



City of Nedlands

Minutes

Council Meeting

22 February 2011

ATTENTION

These minutes are subject to confirmation.

Prior to acting on any resolution of the Council contained in these minutes, a check should be made of the Ordinary Council Meeting next following this meeting to ensure that there has not been a correction made to any resolution.

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City of Nedlands

Minutes of an ordinary meeting of Council held in the Council Chambers, Nedlands on Tuesday 22 February 2011 at 7.02 pm.

Declaration of Opening

The Presiding Member declared the meeting open at 7.02 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	Her Worship the Mayor, S A Froese	(Presiding Member)
	Councillor K E Collins	Coastal Districts Ward
	Councillor K A Smyth	Coastal Districts Ward
	Councillor I S Argyle	Dalkeith Ward
	Councillor R M Hipkins	Dalkeith Ward
	Councillor M S Negus	Dalkeith Ward
	Councillor J D Bell (until 8.34 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

Staff	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 S Love	Executive Assistant

Public There were 21 members of the public present including one staff member.

Press The Post Newspaper (from 8:28 pm until 8:32 pm) and Western Suburbs Weekly representatives (from 7:25 pm until 9:34 pm).

Leave of Absence (Previously Approved) None.

Apologies Councillor N B J Horley Coastal Districts Ward

Absent None.

Disclaimer

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In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or intimation of approval made by a member or officer of the City of Nedlands during the course of any meeting is not intended to be and is not to be taken as notice of approval from the City of Nedlands. The City of Nedlands warns that anyone who has any application lodged with the City of Nedlands must obtain and should only rely on written confirmation of the outcome of the application, and any conditions attaching to the decision made by the City of Nedlands in respect of the application.

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1. Public Question Time

1.1 Mr M Cross – 20 Loftus Street, Nedlands - Sump reinstatement at 22 Loftus Street, Nedlands

Mr G Foster, Chief Executive Officer, on behalf of Mr M Cross of 20 Loftus Street, Nedlands tabled the following two questions in relation to Item 18.1 - Extreme Storm Event on 22 March 2010 and Strategy for Sump Rationalisation on Loftus Street and Napier Street, Nedlands.

Question 1

Regarding item 18.1 of the agenda, when will work commence on sump reinstatement at 22 Loftus Street?

Question 2

Does the reinstatement work include retaining walls to retain the soil which was filled in 2005 to a higher level than the ground level in adjacent properties?

The questions were 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 22 March 2011.

1.2 Mr T Tucak - 16 Adderley Street, Mt Claremont - Strategic Recreation Plan

Mr G Foster, Chief Executive Officer, on behalf of Mr T Tucak of 16 Adderley Street, Mt Claremont tabled the following question and answer in relation to Report CM01.11 - Strategic Recreation Plan Reviewed Incorporating Public Comment.

Question

The Strategic Recreation Plan now proposes 6 major reserves. Table 2 shows that 25 of the 30 sport and recreational clubs listed on the Sport and Recreational Clubs page on the City of Nedlands website are included in these 6 major reserves. Will the 5 sport and recreational clubs that are not included in a major reserve, be disadvantaged under the Strategic Recreation Plan?

Answer

If Council endorses the 6 major reserves as recommended in the revised Strategic Recreation Plan, the City of Nedlands clubs located on reserves that are not classified as major reserves will be:

- the Swanbourne Surf Life Savings Club
- the WA Bridge Club and
- the Cottesloe Golf Club.

The three clubs listed above currently have exclusive use of a Council-owned facility. They are not multi-sport buildings and this may be more likely to affect any applications for facility funding in future.

Both the City and DSR (Department of Sport and Recreation) prioritise funding towards multi-sport facilities, as this maximizes the physical activity outcome that is the goal of facility funding. However, single sport facilities are still eligible for funding, where they can be shown to result in a significant increase in physical activity.

2. Addresses by Members of the Public

Addresses by the following members of the public who had completed Public Address Session Forms were made at this point.

Non-Elector

Moved – Councillor Smyth

Seconded – Councillor Hodsdon

That Ms A Stacy, Ms H Munro, Mr S Klopper and Mr N Kletnicks, non-electors of the City be permitted to address the meeting.

CARRIED UNANIMOUSLY 11/-

Mr S Lipple, 30 Lynton Street, Swanbourne Report D01.11
(Spoke in support of the recommendation)

Mr R Kooperman, 43 Portland Street, Nedlands Report D02.11
(Spoke in opposition to the recommendation)

Mr J Adcock, 169 Alfred Road, Mt Claremont Report D03.11
(Spoke in opposition to the recommendation)

Mr S Klopper, 270 York Street, Subiaco Report D03.11
(Spoke in support of the recommendation)

Mr M Lennan, 65 Mayfair Street, Mt Claremont Report D03.11
(Spoke in support of the recommendation)

Dr P Golden, 121 Rochdale Road, Mt Claremont Report D04.11
(Spoke in support of the recommendation)

Ms D Watson, 140 Rochdale Road, Mt Claremont Report D05.11
(Spoke in support of the recommendation)

Ms N Wood, 5/45 Kinninmont Ave, Nedlands Report D06.11
(Spoke in opposition to the recommendation)

Mr N Kletnicks, 1/12 Kwong Alley, North Fremantle Report D06.11
(Spoke in support of the recommendation to committee)

Mr S Ballard, 19/69 Melvista Ave, Nedlands Report D07.11
(Spoke in opposition to the recommendation)

Ms A Stacy, 58 Purdom Road, Wembley Downs Report D08.11
(Spoke in opposition to the recommendation)

Ms H Munro, 19 Warton Street, Cottesloe Report D08.11
(Spoke in opposition to the recommendation)

Dr D Cullen, 2 Korel Garden, Swanbourne Item 13.2
(Spoke in support of the recommendation)

Mr K Harmanis, 22 Odern Crescent, Swanbourne Item 13.2
(Spoke in support of the recommendation)

3. Requests for Leave of Absence

Nil.

4. Petitions

Nil.

5. 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.

5.1 Mr G Foster, Chief Executive Officer - Report D15.11 - Perth Flying Squadron Yacht Club Inc – Reserve 17391 (Lot 254 on Deposited Plan 37070), 254 Birdwood Parade, Dalkeith - Surrender of Lease and Deed of Variation of Lease and proposed new 21 year Lease

Mr G Foster, Chief Executive Officer disclosed an impartiality interest in Report D15.11 - Perth Flying Squadron Yacht Club Inc – Reserve 17391 (Lot 254 on Deposited Plan 37070), 254 Birdwood Parade, Dalkeith - Surrender of Lease and Deed of Variation of Lease and proposed new 21 year Lease, his interest being that he is an honorary member of the Club. He advised that he would leave the meeting during this matter.

6. 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*.

6.1 Mayor Froese - Report D15.11 - Perth Flying Squadron Yacht Club Inc – Reserve 17391 (Lot 254 on Deposited Plan 37070), 254 Birdwood Parade, Dalkeith - Surrender of Lease and Deed of Variation of Lease and proposed new 21 year Lease

Mayor Froese disclosed an impartiality interest in Report D15.11 - Perth Flying Squadron Yacht Club Inc – Reserve 17391 (Lot 254 on Deposited Plan 37070), 254 Birdwood Parade, Dalkeith - Surrender of Lease and Deed of Variation of Lease and proposed new 21 year Lease. She disclosed that as Mayor, she is a Patron and honorary member of the Club 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.

6.2 Mayor Froese - Report CM01.11 - Strategic Recreation Plan Reviewed Incorporating Public Comment

Mayor Froese disclosed an impartiality interest in Report CM01.11 - Strategic Recreation Plan Reviewed Incorporating Public Comment. She disclosed that several of family members have played, coached and umpired for various sporting clubs in the area, including Melvista Oval 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.

6.3 Councillor Tan - Report CM01.11 - Strategic Recreation Plan Reviewed Incorporating Public Comment

Councillor Tan disclosed an impartiality interest in Report CM01.11 - Strategic Recreation Plan Reviewed Incorporating Public Comment. She disclosed she is a current member of the Nedlands Golf Club, which is affected by the proposed plans for Melvista Oval, 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.

6.4 Councillor Bell - Report D15.11 - Perth Flying Squadron Yacht Club Inc – Reserve 17391 (Lot 254 on Deposited Plan 37070), 254 Birdwood Parade, Dalkeith - Surrender of Lease and Deed of Variation of Lease and proposed new 21 year Lease

Later in the meeting, see page 34 - Councillor Bell disclosed an impartiality interest in Report D15.11 - Perth Flying Squadron Yacht Club Inc – Reserve 17391 (Lot 254 on Deposited Plan 37070), 254 Birdwood Parade, Dalkeith - Surrender of Lease and Deed of Variation of Lease and proposed new 21 year Lease. He disclosed he is a previous member of the club and as a consequence, there may be a perception that his impartiality on the matter may be affected. He declared that she would consider this matter on its merits and vote accordingly.

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

Nil

8. Confirmation of Minutes

8.1 Ordinary Council meeting 14 December 2010

Moved – Councillor Tan
 Seconded - Councillor Binks

The minutes of the ordinary Council meeting held 14 December 2010 are to be confirmed, subject to:

- a) Page 12: amend sentence to read “In addition, the Mayor wished Councillors, their family & friends and all residents a safe and happy Christmas”.**
- b) Page 121: amend sentence to read: “The Presiding Member granted Councillors 5 minutes to consider the motion”.**
- c) Page 122: Suspension of Standing Order – amend vote to correctly read “Suspension carried unanimously 13/-”**

CARRIED UNANIMOUSLY 11/-

9. Announcements of the Presiding Member without discussion

The Presiding Member tabled the following list of functions she had attended during the past period 15 December 2010 to 22 February 2011.

Tuesday, 25 January 2011	City of Nedlands Premier’s Australia Day Active Citizenship Awards and Citizenship Ceremony
Wednesday, 2 February 2011	City of Perth International Women’s Day 2011 Centenary Celebrations
Friday, 4 February 2011	Sundowner: Dalkeith Nedlands Bowling Club
Saturday, 5 February 2011	City of Nedlands 2030 Conference
Sunday, 6 February 2011	City of Nedlands Summer Concerts in the Park, Floreat
Thursday, 10 February 2011	Central Metropolitan Zone Meeting
Sunday, 13 February 2011	City of Nedlands Summer Concerts in the Park, Dalkeith
Monday, 14 February 2011	The University of Western Australia 2011 Foundation Dinner
Wednesday, 16 February 2011	WALGA Climate Change Councillor’s Group
Thursday, 17 February 2011 & Friday, 18	Regional State Council meeting & Zone Forum, Esperance

February 2011	
Sunday, 20 February 2011	City of Nedlands Summer Concerts in the Park, Swanbourne
Tuesday, 22 February 2011	Cities of Nedlands and Subiaco Regional Transition Group Board meeting

On behalf of the City and the community, the Mayor conveyed support for Australia's local governments suffering from the recent natural disasters.

The Mayor added that the City's thoughts and prayers were with those affected by the earthquake disaster in Christchurch.

10. Members announcements without discussion

10.1 Councillor Hipkins

Councillor Hipkins tabled the following list of functions he had attended in his capacity as Deputy Mayor.

Tuesday, 25 January 2011	City of Nedlands Premier's Australia Day Active Citizenship Awards and Citizenship Ceremony
Friday, 4 February 2011	Sundowner: Dalkeith Nedlands Bowling Club
Saturday, 5 February 2011	City of Nedlands 2030 Conference
Thursday, 10 February 2011	Central Metropolitan Zone Meeting

10.2 Councillor Tyson

Councillor Tyson advised that the gardens near Tresillian appeared to be in need of watering and asked that this matter be attended to. The Presiding Member asked Councillor Tyson to liaise with Administration as she understood the matter had been taken care of.

11. Matters for Which the Meeting May Be Closed

In accordance with Standing Orders and for the convenience of the public, the Presiding Member notified the members of the public that the meeting would be closed for Items 18.1 and 18.2 in accordance with Section 5.23(2)(a) and (d) of the Local Government Act 1995.

12. Divisional reports and minutes of Council committees and administrative liaison working groups

12.1 Minutes of Council Committees

This is an information item only to receive the minutes of the various meetings held by the Council appointed Committees (N.B. This should not be confused with Council resolving to accept the recommendations of a particular Committee. Committee recommendations that require Council's approval should be presented to Council for resolution via the relevant departmental reports).

