



City of Nedlands

Minutes

Council Meeting

23 October 2012

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 23 October 2012 at 7 pm.

Declaration of Opening

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

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

Present and Apologies and Leave Of Absence (Previously Approved)

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 W R Hassell	Dalkeith Ward
	Councillor S J Porter	Dalkeith Ward
	Councillor R M Binks	Hollywood Ward
	Councillor B G Hodsdon (until 7.50 pm)	Hollywood Ward
	Councillor K Walker	Hollywood Ward
	Councillor T James (until 9.42 pm)	Melvista Ward
	Councillor N Shaw	Melvista Ward
	Councillor M L Somerville-Brown	Melvista Ward

Staff	Mr M Cole	Acting Chief Executive Officer
	Ms S Mettam	Acting Director Corporate & Strategy
	Mr P Mickleson	Director Planning & Development Services
	Mr M Goodlet	Director Technical Services
	Ms P Panayotou	Acting Director Community & Organisational Development
	Ms N Borowicz	Executive Assistant

Public There were 12 members of the public present.

Press The Post Newspaper and Western Suburbs Weekly representatives.

Leave of Absence Nil.
(Previously Approved)

Apologies Councillor N B J Horley Coastal Districts Ward

Absent Nil.

Disclaimer

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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.

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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.

There were no public questions.

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.

Mr S Menezes, 16 Betty Street, Nedlands
(spoke in support of the recommendation)

Report PD40.12

The Presiding Member granted Mr Menezes a further 2 minutes.

Mr S Adams, 2 Granby Crescent, Nedlands
(spoke in support of the recommendation)

Report PD40.12

Non-Elector

Moved – Councillor Walker

Seconded – Councillor Argyle

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

CARRIED UNANIMOUSLY 12/-

Mr H Mitchell, 30 Mayfair Street, West Perth
(spoke in support of proposal)

Report PD41.12

Non-Elector

Moved – Councillor Walker

Seconded – Councillor Collins

That Mr G Rowe, a non-elect of the City be permitted to address the meeting.

CARRIED UNANIMOUSLY 12/-

Mr G Rowe, Level 3, No 369 Newcastle Street, Northbridge Item 16.1
(spoke in support of the development)

The Presiding Member granted Mr Rowe a further 2 minutes.

Mr P Golden, 121 Rochdale Road, Mt Claremont Item 16.1
(spoke in opposition to the development)

The Presiding Member granted Mr Golden a further 2 minutes.

Mr R Cullen, Unit 2 / 95 Stirling Hwy, Nedlands Item 14.1
(spoke in relation to parking restriction trial)

3. Requests for Leave of Absence

Moved – Councillor Walker
Seconded – Councillor Collins

That Councillor Hodsdon be granted leave of absence for the Committee Meeting on 13 November 2012.

CARRIED UNANIMOUSLY 12/-

4. Petitions

4.1 Petition from Dr A Nyman Redevelopment of Melvista Nursing Home – 20 Betty Street Nedlands

Request the Council to maintain its opposition to the proposed development in its present submission to Council.

Moved – Councillor Hodsdon
Seconded – Councillor Walker

That the Petition be received by Council and referred to Administration for a response.

CARRIED UNANIMOUSLY 12/-

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 is discussed.

There were no disclosures of financial interest.

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 Councillor Collins – PD40.12 - No. 20 (Lot 25) Betty Street, Nedlands – Proposed Change of Non-Conforming Use (from Aged Care Facility) to 10 Multiple Dwellings (Aged or Dependant Persons' Dwellings) in a 3-Storey Building

Councillor Collins disclosed an impartiality interest in Item PD40.12 - No. 20 (Lot 25) Betty Street, Nedlands – Proposed Change of Non-Conforming Use (from Aged Care Facility) to 10 Multiple Dwellings (Aged or Dependant Persons' Dwellings) in a 3-Storey Building. He disclosed that he is the Council representative on the Nedlands Aged Persons Trust, and as a consequence, there may be a perception that his impartiality on the matter may be affected. He declared that he would consider this matter on its merits and vote accordingly.

6.2 Councillor Somerville-Brown – PD40.12 - No. 20 (Lot 25) Betty Street, Nedlands – Proposed Change of Non-Conforming Use (from Aged Care Facility) to 10 Multiple Dwellings (Aged or Dependant Persons' Dwellings) in a 3-Storey Building

Councillor Somerville-Brown disclosed an impartiality interest in Item PD40.12 - No. 20 (Lot 25) Betty Street, Nedlands – Proposed Change of Non-Conforming Use (from Aged Care Facility) to 10 Multiple Dwellings (Aged or Dependant Persons' Dwellings) in a 3-Storey Building. He disclosed that he had been approached and had discussions with numerous residents, and as a consequence, there may be a perception that his impartiality on the matter may be affected. He declared that he would consider this matter on its merits and vote accordingly.

6.3 Councillor Argyle – PD40.12 - No. 20 (Lot 25) Betty Street, Nedlands – Proposed Change of Non-Conforming Use (from Aged Care Facility) to 10 Multiple Dwellings (Aged or Dependant Persons' Dwellings) in a 3-Storey Building

Councillor Argyle disclosed an impartiality interest in Item PD40.12 - No. 20 (Lot 25) Betty Street, Nedlands – Proposed Change of Non-Conforming Use (from Aged Care Facility) to 10 Multiple Dwellings (Aged or Dependant Persons' Dwellings) in a 3-Storey Building. He disclosed that because of his age, there may be a perception that his impartiality on the matter may be affected. He declared that he would consider this matter on its merits and vote accordingly.

6.4 Councillor Walker – PD43.12 - Omnibus Scheme Amendment No. 194

Councillor Walker disclosed an impartiality interest in Item PD43.12 - Omnibus Scheme Amendment No. 194. She disclosed that she knows lots of people in the area, 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.

6.5 Councillor McManus – 14.1 - Parking Permits

Councillor McManus disclosed an impartiality interest in Item 14.1 - Parking Permits. He disclosed that has known Mr Cullen for many years, and as a consequence, there may be a perception that his impartiality on the matter may be affected. He declared that he would consider this matter on its merits and vote accordingly.

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

Nil.

8. Confirmation of Minutes

8.1 Ordinary Council meeting 25 September 2012

Moved – Councillor Hodsdon
Seconded – Councillor Collins

The minutes of the ordinary Council meeting held 25 September 2012 are confirmed.

CARRIED UNANIMOUSLY 12/-

9. Announcements of the Presiding Member without discussion

Functions where I have represented the City since the last Council meeting:

26 September 2012	City of Nedlands	Meeting with Mayor & CEO of Subiaco
28 September 2012	City of Nedlands	Meeting with local member Bill Marmion
28 September 2012	Youth Connections	Shout Out Perth
28 September 2012	City of Nedlands	Meeting with Rotary, All Abilities Play Space
4 October 2012	Water Corp	Planning Future Water Seminar
7 October 2012	Swanbourne-Nedlands Surf Life Saving Club	Open Day
7 October 2012	Art Deco Society	Walk, Building Inspection, Brochure Launch
7 October 2012	City of Nedlands	All Abilities Play Space Workshop
8 October 2012	National Trust (WA)	Council Meeting (WALGA nominee)
11 October 2012	Western Suburbs Alliance	Cottesloe Meeting
16 October 2012	City of Nedlands	Waratah Walkers
16 October 2012	Department of Planning	Metro west DAP
16 October 2012	Australian Institute of Architects	Urban Design Committee Meeting
17 October 2012	HCWA	Community History and Heritage Seminar
17 October 2012	Fellowship of Australian Writers	Opening of Matte Furphy House
18 October 2012	RSL	Luncheon
18 October 2012	CityVision	Bill Warnock Dinner
22 October 2012	National Trust (WA)	Executive Meeting

Mayor Hipkins advised that on the 11 October 2012 he announced that he would be nominating for the seat of Nedlands in the forthcoming State Election, in March 2013. He intends to continue to act in his position as Mayor of the City of Nedlands, with business as usual, until such time as he is elected. The Department of Local Government has no difficulty with people standing for parliament and continuing in their role as elected local government members. In fact there are several other people in the same position.

It has been suggested that there may be a conflict with his mayoral duties. Had he been endorsed by a political party, it is possible that there could be a conflict between that party's policies and his mayoral responsibilities. However his slogan for the State Election is "100% for Nedlands", so he does not anticipate that there will be a conflict. Should any conflict arise in future he will consider his position and act appropriately.

10. Members announcements without discussion

10.1 Councillor Walker

Councillor Walker extended an invitation on behalf of the Sustainable Nedlands Committee to all Councillors to attend a presentation by Pal Hardisty at 6 pm on 26 November 2012 at the Mount Claremont Community Centre.

Moved – Councillor Walker
Seconded – Councillor McManus

That Councillor Walker's motion be accepted as urgent business and to be dealt with at this point in the meeting.

CARRIED 9/3
(Against: Crs. Collins Porter & James)

Moved – Councillor Walker
Seconded – Councillor Hodsdon

Council:

- 1 request that the Mayor consider employing Section 5.34 & 5.35 to allow alternative provision for the chairing of Council meetings until the 10th March 2013;
2. request that the Mayor takes a leave of absence from the DAP process until the 10th March 2013; and
3. request the deputy Mayor chair this Council meeting to allow the Mayor to consider his position. If the Deputy Mayor is unwilling or unable to preside on the meeting that Council elect an alternative presiding member by nomination and vote.

Lost on the casting vote 6/7
(Against: Mayor Hipkins Crs. Collins Hassell
Porter James & Shaw)

Justification

The Mayor has recently announced via the media that he will be standing as an independent candidate for State Parliament at the forthcoming State elections to be held by March 2013.

Following recent advice from McLeod's regarding Councillor's position regarding impartiality and bias it is important that the Council take steps to protect the integrity of its decisions. Given the presiding member is a State Parliament candidate, there may be a perception from third parties of partiality and bias.

Due to the very nature of politics candidates will be announcing their policies and positions on a range of subject's many affecting Local Government. The candidate's position may well not be the council's position and the Council should be pro-active in protecting its integrity. The DAPs is a planning instrument that the City must engage with. It is important for Council to have fully supportive representatives who have confidence in the process that the City has no choice but to engage with. Consequently, it would a proactive measure for the presiding member to stand down until 10th March from the DAP process.

The Mayor's public comments indicate that he has no confidence in the DAP process.

Councillor Hodsdon retired from the meeting at 7.50 pm.

Councillor James left the room at 7.59 pm.

11. Matters for Which the Meeting May Be Closed

The Acting Chief Executive Officer advised, in accordance with Standing Orders and for the convenience of the public, identified that the meeting would be closed for item 17 – Confidential Items which is to be discussed behind closed doors at this meeting, and that the matter is to be deferred for consideration as the last item of this meeting.

Moved – Councillor McManus
Seconded – Councillor Walker

That Mr R Cullen be permitted to address Council at this point in the meeting.

CARRIED UNANIMOUSLY 10/-

Councillor James returned to the room at 8.03 pm.

