



City of Nedlands

# Minutes

## Council Committee Meeting

**11 August 2020**

### **ATTENTION**

This is a Committee which has only made recommendations to Council. No action should be taken on any recommendation contained in these Minutes. The Council resolution pertaining to an item will be made at the next Ordinary Meeting of Council following this meeting.

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## City of Nedlands

**Minutes of a meeting of the Council Committee held online via Teams and livestreamed for the public and onsite in the Council Chambers, 71 Stirling Highway, Nedlands (Councillors Only) on Tuesday 11 August 2020 at 6 pm.**

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### **Declaration of Opening**

The Presiding Member declared the meeting open at 6.05 pm and drew attention to the disclaimer below.

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

<b>Councillors</b>	Her Worship the Mayor, C M de Lacy	(Presiding Member)
	Councillor F J O Bennett	Dalkeith Ward
	Councillor A W Mangano	Dalkeith Ward
	Vacant	Dalkeith Ward
	Councillor B G Hodsdon	Hollywood Ward
	Councillor P N Poliwka	Hollywood Ward
	Councillor J D Wetherall	Hollywood Ward
	Councillor R A Coghlan	Melvista Ward
	Councillor G A R Hay	Melvista Ward
	Councillor R Senathirajah	Melvista Ward
	Councillor N B J Horley	Coastal Districts Ward
	Councillor L J McManus	Coastal Districts Ward
	Councillor K A Smyth	Coastal Districts Ward

<b>Staff</b>	Mr M A Goodlet	Chief Executive Officer
	Mrs L M Driscoll	Director Corporate & Strategy
	Mr P L Mickleson	Director Planning & Development
	Mr J Duff	Director Technical Services
	Mrs N M Ceric	Executive Assistant to CEO & Mayor

**Public** A maximum of 15 persons logged into the live stream of the proceedings and 10 members of the public attended for the public address session only.

**Leave of Absence (Previously Approved)** Nil.

**Apologies** Nil.

## **Disclaimer**

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

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.

### **1. 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.

Nil.

### **2. 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.

Mrs Bianca Sandri, Urbanista Planning, 231 Bulwer Street, Perth PD37.20  
(spoke in support of the recommendation)

Ms Yamini Preetham PD38.20  
(spoke in opposition to the recommendation)

Mr Vic Jakovich, 23B Leon Road, Dalkeith PD38.20  
(spoke in opposition to the recommendation)

Mr Petar Mrdja, Urbanista Planning, 231 Bulwer Street, Perth PD38.20  
(spoke in support of the recommendation)

Mr Matthew Zed, 20 Vincent Street, Nedlands PD40.20  
(spoke in opposition to the recommendation)

Mr Murray Casselton, Level 18 / 191 St George's Terrace, Perth PD40.20  
(spoke in opposition to the recommendation)

Professor Fiona Wood, 26 Truro Place, City Beach CM06.20  
(spoke in support of the recommendation)

Mr Luke Bishop, 282 Marine Parade, Swanbourne CM06.20  
(spoke in support of the recommendation)

### **3. Disclosures of Financial and/or Proximity Interest**

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

#### **3.1 Councillor Bennett – PD42.20 - Scheme Amendment 7 – Amendment to Density Coding on Broadway, Hillway, Kingsway, Edward Street and Elizabeth Street – Summary of Submissions**

Councillor Bennett disclosed a financial interest in Item PD42.20 – Scheme Amendment 7 – Amendment to Density Coding on Broadway, Hillway, Kingsway, Edward Street and Elizabeth Street – Summary of Submissions, his interest being that he is an owner occupier at 133 Broadway Nedlands which falls within the Scheme Amendment 7 area. Councillor Bennett declared that he had received approval from the Minister to remain in the room and vote subject to the following conditions:

1. The approval is only valid for the Council Committee Meeting on 11 August 2020 and Ordinary Council Meeting on 25 August 2020 when agenda item PD42.20 is considered;
2. The abovementioned Councillor must declare the nature and extent of their interest at the abovementioned meeting when the matter is considered, together with the approval provided;
3. The CEO is to provide a copy of the Department's letter of approval to the abovementioned Councillor;
4. The CEO is to ensure that the declarations, including the approval given and any conditions imposed, are recorded in the minutes of the abovementioned meeting, when the item is considered;
5. The CEO is to provide a copy of the confirmed minutes of the abovementioned meeting to the Department, to allow the Department to verify compliance with the conditions of this approval; and

6. The approval granted is based solely on the interests disclosed by the abovementioned Councillor, made in accordance with the application. Should other interests be identified, these interests will not be included in this approval and the financial interest provisions of the Act will apply.

#### **4. Disclosures of Interests Affecting Impartiality**

The Presiding Member reminded Councillors and Staff of the requirements of Council's Code of Conduct in accordance with Section 5.103 of the *Local Government Act*.

Councillor Wetherall left the meeting at 7.01 pm and returned at 7.03 pm.

##### **4.1 Councillor Smyth – CM06.20- Community Sport and Recreation Facilities Fund Applications – Swanbourne Nedlands Surf Life Saving Club, UWA Sport and Peak Trampoline Inc**

Councillor Smyth disclosed an impartiality interest in Item CM06.20- Community Sport and Recreation Facilities Fund Applications – Swanbourne Nedlands Surf Life Saving Club, UWA Sport and Peak Trampoline Inc. Councillor Smyth disclosed that she is a vice patron of the club, and as a consequence, there may be a perception that her impartiality on the matter may be affected. Councillor Smyth declared that she would consider this matter on its merits and vote accordingly.

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

Nil.

#### **6. Confirmation of Minutes**

##### **6.1 Committee Meeting 14 July 2020**

Moved – Councillor McManus  
Seconded – Councillor Wetherall

**The Minutes of the Council Committee held 14 July 2020 be confirmed.**

**CARRIED UNANIMOUSLY 12/-**

**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.

Councillor Coghlan left the meeting at 7.05 pm

**8. Divisional Reports**

Note: Regulation 11(da) of the *Local Government (Administration) Regulations 1996* requires written reasons for each decision made at the meeting that is significantly different from the relevant written recommendation of a committee or an employee as defined in section 5.70, but not a decision to only note the matter or to return the recommendation for further consideration.



## 8.1 Planning & Development Report No's PD37.20 to PD43.20

Planning & Development Report No's PD37.20 to PD43.20 to be dealt with at this point (copy attached yellow cover sheet).

