



City of Nedlands

Minutes

Council Committee Meeting

11 July 2017

ATTENTION

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

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City of Nedlands

Minutes of a meeting of the Council Committee held in the Council Chambers, Nedlands on Tuesday 4 July 2017 at 7 pm.

Declaration of Opening

The Presiding Member declared the meeting open at 7 pm, and drew attention to the disclaimer below.

(NOTE: Council at its meeting on 24 August 2004 resolved that should the meeting time reach 11.00 p.m. the meeting is to consider an adjournment motion to reconvene the next day).

Present and Apologies and Leave of Absence (Previously Approved)

Councillors	Deputy Mayor W R B Hassell	(Presiding Member)
	Councillor R M Binks	Hollywood Ward
	Councillor B G Hodsdon	Hollywood Ward
	Councillor J D Wetherall	Hollywood Ward
	Councillor G A R Hay	Melvista Ward
	Councillor T P James	Melvista Ward
	Councillor N W Shaw	Melvista Ward
	Councillor L J McManus	Coastal Districts Ward
	Councillor K A Smyth	Coastal Districts Ward
	Councillor I S Argyle	Dalkeith Ward

Staff	Mr P L Mickleson	Acting Chief Executive Officer
	Mrs L M Driscoll	Director Corporate & Strategy
	Mr M A Glover	Director Technical Services
	Mrs N M Ceric	Executive Assistant to CEO & Mayor

Public There were 10 members of the public present.

Press The Post Newspaper representative.

Leave of Absence (Previously Approved) His Worship the Mayor, R M C Hipkins

Apologies	Councillor N B J Horley	Coastal Districts Ward
	Mr G K Trevaskis	Chief Executive Officer

Absent Nil.

Disclaimer

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

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1. Public Question Time

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)

Mr Simon Yeoman, 2B Campsie Street, Nedlands PD28.17
(spoke in support of the application)

Mr Ian Singleton, 24 Hillway, Nedlands PD29.17
(spoke in support of the recommendation)

Mr Anthony Edmondstone, 22 Hillway, Nedlands PD29.17
(spoke in support of the application)

Mr Jack Rosagro, 3/202 Crawford Road, Inglewood PD31.17
(spoke in support of the recommendation)

3. Disclosures of Financial Interest

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

3.1 Councillor Hodsdon – PD31.17 - (Lot 153) No. 110 Stirling Highway, Nedlands – Addition to Existing Office Building

Councillor Hodsdon disclosed a financial interest in Item PD31.17 – (Lot 153) No. 110 Stirling Highway, Nedlands – Addition to Existing Office Building, his interest being that he owns a unit next door. Councillor Hodsdon declared that he would leave the room during discussion on this item.

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*.

There were no disclosures affecting impartiality.

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

Nil.

6. Confirmation of Minutes

6.1 Committee Meeting 13 June 2017

Moved – Councillor Hay
Seconded – Councillor Argyle

The Minutes of the Council Committee held 13 June 2017 be confirmed.

CARRIED UNANIMOUSLY 10/-

7. Matters for Which the Meeting May Be Closed

In accordance with Standing Orders and for the convenience of the public, the Committee is to identify any matter which is to be discussed behind closed doors at this meeting and that matter is to be deferred for consideration as the last item of this meeting.

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 PD28.17 to PD32.17

Planning & Development Report No's PD28.17 to PD32.17 to be dealt with at this point (copy attached yellow cover sheet).

PD28.17	(Lot 2) No. 2B Campsie Street, Nedlands Short Term Accommodation
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Committee	11 July 2017
Council	25 July 2017
Applicant	S and F Yeoman
Landowner	S and F Yeoman
Director	Peter Mickleson – Director Planning & Development
Reference	DA2017/92
Previous Item	Nil.
Delegation	In accordance with Clause 6.7.1a) of the City's Instrument of Delegation, Council is required to determine the application due to objections being received.
Attachments	1. Photograph of the Property 2. Proposed Management Plan from the Applicant

Mr Simon Yeoman, 2B Campsie Street, Nedlands
(spoke in support of the application)

PD28.17

Regulation 11(da) – Not Applicable – Recommendation Adopted with minor addition.