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 Walker
Seconded – Councillor Collins

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

Council Committee **9 October 2012**
Unconfirmed, Circulated to Councillors on 16 October 2012

CARRIED 10/1
(Against: Cr. Porter)

Moved – Councillor Collins
Seconded – Councillor McManus

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

Audit & Risk Committee **11 October 2012**
Unconfirmed, Circulated to Councillors on 16 October 2012

CARRIED UNANIMOUSLY 11/-

12.2 Planning & Development Report No's PD40.12 to PD44.12 (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.

PD40.12	No. 20 (Lot 25) Betty Street, Nedlands – Proposed Change of Non-Conforming Use (from Aged Care Facility) to 10 Multiple Dwellings (Aged or Dependant Persons’ Dwellings) in a 3-Storey Building
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Committee	9 October 2012
Council	23 October 2012

Applicant	Hawkestone Property Development Pty Ltd
Owner	Aged Persons Homes Trust & Melvista Nursing Home
Officer	Matt Stuart – Senior Statutory Planning Officer
Director	Peter Mickleson – Director Planning & Development
Director Signature	
File ref	BE8/20-02 : DA11/115
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> .

Councillor Collins – Impartiality Interest

He disclosed that he is the Council representative on the Nedlands Aged Persons Trust, and as a consequence, there may be a perception that his impartiality on the matter may be affected. He declared that he would consider this matter on its merits and vote accordingly.

Councillor Somerville-Brown – Impartiality Interest

He disclosed that he had been approached and had discussions with numerous residents, and as a consequence, there may be a perception that his impartiality on the matter may be affected. He declared that he would consider this matter on its merits and vote accordingly.

Councillor Argyle – Impartiality Interest

He disclosed that because of his age, there may be a perception that his impartiality on the matter may be affected. He declared that he would consider this matter on its merits and vote accordingly.

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

Moved – Councillor Hassell

Seconded – Councillor Somerville-Brown

That the Recommendation to Council is adopted.

(Printed below for ease of reference)

CARRIED UNANIMOUSLY 11/-

Council Resolution / Committee Recommendation

That this matter be referred back to Administration for further discussion with the applicant to address the matters identified in the administration recommendation.

Recommendation to Committee

Council refuses an application for a Change of Non-Conforming Use (from Aged Care Facility) to 10 Multiple Dwellings (Aged or Dependant Persons' Dwellings) in a 3 Storey Building at No. 20 (Lot 25) Betty Street, Nedlands, in accordance with the application dated 31 March 2011 and plans received on 17 July 2012, for the following reasons:

1. the front setbacks of proposed buildings are not in keeping with the existing rhythm of the streetscape and general character of the locality;
2. the proposed residential density (R23/R77) does not conform to the required density coding (R12.5), or existing character of the locality (R10-R12.5);
3. the proposed development is not compatible with the heritage value of the site, in accordance with the listing on the Municipal Heritage Inventory;
4. the excavation in the front setback area adversely affects the streetscape and does not comply with the Acceptable Development standard or Performance Criteria 6.6.1 of the Rcodes;
5. the landscaping (hard surfaces) in the front setback area adversely affects the streetscape and does not comply with the Acceptable Development standard or Performance Criteria 6.4.5 of the Rcodes;
6. rubbish bins are not able to be collected from the street due to safety and convenience, and does not comply with the Acceptable

Development standard or Performance Criteria 6.10.3 of the Rcodes;

7. the bin store area is insufficient for the required number of bins, and does not comply with the Acceptable Development standard or Performance Criteria 6.4.5 of the Rcodes;
8. vehicle manoeuvring is not safe or efficient, requiring the southern store room to be truncated; and
9. the proposed development will adversely affect the amenity of the surrounding locality, in accordance with clause 5.5.1 of TPS2.

Advice Notes specific to this proposal

1. Should a subsequent application be approved, the site will require a Section 70 notification on the Certificate of Title, that at least one aged or dependant persons reside in the properties.

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

En Bloc

Moved - Councillor Hassell


Seconded – Councillor Collins

That all Committee Recommendations relating to Reports under items 12.2, 12.3, 12.4 and 12.5 with the exception of Report Nos. PD41.12, PD42.12 & PD43.12 are adopted en bloc.

CARRIED UNANIMOUSLY 11/-

PD41.12	No. 64 (Lot 1) Jutland Parade, Dalkeith – Proposed Portico/Carport
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Committee	9 October 2012
Council	23 October 2012

Applicant	Greg Rowe and Associates
Owner	I Budiarto and B Hartono
Officer	Elle O'Connor - Planning Officer
Director	Peter Mickleson - Director Planning & Development
Director Signature	
File ref.	DA12/238 : JU2/64-U1
Previous Item No's	DA09/491
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 Somerville-Brown
 Seconded – Councillor Shaw

Council refuses an application for a Portico/Carport at No. 64 (Lot 1) Jutland Parade, Dalkeith in accordance with the application received 18 June 2012 and the plans received 17 August 2012 for the following reasons:

1. the proposed 4.5 m front setback is inconsistent with Clause 6.4.2(b) of the City's TPS2 and is not in keeping with the general character of the locality;
2. the proposed structure does not comply with Local Planning Policy 6.23; and
3. the steep levels of the driveway do not allow for access in a u-shape fashion as the gradient does not comply with Australian Standard 2890.1 and will cause vehicles to 'bottom out' when exiting.

Mr M Cole, Acting Chief Executive Officer left the room at 8.23 pm and returned at 8.24 pm.

Councillor Walker left the room at 8.32 pm and returned at 8.33 pm.

Lost 4/7
 (Against: Crs. Collins McManus Argyle Hassell Porter Binks & James)

Moved – Councillor Hassell
Seconded – Councillor Binks

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

CARRIED 7/4
(Against: Mayor Hipkins Crs. Walker
Shaw & Somerville-Brown)

Council Resolution / Committee Recommendation

Council approves an application for a Portico/Carport at No. 64 (Lot 1) Jutland Parade, Dalkeith in accordance with the application received 18 June 2012 and the plans received 17 August 2012.


Recommendation to Committee

Council refuses an application for a Portico/Carport at No. 64 (Lot 1) Jutland Parade, Dalkeith in accordance with the application received 18 June 2012 and the plans received 17 August 2012 for the following reasons:

1. the proposed 4.5 m front setback is inconsistent with Clause 6.4.2(b) of the City's TPS2 and is not in keeping with the general character of the locality;
2. the proposed structure does not comply with Local Planning Policy 6.23; and
3. the steep levels of the driveway do not allow for access in a u-shape fashion as the gradient does not comply with Australian Standard 2890.1 and will cause vehicles to 'bottom out' when exiting.

PD42.12	No. 72 (Lot 51) The Avenue, Nedlands – Proposed Demolition of Single House on Municipal Heritage Inventory
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Committee	9 October 2012
Council	23 October 2012

Applicant	Charles Johnson – Planning Context
Owner	Estate of D E Ransom
Officer	Laura Sabitzer – Planning Officer
Director	Peter Mickleson - Director Planning & Development
Director Signature	
File ref.	DA12/276 : TH1/72
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 Council is adopted.
 (Printed below for ease of reference)

CARRIED 9/2
(Against: Crs. Porter & James)

Council Resolution / Committee Recommendation

Council approves an application for the demolition of No. 72 (Lot 51) The Avenue, Nedlands in accordance with the application received 13 July 2012 subject to the following conditions:

- 1. prior to the issue of a demolition permit a comprehensive record of the building and a history of successive occupants, prepared by a heritage professional is to be submitted and approved by the City (refer to Advice Note 2); and**
- 2. prior to the issue of a demolition permit there shall be a development application approved and a building permit issued by the Council for the development of the site.**

Advice Notes specific to this approval:

- 1. The comprehensive record is to include research through Council's Local Studies Collection and other material for details of origins of the building contract, subsequent alterations and/or additions together with measured drawings, plans and elevations and a photographic record in colour of the exterior and interior of the building. Copies of the document shall be lodged in Council's Local Studies Collection for public research.**

Recommendation to Committee

Council approves an application for the demolition of No. 72 (Lot 51) The Avenue, Nedlands in accordance with the application received 13 July 2012 subject to the following conditions:


1. prior to the issue of a demolition license a comprehensive record of the building and a history of successive occupants, prepared by a heritage professional is to be submitted and approved by the City (refer to Advice Note 2); 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 Notes specific to this approval:

1. In accordance with Council's Policy and Procedure Listed Heritage Places – Demolition Policy prior to the issue of a demolition license, plans are to be approved by Council for the redevelopment of the site.
2. The comprehensive record is to include research through Council's Local Studies Collection and other material for details of origins of the building contract, subsequent alterations and/or additions together with measured drawings, plans and elevations and a photographic record in colour of the exterior and interior of the building. Copies of the document shall be lodged in Council's Local Studies Collection for public research.

PD43.12	Omnibus Scheme Amendment No. 194
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Committee	9 October 2012
Council	23 October 2012

Applicant	N/A
Owner	Various
Officer	Gabriela Poezyn – Manager Strategic Planning
Director	Peter Mickelson – Director Planning & Development
Director Signature	
File ref.	TPN/A194
Previous Item No's	D03/12 – 28 February 2012 Item 13.5 – 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 <i>Local Government Act (1995)</i> .

Councillor Walker – Impartiality Interest

She disclosed that she knows lots of people in the area, 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 Walker
Seconded – Councillor Binks

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

Councillor Shaw left the room at 8.50 pm.

CARRIED UNANIMOUSLY 10/-


<p>Council Resolution / Committee Recommendation</p> <p>Council resolves to discontinue Scheme Amendment No. 194 and requests Administration to advise the Western Australian Planning Commission accordingly.</p>
--

Recommendation to Committee

Council instructs Administration to advise the Western Australian Planning Commission that its decision in relation to Scheme Amendment No. 194 has been delayed as the outcomes of the North Hollywood Precinct Study have not been completed.

PD44.12	Waratah Avenue Placemaking Strategy – Ratification of Steering Committee Members
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Committee	9 October 2012
Council	23 October 2012

Applicant	N/A
Owner	N/A
Officer	Michael Swanepoel - Senior Strategic Planning Officer
Director	Peter Mickleson - Director Planning & Development
Director Signature	
File ref.	TPN/150
Previous Item No's	27 March 2012 - Item 14.1.
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 Hassell
 Seconded – Councillor Collins

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

CARRIED UNANIMOUSLY EN BLOC 10/-

Council Resolution / Committee Recommendation

Council resolves:

1. that the membership of the steering committee comprises of:
 - a. the Mayor ex officio;
 - b. the Chief Executive Officer or his nominee ex officio;
 - c. Mr Ken Eastwood, Mr Colin Latchem and Ms Paola Lovi as local resident representatives; and
 - d. two Dalkeith Ward Councillor - Councillor Hassell & Councillor Porter and two other Councillors - Councillor James & Councillor Shaw.