<b>PD37.20</b>	<b>No. 78 Waratah Avenue, Dalkeith – x 5 Grouped Dwellings</b>
<b>Committee</b>	11 August 2020
<b>Council</b>	25 August 2020
<b>Applicant</b>	Urbanista Town Planning
<b>Landowner</b>	Emerald Development Alliance Pty Ltd
<b>Director</b>	Peter Mickleson – Director Planning & Development
<b>Employee Disclosure under section 5.70 Local Government Act 1995</b>	Nil
<b>Report Type</b>  Quasi-Judicial	When Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications and other decisions that may be appealable to the State Administrative Tribunal.
<b>Reference</b>	DA19-42171
<b>Previous Item</b>	Nil
<b>Delegation</b>	In accordance with the City's Instrument of Delegation, Council is required to determine the application due to the application proposing five dwellings.
<b>Attachments</b>	<ol style="list-style-type: none"> <li>1. Applicant's Justification Report</li> <li>2. Applicant's Assessment Against State Planning Policy 7.0</li> <li>3. Acoustic Report</li> <li>4. Waste Management Report</li> <li>5. Summary of Submissions</li> </ol>
<b>Confidential Attachments</b>	<ol style="list-style-type: none"> <li>1. Plans</li> <li>2. Submissions</li> <li>3. Assessment</li> <li>4. WAPC Approved Subdivision Plan</li> </ol>

**Regulation 11(da) – Council agreed that the development application should be refused due to insufficient street setbacks, too many lot boundary walls (one lot boundary wall to the parent lot) and insufficient open space.**

Moved – Councillor Wetherall  
Seconded – Councillor McManus

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

Councillor Coghlan returned to the meeting at 7.08 pm

Lost 2/10  
(Against: Mayor de Lacy Crs. Horley Smyth Bennett Mangano  
Hodsdon Wetherall Coghlan Hay & Senathirajah)

Moved – Mayor de Lacy  
Seconded – Councillor Mangano

### **Committee Recommendation**

**That Council refuses the development application dated 20 November 2019 for the following reasons:**

- 1. Insufficient street setbacks;**
- 2. Too many lot boundary walls (one lot boundary wall to the parent lot); and**
- 3. Insufficient open space.**

**CARRIED 11/1  
(Against: Cr. McManus)**

### **Recommendation to Committee**

Council approves the development application dated 20 November 2019, with amended plans received on 22 May 2020 for five (5) Grouped Dwellings at Strata Lots 1, 2 and 3 on Strata Plan 24132 (No. 78) Waratah Avenue, Dalkeith, subject to the following conditions and advice notes:

1. This approval is for a 'Residential' (grouped dwellings) and the subject land may not be used for any other use without prior approval of the City.
2. Prior to the issue of a Building Permit, a detailed landscaping plan and management plan, prepared by a suitable landscape designer, shall be submitted to and approved by the City. Landscaping shall be installed and maintained in accordance with the approved landscaping plan, or any modifications approved thereto, for the lifetime of the development thereafter, to the satisfaction of the City.

3. Waste management for the development shall comply with the approved Waste Management Plan (Attachment 4) prepared by Dallywater Consulting dated June 2020 to the satisfaction of the City of Nedlands.
4. The acoustic report (Attachment 3) prepared by Sealhurst dated 22 January 2020 forms part of this development approval and shall be complied with at all times to the satisfaction of the City of Nedlands. Recommendations contained within the acoustic report to achieve compliance with the Environmental Protection (Noise) Regulations 1997 are to be carried out and maintained for the lifetime of the development to the satisfaction of the City of Nedlands.
5. The location of any bin stores shall be located behind the street alignment, screened so as not to be highly visible from the street or public place and constructed to the City's satisfaction.
6. All stormwater from the development, which includes permeable and impermeable areas shall be contained onsite.
7. All footings and structures shall be constructed wholly inside the site boundaries of the property's Certificate of Title.
8. Prior to occupation of the development, all major openings and unenclosed outdoor active habitable spaces, which have a floor level of more than 0.5m above natural ground level located behind the street setback area shall be set back in accordance with element 5.4.1 of the Residential Design Codes Volume 1, in direct line of sight within the cone of vision from the lot boundary, a minimum distance as prescribed in C1.1 of Clause 5.4.1 – Visual Privacy of the Residential Design Codes. Alternatively, the major openings are to be screened in accordance with the Residential Design Codes by either;
  - a) fixed obscured or translucent glass to a height of 1.60 metres above finished floor level;
  - b) timber screens, external blinds, window hoods and shutters to a height of 1.6m above finished floor level that are at least 75% obscure;
  - c) a minimum sill height of 1.60 metres as determined from the internal floor level; or
  - d) an alternative method of screening approved by the City of Nedlands.

The required setbacks and/or screening shall be thereafter maintained to the satisfaction of the City of Nedlands.

9. Prior to occupation of the development the finish of the parapet walls is to be finished externally to the same standard as the rest of the development or in:
  - a) face brick;

- b) painted render
- c) painted brickwork; or
- d) other clean material as specified on the approved plans.

And maintained thereafter to the satisfaction of the City of Nedlands

10. The parking bays and vehicle access areas shall be drained, paved and constructed in accordance with the approved plans and are to comply with the requirements of AS/NZS 2890.1:2004 prior to the occupation or use of the development.
11. Prior to occupation of the development, the proposed visitor car parking bay shall be provided with 1.5m x 1.5m visual truncations in accordance with AS2890.1 on both sides of the bay to the satisfaction of the City of Nedlands.
12. Prior to occupation of the development, all external fixtures including, but not limited to, TV and radio antennae, satellite dishes, plumbing vents and pipes, solar panels, air conditioners, hot water systems and utilities shall be integrated into the design of the building and not be visible from the primary street to the satisfaction of the City.
13. Prior to the occupation of the development a lighting plan is to be implemented and maintained for the duration of the development to the satisfaction of the City.
14. Prior to construction or demolition works, a Construction Management Plan shall be submitted to the satisfaction of the City of Nedlands. The approved construction shall be observed at all times throughout the construction process to the satisfaction of the City.
15. The development shall at all times comply with the application and the approved plans, subject to any modifications required as a consequence of any condition(s) of this approval.
16. This decision constitutes planning approval only and is valid for a period of four years from the date of approval. If the subject development is not substantially commenced within the four-year period, the approval shall lapse and be of no further effect.

