



City of Nedlands

Minutes

Special Council Meeting

8 November 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.

Table of Contents

Declaration of Opening	3
Present and Apologies and Leave Of Absence (Previously Approved)	3
1 Public Question Time	4
2 Addresses by Members of the Public.....	4
2.1 Petitions	5
3 Disclosures of Financial Interest	6
4 Disclosures of Interests Affecting Impartiality.....	6
5 Declarations by Members That They Have Not Given Due Consideration to Papers.....	6
6 118 Monash Avenue Nedlands (Lot No. 888 DP 59743) – Proposed Temporary Carpark for use by QEII Hospital.	6
Declaration of Closure	12

City of Nedlands

Minutes of a special meeting of Council held in the Council chambers, Nedlands on Tuesday 8 November 2011 commencing after the conclusion of the 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.

Declaration of Opening

The Presiding Member declared the meeting open at 8.22 pm 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)

Councillors	His Worship the Mayor, R M Hipkins	(Presiding Member)
	Councillor K E Collins	Coastal Districts Ward
	Councillor L J McManus	Coastal Districts Ward
	Councillor I S Argyle	Dalkeith Ward
	Councillor S J Porter	Dalkeith Ward
	Councillor K Walker	Hollywood Ward
	Councillor R M Binks	Hollywood Ward
	Councillor B G Hodsdon	Hollywood Ward
	Councillor M L Somerville-Brown	Melvista Ward
	Councillor T James	Melvista Ward
	Councillor N Shaw	Melvista Ward

Staff	Mr M Cole	Director Corporate Services
	Mr I Hamilton	Director Technical Services
	Ms J Heyes	Manager Statutory Planning
	Ms R Forrest	Technical Services Administration Officer
	Ms G Martyn	Development Services Administration Officer

Public There were 15 members of the public present.

Press The Post Newspaper representative.

Leave of Absence Nil
(Previously Approved)

Apologies	Councillor N Horley	Coastal Districts Ward
	Mr G T Foster	Chief Executive Officer
	Ms D Blake	Director Community & Strategy
	Ms C Eldridge	Director Development Services
	Ms N Borowicz	Executive Assistant

Disclaimer

No responsibility whatsoever is implied or accepted by the City of Nedlands for any act, omission or statement or intimation occurring during Council or Committee meetings. City of Nedlands disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council or Committee meetings. Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council or Committee meeting does so at that person's or legal entity's own risk.

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.

The City of Nedlands wishes to advise that any plans or documents contained within this agenda may be subject to copyright law provisions (*Copyright Act 1968, as amended*) and that the express permission of the copyright owner(s) should be sought prior to their reproduction.

It should be noted that Copyright owners are entitled to take legal action against any persons who infringe their copyright. A reproduction of material that is protected by copyright may represent a copyright infringement.

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.

Nil

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.

Ms M Carter, 3 Bushel Place, Ardross
(Spoke in opposition to the proposal)

Item 6

Non-Elector

Moved – Councillor Hodsdon
Seconded – Councillor Walker

That Ms M Carter, a non-elect of the City be permitted to address the meeting.

CARRIED UNANIMOUSLY 11/-

Ms M M Winter, 500/118 Monash Avenue, Nedlands
(Spoke in opposition to the proposed carpark)

Item 6

The Presiding Member granted an additional 2 minutes to Ms M M Winter to conclude her public address.

2.1 Petitions

The Presiding Member read aloud a petition received from the residents of Hollywood Village 118-120 Monash Avenue, Nedlands dated 6 November 2011 signed by 65 people as follows:

“We understand that the W.A Department of Health is negotiating with Regis Pty Ltd to establish a parking area for the staff of the Q.E 2 Medical Centre on presently vacant Village land on Williams Road and Karella Street, Nedlands. We the undersigned residents of Hollywood Village hereby record our rejection of the proposed parking facility when being considered by Council, mainly because there is a Memorial registered on the Title Deed over the whole of the Hollywood Village, which stipulates that the property may only be used for the purposes of Aged Care and Retirement Village unless all residents agree”.

Moved – Councillor Hodsdon
Seconded – Councillor Somerville-Brown

That Council receives the petition.

CARRIED UNANIMOUSLY 11/-

3 Disclosures of Financial Interest

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

There were no disclosures of financial interest.

4 Disclosures of Interests Affecting Impartiality

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

There were no disclosures of interests affecting impartiality.

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

Nil

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

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> .

Ms J Heyes left the meeting at 9.23 pm and returned to the meeting at 9.25 pm

Regulation 11(da) – Council agreed to reduce the maximum number of vehicles to 250 and limit the hours of operation to 7.00 pm.

Moved – Councillor Collins
Seconded – Councillor James

Council Resolution

- 1. Council approves the application and plans dated 4 November 2011 for a temporary landscaped carpark at 118 Monash Avenue, Nedlands with the following conditions:**
 - a) The carpark is to be designed to accommodate a maximum of 250 vehicles, in accordance with the master plan for the site;**
 - b) The hours of operation shall be limited to 6:00am – 7:00pm;**
 - c) Outside of the operation hours the carpark area shall be secured so that vehicles cannot enter the site;**
 - d) The use of the carpark shall cease after a maximum period of 18 months from commencement or at the time of opening the first stage of the QEII multi-storey carpark, whichever is the sooner;**
 - e) On the cessation of the use of the carpark, the carparking site shall be rehabilitated to the satisfaction of the City;**
 - f) The carpark shall be marked, drained and maintained to the satisfaction of the City;**
 - g) There shall be an additional entry/exit point on Karella Street;**
 - h) 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 compulsory STOP signs at exits;**
 - i) 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;**
 - j) 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.**
- k) 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.**
- l) 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. a buffer landscaping strip around the carpark, with a minimum width of 5 m, excluding the road verges;**
 - iii retention of all existing trees on the site;**

- iv. compliance with the City of Nedlands Greenways Policy 4.14 and;
- v. an appropriate reticulation system.

Once approved, the landscape plan shall be continuously maintained to the satisfaction of the City;

- m) An acoustic barrier shall be constructed to a height that ensures compliance with the relevant Noise Regulations on the northern and western boundaries of the carpark;
 - n) The operation of the carpark must comply with the *Environmental Protection (Noise) Regulations 1997* at all times;
 - o) 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;
 - p) 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;
 - q) 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.
2. 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.
3. Council advises the Ministers for Health and Environment of the community's strong desire for the Monash Avenue Bushland, as shown in the master plan for the QEII site, to be retained in perpetuity.

Advice Notes:

A demolition license shall be required prior to any demolition of buildings on the site.

CARRIED 7/4
(Against: Crs. Binks, Hodsdon, Walker
& Somerville-Brown)

Recommendation to Council

- 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 be 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 declared the meeting closed at 9.47 pm.