- 2. to nominate and elect Councillors to the Steering Committee at its Ordinary Meeting scheduled for 23 October 2012 as required for d. above.**

Recommendation to Committee

Council resolves:


1. that the membership of the steering committee comprises of:
 - a. the Mayor ex officio;
 - b. the Chief Executive Officer or his nominee ex officio;
 - c. Mr Ken Eastwood, Mr Colin Latchem and Ms Paola Lovi as local resident representatives; and
 - d. two Dalkeith Ward Councillors and two other Councillors.
2. to nominate and elect Councillors to the Steering Committee at its Ordinary Meeting scheduled for 23 October 2012 as required for d. above.

12.3 Technical Services Report No TS20.12 (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.

TS20.12	Tender No. 2012/13.01 – Supply and Installation of Sports Lighting Mt Claremont Oval: Stage 2
----------------	--

Committee	9 October 2012
Council	23 October 2012

Applicant	City of Nedlands
Owner	City of Nedlands
Officer	Andrew Dickson – Manager Parks Services
Director	Mark Goodlet – Director Technical Services
Director Signature	
File ref.	TEN/371
Previous Item No's	Report CM04.10 – Council Minutes – 23 February 2010 Item 14.4 – Council Minutes – 27 July 2010 Item 12.3 report CM02.12 – Council Minutes – 27 March 2012
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 Hassell
Seconded – Councillor Collins

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

CARRIED UNANIMOUSLY EN BLOC 10/-

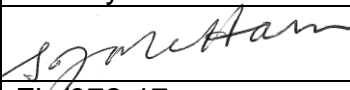
Council Resolution / Committee Recommendation to Committee
Council accepts the tender submitted by Hender Lee Electrical & Instrumentation Contractors Pty Ltd, for the supply and installation of sports lighting at Mt Claremont Oval in accordance with the submitted price of \$53,977.00 excluding GST.

12.4 Corporate & Strategy Report No's CP41.12 to CP44.12 (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.

CP41.12	Monthly Financial Report – August 2012
----------------	---

Committee	9 October 2012
Council	23 October 2012

Applicant	City of Nedlands
Owner	City of Nedlands
Officer	Rajah Senathirajah – Manager Finance
Director	Shelley Mettam – A/Director Corporate & Strategy
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 Hassell
 Seconded – Councillor Collins

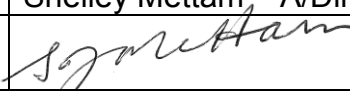
That the Recommendation to Council is adopted.
 (Printed below for ease of reference)

CARRIED UNANIMOUSLY EN BLOC 10/-

<p>Council Resolution / Committee Recommendation / Recommendation to Committee</p> <p>Council receives the Monthly Financial Report for August 2012 (refer to attachments).</p>

CP42.12	Investment Report – August 2012
----------------	--

Committee	9 October 2012
Council	23 October 2012

Applicant	City of Nedlands
Owner	City of Nedlands
Officer	Rajah Senathirajah – Manager Finance
Director	Shelley Mettam – A/Director Corporate & Strategy
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 Hassell
 Seconded – Councillor Collins

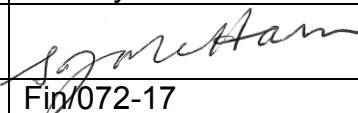
That the Recommendation to Council is adopted.
 (Printed below for ease of reference)

CARRIED UNANIMOUSLY EN BLOC 10/-

Council Resolution / Committee Recommendation / Recommendation to Committee
Council receives the Investment Report for the period ended 31 August 2012 (refer to attachment).

CP43.12	List of Accounts Paid – August 2012
----------------	--

Committee	9 October 2012
Council	23 October 2012

Applicant	City of Nedlands
Owner	City of Nedlands
Officer	Rajah Senathirajah – Manager Finance
Director	Shelley Mettam – A/Director Corporate & Strategy
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.

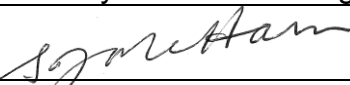
Moved – Councillor Hassell
 Seconded – Councillor Collins

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

CARRIED UNANIMOUSLY EN BLOC 10/-

Council Resolution / Committee Recommendation / Recommendation to Committee
Council receives the List of Accounts Paid for the month of August 2012 (refer to attachment).

CP44.12 Local Government Ordinary Election 2013

Committee	9 October 2012
Council	23 October 2012
Applicant	City of Nedlands
Owner	City of Nedlands
Officer	Mathew Ayre – Rates Officer
Director	Shelley Mettam – Acting Director Corporate Services
Director Signature	
File ref.	ELN/024
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 Hassell
 Seconded – Councillor Collins

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

CARRIED UNANIMOUSLY EN BLOC 10/-

Council Resolution / Committee Recommendation / Recommendation to Committee

Council endorses

1. to declare, in accordance with section 4.20(4) of the *Local Government Act 1995*, the Electoral Commissioner to be responsible for the conduct of the 2013 ordinary elections together with any other elections or polls which may be required; and
2. the City of Nedlands 2013 Ordinary Council Election being conducted as a postal election in accordance with provisions under section 4.61(2) of the *Local Government Act 1995*.

Absolute Majority Required

13. Reports by the Chief Executive Officer

13.1 Common Seal Register Report – September 2012

Councillor Shaw returned to the room at 8.51 pm.

Moved – Councillor Collins
Seconded – Councillor James

The attached Common Seal Register Report for the month of September 2012 is received.

CARRIED UNANIMOUSLY 11/-


13.2 List of Delegated Authorities – September 2012

Moved – Councillor James
Seconded – Councillor Collins

The attached List of Delegated Authorities for the month of September 2012 is to be received.

CARRIED UNANIMOUSLY 11/-

13.3 Town Planning Scheme Amendments

Council	23 October 2012
Applicant	City of Nedlands
Owner	City of Nedlands
Officer	Peter Mickleson – Director Planning & Development
Director	Peter Mickleson – Director Planning & Development
Acting CEO	Michael Cole
Acting CEO Signature	
File ref.	
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> .

Councillor Hassell left the room at 8.55 pm

Regulation 11(da) – Council agreed to include modifications of table 1 – use class table.

Moved – Councillor Shaw
 Seconded – Councillor Somerville-Brown

That the Recommendation to Council is adopted subject to:

- 1. a new clause 7 being added as follows:**
 - 7. modification of table 1 – use class table; and**
- 2. the existing clause 7 is renumbered to 8.**

Councillor Hassell returned to the room at 8.57 pm.

Councillor Walker left the room at 9.01 pm and returned at 9.02 pm.

Put Motion
 Moved – Councillor Porter
 Seconded – Councillor James

That the motion be put.

PUT MOTION CARRIED 7/4
(Against: Crs. McManus Walker Shaw & Somerville-Brown)

Adoption – The motion was put and

**CARRIED 9/2
(Against: Crs. McManus & Argyle)**

Council Resolution

Council resolves to initiate an “omnibus” amendment to Town Planning Scheme No. 2 covering the following matters:

- 1. revision of Schedule V – Special Use Zone – Hollywood Master Plan;**
- 2. revision of Amendment No. 192 – Dalkeith Special Control Area Provisions;**
- 3. revision of clause 5.3 - Residential Planning Codes;**
- 4. revision of clause 5.4 – Standards for Development in other than Residential Zones;**
- 5. additional clause to Part V – General Provisions – introducing a requirement for public art with other than single residential development;**
- 6. revision of clause 6.1 – Planning Approval – specifying where planning approval is not required;**
- 7. modification of table 1 – use class table; and**
- 8. other miscellaneous minor revisions.**

Recommendation to Council

Council resolves to initiate an “omnibus” amendment to Town Planning Scheme No. 2 covering the following matters:

1. revision of Schedule V – Special Use Zone – Hollywood Master Plan;
2. revision of Amendment No. 192 – Dalkeith Special Control Area Provisions;
3. revision of clause 5.3 - Residential Planning Codes;
4. revision of clause 5.4 – Standards for Development in other than Residential Zones;
5. additional clause to Part V – General Provisions – introducing a requirement for public art with other than single residential development;
6. revision of clause 6.1 – Planning Approval – specifying where planning approval is not required;
7. other miscellaneous minor revisions.

Purpose

For Council to consider and determine which changes to Town Planning Scheme No 2 should be initiated through an omnibus amendment.

Strategic Plan

- KFA 3: Built Environment
- 3.3 Promote urban design that creates attractive and liveable neighbourhoods.
 - 3.8 Facilitate appropriate development of existing residential housing to complement the surrounding residential amenity.

- KFA 5: Governance
- 5.1 Manage the City’s resources in a sustainable and responsible manner.

Background

Elected members have indicated that amendments to the Town Planning Scheme No.2 should be progressed as a priority, flagging a number of areas where the changes are desirable to achieving the Councils planning objectives.

Some of these appear to be relatively simple while others would be very involved. With all scheme amendments there is a level of risk.

A number of these amendments would also improve the “usability” of the scheme in terms of removing uncertainty for applicants and the wider community and reducing costs in terms of unnecessary development applications.

Proposal Detail

The following areas for possible changes are identified:

Hollywood Aged Care Master Plan

Change the wording in Schedule V of TPS2 to allow that any updated Master Plan provided for this site has the same status in the scheme as the previous one that it supersedes.

Officer Comment

The amendment required is very simple and an updated Master Plan should be advertised concurrently. However the landowner has not supported such a change in the past and therefore a risk exists that this matter would be opposed.

Dalkeith Special Control Area Provisions

Amendment to the scheme to correct conflicting provisions regarding the discretion available to allow variations to the setbacks.

Officer Comment

During a recent DAP hearing relating to this area a conflict in the scheme provisions was identified that has resulted in the need to amend the provisions to provide clarity and certainty.

While clarifying the provisions is a simple process it is likely to attract significant comment from the community during the submission stage and the probability that many submissions will go beyond the scope of the amendment. This will cause significant process costs and possible delays to any “omnibus” scheme amendment

Contributions to Public Art

Levy a development contribution (% of development cost) that applies to non-single residential development for the provision of public art.

Officer Comment

Such provisions are already sitting in Town Planning Scheme No.3 (TPS3) and so could be pulled through into an amendment very easily.

Revisions to clauses 5.3, 5.4 and 6.1 including the following:

Car Parking

A minimum of three (3) parking spaces (covered) be provided for any residential redevelopment involving traditional sized lots (800 m² and above). All other residential units should provide at least two (2) parking spaces.

Officer Comment

The Residential Design Codes specify the provisions in relation to car parking on land zoned residential. No variations to the Residential Design Codes (RCodes Clause. 6.5) are allowable. It is therefore questionable whether the Western Australian Planning Commission (WAPC) would support a proposal in this regard given the State Planning focus on reducing dependence on the private motor vehicle.

Notwithstanding the above impediment in order to progress a scheme amendment staff would need to provide justification for a move away from the prescription set out in the Residential Design Codes (RCodes). This may be possible by focusing on the local context to justify a deviation from the RCodes for example, car ownership levels in the City of Nedlands. Some resource would need to be dedicated to researching this matter in order to justify the amendment.