Advice Notes specific to this proposal:

- a) This is a Planning Approval only and does not remove the responsibility of the applicant/owner to comply with all relevant building, health and engineering requirements of the City, or the requirements of any other external agency. The City encourages the applicant to speak with each department to understand any further requirements.

- b) The applicant is advised that in relation to Condition 2, the landscaping plan shall detail the following:
- i. species and maturity of landscaping within the front setback areas which have a minimum pot size of 100L;
  - ii. species and maturity of landscaping proposed on the nature strip (verge) which have a minimum pot size of 200L;
  - iii. species and maturity of landscaping within each lot; and
  - iv. maintenance plan for all proposed landscaping on site and contingencies for replacement of dead and diseased plants.
- c) The applicant is advised that in relation to condition 3, the maximum number of bins permitted on the verge is eight (8) bins at any time.
- d) A separate noise management plan will be required to be prepared, submitted to the City and approved by the CEO if it is desired to work outside of normal hrs of operation during construction of the project (i.e. 0700 hrs and 1900 hours on any day that is not a Sunday or Public Holiday). This will be subject to the subject to the Clause (6) of the *Environmental Protection (Noise) Regulations 1997*, that is detailed in section 3.4.1 of the acoustic report.
- e) The proposal requires compliance with the City's *Health Local Laws 2017*, which requires an enclosure for the storage and cleaning of waste receptacles to be provided on the premises, per the following requirements:
- i. sufficient in size to accommodate all receptacles used on the premises;
  - ii. constructed of brick, concrete, corrugated compressed fibre cement sheet or other material of suitable thickness approved by the City;
  - iii. walls not less than 1.8m in height and access of not less than 1.0 metre in width fitted with a self-closing gate;
  - iv. smooth and impervious floor not less than 75mm thick and evenly graded to an approved liquid refuse disposal system;
  - v. easily accessible to allow for the removal of the receptacles;
  - vi. provided with a ramp into the enclosure having a gradient of no steeper than 1:8 unless otherwise approved by the City;
  - vii. provided with a tap connected to an adequate supply of water; and
  - viii. adequately ventilated, such that they do not create a nuisance to residences.
- f) The applicant shall seek independent expert advice from a suitably qualified consultant\* detailing the particulars of the application, specifications of the type of lighting proposed and certifying\*\* that the proposed lighting will not cause adverse amenity impacts on the surrounding locality and comply with the relevant Australian Standard\*\*\*;
- i. a full site plan indicating the proposed siting of lighting columns including details of their proposed height;

- ii. times of operation;
  - iii. a Management Plan to detail the methods that will be employed to mitigate the impacts of light penetration and glare to the occupiers of adjacent property, including the use of an automatic timing device;
  - iv. details of orientation and hooding and/ or other measures to minimise their impact in the interests of pedestrian and/ or vehicular safety and amenity; and
  - v. details where the proposed floodlighting is sited in close proximity to residential property, the spread of lighting from the lighting installation must be restricted in accordance with the relevant Australian Standard\*\*\*.
- g) The applicant is advised to apply dust control measures during construction in accordance with *City of Nedlands Health Local Laws 2017* and DWER requirements.
- h) The landowner is advised that all mechanical equipment (e.g. air-conditioner, swimming pool or spa) is required to comply with the *Environmental Protection (Noise) Regulations 1997*, in relation to noise.
- i) 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.
- j) 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. Soak-wells of adequate capacity to contain runoff from a 20-year recurrent storm event. Soak-wells shall be a minimum capacity of 1.0m<sup>3</sup> for every 80m<sup>2</sup> of calculated surface area of the development.
- k) The applicant is advised that in relation to Condition 14, the Construction Management Plan is to address but is not limited to the following matters
- i. construction operating hours;
  - ii. contact details of essential site personnel;
  - iii. noise control and vibration management;
  - iv. dust, sand and sediment management;
  - v. stormwater and sediment control;
  - vi. traffic and access management;
  - vii. protection of infrastructure and street trees within the road reserve and adjoining properties;
  - viii. dilapidation report of adjoining properties;
  - ix. security fencing around construction sites;
  - x. site deliveries;
  - xi. waste management and materials re-use
  - xii. parking arrangements for contractors and subcontractors;

- xiii. consultation plan with nearby properties; and
  - xiv. complaint procedure;
- 
- l) In accordance with section 35, (3) (b) of the Health Local Law, Waste and recycling bins storage enclosure in accordance with the Waste Management Plan for No. 78 Waratah Avenue, Dalkeith.
  - m) The responsible entity (strata/corporate body) is responsible for the maintenance of the common property (including roads) within the development.
  - n) All internal bins located at individual dwellings shall be purchased and maintained by the strata management or owners by private arrangement.
  - o) Any development in the nature-strip (verge), including footpaths, will require a Nature Strip Works Application (NSWA) to be lodged with, and approved by, the City's Technical Services department, prior to construction commencing.
  - p) Where parts of the existing dwelling/building and structures are to be demolished, a demolition permit is required prior to demolition works occurring. All works are required to comply with relevant statutory provisions.
  - q) 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](http://www.fairair.com.au) and use this as 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.
  - r) The applicant is advised that all development must comply with this planning approval and approved plans at all times. Any development, whether it be a structure or building, that is not in accordance with the planning approval, including any condition of approval, may be subject to further planning approval by the City.
  - s) This planning decision is confined to the authority of the *Planning and Development Act 2005*, the City of Nedlands' Local Planning Scheme No. 3 and all subsidiary legislation. This decision does not remove the obligation of the applicant and/or property owner to ensure that all other required local government approvals are first obtained, all other applicable state and federal legislation is complied with, and any restrictions, easements, or encumbrances are adhered to.
  - t) The applicant is advised that variations to the hereby approved development including variations to wall dimensions, setbacks, height, window dimensions and location, floor levels, floor area and alfresco area, may delay the granting of a Building Permit. Applicants are therefore encouraged to ensure that the Building Permit application is in compliance with this planning approval, including all conditions and approved plans.

Where Building Permit applications are not in accordance with the planning approval, a schedule of changes is to be submitted and early liaison with the City's Planning Department is encouraged prior to lodgement.

- u) This planning approval has been issued on the basis of the plans hereby approved. It is the responsibility of the applicant to ensure that the approved plans are accurate and are a true representation of all existing and proposed development on the site, and to ensure that development proceeds in accordance with these plans.