Moved – Councillor Somerville-Brown
Seconded – Councillor Smyth

That the Minutes of the following Committee meetings (in date order) are received:

Traffic Management Committee	1 February 2011
Un-confirmed, circulated to Councillors on 8 February 2011	
Council Committee	8 February 2011
Un-confirmed, circulated to Councillors on 15 February 2011	

CARRIED UNANIMOUSLY 11/-

Note: As far as possible all the following reports under items 12.2, 12.3, 12.4, 12.5 and Items 13.1 - 4 were moved en-bloc and only the exceptions (items which Councillors wish to amend) were discussed.

En Bloc

Moved - Councillor Binks
Seconded – Councillor Negus

That all Committee Recommendations relating to Reports under items 12.2, 12.3, 12.4, 12.5 and 13.1 – 4 with the exception of Report Nos. D02.11, D03.11, D05.11, D06.11, D07.11, D08.11, D10.11, D11.11, D15.11, CM01.11, CP01.11 and Item 13.1 are adopted en bloc.

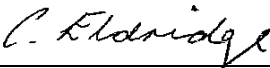
CARRIED UNANIMOUSLY 11/-

12.2 Development Services Report No's D01.11 to D15.11 (copy attached)

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.

D01.11	Reserve 33244 Monash Ave (QEII Medical Centre), Nedlands – Proposed At Grade Carpark For 328 Bays
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Committee	8 February 2011
Council	22 February 2011

Applicant	Strategic Projects, Department of Treasury and Finance
Owner	QEII Medical Trust
Officer	Nick Bakker – Planning Officer
Director	Carlie Eldridge – Director Development Services
Director Signature	
File ref	MO1/R33244-09
Previous Item No's	DA10/444 : DA10/382 : DA09/107
Disclosure of Interest	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 Binks
 Seconded – Councillor Negus

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

CARRIED UNANIMOUSLY EN BLOC 11/-

Council Resolution / Committee Recommendation

Council:

1. **Recommends refusal to the Western Australian Planning Commission (WAPC) for the proposed 328 bay at-grade carpark at Reserve 33244 (QEII Medical Centre), Nedlands in accordance with the application dated 11 November 2010, on the grounds that:**
 - i. **there is insufficient information regarding the environmental impact associated with the clearing of the existing bushland;**

- ii. there is a lack of evidential proof that there are no protected and/or significant species located within the existing bushland;
 - iii. the Environmental Protection Authority (EPA) assessment has not been completed;
 - vi. there is insufficient information regarding this site meeting the requirements defined in the Environment Protection and Biodiversity Act 1999 (EPBC Act);
2. That the WAPC does not make a decision until an independent environmental survey conducted during spring has been undertaken at the site that addresses and answers the queries identified above;
3. Should the WAPC see fit to approve the application despite the lack of evidential information relating to the significance of the flora and fauna, then Council recommends the approval should be subject to the following conditions:
- i. a Landscaping Plan is to be prepared by the applicant to the specifications of the City of Nedlands retaining significant trees within the design of the car park layout (refer advice note a);
 - ii. a Construction Management Plan is to be prepared by the applicant to the specifications of the City of Nedlands (refer advice note b);
 - iii. any necessary Approvals and Licences shall be obtained by the applicant from the Department of Environment and Conservation (DEC), Environmental Protection Authority (EPA) or any other authorising body and copies of the relevant documents submitted to the City; and
 - iv. at the completion of the carparks use in 2015 the site be returned to open space and re-established/rehabilitated with bushland;

Advice notes:

- a) With regards to Condition 3) i. the applicant is advised that the Landscaping Plan is to be submitted prior to the commencement of operations and is to include but not be limited to the following:
 - i. the areas of all existing and proposed landscaping on the verge; and

- ii. **details of any existing and proposed landscaping, including hard landscaping.**

The applicant is advised that all proposed landscaping shall be in accordance with the City of Nedlands Greenways Policy 4.14;

- b) **With regards to condition 3)ii, the Construction Management Plan shall include but not be limited to the following:**

- i. **hours of operation;**
- ii. **number of construction employees; and**
- iii. **location of employee vehicle parking and information on transporting.**

Recommendation to Committee

Council:

1. Recommends refusal to the Western Australian Planning Commission (WAPC) for the proposed 328 bay at-grade carpark at Reserve 33244 (QEII Medical Centre), Nedlands in accordance with the application dated 11 November 2010, on the grounds that:
 - i. there is insufficient information regarding the environmental impact associated with the clearing of the existing bushland;
 - ii. there is a lack of evidential proof that there are no protected and/or significant species located within the existing bushland;
 - iii. the Environmental Protection Authority (EPA) assessment has not been completed;
 - iv. there is insufficient information regarding this site meeting the requirements defined in the *Environment Protection and Biodiversity Act 1999* (EPBC Act);
2. That the WAPC does not make a decision until an independent environmental survey conducted during spring has been undertaken at the site that addresses and answers the queries identified above;
3. Should the WAPC see fit to approve the application despite the lack of evidential information relating to the significance of the

flora and fauna, then Council recommends the approval should be subject to the following conditions:

- i. a Landscaping Plan is to be prepared by the applicant to the specifications of the City of Nedlands (refer advice note a);
- ii. a Construction Management Plan is to be prepared by the applicant to the specifications of the City of Nedlands (refer advice note b);
- iii. any necessary Approvals and Licences shall be obtained by the applicant from the Department of Environment and Conservation (DEC), Environmental Protection Authority (EPA) or any other authorising body and copies of the relevant documents submitted to the City; and
- iv. at the completion of the carparks use in 2015 the site be returned to open space and re-established/ rehabilitated with bushland;

Advice notes

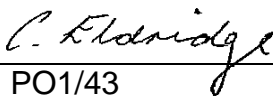
- a) With regards to Condition 3) i. the applicant is advised that the Landscaping Plan is to be submitted prior to the commencement of operations and is to include but not be limited to the following;
 - i. the areas of all existing and proposed landscaping on the verge; and
 - ii. details of any existing and proposed landscaping, including hard landscaping.

The applicant is advised that all proposed landscaping shall be in accordance with the City of Nedlands Greenways Policy 4.14;

- b) With regards to condition 3)ii, the Construction Management Plan shall include but not be limited to the following:
 - i. hours of operation;
 - ii. number of construction employees; and
 - iii. location of employee vehicle parking and information on transporting.

D02.11	No.43 (Lot 89) Portland Street, Nedlands - Proposed Carport and Solid Front Fence
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Committee	8 February 2011
Council	22 February 2011

Applicant	Reuben & Deborah Kooperman
Owner	As above
Officer	Nick Bakker – Planning Officer
Director	Carlie Eldridge – Director Development Services
Director Signature	
File ref	PO1/43
Previous Item No's	Nil
Disclosure of Interest	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) – Council considered it appropriate to approve the change to reflect the applicant’s request to have more screening to his pool by having an over height fence.

Moved – Councillor Hipkins
 Seconded – Councillor Binks

That the Committee Recommendation (printed below for ease of reference) **is adopted, subject to the amendment of clause 1. as follows:**

- The proposed front fence is to have a maximum height of 1.8 m above pool level and is to be visually permeable above 1.2 m from pool level;**

**CARRIED 8/3
 (Against: Crs. Negus Tan & Smyth)**

Council Resolution

Council approves the application for a carport and front fence at No. 43 (Lot 89) Portland Street, Nedlands in accordance with the application dated 22 October 2010 and amended plans dated 26 November 2010 subject to the following conditions:

- The proposed front fence is to have a maximum height of 1.8 m above pool level and is to be visually permeable above 1.2 m from pool level;**

- 2. The front fence and footings shall be constructed wholly inside the allotment;**
- 3. 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 ten (10) year recurrent storm event and the capacity of soakwells shall be a minimum of one (1) cubic metre for every 80 m² of paved or roofed surface on the property;**
- 4. 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 proposed 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**
- 5. 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.**

Committee Recommendation / Recommendation to Committee

Council approves the application for a carport and front fence at No. 43 (Lot 89) Portland Street, Nedlands in accordance with the application dated 22 October 2010 and amended plans dated 26 November 2010 subject to the following conditions:

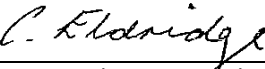
1. The proposed front fence is to have a maximum height of 1.8 m above natural ground level and is to be visually permeable above 1.2 m from natural ground level in accordance with the RCodes;
2. The front fence and footings shall be constructed wholly inside the allotment;
3. All storm water from building and paving areas (including driveways) shall be contained on site by draining to soakwells of adequate capacity to contain runoff from a ten (10) year recurrent storm event and the capacity of soakwells shall be a minimum of one (1) cubic metre for every 80 m² of paved or roofed surface on the property;
4. 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 proposed 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

5. 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.

D03.11	No. 65 (Lot 4) Mayfair Street, Mt Claremont 6010 – Two Storey Dwelling and Pool
---------------	--

Committee	8 February 2011
Council	22 February 2011

Applicant	Klopper & Davis Architects
Owner	Mark and Juliet Lennon
Officer	Joseph Ravi – Planning Officer
Director	Carlie Eldridge – Director Development Services
Director Signature	
File ref	DA10/519 MA6/65 M11/467
Previous Item No's	Nil
Disclosure of Interest	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) – Council considered it appropriate to include an additional advice note on screening to demonstrate its desire for the neighbour to work together on discussing screen planting.

Moved – Councillor Somerville-Brown
 Seconded – Councillor Negus

That the Committee Recommendation (printed below for ease of reference) **is adopted, subject to the inclusion of an additional advice note as follows:**

- g) **screening on the southern boundary to mitigate overlooking is to comprise the provision of a solid or opaque balcony wall on the south facing balcony and the planting of suitable trees or plants selected from Conifers, Australian Natives or Exotic broadleaf trees so as to act as a visual screen.**

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

Council Resolution

Committee Recommendation / Recommendation to Committee

Council approves the application for a two storey dwelling and pool at No. 65 (Lot 4) Mayfair Street, Mt Claremont in accordance with the application dated 25 October 2010 and amended plans dated 14 December 2010 subject to the following conditions:

- 1. 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 ten (10) year recurrent storm event and the capacity of soakwells shall be a minimum of one (1) cubic metre for every 80 m² of paved or roofed surface on the property;**
- 2. 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;**
- 3. The retaining walls and footings shall be constructed wholly inside the allotment;**
- 4. A grated channel strip-drain shall be constructed across the driveway, aligned with and wholly contained within the property boundary and the discharge from this drain to be run to a soakwell situated within the property; and**
- 5. 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 specific to this approval:

- a) No street tree removal or verge works (with the exception of lawn) is approved as part of this development approval. A separate application is required to be lodged by the applicant and approved by the City;**
- b) All internal WC's and ensuites without window access to outside air must be serviced by mechanical ventilation, which is ducted to outside air and the minimum rate of air change must be equal or greater than 25 litres per second;**
- 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 Council's Sustainable Nedlands department;**

- d) Ensure that airconditioner unit(s) complies with relevant Australian Standards and that noise emissions comply with the *Environmental Protection (Noise) Regulations 1997*;**
- e) It is strongly advised that consultation is undertaken with the installer and adjoining neighbour(s) prior to installation of airconditioning equipment. 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 airconditioner may be prohibited from being used; and**
- f) 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.**
- g) screening on the southern boundary to mitigate overlooking is to comprise the provision of a solid or opaque balcony wall on the south facing balcony and the planting of suitable trees or plants selected from Conifers, Australian Natives or Exotic broadleaf trees so as to act as a visual screen.**

Committee Recommendation / Recommendation to Committee

Council approves the application for a two storey dwelling and pool at No. 65 (Lot 4) Mayfair Street, Mt Claremont in accordance with the application dated 25 October 2010 and amended plans dated 14 December 2010 subject to the following conditions:

1. 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 ten (10) year recurrent storm event and the capacity of soakwells shall be a minimum of one (1) cubic metre for every 80 m² of paved or roofed surface on the property;
2. 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;

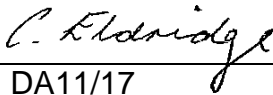
3. The retaining walls and footings shall be constructed wholly inside the allotment;
4. A grated channel strip-drain shall be constructed across the driveway, aligned with and wholly contained within the property boundary and the discharge from this drain to be run to a soakwell situated within the property; and
5. 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 specific to this approval:

- a) No street tree removal or verge works (with the exception of lawn) is approved as part of this development approval. A separate application is required to be lodged by the applicant and approved by the City;
- b) All internal WC's and ensuites without window access to outside air must be serviced by mechanical ventilation, which is ducted to outside air and the minimum rate of air change must be equal or greater than 25 litres per second;
- 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 Council's Sustainable Nedlands department;
- d) Ensure that airconditioner unit(s) complies with relevant Australian Standards and that noise emissions comply with the *Environmental Protection (Noise) Regulations 1997*;
- e) It is strongly advised that consultation is undertaken with the installer and adjoining neighbour(s) prior to installation of airconditioning equipment. 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 airconditioner may be prohibited from being used; and
- f) 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.