Building Height

An amendment is required to address the “centroid” issue that is causing problems in the administration of the scheme. Maximum heights are to remain unchanged. There is a suggestion that the height of smaller blocks should be reduced to the RCode limits.

Officer Comment

The existing provisions regarding the height rule result in poor outcomes on the ground. A scheme amendment is likely to be supported by the WAPC as the height provisions were recently considered by the State Administrative Tribunal (SAT) where it was found that the City’s interpretation of the current provisions was incorrect. However the work is complex in order to draft scheme provisions that will work effectively.

Front setbacks

Confirm the 9 m setback for large Lots (800 m²) with lesser setbacks provided for in specified circumstances. Blocks split in half should also have a 9 m setback. This would not change the provision for no discretion to be available for carport doors within the approved setback.

Officer Comment

While the majority of the lots in the City are 800m² or larger, smaller lots are interspersed between the larger lots. A blanket rule as proposed would therefore not yield the desired streetscape. However Town Planning Scheme No.3 (TPS3) contains maps showing areas where a reduced front setback is appropriate based on the precedent of reduced setbacks created under a current provision of Town Planning Scheme No 2. It would therefore be possible to import these maps into Town Planning Scheme No.2 (TPS2).The amount of work to introduce such a rule change would be relatively minor.

Carport /Garage Doors

Refine the definition of carports and garages and elevate it into the Town Planning Scheme to deal with the “carport door” issue.

Officer Comment

This matter is currently covered by a Local Planning Policy rather than the Town Planning Scheme. The carport issue comes down to a question of consistent decision making. The current rules are clear but not accepted by all and there is a view that some discretion should be available. Specifying the circumstances where discretion could be exercised is likely to generate considerable discussion both at Council and within the community.

Local Planning Policy (LPP) 6.23 contains the definitions of carports and garages with the installation of a solid door on a carport that elevates the structure to a garage. Any changes to the LPP will not override the provisions in the current planning scheme.

Side setbacks

Amend the setbacks to 1.5 m per floor on one side and 2.5 m for the first floor on the other side.

Officer Comment

Side setbacks are currently controlled on a sliding scale in accordance with the R-codes. There will be a need to clearly and carefully justify changes to this rule. This may include researching the origins of the RCode rules (ref 6.3.1). The driver for this change is to do with amenity, bulk and location and day lighting.

Administration's view is that this change would require a lot of work to justify. It is likely the WAPC will not entertain a scheme change to overrule the RCodes for this matter.

Rear setbacks

Allow no discretion to encroach into the current 6 m rear setback except for a one (1) storey garage that can be located 1 m to 1.5 m from the boundary.

Officer Comment

Current rules allow for the exercise of discretion to allow structures, including a garage to be located in the 6 m rear setback. However this is an area where the RCodes do not allow Councils to make a Local Planning Policy and therefore it is expected that any deviations from the provisions of the RCodes are unlikely to be supported by the WAPC.

However there would need to be some clarity around outbuildings, alfresco areas and granny flats and whether these types of uses are to also be allowed in the rear setback. Importantly, is it the effects from these activities that require they are setback or is there a desire to retain open space that is driving the need for the setback.

Landscaping

Introduce a minimum landscaping provision for all development, possibly 30 % for residential and 20 % for commercial/retail.

Officer Comment

TPS3 does not have landscaping provisions requiring 30 % of a residential site to be landscaped, but does have provisions for the 20 % landscaping area for non-residential properties, which could simply be pulled through into a scheme amendment.

Definition of landscape is in the RCodes (but does include hard paving). The R-Codes specify that for Grouped and Multiple dwellings not more than 50% of the common area can be hard surfaces, and in relation to all other residential properties that not more than 40% of the front setback area can be used for driveways.

The main issue with this rule is a question of enforcement over time particularly in relation to single residential property i.e. does 30% landscaping stay that way through changes of ownership and what level and cost of compliance checking is appropriate.

Controlled Development Area

To provide Council with the power to exercise discretion so that structures can be permitted in the 7.5 m setback area required in the Control Development Area.

Officer Comment

This is a simple amendment to a control that provides for a set back from the reserve adjoining the Swan River. It duplicates the setback rules currently in TSP2 and the RCodes and is proving problematic in that it prevents simple developments such as a garden shed being located with the CDA.

Development not requiring planning approval

Specify the circumstances and type of development that does not require planning approval.

Officer Comment

Currently all development within the City of Nedlands requires development approval including simple uses such a small garden sheds and the like. These types of development are usually low risk and the requirement for planning approval achieves nothing other than added costs to the applicant and Council. Specifying development that does not require planning approval will reduce costs for all with little risk.

Miscellaneous Minor Revisions

Minor revisions not covered by clauses 5.3, 5.4 or 6.1.

Officer Comment

Some other minor revisions may be identified that could be easily undertaken.

Consultation

Required by legislation:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Required by City of Nedlands policy:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

Legislation

Planning and Development Act 2005

Budget/financial implications

Budget:

Within current approved budget: Yes No
 Requires further budget consideration: Yes No

Financial:

A number of Planning and Development projects are funded in the current financial year. However depending on which scheme amendments are agreed to be progressed there may be the need for additional resources.

Risk Management

Progressing a number of scheme changes in an omnibus amendment carries with it the risk that more controversial aspects of the proposal would hold up simpler matters.

An additional risk also exists in relation to TPS3 which is with the WAPC awaiting approval to advertise. This is that the WAPC may not entertain substantive amendments such as an omnibus amendment given the stage that development of TPS3 has reached.

However the WAPC has been considering TPS3 for 3 years and Council now has the opportunity to run the argument that urgent changes are required to address issues that cause poor planning outcomes.

Discussion

Based on the Officer comments provided in relation to the proposed areas for change it has been possible to create a table that indicates the complexity of each proposal in terms of anticipated workload and risks as shown below:

	Work load			Risk		
	High	Medium	Low	High	Medium	Low
Car Parking		x		x		
Building Height		x			x	
Front Setback			x			x
Carport/Garage Doors			x		x	
Side Setbacks	x			x		
Rear Setback	x			x		
Public Art			x			x
Landscaping			x			x
Hollywood Aged Care Master Plan			x			x
Control			x			x

Development Areas							
Dalkeith Development Area			x			x	
Development not requiring approval		x					x

Risk is defined by two components, namely

1. The likelihood of approval from the WAPC. And proposal that is likely not to be supported by the WAPC would be classified as being high risk; and
2. The amount of controversy the proposal is likely to generate.

Possible omnibus amendment

Based on the discussion above Administration recommends that any omnibus scheme amendment should only include matters that do not contain a high level of risk in order to minimize delaying the entire scheme amendment. Any potentially controversial matters should be developed as individual scheme amendments.

Conclusion

A number of amendments to the current town planning scheme could be made in order to improve its clarity and therefore achieve better planning outcomes on the ground. Such changes can also reduce costs for applicants and Council. There are process risks associated with the proposed changes and these are detailed in the report.

14. 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.

14.1 Councillor McManus – Parking Permits

Councillor Somerville-Brown left the room at 9.09 pm and returned at 9.10 pm.

Councillor McManus – Impartiality Interest

He disclosed that has known Mr Cullen for many years, and as a consequence, there may be a perception that his impartiality on the matter may be affected. He declared that he would consider this matter on its merits and vote accordingly.

Councillor Porter - Financial Interest

Councillor Porter disclosed a financial interest. He advised that he owns property at 61 Dalkeith Road, Nedlands which is within the trial area. He declared he would leave the meeting during this matter.

Councillor Porter left the room at 9.12 pm.

At the Committee meeting on 9 October 2012 Councillor McManus moved the following Notice of Motion:

Council resolve that parking permits may be issued to small local businesses with a maximum limit of 7 permits per business during the City of Nedlands parking 6 month trial period recently passed by Council in respect to Stirling Hwy.

Moved – Councillor McManus
Seconded – Councillor Walker

Council delegates authority to the Chief Executive Officer to withdraw parking infringements issued to bona fide employees of small business within the parking trial area for the duration of the trial period.

Councillor Argyle declared he knew a relative of Mr Cullen and as a consequence, there may be a perception that his impartiality on the matter may be affected. He declared that he would consider this matter on its merits and vote accordingly.

Lost 3/7
(Against: Mayor Hipkins Crs. Argyle Hassell Binks
James Shaw & Somerville-Brown)

Committee Recommendation

Council resolve that parking permits may be issued to small local businesses with a maximum limit of 7 permits per business during the City of Nedlands parking 6 month trial period recently passed by Council in respect to Stirling Hwy.

Supporting Comments

The Fair Work Act 2009 defines small business as less than 15 employees. Nedlands is a City that welcomes and encourages businesses but especially small and local businesses.

The City of Nedlands has recently resolved to test changes to the timing of parking 100 meters either side of Stirling Hwy. This is to assist the local community with the parking issues where non residents are using local streets as a park and ride stations.

The impact on the trial will present major difficulties to the employees of small, local businesses of Nedlands and this motion proposed is an attempt to strike a balance between the community and small local businesses while the trial is conducted.

Administration Comment

The recently adopted Parking Local Law has a provision in clause 6.10 which would allow the Council to issue temporary permits to “a specific vehicle” for a specified period. Note that the permit is issued to a

specific vehicle rather than a person or business. The permit overrides any signed parking restriction.

The clause also provides for a fee to be collected however the permit could also be issued without a fee being required.

This clause is intended for temporary (undefined in the Local Law) parking so it could be used in this situation for the trial period. As noted any permit would need to be issued to a specific vehicle (specifying the registration plate details may be appropriate) not to any particular business.

Councillor Porter returned to the room at 9.40 pm.

Councillor James retired from the meeting at 9.42 pm.

15. Elected members notices of motion given at the meeting for consideration at the following ordinary meeting on 27 November 2012

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 27 November 2012 to be tabled at this point in accordance with Clause 3.9(2) of Council's Local Law Relating to Standing Orders.

15.1 Councillor McManus – Parking Trial

Councillor McManus gave notice of his intention to move the following at the Council Meeting to be held on 27 November 2012.

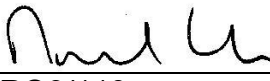
That the parking trial be suspended pending:

- 1. consultation with stakeholders; and**
- 2. a resolution of the issues or problems of small businesses in the City of Nedlands with respect to parking by their employees.**

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

The Presiding Member approved the following items as urgent business.

