



City of Nedlands

Agenda

Special Council Meeting

8 November 2011

Dear Council member

A Special Meeting of the City of Nedlands is to be held on Tuesday 8 November 2011 in the Council chambers at 71 Stirling Highway Nedlands commencing immediately after conclusion of Committee meeting for the purpose of considering a proposal for the WA Department of Health to use vacant land on the Regis site, at the corner of Karella Street and Williams Road Nedlands, as a temporary landscaped carpark.

Graham Foster
Chief Executive Officer
7 November 2011

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City of Nedlands

Notice of a special meeting of Council to be held in the Council chambers, Nedlands on Tuesday 8 November 2011 commencing immediately after conclusion of Committee meeting for the purpose of considering a proposal for the WA Department of Health to use vacant land on the Regis site, at the corner of Karella Street and Williams Road Nedlands, as a temporary landscaped carpark.

Special Council Agenda

Declaration of Opening

The Presiding Member will declare the meeting open at the commencement of the Committee meeting acknowledged the Traditional Owners of the land, pay respect to Elders past and present 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)

Leave of Absence None.
(Previously Approved)

Apologies None as at distribution of this agenda.

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

A member of the public wishing to ask a question should register that interest by notification in writing to the CEO in advance, setting out the text or substance of the question.

The order in which the CEO receives registrations of interest shall determine the order of questions unless the Mayor determines otherwise. Questions must relate to a matter affecting the City of Nedlands.

2. Addresses by Members of the Public

Addresses by members of the public who have completed Public Address Session Forms to be made at this point.

3. Disclosures of Financial Interest

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

A declaration under this section requires that the nature of the interest must be disclosed. Consequently a member who has made a declaration must not preside, participate in, or be present during any discussion or decision making procedure relating to the matter the subject of the declaration.

However, other members may allow participation of the declarant if the member further discloses the extent of the interest. Any such declarant who wishes to participate in the meeting on the matter, shall leave the meeting, after making their declaration and request to participate, while other members consider and decide upon whether the interest is trivial or insignificant or is common to a significant number of electors or ratepayers.

4. Disclosures of Interests Affecting Impartiality

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

Councillors and staff are required, in addition to declaring any financial interests to declare any interest that may affect their impartiality in considering a matter. This declaration does not restrict any right to participate in or be present during the decision-making procedure.

The following pro forma declaration is provided to assist in making the disclosure.

“With regard to the matter in item x..... I disclose that I have an association with the applicant (or person seeking a decision). As a consequence, there may be a perception that my impartiality on the matter may be affected. I declare that I will consider this matter on its merits and vote accordingly.”

The member or employee is encouraged to disclose the nature of the association.

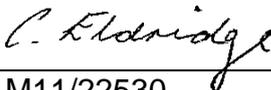
5. Declarations by Members That They Have Not Given Due Consideration to Papers

Members who have not read the business papers to make declarations at this point.

6. 118 Monash Avenue Nedlands (Lot No. 888 DP 59743) – Proposed Temporary Carpark for use by QEII Hospital.

Item 6	118 Monash Avenue Nedlands (Lot No. 888 DP 59743) – Proposed Temporary Carpark for use by QEII Hospital
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Committee	N/A
Special Council	8 November 2011

Applicant	TPG Town Planning and Urban Design
Owner	Retirement Care Australia (Hollywood) Pty Ltd
Officer	Jennifer Heyes
Director	Carlie Eldridge
Director Signature	
File ref.	M11/22530
Previous Item No's	
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> .

Recommendation to Committee

- 1. Council refuses the application and plans dated 4 November 2011 for a temporary carpark at 118 Monash Avenue, Nedlands as the proposal is not permitted under the City of Nedlands Town Planning Scheme No.2.**
- 2. If the Council chooses to approve the application the following conditions are recommended:**
 - a) The hours of operation shall be limited to 6:00am – 10:00pm.**
 - b) Outside of the operation hours the carpark area shall be secured so that vehicles cannot enter the site.**
 - c) The use of the carpark shall be ceased after a maximum period of 24 months from commencement of use of the carpark, unless further approval is given by Council.**
 - d) On the cessation of the use of the carpark, the carparking site shall be rehabilitated to the satisfaction of the City;**
 - e) The carpark shall be marked, drained and maintained to the satisfaction of the City.**
 - f) Prior to commencement of use of the carpark, entry/exit signage shall be implemented in conjunction with, and to the satisfaction, of the City. This shall include a compulsory STOP sign and a left turn only exit pocket.**
 - g) Prior to the commencement of use of the carpark, the corner of Karella Street and Williams Road shall be widened by the applicant/owner to the satisfaction of the City at the owners/applicants cost.**
 - h) Prior to commencement of the development, an Operational Management Plan shall be prepared to the satisfaction of the City to include:**
 - i. security;**
 - ii. contact person(s) for resident complaints;**
 - iii. process for resolving noise and/or traffic issues; and**
 - iv. maintenance.**

- i) Prior to the commencement of the development, a Construction Management Plan shall be prepared to the satisfaction of the City, this plan shall detail how proposed site works will be managed to minimise impacts and shall address but not be limited to:**

 - i. Hours of operation;**
 - ii. Applicable timeframes and assigned responsibilities for tasks;**
 - iii. On-site storage of materials and equipment;**
 - iv. Parking for contractors;**
 - v. Waste management;**
 - vi. Management of noise in accordance with the requirements of the *Environmental Protection (Noise) Regulations 1997*;**
 - vii. Management of vibrations;**
 - viii. Control of dust; and**
 - ix. Complaints and incidents.**

- j) Prior to commencement of use of the site, a detailed landscape Plan shall be prepared and implemented by the applicant/owner to the satisfaction of the City. This Landscaping shall include:**

 - i. all existing and proposed, hard and soft landscaping;**
 - ii. retention of all existing trees on the site;**
 - iii. compliance with the City of Nedlands Greenways Policy 4.14 and;**
 - iv. an appropriate reticulation system.**

- k) Once approved, the landscape plan shall be fully implemented within 2 months and continuously maintained to the satisfaction of the City;**

- l) The operation of the carpark must comply with the *Environmental Protection (Noise) Regulations 1997* at all times.**

- m) **Prior to commencement of use of the carpark, independent expert advice from a suitably qualified person(s) shall be prepared and implemented to ensure the lighting proposed will not cause adverse amenity impacts on the surrounding owners and occupiers and comply with the relevant Australian Standards.**
- n) **Prior to commencement of use of the carpark, a Dust Management Plan shall prepared to the satisfaction of the City to ensure any dust from the carpark surface(s) is managed to minimise impacts;**
- o) **All costs associated with the development shall be at the cost of the owners/applicants including costs associated with managing traffic into and out of the site and any landscaping approved on the verges.**

Advice Notes:

- a) **A demolition license shall be required prior to any demolition of buildings on the site.**
3. **Council initiates, with community consultation, full or partial closure of Hardy Road at the intersection with Williams Road for the period of the temporary carpark operation.**

Declaration of Closure

There being no further business, the Presiding Member will declare the meeting closed.



Graham Foster
Chief Executive Officer