<b>PD38.20</b>	<b>No.130 &amp; 132 Waratah Avenue, Dalkeith - x 9 Grouped Dwellings</b>
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<b>Committee</b>	11 August 2020
<b>Council</b>	25 August 2020
<b>Applicant</b>	Urbanista Town Planning
<b>Landowner</b>	Sapphire Developments Alliance Pty Ltd
<b>Director</b>	Peter Mickleson – Director Planning & Development
<b>Employee Disclosure under section 5.70 Local Government Act 1995</b>	Nil
<b>Report Type</b>  Quasi-Judicial	When Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications and other decisions that may be appealable to the State Administrative Tribunal.
<b>Reference</b>	DA20-44526
<b>Previous Item</b>	Nil
<b>Delegation</b>	In accordance with the City's Instrument of Delegation, Council is required to determine the application due to the number of dwellings and objections being received
<b>Attachments</b>	<ol style="list-style-type: none"> <li>1. Applicant's Response to Submissions</li> <li>2. Summary of Submissions</li> <li>3. Acoustic Report</li> <li>4. Waste Management Plan</li> </ol>
<b>Confidential Attachments</b>	<ol style="list-style-type: none"> <li>1. Plans</li> <li>2. Landscape Plan</li> <li>3. Submissions</li> <li>4. Planning Assessment</li> </ol>

**Regulation 11(da) – Council agreed that the development application should be refused for the reasons included in the motion below.**

Moved – Councillor Mangano

Seconded – Councillor Bennett

### **Committee Recommendation**

**That Council refuse the Development Application dated 4 February 2020 for the following reasons:**

- 1. Impact of amenity on the neighbours due to insufficient rear setback;**
- 2. Overshadowing of the southern properties;**
- 3. Bulk and scale of the two-storey boundary wall;**

4. **Health and amenity due to proximity of bins to rear boundary;**
5. **Insufficient street setback;**
6. **Lack of open space; and**
7. **Inadequate outdoor living areas.**

Councillor Horley left the meeting at 7.39 pm and returned at 7.43 pm.

**CARRIED UNANIMOUSLY 12/-**

### Recommendation to Committee

Council approves the development application dated 4 February 2020 and revised plans received on 9 and 10 June 2020 for nine (9) Grouped Dwellings at Lots 234 & 235 (No.130 & No.132) Waratah Avenue, Dalkeith, subject to the following conditions and advice notes:

1. This approval is for a 'Residential (Grouped Dwelling)' land use as defined under the City's Local Planning Scheme No.3 and the subject land may not be used for any other use without prior approval of the City.
2. Landscaping shall be installed and maintained in accordance with the approved Landscaping Plan dated 9 June 2020, or any modifications approved thereto, for the lifetime of the development thereafter, to the satisfaction of the City.
3. Waste management for the development shall comply with the approved Waste Management Plan prepared by Dallywater Consulting to the satisfaction of the City of Nedlands.
4. The Acoustic Report prepared by Sealhurst (Revision 3) dated 8 July 2020 forms part of this development approval and shall be complied with at all times to the satisfaction of the City of Nedlands. Recommendations contained within the acoustic report to achieve compliance with the *Environmental Protection (Noise) Regulations 1997* are to be carried out and maintained for the lifetime of the development to the satisfaction of the City of Nedlands.
5. Prior to the occupation of the development the responsible entity (strata/corporate body) shall provide detailed specifications on the confirmed waste compactor for 360L bins and include a written service agreement.
6. The responsible entity (strata/corporate) shall be liable for all bin replacement costs and/or repair costs relating to any damage which may occur as a result of the bin compaction process.

7. The location of any bin stores shall be behind the street alignment so as not to be visible from the street or public place and constructed in accordance with the *City's Health Local Law 1997*.
8. All stormwater generated from the development shall be contained on site.
9. All footings and structures shall be constructed wholly inside the site boundaries of the property's Certificate of Title.
10. Prior to occupation of the development all fencing/visual privacy screens and obscure glass panels to major openings and unenclosed active habitable areas as annotated on the approved plans shall be screened in accordance with the Residential Design Codes by either;
  - a) fixed obscured or translucent glass to a height of 1.60 metres above finished floor level; or
  - b) timber screens, external blinds, window hoods and shutters to a height of 1.6m above finished floor level that are at least 75% obscure; or
  - c) a minimum sill height of 1.60 metres as determined from the internal floor level; or
  - d) an alternative method of screening approved by the City of Nedlands.

The required screening shall be thereafter maintained to the satisfaction of the City of Nedlands.

11. Prior to occupation of the development, the finish of the parapet walls is to be finished externally to the same standard as the rest of the development or in:
  - a) face brick;
  - b) painted render;
  - c) painted brickwork; or
  - d) other clean material as specified on the approved plans

And maintained thereafter to the satisfaction of the City of Nedlands.

12. Prior to occupation of the development, the proposed car parking and vehicle access areas shall be sealed, drained, paved and line marked in accordance with the approved plans and are to comply with the requirements of AS2890.1 to the satisfaction of the City.
13. Prior to occupation of the development, all external fixtures including, but not limited to TV and radio antennae, satellite dishes, plumbing vents and pipes, solar panels, air conditioners, hot water systems and utilities shall be integrated into the design of the building and not be visible from the primary street or secondary street to the satisfaction of the City.
14. Prior to the construction or demolition works, a Construction Management Plan shall be submitted to the satisfaction of the City of Nedlands. The approved Construction shall be observed at all times throughout the construction process to the satisfaction of the City.

15. Prior to the occupation of the development, a lighting plan is to be submitted and approved by the City and maintained for the duration of the development to the satisfaction of the City.
16. The development shall at all times comply with the application and the approved plans, subject to any modifications required as a consequence of any condition(s) of this approval.
17. This decision constitutes planning approval only and is valid for a period of four years from the date of approval. If the subject development is not substantially commenced within the four-year period, the approval shall lapse and be of no further effect.

