



City of Nedlands

Minutes

Council Committee Meeting

11 October 2011

Attention:

This is a Committee which has only made recommendations to Council. No action should be taken on any recommendation contained in these Minutes. The Council resolution pertaining to an item will be made at the Ordinary Council Meeting next following this meeting.

Table of Contents

Declaration of Opening	3
1. Addresses By Members of the Public (only for items listed on the agenda)	4
2. Disclosures of Financial Interest	4
3. Disclosures of Interests Affecting Impartiality	5
4. Declarations by Members That They Have Not Given Due Consideration to Papers	5
5. Confirmation of Minutes	5
5.1 Committee Meeting 13 September 2011	5
6. Matters for Which the Meeting May Be Closed	5
7. Divisional Reports	5
7.1 Development Services Report No's D58.11 to D59.11	6
D58.11 No.60 (Lot 11541 and Reserve 33986) Lemnos Street, Shenton Park – Proposed Reconfiguration to Existing Waste Transfer Station	6
D59.11 No.7 (Lot No.112) Riverview Court Dalkeith – Proposed Four Storey Dwelling, front fence and Swimming Pool	10
7.2 Technical Services Report No T11.11	14
T11.11 Tender No. 2010/11.10 – Supply & Delivery of Drainage Materials	14
7.3 Corporate Services Report No's CP34.11 to CP36.11	15
CP34.11 Monthly Financial Report – August 2011	15
CP35.11 Investment Report – August 2011	16
CP36.11 List of Accounts Paid – August 2011	17
8. Reports by the Chief Executive Officer	18
9. Urgent Business Approved By the Presiding Member or By Decision	18
10. Confidential Items	18
11. Councillor Bell	18
Declaration of Closure	18

City of Nedlands

Minutes of a meeting of the Council Committee held in the Council Chambers, Nedlands on Tuesday 11 October 2011 at 7.00 pm.

Declaration of Opening

The Presiding Member declares the meeting open at 7.00 pm and drew attention to the disclaimer below.

(NOTE: Council at its meeting on 24 August 2004 resolved that should the meeting time reach 11.00 p.m. the meeting is to consider an adjournment motion to reconvene the next day).

Councillors

Councillor R M Hipkins	(Presiding Member)
Councillor K E Collins	Coastal Districts Ward
Councillor K A Smyth	Coastal Districts Ward
Councillor I S Argyle	Dalkeith Ward
Councillor J D Bell	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 N Borowicz	Executive Assistant

Public There were 4 members of the public present.

Press The Post Newspaper representative from 7.10pm.

Leave of Absence Nil.
(Previously Approved)

Apologies Her Worship the Mayor, S A Froese
Councillor N B J Horley Coastal Districts Ward
Councillor M S Negus Dalkeith Ward
Ms D Blake Director Community & Strategy

Absent Nil.

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

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

Nil.

2. Disclosures of Financial Interest

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

There were no disclosures of financial interest.

3. Disclosures of Interests Affecting Impartiality

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

There were no disclosures affecting impartiality.

4. 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.

Nil.

5. Confirmation of Minutes

5.1 Committee Meeting 13 September 2011

Moved – Councillor Bell
Seconded – Councillor Hodsdon

That the minutes of the Council Committee held 13 September 2011 are confirmed.

CARRIED UNANIMOUSLY 10/-

6. Matters for Which the Meeting May Be Closed

Nil.

7. Divisional Reports

Note: Regulation 11(da) of the *Local Government (Administration) Regulations 1996* requires written reasons for each decision made at the meeting that is significantly different from the relevant written recommendation of a committee or an employee as defined in section 5.70, but not a decision to only note the matter or to return the recommendation for further consideration.

7.1 Development Services Report No's D58.11 to D59.11

D58.11	No.60 (Lot 11541 and Reserve 33986) Lemnos Street, Shenton Park – Proposed Reconfiguration to Existing Waste Transfer Station
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Committee	11 October 2011
Council	25 October 2011

Applicant	Greg Rowe and Associates (on behalf of Western Metropolitan Regional Council)
Owner	Western Metropolitan Regional Council (WMRC)
Officer	Laura Sabitzer – Planning Officer
Director	Carlie Eldridge – Director Development Services
Director Signature	
File ref	DA11/282 : LE1/60-04
Previous Item No's	D71.08 : D41.10
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 Tyson

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

CARRIED 9/-
(Abstained: Cr. Smyth)

Committee Recommendation / Recommendation to Committee

Council recommends to the Western Australian Planning Commission to approve the proposed reconfiguration to the existing Waste Transfer Station at No. 60 (Reserve 33986) Lemnos Street Shenton Park in accordance with the application dated 30 June 2011 and plans dated 30 June 2011, subject to the following conditions:

- 1. prior to the issue of a building license a Traffic Management Plan is to be submitted and approved by the City (refer to Advice Note a);**

