



City of Nedlands

# ***Minutes***

## ***Council Committee Meeting***

***12 April 2011***

**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 Ordinary Council Meeting next 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 12 April 2011 at 7.00 pm.

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#### Declaration of Opening

The Presiding Member declared the meeting open at 7.00 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)

<b>Councillors</b>	Councillor R M Hipkins	(Presiding Member)
	Councillor K E Collins	Coastal Districts Ward
	Councillor N B J Horley	Coastal Districts Ward
	Councillor K A Smyth	Coastal Districts Ward
	Councillor I S Argyle	Dalkeith Ward
	Councillor M S Negus	Dalkeith Ward
	Councillor J D Bell (until 8.42 pm)	Hollywood Ward
	Councillor R M Binks	Hollywood Ward
	Councillor B G Hodsdon	Hollywood Ward
	Councillor M L Somerville-Brown	Melvista Ward
	Councillor I Tan	Melvista Ward
	Councillor B Tyson	Melvista Ward

<b>Staff</b>	Mr GT Foster	Chief Executive Officer
	Ms C Eldridge	Director Development Services
	Mr M Cole	Director Corporate Services
	Mr I Hamilton	Director Technical Services
	Ms D Blake	Director Community & Strategy
	Ms S Love	Executive Assistant

**Public** There were 19 members of the public present.

**Press** The Post Newspaper representative (from 7.20 pm until 8.42 pm).

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

**Apologies** Her Worship the Mayor, S A Froese

**Absent** Nil.

## **Disclaimer**

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### **1. Public Question Time**

#### **1.1 Ms K Walker – 3 Burwood Street, Nedlands – Endorsement of Questionnaire for Quantitative Public Participation and Highview Park temporary car park proposal**

Deputy Mayor Hipkins on behalf of Ms K Walker of 3 Burwood Street, Nedlands tabled the following four questions in relation to the Highview Park temporary car park proposal and endorsement of the Questionnaire for Quantitative Public Participation (North Hollywood/ Hampden/ Broadway Housing Diversity Study Area). The answers were read aloud by Deputy Mayor Hipkins.

##### Question 1

Does the endorsement of the 'questionnaire for quantitative public participation' include the feedback forms sent out to Hollywood residents regarding Highview Park \$4m priority spending?

##### Answer 1

No.

Question 2

Has the Highview Park feedback form been seen and sanctioned by Council?

Answer 2

No. It is a feedback form following the public meeting.

Question 3

If the answer to the second question is in the affirmative, when did it happen?

Answer 3

Not applicable.

Question 4

Has the Highview Park feedback form (that asks the respondent to prioritize the spending of the \$4m) been sent to all Nedlands Ratepayers?

Answer 4

No.

**1.2 Mr K Eastwood – 7 Alexander Place, Dalkeith – Highview Park temporary car park proposal**

Mr. G. Foster, Chief Executive Officer on behalf of Mr K Eastwood and the Nedlands Electors Association Inc. of 7 Alexander Place, Dalkeith tabled the following four questions in relation to the Highview Park temporary car park proposal. The answers were read aloud by Mr G Foster, Chief Executive Officer.

Question 1

Who from the State Health Dept. was in contact with the CEO regarding the construction of the suggested car park on Highview Park and when did that communication occur?

Answer 1

Two senior officers of the Department made a verbal offer of \$4m in mid February.

Question 2

On what basis is it suggested that substantial funds flowing from the possible lease of Highview Park to the Health Dept should be expended on improvements to Hollywood Primary School when such costs are clearly a responsibility of the Education Dept?

Answer 2

It was thought appropriate to approach the school as they and the children could be placed at a disadvantage were the proposal to proceed for 12 months.

Question 3

In light of the public response, voiced at the public meeting held at Hollywood Bowling Club, opposing the suggested car park at Highview Park why did Council then authorise such expenditure as a traffic survey following that meeting?

Answer 3

There have been calls for the preparation of a business case which would naturally include traffic management, prior to any formal consideration by Council.

Question 4

What is the cost to the City of the traffic survey being undertaken?

Answer 4

The company concerned had already been engage on other traffic issues. The additional cost for the work and a possible cul de sacing in North Hollywood was \$6,500.

**1.3 Mr C Latchem – 2 Sherwood Road, Dalkeith – Amalgamation between the Nedlands and Subiaco Councils**

Mr. G. Foster, Chief Executive Officer on behalf of Mr C Latchem of 2 Sherwood Road, Dalkeith tabled the following five questions in relation to amalgamation between the Nedlands and Subiaco Councils. The answers were read aloud by Mr G Foster, Chief Executive Officer.

Question 1

In regard to the procedures which could lead to an amalgamation between the Nedlands and Subiaco Councils, I understand that if the advisory board recommends this to the Minister, the affected electors

have to be notified of their right to request a poll about this recommendation. At least 250, or at least 10%, of the electors of one of the districts must request that the recommendation be put to a poll of electors of that district for the Minister to require that the recommendation be put to a poll accordingly. If a poll is held, and if

- (a) at least 50% of the electors of one of the districts vote; and
- (b) of those electors of that district who vote, a majority vote against the recommendation

the Minister is to reject the recommendation. Is this correct?

Answer 1

Yes.

Question 2

I also understand that should the poll not fulfil the conditions of the rejection, the Minister is then free to accept or reject it. The Minister may still choose to reject a recommendation where no poll is held or where a majority vote is not achieved. Is this correct?

Answer 2

Yes.

Question 3

Is this the procedure to be followed in this case?

Answer 3

Cannot answer that. It is enshrined in state law that a poll can be called for by 250 people.

Question 4

I believe the turnout in the 2009 City of Nedlands election ranged from 35% to 40% Is this correct?

Answer 4

I believe so.

Question 5

Is this requirement of a turnout of over 50% not fundamentally undemocratic?

Answer 5

This calls for a subjective judgement and it is a provision of state government legislation, it should be directed there.

**1.4 Mr K Eastwood – 7 Alexander Place, Dalkeith – Highview Park temporary car park proposal**

Mr G Foster, Chief Executive Officer on behalf of Mr K Eastwood and the Nedlands Electors Association Inc. of 7 Alexander Place, Dalkeith tabled an additional eight questions in relation to the Highview Park temporary car park proposal.

Question 1

Did Council authorise the traffic study being undertaken for Highview Park?

Question 2

Did Council authorise the survey of North Hollywood residents in connection with Highview Park?

Question 3

Has the Council received a formal written offer from the Department of Health concerning use of Highview Park?

Question 4

Who contacted you from the Department of Health concerning use of Highview Park?

Question 5

When did the Department first contact you?

Question 6

The \$4M offered by the Department of Health for use of Highview Park – is this a net or gross income for the City? ie. What costs come out of it?

Question 7

Who is paying for the traffic study, survey of residents and preparation of an anticipated business case in connection with use of Highview Park?

### Question 8

Has an estimate been prepared of what costs the City is likely to incur if the parking proposal proceeds?

The questions was taken on notice and will be answered in writing, and both the questions, together with the answers, will be included in the agenda and minutes of the next ordinary Council meeting scheduled for 27 April 2011.

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

Addresses by members of the public who had completed Public Address Session Forms were invited to be made as each item relating to their address was discussed by the Committee.