D04.11	No.119 (Lot 227) Rochdale Rd, Mt Claremont – Proposed Single Storey Additions/Alterations
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Committee	8 February 2011
Council	22 February 2011

Applicant	BGC Australia Pty Ltd
Owner	Emma Ambrose
Officer	Coralie Anderson – Senior Statutory Planning Officer
Director	Carlie Eldridge – Director Development Services
Director Signature	
File ref	DA11/17
Previous Item No's	Nil
Disclosure of Interest	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 Binks
 Seconded – Councillor Negus

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

CARRIED UNANIMOUSLY EN BLOC 11/-

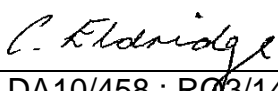
Council Resolution / Committee Recommendation / Recommendation to Committee

Council refuse an application for single storey additions and alterations at No. 119 (Lot 227) Rochdale Road, Mt Claremont in accordance with the application and plans dated 17 January 2011 for the following reasons:

- 1. The southern parapet wall does not comply with the Acceptable Development or Performance Criteria of the Residential Design Codes; and**
- 2. The application will have an adverse impact on the amenity of the southern adjoining property.**

D05.11	No. 140 (Lot 127) Rochdale Road, Mt Claremont – Proposed Home Business – Tutoring
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Committee	8 February 2011
Council	22 February 2011

Applicant	Diane Watson
Owner	Diane Watson
Officer	Elle O'Connor – Planning Officer
Director	Carlie Eldridge – Director Development Services
Director Signature	
File ref	DA10/458 : R03/140-02 : M10/01331
Previous Item No's	Nil
Disclosure of Interest	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) – The applicant made minor changes to operating times to better reflect business hours.

Moved – Councillor Negus
 Seconded – Councillor Tan

Council approves the proposed Home Business at No. 140 (Lot 127) Rochdale Road, Mt Claremont in accordance with the application and plans dated 29 September 2010 subject to the following conditions:

1. The number of children on the premises at any one time is limited to a maximum of six (6) children;
2. Parking and access for parents dropping off and picking up their children is limited to the property's front driveway and paved area facing Rochdale Road (as marked in red on the approved plans);
3. Operating times shall be restricted to:
 - a) 9:30 am - 11:00 am, Monday and Wednesday
 - b) 3:40 pm - 5:10 pm, Tuesday and Thursday;
4. An area no greater than 50 m² within the residential dwelling is to be occupied for the home business use;
5. No sign shall be displayed in connection with the home business at the property;

6. Approval is granted for a 12 month duration only, after this time a new application must be made 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.
8. The southern elevation windows of the room used for the tutoring of the children to be double-glazed.

LOST 5/6

(Against: Crs. Argyle Hipkins Binks Tyson Collins & Smyth)

Moved – Councillor Hodsdon

Seconded – Councillor Collins

That the Committee Recommendation (printed below for ease of reference) **is adopted, subject to the amendment of clause 3. as follows:**

3. **Operating times shall be restricted to:**
 - a) **9:30 am - 11:00 am, Monday and Wednesday**
 - b) **3:40 pm - 5:10 pm, Tuesday and Thursday;**

CARRIED 7/4

(Against: Crs. Hipkins Tan Tyson & Smyth)

Council Resolution

Council approves the proposed Home Business at No. 140 (Lot 127) Rochdale Road, Mt Claremont in accordance with the application and plans dated 29 September 2010 subject to the following conditions:

1. **The number of children on the premises at any one time is limited to a maximum of six (6) children;**
2. **Parking and access for parents dropping off and picking up their children is limited to the property's front driveway and paved area facing Rochdale Road (as marked in red on the approved plans);**
3. **Operating times shall be restricted to:**
 - a) **9:30 am - 11:00 am, Monday and Wednesday**
 - b) **3:40 pm - 5:10 pm, Tuesday and Thursday;**

- 4. An area no greater than 50 m² within the residential dwelling is to be occupied for the home business use;**
- 5. No sign shall be displayed in connection with the home business at the property;**
- 6. Approval is granted for a 12 month duration only, after this time a new application must be made 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.**

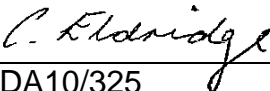
Committee Recommendation / Recommendation to Committee

Council approves the proposed Home Business at No. 140 (Lot 127) Rochdale Road, Mt Claremont in accordance with the application and plans dated 29 September 2010 subject to the following conditions:

1. The number of children on the premises at any one time is limited to a maximum of six (6) children;
2. Parking and access for parents dropping off and picking up their children is limited to the property's front driveway and paved area facing Rochdale Road (as marked in red on the approved plans);
3. Operating times shall be restricted to:
 - a) 10:00 am - 11:30 am, Tuesday and Friday
 - b) 3:30 pm - 5:00 pm, Monday and Thursday;
4. An area no greater than 50 m² within the residential dwelling is to be occupied for the home business use;
5. No sign shall be displayed in connection with the home business at the property;
6. Approval is granted for a 12 month duration only, after this time a new application must be made 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.

D06.11	No.81 (Tenancy 4 & 5) Stirling Hwy Nedlands – Proposed Change of Use from Showroom to Office
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Committee	8 February 2011
Council	22 February 2011

Applicant	SIA Architects Pty Ltd
Owner	Steve's and/Peppercorn Pty Ltd
Officer	Coralie Anderson – Senior Statutory Planning Officer
Director	Carlie Eldridge – Director Development Services
Director Signature	
File ref	DA10/325
Previous Item No's	Nil
Disclosure of Interest	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 Negus
 Seconded – Councillor Hipkins

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

Mr. I. Hamilton, Director Technical Services left the meeting at 8.14 pm and returned at 8.17 pm.

Adoption – The motion was put and

CARRIED 7/4
(Against: Crs. Hodsdon Tan Tyson & Smyth)

Council Resolution / Recommendation to Committee

Council approve an application for the change of use from Showroom to Office located at No. 81 (Tenancy 4 & 5) Stirling Highway, Nedlands in accordance with the application dated 9 July 2010 and the plans dated 9 July 2010 amended plans dated 10 September 2010 and 4 January 2011 subject to the following conditions:

1. The car stackers are used only by employees; 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.

Advice Note

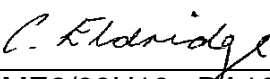
- a) The location of all mechanical services must take into consideration the *Environmental Protection (Noise) Regulations 1997*. If the noise generated from the car stackers does not comply with these regulations further action will be required so the car stackers are brought into compliance.

Committee Recommendation

That this item lay on the table, subject to further information on safety related issues regarding the proposed car stackers and their operation in a confined space being provided.

D07.11	Unit 19, No.69 (Lot 25) Melvista Avenue, Nedlands - Retrospective Single Storey Alterations
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Committee	8 February 2011
Council	22 February 2011

Applicant	Steven Ballard
Owner	Lisle Lodge Aged Peoples Home
Officer	Joseph Ravi – Planning Officer
Director	Carlie Eldridge – Director Development Services
Director Signature	
File ref	ME2/69U19 : DA10/523 : M11/1024
Previous Item No's	Nil
Disclosure of Interest	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) – Council considered it appropriate to approve the application as it believed the applicants acted in good faith. Council included conditions 2 and 3 to acknowledge that Council needed to advise the residents of the development approval process, the issues for each site and the need to address long term planning on the site.

Moved – Councillor Binks
Seconded – Councillor Somerville-Brown

That:

- 1. Council approve an application for retrospective single storey alterations at Unit 19, No. 69 Melvista Ave, Nedlands in accordance with the application and plans dated 25 October 2010;**
- 2. Council advises the Nedlands Aged Persons Homes Trust Board and all owners that development approval and a building licence is required from the City prior to any works being undertaken; and**
- 3. Council requests the Nedlands Aged Persons Homes Trust Board to meet with Council to discuss the long term planning requirements for the site.**

Councillor Bell joined the meeting at 8.34 pm

**CARRIED 11/1
(Against: Crs. Tan)**

Council Resolution

That:

- 1. Council approve an application for retrospective single storey alterations at Unit 19, No. 69 Melvista Ave, Nedlands in accordance with the application and plans dated 25 October 2010;**
- 2. Council advises the Nedlands Aged Persons Homes Trust Board and all owners that development approval and a building licence is required from the City prior to any works being undertaken; and**
- 3. Council requests the Nedlands Aged Persons Homes Trust Board to meet with Council to discuss the long term planning requirements for the site.**


Committee Recommendation / Recommendation to Committee

Council refuses an application for retrospective single storey alterations at Unit 19, No. 69 Melvista Ave, Nedlands in accordance with the application and plans dated 25 October 2010 for the following reasons:

1. It is contrary to the acceptable development criteria of Clause 6.4.1 of the RCodes which requires 50 percent open space;
2. It does not meet the performance criteria of Clause 6.4.1 of the R Codes as the development does not allow sufficient open space around the buildings:
 - to compliment the building; or
 - suit the future needs of residents, having regard to the type and density of the dwelling; and
3. It will increase the existing non-compliance of open space on the site, adversely affecting the amenity of the existing aged care facility.

D08.11	Unit 7, No.69 (Lot 25) Melvista Avenue, Nedlands - Retrospective Single Storey Alterations
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Committee	8 February 2011
Council	22 February 2011

Applicant	J Collett
Owner	Lisle Lodge Aged Peoples Home
Officer	Joseph Ravi – Planning Officer
Director	Carlie Eldridge – Director Development Services
Director Signature	
File ref	ME2/69 : DA10/585 : M11/1221
Previous Item No's	Nil
Disclosure of Interest	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) – Council considered it appropriate to approve the application as it believed the applicants acted in good faith. Council included conditions 2 and 3 to acknowledge that Council needed to advise the residents of the development approval process, the issues for each site and the need to address long term planning on the site.

Moved – Councillor Binks

Seconded – Councillor Somerville-Brown

Council:

1. **approve an application for retrospective single storey alterations at Unit 7, No. 69 Melvista Ave, Nedlands in accordance with the application and plans dated 25 November 2010;**
2. **Council advises the Nedlands Aged Persons Homes Trust Board and all owners that development approval and a building licence is required from the City prior to any works being undertaken; and**
3. **Council requests the Nedlands Aged Persons Homes Trust Board to meet with Council to discuss the long term planning requirements for the site.**

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

Council Resolution

Council:

1. **approve an application for retrospective single storey alterations at Unit 7, No. 69 Melvista Ave, Nedlands in accordance with the application and plans dated 25 November 2010;**
2. **Council advises the Nedlands Aged Persons Homes Trust Board and all owners that development approval and a building licence is required from the City prior to any works being undertaken; and**
3. **Council requests the Nedlands Aged Persons Homes Trust Board to meet with Council to discuss the long term planning requirements for the site.**

Committee Recommendation / Recommendation to Committee

Council refuses an application for retrospective single storey alterations at Unit 7, No. 69 Melvista Ave, Nedlands in accordance with the application and plans dated 25 November 2010 for the following reasons:

1. It is contrary to the acceptable development criteria of Clause 6.4.1 of the RCodes which requires 50 percent open space;

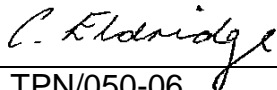
2. It does not meet the performance criteria of Clause 6.4.1 of the RCodes as the development does not allow sufficient open space around the buildings:
 - to compliment the building; or
 - suit the future needs of residents, having regard to the type and density of the dwelling; and
3. It will increase the existing non-compliance of open space on the site, adversely affecting the amenity of the existing aged care facility.

