



City of Nedlands

Minutes

Council Committee Meeting

10 April 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.

Table of Contents

Declaration of Opening3
Present and Apologies and Leave Of Absence (Previously Approved)3
1. Public Question Time4
1.1 Mr Bill Kenworthy, 56 Leura Avenue, Nedlands4
1.2 Ms Merryl Alexander, 108 Williams Road, Nedlands6
1.3 Ms Hazel Cole, 45 Langham Street, Nedlands7
2. Addresses By Members of the Public (only for items listed on the agenda)8
3. Disclosures of Financial Interest9
4. Disclosures of Interests Affecting Impartiality9
5. Declarations by Members That They Have Not Given Due Consideration to Papers9
6. Confirmation of Minutes9
6.1 Committee Meeting 13 March 20189
7. Matters for Which the Meeting May Be Closed9
8. Divisional Reports10
8.1 Planning & Development Report No’s PD12.18 to PD16.1811
PD12.18 (Lot 5146) No. 2 Alfred Road, Claremont – Increase in Staff and Children Numbers for a Child Day Care Centre (Retrospective)11
PD13.18 (Lot 786) No. 5 Minora Road, Dalkeith – Proposed Cabana15
PD14.18 Scheme Amendment No. 213 – High Amenity Corner Lots17
PD15.18 RFP 2017-18.01 Natural Areas and Greenways Weed Control19
PD16.18 (Lot 101) No. 8 Bishop Road, Dalkeith – Two Storey Single House20
CPS09.18 Long Term Financial Plan 2019 - 202821
CPS10.18 Proposed Change of Land Tenure – 8 Sayer Street, Lot 353, Swanbourne23
8.2 Technical Services Report No’s TS05.18 to TS07.1824
TS05.18 Beatrice Road Footpath between Wattle Avenue and Adelma Road24
TS06.18 Martin Avenue Parking Restrictions25
TS07.18 RFT 2017-18.10 Supply and Delivery of Drainage Materials26
8.3 Corporate & Strategy Report No’s CPS07.18 to CPS10.1827
CPS07.18 List of Accounts Paid – February 201827
CPS08.18 Strategic Community Plan – Nedlands 202728
CPS09.18 Long Term Financial Plan 2019 - 202829
CPS10.18 Proposed Change of Land Tenure – 8 Sayer Street, Lot 353, Swanbourne30
9. Reports by the Chief Executive Officer31
10. Urgent Business Approved By the Presiding Member or By Decision31
11. Confidential Items31
PD16.18 (Lot 101) No. 8 Bishop Road, Dalkeith – Two Storey Single House31
Declaration of Closure35

City of Nedlands

Minutes of a meeting of the Council Committee held in the Council Chambers, Nedlands on Tuesday 10 April 2018 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 | His Worship the Mayor, R M C Hipkins (Presiding Member) | |
| | Councillor C M de Lacy | 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 N B J Horley | Coastal Districts Ward |
| | Councillor L J McManus | Coastal Districts Ward |
| | Councillor I S Argyle | Dalkeith Ward |
| | Councillor W R B Hassell | Dalkeith Ward |
| | Councillor A W Mangano | Dalkeith Ward |

| | | |
|--------------|------------------|------------------------------------|
| Staff | Mr G K Trevaskis | Chief Executive Officer |
| | Mrs L M Driscoll | Director Corporate & Strategy |
| | Mr P L Mickleson | Director Planning & Development |
| | Mr M A Glover | Director Technical Services |
| | Mrs N M Ceric | Executive Assistant to CEO & Mayor |

Public There were 22 members of the public present.

Press The Post Newspaper representative.

Leave of Absence (Previously Approved) Nil.

Leave of Absence (Previously Approved) Councillor K A Smyth Coastal Districts Ward

Apologies Nil.

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

1.1 Mr Bill Kenworthy, 56 Leura Avenue, Nedlands

Question 1

How are our neighbouring Councils (Claremont and Cambridge) able to complete the undergrounding of power within the next 2 years while we in Hollywood and Coastal will have to wait a further 10 years?

Answer 1

The Town of Claremont is completing the undergrounding of the Town (approx. 1,000 properties) utilising the same Local Government funded option that the City of Nedlands is using in West Hollywood. The Town's contribution for these works is supported by the large quantum of rates received from the town centre (Claremont Quarter).

The Town of Cambridge is providing for four separate projects to complete undergrounding across the Town. Three of these have been funded through the State Underground Power Program and the final is fully funded by the Town. The funding for these is supported by the substantial reserves the Town has generated from endowment lands. (Freehold land gifted by the State Government for development purposes to generate revenue for Council infrastructure projects).

The City of Nedlands has only two options to fund underground power projects:

1. State Underground Power Program (SUPP) – the City submitted all three final projects, offered a subsidy to the State of 17% of their half and was still unsuccessful. The next round of SUPP is anticipated to be in 4 to 5 years.
2. Share of costs 50/50 with ratepayers.

(NB Nedlands has not had the benefit of endowment land).