Mr R Oates, 101 Tyrell Street, Nedlands Report D27.11  
(Spoke in support of the application)

Mr P Webb, 80 Fourth Ave, Mt Lawley Report D27.11  
(Spoke in opposition to the application)

Mrs P Millett, 12 Bellevue Avenue, Dalkeith Report D28.11  
(Spoke in opposition to the application)

Mr B Abeyasiriwardane, 29 Waratah Avenue, Dalkeith Report D28.11  
(Spoke in opposition to the application)

Mr J Male, 36/5 55 Salvado Road, Subiaco Report D28.11  
(Spoke in support of the application)

Mr G Davies, 4 Alexander Road, Dalkeith Report D29.11  
(Spoke in opposition to the application)

Mr K Helsby, 39 Jutland Parade, Dalkeith Report D30.11  
(Spoke in opposition to the application)

Mr K Helsby, 39 Jutland Parade, Dalkeith Report D31.11  
(Spoke in opposition to the application)

Mr L Reogh, 42 Jutland Parade, Dalkeith Report D31.11  
(Spoke in opposition to the application)

## **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 was discussed.

There were no disclosures on 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*.

**4.1 Councillor Negus – Report D29.11 - No. 2 (Lot 379) Alexander Road Dalkeith - Three Storey Dwelling, Pool and Front Fence**

Councillor Negus disclosed an impartiality interest in Report D29.11 - No. 2 (Lot 379) Alexander Road Dalkeith - Three Storey Dwelling, Pool and Front Fence. He disclosed that he has an association with the neighbour, and as a consequence, there may be a perception that his impartiality on the matter may be affected. He declared that he would consider this matter on its merits and vote accordingly.

**4.2 Councillor Tan – Report D28.11 - No. 10 (Lot 248) Bellevue Avenue, Dalkeith – Proposed Amendments to Existing Development Application**

Councillor Tan disclosed an impartiality interest in Report D28.11 - No. 10 (Lot 248) Bellevue Avenue, Dalkeith – Proposed Amendments to Existing Development Application. She disclosed that as a Councillor of the City, there have been several occasions when she has met with one of the objectors on various issues, and as a consequence, there may be a perception that her impartiality on the matter may be affected. She declared that she would consider this matter on its merits and vote accordingly.

Councillor Bell left the meeting at 7.07 pm

**4.3 Councillor Tan - Report D29.11 - No. 2 (Lot 379) Alexander Road Dalkeith - Three Storey Dwelling, Pool and Front Fence**

Councillor Tan disclosed an impartiality interest in Report D29.11 - No. 2 (Lot 379) Alexander Road Dalkeith - Three Storey Dwelling, Pool and Front Fence. She disclosed that she has an association with one of the objectors through his long service as a community member of one of the Committees of Council, and his sponsorship of the weekly newsletter of the Rotary Club of Nedlands which she helps to write, and as a consequence, there may be a perception that her impartiality on the matter may be affected. She declared that she would consider this matter on its merits and vote accordingly.

**4.4 Councillor Tyson – Report D29.11 - No. 2 (Lot 379) Alexander Road Dalkeith - Three Storey Dwelling, Pool and Front Fence**

Councillor Tyson disclosed an impartiality interest in Report D29.11 - No. 2 (Lot 379) Alexander Road Dalkeith - Three Storey Dwelling, Pool and Front Fence. She disclosed that she has an association with Mr Gordon Davies, and as a consequence, there may be a perception that her impartiality on the matter may be affected. She declared that she would consider this matter on its merits and vote accordingly.

**4.5 Councillor Smyth – Report D29.11 - No. 2 (Lot 379) Alexander Road Dalkeith - Three Storey Dwelling, Pool and Front Fence**

Councillor Smyth disclosed an impartiality interest in Report D29.11 - No. 2 (Lot 379) Alexander Road Dalkeith - Three Storey Dwelling, Pool and Front Fence. She disclosed that, through the Sustainable Nedlands Committee, she has an association with Mr Gordon Davies, and as a consequence, there may be a perception that her impartiality on the matter may be affected. She declared that she would consider this matter on its merits and vote accordingly.

**4.6 Councillor Argyle – Report D29.11 - No. 2 (Lot 379) Alexander Road Dalkeith - Three Storey Dwelling, Pool and Front Fence**

Later in the meeting – see page 22 - Councillor Argyle disclosed an impartiality interest in Report D29.11 - No. 2 (Lot 379) Alexander Road Dalkeith - Three Storey Dwelling, Pool and Front Fence. He disclosed that he has an association with Mr Gordon Davies, and as a consequence, there may be a perception that his impartiality on the matter may be affected. He declared that he would consider this matter on its merits and vote accordingly.

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

Nil.

**6. Confirmation of Minutes**

**6.1 Committee Meeting 8 March 2011**

Moved – Councillor Tyson  
Seconded – Councillor Negus

**That the minutes of the Council Committee held 8 March 2011 are confirmed, subject to the correction on Page 12 – Report D17.11 –**

**clause 3 “The proposed development is contrary to the QEII Medical Centre structure plan.” should be recorded as clause 1. iii.**

Councillor Bell returned to the meeting at 7.10 pm

**CARRIED 11/-  
(Abstained: Cr. Bell)**

**7. Matters for Which the Meeting May Be Closed**

Nil.

**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 Development Services Report No’s D27.11 to D34.11**

<b>D27.11</b>	<b>No. 101 (Lot 621) Tyrell Street Nedlands - Addition of Garage Door to Existing Carport</b>
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<b>Committee</b>	12 April 2011
<b>Council</b>	27 April 2011

<b>Applicant</b>	Graham Randall Oates
<b>Owner</b>	Graham Randall Oates
<b>Officer</b>	Elle O'Connor - Planning Officer
<b>Director</b>	Carlie Eldridge - Director Development Services
<b>Director Signature</b>	
<b>File ref</b>	DA11/18 : TY 1/101 : M11/05840
<b>Previous Item No’s</b>	Nil
<b>Disclosure of Interest</b>	No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> .

Non-Elector

Moved – Councillor Hodsdon

Seconded – Councillor Binks

**That Mr P Webb, a non-elect of the City be permitted to address the meeting.**

**CARRIED UNANIMOUSLY 12/-**

Public Address

Mr R Oates, 101 Tyrell Street, Nedlands  
(Spoke in support of the application)

Mr P Webb, 80 Fourth Ave, Mt Lawley  
(Spoke in opposition to the application)

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

Moved – Councillor Bell

Seconded – Councillor Argyle

Council approves the application for a garage door to be constructed on the existing carport located at No. 101 (Lot 621) Tyrell Street, Nedlands in accordance with the application dated 19 January 2011 subject to the following conditions:

1. Any additional development, which is not in accordance with the original application or conditions of approval, as outlined above, will require further approval by Council.

Put Motion

Moved – Councillor Binks

Seconded – Councillor Hodsdon

**That the motion be put.**

**PUT MOTION CARRIED 9/3  
(Against: Crs. Hipkins Tyson & Smyth)**

Adoption – The motion was put and

LOST 3/9  
(Against: Crs. Hipkins Binks Hodsdon Somerville-Brown  
Tan Tyson Collins Horley & Smyth)

Moved – Councillor Tyson  
Seconded – Councillor Somerville-Brown

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

Put Motion

Moved – Councillor Binks  
Seconded – Councillor Hodsdon

**That the motion amendment be put.**

**PUT MOTION CARRIED 9/3**  
**(Against: Crs. Argyle Tyson & Smyth)**

ADOPTION – The motion was put and

**CARRIED 10/1**  
**(Against: Cr. Tan)**  
**(Abstained: Cr. Hodsdon)**

**Committee Recommendation / Amended Recommendation to Committee**

**Council approves the application for a garage door to be constructed on the existing carport located at No.101 (Lot 621) Tyrell Street, Nedlands in accordance with the application dated 19 January 2011 subject to the following conditions:**

- 1. The garage door shall be constructed with a four leaf sectional door, with the lower two sections solid to a maximum height of 1.2m and the upper two sections with 3 open window frames in accordance with the plan dated 8 April 2011 – Proposed Garage Door Design, 101 Tyrell Street, Nedlands; and**
- 2. Any additional development, which is not in accordance with the original application or conditions of approval, as outlined above, will require further approval by Council.**

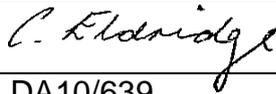
Recommendation to Committee

Council approves the application for a garage door to be constructed on the existing carport located at No. 101 (Lot 621) Tyrell Street, Nedlands in accordance with the application dated 19 January 2011 subject to the following conditions:

1. The garage door be constructed of materials that allow for 75% permeability to the satisfaction of the City; and
2. any additional development, which is not in accordance with the original application or conditions of approval, as outlined above, will require further approval by Council.