Advice Notes specific to this proposal:

- a) The applicant is advised that in relation to Condition 2, the landscaping plan shall also detail a maintenance plan for all proposed landscaping on site and contingencies for replacement of dead and diseased plants.
- b) The applicant is advised that in relation to Condition 14 the Construction Management Plan is to address but is not limited to the following matters:
  - i. construction operating hours;
  - ii. contact details of essential site personnel;
  - iii. Noise control and vibration management;
  - iv. Dust, sand and sediment management;
  - v. Stormwater and sediment control;
  - vi. Traffic and access management;
  - vii. Protection of infrastructure and street trees within the road reserve and adjoining properties;
  - ix. Dilapidation report of adjoining properties;
  - x. Security fencing around construction sites;
  - xi. Site deliveries;
  - xii. Waste management and materials re-use
  - xiii. parking arrangements for contractors and subcontractors;
  - xiv. consultation plan with nearby properties;
  - xv. complaint procedure;
- c) The responsible entity (strata/corporate body) is responsible for the maintenance of the common property (including roads) within the development.
- d) Any development in the nature-strip (verge), including footpaths, will require a Nature Strip Works Application (NSWA) to be lodged with, and approved by, the City's Technical Services department, prior to commencing construction.

- e) Where parts of the existing dwelling/building and structures are to be demolished, a demolition permit is required prior to demolition works occurring. All works are required to comply with relevant statutory provisions.
- f) 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](http://www.fairair.com.au) and use this as 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.

<b>PD39.20</b>	<b>No. 2 Burwood St, Nedlands – Additions to a Single House (Carport) SAT Section 31</b>
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<b>Committee</b>	11 August 2020
<b>Council</b>	25 August 2020
<b>Applicant</b>	John Edwards
<b>Landowner</b>	John Edwards
<b>Director</b>	Peter Mickleson – Director Planning & Development
<b>Employee Disclosure under section 5.70 Local Government Act 1995</b>	Nil
<b>Report Type</b>  Quasi-Judicial	When Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications and other decisions that may be appealable to the State Administrative Tribunal.
<b>Reference</b>	PD49-19
<b>Previous Item</b>	DA19/37053
<b>Delegation</b>	The landowner has applied for a review of the previous decision made by Council to the State Administrative Tribunal, who have issued a section 31 notice for Council to reconsider the application based on amendments proposed to the original development proposal. As Council have previously considered and determined this application, Council is required to determine the reconsideration.
<b>Attachments</b>	1. Applicant Justification Report
<b>Confidential Attachments</b>	1. Plans

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

Moved – Councillor Wetherall

Seconded – Councillor Hay

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

(Printed below for ease of reference)

**CARRIED 8/4**  
**(Against: Crs. Smyth Bennett Mangano & Coghlan)**

## **Committee Recommendation / Recommendation to Committee**

**Council approves the development application dated 14 July 2020 to install a carport within the front setback area at Lot 75, No. 2 Burwood St, Nedlands, subject to the following conditions and advice notes.**

- 1. The development shall at all times comply with the application and the approved plans, subject to any modifications required as a consequence of any condition(s) of this approval.**
- 2. This development approval only pertains to the installation of a carport as indicated on the plans attached.**
- 3. All footings and structures shall be constructed wholly inside the site boundaries of the property's Certificate of Title.**
- 4. This approval is limited to the installation of a carport only and does not relate to any site works, decking or retaining walls 500mm or greater above the approved ground levels.**
- 5. Prior to the occupation of the development, all structures within the 1.5m visual truncation area abutting vehicle access points shall be truncated or reduced to 0.75m height to the satisfaction of the City of Nedlands.**
- 6. All stormwater from the development, which includes permeable and non-permeable areas shall be contained onsite (refer advice note 'm').**

### **Advice Notes:**

- a) This is a Planning Approval only and does not remove the responsibility of the applicant/owner to comply with all relevant building, health and engineering requirements of the City, or the requirements of any other external agency.**
- b) This planning decision is confined to the authority of the *Planning and Development Act 2005*, the City of Nedlands' Local Planning Scheme No. 3 and all subsidiary legislation. This decision does not remove the obligation of the applicant and/or property owner to ensure that all other required local government approvals are first obtained, all other applicable state and federal legislation is complied with, and any restrictions, easements, or encumbrances are adhered to.**
- c) This decision constitutes planning approval only and is valid for a period of four years from the date of approval. If the subject development is not substantially commenced within the four-year period, the approval shall lapse and be of no further effect.**

- d) This planning approval has been issued on the basis of the plans hereby approved. It is the responsibility of the applicant to ensure that the approved plans are accurate and are a true representation of all existing and proposed development on the site, and to ensure that development proceeds in accordance with these plans.
- e) There may be matters which impact on proceeding with the approved development which are not shown on the approved plans (e.g. verge infrastructure, retaining walls). Such matters may need to be separately addressed before the approved development can proceed. It is the responsibility of the applicant to ensure that these matters are addressed prior to the commencement of the development hereby approved.
- f) The applicant is advised that all development must comply with this planning approval and approved plans at all times. Any development, whether it be a structure or building, that is not in accordance with the planning approval, including any condition of approval, may be subject to further planning approval by the City.
- g) The applicant is advised that variations to the hereby approved development including variations to wall dimensions, setbacks, height, window dimensions and location, floor levels, floor area and alfresco area, may delay the granting of a Building Permit. Applicants are therefore encouraged to ensure that the Building Permit application is in compliance with this planning approval, including all conditions and approved plans. Where Building Permit applications are not in accordance with the planning approval, a schedule of changes is to be submitted and early liaison with the City's Planning Department is encouraged prior to lodgement.
- h) All street tree assets in the nature-strip (verge) shall not be removed. Any approved street tree removals shall be undertaken by the City of Nedlands and paid for by the owner of the property where the development is proposed, unless otherwise approved by the City of Nedlands.
- i) The contractor/developer shall protect the City's street trees from any damage that may be caused by the scope of works covered by this contract for the duration of the contract. All work carried out under this contract is to comply with the City's policies, guidelines and Australian Standards relating to the protection of trees on or adjacent to development sites (AS 4870-2009).
- j) Where building works are proposed a building permit shall be applied for prior to works commencing.