16.1 No.119 (Lot 227) Rochdale Road, Mt Claremont – Retrospective Additions (Ground Floor) to Single House

Council	23 October 2012
Applicant	BGC Construction P/L
Owner	Ms E L Ambrose
Officer	Jennifer Heyes – Manager Planning Services
Director	Peter Mickleson – Director Planning & Development
CEO	Mike Cole – A/Chief Executive Officer
CEO's Signature	
File ref.	RO3/119
Previous Item No's	D04.11; PD19.12
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 Shaw
 Seconded – Councillor Argyle

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

CARRIED 6/4
(Against: Crs. McManus Porter Binks & Walker)

Council Resolution / Recommendation to Council

Council

1. sets aside the Council decision of 24 July 2012 to refuse the application for the retrospective additions (ground floor) to single house at No. 119 (Lot 227) Rochdale Road, Mt Claremont; and
2. approves the application for retrospective additions (ground floor) to single house at No. 119 (Lot 227) Rochdale Road, Mount Claremont, in accordance with the application and

plans dated 13 January 2012 with the following conditions as outlined previously by Council's staff:

- a. this planning approval pertains only to the eastern and western walls and the roof structure of the sunken retreat;
- b. all structures shall be constructed wholly inside the site boundaries of the Certificate of Title;
- c. the height of any existing retaining walls located along lot boundaries shall not be raised;
- d. all stormwater from the development which includes permeable and non-permeable areas shall be contained on site by draining to soak-wells of adequate capacity to contain runoff from a 20 year recurrent storm event; and soak-wells shall be a minimum capacity of 1 m³ for every 80 m² of the calculate surface area of the development;
- e. all downpipes from guttering shall be connected so as to discharge into drains which shall empty into a soak-well and each soak-well shall be located at least 1.8 m from any building and at least 1.8 m from the boundary of the block;
- f. any proposed structure or addition shall not encroach closer than 1.8 m on any soak-well; and
- g. any additional development, which is not in accordance with the original application or conditions of approval, as outline above, will require further approval by Council.

Purpose

This item is referred to Council as urgent and confidential as the application is the subject of mediation in the State Administrative Tribunal (SAT).

Strategic Plan

- KFA 3: Built Environment
- 3.8 Facilitate appropriate development of existing residential housing to complement the surrounding residential amenity.

Background

The application for the retrospective works was refused by Council June 2012. The applicant appealed the decision to SAT and the matter was set down for mediation.

In accordance with Council Policy as the decision to refuse the application was contrary to the Administration recommendation, an independent planning consultant, Mr Steve Allering from Allering & Associates was engaged to advise the Councillors.

On-site mediation took place on 21 September 2012 and subsequent site visits by the Council representatives took place at the neighbouring property.

At the mediation, it was agreed the applicants representative Greg Rowe and Associates would provide further information incorporating justification for the works. (Refer to attachment 1).

As a result of the mediation an order was received from the SAT inviting Council to reconsider the application.

Upon being invited by SAT to reconsider the decision, the Council may either:

- a. Affirm the decision;
- b. Vary the decision, or
- c. Set aside the decision and substitute a new decision.

Mr Allering has provided a report and recommendation for Councils consideration.

Conclusion

The independent consultant report recommends approval of the retrospective additions, subject to conditions.


Attachments

1. Further information received from Greg Rowe & Associates (Applicants representative)
2. Report and recommendation from Steve Allering, Allering & Associates (Council's independent town planning consultant and representative)
3. Site Plan dated 13 January 2012
4. Floor Plan dated 13 January 2012
5. Elevations dated 13 January 2012

16.2 Stereosonic Concert – Sunday 25 November 2012 – Claremont Showground - Claremont

TS21.12	Stereosonic Concert – Sunday 25 November 2012 – Claremont Showground – Claremont
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Council	23 October 2012
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Applicant	Sunset Events
Owner	Town of Claremont
Officer	Katy Trevaskis - Environmental Health Officer
Director	Mark Goodlet – Director Technical Services
Director Signature	
File ref.	
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 Hassell
 Seconded – Councillor Shaw

That the Recommendation to Council is adopted.

(Printed below for ease of reference)

CARRIED UNANIMOUSLY 10/-

Council Resolution / Recommendation to Council

Council, pursuant to Regulation 18 (12) of the Environmental Protection (Noise) Regulations 1997, agrees to the Town of Claremont’s proposed conditions, (outlined in Attachment 1) for the Stereosonic concert to be held at the Claremont Showground on Sunday 25 November 2012, subject to:

- 1. the Town of Claremont’s “Advice to Residents” leaflet being distributed to the residential notification area within the City of Nedlands identified in Attachment 2; and**
- 2. the Town of Claremont notifying the City of Nedlands Environmental Health Services Section of any noise complaints received from residents in the City of Nedlands, within 5 days after the event.**

Purpose

This report is before Council because the Town of Claremont has forwarded to the City, noise conditions it is looking to impose on an upcoming "Stereosonic" concert at the Claremont Showground on Sunday 25 November 2012.

The concert is subject to a regulation 18 approval process under the *Environmental Protection (Noise) Regulations 1997*, because per regulation 18(3):

- a) It is likely to make noise which contravenes normal allowable neighborhood sound levels; and
- b) it would lose its character or usefulness if it were required to comply with allowable neighborhood sound levels.

The Town of Claremont can approve the concert subject to conditions.

Council's role is to decide whether it agrees with the Town of Claremont's proposed conditions applicable to the approval and pursuant to Regulation 18 (12) which states:

(12) An approval must not be granted unless the local government of each district in which the noise emissions received from the event are likely to fail to comply with the standard prescribed under Regulation 7 (allowable neighbourhood sound levels) agrees to the proposed conditions applicable to the approval.

Council is not the determining authority for approval of the event.

Strategic Plan

Strategic Plan Implications

In agreeing with the conditions imposed by the Town of Claremont for the Stereosonic Concert to be held at the Claremont Showgrounds on 25 November 2012, this supports the City's Strategic Plan in the following areas.

- KFA 5: Governance
- 5.6 Ensure compliance with statutory requirements and guidelines.
 - 5.8 Establish and actively manage a range of partnerships with government, private and not-for-profit sectors.

In agreeing to the conditions imposed by the Town of Claremont for the Stereosonic Concert, the City is fulfilling a statutory requirement under Regulation 18 of the *Environmental Protection (Noise) Regulations 1997*. This is supported by KFAs 5.6 and 5.8. The Town of Claremont

cannot proceed with approving the event unless the City agrees to the conditions imposed.

Background

Claremont Showground venue is traditionally associated with the annual Royal Show. However in more recent years, it has been utilised for a variety of music events and festivals like the Big Day Out, Soundwave and V Festival. For these large events, the Town seeks agreement from the City of Nedlands regarding proposed noise conditions. This enables the Town to fulfill the regulatory requirement prior to granting approval for such events. The City has previously agreed to conditions imposed by the Town of Claremont for previous Stereosonic concerts. The City's records do not indicate any noise complaints for previous Stereosonic concerts.

Proposal Detail

The Stereosonic Concert 2012 is scheduled to be held at the Claremont Showground on Sunday 25 November 2012. It is a national touring music event which hosts a number of dance music artists.

The Town of Claremont seeks Council agreement to the conditions the Town will impose on Stereosonic 2012, in relation to noise. The Town of Claremont seeks agreement to the conditions because it is required to do so for this type of event under sub regulation 18(12) of the *Environmental Protection (Noise) Regulations 1997* which state:

“an approval must not be granted unless the local government of each district in which noise emissions received from the event are likely to fail to comply with the standard prescribed under regulation 7, agrees to the proposed conditions applicable to approval.”

Council needs to consider the Town of Claremont's conditions applicable to approval and decide whether it agrees to them. Refer to Attachment 1 for the conditions applicable to approval.

Consultation

Not Applicable

Legislation

Environmental Protection (Noise) Regulations 1997

Budget/financial implications

Budget:

Nil

Financial:

Nil

Risk Management

Council needs to decide whether it agrees to the noise conditions to be imposed by the Town of Claremont for Stereosonic. This agreement is sought by the Town of Claremont per a requirement of the *Environmental Protection (Noise) Regulations 1997*. The City's administration considers the conditions to be imposed are adequate in minimising the possibility of the City receiving noise complaints from its residents. It must be noted that the purpose of a regulation 18 approval is to allow noise above allowable neighborhood sound levels stipulated in the noise regulations.

Discussion

Stereosonic 2012 is scheduled for Sunday 25 November 2012 from 11:00am until 9:30pm. Perth is the second host City for this national touring concert. This music event is similar to others hosted at the Claremont Showground, where due to the likelihood of noise levels being exceeded, requires an exemption from the relevant provisions of the *Environmental Protection (Noise) Regulations 1997* (the Regulations) prior to the event going ahead. Under the relevant provisions in the Regulations, Regulation 18 (12) states:

“an approval must not be granted unless the local government of each district in which the noise emissions received from the event are likely to fail to comply with the standard prescribed under Regulation 7 agrees to the proposed conditions applicable to the approval.”

The purpose of a Regulation 18 approval is to cater for an event, which would otherwise lose its character or usefulness if it were required to comply with prescribed noise levels. Regulation 7 stipulates prescribed noise levels normally applied to assess the impact of noise within neighborhoods.

There is a likelihood that noise levels will exceed the allowable sound levels of the Regulations, in some parts of Nedlands and Mount Claremont. The Town has imposed conditions on the event to facilitate noise control (refer to Attachment 1, Schedule – Conditions of Approval). Notably in these conditions, the Town of Claremont is again this year applying additional 'C' weighted noise limits to help further control any noise impact. The residential notification area in the City of Nedlands is as per Attachment 2.

As required by Regulation 18, in order for the approval of the event to be granted, the Town of Claremont has sought comment from

surrounding Local Government Authorities (the City of Nedlands being one) to agree to the conditions it has imposed. Noise from the event will be of a dance music genre incorporating amplifiers and public address systems. Residents who may be affected by noise from the event will be notified via an information leaflet at least 7 days prior to the event. Details of the event and a complaint response service will also be publicised no later than Friday 16 November 2012 in the local newspapers.

Issue: Noise likely to be heard at some residences in the City of Nedlands

Requirement:	That Council agrees to conditions applicable to approval for the Stereosonic Concert at Claremont Showground, Sunday 25 November 2012	Acceptable development and performance criteria
Applicants Proposal:	To seek agreement from Council of the conditions applicable to approval.	
Applicant justification summary:	The Town of Claremont is required to have agreement from the City of Nedlands Council for the conditions applicable to approval, so that an approval can be granted.	
Officer technical comment:	<p>The Town of Claremont’s application to seek agreement from the City of Nedlands Council over conditions applicable to approval is considered to comply as per the requirement to do so under the <i>Environmental Protection (Noise) Regulations 1997</i>.</p> <p>The noise control measures which form the conditions applicable to approval should:</p> <ol style="list-style-type: none"> 1) include 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; and 2) include the Town of Claremont notifying the City of Nedlands Health Section of any noise complaints received from residents in the City of Nedlands, within 5 days after the event. 	

Conclusion

The *Environmental Protection (Noise) Regulations 1997* recognise the likelihood that noise levels from a concert such as Stereosonic will be above the normal allowable neighborhood sound levels. The regulations allow for this, provided the regulatory process is followed. In the case of Stereosonic, the Town of Claremont has sought agreement from the City of Nedlands over the conditions it will impose for the concert. These conditions have been supplied to the City and when implemented, it is anticipated that the impact on City of Nedlands residents will be tolerable.