D09.11	Draft Bedbrook Place Biodiversity Local Planning Policy
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Item withdrawn.

D10.11	Karrakatta Underpass Road Name
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Committee	8 February 2011
Council	22 February 2011

Applicant	N/A
Owner	City of Nedlands
Officer	Jason Moore – Planning Officer
Director	Carlie Eldridge – Director Development Services
Director Signature	
File ref	TPN/050-06
Previous Item No's	Nil
Disclosure of Interest	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 Tan
 Seconded – Councillor Hodsdon

That the Recommendation to Committee is adopted.

(Printed below for ease of reference)

Councillor Binks left the meeting at 8.39 pm.

Mr M Cole, Director Corporate Services left the meeting at 8.40 pm.

Councillor Binks returned to the meeting at 8.41 pm.

Mr M Cole, Director Corporate Services returned to the meeting at 8.42 pm.

CARRIED 8/4
(Against: Crs. Argyle Bell Tyson & Smyth)

Council Resolution / Recommendation to Committee

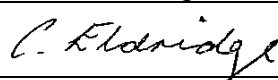
That Council approves the name Nagal Pass as the proposed name for the underpass connecting Stubbs Terrace and Railway Parade and advises the Geographic Naming Committee of the above decision.

Committee Recommendation

That is item is referred back for alternative names with local significance to be considered.

D11.11	Old Swanbourne Hospital Road Names
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Committee	8 February 2011
Council	22 February 2011

Applicant	Whelans
Owner	Swanbourne Estate Development Pty Ltd
Officer	Jason Moore – Planning Officer
Director	Carlie Eldridge – Director Development Services
Director Signature	
File ref	WAPC/131108/WAPC/131109
Previous Item No's	D70.10 21 July 2009 13.1 13 February 2007 1.1
Disclosure of Interest	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 Tan
Seconded – Councillor Somerville-Brown

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

Councillor Bell left the meeting at 8.44 pm and returned at 8.46 pm.

CARRIED 7/5
(Against: Crs. Argyle Bell Negus Hodsdon & Smyth)

Council Resolution / Recommendation to Committee

The Council approves the following and advises the Geographic Naming Committee of their request as follows:

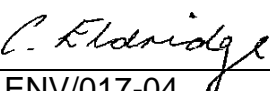
- 1. The name 'Charles Lane' as the road name for the extension of the existing Charles Lane;**
- 2. The name 'Barrow Court' as the road name to be used for the laneway between the proposed lots in the northern subdivision wing; and**
- 3. The name 'Dorset Cove' for the proposed road between the lots of the southern subdivision wing.**

Committee Recommendation

That is item is referred back for alternative names with local significance to be considered.

D12.11	Point Walter Family Concert and Fireworks, Sunday 6 March 2011 – Point Walter Reserve, Bicton
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Committee	8 February 2011
Council	22 February 2011

Applicant	Dr Shayne Silcox, Chief Executive Officer, City of Melville
Owner	City of Melville
Officer	Chris Hammond – Environmental Health Coordinator
Director	Carlie Eldridge – Director Development Services
Director Signature	
File ref	ENV/017-04
Previous Item No's	Nil
Disclosure of Interest	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 Binks
 Seconded – Councillor Negus

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

CARRIED UNANIMOUSLY EN BLOC 11/-

Council Resolution / Committee Recommendation / Recommendation to Committee

Council, pursuant to Regulation 18 (12) of the *Environmental Protection (Noise) Regulations 1997*, agrees to the City of Melville's proposed conditions, (outlined in the attachment 1) for the Point Walter Family Concert and Fireworks to be held at Point Walter Reserve, Bicton on Sunday 6 March 2011, subject to;

- the Notice of the event being publicised in the Nedlands 'Post' and 'Western Suburbs Weekly' newspapers on the week commencing 28 February 2011; and**

2. the notification to City of Nedlands being distributed to residences along Jutland Pde and Victoria Ave, Dalkeith by way of letter drop at least seven (7) days prior to the event.

D13.11	Soundwave Festival, Monday 7 March 2011 – Claremont Showground, Claremont
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Committee	8 February 2011
Council	22 February 2011

Applicant	Soundwave Pty Ltd – Chris Knight
Owner	Town of Claremont
Officer	Chris Hammond – Environmental Health Coordinator
Director	Carlie Eldridge – Director Development Services
Director Signature	
File ref.	ENV/017-04
Previous Item No's	Nil
Disclosure of Interest	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 Binks
 Seconded – Councillor Negus

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

CARRIED UNANIMOUSLY EN BLOC 11/-

Council Resolution / Committee Recommendation / Recommendation to Committee

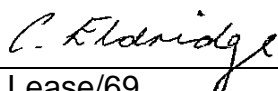
Council, pursuant to Regulation 18 (12) of the *Environmental Protection (Noise) Regulations 1997*, agrees to the Town of Claremont’s proposed conditions, (outlined in the attachment 1) for the Soundwave Festival to be held at the Claremont Showground on Monday 7 March 2011, subject to;

1. the Town of Claremont’s “Advice to Residents” leaflet being distributed to the residential notification area in the City of Nedlands identified in the attachment 2, at least seven (7) days prior to the event; and

2. the Town of Claremont notifying the City of Nedlands Manager Sustainable Nedlands of any noise complaints received from residents in the City of Nedlands, within ten (10) days after the event.

D14.11	Part Lot 13423 on DP 194320 Monash Avenue, Nedlands – Reserve 20838
---------------	--

Committee	8 February 2011
Council	22 February 2011

Applicant	City of Nedlands
Owner	City of Nedlands
Officer	Matthew Deal – Manager Property Services
Director	Carlie Eldridge – Director Development Services
Director Signature	
File ref.	Lease/69
Previous Item No's	Nil
Disclosure of Interest	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 Binks
 Seconded – Councillor Negus

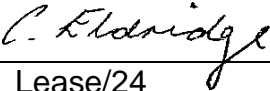
That the Committee Recommendation is adopted.
 (Printed below for ease of reference)

CARRIED UNANIMOUSLY EN BLOC 11/-

Council Resolution / Recommendation to Committee	Committee Recommendation / Recommendation to Committee
Council:	
1.	Approves the demolition of the former Hollywood After School Activity Centre on Part Lot 13423 on Deposited Plan 194320, Reserve 20838 Monash Avenue, Nedlands; and
2.	Agrees to allocate funds of \$14,135 for the demolition of the building from the 2010/11 Budget review process.

D15.11	Perth Flying Squadron Yacht Club Inc – Reserve 17391 (Lot 254 on Deposited Plan 37070), 254 Birdwood Parade, Dalkeith - Surrender of Lease and Deed of Variation of Lease and proposed new 21 year Lease
---------------	---

Committee	8 February 2011
Council	22 February 2011

Applicant	Perth Flying Squadron Yacht Club Inc
Owner	State of WA – Vested to City of Nedlands
Officer	Neil Scanes – Property Management Officer
Director	Carlie Eldridge – Director Development Services
Director Signature	
File ref.	Lease/24
Previous Item No's	Item 13.2, 9 June 2009 Item CM28.07, 11 September 2007 Item CM19.06, 9 May 2006
Disclosure of Interest	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

Mr G Foster, Chief Executive Officer disclosed an impartiality interest in Report D15.11 - Perth Flying Squadron Yacht Club Inc – Reserve 17391 (Lot 254 on Deposited Plan 37070), 254 Birdwood Parade, Dalkeith - Surrender of Lease and Deed of Variation of Lease and proposed new 21 year Lease, his interest being that he is an honorary member of the Club. He advised that he would leave the meeting during this matter.

Mr G Foster, Chief Executive Officer left the meeting at 8.53 pm.

Mayor Froese disclosed an impartiality interest in Report D15.11 - Perth Flying Squadron Yacht Club Inc – Reserve 17391 (Lot 254 on Deposited Plan 37070), 254 Birdwood Parade, Dalkeith - Surrender of Lease and Deed of Variation of Lease and proposed new 21 year Lease. She disclosed that as Mayor, she is a Patron and honorary member of the Club 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 disclosed an impartiality interest in Report D15.11 - Perth Flying Squadron Yacht Club Inc – Reserve 17391 (Lot 254 on Deposited Plan 37070), 254 Birdwood Parade, Dalkeith - Surrender of

Lease and Deed of Variation of Lease and proposed new 21 year Lease. He disclosed he is a previous member of the club and as a consequence, there may be a perception that his impartiality on the matter may be affected. He declared that she would consider this matter on its merits and vote accordingly.

Regulation 11(da) – Council agreed to amend the lease by removing reference to riverbed and foreshore, and include an additional clause to clarify the car park upgrade and shared use path.

Moved – Councillor Negus

Seconded – Councillor Somerville-Brown

Council:

- 1. Approve the surrender of the existing Lease and Deed of Variation of Lease between the City and Perth Flying Squadron Yacht Club Inc; and**
- 2. Approve and endorse a new exclusive use Lease, for a 21 year term between the City and Perth Flying Squadron Yacht Club Inc as per attachment 1, subject to the inclusion of an event management plan, subject to the following amendments:**

Clause 21.1(b): Removal of the reference to the “riverbed”;
Clause 21.1(b): Removal of the typographical error “follow the”;

Clause 44.8(a): Removal of the reference to the “foreshore and riverbed”; and

Clause 44.2: Amended to read:

In terms of the redevelopment of the Premises and the surrounding land, the Lessee covenants and agrees to:

- (a) Comply strictly the Lessor’s conditions of approval to the re-development, annexed hereto as Annexure 3, including without limitation the upgrade of the Car Park to the Lessor’s satisfaction; and**
- (b) In respect of the shared public access footpath, required pursuant to condition 11 of the Development Approval, erect**

signs to the Lessor's specifications and reasonable satisfaction alerting users of the footpath that boats and other machinery will frequently cross the shared public access footpath.

**CARRIED 10/2
(Against: Crs. Tan & Smyth)**

Council Resolution

Council

- 1. Approve the surrender of the existing Lease and Deed of Variation of Lease between the City and Perth Flying Squadron Yacht Club Inc; and**
- 2. Approve and endorse a new exclusive use Lease, for a 21 year term between the City and Perth Flying Squadron Yacht Club Inc as per attachment 1, subject to the inclusion of an event management plan, subject to the following amendments:**

Clause 21.1(b): Removal of the reference to the "riverbed";

Clause 21.1(b): Removal of the typographical error "follow the";

Clause 44.8(a): Removal of the reference to the "foreshore and riverbed"; and

Clause 44.2: Amended to read:

In terms of the redevelopment of the Premises and the surrounding land, the Lessee covenants and agrees to:

(a) Comply strictly the Lessor's conditions of approval to the re-development, annexed hereto as Annexure 3, including without limitation the upgrade of the Car Park to the Lessor's satisfaction; and

(b) In respect of the shared public access footpath, required pursuant to condition 11 of the Development Approval, erect signs to the Lessor's specifications and reasonable satisfaction alerting users of the footpath that boats and other

machinery will frequently cross the shared public access footpath.

Committee Recommendation

Council

1. Approve the surrender of the existing Lease and Deed of Variation of Lease between the City and Perth Flying Squadron Yacht Club Inc; and
2. Approve and endorse a new exclusive use Lease, for a 21 year term between the City and Perth Flying Squadron Yacht Club Inc as per attachment 1, subject to the inclusion of an event management plan.

Recommendation to Committee

Council

1. Approve the surrender of the existing Lease and Deed of Variation of Lease between the City and Perth Flying Squadron Yacht Club Inc; and
2. Approve and endorse a new exclusive use Lease, for a 21 year term between the City and Perth Flying Squadron Yacht Club Inc as per attachment 1.

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

The meeting adjourned at 8.55 pm and reconvened at 9.03 pm with the following people in attendance:

Councillors	Her Worship the Mayor, S A Froese	(Presiding Member)
	Councillor K A Smyth	Coastal Districts Ward
	Councillor I S Argyle	Dalkeith Ward
	Councillor R M Hipkins	Dalkeith Ward
	Councillor M S Negus	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
Staff	Mr GT Foster	Chief Executive Officer
	Mr M Cole	Director Corporate Services
	Mr I Hamilton	Director Technical Services
	Ms S Love	Executive Assistant

Public There were 3 members of the public present including one staff member.