<b>D28.11</b>	<b>No. 10 (Lot 248) Bellevue Avenue, Dalkeith – Proposed Amendments to Existing Development Application</b>
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<b>Committee</b>	12 April 2011
<b>Council</b>	27 April 2011

<b>Applicant</b>	Oswald Homes
<b>Owner</b>	Mohammad Tufail Bin Mahmud
<b>Officer</b>	Coralie Anderson - Senior Statutory Planning Officer
<b>Director</b>	Carlie Eldridge - Director Development Services
<b>Director Signature</b>	
<b>File ref</b>	DA10/639
<b>Previous Item No's</b>	Nil
<b>Disclosure of Interest</b>	No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> .

Disclosure of Interest

**Councillor Tan** disclosed an impartiality interest in Report D28.11 - No. 10 (Lot 248) Bellevue Avenue, Dalkeith – Proposed Amendments to Existing Development Application. She disclosed that as a Councillor of the City, there have been several occasions when she has met with one of the objectors on various issues, and as a consequence, there may be a perception that her impartiality on the matter may be affected. She declared that she would consider this matter on its merits and vote accordingly.

Public Address

Mrs P Millett, 12 Bellevue Avenue, Dalkeith  
(Spoke in opposition to the application)

Mr B Abeyasiriwardane, 29 Waratah Avenue, Dalkeith  
(Spoke in opposition to the application)

Non-Elector

Moved – Councillor Hodsdon  
Seconded – Councillor Binks

**That Mr J Male, a non-elect of the City be permitted to address the meeting.**

**CARRIED UNANIMOUSLY 12/-**

Mr J Male, 36/5 55 Salvado Road, Subiaco  
(Spoke in support of the application)

**Regulation 11(da) – Committee considered it appropriate to amend the clause regarding the attic level to maintain the external appearance and control the bulk of building, and so not to adversely affect amenity of nearby residents.**

Moved – Councillor Tyson  
Seconded Pro Forma – Councillor Tan

**That the Recommendation to Committee** (printed below for ease of reference) **is adopted, subject to clause 1. b) being replaced with the following:**

1. **b) additional Attic level, provided that the roof line remains in accordance with plans dated 3 December 2010.**

Mr. M. Cole, Director Corporate Services left the meeting at 8.23 pm and returned at 8.24 pm.

Put Motion

Moved – Councillor Binks  
Seconded – Councillor Bell

**That the motion be put.**

**PUT MOTION CARRIED 7/5  
(Against: Crs. Hipkins Hodsdon Tyson Horley & Smyth)**

Adoption – The motion was put and

**CARRIED 6/2  
(Against: Crs. Argyle & Hodsdon)  
(Abstained: Crs. Bell Binks Horley & Smyth)**

### **Committee Recommendation**

**Council approves an application for amendments to an existing development approval located at No. 10 (Lot 248) Bellevue Avenue, Dalkeith in accordance with the application and plans dated 3 December 2010 and the amended plans dated 18 February 2011 subject to the following conditions:**

- 1. This approval is only for the amendments listed below:**
  - a) additional two (2) bedrooms and bathroom above the rear garage;**
  - b) additional Attic level, provided that the roof line remains in accordance with plans dated 3 December 2010;**
  - c) redesign Bedroom 1, Ensuite, and WIR on first floor;**
  - d) addition of Study on first floor;**
  - e) lift between ground and first floor;**
  - f) stairs flight to garage at rear; and**
  - g) modification to stairs within the dwelling;**
- 2. The use of the attic level shall be restricted to the use as depicted in the plans dated 18 February 2011 i.e. 'storage';**
- 3. Prior to the issue of a Building Licence for the development the owner shall execute and provide to the City a notification pursuant to Section 70A of the *Transfer of Land Act 1893* to be registered on the title to the land as notification to prospective purchasers that the use of basement level and attic is subject to the restriction set out in condition 2. Above;**
- 4. Without further planning approval, Bedroom 6 and Bedroom 7 shall not be used as Ancillary Accommodation;**
- 5. All storm water from building and paving areas (including driveways) shall be contained on site by draining to soakwells of adequate capacity to contain runoff from a 10 year recurrent storm event and the capacity of soakwells shall be a minimum of 1 cubic metre for every 80 m<sup>2</sup> of paved or roofed surface on the property;**
- 6. The use of bare or painted metal building materials is permitted on the basis that, if during or following the**

**erection of the development the Council forms the opinion that glare which is produced from the building has or will have a significant detrimental effect upon the amenity of neighbouring properties, the Council may require the owner to treat the building/roof to reduce the reflectivity to a level acceptable to Council; and**

- 7. Any additional development, which is not in accordance with the original application or conditions of approval, as outlined above, will require further approval by Council.**

#### **Advice Notes**

- a) Property owners are required by law to ensure that mechanical devices located on their property such as air conditioners do not create unreasonable noise to neighbouring properties. It is strongly advised that consultation be undertaken with the air conditioner installer and adjoining neighbour(s) prior to installation of any airconditioner equipment; and**
- b) In the event of a noise complaint being received by the City, remedial action (including potential relocation or other attenuation measures) may be required or the air conditioner may be prohibited from being used. It is recommended that applicants refer to the City's Visual and Acoustic Privacy Information document and also the online fairair noise calculator online at [www.fairair.com.au](http://www.fairair.com.au). Further advice can be sought from Acoustic Engineers who are listed in the Yellow Pages under "Acoustical Consultants".**

#### **Recommendation to Committee**

Council approves an application for amendments to an existing development approval located at No. 10 (Lot 248) Bellevue Avenue, Dalkeith in accordance with the application and plans dated 3 December 2010 and the amended plans dated 18 February 2011 subject to the following conditions:

- 1. This approval is only for the amendments listed below:**
  - a) additional two (2) bedrooms and bathroom above the rear garage;**
  - b) additional Attic level;**
  - c) redesign Bedroom 1, Ensuite, and WIR on first floor;**
  - d) addition of Study on first floor;**
  - e) lift between ground and first floor;**

- f) stairs flight to garage at rear; and
  - g) modification to stairs within the dwelling.
2. The use of the attic level shall be restricted to the use as depicted in the plans dated 18 February 2011 i.e. 'storage'.
  3. Prior to the issue of a Building Licence for the development the owner shall execute and provide to the City a notification pursuant to Section 70A of the *Transfer of Land Act 1893* to be registered on the title to the land as notification to prospective purchasers that the use of basement level and attic is subject to the restriction set out in condition 2. above.
  4. Without further planning approval, Bedroom 6 and Bedroom 7 shall not be used as Ancillary Accommodation.
  5. All storm water from building and paving areas (including driveways) shall be contained on site by draining to soakwells of adequate capacity to contain runoff from a 10 year recurrent storm event and the capacity of soakwells shall be a minimum of 1 cubic metre for every 80 m<sup>2</sup> of paved or roofed surface on the property.
  6. The use of bare or painted metal building materials is permitted on the basis that, if during or following the erection of the development the Council forms the opinion that glare which is produced from the building has or will have a significant detrimental effect upon the amenity of neighbouring properties, the Council may require the owner to treat the building/roof to reduce the reflectivity to a level acceptable to Council.
  7. Any additional development, which is not in accordance with the original application or conditions of approval, as outlined above, will require further approval by Council.