- k) All car parking dimensions, manoeuvring areas, crossovers and driveways shall comply with Australian Standard AS2890.1 (as amended) to the satisfaction of the City of Nedlands.**
- l) In relation to condition 6, the applicant is advised that 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. Soak-wells of adequate capacity to contain runoff from a 20-year recurrent storm event. Soak-wells shall be a minimum capacity of 1.0m<sup>3</sup> for every 80m<sup>2</sup> of calculated surface area of the development.**
- m) This decision constitutes planning approval only and is valid for a period of four years from the date of approval. If the subject development is not substantially commenced within the four-year period, the approval shall lapse and be of no further effect.**
- n) This planning approval has been issued on the basis of the plans hereby approved. It is the responsibility of the applicant to ensure that the approved plans are accurate and are a true representation of all existing and proposed development on the site, and to ensure that development proceeds in accordance with these plans.**
- o) There may be matters which impact on proceeding with the approved development which are not shown on the approved plans (e.g. verge infrastructure, retaining walls). Such matters may need to be separately addressed before the approved development can proceed. It is the responsibility of the applicant to ensure that these matters are addressed prior to the commencement of the development hereby approved.**
- p) The applicant is advised that all development must comply with this planning approval and approved plans at all times. Any development, whether it be a structure or building, that is not in accordance with the planning approval, including any condition of approval, may be subject to further planning approval by the City.**
- q) The applicant is advised that variations to the hereby approved development including variations to wall dimensions, setbacks, height, window dimensions and location, floor levels, floor area and alfresco area, may delay the granting of a Building Permit. Applicants are therefore encouraged to ensure that the Building Permit application is in compliance with this planning approval, including all conditions and approved plans. Where Building Permit applications are not in accordance with the planning approval, a schedule of changes is to be submitted and early liaison with the City's Planning Department is encouraged prior to lodgement.**

- r) All street tree assets in the nature-strip (verge) shall not be removed. Any approved street tree removals shall be undertaken by the City of Nedlands and paid for by the owner of the property where the development is proposed, unless otherwise approved by the City of Nedlands.**
- s) The contractor/developer shall protect the City's street trees from any damage that may be caused by the scope of works covered by this contract for the duration of the contract. All work carried out under this contract is to comply with the City's policies, guidelines and Australian Standards relating to the protection of trees on or adjacent to development sites (AS 4870-2009).**
- t) Where building works are proposed a building permit shall be applied for prior to works commencing.**
- u) All car parking dimensions, manoeuvring areas, crossovers and driveways shall comply with Australian Standard AS2890.1 (as amended) to the satisfaction of the City of Nedlands.**
- v) In relation to condition 6, the applicant is advised that 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. Soak-wells of adequate capacity to contain runoff from a 20-year recurrent storm event. Soak-wells shall be a minimum capacity of 1.0m<sup>3</sup> for every 80m<sup>2</sup> of calculated surface area of the development.**

<b>PD40.20</b>	<b>Local Planning Scheme No. 3 – Local Planning Policy: Jenkins Avenue Laneway and Built Form Requirements</b>
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<b>Committee</b>	11 August 2020
<b>Council</b>	25 August 2020
<b>Director</b>	Peter Mickleson – Director Planning & Development
<b>Employee Disclosure under section 5.70 Local Government Act 1995</b>	Nil
<b>Reference</b>	Nil.
<b>Previous Item</b>	PD13.20 OCM 28 April 2020
<b>Attachments</b>	<ol style="list-style-type: none"> <li>1. Tracked Changes Jenkins Avenue Laneway and Built form Requirements Local Planning Policy</li> <li>2. Jenkins Avenue Laneway and Built Form Requirements Local Planning Policy – Clean for Council Adoption</li> <li>3. Summary of Submissions</li> <li>4. Original Submissions</li> <li>5. City of Nedlands/Department of Transport Jenkins Ave Engineering Schematic Diagram</li> </ol>
<b>Confidential Attachments</b>	<ol style="list-style-type: none"> <li>1. Plans of Subdivision proposals addressing Jenkins Avenue Local Planning Policy</li> </ol>

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

Moved – Councillor Mangano  
 Seconded – Mayor de Lacy

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

Councillor Horley left the meeting at 8.15 pm.

**CARRIED 6/5**  
**(Against: Crs. Smyth McManus Poliwka Wetherall & Hay)**

## **Committee Recommendation / Recommendation to Committee**

### **That Council:**

- 1. proceeds to adopt the Jenkins Avenue Laneway and Built form Requirements Local Planning Policy, with modifications as set out in Attachment 2, in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 2, Part 2, Clause 4(3)(b)(ii);**
- 2. refers the Jenkins Avenue Laneway and Built form Requirements Local Planning Policy to the Western Australian Planning Commission for final approval in accordance with State Planning Policy SPP7.3, Residential Design Codes Volume 1 Clause 7.3.2; and**
- 3. revokes the current Doonan Rd Laneway Policy in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 2, Part 2, Clause 6 following final approval by the Western Australian Planning Commission and notice of the Jenkins Avenue Laneway and Built form Requirements Local Planning Policy being published to give effect to the policy.**

<b>PD41.20</b>	<b>Local Planning Scheme 3 – Local Planning Policy: Existing Laneway Requirements</b>
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<b>Committee</b>	11 August 2020
<b>Council</b>	25 August 2020
<b>Director</b>	Peter Mickleson – Director Planning & Development
<b>Employee Disclosure under section 5.70 Local Government Act 1995</b>	Nil
<b>Reference</b>	Nil.
<b>Previous Item</b>	Nil.
<b>Attachments</b>	1. Draft Existing Laneway Requirements Local Planning Policy (LPP)
<b>Confidential Attachments</b>	Nil

Councillor Mangano left the meeting at 8.22 pm and returned at 8.23 pm.

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

Moved – Councillor Senathirajah

Seconded – Councillor Smyth

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

(Printed below for ease of reference)

Councillor Horley returned to the meeting at 8.24 pm.

Councillor Hodsdon left the meeting at 8.26 pm and returned at 8.32 pm.