Question 2

Will the Council commit to ensuring that the rest of the City does not have to pay any more than Hollywood West for underground power, given the proposed delay in the provision of the amenity.

Answer 2

The City policy is to share the costs (based on the cost of each individual project at the time) 50/50 with ratepayers and the City.

Question 3

Why is the Council reluctant to sell assets to pay for the completion of underground power in Hollywood and the Coastal Ward when Council is prepared to fund capital costs of the potential development of a building within the State Government owned Sunset Hospital Site for sale of land?

Answer 3

That decision is yet to be finally agreed but the principle relates to sale of City owned land currently committed to Arts in exchange for a long-term lease of 50-75 years to enable the expansion of the same service. In the past, land sold has been placed in a specific reserve so that it could be reinvested in the local area (ie Allen Park – land physically connected to an area that the sale proceeds can be allocated to).

Question 4

Is it fair that some areas of Nedlands will have received the benefits of undergrounding of power a full 30 years before those who live in Hollywood and pay the same rates (Long Term Financial Plan 2019-2028)?

Answer 4

In the past the State Government paid for underground power not the City. The City has attempted to get similar funding over the last 30 years but has not had the support of the State. To address this issue the City has explored alternative options including the current trial of the Local Government funded projects (West Hollywood) where Western Power contributes a smaller proportion relevant to the asset replacement and the City shares the balance of the costs 50/50 with ratepayers.

Question 5

In view of the Council's vision "*Our City will be an innovative and beautiful place*" (Nedlands 2027 Strategic Direction) how can the Council justify delaying the undergrounding of power for a further 10 years given that ratepayers have said they want this service because of the amenity benefits?

Answer 5

Council is committed to its Vision however, it must balance all its priorities. There is no delay but a considered and financially responsible plan to deliver underground power for all of Nedlands. Planning of the delivery of underground power is based on what is financially achievable and takes into account all known factors at the time. The City will review its plan annually and will take into account any other factors that may eventuate.

1.2 Ms Merryl Alexander, 108 Williams Road, Nedlands

Question 1

Why is the Council not prepared to take advantage of the present low rates and excellent borrowing conditions to finish the undergrounding of power in the city as soon as Hollywood West is completed?

Answer 1

The City has committed to borrowings to complete the Hollywood underground power project. The City is exercising financial responsibility in paying off this debt before the next round of underground projects.

Question 2

In its Nedlands 2027 - Strategic Community Plan the "City commits to continue advocating for government and/or community partnerships to facilitate the placing of power underground in all other areas of the City". Does the Council think that this is a still a worthwhile endeavour, given the dire financial position of the State's budget? Would it not be more productive and timely to focus on working proactively with Western Power and use the assets of the City to bring Hollywood and the Coastal Ward up to the standard that the rest of the City has been enjoying for many years?

Answer 2

Yes, the City believes advocating partnerships to facilitate the undergrounding of power across the rest of the City is a worthwhile endeavour.

There are currently two opportunities that could potentially deliver this outcome:

1. State Underground Power Program (SUPP) where the next round of projects could be offered in 4-5 years' time which would potentially facilitate the completion of underground power.
2. Local Government client funding project, with Western Power contributing the funds required for the replacement of the existing aerial network.

Question 3

The Long Term Financial Plan 2019 – 2028 includes several large projects. Why is it that the redevelopment of the administration site and the redevelopment of the Dalkeith Hall take priority and are both planned to be completed well before the completion of undergrounding power for the rest of Hollywood and the Coastal Ward, which has 20% of the Nedlands population?

Answer 3

These projects have been included in the plan as cost neutral to ratepayers. Underground power has a cost to ratepayers and therefore has to be funded and planned for in a financially responsible manner.

Question 4

Why are Hollywood and Coastal ratepayers paying additional rates (1.25%) for the amenity of underground power that is not planned to be completed for another 10 years?

Answer 4

The 1.25% is payable by all ratepayers including those that have paid for underground power previously. The funds will be placed in a reserve account to pay for the cost of underground projects.

Question 5

Should the rates in the areas of Hollywood and Coastal with overhead power be decreased to account for the fact that it has no underground power and it is not planned to be completed for another 10 years?

Answer 5

No, rates are determined by GRV which takes into account the current circumstances of the individual property.

Question 6

Council's decision-making criterion in the Nedlands 2027 – Strategic Community Plan requires Council to consider the following question “Are we ensuring an equitable distribution of benefits in the community?” How is it equitable that some ratepayers may have to wait up to 30 years after other ratepayers to receive equitable access to the benefits of underground power?

Answer 6

Underground power in WA can only be provided by Western Power, the prioritisation of projects has been in accordance with criteria established by the Office of Energy through the SUP and the City has had no influence over this priority setting.

1.3 Ms Hazel Cole, 45 Langham Street, Nedlands

Question

Item CPS09.18 Long Term Financial Plan 2019 – 2028 states “\$14.52m for UGP projects in 2019-2028, leaving approx. \$4.2m to be funded in 2028/29.” Can the Council advise how it has determined this cost, specifically the estimated number of lots, estimated cost per lot, and estimated contribution from Western Power?

