the City’s Noticeboard at the City’s Administration Offices; and
* A community information session was held by City Officers on 26 May 2021.

The City received a total of 7 submissions at the close of the advertising period, with 2 submission in support, 1 stating neither objector or support and offered comments with the remaining 4 submissions objecting to the proposal. A summary of the key issues included:

* Removal of the café and whether it conforms to the Mixed-Use zone objections;
* Form 1 vs Form 2 Application;
* Visual Privacy
* Bulk/Scale/Setbacks
* Landscaping/Deep Soil
* Traffic
* Car Parking

**5.0 Recommendation to JDAP**

That the Metro Inner-North Joint Development Assessment Panel resolves to:

1. **Refuse** that the DAP Application reference DAP/19/01655 as detailed on the DAP Form 2 dated 27 April 2021 is appropriate for consideration in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011* as the proposal represents substantial changes to the previous development approval as provided under s17(1)(c) of the *Planning and Development (Development Assessment Panels) Regulations 2011*.
2. **Approve** the modifications to DAP Application reference DAP/19/01655 and Development Plans dated 12 May 2021 in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of the City of Nedlands Local Planning Scheme No. 3, and pursuant to clause 24(1) and 26 of the Metropolitan Region Scheme subject to the following conditions:

**Amended Conditions:**

1. Amend Condition 3 –

“This approval is for Multiple Dwellings. Development shall be in accordance with these land uses as defined within Local Planning Scheme No. 3, the approved plan(s), any other supporting information and conditions of approval.”

1. Amend Condition 8

“Prior to the lodgement of a Building Permit, a revised Acoustic Report shall be submitted and approved by the City and is to be prepared by a suitably qualified acoustic engineer certifying that the proposal incorporates both modelling and sufficient sound attenuation measures to limit noise impact on adjoining properties and internal residents within the requirements of the Environmental Protection (Noise) Regulations 1997 and the National Construction Code. The measures identified in the report shall be implemented and thereafter maintained to the satisfaction of the City.”

1. Amend Condition 12

“Prior to the lodgement of a Building Permit, a revised Waste Management Plan shall be submitted and approved by the City of Nedlands. The amended Waste Management Plan shall be implemented and thereafter complied with by the landowner(s) for the life of the development to the satisfaction of the City.”

1. Delete Condition 13

“The Short-Term Accommodation Management Plan forms part of this approval. The approved Management plan is to be implemented, adhered to and updated, thereafter to the satisfaction of City of Nedlands.”

1. Amend Condition 20

“At Building Permit Stage, four (4) Multiple Dwellings on the hereby approved development plans shall meet ‘Silver Level’ requirements as defined in the Liveable Housing Design Guidelines.”

**New Conditions:**

1. New Condition 1

**“**Pursuant to clause 26 of the Metropolitan Region Scheme, this approval is deemed to be an approval under clause 24(1) of the Metropolitan Region Scheme.”

1. New Condition 3

“The gymnasium tenancy, located at Ground Level is not to be created as common property”

1. New Condition 8

“Prior to the commencement of excavation works, a Dilapidation Report prepared by a practising Structural Engineer should be submitted to the City of Nedlands for approval, and the owners of the adjoining properties listed below detailing the current condition and status of all buildings (both internal and external together with surrounding paved areas and rights of ways), including ancillary structures located upon these properties:

1. Lot 8 (No.133) Broadway, Nedlands;
2. Lot 685 (No.137) Broadway, Nedlands; and
3. Lot 681 (No.66) Kingsway, Nedlands

In the event that access for undertaking the dilapidation survey is denied by an adjoining owner, the applicant must demonstrate in writing to the satisfaction of the City of Nedlands that all reasonable steps have been taken to obtain access and advise the affected property owner of the reason for the survey and that these steps have failed. Landowners shall be notified in writing no less than 14 days prior to construction.”

Council’s recommendation will be incorporated into the Responsible Authority Report (RAR) and lodged with the DAP Secretariat on 11 August 2021.

**6.0 Conclusion**

The development proposal, as applied via the Form 2 process includes a Change of Use from Mixed Use Development comprising of 20 Serviced Apartments units, 8 Multiple Dwellings and Café with Basement Parking to Mixed Use comprising of 16 Multiple Dwellings with Basement Parking. It is Administration’s view that this constitutes a new Form 1 Application subject to additional fees. Notwithstanding, it is recommended that approval be granted.

# Urgent Business Approved By the Presiding Member or By Decision

Any urgent business to be considered at this point.

# Confidential Items

Any confidential items to be considered at this point.

# Declaration of Closure

There being no further business, the Presiding Member will declare the meeting closed.