- 2. prior to the issue of a building license a detailed Landscaping and Screening Plan is to be submitted and approved by the City (refer to Advice Note b);**
- 3. prior to the issue of a building license a site management plan is to be submitted and approved by the City (refer to Advice Note c);**
- 4. further planning approval is required for an increase of traffic to and from the site (refer to Advice Note d);**
- 5. all greenwaste to be stored in a bunded area and filled to a maximum 0.5 m below top of wall height;**
- 6. all storm water from building and paving areas (including driveways) shall be contained on site by draining to soak wells of adequate capacity to contain runoff from a 10 year recurrent storm event and the capacity of soak wells shall be a minimum of 1 cubic meter for every 80 m² of paved or roofed surface on the property;**
- 7. 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;**
- 8. any additional development, which is not in accordance with the original application or conditions of approval, as outlined above, will require further approval by Council.**

Advice Notes

- a. the traffic management plan shall be for construction and operational traffic and include but not be limited to the following:
 - i. details of time of works;
 - ii. details of date of works; and
 - iii. routes used by truck.
- b. the detailed landscaping and screening plan shall include but not be limited to the following:
 - i. all existing and proposed landscaping, including hard landscaping;

- ii. all existing and proposed screening, including screening of greenwaste areas from public roads;
 - iii. trees are to be planted on the verge to enhance the visual amenity of the site;
 - iv. all proposed landscaping shall be in accordance with the City's Greenway Policy 4.14 i.e. indigenous species to be planted and complementary species of native vegetation retained;
 - v. all proposed landscaping shall be implemented with an appropriate reticulation system and the landscaping and reticulation system continuously maintained to the satisfaction of the City;
 - iv. existing trees on the site shall be retained where possible, however where the removal of a tree is necessitated, a replacement tree of an appropriate size and species shall be planted to the satisfaction of the City.
- c. the site management plan shall include but not be limited to the following to address how day to day operations will be managed:
- i. ensure greenwaste does not exceed 0.5m below TOW height;
 - ii. ensure there is no windblown dust able to escape the site as a result of any greenwaste tipping area or from any associated operation (i.e. transport or conveyance of greenwaste);
 - iii. ensure offensive odour as a result of greenwaste does not carry beyond the site boundaries;
 - iv. handle contingency conditions so as not to at any time accumulate excessive greenwaste; and
 - v. ensure corrective actions are taken to resolve any complaints relating to dust, odour or noise .
- d. this application states that the proposal will not generate additional traffic to and from the site as exists prior to the approval of this application, therefore any increase in traffic to and from the site will require further planning approval; and

- e. the City recommends that any intended reversing warning alarms utilise non-tonal broadband sound which can still meet occupational health and safety requirements opposed to the traditional 'beeper' alarms.

D59.11	No.7 (Lot No.112) Riverview Court Dalkeith – Proposed Four Storey Dwelling, front fence and Swimming Pool
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Committee	11 October 2011
Council	25 October 2011

Applicant	Milenkov Designs and Project Management
Owner	Carla Di Latte
Officer	Nick Bakker - Planning Officer
Director	Carlie Eldridge - Director Development Services
Director Signature	
File ref.	RI2/7-02
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 Collins

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

CARRIED 6/1
(Against: Cr. Bell)
(Abstained: Crs. Hodsdon Tan Tyson)

Committee Recommendation / Recommendation to Committee

Council approves an application under the City's Town Planning Scheme No. 2 (TPS2) and recommends that the Western Australian Planning Commission (WAPC) approve the application under the MRS for the proposed four storey dwelling (including swimming pool and front fence) at No.7 (Lot 112) Riverview Court, Dalkeith in accordance with an application dated 28 April 2011 and the amended plans dated 6 September 2011 attached hereto, subject to the following conditions:

1. prior to the issue of a building licence, the plans shall be amended to show the proposed screen located on the southern side of balcony 4 shall be increased in length by 1.2 m to protrude a total of 4.7 m, in order to comply with Clause

6.9.1 of the Residential Design Codes (RCodes) (as marked in red on the approved plans);

- 2. the proposed roof decks are to remain non-accessible;**
- 3. the use of the basement and lower levels shall be restricted to the uses as depicted in the plans submitted and dated 6 September 2011 i.e. wine cellar, boat shed, cool room, communications room, toilet, and equipment store for the basement level and; garage, air conditioning plant room, garden store, document store, pool store, and toilet on the lower level;**
- 4. prior to the issue of a Building Licence for the development the owner shall execute and provide to the City a notification pursuant to section 70A of the *Transfer of Land Act 1893* to be registered on the title to the land as notification to prospective purchasers that the use of the basement and lower levels is subject to the restriction set out in condition 2 above;**
- 5. all stormwater from building and paving areas (including driveways) shall be contained on site by draining to soakwells of adequate capacity to contain runoff from a 10 year recurrent storm event and the capacity of soakwells shall be a minimum of 1.0 m³ for every 80 m² of paved or roofed surface on the property;**
- 6. 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;**
- 7. the parapet wall and footings shall be constructed wholly inside the allotment;**
- 8. the use of bare or painted metal building materials is permitted on the basis that, if during or following the erection of the development the Council forms the opinion that glare which is produced from the building has or will have a significant detrimental effect upon the amenity of neighbouring properties, the Council may require the owner to treat the building/roof to reduce the reflectivity to a level acceptable to Council;**
- 9. 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;**