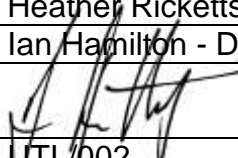
Press The Western Suburbs Weekly representative.

12.3 Technical Services Report No T01.11 (copy attached)

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.

T01.11	Underground Power Program Round Five – Major Residential Project and Funding Options
---------------	---

Committee	8 February 2011
Council	22 February 2011

Applicant	City of Nedlands
Owner	City of Nedlands
Officer	Heather Ricketts – Infrastructure Assets Officer
Director	Ian Hamilton - Director Technical Services
Director Signature	
File ref.	UTL/002
Previous Item No's	Special Council meeting 2 February 2010
Disclosure of Interest	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 Binks
 Seconded – Councillor Negus

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

CARRIED UNANIMOUSLY EN BLOC 11/-

Council Resolution / Committee Recommendation / Recommendation to Committee

Council:


- a) receives the correspondence from the Office of Energy dated 21 December 2010 pertaining to the City's application for the Underground Power Program Round Five (refer attachment 1); and
- b) instructs Administration to undertake further investigation in order to determine the feasibility of borrowing funds to complete underground power in the three remaining areas of Hollywood, Mt Claremont and Floreat (refer attachment 2) for consideration in the proposed 2011/12 budget process.

12.4 Community & Strategy Report No CM01.11 (copy attached)

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.

CM01.11	Strategic Recreation Plan Reviewed Incorporating Public Comment
----------------	--

Committee	8 February 2011
Council	22 February 2011

Applicant	City of Nedlands
Owner	City of Nedlands
Officer	Sarah Aulin - Senior Community Development Officer (Recreation), Marion Granich - Manager Community Development
CEO	Michael Cole – Acting Chief Executive Officer
CEO Signature	
File ref.	CMS/505
Previous Item No's	CM26.05 - 13 December 2005 CM25.06 - 27 June 2006 CM27.10 - 26 October 2010
Disclosure of Interest	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).

Disclosure of Interest

Mayor Froese disclosed an impartiality interest in Report CM01.11 - Strategic Recreation Plan Reviewed Incorporating Public Comment. She disclosed that several of family members have played, coached and umpired for various sporting clubs in the area, including Melvista Oval 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 and Councillor Collins re-joined the meeting at 9.04 pm.

Councillor Tan disclosed an impartiality interest in Report CM01.11 - Strategic Recreation Plan Reviewed Incorporating Public Comment. She disclosed she is a current member of the Nedlands Golf Club, which is affected by the proposed plans for Melvista Oval, 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.

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

Moved – Councillor Negus

Seconded – Councillor Somerville-Brown

That the Committee Recommendation is adopted.

(Printed below for ease of reference)

Ms. C. Eldridge, Director Development Services re-joined the meeting at 9.05 pm.

**CARRIED 10/2
(Against: Crs. Hipkins & Tyson)**

**Council Resolution / Committee Recommendation /
Recommendation to Committee**

Council:

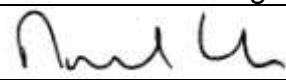
- 1. acknowledges the community comment received on the draft Strategic Recreation Plan 2010 – 2015; and**
- 2. endorses the Strategic Recreation Plan 2010 – 2015 (as at Attachment 1 – Strategic Recreation Plan 2010 – 2015) including the addition of DC Cruickshank Reserve and Melvista Reserve to the list of the City’s major reserves.**

12.5 Corporate Services Report No's CP01.11 to CP07.11 (copy attached)

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.

CP01.11	Standing Orders Amendment Local Law 2011
----------------	---

Committee	8 February 2011
Council	22 February 2011

Applicant	City of Nedlands
Owner	City of Nedlands
A/CEO	Mike Cole – Acting Chief Executive Officer
A/CEO Signature	
File ref:	LEG021-02
Previous Item No's	CP33.10 28 September 2010
Disclosure of Interest	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 Hipkins
 Seconded – Councillor Argyle

That the Committee Recommendation (printed below for ease of reference) is adopted, with the exception of changes to clauses 3.9 (notice required for notice of motion) and 10.1A (requiring elected members to submit substantial amendments).

LOST 4/8
 (Against: Mayor & Crs. Negus Bell Binks Hodsdon
 Somerville-Brown Tan & Smyth)

Moved – Councillor Hodsdon
 Seconded – Councillor Somerville-Brown

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

Put Motion

Moved – Councillor Binks
 Seconded – Councillor Tan

That the motion be put.

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

Adoption – The motion was put and


**CARRIED 8/4
 (Against: Crs. Argyle Hipkins Tyson & Collins)**

Council Resolution / Committee Recommendation / Recommendation to Committee

Council approves the City of Nedlands Standing Orders Amendment Local Law 2011 as contained in the attachment, in accordance with the requirements of Section 3.12(4) of the Local Government Act 1995.

CP02.11 Monthly Financial Report – November 2010

Committee	8 February 2011
Council	22 February 2011

Applicant	City of Nedlands
Owner	City of Nedlands
Officer	Rajah Senathirajah – Manager Finance
Director	Michael Cole – Director Corporate Service
Director Signature	
File ref:	Fin/072-16
Previous Item No's	Nil
Disclosure of Interest	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 Binks
 Seconded – Councillor Negus

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

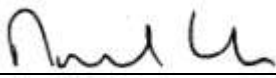
CARRIED UNANIMOUSLY EN BLOC 11/-

Council Resolution / Committee Recommendation / Recommendation to Committee

Council receives the Monthly Financial Report for November 2010.

CP03.11	Investment Report – November 2010
----------------	--

Committee	8 February 2011
Council	22 February 2011

Applicant	City of Nedlands
Owner	City of Nedlands
Officer	Rajah Senathirajah – Manager Finance
Director	Michael Cole – Director Corporate Service
Director Signature	
File ref:	Fin/072-16
Previous Item No's	Nil
Disclosure of Interest	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 Binks
 Seconded – Councillor Negus

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


CARRIED UNANIMOUSLY EN BLOC 11/-

Council Resolution / Committee Recommendation / Recommendation to Committee

Council receives the Investment Report for the period ended 30 November 2010.

CP04.11	List of Accounts Paid - November 2010
----------------	--

Committee	8 February 2011
Council	22 February 2011

Applicant	City of Nedlands
Owner	City of Nedlands
Officer	Rajah Senathirajah – Manager Finance
Director	Michael Cole – Director Corporate Service
Director Signature	
File ref:	Fin/072-16
Previous Item No's	Nil
Disclosure of Interest	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 Binks
 Seconded – Councillor Negus

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


CARRIED UNANIMOUSLY EN BLOC 11/-

Council Resolution / Committee Recommendation / Recommendation to Committee

Council receives the List of Accounts Paid for the month of November 2010.

CP05.11	Monthly Financial Report – December 2010
----------------	---

Committee	8 February 2011
Council	22 February 2011

Applicant	City of Nedlands
Owner	City of Nedlands
Officer	Rajah Senathirajah – Manager Finance
Director	Michael Cole – Director Corporate Service
Director Signature	
File ref:	Fin/072-16
Previous Item No's	Nil
Disclosure of Interest	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 Binks
 Seconded – Councillor Negus

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


CARRIED UNANIMOUSLY EN BLOC 11/-

Council Resolution / Committee Recommendation / Recommendation to Committee

Council receives the Monthly Financial Report for December 2010.

CP06.11	Investment Report – December 2010
----------------	--

Committee	8 February 2011
Council	22 February 2011

Applicant	City of Nedlands
Owner	City of Nedlands
Officer	Rajah Senathirajah – Manager Finance
Director	Michael Cole – Director Corporate Service
Director Signature	
File ref:	Fin/072-16
Previous Item No's	Nil
Disclosure of Interest	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 Binks
 Seconded – Councillor Negus

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


CARRIED UNANIMOUSLY EN BLOC 11/-

Council Resolution / Committee Recommendation / Recommendation to Committee

Council receives the Investment Report for the period ended 31 December 2010.

CP07.11	List of Accounts Paid - December 2010
----------------	--

Committee	8 February 2011
Council	22 February 2011

Applicant	City of Nedlands
Owner	City of Nedlands
Officer	Rajah Senathirajah – Manager Finance
Director	Michael Cole – Director Corporate Service
Director Signature	
File ref:	Fin/072-16
Previous Item No's	Nil
Disclosure of Interest	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 Binks
 Seconded – Councillor Negus

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

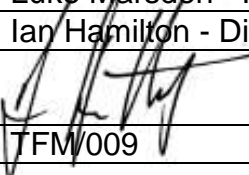
CARRIED UNANIMOUSLY EN BLOC 11/-

Council Resolution / Committee Recommendation / Recommendation to Committee

Council receives the List of Accounts Paid for the month of December 2010.

13. Reports of the Traffic Management Committee

13.1 Car Parking Facility – The Esplanade, Nedlands

Applicant	City of Nedlands
Owner	City of Nedlands
Officer	Luke Marsden - Parking Strategy Coordinator
Director	Ian Hamilton - Director Technical Services
Director Signature	
File ref.	TFM/009
Previous Item No's	Nil
Disclosure of Interest	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 Tyson
 Seconded – Councillor Argyle

That the Traffic Management Committee Recommendation (printed below for ease of reference) **is adopted.**

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

Council Resolution / Traffic Management Committee Recommendation

Administration:

- a) undertake community consultation regarding the proposed parking bays on The Esplanade, Nedlands as per attached map number “Esplanade 90DEG parking”; and
- b) report back to the Traffic Management Committee with findings of the consultation at the next available meeting.

Purpose

To address the parking issues on The Esplanade and around Charles Court Reserve, Nedlands.

Strategic Plan

- KFA 1 Infrastructure
 - 1.2 Design and construct infrastructure in accordance with Australian standards and guidelines.
 - 1.3 Provide and maintain quality passive and active recreational and leisure facilities and open space to meet community needs.

- KFA 3 Built Environment
 - 3.4 Plan and develop the sustainable provision of community infrastructure and facilities with a focus on flexible and multiple uses.

- KFA 6 Community Engagement
 - 6.1 Improve community awareness of the City's directions, facilities and services.
 - 6.2 Encourage community participation in the City's decision making processes.

Background

On 15 June 2009, the Traffic Management Committee discussed a suitable location of constructing car parking bays for general public use with the \$80,000 contributed by Steve's Nedlands Park Nominees Pty Ltd (Steve's Hotel). The site selected by the City was as close as possible to Steve's Hotel without any implications to the Bruce Trust Reserve, Nedlands.

A petition was lodged by residents requesting that the Council reject the application to construct 46 "off street" parking bays on The Esplanade, Nedlands. The Traffic Management Committee subsequently requested Administration to investigate extending the car park between the Rugby Club and The Esplanade and the implications in relation to the Bruce Trust deed.

In addition, at the meeting held on 28 July 2009, Traffic Management Committee requested Administration to investigate alternative options for entry and egress in an effort to save existing trees. Subsequently Administration designed a map and supplied a copy of the proposed parking option to the Attorney General.

This option was implicated in that the City would require approval by the Attorney General to utilise the Bruce Trust Reserve and require the City to appoint an advisory trustee.

The City received a response from the Attorney General, Hon Christian Porter, (refer attachment 1) outlining that the City of Nedlands, as Trustee of the Trust, cannot convert any part of the Trust land into a car park unless a car park is required by persons using the Trust land for recreational purposes.

Key previous decisions:

29 June 2010 - Traffic Management Committee meeting (Approved by Council on 27 July 2010)

That Committee receives Attorney General's letter dated 19 May 2010 and requests Administration to:

- a) review the parking options; and
- b) provide a report for the management of the Bruce Trust as per the suggestions in the Attorney General's letter.

Proposal Detail

Administration to undertake community consultation regarding the proposed parking bays on The Esplanade, Nedlands as per attached map number "Esplanade 90DEG parking" and report back to the Traffic Management Committee of the findings at the next available meeting.