Council's role is to decide whether it agrees to the conditions. There seems to be little justification for Council not to agree with the conditions the Town of Claremont will impose.

Attachments

1. Schedule - Conditions of Approval – Stereosonic 2012
2. Residential Notification Area – Regulation 18 Event

17. Confidential Items

Closure of Meeting to the Public

Moved – Councillor Porter

Seconded - Councillor McManus

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

**CARRIED 8/2
(Against: Crs. Argyle & Walker)**

The meeting was closed at 10.01 pm.

All staff retired from the meeting at 10.01 pm.

17.1 Confidential Briefing to Councillor from the Mayor Regarding the CEO Recruitment & Selection Process

Opening of Meeting to the Public

Moved - Councillor Shaw

Seconded - Councillor Collins

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

CARRIED UNANIMOUSLY 10/-

The meeting was reopened to members of the public and press at 10.14 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 *Local Government Act 1995*.

Moved – Councillor Hassell

Seconded – Councillor Somerville-Brown

Confidential Briefing to Council from the Mayor regarding the CEO Recruitment & Selection process is noted.

CARRIED UNANIMOUSLY 10/-

Council Resolution

Confidential Briefing to Council from the Mayor regarding the CEO Recruitment & Selection process is noted.

Declaration of Closure

There being no further business, the Presiding Member declared the meeting closed at 10.16 pm.

Attachment to Item 4

Council 23 October 2012

Petition

CITY OF NEDLANDS
 D12/23513
 22 OCT 2012
 BE8/20-02
 RECEIVED

Dr Andrew Nyman 65 Melvista Ave, Nedlands

PETITION – Redevelopment of Melvista Nursing Home, 20 Betty Street, Nedlands

We the undersigned residents in the neighbourhood of the proposed redevelopment would like to petition the Council to maintain its opposition to the proposed development in its present submission to Council and would like to note the following:

We are NOT opposed to aged care facilities within the City of Nedlands. Most of us have been residents in this neighbourhood for some time and bought our houses with the full knowledge and acceptance of the current nursing home and aged care accommodation.

We ARE opposed to the planned redevelopment primarily on the basis of its impact on the Betty Street streetscape, setbacks, front landscaping and traffic management issues.





Setbacks: The setback should be similar to that of the rest of the houses in Betty street (as would be expected of any resident building a new house on Betty Street). The proposed development and front staircases are only 5.5m from the front boundary in contravention of the R code requirement of 9 metres.

Streetscape: The stairwells do not need to come from the front of the units and would have a far less visual impact if they came from the rear which would then increase the open space in the development. The front landscaping should be "green" maintaining the majority of trees and having gardens not predominantly hard landscaping.

Parking & Traffic: Off street parking should be available for the proposed development's residents and visitors (noting that the occupants of some units may have 2 cars) and that on street parking should be time limited to 2 hours to avoid cars being left all day (Noting that Betty Street is a narrow street and is a bus route).








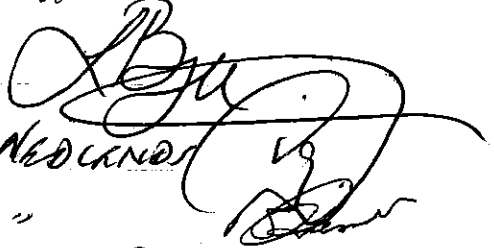


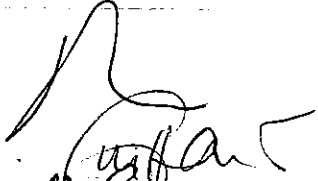

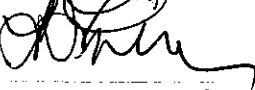



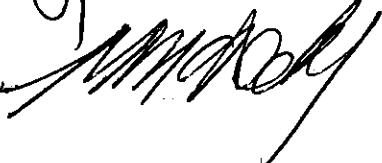
We feel that although 20 Betty St has non conforming approval this is a great opportunity to enhance the site in keeping with the other residences on Betty Street and the City of Nedlands.

We are concerned that approvals given to this development may ultimately apply to future development of the entire block between Betty and Doonan Streets and the Council needs to get it right with the current proposal.

NAME	ADDRESS	SIGNATURE
ANDREW NYMAN	65 MELVISTA AVE NEDLANDS	
Nicholas Nyman	65 Melvista Ave Nedlands	
Richard Dunn	18 Betty St Nedlands	
Thalea Dunn	18 Betty St Nedlands	

Dr Andrew Nyman 65 Melvista ave Nedlands

PETITION- Redevelopment of Melvista Nursing Home, 20 Betty Street, Nedlands.

NAME	ADDRESS	SIGNATURE
Michelle Menezes	16 Betty St Nedlands	
Shaun Menezes	16 Betty St Nedlands	
Jeekie Adams	2 Granby Cres, Nedlands	J. Adams
SIMON ADAMS	2 GRANBY CRES NEDLANDS	
NICOLA ADAMS	2 Granby Cres Nedlands	
Arlette Marie RAJAWAN-EIFLER	11 Betty Street	
James Nyman	65 Melvista Avenue Nedlands	
ANDREW BYK	3 BETTY ST	
LAVIE BYK	3 BETTY ST	
C. NORBERTO RIEMAN	5 BETTY ST. NEDLANDS	
BEVERLEY RIEMER	" "	
ROGER VART	57 MELVISTA AVE	
LINDA HART	57 MELVISTA AVE	
TIM FENNER	59 MELVISTA AVE	
MARCIA FENNER	59 MELVISTA AVE	M Fenner
YVONNE TAN	6 BETTY ST, NEDLANDS	
DAVID MORCAN	6 BETTY ST, NEDLANDS	
Tonia McNeilly	71 Doonan Rd Nedlands	
Matthew McNeilly	71 Doonan Rd Nedlands	

Dr Andrew Nyman 65 Melvista Ave, Nedlands

PETITION- Redevelopment Melvista Nursing Home. 20 Betty Street, Nedlands

NAME

ADDRESS

SIGNATURE

NAME	ADDRESS	SIGNATURE
James Mark Meneghello	67 Doonan Rd, NEDLANDS	Meneghello
Ed Graham	42 Marita Road Nedlands 6009	Ed Graham
BRIAN BURTON	14 BETTY STREET NEDLANDS	Brian H. Burton
ROBIN BURTON	14 Betty St. Nedlands.	R. Burton
James Read	63 Melvista ave, Nedlands	J Read
Jeanie Stevens	63 Melvista Ave Nedlands	Jeanie Stevens
ROBERT WEEDEN	40 MARITA RD, NEDLANDS	Robert Weeden
JANET WEEDEN	40 MARITA RD, NEDLANDS	Janet Weeden
JUDITH NYMAN	65 MELVISTA AVE NEDLANDS	Judith Nyman
JEAN NYMAN	158/6 TIGHE ST. JALMONT	Jean Nyman
KENNETH NYMAN	158/6 TIGHE ST. JALMONT	Kenneth Nyman
JILL NYMAN	13 Harvey Rd, Shenton Park	Jill Nyman
Jeremy Nyman	12 Harvey Rd Shenton Park	Jeremy Nyman
DR-MOHAN RAJALINGAM	11, BETTY ST, NEDLANDS	Dr Mohan Rajalingam
CORMAC SHARKEY	18 BETTY STREET, NEDLANDS	Cormac Sharkey
Beth Sharkey	18 Betty St, Nedlands	Beth Sharkey

Attachment to Item 13.1

Council Meeting – 23 October 2012

Common Seal Register Report – September 2012

SEPTEMBER 2012

619	21 September 2012	Planning & Development	Delegated Authority	City of Nedlands Dogs Local Law 2012
620	21 September 2012	Planning & Development	Delegated Authority	City of Nedlands Parking and Parking Facilities Local Law 2012

Attachment to Item 13.2

Council Meeting – 23 October 2012

List of Delegated Authorities – September 2012

**DELEGATED AUTHORITY REPORT**

List of Delegated Authority - September 2012

DEL12/446	35 Hampden Road Nedlands - Certificate of Local Planning Authority - Section 40 - Liquor Licensing Act 1988	Delegation Type	6A - TPS No 2 - Approval and Refusal of Planning Applications
		Date Registered	3/9/2012 at 9:48 AM
		Position Exercising Delegated Authority	Manager Statutory Planning
		How Delegation Is Recorded	Approval Letter (Planning D'A/s)
		Applicant	Mangiare Bistro (Addressee)
DEL12/447	48 (Lot 8) Lisle Street Mt Claremont - Additions (Loft) to Single House	Delegation Type	6A - TPS No 2 - Approval and Refusal of Planning Applications
		Date Registered	3/9/2012 at 9:50 AM
		Position Exercising Delegated Authority	Senior Statutory Planning Officer
		How Delegation Is Recorded	Approval Letter (Planning D'A/s)
		Applicant	Jennifer & Carl Brauhart (Addressee)
DEL12/448	8a (Lot 888) Alexander Road Dalkeith - Two Storey Single House and Swimming Pool	Delegation Type	6A - TPS No 2 - Approval and Refusal of Planning Applications
		Date Registered	3/9/2012 at 9:52 AM
		Position Exercising Delegated Authority	Senior Statutory Planning Officer
		How Delegation Is Recorded	Approval Letter (Planning D'A/s)
		Applicant	Carmen Tutor (Addressee)
DEL12/449	87 (Lot 23) Alfred Road Mt Claremont - Pool to Single House	Delegation Type	6A - TPS No 2 - Approval and Refusal of Planning Applications
		Date Registered	3/9/2012 at 9:53 AM
		Position Exercising Delegated Authority	Senior Statutory Planning Officer
		How Delegation Is Recorded	Approval Letter (Planning D'A/s)
		Applicant	Westralia Pools (Addressee)
DEL12/450	108 (Lot 224) Waratah Avenue Dalkeith - Two Storey Single House Front Fencing Secondary Street Fencing & Swimming Pool	Delegation Type	6A - TPS No 2 - Approval and Refusal of Planning Applications
		Date Registered	3/9/2012 at 9:54 AM
		Position Exercising Delegated Authority	Senior Statutory Planning Officer
		How Delegation Is Recorded	Approval Letter (Planning D'A/s)
		Applicant	Khalida Popal (Addressee)
DEL12/451	92 (Lot 345) Dalkeith Road Nedlands - Additions (Ground Floor) to Single House	Delegation Type	6A - TPS No 2 - Approval and Refusal of Planning Applications
		Date Registered	3/9/2012 at 9:55 AM
		Position Exercising Delegated Authority	Manager Statutory Planning
		How Delegation Is Recorded	Approval Letter (Planning D'A/s)
		Applicant	Jasper & Althea Mahon (Addressee)
DEL12/452	14a (Lot 701) Karella Street Nedlands - Single Storey Single House	Delegation Type	6A - TPS No 2 - Approval and Refusal of Planning Applications
		Date Registered	3/9/2012 at 9:58 AM
		Position Exercising Delegated Authority	Manager Statutory Planning
		How Delegation Is Recorded	Approval Letter (Planning D'A/s)
		Applicant	Andrew James Rose (Addressee)
DEL12/453	17 (Lot 129) Townsend Dale Mt Claremont - Use Not Listed (Bed & Breakfast) to Single House	Delegation Type	6A - TPS No 2 - Approval and Refusal of Planning Applications
		Date Registered	3/9/2012 at 10:00 AM
		Position Exercising Delegated Authority	Senior Statutory Planning Officer
		How Delegation Is Recorded	Approval Letter (Planning D'A/s)
		Applicant	Mary Keeley (Addressee)

**DELEGATED AUTHORITY REPORT**

List of Delegated Authority - September 2012

Continued...