Answer

The remaining number of lots has been determined from the City's Geographical Information System. The estimated cost per lot is based on experience and the estimated contribution from Western Power is based on their most recent advice.

2. Addresses By Members of the Public (only for items listed on the agenda)

Ms Gloria Carlson, 20 Burnettia Lane, Mount Claremont PD12.18
(in opposition to the recommendation)

It was noted that Ms Carlson was unable to attend this meeting and therefore her submission was circulated to Councillors prior to the meeting.

Mr Russell Skinner, 59 Victoria Avenue, Claremont PD12.18
(spoke in support of the recommendation)

Miss Marcia Mazanetz, Unit 3 / 4 Alfred Road, Claremont PD12.18
(spoke in opposition to the recommendation)

Ms Lianne Sandford, Unit 1 / 4 Alfred Road, Claremont PD12.18
(spoke in opposition to the recommendation)

Ms Nancy Zhang, 2 Viking Road, Dalkeith PD13.18
(spoke in opposition to the recommendation)

Mr Kim Venn, 72 Riley Road, Dalkeith PD14.18
(spoke in support of the recommendation)

Dr Martin Blake, 116 Victoria Avenue, Dalkeith PD16.18
(spoke in opposition to the recommendation)

Mr Andrew Boughton, Unit 4, 120 Broadway, Nedlands PD16.18
(spoke in support of the recommendation)

Ms Bushra Tariq on behalf of Mrs Carolyn Cornell, PD16.18
6 Bishop Road, Dalkeith
(spoke in opposition of the recommendation)

Ms Janice MacKenzie, 5 Finch Way, Mount Claremont CPS09.18
(spoke in support of the recommendation)

Mr Barry Rudd, 45 Langham Street, Nedlands CPS09.18
(spoke in relation to the item)

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.

There were no disclosures of financial interest.

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 March 2018

Moved – Councillor Argyle
Seconded – Councillor McManus

The Minutes of the Council Committee held 13 March 2018 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.

PD16.18 (Lot 101) No. 8 Bishop Road, Dalkeith – Two Storey Single House

Moved – Councillor Shaw
Seconded – Councillor Hassell

That PD16.18 - (Lot 101) No. 8 Bishop Road, Dalkeith – Two Storey Single House be discussed behind closed doors at the end of the meeting in accordance with Section 5.23 (d) of the *Local Government Act 1995* to allow confidential discussion.

**CARRIED 9/3
(Against: Crs. Argyle Mangano & McManus)**

Public Addresses on Item PD16.18 - (Lot 101) No. 8 Bishop Road, Dalkeith – Two Storey Single House where made at this point.

Dr Martin Blake, 116 Victoria Avenue, Dalkeith PD16.18
(spoke in opposition to the recommendation)

Mr Andrew Boughton, Unit 4, 120 Broadway, Nedlands PD16.18
(spoke in support of the recommendation)

Ms Bushra Tariq on behalf of Mrs Carolyn Cornell, PD16.18
6 Bishop Road, Dalkeith
(spoke in opposition of the recommendation)

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 PD12.18 to PD16.18

Planning & Development Report No's PD12.18 to PD16.18 to be dealt with at this point (copy attached yellow cover sheet).

| | |
|----------------|---|
| PD12.18 | (Lot 5146) No. 2 Alfred Road, Claremont – Increase in Staff and Children Numbers for a Child Day Care Centre (Retrospective) |
|----------------|---|

| | |
|----------------------|--|
| Committee | 10 April 2018 |
| Council | 24 April 2018 |
| Applicant | R Skinner |
| Landowner | A Skinner |
| Director | Peter Mickleson – Director Planning & Development |
| Reference | DA2017/253 |
| 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. Photograph of the subject property 2. Photographs of the Parking Situation on 19 October 2017 3. Photographs of the Parking Situation on 24 October 2017 4. Photographs of the Parking Situation on 25 October 2017 5. Photographs of the Parking Situation on 21 March 2018 6. Photographs of the unauthorised patio structures 7. Noise Management Plan (received on 7 March 2018) 8. Photographs of the unauthorised shade sail structure 9. Photograph of the unauthorised sign |

Ms Gloria Carlson, 20 Burnettia Lane, Mount Claremont PD12.18
(in opposition to the recommendation)

It was noted that Ms Carlson was unable to attend this meeting and therefore her submission was circulated to Councillors prior to the meeting.