Consultation

Required by legislation: Yes No

Required by City of Nedlands policy: Yes No

Consultation type / Dates:

- Letter to the Department of Attorney General pertaining to the use of Bruce Trust Reserve for car parking facility - 14 August 2009 (attachment 2)
- Letter from State Solicitors Office (SSO) requesting design plans - 22 September 2009.
- Design plans sent to the SSO -23 September 2009.
- Administration contacted the SSO. However the solicitor was unable to confirm details - November 2009.
- Administration contacted the SSO once again requesting an update on the City's request - 5 February 2010.
- The City received a phone call from the SSO informing that the City's request and the plans have been sent to the Attorney General's Office and that they had not heard anything back yet – 10 February 2010.

- Administration contacted SSO. The solicitor who was handling the matter was not available. Left a message requesting to return the call - 22 April 2010.
- Response received from the Attorney General - 21 May 2010.

Legislation

- Charitable Trusts Act 1962.
- Local Government Act 1995.
- City of Nedlands Town Planning Scheme No. 2.

Budget/financial implications

Budget:

Within current approved budget: Yes No

Requires further budget consideration: Yes No

Financial:

\$80,000 is available to be used towards the cost of constructing car parking bays for general public use at The Esplanade, Nedlands.

The proposed car parking bays on the south side of Esplanade have an indicative cost of approx \$80,000 to construct.

Risk Management

The City risks losing funds associated with the Steve's Nedlands Park Nominees Pty Ltd that it is being held as cash in lieu as part of the development. As detailed in Section 3.9(b) of the City's Town Planning Scheme No. 2, Council must have firm proposals for providing a public station nearby within a period of not more than 24 months from the time of agreeing to accept the cash payment.

Discussion

It is necessary that the City provide adequate public parking in order to meet the heavy demand for parking spaces for persons using the Charles Court Reserve, Bruce Trust Reserve and surrounding facilities.

The capacity for kerbside parking of vehicles on The Esplanade and nearby streets is limited. There has been strong resistance by residents to general kerbside parking as has been detailed in feedback received as part of the community consultation process to date (refer Item 7.2 Traffic Management Committee Minutes 15 June 2009).

The City, as a first step approached the Attorney General to consider the parking options with regard to the use of the Bruce Trust Reserve, Nedlands.

The City is only required to appoint an advisory trustee when, through discussion, it has finalised a proposed site to construct a car parking facility and should that facility be implicated by the Bruce Trust Reserve. To date the City has only explored options and the viability of those options in relation to parking in and around the Esplanade, Bruce Trust Reserve and Charles Court Reserve, Nedlands.

Formalised kerbside car bays on The Esplanade, although previously received strong resistance from residents (refer Item 7.2 Traffic Management Committee Minutes 15 June 2009) offers a non- intrusive car parking area. It is anticipated that the proposed car parking area will only have high occupancy during peak hours, i.e. club and sporting events. Therefore this will have only a minor impact on the residents and the amenity.

Residents have expressed that they would like to see the wooden posts along the same section of The Esplanade as the proposed car parking bays repositioned south of the road, thus creating additional bays at a reduced cost to the City. One of the conditions of Section 3.9 of the City's Town Planning Scheme No. 2 is that the parking spaces must be paved which negates this request.

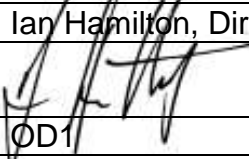
Conclusion

The City is not in a position to utilise any of the Bruce Trust Reserve for car parking bays as indicated in the letter by the Attorney General. However, under the Town Planning Scheme No. 2, the City is required to have a firm proposal for providing a public station nearby within a period of not more than 24 months from the time of agreeing to accept the cash payment. The proposal undertakes to alleviate the parking short fall for all users of the area utilising the cash in lieu from Steve's Nedlands Park Nominees Pty Ltd.

Attachments

1. Letter from the Attorney General received on 21 May 2010.
2. Letter to Attorney General from City of Nedlands dated 14 August 2009
3. Map – Proposed parking car park at The Esplanade, Nedlands.

13.2 Traffic Calming and Parking Options in Ordern Crescent and Marine Parade, Swanbourne

Applicant	City of Nedlands
Owner	City of Nedlands
Officer	Luke Marsden, Parking Strategy Coordinator
Director	Ian Hamilton, Director Technical Services
Director Signature	
File ref.	OD1
Previous Item No's	Not applicable
Disclosure of Interest	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 Binks
 Seconded – Councillor Negus

That the Traffic Management Committee Recommendation (printed below for ease of reference) **is adopted.**

CARRIED UNANIMOUSLY EN BLOC 11/-

Council Resolution / Traffic Management Committee Recommendation

Council:

- a) receive the report on traffic calming and parking options in Odern Crescent and Marine Parade, Swanbourne for their information;
- b) approve the short term design drawing (Attachment 3) which includes amendments as detailed from the members of the Swanbourne Society; and
- c) instruct Administration to monitor the vehicle movements on driveways/verges and ingress/egress from the car parks over the next 12 months for temporary traffic solution effectiveness.

Purpose

Present Council with options for traffic calming and parking in Odern Crescent and Marine Parade, Swanbourne for discussion.

Strategic Plan

- | | |
|-------|---|
| KFA 1 | Infrastructure |
| 1.2 | Design and construct infrastructure in accordance with Australian standards and guidelines. |
| 1.4 | Develop and implement an integrated transport strategy for the City which promotes access to safe and integrated transport options. |
| KFA 6 | Community Engagement |
| 6.2 | Encourage community participation in the City's decision making processes. |

Background

On 17 June 2010 Swanbourne Society Committee met with Council officers to discuss a concept plan put forward by Administration detailing proposed modifications to the upper car park entry/exit points.

The short term concept plan (attachment 1: CNOC-01 rev 1) was not supported by the Swanbourne Society Committee as they wanted long term measures such as car park message boards with traffic counters and a roundabout. Dr Digby Cullen was nominated as spokesman for this committee and confirmed that no action be undertaken until the residents had time to review the short term concept plan.

On 15 November 2010, Administration received correspondence dated 12 October 2010 from the Swanbourne Society Committee spokesman Dr Digby Cullen (Refer attachment 2) agreeing and supporting the initial proposal from the 17 June 2010 with amendments and modifications as a temporary solution.

The amendments were:

1. Extending the Kerbing west at the exit of the upper car park.
2. Extending the Kerbing west at the entry of the upper car park.
3. Extending the rubber barrier.
4. Extending the barrier line on Odern Crescent.
5. Removal of the 2 speed humps.
6. Extension of the landscaping

At the Council meeting on 14 December 2010 Councillor Horley requested that the traffic and parking arrangements around the Swanbourne Beach be reviewed by the Traffic Management Committee.

Traffic Counts in the area:

Trim Code	Road Name	Location	Date	AWDT	CV	0.85	Road Hierarchy
MA1	Marine Pde	Between North St & Odern St	2002	1766	35	47	AR
MA1	Marine Pde	Between North & Odern	November 2005	1152	15	44	AR
MA1	Marine Pde	Between North Street & Odern Crescent	January 2008	1746	53	42	AR
OD1	Odern Cres	Between Walba Way & Korel Gardens	2000	439	9	52	AR
OD1	Odern Cres	Between Clement St & Korel Gardens	2003	440	11	53	AR
OD1	Odern Cres	Between Clement St & Korel Gardens	October 2005	536	9	55	AR
OD1	Odern Crescent	Between Korel Gardens & Clement Street	January 2008	602	18	54	AR

Key Previous Decisions:

14 December 2010 – Notice of motion by Councillor Horley – Vehicles at Swanbourne beach

That traffic and parking arrangements at Swanbourne Beach be reviewed as a matter of urgency by the Traffic Management Committee.

Supporting Comments from Councillor Horley

There has been much discussion about the difficulties with regard to vehicles and parking around Swanbourne Beach. With the summer season imminent, a timely resolution of these difficulties is crucial.

17 August 2010 – Item 7.4 of Traffic Management Committee meeting

That:

1. Administration:
 - a) undertakes traffic counts immediately, November 2010, January and March 2011 including weekend statistics within the analysis;
 - b) Installs “No Stopping Road or Verge” signage and line-marking to improve the sight visibility as per the attached map entitled Ned_18_10;
 - c) Investigates the cost to undertake a future study of the entire Allen Park/Swanbourne precinct
 - d) Incorporates the findings of (a) through to (c) of the original recommendation and criteria regarding Key Warrants when considering options (including the options suggested by Swanbourne resident Mr Mark Newland) to address traffic management issues within the Allen Park precinct
2. The report on solutions to traffic and parking problems pertaining to the Swanbourne Master plan (as per Council resolution dated 30 March 2010 to be presented at the next Traffic Management Committee Meeting.

Proposal Detail

To address the short term traffic and parking related issues around Odern Crescent, and Marine Parade, Swanbourne.

Consultation

Required by legislation: Yes No

Required by City of Nedlands policy: Yes No

Consultation type / Dates:

Meeting between Administration and Swanbourne Society Committee - 17 June 2010.

Meeting between Administration and Swanbourne Society Committee - 29 July 2010.

Legislation

- Local Government Act 1995
- Main Roads Act 1931

Budget/financial implications

Budget:

Within current approved budget: Yes No

Requires further budget consideration: Yes No

Financial:

Short term solutions are budgeted in 2010/11 budget. However, Long term solution resulting from detailed investigation into the Swanbourne beach traffic master plan will require future budgeting.

Risk Management

Subject to Council approval, Administration will undertake a risk analysis of this project. Due to the statutory lines and signs component, all new or modified line marking and signage will require approval from Main Roads WA.

Discussion

Short term traffic modifications have been generally agreed on by the affected residents in the area, notably the Swanbourne Society Committee. Administration has made the amendments to the initial concept drawing (refer attachment 3) as a result of the Swanbourne Society's request to modify the design.

Administration comments in relation to the proposed concept drawing (refer attachment 3):

- Extending the kerb further west at the exit of the car park would make the entry angle to Odern Crescent very small and would make it even more difficult for drivers exiting the car park to see oncoming vehicles from the east.
- Without altering the radius on the existing kerb and verge at the car park entrance, it is not going to be possible to extend the kerb much further whilst providing sufficient road width for vehicles to enter the car park.
- The yellow separation kerb extending from the rubber kerb effectively provides the same deterrent as the rubber kerb with the added deterrent of the guide posts. Given that, it is not considered extending the kerb to the west would be appropriate.

The concept design utilises rubber kerbing, separation kerb and guide posts which are all temporary fixtures which can be removed at any stage.

Longer term options as those requested by Swanbourne Society Committee spokesman Dr Cullen such as electronic message boards and a roundabout require a more detailed investigation and subsequent future budget allocations.

Currently Administration is undertaking traffic counts in and around the Swanbourne precinct over the summer months (As per Traffic Management Committee recommendation on 17 August 2010) to ascertain relevant and peak traffic details. The outcome of this data will be presented back to the Traffic Management Committee for discussion and consideration towards the future study of the entire Allen Park/Swanbourne precinct.

Traffic counts as requested by Traffic management committee:

Trim Code	Road Name	Location	Date	AWDT	CV	0.85	Road Hierarchy
WO2	Wood St	Between Langalout Rd & James Rd	September 2010	1807	19	45	AR
WO2	Wood St	Between Langalout Rd & James Rd	November 2010	1966	17	44	AR
WO2	Wood St	Between James Rd & Walpole St	September 2010	1702	19	46	AR
WO2	Wood St	Between James Rd & Walpole St	November 2010	1914	23	48	AR
WO2	Wood St	Between Walpole St & Kirkwood Rd	September 2010	1224	28	55	AR
WO2	Wood St	Between Walpole St & Kirkwood Rd	November 2010	1096	15	57	AR
KI5	Kirkwood Rd	Between Reeve St & Cross St	September 2010	1360	32	56	AR
KI5	Kirkwood Rd	Between Reeve St & Cross St	November 2010	1638	30	55	AR
KI5	Kirkwood Rd	Between Clement St & North St	September 2010	1329	31	44	AR
KI5	Kirkwood Rd	Between Clement St & North St	November 2010	1642	66	43	AR
CL4	Clement St	Between Kirkwood Rd & Pine Cl	September 2010	804	16	50	AR
CL4	Clement St	Between Kirkwood Rd & Pine Cl	November 2010	972	32	50	AR
OD1	Odern Cr	Between Clement St & Bridge Club	September 2010	760	11	52	AR
OD1	Odern	Between	November	801	16	53	AR

	Cr	Clement St & Bridge Club	2010				
OD1	Odern Cr	Between Bridge Club & Walba Way	September 2010	359	11	51	AR
OD1	Odern Cr	Between Bridge Club & Walba Way	November 2010	721	16	51	AR
MA1	Marine Pde	Between North St & Odern Cr	September 2010	1109	30	45	AR
MA1	Marine Pde	Between North St & Odern Cr	November 2010	1647	44	42	AR

Conclusion

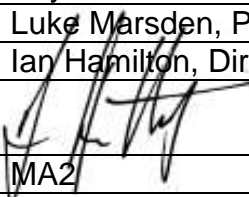
The proposed modifications are of a rubber construction and can be removed and reused at a later date. This will serve as a temporary short term solution to address vehicle movements on driveways/ verges and will be monitored over the next 12 months (if constructed).