#### Advice Notes

- a) Property owners are required by law to ensure that mechanical devices located on their property such as air conditioners do not create unreasonable noise to neighbouring properties. It is strongly advised that consultation be undertaken with the air conditioner installer and adjoining neighbour(s) prior to installation of any airconditioner equipment.
- b) In the event of a noise complaint being received by the City, remedial action (including potential relocation or other attenuation measures) may be required or the air conditioner may be prohibited from being used. It is recommended that applicants refer to the City's Visual and Acoustic Privacy

Information document and also the online fairair noise calculator online at [www.fairair.com.au](http://www.fairair.com.au). Further advice can be sought from Acoustic Engineers who are listed in the Yellow Pages under "Acoustical Consultants".

<b>D29.11</b>	<b>No. 2 (Lot 379) Alexander Road Dalkeith - Three Storey Dwelling, Pool and Front Fence</b>
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<b>Committee</b>	12 April 2011
<b>Council</b>	27 April 2011

<b>Applicant</b>	Milankov Designs
<b>Owner</b>	Amanda Turner
<b>Officer</b>	Coralie Anderson -Senior Statutory Planning Officer
<b>Director</b>	Carlie Eldridge - Director Development Services
<b>Director Signature</b>	
<b>File ref</b>	DA09/254 : DA09/252 : AL2/2
<b>Previous Item No's</b>	Nil
<b>Disclosure of Interest</b>	No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> .

Disclosure of Interest

**Councillor Negus** disclosed an impartiality interest in Report D29.11 - No. 2 (Lot 379) Alexander Road Dalkeith - Three Storey Dwelling, Pool and Front Fence. He disclosed that he has an association with the neighbour, and as a consequence, there may be a perception that his impartiality on the matter may be affected. He declared that he would consider this matter on its merits and vote accordingly.

Mr G Foster, Chief Executive Officer left the meeting at 8.28 pm

**Councillor Tan** disclosed an impartiality interest in Report D29.11 - No. 2 (Lot 379) Alexander Road Dalkeith - Three Storey Dwelling, Pool and Front Fence. She disclosed that she has an association with one of the objectors through his long service as a community member of one of the Committees of Council, and his sponsorship of the weekly newsletter of the Rotary Club of Nedlands which she helps to write, and as a consequence, there may be a perception that her impartiality on the matter may be affected. She declared that she would consider this matter on its merits and vote accordingly.

**Councillor Tyson** disclosed an impartiality interest in Report D29.11 - No. 2 (Lot 379) Alexander Road Dalkeith - Three Storey Dwelling, Pool and Front Fence. She disclosed that she has an association with Mr Gordon Davies, and as a consequence, there may be a perception that her impartiality on the matter may be affected. She declared that she would consider this matter on its merits and vote accordingly.

**Councillor Smyth** disclosed an impartiality interest in Report D29.11 - No. 2 (Lot 379) Alexander Road Dalkeith - Three Storey Dwelling, Pool and Front Fence. She disclosed that, through the Sustainable Nedlands Committee, she has an association with Mr Gordon Davies, and as a consequence, there may be a perception that her impartiality on the matter may be affected. She declared that she would consider this matter on its merits and vote accordingly.

**Councillor Argyle** disclosed an impartiality interest in Report D29.11 - No. 2 (Lot 379) Alexander Road Dalkeith - Three Storey Dwelling, Pool and Front Fence. He disclosed that he has an association with Mr Gordon Davies, and as a consequence, there may be a perception that his impartiality on the matter may be affected. He declared that he would consider this matter on its merits and vote accordingly.

Public Address

Mr G Davies, 4 Alexander Road, Dalkeith  
(Spoke in opposition to the application)

**Regulation 11(da) – Committee considered it appropriate to refuse the application as it deemed the proposal did not comply with the Acceptable Development or Performance Criteria of Clause 6.9.1 of the Residential Design Codes resulting in excessive overshadowing of the southern adjoining property and the overshadowing, reduced boundary and privacy setbacks, cone of vision, and increased fill would adversely impact on the amenity of the adjoining properties.**

Moved – Councillor Negus  
Seconded Pro Forma– Councillor Binks

**Council refuses to approve the application for a Three Storey Dwelling, Pool and Front Fence at No. 2 (Lot 379) Alexander Rd Dalkeith accordance with the application dated 23 June 2009 and the amended plans dated 23 September 2010 for the following reasons:**

- 1. The proposal does not comply with the Acceptable Development or Performance Criteria of Clause 6.9.1 of the**

**Residential Design Codes resulting in excessive overshadowing of the southern adjoining property; and**

- 2. The overshadowing, reduced boundary and privacy setbacks, cone of vision, and increased fill will adversely impact on the amenity of the adjoining properties.**

Mr G Foster, Chief Executive Officer returned to the meeting at 8.41 pm.

**CARRIED 11/-  
(Abstained: Cr. Somerville-Brown)**

#### **Committee Recommendation**

**Council refuses to approve the application for a Three Storey Dwelling, Pool and Front Fence at No. 2 (Lot 379) Alexander Rd Dalkeith accordance with the application dated 23 June 2009 and the amended plans dated 23 September 2010 for the following reasons:**

- 1. The proposal does not comply with the Acceptable Development or Performance Criteria of Clause 6.9.1 of the Residential Design Codes resulting in excessive overshadowing of the southern adjoining property; and**
- 2. The overshadowing, reduced boundary and privacy setbacks, cone of vision, and increased fill will adversely impact on the amenity of the adjoining properties.**

#### **Recommendation to Committee**

Council approves an application for a Three Storey Dwelling, Pool and Front Fence located at No. 2 (Lot 379) Alexander Road, Dalkeith in accordance with the application dated 23 June 2009 and the amended plans dated 23 September 2010 subject to the following conditions:

1. the use of bare or painted metal building materials is permitted on the basis that, if during or following the erection of the development the Council forms the opinion that glare which is produced from the building/roof has or will have a significant detrimental effect upon the amenity of neighbouring properties, the Council may require the owner to treat the building/roof to reduce the reflectivity to a level acceptable to Council;
2. all storm water from building and paving areas (including driveways) shall be contained on site by draining to soakwells of adequate capacity to contain runoff from a 10 year recurrent

storm event and the capacity of soakwells shall be a minimum of one (1) cubic metre for every 80 m<sup>2</sup> of paved or roofed surface on the property;

3. the use of the basement level shall be restricted to the uses as depicted in the plans submitted dated 23 September 2010 i.e. Garage, Store, Cellar, Workshop and Toilet;
4. prior to the issue of a Building Licence for the development the owner shall execute and provide to the City a notification pursuant to Section 70A of the *Transfer of Land Act 1893* to be registered on the title to the land as notification to prospective purchasers that the use of is subject to the restriction set out in condition 3 above;
5. all crossovers to street shall be constructed to the Council's Crossover Specifications and the applicant/owner to obtain levels for crossovers from the Council's Infrastructure Services under supervision on-site, prior to commencement of works;
6. front walls and fences in the primary street setback shall be a maximum height of 1.8 m above natural ground level at the base of the wall and visually permeable in accordance with the Residential Design Codes (RCodes);
7. walls and fences to be truncated or reduced to no higher than 0.75 m within 1.5 m of where walls and fences adjoin vehicle access points;
8. any additional development, which is not in accordance with the original application or conditions of approval, as outlined above, will require further development approval.

#### Advice Notes

- a. All internal water-closet's (WC's) and ensuites without window access to outside air must be serviced by mechanical ventilation, which is ducted to outside air. The minimum rate of air change must be equal or greater than 25 litres per second.
- b. Any pump or pump enclosure and filter equipment for the swimming pool/spa pool should be carefully located so as to ensure that a nuisance is not caused by unreasonable noise or vibration. Should noise levels exceed those stipulated in the *Environmental Protection (Noise) Regulations 1997*, equipment may require relocation or other attenuation measures, or the equipment may be prohibited from being used. It is recommended that applicants refer to the City's Visual and Acoustic Privacy Information document.