Mr Russell Skinner, 59 Victoria Avenue, Claremont PD12.18
(spoke in support of the recommendation)

Miss Marcia Mazanetz, Unit 3 / 4 Alfred Road, Claremont PD12.18
(spoke in opposition to the recommendation)

Ms Lianne Sandford, Unit 1 / 4 Alfred Road, Claremont PD12.18
(spoke in opposition to the recommendation)

Moved – Councillor Wetherall
Seconded – Councillor Hay

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

Amendment

Moved - Councillor McManus
Seconded - Councillor Hassell

That an additional condition 9 be added as follows:

- 9. a more substantial fence of a minimum height of 2.4 metres to the satisfaction of Administration is constructed along the boundary of No 1 Alfred Road.**

The AMENDMENT was PUT and was

CARRIED 9/3
(Against: Crs. Mangano de Lacy & Shaw)

Further Amendment

Moved - Councillor James
Seconded - Councillor Hay

That the patio structures are not approved.

Councillor Argyle left the room at 8.11 pm.

The AMENDMENT was PUT and was

CARRIED 6/3
(Against: Mayor Hipkins Crs. Shaw & McManus)
(Abstained: Crs. Hodsdon & Wetherall)

The Substantive Motion was PUT and was

LOST 3/6
(Against: Crs. Mangano de Lacy Hodsdon Hay James & Shaw)
(Abstained: Cr. Wetherall & Horley)

Councillor Argyle returned to the room at 8.16 pm.

Regulation 11(da) – Council determined that the application as proposed would have an adverse effect on the amenity of the neighbourhood.

Moved – Councillor James

Seconded – Councillor Mangano

Committee Recommendation

Council endorse the original approval with a maximum of 39 children and staff members as per State regulations.

CARRIED 7/5

(Against: Crs. Argyle Hassell Hodsdon Wetherall & McManus)

Recommendation to Committee

Council approves the retrospective development application to increase staff and children numbers at (Lot 5146) No. 2 Alfred Road, Mount Claremont, in accordance with the amended plans received on 7 December 2017, subject to the following conditions and advice:

1. The development shall at all times comply with the approved plans.
2. The on site car-parking bays being maintained by the landowner to the City's satisfaction.
3. A maximum of 10 staff and 46 children on the premises at any one time.
4. The child day care centre only being permitted to operate between 7.00am and 6.00pm Monday to Friday (excluding public holidays).
5. All stormwater from the development, which includes permeable and non-permeable areas, shall be contained onsite.
6. The landowner complying with the noise management plan received on 7 March 2018 (Attachment 7) to the City's satisfaction.
7. Absorptive lining being applied to the underside of the patios' roof frame within 28 days from the date of this decision, in accordance with the Patio Acoustic Assessment dated 9 February 2018, to the City's satisfaction.
8. The absorptive lining applied to the underside of the patios' roof frame is to remain and be maintained by the landowner thereafter to the City's satisfaction.

Advice Notes specific to this proposal:

1. A separate application is required to be lodged and approved by the City prior to increasing staff and/or children numbers for the child day care centre in future.
2. 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.
3. The landowner is advised that all mechanical equipment and activities on the property are required to comply with the *Environmental Protection (Noise) Regulations 1997*, in relation to noise.
4. The applicant shall make application to the City's Building Services for a Building Permit, to acknowledge the unauthorised works.

| | |
|----------------|--|
| PD13.18 | (Lot 786) No. 5 Minora Road, Dalkeith – Proposed Cabana |
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|----------------------|--|
| Committee | 10 April 2018 |
| Council | 24 April 2018 |
| Applicant | Germano Design P/L |
| Landowner | B Saleeba |
| Director | Peter Mickleson – Director Planning & Development Services |
| Reference | DA2018/28 |
| 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 | 1. Photographs of the cabana’s proposed location |

Ms Nancy Zhang, 2 Viking Road, Dalkeith
(spoke in opposition to the recommendation)

PD13.18

Regulation 11(da) – The development is capable of fulfilling setback requirements and a compliant application should be reconsidered.

Moved – Councillor Shaw
Seconded – Councillor Mangano

Committee Recommendation

That Council does not approve the application.

**CARRIED 9/1
(Against: Cr. Hay)
(Abstained: Crs. Hodsdon & Wetherall)**

Recommendation to Committee

Council approves the development application to construct a cabana at the rear of (Lot 786) No. 5 Minora Road, Dalkeith, received on 27 February 2018, subject to the following conditions and advice:

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 pertains to the proposed cabana only.
3. All stormwater from the development, which includes permeable and non-permeable areas, shall be contained onsite.

Advice Notes specific to this approval:

1. Stormwater to be contained on site by draining to soak-wells of adequate capacity to contain runoff from a 20 year recurrent storm event. 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, at least 1.8m from the boundary of the block. Soak-wells shall be a minimum capacity of 1.0m³ for every 80m² of calculated surface area of the development.
2. The swimming pool shall be kept dry during the construction period. Alternatively, the water shall be maintained to a quality which prevents mosquitoes from breeding.
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.

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|----------------|--|
| PD14.18 | Scheme Amendment No. 213 – High Amenity Corner Lots |
|----------------|--|

| | |
|----------------------|--|
| Committee | 10 April 2018 |
| Council | 24 April 2018 |
| Applicant | Hemsley Planning |
| Landowner | Various |
| Director | Peter Mickleson – Director Planning & Development Services |
| Reference | Nil |
| Previous Item | Nil |
| Attachments | 1. Scheme Amendment No. 213 |

Councillor McManus & Councillor Hassell left the room at 9.36 pm.