DEL12/454**1 (Lot 20) Wongin Way Swanbourne - Two Storey Single House & Pool**

Delegation Type	6A - TPS No 2 - Approval and Refusal of Planning Applications
Date Registered	3/9/2012 at 10:01 AM
Position Exercising Delegated Authority	Senior Statutory Planning Officer
How Delegation Is Recorded	Approval Letter (Planning D'A/s)
Applicant	Coastview Australia Pty Ltd (Addressed)

DEL12/455**7a (Lot 2) North Street Swanbourne - Alteration of Ground Levels and Retaining Walls to Grouped Dwelling**

Delegation Type	6A - TPS No 2 - Approval and Refusal of Planning Applications
Date Registered	3/9/2012 at 10:03 AM
Position Exercising Delegated Authority	Senior Statutory Planning Officer
How Delegation Is Recorded	Approval Letter (Planning D'A/s)
Applicant	Ryan Harry (Addressee)

DEL12/456**65 (Lot 148) Alderbury Street Floreat - Additions (Carport & Retaining Wall) to Single House**

Delegation Type	6A - TPS No 2 - Approval and Refusal of Planning Applications
Date Registered	3/9/2012 at 10:16 AM
Position Exercising Delegated Authority	Senior Statutory Planning Officer
How Delegation Is Recorded	Approval Letter (Planning D'A/s)
Applicant	Jandy Lowe (Addressee)

DEL12/457**96 (Lot 2) Stirling Highway Nedlands - Additions (Shed) to Showroom**

Delegation Type	6A - TPS No 2 - Approval and Refusal of Planning Applications
Date Registered	3/9/2012 at 10:18 AM
Position Exercising Delegated Authority	Senior Statutory Planning Officer
How Delegation Is Recorded	Approval Letter (Planning D'A/s)
Applicant	Private Horizons Planning Solutions (A

DEL12/458**21 (Lot 349) North Street Swanbourne - Change of Use (From Consulting Room) to Shop**

Delegation Type	6A - TPS No 2 - Approval and Refusal of Planning Applications
Date Registered	3/9/2012 at 10:19 AM
Position Exercising Delegated Authority	Senior Statutory Planning Officer
How Delegation Is Recorded	Approval Letter (Planning D'A/s)
Applicant	Greg Erskine (Addressee)

DEL12/459**7 (Lot 35) Birrigan Loop Swanbourne - Amendmends (Floor Levels) to Single House**

Delegation Type	6A - TPS No 2 - Approval and Refusal of Planning Applications
Date Registered	3/9/2012 at 10:20 AM
Position Exercising Delegated Authority	Senior Statutory Planning Officer
How Delegation Is Recorded	Approval Letter (Planning D'A/s)
Applicant	Webb & Brown-Neaves (Addressee)

DEL12/460**24-38 (Lot 61) Nidjalla Loop Swanbourne - 5 x Grouped Dwellings within Two Storey Buildings**

Delegation Type	6A - TPS No 2 - Approval and Refusal of Planning Applications
Date Registered	3/9/2012 at 10:21 AM
Position Exercising Delegated Authority	Manager Statutory Planning
How Delegation Is Recorded	Approval Letter (Planning D'A/s)
Applicant	Webb & Brown-Neaves (Addressee)

DEL12/461**31a (Lot 30) The Avenue Nedlands - Two Storey Single House and Swimming Pool**

Delegation Type	6A - TPS No 2 - Approval and Refusal of Planning Applications
Date Registered	3/9/2012 at 10:22 AM
Position Exercising Delegated Authority	Manager Statutory Planning
How Delegation Is Recorded	Approval Letter (Planning D'A/s)
Applicant	Luxus Homes (Addressee)

**DELEGATED AUTHORITY REPORT**

List of Delegated Authority - September 2012

Continued...

DEL12/462 **71 (Lot 182) Alfred Road Mt Claremont - Two Storey & Three Storey Grouped Dwellings**
 Delegation Type 6A - TPS No 2 - Approval and Refusal of Planning Applications
 Date Registered 3/9/2012 at 10:24 AM
 Position Exercising Delegated Authority Manager Statutory Planning
 How Delegation Is Recorded Approval Letter (Planning D'A/s)
 Applicant Blane Brackenridge (Addressee)

DEL12/463 **12 (Lot 32) Bentley Close Mt Claremont - Additions (Ground Floor) to Single House**
 Delegation Type 6A - TPS No 2 - Approval and Refusal of Planning Applications
 Date Registered 3/9/2012 at 10:25 AM
 Position Exercising Delegated Authority Senior Statutory Planning Officer
 How Delegation Is Recorded Approval Letter (Planning D'A/s)
 Applicant Con-Struct Builders (Addressee)

DEL12/464 **Parking Infringement Withdrawn 21822 - Kerry Roesler**
 Delegation Type 9C - Withdrawal of Infringement Notices
 Date Registered 4/9/2012 at 1:09 PM
 Position Exercising Delegated Authority Chief Executive Officer
 How Delegation Is Recorded Withdrawal Notice
 Applicant Kerry Roesler (Addressee)

DEL12/465 **Parking Infringement Withdrawn 3000623 & 3002434 - Mr Crowley**
 Delegation Type 9C - Withdrawal of Infringement Notices
 Date Registered 6/9/2012 at 3:26 PM
 Position Exercising Delegated Authority Chief Executive Officer
 How Delegation Is Recorded Withdrawal Notice
 Applicant D E Crowley (Addressee)

DEL12/466 **Parking Infringement Withdrawn (22307) replaced with 3002432 - Neve Gibney**
 Delegation Type 9C - Withdrawal of Infringement Notices
 Date Registered 7/9/2012 at 10:00 AM
 Position Exercising Delegated Authority Chief Executive Officer
 How Delegation Is Recorded Withdrawal Notice
 Applicant Neve Gibney (Addressee)

DEL12/467 **Dog Infringement Withdrawn 2000607 & 2000608**
 Delegation Type 9C - Withdrawal of Infringement Notices
 Date Registered 10/9/2012 at 1:15 PM
 Position Exercising Delegated Authority Chief Executive Officer
 How Delegation Is Recorded Withdrawal Notice
 Applicant Bernadette Wescott (Addressee)

DEL12/468 **Parking Infringement Withdrawn 3001263 - Da Luo**
 Delegation Type 9C - Withdrawal of Infringement Notices
 Date Registered 10/9/2012 at 1:29 PM
 Position Exercising Delegated Authority Chief Executive Officer
 How Delegation Is Recorded Withdrawal Notice
 Applicant Da Luo (Addressee)

DEL12/469 **Parking Infringement Withdrawn 3000748 - E & A Bruce**
 Delegation Type 9C - Withdrawal of Infringement Notices
 Date Registered 13/9/2012 at 10:12 AM
 Position Exercising Delegated Authority Chief Executive Officer
 How Delegation Is Recorded Withdrawal Notice
 Applicant E & A Bruce (Addressee)

**DELEGATED AUTHORITY REPORT**

List of Delegated Authority - September 2012

Continued...**DEL12/470****25 (Lot 10629) John XXIII Avenue Mt Claremont - Additions (Fire Water Tanks Pump & Pump Room) to Educational Establishment**

Delegation Type	6A - TPS No 2 - Approval and Refusal of Planning Applications
Date Registered	17/9/2012 at 11:32 AM
Position Exercising Delegated Authority	Manager Statutory Planning
How Delegation Is Recorded	Approval Letter (Planning D'A/s)
Applicant	Broderick Architects (Addressee)

DEL12/471**40 (Lot 312) Dalkeith Road Nedlands - Re-Roof to Single House**

Delegation Type	6A - TPS No 2 - Approval and Refusal of Planning Applications
Date Registered	17/9/2012 at 11:33 AM
Position Exercising Delegated Authority	Senior Statutory Planning Officer
How Delegation Is Recorded	Approval Letter (Planning D'A/s)
Applicant	Robert David Spain (Addressee)

DEL12/472**48 (Lot 263) Mountjoy Road Nedlands - Single Storey Single House & Pool**

Delegation Type	6A - TPS No 2 - Approval and Refusal of Planning Applications
Date Registered	17/9/2012 at 11:34 AM
Position Exercising Delegated Authority	Senior Statutory Planning Officer
How Delegation Is Recorded	Approval Letter (Planning D'A/s)
Applicant	Webb & Brown-Neaves (Addressee)

DEL12/473**24 (Lot 104) Marita Road Nedlands - Front Fence to Single House**

Delegation Type	6A - TPS No 2 - Approval and Refusal of Planning Applications
Date Registered	17/9/2012 at 11:35 AM
Position Exercising Delegated Authority	Senior Statutory Planning Officer
How Delegation Is Recorded	Approval Letter (Planning D'A/s)
Applicant	Dean Bradley Fox (Addressee)

DEL12/474**57 (Lot 377) St Johns Wood Boulevard Mt Claremont - Additions (Antenna) to Single House**

Delegation Type	6A - TPS No 2 - Approval and Refusal of Planning Applications
Date Registered	17/9/2012 at 11:36 AM
Position Exercising Delegated Authority	Senior Statutory Planning Officer
How Delegation Is Recorded	Approval Letter (Planning D'A/s)
Applicant	Jason Reed (Addressee)

DEL12/475**72 (Lot 500) Williams Road Nedlands - Additions (Ground Floor) to Single House**

Delegation Type	6A - TPS No 2 - Approval and Refusal of Planning Applications
Date Registered	17/9/2012 at 11:38 AM
Position Exercising Delegated Authority	Senior Statutory Planning Officer
How Delegation Is Recorded	Approval Letter (Planning D'A/s)
Applicant	Adria Cain (Addressee)

DEL12/476**29 (Lot 157) Bulimba Road Nedlands - Front Gate Secondary Street Gate & Portion of Secondary Street Fencing to Single House**

Delegation Type	6A - TPS No 2 - Approval and Refusal of Planning Applications
Date Registered	17/9/2012 at 11:51 AM
Position Exercising Delegated Authority	Senior Statutory Planning Officer
How Delegation Is Recorded	Approval Letter (Planning D'A/s)
Applicant	Haughty Culture Garden Desing and I

DEL12/477**96 (Lot 100) Victoria Avenue Dalkeith - Three Storey Single House & Garage**