**CARRIED 8/4**  
**(Against: Crs. McManus Hodsdon Poliwka & Wetherall)**

**Committee Recommendation / Recommendation to Committee**

**Council:**

- 1. prepares, and advertises for a period of 21 days, in accordance with the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2, Part 2, Clause 4, the Laneway Requirements Local Planning Policy; and**
- 2. instructs the City to schedule laneway upgrades within the capital works budget.**

<b>PD42.20</b>	<b>Scheme Amendment No. 7 – Amendment to Density Coding on Broadway, Hillway, Kingsway, Edward Street and Elizabeth Street – Summary of Submissions</b>
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<b>Committee</b>	11 August 2020
<b>Council</b>	25 August 2020
<b>Director</b>	Peter Mickleson – Director Planning & Development
<b>Employee Disclosure under section 5.70 Local Government Act 1995</b>	Nil
<b>Reference</b>	Nil.
<b>Previous Item</b>	OCM 28 April 2020 - PD15.20
<b>Attachments</b>	1. Summary of submissions - Scheme Amendment No. 7
<b>Confidential Attachments</b>	1. Full submissions – Scheme Amendment No. 7

### **Councillor Bennett – Financial Interest**

Councillor Bennett disclosed a financial interest, his interest being that he is an owner occupier at 133 Broadway Nedlands which falls within the Scheme Amendment 7 area. Councillor Bennett declared that he had received approval from the Minister to remain in the room and vote subject to the following conditions:

1. The approval is only valid for the Council Committee Meeting on 11 August 2020 and Ordinary Council Meeting on 25 August 2020 when agenda item PD42.20 is considered;
2. The abovementioned Councillor must declare the nature and extent of their interest at the abovementioned meeting when the matter is considered, together with the approval provided;
3. The CEO is to provide a copy of the Department's letter of approval to the abovementioned Councillor;
4. The CEO is to ensure that the declarations, including the approval given and any conditions imposed, are recorded in the minutes of the abovementioned meeting, when the item is considered;
5. The CEO is to provide a copy of the confirmed minutes of the abovementioned meeting to the Department, to allow the Department to verify compliance with the conditions of this approval; and

6. The approval granted is based solely on the interests disclosed by the abovementioned Councillor, made in accordance with the application. Should other interests be identified, these interests will not be included in this approval and the financial interest provisions of the Act will apply.

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

Moved – Councillor Wetherall  
Seconded – Councillor Senathirajah

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

(Printed below for ease of reference)

**CARRIED 9/3**  
**(Against: Crs. Bennett Mangano & Coghlan)**

**Committee Recommendation / Recommendation to Committee**

**That Council receives the report.**



<b>PD43.20</b>	<b>Department of Transport's Draft Long Term Cycle Network</b>
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<b>Committee</b>	11 August 2020
<b>Council</b>	25 August 2020
<b>Applicant</b>	City of Nedlands on behalf of Department of Transport
<b>Director</b>	Peter Mickleson – Director Planning & Development
<b>Employee Disclosure under section 5.70 Local Government Act 1995</b>	Nil
<b>Reference</b>	Nil.
<b>Previous Item</b>	Item 14.5 OCM 31 March 2020 PD20.20 OCM 26 May 2020
<b>Attachments</b>	1. LTCN Memo and Final Draft Map – July 2020 2. City of Nedlands proposed changes to the draft LTCN
<b>Confidential Attachments</b>	Nil

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

Moved – Councillor Bennett  
Seconded – Councillor Mangano

**Committee Recommendation**

**That Council defers this item to the September 2020 Council Committee Meeting.**

**CARRIED 7/5**  
**(Against: Mayor de Lacy Crs. Hodsdon Poliwka**  
**Wetherall & Senathirajah)**

**Recommendation to Council**

Council endorse the Department of Transport's draft Long Term Cycling Network, with modifications outlined in Attachment 2, for the purpose of advertising for 21 days.

**8.2 Community Development No's CM06.20**

Report No's CM06.20 to be dealt with at this point (copy attached orange cover sheet).

<b>CM06.20</b>	<b>Community Sport and Recreation Facilities Fund Applications – Swanbourne Nedlands Surf Life Saving Club, UWA Sport and Peak Trampoline Inc</b>
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<b>Committee</b>	11 August 2020
<b>Council</b>	25 August 2020
<b>Applicant</b>	City of Nedlands
<b>Employee Disclosure under section 5.70 Local Government Act 1995</b>	Nil
<b>Director</b>	Lorraine Driscoll – Director Corporate and Strategy
<b>Attachments</b>	Nil
<b>Confidential Attachments</b>	Nil

**Regulation 11(da) – Not Applicable – Minor change.**

Moved – Councillor Smyth

Seconded – Councillor McManus

**That the Recommendation to Committee be adopted subject to the following:**

1. in clause 3 after the words “DLGSCI” add the words “or other”;
2. 4 a being amended to 100%; and
3. removal of clause 4 b.

**CARRIED 11/1  
(Against: Cr. Mangano)**

### **Committee Recommendation**

#### **Council:**

1. advises Department of Local Government, Sport and Cultural Industries (DLGSCI) that it has ranked and rated the application to the Community Sport and Recreation Facilities Fund Annual Grant round as follows:
  - a. Swanbourne Nedlands Surf Life Saving Club (A Rating);
  - b. UWA Sport (A Rating);

- c. Peak Trampoline (A Rating).**
- 2. endorses the above applications to DLGSCI on the condition that all necessary statutory approvals are obtained by the applicant;**
- 3. approves an amount of \$248,400 (ex GST) for Swanbourne Nedlands Surf Lifesaving Club for consideration in the 2021/22 draft budget, conditional on the project receiving DLGSCI or other funding; and**
- 4. considers the Swanbourne Nedlands Surf Life Saving Club request to partially waive the Development Applications fees for their project; and**
  - a. Approves a 100% waiver of the development application fee.**

## Recommendation to Committee

Council:

1. advises Department of Local Government, Sport and Cultural Industries (DLGSCI) that it has ranked and rated the application to the Community Sport and Recreation Facilities Fund Annual Grant round as follows:
  - a. Swanbourne Nedlands Surf Life Saving Club (A Rating);
  - b. UWA Sport (A Rating);
  - c. Peak Trampoline (A Rating).
2. endorses the above applications to DLGSCI on the condition that all necessary statutory approvals are obtained by the applicant;
3. approves an amount of \$248,400 (ex GST) for Swanbourne Nedlands Surf Lifesaving Club for consideration in the 2021/22 draft budget, conditional on the project receiving DLGSCI funding; and
4. considers the Swanbourne Nedlands Surf Life Saving Club request to partially waive the Development Applications fees for their project and:
  - a. Approves a 50% waiver of the development application fee: or
  - b. Does not approve a waiver of the development application fee.

**8.3 Corporate & Strategy Report No's CPS14.20 to CPS17.20**

Report No's CPS14.20 to CPS17.20 to be dealt with at this point (copy attached green cover sheet).