Mr Kim Venn, 72 Riley Road, Dalkeith
(spoke in support of the recommendation)

PD14.18

Councillor McManus returned to the room at 8.38 pm.

Councillor Hassell returned to the room at 8.39 pm.

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Shaw
Seconded – Mayor Hipkins

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

Councillor Hay left the room at 8.57 pm and returned at 9pm.

Councillor Wetherall left the room at 9.01 pm and returned at 9.02 pm.

CARRIED 9/1
(Against: Cr. Hassell)
(Abstained: Crs. Hodsdon & Wetherall)

Committee Recommendation / Recommendation to Committee

Council:

- 1. Considers the amendment is a Complex Amendment for the following reason:**
 - a) The amendment is not consistent with a local planning strategy for the scheme that has been endorsed by the Commission.**
- 2. Refuses to adopt Scheme Amendment No. 213 to Town Planning Scheme No. 2 for the following reasons:**
 - a) Council resolved at its May 2015 Ordinary Meeting not to adopt further amendments to Town Planning Scheme No. 2 due to the preparation of Local Planning Scheme No. 3;**
 - b) The proposed amendment is not consistent with State Planning Policy; and**
 - c) The proposed amendment is not consistent with the City of Nedlands Local Planning Strategy.**
- 3. Does not proceed to advertise Scheme Amendment No. 213 to Town Planning Scheme No. 2.**

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|----------------|--|
| PD15.18 | RFP 2017-18.01 Natural Areas and Greenways Weed Control |
|----------------|--|

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|--------------------|--|
| Committee | 10 April 2018 |
| Council | 24 April 2018 |
| Applicant | City of Nedlands |
| Director | Peter Mickleson – Director Planning & Development Services |
| Attachments | Nil |

Councillor Shaw left the room at 9.08 pm.

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Mangano
 Seconded – Councillor Hay

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

Councillor Shaw returned to the room at 9.10 pm.

CARRIED UNANIMOUSLY 12/-

Committee Recommendation / Recommendation to Committee

Council:

- 1. Agrees to appoint panel no. 2017-18.01, as per the schedule of rates submitted, with the following priority:**
 - a) South East Regional Centre for Urban Landcare (SERCUL);**
 - b) Wake’s Contracting PL; and**
 - c) Natural Area Holdings Pty Ltd.**
- 2. Authorises the Chief Executive Officer to confirm members of this panel.**

PLEASE NOTE THIS ITEM WAS CONSIDERED AT THE END OF THE MEETING AS A CONFIDENTIAL ITEM SEE PAGE 31

| | |
|----------------|--|
| PD16.18 | (Lot 101) No. 8 Bishop Road, Dalkeith – Two Storey Single House |
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| | |
|----------------------|--|
| Committee | 10 April 2018 |
| Council | 24 April 2018 |
| Applicant | Boughton Architecture |
| Director | Peter Mickleson – Director Planning & Development Services |
| Reference | DA17/298 |
| Previous Item | PD03.18 – February 2018 PD10.18 – March 2018 |
| 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. Site Photographs 2. Applicant’s response to submissions |

Moved – Councillor Horley
 Seconded – Councillor Shaw

That CPS09.18 and CPS10.18 be brought forward.

CARRIED 10/2
(Against: Crs. Argyle & Hassell)

PLEASE NOTE: ITEM BROUGHT FORWARD FROM PAGE 29

| | |
|-----------------|---|
| CPS09.18 | Long Term Financial Plan 2019 - 2028 |
|-----------------|---|

| | |
|--------------------|--|
| Committee | 10 April 2018 |
| Council | 24 April 2018 |
| Applicant | City of Nedlands |
| Officer | Vanaja Jayaraman - Manager Financial Services |
| Director | Lorraine Driscoll – Director Corporate & Strategy |
| Attachments | 1. Long Term Financial Plan 2019 – 2028 - Rate Setting Statement - Summary |

Ms Janice MacKenzie, 5 Finch Way, Mount Claremont CPS09.18
 (spoke in support of the recommendation)

Mr Barry Rudd, 45 Langham Street, Nedlands CPS09.18
 (spoke in relation to the item)

Regulation 11(da) – Matter adjourned for further consideration.

Moved – Councillor James
 Seconded – Councillor McManus

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

Amendment

Moved - Councillor Hassell
 Seconded - Councillor Argyle

That page 9 of the plan be amended by adding a dot point under the heading
 “The plan takes into consideration key financial objectives;” as follows:

Maintaining rates at an acceptable level consistent with our growth objectives
 and what our community can reasonably bear.

Put Motion

Moved - Councillor Wetherall
Seconded - Councillor Hay

That the Motion be put.