- c. All swimming pool waste water is to be disposed of into an adequate dedicated soakwell located on the same lot, or in a manner approved by the City's Sustainable Nedlands department.
- d. Property owners are required by law to ensure that mechanical devices located on their property such as air conditioners do not create unreasonable noise to neighbouring properties. It is strongly advised that consultation be undertaken with the air conditioner installer and adjoining neighbour(s) prior to installation of any airconditioner equipment.
- e. In the event of a noise complaint being received by the City, remedial action (including potential relocation or other attenuation measures) may be required or the air conditioner may be prohibited from being used. It is recommended that applicants refer to the City's Visual and Acoustic Privacy Information document and also the online fairair noise calculator online at [www.fairair.com.au](http://www.fairair.com.au). Further advice can be sought from Acoustic Engineers who are listed in the Yellow Pages under "Acoustical Consultants".

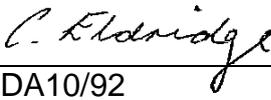
The Presiding Member granted an adjournment for 5 minutes for the purposes of a refreshment break.

The meeting adjourned at 8.42 pm and reconvened at 8.51 pm with the following people in attendance:

<b>Councillors</b>	Councillor R M Hipkins	(Presiding Member)
	Councillor K E Collins	Coastal Districts Ward
	Councillor N B J Horley	Coastal Districts Ward
	Councillor K A Smyth	Coastal Districts Ward
	Councillor I S Argyle	Dalkeith Ward
	Councillor R M Binks	Hollywood Ward
	Councillor B G Hodsdon	Hollywood Ward
	Councillor M L Somerville-Brown	Melvista Ward
	Councillor I Tan	Melvista Ward
	Councillor B Tyson	Melvista Ward
<b>Staff</b>	Mr GT Foster	Chief Executive Officer
	Ms C Eldridge	Director Development Services
	Mr M Cole	Director Corporate Services
	Ms D Blake	Director Community & Strategy
	Ms S Love	Executive Assistant
<b>Public</b>	There were 5 members of the public present.	

<b>D30.11</b>	<b>No. 38 (Lot 50) Jutland Parade, Dalkeith – Proposed Four Storey Dwelling (including Swimming Pool, Front Fence, Landscaping and Fill)</b>
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<b>Committee</b>	12 April 2011
<b>Council</b>	27 April 2011

<b>Applicant</b>	Milankov Designs and Project Management
<b>Owner/s</b>	Robert Franco
<b>Officer</b>	Nick Bakker - Planning Officer
<b>Director</b>	Carlie Eldridge - Director Development Services
<b>Director Signature</b>	
<b>File ref</b>	DA10/92
<b>Previous Item No's</b>	Nil
<b>Disclosure of Interest</b>	No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> .

Public Address

Mr K Helsby, 39 Jutland Parade, Dalkeith  
(Spoke in opposition to the application)

Councillor Negus re-joined the meeting at 8.56 pm

Mr L Keogh, 42 Jutland Parade, Dalkeith  
(Spoke in opposition to the application)

Mr. I. Hamilton, Director Technical Services re-joined the meeting at 8.59 pm

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

Moved – Councillor Tyson  
Seconded – Councillor Horley

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

**CARRIED UNANIMOUSLY 11/-**

**Committee Recommendation / Recommendation to Committee**

**Council refuses an application under the City of Nedlands Town Planning Scheme No. 2 (TPS2) and recommends that the Western Australian Planning Commission (WAPC) refuse the application under the MRS for the proposed four storey dwelling (including swimming pool, front fence, landscaping and fill) at No. 38 (Lot 50) Jutland Parade, Dalkeith in accordance with the application dated 5 March 2010 and amended plans dated 27 January 2011, on the grounds that:**

- a) the proposed dwelling is contrary to Clause 5.11 i) of TPS2 in that more than two residential storeys are proposed, and there is no discretion under TPS2 for this provision to be varied;**
- b) the proposed dwelling is contrary to Clause 5.11 ii) of TPS2, in that the height of exterior walls exceed 8.5 m from mean natural ground level at the base of the walls, and there is no discretion under TPS2 for this provision to be varied;**
- c) the proposed dwelling meets neither the Acceptable Development provisions nor the Performance Criteria under Clause 6.3.1 of the Residential Design Codes in relation to side setbacks;**
- d) the bulk and scale of the proposed development is excessive, and adversely affects amenity of neighbouring properties;**
- e) the development proposes excessive fill and retaining (up to 7.0 m), contrary to clause 5.10.3(a) of TPS2 in relation to the Controlled Development Area;**
- f) the development will have an adverse impact on the amenity of the surrounding area as viewed from the Swan River and associated parks and recreation reserves, contrary to clause 5.10.2(a) of TPS2 in relation to the Controlled Development Area.**

Moved – Councillor Collins

Seconded – Councillor Negus

**That the Chief Executive Officer is authorised to refuse any development application contrary to the City's prevailing Town Plan Scheme, where no discretion to vary requirements exists.**

**CARRIED 8/-  
(Abstained: Crs. Binks Tan & Smyth)**

<b>D31.11</b>	<b>No. 40 (Lot 51) Jutland Parade, Dalkeith – Proposed 2x Multi Storey Dwellings (including Swimming Pools, Front Fence, Landscaping and Fill)</b>
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<b>Committee</b>	12 April 2011
<b>Council</b>	27 April 2011

<b>Applicant</b>	Milankov Designs and Project Management
<b>Owner/s</b>	Robert Franco
<b>Officer</b>	Nick Bakker - Planning Officer
<b>Director</b>	Carlie Eldridge - Director Development Services
<b>Director Signature</b>	
<b>File ref</b>	DA10/90 : DA10/91
<b>Previous Item No's</b>	Nil
<b>Disclosure of Interest</b>	No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> .

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

Moved – Councillor Hodsdon  
 Seconded – Councillor Tyson

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

(Printed below for ease of reference)

**CARRIED UNANIMOUSLY 11/-**

**Committee Recommendation / Recommendation to Committee**

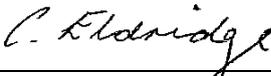
1. **Council refuses an application under the City of Nedlands Town Planning Scheme No. 2 (TPS2) and recommends the Western Australian Planning Commission (WAPC) refuse the application under the MRS for the proposed three storey dwelling (including swimming pool, front fence, landscaping and fill) at No. 40 (Lot 51/ proposed Lot 61) Jutland Parade, Dalkeith in accordance with the application dated 5 March 2010 and amended plans dated 27 January 2011 and 22 February 2011, on the grounds that:**
  - a) **Clause 5.3.1(a) of TPS2 does not allow two dwellings to be approved on the same R12.5 lot, and as subdivision of Lot 51 to create two new lots has not been completed, the proposal must be refused.**