Moved – Councillor Wetherall
Seconded – Councillor Shaw

That the Recommendation to Committee be adopted subject to an additional condition be added as follows:

- 2. Approval is for 12 months from approval and extension being subject to the satisfaction of administration that the management plan is working.**

Put Motion

Moved - Councillor Binks

Seconded - Councillor Hodsdon

That the Motion be put.

**CARRIED 8/2
(Against: Crs. McManus & Smyth)**

The Motion was PUT and was

**On the Casting Vote of the Presiding Member CARRIED 5/4
(Against: Crs. Hay James McManus Smyth)
(Abstained: Crs. Hassell & Binks)**

Committee Recommendation

Council approves the development application for the existing dwelling at (Lot 2) No. 2B Campsie Street, Nedlands, to be used as short-term accommodation, received on 2 May 2017, subject to the following conditions and advice:

- 1. The approved Management Plan being complied with at all times to the City's satisfaction; and**
- 2. Approval is for 12 months from approval and extension being subject to the satisfaction of administration that the management plan is working.**

Advice Notes specific to this approval:

- 1. Noise levels are to comply with the Environmental Protection (Noise) Regulations 1997.**
- 2. With regard to Condition 1, the landowners are advised that if more than 6 people are proposed to reside at the short-term accommodation a separate development application is required to be submitted to and approved by the City prior to commencing. Details showing what alterations are proposed to be made to the dwelling to ensure that it complies with the *Health Act 1911* will need to be provided.**

Recommendation to Committee

Council approves the development application for the existing dwelling at (Lot 2) No. 2B Campsie Street, Nedlands, to be used as short-term accommodation, received on 2 May 2017, subject to the following conditions and advice:

1. The approved Management Plan being complied with at all times to the City's satisfaction.

Advice Notes specific to this approval:

3. Noise levels are to comply with the *Environmental Protection (Noise) Regulations 1997*.
4. With regard to Condition 1, the landowners are advised that if more than 6 people are proposed to reside at the short-term accommodation a separate development application is required to be submitted to and approved by the City prior to commencing. Details showing what alterations are proposed to be made to the dwelling to ensure that it complies with the *Health Act 1911* will need to be provided.

PD29.17	(Lot 721) No. 22 Hillway, Nedlands – Amendments to DA16/335 (Additions to Upper floor of Single House)
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Committee	11 July 2017
Council	25 July 2017
Applicant	Luke Mason – Kre8 Constructions WA
Landowner	Mrs D & Mr T Edmondstone
Director	Peter Mickleson – Director Planning & Development
Reference	DA17/085
Previous Item	DA16/335 – Approved under delegation
Delegation	In accordance with Clause 6.7.1a) of the City’s Instrument of Delegation, Council is required to determine the application due to objections being received.
Attachments	1. Applicant Justification 2. Site Photograph (provided by submitter)

Mr Ian Singleton, 24 Hillway, Nedlands PD29.17
(spoke in support of the recommendation)

Mr Anthony Edmondstone, 22 Hillway, Nedlands PD29.17
(spoke in support of the application)

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Shaw
Seconded – Councillor Hodsdon

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

Councillor Wetherall left the room at 8.09 pm and returned at 8.10 pm.

Councillor McManus left the room at 8.11 pm and returned at 8.14 pm

Mr Glover left the room at 8.14 pm and returned at 8.16 pm.

Councillor McManus retired from the meeting at 8.17 pm.