Long term solution to be reviewed pending future traffic study of this and surrounding areas.

Attachments

1. Initial plan put forward by Administration CN-OC-01 rev 1
2. Correspondence from Mr Digby Cullen (spokesman)
3. Concept plan (with amendments from Swanbourne Society)

13.3 Change of Priority Controls at the Intersection of Marita Road and Barcoo Avenue, Nedlands

Applicant	City of Nedlands
Owner	City of Nedlands
Officer	Luke Marsden, Parking Strategy Coordinator
Director	Ian Hamilton, Director Technical Services
Director Signature	
File ref.	MA2
Previous Item No's	Not applicable
Disclosure of Interest	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 Binks
Seconded – Councillor Negus

That the Traffic Management Committee Recommendation (printed below for ease of reference) **is adopted.**

CARRIED UNANIMOUSLY EN BLOC 11/-

Council Resolution / Traffic Management Committee Recommendation

Council:

- a) receive details of the non-conforming petition dated 16 August 2010 received by the City proposing removal of the east/west "Give Way" signage at the intersection of Marita Road and Barcoo Avenue, Nedlands and replace with a "Stop" sign running north/south on Marita Road;
- b) accept Main Roads WA's decision not to support the change in priority and leave as status quo; and
- c) instruct Administration to write to the residents informing the same.

Purpose

To advise Council of the non-conforming petition dated 16 August 2010 received by the City, proposing removal of the east / west "Give Way" signage at the intersection of Marita Road and Barcoo Avenue, Nedlands and replace with a "Stop" sign running north / south on Marita Road.

Strategic Plan

- KFA 1 Infrastructure
 - 1.2 Design and construct infrastructure in accordance with Australian standards and guidelines.
 - 1.4 Develop and implement an integrated transport strategy for the City which promotes access to safe and integrated transport options.
- KFA 6 Community Engagement
 - 6.2 Encourage community participation in the City's decision making processes.

Background

The City received a non-conforming petition dated 16 August 2010 from Mr D Van Der Struyf of 34 Marita Road, Nedlands requesting that the City removes the east/west “Give Way” signage at the intersection of Marita Road and Barcoo Avenue and replace with a “Stop” sign running north/south on Marita Road.

Key relevant previous decisions:

Council meeting – 24 August 2010

Proposal to remove the east/west “Give Way” signage at the intersection of Marita Road and Barcoo Avenue, Nedlands and replace with a “Stop” sign running north/south on Marita Road, Nedlands – D10/15898

That the petition be received and referred to the Traffic Management Committee.

Proposal Detail

The priority “Give Way” at the intersection of Marita Road and Barcoo Avenue to remain as status quo.

Consultation

Required by legislation: Yes No

Required by City of Nedlands policy: Yes No

Consultation type / Dates:

Consultation with Main Roads WA in October/November 2010

Legislation

- Local Government Act 1995
- Main Roads Act 1930

Budget/financial implications

Budget:

Within current approved budget: Yes No

Requires further budget consideration: Yes No

Financial:

This proposal is not supported by Main Roads WA, therefore no cost associated to the City.

Risk Management

Main Roads WA (MRWA) does not support the request to change the location of the give way controlled intersection of Marita Road and Barcoo Avenue. Traffic counts indicate that there is higher volumes of traffic on Marita Road, Nedlands and is considered the more important road to carry “through traffic” without the control of give way or stop signs. The City would risk having an increase in other nearby roads if the controls were changed.

Discussion

Following the non conforming petition dated 16 August 2010 proposing removal of the east/west “Give Way” signage at the intersection of Marita Road and Barcoo Avenue, Nedlands that was tabled at the Council meeting on 24 August 2010, Administration sought comment from MRWA regarding the request.

The City’s investigation shows that both Marita Road and Barcoo Avenue are classified by MRWA as an “Access Road” which is designed to accommodate up to 3000 vehicles per day (vdp).

Latest traffic data (2008) below indicates 436 vehicles travelling at 52km/h (85th percentile speed) in a 50km/h zone.

Rd Name	Location	Date	AWDT	CV	0.85	Road Hierarchy
Barcoo Avenue	Between Bulimba Road and Taylor Road	June 2006	136	1	48	AR
Barcoo Avenue	Between Marita Road and Doonan Road	November 2008	118	4	40	AR
Marita Rd	Between Barcoo & Jenkins Ave	2004	301	7	56	AR
Marita Road	Between Barcoo Avenue and Princess Road	November 2008	436	8	52	AR

AWDT = Average Weekday Total **CV** = Commercial Vehicles

The latest intersection crash data (5 year period from 2005 to 2009) at Marita Road and Barcoo Avenue indicates that there have been no crashes in this intersection.

There is a slight gradient downhill heading north along Marita Road from Princess Road end, however it is not considered to be significant within the parameters (geometric constraints) used to determine change in priority.

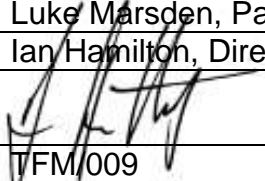
Conclusion

MRWA does not support the change in control at intersection of Marita Road and Barcoo Avenue on any criteria therefore the controls should remain as status quo.

Attachments

1. Petition proposal to remove the east/west “give way” signage at the intersection of Marita Road and Barcoo Avenue, Nedlands – Dirk Van Der Stuyf
2. Response from Main Roads WA

13.4 Mobile Vehicle Enforcement – City of Nedlands

Applicant	City of Nedlands
Owner	City of Nedlands
Officer	Luke Marsden, Parking Strategy Coordinator
Director	Ian Hamilton, Director Technical Services
Director Signature	
File ref.	TFM/009
Previous Item No's	Not applicable
Disclosure of Interest	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 Binks
 Seconded – Councillor Negus

That the Traffic Management Committee Recommendation (printed below for ease of reference) **is adopted.**

CARRIED UNANIMOUSLY EN BLOC 11/-

Council Resolution / Traffic Management Committee Recommendation

Council receives the report on mobile vehicle enforcement for its information and recommends that Administration:

- a) **undertake a report for discussion as part of the proposed 2011/12 budget review process; and**

- b) write to the Minister of Transport and Housing, Hon. Troy Buswell MLA, requesting a meeting to discuss if the City can access data from license plate detection pertaining to vehicle origin only for the purposes of the survey without breaching individual privacy.

Purpose

Provide the Council with details of various options and costs pertaining to the use of mobile parking compliance enforcement machines within the City of Nedlands. Funding is required for possible acquisition of a mobile parking compliance enforcement machine(s) including training which will be detailed in a report as part of the 2011/12 budget review process.

Strategic Plan

- | | |
|-------|---|
| KFA 1 | Infrastructure |
| 1.2 | Design and construct infrastructure in accordance with Australian standards and guidelines. |
| 1.4 | Develop and implement an integrated transport strategy for the City which promotes access to safe and integrated transport options. |
| KFA 6 | Community Engagement |
| 6.2 | Encourage community participation in the City's decision making processes. |
| KFA 7 | Economic Development |
| 7.1 | Support local businesses in their activities. |
| 7.2 | Develop and implement a City parking strategy. |

Background

Councillor Hodsdon raised a notice of motion at the Council meeting on 26 October 2010 requesting that the City investigate a range of mobile parking compliance enforcement machines including costs associated.

Key previous decisions:

26 October 2010 – Councillor Hodsdon – Use of a mobile parking compliance enforcement machines:

That:

1. Administration drafts a report to the Traffic Management Committee on the various options and costs pertaining to the use of mobile parking compliance enforcement machines; and

2. Funding required for the possible acquisition of a mobile parking compliance enforcement machine and training be prepared for possible inclusion in the mid-year budget review.

Supporting comments from Councillor Hodsdon:

Parking is an issue in many areas of the city and there is a feeling that we could police it better. This was the biggest concern with both the Broadway and Hampden Rd areas (survey results). There has been a big improvement in the past 5 years but I believe that there is technology in the market that would streamline the process and make our rangers even more effective in policing this problem.

The technology is set up in a car. It has plate recognition and takes pictures of parked car and wheel positions. This would mean 1000 cars an hour can be policed from the comfort of a moving car.

I would think one unit could be shared with Subiaco but I feel our need is sufficient for one just for us.

I intend moving a motion to enable the city to get a unit and trial it. There are several companies that offer this sort of machine/technology.

Administration Comment:

Administration supports the proposed Notice of Motion. A report on various options and costs will be presented to the Traffic Management Committee in early 2011.

Proposal Detail

Provide Council with details of parking technology available for mobile vehicle enforcement.

Consultation

Required by legislation: Yes No

Required by City of Nedlands policy: Yes No

Legislation

- Local law relating to parking and parking facilities
- Local Government Act 1995

Budget/financial implications

Budget:

Within current approved budget: Yes No

Requires further budget consideration: Yes No

Financial:

Funding is required for the possible acquisition of a mobile/fixed parking compliance enforcement machine(s) including training which will be detailed in a report as part of the proposed 2011/12 budget review process.

Risk Management

A full risk analysis has been completed. (Refer attachment 4)

Discussion

Administration has explored various options (refer to attachment 1, 2 & 3) for administering and managing the effectiveness of each parking enforcement option.

Administration also has had discussions with two companies which offer excellent products. Both of the companies have stand alone, independent mobile and fixed enforcement machines and are able to tailor their product to the needs of the City.

The City receives a large number of complaints from residents and businesses throughout the City of vehicles continually parking over the prescribed timed restriction.

The City is in the process of advertising the proposed local law relating to parking and parking facilities and has made various inclusions within that to safeguard and future-proof key parking initiatives. These include City's proposals for electronic parking devices, instruments, display panels or transmitting equipment as well as a modified penalty which corresponds with the nature of the offence.

The City currently employs 4 rangers and 1 senior ranger (Full time employees) to control and administer the enforcement and compliance issues with regard to parking and parking facilities.

The City incorporates chalking(marking) of the tyre by the rangers as a means to patrol and infringe would be parking offenders ensuring a fair and equitable supply of parking is made available.

Providing the City with this level of product will support the compliance and enforcement areas within those designated parking areas, thus assisting the workload and level of service.

Although not compatible with the current hand-held infringement devices and software, it does offer solutions that can include from small level of integration through to full integration.

It is anticipated that the City will be looking at updating the current hand-held devices and software to further streamline our systems and offer greater integration to meet the forecasted demands and parking technologies.

The City requested an external company (see attachment 3) to conduct a parking survey in four locations to ascertain parking data. Those four locations were:

- Hampden Road;
- Monash Avenue;
- Cooper Street; and
- Waratah Avenue.

The company set up fixed cameras as well as personnel onsite to survey and capture details such as; the vehicle park time, vehicle exit time as well as vehicle registrations. Car bay usage was examined for each area with the data used to gain a perspective of the effectiveness of each parking area.

The City requested from the Department of Transport (DOT), information relating to vehicle number plates and suburb locations of where those vehicles were registered. This information was to assist the City with knowledge on the characteristics of the parking community in four parking areas.

The DOT response stipulated that all future requests for vehicle information provide sufficient evidence to substantiate that the information is required for law enforcement purposes. This was contrary to the prior verbal communication. DOT informed the City that the DOT would supply the information sought but would require to stipulate in its request that it was for demographic purposes only.

The City has been looking at alternative methods relating to mobile and fixed enforcement and will present this information as part of a report to be discussed as part of the proposed 2011/12 budget review process.