- b) the proposed dwelling is contrary to Clause 5.11 i) of TPS2 in that more than two residential storeys are proposed, and there is no discretion under TPS2 for this provision to be varied;
  - c) the proposed dwelling is contrary to Clause 5.11 ii) of TPS2, in that the height of exterior walls exceed 8.5m from mean natural ground level at the base of the walls, and there is no discretion under TPS2 for this provision to be varied;
  - d) the proposed dwelling does not comply with the 9 m front setback requirement under Clause 5.3.3 (a) of TPS2, and there is no discretion under TPS2 for this requirement to be varied;
  - e) the development proposes a 'non-accessible roof deck' and privacy screen within the CDA rear setback area, and there is no discretion available to allow development within that setback;
  - f) the proposed dwelling meets neither the Acceptable Development provisions nor the Performance Criteria under clause 6.3.1 of the Residential Design Codes in relation to side setbacks.
2. Council refuses an application under the City of Nedlands Town Planning Scheme No. 2 ("TPS2") and recommends the Western Australian Planning Commission (WAPC) refuse the application under the MRS for the proposed four storey dwelling (including swimming pool and fill) at No. 40 (Lot 51/ proposed Lot 62) Jutland Parade, Dalkeith in accordance with the application dated 5 March 2010 and amended plans dated 27 January 2011, on the grounds that:
- a) Clause 5.3.1(a) of TPS2 does not allow two dwellings to be approved on the same R12.5 lot, and as subdivision of Lot 51 to create two new lots has not been completed, the proposal must be refused.
  - b) the proposed dwelling is contrary to Clause 5.11 i) of TPS2 in that more than two residential storeys are proposed, and there is no discretion under TPS2 for this provision to be varied;
  - c) the proposed dwelling is contrary to Clause 5.11 ii) of TPS2, in that the height of exterior walls exceed 8.5m from mean natural ground level at the base of the walls, and there is no discretion under TPS2 for this provision to be varied;

- d) **the proposed dwelling meets neither the Acceptable Development provisions nor the Performance Criteria under Clause 6.3.1 of the Residential Design Codes in relation to the side setbacks;**
  - e) **the development will have an adverse impact on the amenity of the surrounding area as viewed from the Swan River and associated parks and recreation reserves, contrary to clause 5.10.2(a) of TPS2 in relation to the Controlled Development Area;**
  - f) **the bulk and scale of the proposed development is excessive, and adversely affects amenity of neighbouring properties.**
- 3. Council determines pursuant to Note 2 of Appendix 1 of TPS2 that in light of the approval to subdivide Lot 51 (40) Jutland Parade into proposed Lots 61 and 62:**
- a) **the southern boundary of proposed Lot 61 shall be regarded as the rear boundary for the purposes of determining where the rear setback shall be applied pursuant to clause 5.10.3(b) of TPS2; and**
  - b) **for proposed Lot 62, the existing rear boundary shown in Appendix 1 of TPS2 for Lot 51 shall remain the rear boundary for the purposes of determining where the rear setback shall be applied pursuant to clause 5.10.3(b) of TPS2.**

<b>D32.11</b>	<b>No. 101 (Reserve 33244) Monash Avenue - QEII Medical Centre Access and Structure Plan and Master Plan - Report and Recommendations</b>
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<b>Committee</b>	12 April 2011
<b>Council</b>	27 April 2011

<b>Applicant</b>	Department of Treasury and Finance
<b>Owner</b>	QEII Medical Centre Trust
<b>Officer</b>	Jennifer Heyes - Manager Statutory Planning
<b>Director</b>	Carlie Eldridge - Director Development Services
<b>Director Signature</b>	
<b>File ref</b>	M01/R33244-05
<b>Previous Item No's</b>	DA10/645 : DA10/646l : DA10/382 : DA09/107
<b>Disclosure of Interest</b>	No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> .

**Regulation 11(da) – Committee considered it appropriate to requested Administration organise a meeting with relevant stakeholders to discuss the QEII Master Plan in order to address ongoing concerns regarding traffic, parking and environmental issues with current and future development at the QEII Medical Centre so that a mediatory and satisfactory outcome for all concerned can be achieved.**

Moved – Councillor Tan  
 Seconded – Councillor Negus

**That:**

- 1. Administration organises a meeting as soon as possible between Council and representatives of the major stakeholders eg HRIT (Health Reform Implementation Taskforce), SCGH, QEII Medical Centre Trust, Department of Planning, Public Transport Authority, Department of Treasury and Finance, UWA, HPA (Hollywood Private Hospital) with a view to discuss the QEII Master Plan, and in particular access and activity centres along the North-east corner of the site fronting Winthrop Avenue in order to address ongoing concerns regarding traffic, parking and environmental issues with current and future development at the QEII Medical Centre so that a mediatory and satisfactory outcome for all concerned can be achieved;**

2. **the City of Subiaco be invited to attend the same meeting;**
3. **a pre-meeting workshop be held for Nedlands Councillors and Administration staff; and**
4. **The agenda for the workshop to include the following recommendations for discussion:**
  - a) **All future Development Applications incorporate:**
    - i. **A Construction Management Plan, including construction traffic, noise, waste management, storage and screening;**
    - ii. **An Acoustic Report;**
    - iii. **A Landscaping Plan;**
    - iv. **A Report on the impact on carparking;**
  - b) **A comprehensive Construction Management Plan be submitted for the entire site redevelopment which includes construction traffic, noise, waste management, storage and screening;**
  - c) **Additional multi-decked and/or basement parking is incorporated into all the new buildings to provide further carparking on the site;**
  - d) **To resolve that the remnant bushland remain intact as identified in the original Structure Plan document and as reflected in the current Master Plan;**
  - e) **Explore additional height opportunities along the Winthrop Avenue edge and within the 'core' of the site, including smaller footprints and taller buildings. This would allow for additional carparking and provide the opportunity for retention of remnant bushland and greater landscape open-space;**
  - f) **Explore the opportunity of the Special Development Zone on the corner of Winthrop Avenue and Aberdare Road being increased in height to allow for a well designed entry statement to the site and provide the opportunity for carparking to be provided to a standard commercial carparking ratio in line with its proposed use for health related commercial uses;**

- g) The Access and Structure Plan is amended to provide for the additional height opportunities to achieve clause h) above;**
- h) The light rail is funded and implemented prior to the Children's and Women's Hospitals being opened; and**
- i) And any other item.**

Put Motion

Moved – Councillor Binks

Seconded – Councillor Hodsdon

**That the motion be put.**

**PUT MOTION CARRIED 9/2  
(Against: Crs. Tyson & Smyth)**

Adoption – The motion was put and

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

**Committee Recommendation**

**That:**

- 1. Administration organises a meeting as soon as possible between Council and representatives of the major stakeholders eg HRIT (Health Reform Implementation Taskforce), SCGH, QEII Medical Centre Trust, Department of Planning, Public Transport Authority, Department of Treasury and Finance, UWA, HPA (Hollywood Private Hospital) with a view to discuss the QEII Master Plan, and in particular access and activity centres along the North-east corner of the site fronting Winthrop Avenue in order to address ongoing concerns regarding traffic, parking and environmental issues with current and future development at the QEII Medical Centre so that a mediatory and satisfactory outcome for all concerned can be achieved;**
- 2. the City of Subiaco be invited to attend the same meeting;**
- 3. a pre-meeting workshop be held for Nedlands Councillors and Administration staff; and**
- 4. The agenda for the workshop to include the following recommendations for discussion:**

- a) All future Development Applications incorporate:**
  - i. A Construction Management Plan, including construction traffic, noise, waste management, storage and screening;**
  - ii. An Acoustic Report;**
  - ii. A Landscaping Plan;**
  - iv. A Report on the impact on carparking;**
- b) A comprehensive Construction Management Plan be submitted for the entire site redevelopment which includes construction traffic, noise, waste management, storage and screening;**
- c) Additional multi-decked and/or basement parking is incorporated into all the new buildings to provide further carparking on the site;**
- d) To resolve that the remnant bushland remain intact as identified in the original Structure Plan document and as reflected in the current Master Plan;**
- e) Explore additional height opportunities along the Winthrop Avenue edge and within the 'core' of the site, including smaller footprints and taller buildings. This would allow for additional carparking and provide the opportunity for retention of remnant bushland and greater landscape open-space;**
- f) Explore the opportunity of the Special Development Zone on the corner of Winthrop Avenue and Aberdare Road being increased in height to allow for a well designed entry statement to the site and provide the opportunity for carparking to be provided to a standard commercial carparking ratio in line with its proposed use for health related commercial uses;**
- g) The Access and Structure Plan is amended to provide for the additional height opportunities to achieve clause h) above;**
- h) The light rail is funded and implemented prior to the Children's and Women's Hospitals being opened; and**
- i) And any other item.**