CARRIED 6/2
(Against: Crs. Binks & Argyle)
(Abstained: Cr. Wetherall)

Committee Recommendation / Recommendation to Committee

Council refuses the development application dated 21 April 2017 for Amendments to DA16/335 (Additions to Upper floor of Single House) at (Lot 721) No. 22 Hillway, Nedlands for the following reasons:

- 1. The proposal not satisfying the design principles stipulated under clause 5.1.3 (Lot Boundary Setback) of the Residential Design Codes due to the proposed setback of the upper floor to the south-western side lot boundary increasing the impact of building bulk as viewed from the adjoining neighbouring property.**
- 2. The addition to the upper floor does not comply with clause 5.5.1 of the City's Town Planning Scheme No. 2 and Clause 67 (m) and (n) of the Schedule 2 Deemed Provisions within the *Planning and Development (Local Planning Schemes) Regulations 2015* as the external appearance of the additions will have an adverse impact on the adjoining property in terms of height, bulk, scale, orientation and appearance.**

PD30.17	Lot 887 (No. 66) Strickland Street, Mount Claremont – Proposed Over-Height Boundary Fence
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Committee	11 July 2017
Council	25 July 2017
Applicant	I Da Costa
Owner	H N Sia
Director	Peter Mickleson – Director Planning & Development
Reference	DA2017/77
Previous Item	Nil
Delegation	In accordance with Clause 6.7.1a) of the City’s Instrument of Delegation, Council is required to determine the application due to an objection being received.
Attachments	<ol style="list-style-type: none"> 1. Photographs of the existing fence on site 2. Photograph from within the site facing Kennedia Lane

Councillor Hay left the room at 8.21 pm.

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Smyth
 Seconded – Councillor Binks

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

CARRIED 7/-
(Abstained: Cr. Hodsdon)

Committee Recommendation / Recommendation to Committee

Council approves the development application dated 12 April 2017 to increase the height of the existing laneway boundary fence at Lot 887 (No. 66) Strickland Street, Mount Claremont, subject to the following conditions and advice:

- 1. The development shall at all times comply with the approved plans.**
- 2. This planning approval only pertains to the boundary fence located along the Kennedia Lane boundary.**
- 3. All footings and structures to retaining walls shall be constructed wholly inside the site boundaries of the Certificate of Title.**

Advice Notes specific to this proposal:

- 1. The applicant is required to obtain a building approval for the fencing within the front setback from the City of Nedlands.**
- 2. This decision constitutes planning approval only and is valid for a period of two years from the date of approval. If the subject development is not substantially commenced within the two-year period, the approval shall lapse and be of no further effect.**

PD31.17	(Lot 153) No. 110 Stirling Highway, Nedlands – Addition to Existing Office Building
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Committee	11 July 2017
Council	25 July 2017
Applicant	Advanced Share Registry
Owner	Cherry Field Pty Ltd
Director	Peter Mickleson – Director Planning & Development
Reference	DA2017/106
Previous Item	Item PD29.13 – July 2013
Delegation	In accordance with Clause 6.7.1a) of the City’s Instrument of Delegation, Council is required to determine the application due to an objection being received.
Attachments	<ol style="list-style-type: none"> 1. Photograph of the property from Stirling Highway 2. Photograph of the storeroom’s proposed location 3. Photograph of the existing unauthorised outbuilding

Councillor Hodsdon – Financial Interest

Councillor Hodsdon declared that he owns a unit next door. Councillor Hodsdon declared that he would leave the room during discussion on this item.

Councillor Hodsdon left the room at 8.22 pm.

Councillor Hay returned to the room at 8.22 pm.

Mr Jack Rosagro, 3/202 Crawford Road, Inglewood
(spoke in support of the recommendation)

PD31.17

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Binks
Seconded – Councillor Hay

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

CARRIED UNANIMOUSLY 8/-

Committee Recommendation / Recommendation to Committee

Council approves the development application for a storeroom to be constructed for the existing office building at (Lot 153) No. 110 Stirling Highway, Nedlands, received on 12 May 2017, subject to the following conditions and advice notes:

1. The development shall at all times comply with the approved plan.
2. This development approval only pertains to the proposed storeroom at the rear of the existing office building.
3. The car parking bays and manoeuvring areas being maintained by the landowner to the City's satisfaction.
4. All stormwater from the development, which includes permeable and non-permeable areas, shall be contained onsite.
5. The existing outbuilding at the rear of the property being removed within 14 days of this decision, and the area it currently occupies be used as a car parking bay thereafter.