Conclusion

The City will be able to create efficiencies within parking enforcement by investigating and providing up to date parking technology. This includes integration with software and hardware, greater turnover of parking bays and greater use of resources whilst providing a higher level of service.

Attachments

1. Duncan Solutions Vehicle Sensing Proposal
2. Sensor Dynamics Mobile ANPR Towball System
3. Parking Survey – July 2010
4. Risk assessment

14. Reports by the Chief Executive Officer

14.1 Common Seal Register Report – December 2010

Moved – Councillor Hodsdon
Seconded – Councillor Negus

That the attached Common Seal Register Report for the month of December 2010 is received.

CARRIED UNANIMOUSLY 12/-

14.2 Common Seal Register Report – January 2011

Moved – Councillor Negus
Seconded – Councillor Hodsdon

That the attached Common Seal Register Report for the month of January 2011 is received.

CARRIED UNANIMOUSLY 12/-

14.3 List of Delegated Authorities – December 2010

Moved – Councillor Negus
Seconded – Councillor Hodsdon

That the attached List of Delegated Authorities for the month of December 2010 is received.

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

14.4 List of Delegated Authorities – January 2011

Moved – Councillor Negus
Seconded – Councillor Hodsdon

That the attached List of Delegated Authorities for the month of January 2011 is received.

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

14.5 Local Government Standards Panels findings

In accordance with a Council resolution of 14 December 2010, the Complaints Officer (Mr. G. Foster, Chief Executive Officer) tabled for inclusion in the minutes the Local Government Standards Panel's "Notice of Findings and Reasons" following the Local Government

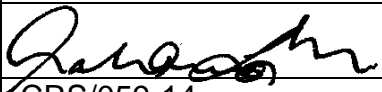
Standards Panels findings that Councillor Hipkins breached Section 7.1(a) of the Local Government (Rules of Conduct) Regulation 2007.

Moved – Councillor Negus
 Seconded – Councillor Tan

That the attached Minor Breach Complaint No. SP 14 of 2010 – Findings and Reasons for Findings is received.

CARRIED UNANIMOUSLY 12/-

14.6 Report on the Decisions from the General Meeting of Electors on 15 December 2010

Applicant	City of Nedlands
Owner	City of Nedlands
Director	Michael Cole - Director Corporate Services
CEO	Graham Foster - Chief Executive Officer
CEO Signature	
File ref.	CRS/059-14
Previous Item No's	Nil
Disclosure of Interest	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 Council is adopted.

(Printed below for ease of reference)

CARRIED UNANIMOUSLY 12/-

Council Resolution / Recommendation to Council

Council receives the minutes of the General Meeting of Electors held 15 December 2010.

Purpose

The purpose of this report is to present to Council the minutes of the meeting of the General meeting of Electors held 15 December 2010 and the resolution passed at that meeting.

Strategic Plan

KFA 5: Governance

To ensure that the processes of Local Government are delivered responsibly and in a transparent, consistent and accountable manner.

5.6 Ensure compliance with statutory requirements and guidelines.

Background

The Annual Meeting of Electors was held at the Mt Claremont Community Centre Wednesday, 15 December 2010 and was attended by 46 members of the public.

This meeting passed the following resolution:

That the Nedlands Electors Association Inc, People against Density Dalkeith and ratepayers here this evening offer full support to Councillor Hipkins. We, the people at this meeting, have the utmost confidence in Councillor Hipkins and we wish Council to be aware that this sort of character assassination does nothing to engender public support for the Nedlands Council. We believe that this is the type of behaviour which has led other Councils, such as the Town of Claremont, to have nothing to do with the City of Nedlands.

In accordance with Section 5.33 of the Local Government Act 1995, all decisions made at electors' meetings are to be considered at the next ordinary meeting, or if that is not practicable at the next ordinary meeting after that or at a special meeting called for that purpose.

Consultation

The Annual Meeting of Electors was advertised in the local press together with notices displayed at the Administration Centre and Libraries.

Legislation

Section 5.33(1) & (2) of Local Government Act 1995.

Budget/financial implications

Not applicable.

Risk Management

Not applicable.

Discussion

The meeting received the Financial Report and the Annual Report, comprising the Mayor's Report, Chief Executive Officer's Report, Annual Financial Report and Auditor's Report for the financial year ended 30 June 2010.

A number of speakers addressed the meeting and the electors present resolved the following:

a) *Councillor M Hipkins*

That the Nedlands Electors Association Inc, People against Density Dalkeith and ratepayers here this evening offer full support to Councillor Hipkins. We, the people at this meeting, have the utmost confidence in Councillor Hipkins and we wish Council to be aware that this sort of character assassination does nothing to engender public support for the Nedlands Council. We believe that this is the type of behaviour which has led other Councils, such as the Town of Claremont, to have nothing to do with the City of Nedlands.

Administration Comment – Council is requested to note the resolution.

Conclusion

The decisions of electors are required to be referred to Council for consideration, it is not clear whether this motion has the support of the general membership of the groups nominated.

Attachments

1. Minutes of General Meeting of Electors held on 15 December 2010

15. Elected Members Notices of Motions of Which Previous Notice Has Been Given

Disclaimer: Where administration has provided any assistance with the framing and/or wording of any motion/amendment to a Councillor who has advised their intention to move it, the assistance has been provided on an impartial basis. The principle and intention expressed in any motion/amendment is solely that of the intended mover and not that of the officer/officers providing the assistance. Under no circumstances is it to be expressed to any party that administration or any Council officer holds a view

on this motion other than that expressed in an official written or verbal report by Administration to the Council meeting considering the motion.

15.1 Councillor Smyth - Public Open Space Committee

Councillor Smyth withdrew her notice of motion regarding the creation of a Public Open Space Committee.

16. Elected members notices of motion given at the meeting for consideration at the following ordinary meeting on 22 March 2011

Disclaimer: Where administration has provided any assistance with the framing and/or wording of any motion/amendment to a Councillor who has advised their intention to move it, the assistance has been provided on an impartial basis. The principle and intention expressed in any motion/amendment is solely that of the intended mover and not that of the officer/officers providing the assistance. Under no circumstances is it to be expressed to any party that administration or any Council officer holds a view on this motion other than that expressed in an official written or verbal report by Administration to the Council meeting considering the motion.

Notices of motion for consideration at the Council Meeting to be held on 22 March 2011 were tabled at this point in accordance with Clause 3.9(2) of Council's Local Law Relating to Standing Orders.

16.1 Councillor Hipkins - Donation to the Shire of Carnarvon

Councillor Hipkins gave notice of his intention to move the following at the Council meeting on 22 March 2011.

That the City of Nedlands makes a \$2,000.00 donation to the Shire of Carnarvon to aid reconstruction arising from recent flood events.

16.2 Councillor Tan - Strategic Traffic and Parking Management Planning Workshop

Councillor Tan gave notice of her intention to move the following at the Council meeting on 22 March 2011.

That Council:

- i. instructs Administration to organise a Strategic Planning Workshop of all Councillors, Directors and Traffic Management Committee community members in April 2011 to discuss traffic and parking hotspots as identified in maps presented by City Officers and in various correspondence from the Community, so that the said issues can be fully discussed by all concerned.

- ii. instructs the Traffic Management Committee to use the information from this Workshop to develop a Strategic Traffic Management and Parking Plan for the City by May 2011 for approval by Council and consideration of its implementation in the 2011/2012 Budget.
- iii. encourages the attendance of all concerned at this Workshop so that a full and proper consideration of the issues - present and anticipated (in the light of proposed development of large projects in the City) are duly discussed and all decision-makers on the matter are fully informed and have the opportunity to provide input into this important strategic plan.

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

Nil.

18. Confidential Items

Closure of Meeting to the Public

Moved – Councillor Negus

Seconded - Councillor Somerville-Brown

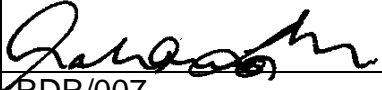
That the meeting be closed to the public in accordance with Section 5.23 (a) and (d) of the Local Government Act 1995 to allow confidential discussion on the following items.

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

The meeting closed to the public and press at 9.34 pm.

18.1 Extreme Storm Event on 22 March 2010 and Strategy for Sump Rationalisation on Loftus Street and Napier Street, Nedlands

Committee	8 February 2011
Council	22 February 2011

Applicant	City of Nedlands
Owner	City of Nedlands
Director	Ian Hamilton - Director Technical Services
CEO	Graham Foster - Chief Executive Officer
CEO Signature	
File ref.	RDR/007
Previous Item No's	T32.02 – 22 October 2002 T.34.03 – 9 December 2003 D56.07 – 9 October 2007
Disclosure of Interest	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 Hipkins

That the Committee Recommendation is adopted.

(Printed below for ease of reference)

CARRIED UNANIMOUSLY 12/-

Council Resolution / Committee Recommendation / Recommendation to Committee

Council:

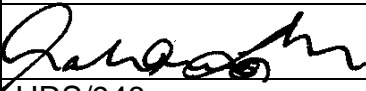
1. receives the report on extreme storm event on 22 March 2010 and strategy for sump rationalisation on Loftus Street and Napier Street, Nedlands;
2. requests Town of Claremont to assist in the reduction of stormwater flow into the Hollywood (West) area of Loftus Street and Napier Street, Nedlands (refer attachment 1);
3. agrees to retain the former drainage basins sites at 22 Loftus Street and 14 Napier Street, Nedlands for drainage purposes (refer attachment 2);
4. undertakes further investigation in order to determine the drainage retention measures required for;

- a) **Government Road sump and Carrington Street, Nedlands;**
 - b) **Rosedale Street, Floreat (refer attachment 3);**
 - c) **overland or below ground surface flow route between Loftus Street and Napier Street and between Napier Street and Ord Street (as per Porter Consulting Engineers' reports in 2000, 2003 and 2010 – refer attachments 4, 5 and 6) ; and**
5. **refers any unbudgeted works to be listed in the proposed 2011/12 budget for consideration.**

A confidential report was circulated to Councillors separately to advise of works undertaken within the City of Nedlands after the 1:100 year extreme storm event/flooding on 22 March 2010 and various preventive measures under review to protect residential property.

The report was presented as a confidential report under section 5.23(2)(d) of the Local Government Act as there may be a requirement to seek legal advice before consulting with the community.

18.2 Appointment of Director Community and Strategy

Applicant	City of Nedlands
Owner	City of Nedlands
Officer	Shelley Mettam - Manager Human Resources and Organisational Development
CEO	Graham Foster - Chief Executive Officer
CEO Signature	
File ref.	HRS/948
Previous Item No's	Nil
Disclosure of Interest	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).

Mr M Cole, Director Corporate Services, Ms C Eldridge, Director Development Services and Mr I Hamilton, Director Technical Services left the meeting at 9.35 pm.

Regulation 11(da) - Not applicable – Recommendation adopted with minor wording change to receive for information the appointment of Director Community and Strategy.

Moved – Councillor Hodsdon
Seconded – Councillor Binks

Council receives the decision taken by the Chief Executive Officer to appoint Ms Darla Blake to the position of Director Community and Strategy.

Councillor Tyson left the meeting at 9.44 pm.

CARRIED UNANIMOUSLY 11/-

Council Resolution

Council receives the decision taken by the Chief Executive Officer to appoint Ms Darla Blake to the position of Director Community and Strategy.

Recommendation to Council

Council notes the decision taken by the Chief Executive Officer to appoint Ms Darla Blake to the position of Director Community and Strategy.

A confidential report was circulated to Councillors separately. The Chief Executive Officer wished to confirm the appointment of the preferred candidate to the position of Director Community and Strategy, the position having become vacant with the resignation of Ms Rebecca Moore. As this position is deemed to be a senior employee of the Council, the appointment required Council to be informed under section 5.37 of the Local Government Act.

The report was presented as a confidential report under section 5.23(2)(a) of the Local Government Act.

Councillor Tyson returned to the meeting at 9.49 pm

Opening of Meeting to the Public

Moved - Councillor Hodsdon
Seconded - Councillor Negus

That the meeting be re-opened to members of the public and the press.

CARRIED UNANIMOUSLY 12/-

The meeting re-opened at 9.59 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 Act.

Declaration of Closure

There being no further business, the Presiding Member declared the meeting closed at 10.01 pm.