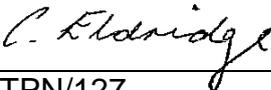
## Recommendation to Committee

Council instructs Administration to write to the QEII Medical Trust and the Department of Treasury and Finance in regards to current and future development at the QEII Medical Centre with the following recommendations:

1. All future Development Applications incorporate but not limited to:
  - a) A Construction Management Plan, including construction traffic, noise, waste management, storage and screening.
  - b) An Acoustic Report.
  - c) A Landscaping Plan.
  - d) A Report on the impact on carparking.
2. A comprehensive Construction Management Plan be submitted for the entire site redevelopment which includes construction traffic, noise, waste management, storage and screening.
3. Additional multi-decked and/or basement parking is incorporated into all the new buildings to provide further carparking on the site.
4. To resolve that the remnant bushland remain intact as identified in the original Structure Plan document and as reflected in the current Master Plan.
5. Explore additional height opportunities along the Winthrop Avenue edge and within the 'core' of the site, including smaller footprints and taller buildings. This would allow for additional carparking and provide the opportunity for retention of remnant bushland and greater landscape open-space.
6. Explore the opportunity of the Special Development Zone on the corner of Winthrop Avenue and Aberdare Road being increased in height to allow for a well designed entry statement to the site and provide the opportunity for carparking to be provided to a standard commercial carparking ratio in line with its proposed use for health related commercial uses.
7. The Access and Structure Plan is amended to provide for the additional height opportunities to achieve clause 5 above.
8. The light rail is funded and implemented prior to the Children's and Women's Hospitals being opened.

<b>D33.11</b>	<b>North Hollywood/ Hampden/ Broadway Housing Diversity Study Area – Endorsement of Questionnaire for Quantitative Public Participation</b>
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<b>Committee</b>	12 April 2011
<b>Council</b>	27 April 2011

<b>Applicant</b>	City of Nedlands
<b>Owner</b>	Various
<b>Officer</b>	Gabriela Poezyn - Manager Strategic Planning
<b>Director</b>	Carlie Eldridge - Director Development Services
<b>Director Signature</b>	
<b>File ref</b>	TPN/127
<b>Previous Item No's</b>	D100.10
<b>Disclosure of Interest</b>	No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> .

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

Moved – Councillor Somerville-Brown  
 Seconded – Councillor Binks

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

Mr. G. Foster, Chief Executive Officer left the meeting at 9.48 pm and returned at 9.49 pm.

**CARRIED 8/1**  
**(Against: Cr. Hipkins)**  
**(Abstained: Crs. Tyson & Collins)**

**Committee Recommendation / Recommendation to Committee**

**Council endorse the attached survey be undertaken in accordance with the Project Plan.**

<b>D34.11</b>	<b>Refurbishment of the Maisonettes 67 (Lot 29) Stirling Highway, Nedlands</b>
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<b>Committee</b>	12 April 2011
<b>Council</b>	27 April 2011

<b>Applicant</b>	City of Nedlands
<b>Owner</b>	City of Nedlands
<b>Officer</b>	Matthew Deal - Manager Property Services
<b>Director</b>	Carlie Eldridge - Director Development Services
<b>Director Signature</b>	
<b>File ref</b>	ST6/67-02 : TEN/317
<b>Previous Item No's</b>	D72.10
<b>Disclosure of Interest</b>	No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> .

**Regulation 11(da) - Not applicable – Recommendation adopted with minor change to wording.**

Moved – Councillor Negus  
Seconded – Councillor Argyle

**Council:**

1. **accepts the tender from Henlyn Construction Pty Ltd for the refurbishment of the Maisonettes at a cost of \$324,548; and**
2. **agrees to allocate additional funds of \$100,000 needed to fulfil the financial requirements of the tender from the 2010/11 budget review process.**

Mr. M. Cole, Director Corporate Services left the meeting at 10.03 pm and returned at 10.04 pm.

**CARRIED 8/-  
(Abstained: Crs. Tan Horley & Smyth)**

**Committee Recommendation**

**Council:**

1. **accepts the tender from Henlyn Construction Pty Ltd for the refurbishment of the Maisonettes at a cost of \$324,548; and**
2. **agrees to allocate additional funds of \$100,000 needed to fulfil the financial requirements of the tender from the 2010/11 budget review process.**

Recommendation to Committee

Council:

1. accepts the tender from Henlyn Construction Pty Ltd for the construction of the Maisonettes at a cost of \$324,548.
2. agrees to allocate additional funds of \$100,000 needed to fulfil the financial requirements of the tender from the 2010/11 budget review process.

**8.2 Corporate Services Report No's CP12.11 to CP16.11**

<b>CP12.11</b>	<b>2010/2011 Mid Year Budget Review</b>
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<b>Committee</b>	12 April 2011
<b>Council</b>	27 April 2011

<b>Applicant</b>	City of Nedlands
<b>Owner</b>	City of Nedlands
<b>Officer</b>	Rajah Senathirajah – Manager Finance
<b>Director</b>	Michael Cole – Director Corporate Service
<b>Director Signature</b>	
<b>File ref</b>	Fin/003-13
<b>Previous Item No's</b>	Nil
<b>Disclosure of Interest</b>	No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the Local Government Act (1995).

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

Moved – Councillor Negus  
 Seconded – Councillor Binks

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

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

**Committee Recommendation / Recommendation to Committee**

**Council:**

- a) receives and adopts, in accordance with Regulation 33A of the Local Government (Financial Management) Regulations 1996, the budget review and the Revised Rate Setting Statement for the year ending 30 June 2011;
- b) notes the additional brought forward surplus from 2009/2010 financial year of \$790,000, including funds for approved work;
- c) notes the requested changes to the adopted 2010/11 Budget listed in the Attachment 1, and summarised in the Report;
- d) approves the Revised Budget incorporating all the changes listed in Attachment 1 of this Report, providing a net surplus of \$736,700 before allocation to the new expenses below; and
- e) approves the allocation from this surplus of the following expenses to be incurred this financial year:
  - i. Donations totalling \$202,000 to the 3 sporting clubs in Nedlands, as listed in Attachment 2;
  - ii. Design of Bushland Pathways at a cost of \$20,000, as listed in Attachment 2;
  - iii. Purchase of surveying equipment at a cost of \$52,000, as listed in Attachment 2;
  - iv. Contribution of \$30,800 towards the construction of a roundabout at Hampden Road/Park Road intersection, being 1/6 of the total project cost of \$185,000;
  - v. Replacement of a ten-year old wheel loader at net change over cost of \$145,000;
  - vi. The cost of demolition of the Hollywood After-School Activity Centre, estimated at \$14,100;
  - vii. approves the \$700,000 reduction in the drawdown from reserves for this financial year, as shown in Attachment 1; and
  - viii. notes that the anticipated uncommitted funds available for carrying forward to the 2011/12 financial year, if Council accepts all the proposed changes and

**recommended new expenses, is \$ 272,800, compared to \$ 4,700 in the adopted budget.**

**CP13.11 Review of Local Law Relating to Dogs**

<b>Committee</b>	12 April 2011
<b>Council</b>	27 April 2011

<b>Applicant</b>	City of Nedlands
<b>Owner</b>	City of Nedlands
<b>Officer</b>	Mellanie Culhane – Senior Ranger
<b>Director</b>	Michael Cole – Director Corporate Services
<b>Director Signature</b>	
<b>File ref.</b>	LEG/003-07
<b>Previous Item No's</b>	Nil
<b>Disclosure of Interest</b>	No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the Local Government Act (1995).