- 10. any swimming pool soakwell shall not be situated closer than 1.8 m to any boundary of a lot, building, septic tank or other soak well; and**
- 11. 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. Without limiting Condition 10, it is advised that further planning approval shall be required for:
 - i. any proposed dividing fence greater than 1.8 m above natural ground level;
 - ii. any additional fill/retaining not shown on the plans;
- b. you are advised that a new easement along the southern side of the lot is needed for the purposes of stormwater drainage;
- c. with specific reference to the Water Corporation sewer easement located adjacent to the eastern and southern boundaries, you are advised to ensure that the proposed dwelling is clear of all easements located on the property or alternatively the necessary arrangements have been made with the appropriate authorities.
- d. 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;
- e. 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;
- f. ensure that airconditioner unit(s) comply with relevant Australian Standards and that noise emissions comply with the Environmental Protection (Noise) Regulations 1997.
- g. it is strongly advised that consultation is undertaken with the installer and adjoining neighbour(s) prior to installation of air-conditioning 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. It is recommended that applicants refer to the City's Visual and Acoustic Privacy Information document and also the fairair noise calculator online at www.fairair.com.au;

- h. 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; and

7.2 Technical Services Report No T11.11

T11.11	Tender No. 2010/11.10 – Supply & Delivery of Drainage Materials
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Committee	11 October 2011
Council	25 October 2011

Applicant	City of Nedlands
Owner	City of Nedlands
Officer	Maria Hulls– A/Manager Engineering Services
Director	Ian Hamilton – Director Technical Services
Director Signature	
File ref.	TEN/309
Previous Item No's	N/A
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 Somerville-Brown

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

CARRIED UNANIMOUSLY 10/-

Committee Recommendation / Recommendation to Committee	
Council:	
1.	accepts the tender submitted by Icon Septech Pty Ltd for the supply and delivery of drainage materials for the 2011/12 financial year; and
2.	accepts the option to extend the contract for two (2) twelve month periods at the end of the initial period ending 30 June 2014, at the Principal's discretion.

7.3 Corporate Services Report No's CP34.11 to CP36.11

CP34.11	Monthly Financial Report – August 2011
Committee	11 October 2011
Council	25 October 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/072-17
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 Collins

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

CARRIED 9/-
(Abstained: Cr. Smyth)

Committee Recommendation / Recommendation to Committee
Council receives the Monthly Financial Report for August 2011.

CP35.11	Investment Report – August 2011
Committee	11 October 2011
Council	25 October 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/071-07
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 Somerville-Brown

That the Recommendation to Committee is adopted.

(Printed below for ease of reference)

CARRIED UNANIMOUSLY 10/-

Committee Recommendation / Recommendation to Committee

Council receives the Investment Report for the period ended 31 August 2011

CP36.11	List of Accounts Paid – August 2011
Committee	11 October 2011
Council	25 October 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/072-17
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) – Councillors wanted to commend staff for their efforts in raising funds for various charities.

Moved – Councillor Binks
 Seconded – Councillor Hodsdon

That the Recommendation to Committee is adopted subject to note being made that Councillors commended staff for their efforts in raising funds for various charities through their casual dress Fridays.

**CARRIED 9/-
 (Abstained: Cr. Tan)**

Committee Recommendation / Recommendation to Committee

Council receives the List of Accounts Paid for the month of August 2011 and commends staff for their efforts in raising funds for various charities through their casual dress Fridays.

8. Reports by the Chief Executive Officer

Nil.

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

Nil.

10. Confidential Items

Nil.

Councillor Tyson left the meeting at 7.10 pm.

11. Councillor Bell

Councillor Bell expressed his condolences to the family of Mr Bryn Martin who is thought to have been taken by a shark off Cottesloe beach. Councillor Bell renewed his call for the installation of shark nets as seen at South African and Sydney beaches. He also called on the Premier and Member for Cottesloe to reconsider putting in shark nets at Cottesloe.

The Presiding Member asked the CEO to forward the Council's condolences to the family of Mr Bryn Martin.

Councillor Tyson returned to the meeting at 7.11 pm.

Declaration of Closure

There being no further business, the Presiding Member declared the meeting closed at 7.12 pm.