<b>CPS14.20</b>	<b>List of Accounts Paid – June 2020</b>
<b>Committee</b>	11 August 2020
<b>Council</b>	25 August 2020
<b>Applicant</b>	City of Nedlands
<b>Employee Disclosure under section 5.70 Local Government Act 1995</b>	Nil.
<b>Director</b>	Lorraine Driscoll – Director Corporate & Strategy
<b>Attachments</b>	<ol style="list-style-type: none"> <li>1. Creditor Payment Listing – June 2020</li> <li>2. Credit Card and Purchasing Card Payments – June 2020 (28 May – 28 June 2020)</li> <li>3. CEO Credit Card Payments – April – June 2020 (31 March – 28 June 2020)</li> </ol>

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

Moved – Councillor McManus  
 Seconded – Councillor Hodsdon

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

**CARRIED 11/1**  
**(Against: Cr. Coghlan)**

**Committee Recommendation / Recommendation to Committee**

**Council receives the List of Accounts Paid for the month of June 2020 as per attachments.**

<b>CPS15.20</b>	<b>Extension of Tenure – Nedlands Golf Club</b>
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<b>Committee</b>	11 August 2020
<b>Council</b>	25 August 2020
<b>Applicant</b>	City of Nedlands
<b>Employee Disclosure under section 5.70 Local Government Act 1995</b>	Nil.
<b>Director</b>	Lorraine Driscoll – Director Corporate & Strategy
<b>Attachments</b>	1. Nil

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

Moved – Councillor Wetherall

Seconded – Councillor McManus

**That the Recommendation to Committee be adopted with option 3 a.**

**CARRIED 8/4**

**(Against: Crs. Smyth Bennett Mangano & Coghlan)**

### **Committee Recommendation**

**Council:**

- 1. approves the extension of tenure of Nedlands Golf Club for an additional period of ten (10) years, expiring on 31 December 2034, with no other changes to the current lease agreement.**
- 2. requests that after receiving the Minister for Lands consent to the extension, the Mayor and CEO execute the agreement and apply the City’s common seal.**
- 3. considers the Nedlands Golf Club’s request to waive the Development Applications fees for their project and:**
  - a. approves a 100% waiver of the development application fee.**

## Recommendation to Committee

### Council:

1. approves the extension of tenure of Nedlands Golf Club for an additional period of ten (10) years, expiring on 31 December 2034, with no other changes to the current lease agreement.
2. requests that after receiving the Minister for Lands consent to the extension, the Mayor and CEO execute the agreement and apply the City's common seal.
3. considers the Nedlands Golf Club's request to waive the Development Applications fees for their project and:
  - a. approves a 100% waiver of the development application fee; or
  - b. approves a 50% waiver of the development application fee; or
  - c. does not approve a waiver of the development application fee.

<b>CPS16.20</b>	<b>City Membership of the West Australian Local Government Association (WALGA)</b>
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<b>Committee</b>	11 August 2020
<b>Council</b>	25 August 2020
<b>Applicant</b>	City of Nedlands
<b>Employee Disclosure under section 5.70 Local Government Act 1995</b>	Nil.
<b>Director</b>	Lorraine Driscoll – Director Corporate & Strategy
<b>Attachments</b>	Nil.

**Regulation 11(da) – The amendment allows for a due diligence process to occur ahead of re-joining WALGA.**

Moved – Councillor Smyth  
 Seconded – Councillor Senathirajah

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

Amendment

Moved - Councillor McManus  
 Seconded - Councillor Wetherall

**That the clauses 2 becomes clause 1 and clause 1 becomes clause 2 and the words “subject to the Mayor & CEO being satisfied as to the benefits to the City,” before the word “authorises”**

**The AMENDMENT was PUT and was**

Councillor Mangano left the meeting at 9.52 pm and returned at 9.54 pm.

Councillor Coghlan left the room at 9.57 pm and returned at 10.00 pm.

**CARRIED 10/2**  
**(Against: Mayor de Lacy Cr. Smyth)**

**The Substantive was PUT and was**

**CARRIED 10/2**  
**(Against: Crs. Bennett & Mangano)**

## **Committee Recommendation**

### **Council:**

- 1. subject to the Mayor & CEO being satisfied as to the benefits to the City, authorises the Chief Executive Officer to enter into discussions with WALGA for a membership agreement that is beneficial to the City; and**
- 2. agrees to accept the recommendation that the City of Nedlands take up membership of the Western Australian Local Government Association (WALGA).**

## Recommendation to Committee

### Council:

1. agrees to accept the recommendation that the City of Nedlands take up membership of the Western Australian Local Government Association (WALGA); and
2. authorises the Chief Executive Officer to enter into discussions with WALGA for a membership agreement that is beneficial to the City.



<b>CPS17.20</b>	<b>City Insurances, Brokerage, Management and Consultancy</b>
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<b>Committee</b>	11 August 2020
<b>Council</b>	25 August 2020
<b>Applicant</b>	City of Nedlands
<b>Employee Disclosure under section 5.70 Local Government Act 1995</b>	Nil.
<b>Director</b>	Lorraine Driscoll – Director Corporate & Strategy
<b>Attachments</b>	Nil.
<b>Confidential Attachments</b>	1. Tender Evaluation and Recommendation Report RFT 2020-21.02 City Insurance Brokerage, Management and Consultancy Services

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

Moved – Councillor McManus

Seconded – Councillor Wetherall

**Committee Recommendation**

**Council:**

1. accepts the City’s recommendation to award the contract for RFT 2020-21.01 - Brokerage, Management and Consultancy Services to LGIS for the initial term of 24 months with the option of a further 12 months to be awarded at the sole discretion of the City; and
2. authorises the CEO to enter into a contract with the accepted tenderer.

**CARRIED 10/2  
(Against: Crs. Bennett & Mangano)**

Recommendation to Committee

Council:

1. Option 1  
accepts the City’s recommendation to award the contract for RFT 2020-21.01 - Brokerage, Management and Consultancy Services to LGIS for the initial term of 24 months with the option of a further 12 months to be awarded at the sole discretion of the City; and

OR

Option 2

accepts the City's alternative recommendation to award the contract for RFT 2020-21.01 - Brokerage, Management and Consultancy Services to AON for the Annual fixed fee of \$25,000 exc GST and the schedule of fees for additional services for the initial term of 24 months with the option of a further 12 months to be awarded at the sole discretion of the City; and

2. authorises the CEO to enter into a contract with the accepted tenderer.

**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 10.17 pm.