**CARRIED 7/5
(Against: Crs. Argyle de Lacy Shaw Horley & McManus)**

The AMENDMENT was PUT and was

**CARRIED ON THE CASTING VOTE 6/6
(Against: Crs. Argyle Mangano de Lacy
Shaw Horley & McManus)**

Procedural Motion

Moved – Councillor Hodsdon
Seconded – Councillor Hay

That the item be adjourned to the May Councillor Briefing Sessions.

**CARRIED 10/2
(Against: Crs. James & McManus)**

Recommendation to Committee

That the 2019 – 2028 Long Term Financial Plan be endorsed to provide the financial framework for the delivery of the City's Strategic Community Plan.

PLEASE NOTE: ITEM BROUGHT FORWARD FROM PAGE 30

| | |
|--------------------|--|
| CPS10.18 | Proposed Change of Land Tenure – 8 Sayer Street, Lot 353, Swanbourne |
| Committee | 10 April 2018 |
| Council | 24 April 2018 |
| Applicant | City of Nedlands |
| Officer | Pollyanne Fisher – Policy & Projects Officer |
| Director | Lorraine Driscoll – Director Corporate & Strategy |
| Attachments | 1. Submissions 2. Extract from Allen Park Master Plan – consultation submission |

Councillor de Lacy left the room at 10.17 pm.

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Horley
Seconded – Councillor Shaw

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

Councillor de Lacy returned to the room at 10.19 pm and Councillor Mangano left the room at 10.19 pm and returned to the room at 10.20 pm.

CARRIED 11/-
(Abstained: Cr. Mangano)

Committee Recommendation / Recommendation to Committee

Council approves the making of a request to the Minister of Lands to acquire as Crown land, Lot 353 on deposited plan 35159, known as 8 Sayer Street, Swanbourne “the Walkway”, currently owned in freehold by the City, to be combined with adjacent Crown A Class Reserve, vested in a Management Order to the City for the ongoing purpose of ‘Recreation and Conservation’.

8.2 Technical Services Report No's TS05.18 to TS07.18

Technical Services Report No's TS05.18 to TS07.18 to be dealt with at this point (copy attached blue cover sheet).

| | |
|----------------|---|
| TS05.18 | Beatrice Road Footpath between Wattle Avenue and Adelma Road |
|----------------|---|

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|--------------------|--|
| Committee | 10 April 2018 |
| Council | 24 April 2018 |
| Applicant | City of Nedlands |
| Officer | Irene Chiang – Engineering Technical Officer |
| Director | Martyn Glover – Director of Technical Services |
| Attachments | 1. Proposed final design drawings 2. Pedestrian Shed Plan 3. Engagement report |

Councillor McManus & Councillor Hodson left the room at 10.23 pm.

Regulation 11(da) – Council was concerned the footpath was too close to the road and presented a safety risk.

Moved – Mayor Hipkins

Seconded – Councillor Hassell

Committee Recommendation

That Council approves the construction of a meandering footpath on the south side of Beatrice Road between Wattle Avenue and Adelma Road.

Councillor McManus returned to the room at 10.28 pm & Councillor Hodson returned at 10.29 pm.

CARRIED 6/5
(Against: Crs. Argyle Mangano de Lacy Hay & James)
(Abstained: Cr. Wetherall)

Recommendation to Committee

That Council approves the construction of the new footpath on the south side of Beatrice Road between Wattle Avenue and Adelma Road as detailed in Attachment 1 of this report.

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|----------------|---|
| TS06.18 | Martin Avenue Parking Restrictions |
|----------------|---|

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| Committee | 10 April 2018 |
| Council | 24 April 2018 |
| Applicant | City of Nedlands |
| Officer | James Cresswell – Manager Infrastructure Services |
| Director | Martyn Glover – Director Technical Services |
| Attachments | <ol style="list-style-type: none"> 1. Proposed Parking Restriction Drawing MA3-2018-01-MGA94-2 2. Martin Avenue – Proposed Parking Restrictions Community Engagement Results |

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Hodsdon
 Seconded – Councillor Wetherall

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

CARRIED UNANIMOUSLY 12/-

Committee Recommendation / Recommendation to Committee

Council:

- 1. approves the proposed parking restriction included in attached drawing number MA3-2018-01-MGA94-2; and**
- 2. supports the prohibition amendment from 3 hours to 2 hours; and**
- 3. requests that the lead petitioner be advised of Council’s decision.**

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| TS07.18 | RFT 2017-18.10 Supply and Delivery of Drainage Materials |
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| Committee | 10 April 2018 |
| Council | 24 April 2018 |
| Applicant | City of Nedlands |
| Officer | Nathan Brewer – Purchasing and Tenders Coordinator |
| Director | Martyn Glover – Director Technical Services |
| Attachments | Appendix A – Drainage Materials Final Evaluation (Confidential) |

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Shaw
 Seconded – Councillor Hay

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

CARRIED UNANIMOUSLY 12/-

Committee Recommendation / Recommendation to Committee

Council:

1. agrees to award tender no. 2017-18.10 to Access Icon Pty Ltd t/a Cascada for the Supply and Delivery of Drainage Materials 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 CPS07.18 to CPS10.18