Advice Notes specific to this proposal:

1. With regard to Condition 5, the applicant and the landowner are advised that if they do not comply with this requirement the City may take enforcement action.
2. The Prior to the commencement of any demolition works, any Asbestos Containing Material (ACM) in the structure to be demolished, shall be identified, safely removed and conveyed to an appropriate landfill which accepts ACM.

Removal and disposal of ACM shall be in accordance with *Health (Asbestos) Regulations 1992*, Regulations 5.43 - 5.53 of the *Occupational Safety and Health Regulations 1996*, *Code of Practice for the Safe Removal of Asbestos 2nd Edition*, *Code of Practice for the Management and Control of Asbestos in a Workplace*, and any Department of Commerce Worksafe requirements.

Where there is over 10m² of ACM or any amount of friable ACM to be removed, it shall be removed by a Worksafe licensed and trained individual or business.

3. This decision constitutes planning approval only and is valid for a period of two years from the date of approval. If the subject development is not substantially commenced within the two-year period, the approval shall lapse and be of no further effect.

Councillor Hodsdon returned to the room at 8.27 pm.

PD32.17	Mayo Community Garden Inc. - (Lot 131) No. 91 Wood St, Swanbourne – Variation to Lease
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Committee	11 July 2017	
Council	25 July 2017	
Applicant	Mayo Community Garden Inc.	
Owner	City of Nedlands	
Director	Peter Mickleson – Director Planning & Development	
Attachments	Nil.	

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Binks
Seconded – Councillor Shaw

That the Recommendation to Committee be adopted.

(Printed below for ease of reference)

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

Committee Recommendation / Recommendation to Committee

Council:

- 1. Agrees to extend Mayo Community Garden Inc. lease premises at 91 Wood Street, Swanbourne to include the verandah structure onsite; and**
- 2. Requires that the arrangement be recorded in a Deed of Variation of Lease between the City and Mayo Community Garden Inc. with the Mayor and Chief Executive Officer executing the Deed with application of the City’s common seal.**

8.2 Technical Services Report No's TS06.17 to TS08.17

Technical Services Report No's TS06.17 to TS08.17 to be dealt with at this point (copy attached blue cover sheet).

TS06.17 Melvista Park Precinct Parking Review	
Committee	11 July 2017
Council	25 July 2017
Applicant	City of Nedlands
Officer	David Dwyer - Design Engineer
Director	Martyn Glover – Director Technical Services
Attachment	1. Melvista Park Precinct Area Map 2. Existing Parking Prohibition Map 3. Melvista Park Precinct Parking Survey 4. Recommended Parking Prohibition Map

Councillor Shaw left the room at 8.29 pm.

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Binks

Seconded – Councillor Hodsdon

That the Recommendation to Committee be adopted.

(Printed below for ease of reference)

CARRIED UNANIMOUSLY 8/-

Committee Recommendation / Recommendation to Committee**Council:**

1. Approves the recommended parking prohibitions presented in the following Table 1:

Table 1: Recommended Melvista Precinct Changes to Parking Prohibition

Street	Section	Current Restriction	Recommended Restriction
Archdeacon Street	Edward St - Elizabeth St	3P	2P
	Princess St – Melvista Ave	Unrestricted	3P
Bessell Avenue	The Avenue – Esplanade	No-Parking 5:30-11:30pm (Wed-Sun)	2P
Bruce Street	Princess St – Melvista Ave	3P	2P
	Melvista Ave – Gallop Rd (Verge)	Unrestricted	3P
	Melvista Ave – Gallop Rd (On-Street)	Unrestricted	No-Parking