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

Moved – Councillor Negus  
 Seconded – Councillor Tan

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

(Printed below for ease of reference)

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

**Committee Recommendation / Recommendation to Committee**

**Council to authorise administration to:**

- a) **Undertake a review of the Local Law relating to Dogs;**
- b) **Commence the process of adoption of the City of Nedlands dog Local Law 2011, the purpose and effect of which are:**

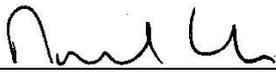
**Purpose: The purpose of the local law is to provide for the regulation, control and management of dogs and issues relating to dogs within the municipality;**

**Effect: The effect of the local law is to control activities and manage dogs within the municipality; and**

- c) Report back to Council the results of the review and any submissions received as per requirements of Section 3.12 and 3.16 of the Local Government Act 1995 and the Department of Local Government Operational Guidelines.

<b>CP14.11</b>	<b>Monthly Financial Report – February 2011</b>
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<b>Committee</b>	12 April 2011
<b>Council</b>	27 April 2011

<b>Applicant</b>	City of Nedlands
<b>Owner</b>	City of Nedlands
<b>Officer</b>	Rajah Senathirajah – Manager Finance
<b>Director</b>	Michael Cole – Director Corporate Service
<b>Director Signature</b>	
<b>File ref.</b>	Fin/072-16
<b>Previous Item No's</b>	Nil
<b>Disclosure of Interest</b>	No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the Local Government Act (1995).

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

Moved – Councillor Negus  
 Seconded – Councillor Tan

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

**CARRIED UNANIMOUSLY 11/-**

**Committee Recommendation / Recommendation to Committee**

**Council receives the Monthly Financial Report for February 2011.**

<b>CP15.11</b>	<b>Investment Report – February 2011</b>
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<b>Committee</b>	12 April 2011
<b>Council</b>	27 April 2011

<b>Applicant</b>	City of Nedlands
<b>Owner</b>	City of Nedlands
<b>Officer</b>	Rajah Senathirajah – Manager Finance
<b>Director</b>	Michael Cole – Director Corporate Service
<b>Director Signature</b>	
<b>File ref.</b>	Fin/071-06
<b>Previous Item No's</b>	Nil
<b>Disclosure of Interest</b>	No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the Local Government Act (1995).

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

Moved – Councillor Negus  
 Seconded – Councillor Somerville-Brown

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

**CARRIED UNANIMOUSLY 11/-**

**Committee Recommendation / Recommendation to Committee**

**Council receives the Investment Report for the period ended 28 February 2011.**

<b>CP16.11</b>	<b>List of Accounts Paid – February 2011</b>
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<b>Committee</b>	12 April 2011
<b>Council</b>	27 April 2011

<b>Applicant</b>	City of Nedlands
<b>Owner</b>	City of Nedlands
<b>Officer</b>	Rajah Senathirajah – Manager Finance
<b>Director</b>	Michael Cole – Director Corporate Service
<b>Director Signature</b>	
<b>File ref:</b>	Fin/072-16
<b>Previous Item No's</b>	Nil
<b>Disclosure of Interest</b>	No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the Local Government Act (1995).

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

Moved – Councillor Negus  
 Seconded – Councillor Somerville-Brown

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

**CARRIED UNANIMOUSLY 11/-**

**Committee Recommendation / Recommendation to Committee**

**Council receives the List of Accounts Paid for the month of February 2011.**

**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 10.13 pm.

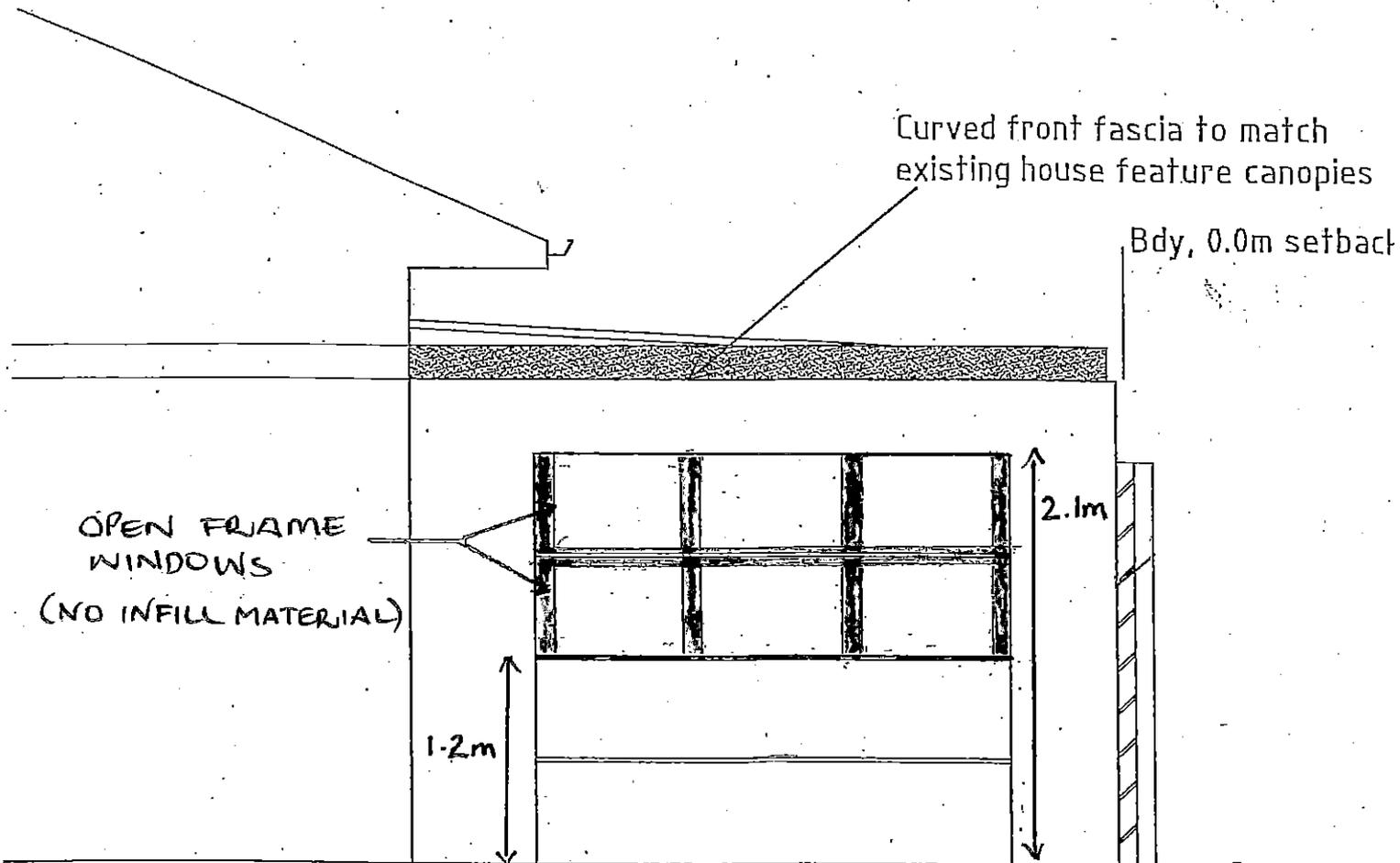
**Attachment to Report D27.11**

**Committee Meeting – 12 April 2011**

No. 101 (Lot 621) Tyrell Street Nedlands –  
Addition of Garage Door to Existing Carport

CITY OF NEDLANDS  
RECEIVED  
0-8 APR 2011

# PROPOSED GARAGE DOOR DESIGN NO. 101 TYRELL STREET, NEDLANDS



FRONT ELEVATION