Report No's CPS07.18 to CPS10.18 to be dealt with at this point (copy attached green cover sheet).

| CPS07.18 | List of Accounts Paid – February 2018 |
|--------------------|---|
| Committee | 13 April 2018 |
| Council | 24 April 2018 |
| Applicant | City of Nedlands |
| Officer | Vanaja Jayaraman – Manager Finance |
| Director | Lorraine Driscoll – Director Corporate & Strategy |
| Attachments | 1. Creditor Payment Listing February 2018 2. Purchasing Card Payments February 2018 (29 th January – 28 th February) |

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Shaw
Seconded – Councillor McManus

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

CARRIED UNANIMOUSLY 12/-

Committee Recommendation / Recommendation to Committee

Council receives the List of Accounts Paid for the month of February 2018 (refer to attachments).

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|-----------------|---|
| CPS08.18 | Strategic Community Plan – Nedlands 2027 |
|-----------------|---|

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|--------------------|---|
| Committee | 10 April 2018 |
| Council | 24 April 2018 |
| Applicant | City of Nedlands |
| Officer | Pollyanne Fisher – Policy & Projects Officer |
| Director | Lorraine Driscoll – Director Corporate & Strategy |
| Attachments | 1. Strategic Community Plan – Nedlands 2027 2. Report – Measuring Success in 2017 – out Strategic Community Plan |

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Hodsdon
Seconded – Councillor McManus

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

Councillor James retired from the meeting at 10.47 pm.

CARRIED 7/3
(Against: Crs. Mangano de Lacy & Wetherall)
(Abstained: Cr. Shaw)

Committee Recommendation / Recommendation to Committee

Council adopt the City of Nedlands Strategic Community Plan “Nedlands 2027”, as provided in Attachment 1.

ABSOLUTE MAJORITY REQUIRED

PLEASE NOTE THIS ITEM WAS BROUGHT FORWARD SEE PAGE 21

| | |
|--------------------|--|
| CPS09.18 | Long Term Financial Plan 2019 - 2028 |
| Committee | 10 April 2018 |
| Council | 24 April 2018 |
| Applicant | City of Nedlands |
| Officer | Vanaja Jayaraman - Manager Financial Services |
| Director | Lorraine Driscoll – Director Corporate & Strategy |
| Attachments | 1. Long Term Financial Plan 2019 – 2028 - Rate Setting Statement - Summary |

PLEASE NOTE ITEM WAS BROUGHT FORWARD SEE PAGE 23

| | |
|-----------------|---|
| CPS10.18 | Proposed Change of Land Tenure – 8 Sayer Street, Lot 353, Swanbourne |
|-----------------|---|

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|--------------------|--|
| Committee | 10 April 2018 |
| Council | 24 April 2018 |
| Applicant | City of Nedlands |
| Officer | Pollyanne Fisher – Policy & Projects Officer |
| Director | Lorraine Driscoll – Director Corporate & Strategy |
| Attachments | <ol style="list-style-type: none"> 1. Submissions 2. Extract from Allen Park Master Plan – consultation submission |

9. Reports by the Chief Executive Officer

Nil.

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

Nil.

11. Confidential Items

PLEASE NOTE THIS ITEM WAS CONSIDERED AT THE END OF THE MEETING AS A CONFIDENTIAL ITEM SEE PAGE 20

| | |
|----------------|--|
| PD16.18 | (Lot 101) No. 8 Bishop Road, Dalkeith – Two Storey Single House |
|----------------|--|

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|----------------------|--|
| Committee | 10 April 2018 |
| Council | 24 April 2018 |
| Applicant | Boughton Architecture |
| Director | Peter Mickleson – Director Planning & Development Services |
| Reference | DA17/298 |
| Previous Item | PD03.18 – February 2018 PD10.18 – March 2018 |
| 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. Site Photographs 2. Applicant’s response to submissions |

Closure of Meeting to the Public

Moved – Councillor Shaw

Seconded - Councillor Hassell

That the meeting be closed to the public in accordance with Section 5.23 (d) of the *Local Government Act 1995* to allow confidential discussion on the following Item.

**CARRIED 9/2
(Against: Crs. Argyle & McManus)**

The meeting was closed to the public at 11.01 pm.

Opening of Meeting to the Public

Moved - Councillor McManus

Seconded - Councillor Hay

That the meeting be reopened to members of the public and the press.

CARRIED UNANIMOUSLY 11/-

The meeting was reopened to members of the public and the press at 11.10 pm.

In accordance with Standing Orders 12.7(3) the Presiding Member read out the motions passed by the Committee whilst it was proceeding behind closed doors and the vote of the members to be recorded in the minutes under section 5.21 of the *Local Government Act 1995*.

Regulation 11(da) - The development does not comply with clause 5.3.3(a) of the City of Nedlands Town Planning Scheme No.2.