Charles Court Reserve	Off-Street Carpark	3P	2P
Edward Street	Bruce St – Tyrell St	3P	2P
Elizabeth Street	Tyrell St – Archdeacon St	3P	2P
Hillway	Broadway – Bruce St	No-Parking 5:30-11:30pm (Wed-Sun)	2P
	Bruce St - Melvista Ave	Unrestricted	2P
Princess Road	Viewway – Bruce St	Unrestricted	3P
The Avenue	Steves Hotel	Unauthorised 15min	2P
	Broadway - Melvista Ave	Unrestricted	2P
	Broadway – Bruce St	No-Parking (Road or Verge)	No-Parking (Road only)
Tyrell Street	Edward St – Elizabeth St	3P	2P
Viewway	Elizabeth St – Princess Rd	Unrestricted	2P
Webster Street	Edward St – Princess Rd	Unrestricted	3P

*Attachment 1 shows the recommended changes presented in this table.

2. **Note that due to the width of the streets within the precinct the proposed time parking restrictions will apply to one side of the street along with no parking on the other to allow safe travel path of a vehicle. Except for Elizabeth Street where parking on both sides will be permitted;**
3. **Note that existing “No Parking” or “No Standing” restrictions that are in place for safety reasons such as sight distance limitations will remain unchanged; and**
4. **Note that existing “Loading Bays”, “Bus Bays” or other service parking restrictions will remain unchanged.**

TS07.17	RFT 2016/17.14 Supply of Irrigation Parts
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Committee	11 July 2017
Council	25 July 2017
Applicant	City of Nedlands
Officer	Nathan Brewer – Purchasing and Tenders Coordinator
Director	Martyn Glover – Director Technical Services
Attachments	1. Evaluation score sheet (confidential)

Councillor Shaw returned to the room at 8.30 pm.

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Hay

Seconded – Councillor Binks

That the Recommendation to Committee be adopted.

(Printed below for ease of reference)

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

Committee Recommendation / Recommendation to Committee

Council:

1. **Agrees to award tender no. 2016/17.14 to Total Eden Pty Ltd for the Supply of Irrigation Parts as per the schedule of rates submitted; and**
2. **Authorises the Chief Executive Officer to sign an acceptance of offer for this tender.**

TS08.17	RFT 2016/17.15 Road Profiling and Kerb Grinding
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Committee	11 July 2017
Council	25 July 2017
Applicant	City of Nedlands
Officer	Nathan Brewer – Purchasing and Tenders Coordinator
Director	Martyn Glover – Director Technical Services
Attachments	1. Evaluation Score Sheet (Confidential)

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Shaw

Seconded – Councillor Binks

That the Recommendation to Committee be adopted.

(Printed below for ease of reference)

CARRIED UNANIMOUSLY 9/-

Committee Recommendation / Recommendation to Committee

Council:

- 1. Agrees to award tender no. 2016/17.15 to Bluestone WA Pty Ltd atf The Blackburn Trust ta WA Profiling for the Provision of Road Profiling and Kerb Grinding Services as per the schedule of rates submitted; and**
- 2. Authorises the Chief Executive Officer to sign an acceptance of offer for this tender.**

8.3 Corporate & Strategy Report No's CPS19.17

Report No CPS19.17 to be dealt with at this point (copy attached green cover sheet).

CPS19.17	List of Accounts Paid – May 2017
Committee	11 July 2017
Council	25 July 2017
Applicant	City of Nedlands
Officer	Vanaja Jayaraman – Acting Manager Finance
Director	Lorraine Driscoll – Director Corporate & Strategy
Attachments	1. Creditor Payment Listing May 2017 2. Purchasing Card Payments May 2017 (29 th April – 29 th May)

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Shaw

Seconded – Councillor Hodsdon

That the Recommendation to Committee be adopted.

(Printed below for ease of reference)

CARRIED UNANIMOUSLY 9/-

Committee Recommendation / Recommendation to Committee

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

9. Reports by the Chief Executive Officer

Nil.

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

Any urgent business to be considered at this point.

11. Confidential Items

Nil.

Declaration of Closure

There being no further business, the Presiding Member declared the meeting closed at 8.35 pm.