Moved – Councillor McManus

Seconded – Councillor Hassell

Committee Resolution

Council refuses the development application received on 19 October 2017 and amended plans received 20 November 2017 for a Two Storey Single House at (Lot 101) No. 8 Bishop Road Dalkeith, for the following reasons:

- 1. The development does not comply with clause 5.3.3(a) of the City of Nedlands Local Planning Scheme No.2.**

CARRIED UNANIMOUSLY 11/-

Recommendation to Committee

Council approves the development application received on 19 October 2017 and amended plans received 20 November 2017, for a Two Storey Single House at (Lot 101) No. 8 Bishop Road, Dalkeith, subject to the following conditions and advice:

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 two-storey single house, associated dividing fencing and site works.
3. Amended plans shall be submitted with the building permit showing the proposed dividing fencing to the northern and eastern side lot boundaries being a maximum of 1.8m above the higher of the ground levels at the lot boundary.
4. The parapet wall being finished to a professional standard within 14 days of the proposed development's practicable completion and be maintained thereafter by the landowner to the City's satisfaction.
5. All footings and structures to retaining walls, fences and parapet walls, shall be constructed wholly inside the site boundaries of the property's Certificate of Title.
6. All visual privacy screens and obscure glass panels to Major Openings and Unenclosed Active Habitable Spaces as shown on the approved plans, shall prevent overlooking in accordance with the visual privacy requirements of the *Residential Design Codes 2015*. The visual privacy screens and obscure glass panels shall be installed prior to the development's practicable completion and remain in place permanently, unless otherwise approved by the City.
7. All stormwater from the development, which includes permeable and non-permeable areas shall be contained onsite.
8. No soil, building materials, rubbish or any other deleterious matter shall be placed on the Parks and Recreation Reserve or be allowed to enter the river as a result of the demolition and construction works.
9. There shall be no access to the site via the Parks and Recreation reserve unless authorised by the City of Nedlands to do so.
10. No wastewater or backwash from the swimming pools are to be discharged onto the land, into the river or into the local government drainage system.
11. Stormwater drainage shall be contained on site, or connected to the local government stormwater drainage system, to the satisfaction of the City of Nedlands.

Advice Notes specific to this proposal:

1. In relation to Department of Biodiversity, Conservation and Attractions, conditions, the following advice notes are applicable:

- a) In regard to condition 11, stormwater runoff from constructed impervious surfaces generated by 1 year, 1 hour average occurrence interval (ARI) events (approximately a 15mm rainfall depth) should be retained and/or detained on the lot.
 - b) The applicant is advised that it is an offence under the *Swan and Canning Rivers Management Regulations 2007* to destroy, pull up, cut back or injure any tree, shrub or perennial plant that is on land within the Swan Canning Development Control Area, except with the approval of the Department of Biodiversity Conservation and Attractions or unless otherwise exempt by the Regulations.
2. A separate development application is required to be submitted to and approved by the City prior to erecting any fencing within the street setback area which is not compliant with the deemed-to-comply provisions of the Residential Design Codes.
 3. The crossovers to the street shall be constructed to the Council's Crossover Specifications and the applicant / landowner to obtain levels for the crossover from the Council's Infrastructure Services under supervision onsite, prior to commencement of works.
 4. Any development in the nature-strip (verge), including footpaths, will require a Nature-Strip Development Application (NSDA) to be lodged with, and approved by, the City's Technical Services department, prior to construction commencing.
 5. 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 under the Nature Strip Development approval.
 6. All swimming pool waste water shall be disposed of into an adequately sized, dedicated soak-well located on the same lot. Soak-wells shall not be situated closer than 1.8m to any boundary of a lot, building, septic tank or other soak-well.
 7. All swimming pools, whether retained, partially constructed or finished, shall be kept dry during the construction period. Alternatively, the water shall be maintained to a quality which prevents mosquitoes from breeding.
 8. All downpipes from guttering shall be connected so as to discharge into drains, which shall empty into a soak-well; and each soak-well shall be located at least 1.8m from any building, and at least 1.8m from the boundary of the block. Soak-wells of adequate capacity to contain runoff from a 20 year recurrent storm event. Soak-wells shall be a minimum capacity of 1.0m³ for every 80m² of calculated surface area of the development.

9. 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.
10. Prior to the commencement of any demolition works, any Asbestos Containing Material (ACM) in the structure to be demolished, shall be identified, safely removed and conveyed to an 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.

11. The applicant is advised to consult the City's Visual and Acoustic Privacy Advisory Information in relation to locating any mechanical equipment (e.g. air-conditioner, swimming pool or spa) such that noise, vibration and visual impacts on neighbours are mitigated. The City does not recommend installing any equipment near a property boundary where it is likely that noise will intrude upon neighbours.

Prior to selecting a location for an air-conditioner, the applicant is advised to consult the online fairair noise calculator at www.fairair.com.au and use this as a guide to prevent noise affecting neighbouring properties.

Prior to installing mechanical equipment, the applicant is advised to consult neighbours, and if necessary, take measures to suppress noise.

12. 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.

Declaration of Closure

There being no further business, the Presiding Member declared the meeting closed at 11.13 pm.