Delegation Type	6A - TPS No 2 - Approval and Refusal of Planning Applications
Date Registered	17/9/2012 at 11:53 AM
Position Exercising Delegated Authority	Senior Statutory Planning Officer
How Delegation Is Recorded	Approval Letter (Planning D'A/s)
Applicant	Building Corporation WA Pty Ltd (Ad

**DELEGATED AUTHORITY REPORT**

List of Delegated Authority - September 2012

Continued...**DEL12/478****40 (Lot 106) Browne Avenue Dalkeith - Outbuilding to Single House**

Delegation Type	6A - TPS No 2 - Approval and Refusal of Planning Applications
Date Registered	17/9/2012 at 1:00 PM
Position Exercising Delegated Authority	Senior Statutory Planning Officer
How Delegation Is Recorded	Approval Letter (Planning D'A/s)
Applicant	Classic Home and Garage Innovations

DEL12/479**52 (Lot 82) Strickland Street Mt Claremont - Additions (Ground Floor) to Single House**

Delegation Type	6A - TPS No 2 - Approval and Refusal of Planning Applications
Date Registered	17/9/2012 at 1:02 PM
Position Exercising Delegated Authority	Senior Statutory Planning Officer
How Delegation Is Recorded	Approval Letter (Planning D'A/s)
Applicant	Nada Leonard (Addressee)

DEL12/480**101 (Lot 384) Waratah Avenue Dalkeith - (Shop 103) Change of Use (from Shop) to Office Professional**

Delegation Type	6A - TPS No 2 - Approval and Refusal of Planning Applications
Date Registered	17/9/2012 at 1:05 PM
Position Exercising Delegated Authority	Senior Statutory Planning Officer
How Delegation Is Recorded	Approval Letter (Planning D'A/s)
Applicant	Building Corporation WA Pty Ltd (Ad

DEL12/481**33 (Lot 95) Doonan Road Nedlands - Additions (Ground Floor) Decking Retaining Walls and Landscaping to Single House**

Delegation Type	6A - TPS No 2 - Approval and Refusal of Planning Applications
Date Registered	17/9/2012 at 1:10 PM
Position Exercising Delegated Authority	Senior Statutory Planning Officer
How Delegation Is Recorded	Approval Letter (Planning D'A/s)
Applicant	Martin Cuthbert Landscapes (Address

DEL12/482**129 (Lot 800) Adelma Road Dalkeith - Additions (Vergola) to Single House**

Delegation Type	6A - TPS No 2 - Approval and Refusal of Planning Applications
Date Registered	17/9/2012 at 1:12 PM
Position Exercising Delegated Authority	Manager Statutory Planning
How Delegation Is Recorded	Approval Letter (Planning D'A/s)
Applicant	Jocelyn Williamson (Addressee)

DEL12/483**70 (Lot 98) St Johns Wood Boulevard Mt Claremont - Additions (Balcony) to Single House**

Delegation Type	6A - TPS No 2 - Approval and Refusal of Planning Applications
Date Registered	17/9/2012 at 1:13 PM
Position Exercising Delegated Authority	Senior Statutory Planning Officer
How Delegation Is Recorded	Approval Letter (Planning D'A/s)
Applicant	Kingsley Pearce Architects (Addressee)

DEL12/484**66 (Lot 397) Florence Road Nedlands - Additions (Carport) to Single House**

Delegation Type	6A - TPS No 2 - Approval and Refusal of Planning Applications
Date Registered	17/9/2012 at 1:25 PM
Position Exercising Delegated Authority	Senior Statutory Planning Officer
How Delegation Is Recorded	Approval Letter (Planning D'A/s)
Applicant	Derapen Pty Ltd (Addressee)

DEL12/485**38 (Lot 267) Kinninmont Avenue Nedlands - Additions (Spa) to Single House**

Delegation Type	6A - TPS No 2 - Approval and Refusal of Planning Applications
Date Registered	17/9/2012 at 1:27 PM
Position Exercising Delegated Authority	Senior Statutory Planning Officer
How Delegation Is Recorded	Approval Letter (Planning D'A/s)
Applicant	Iann & Csilla Rankin (Addressee)

**DELEGATED AUTHORITY REPORT**

List of Delegated Authority - September 2012

Continued...**DEL12/486****42 (Lot 264) Webster Street Nedlands - Pool to Single House**

Delegation Type	6A - TPS No 2 - Approval and Refusal of Planning Applications
Date Registered	17/9/2012 at 1:28 PM
Position Exercising Delegated Authority	Senior Statutory Planning Officer
How Delegation Is Recorded	Approval Letter (Planning D'A/s)
Applicant	BRP WA Pty Ltd (Addressee)

DEL12/487**20 (Lot 780) Nardina Crescent Dalkeith - Front Fence to Single House**

Delegation Type	6A - TPS No 2 - Approval and Refusal of Planning Applications
Date Registered	17/9/2012 at 1:44 PM
Position Exercising Delegated Authority	Senior Statutory Planning Officer
How Delegation Is Recorded	Approval Letter (Planning D'A/s)
Applicant	Escape Garden Design & Construction

DEL12/488**2 (Lot 379) Alexander Road Dalkeith - Three Storey Single House**

Delegation Type	6A - TPS No 2 - Approval and Refusal of Planning Applications
Date Registered	17/9/2012 at 1:46 PM
Position Exercising Delegated Authority	Manager Statutory Planning
How Delegation Is Recorded	Approval Letter (Planning D'A/s)
Applicant	Milankov Designs (Addressee)

DEL12/489**73 (Lot 4120) Vincent Street Nedlands - Additions (Ground Floor & Carport) to Single House**

Delegation Type	6A - TPS No 2 - Approval and Refusal of Planning Applications
Date Registered	17/9/2012 at 1:49 PM
Position Exercising Delegated Authority	Senior Statutory Planning Officer
How Delegation Is Recorded	Approval Letter (Planning D'A/s)
Applicant	Alexandra Grist (Addressee)

DEL12/490**46 (Lot 387) Florence Road Nedlands - Pool & Retaining Wall to Single House**

Delegation Type	6A - TPS No 2 - Approval and Refusal of Planning Applications
Date Registered	17/9/2012 at 1:51 PM
Position Exercising Delegated Authority	Senior Statutory Planning Officer
How Delegation Is Recorded	Approval Letter (Planning D'A/s)
Applicant	Quality Dolphin Pools (Addressee)

DEL12/491**56 (Lot 392) Florence Road Nedlands - Additions (Two Patios) to Single House**

Delegation Type	6A - TPS No 2 - Approval and Refusal of Planning Applications
Date Registered	17/9/2012 at 1:52 PM
Position Exercising Delegated Authority	Senior Statutory Planning Officer
How Delegation Is Recorded	Approval Letter (Planning D'A/s)
Applicant	Nash & Ghersinich Architects (Addressee)

DEL12/492**9 (Lot 1) Strickland Street Mt Claremont - Additions (Ground Floor) to Grouped Dwelling**

Delegation Type	6A - TPS No 2 - Approval and Refusal of Planning Applications
Date Registered	17/9/2012 at 1:53 PM
Position Exercising Delegated Authority	Senior Statutory Planning Officer
How Delegation Is Recorded	Approval Letter (Planning D'A/s)
Applicant	Dale Alcock Home Improvement (Addressee)

DEL12/493**Parking Infringement Withdrawal 3000631 - Rudi Kapiteyn**

Delegation Type	9C - Withdrawal of Infringement Notices
Date Registered	18/9/2012 at 10:10 AM
Position Exercising Delegated Authority	Chief Executive Officer
How Delegation Is Recorded	Withdrawal Notice
Applicant	Rudi Kapiteyn (Addressee)

**DELEGATED AUTHORITY REPORT**

List of Delegated Authority - September 2012

Continued...

DEL12/494	Youth Grant SYIF - WA Schools Bruce Cup Tennis - Simon Ferreira
Delegation Type	10F - Sponsorship of Youth Initiatives Fund
Date Registered	21/9/2012 at 8:46 AM
Position Exercising Delegated Authority	Manager Community Development
How Delegation Is Recorded	Memorandum
Applicant	Simon Ferreira (Addressee)
DEL12/495	Community Grants Fund - International Day of People with a Disability - Westcare
Delegation Type	10E - Community and Cultural Development Fund
Date Registered	21/9/2012 at 9:18 AM
Position Exercising Delegated Authority	Manager Community Development
How Delegation Is Recorded	Memorandum
Applicant	Tanya McDonald (Addressee)
DEL12/498	Youth Grant SYIF - Australian Figure Skating Championships - Imogen Ridout
Delegation Type	10F - Sponsorship of Youth Initiatives Fund
Date Registered	21/9/2012 at 9:34 AM
Position Exercising Delegated Authority	Manager Community Development
How Delegation Is Recorded	Memorandum
Applicant	Imogen Ridout (Addressee)
DEL12/499	Seal Certification - Seal No. 619 City of Nedlands Dogs Local Law 2012
Delegation Type	ID - Use of Council's Common Seal and Authority to Sign Documents
Date Registered	21/9/2012 at 11:35 AM
Position Exercising Delegated Authority	Chief Executive Officer
How Delegation Is Recorded	Seal Register
Applicant	City of Nedlands (Addressee)
DEL12/500	Seal Certification - Seal No. 620 - City of Nedlands Parking and Parking Facilities Local Law 2012
Delegation Type	ID - Use of Council's Common Seal and Authority to Sign Documents
Date Registered	21/9/2012 at 11:36 AM
Position Exercising Delegated Authority	Chief Executive Officer
How Delegation Is Recorded	Seal Register
Applicant	City of Nedlands (Addressee)
DEL12/501	Parking Infringement 3002495 Withdrawn - M Goodger
Delegation Type	9C - Withdrawal of Infringement Notices
Date Registered	24/9/2012 at 9:31 AM
Position Exercising Delegated Authority	Chief Executive Officer
How Delegation Is Recorded	Withdrawal Notice
Applicant	Sharelle Cunnah (Addressee)
DEL12/502	3/52 (Lot 3) Weld Street Nedlands - Home Business Renewal (Office) to Grouped Dwelling
Delegation Type	6A - TPS No 2 - Approval and Refusal of Planning Applications
Date Registered	25/9/2012 at 12:14 PM
Position Exercising Delegated Authority	Senior Statutory Planning Officer
How Delegation Is Recorded	Approval Letter (Planning D'A/s)
Applicant	George & Linda Alexander (Addressee)
DEL12/503	14 (Lot 1) Edna Road Dalkeith - Front Fence to Single House
Delegation Type	6A - TPS No 2 - Approval and Refusal of Planning Applications
Date Registered	25/9/2012 at 12:17 PM
Position Exercising Delegated Authority	Senior Statutory Planning Officer
How Delegation Is Recorded	Approval Letter (Planning D'A/s)
Applicant	Penny Keenan (Addressee)

**DELEGATED AUTHORITY REPORT**

List of Delegated Authority - September 2012

Continued...**DEL12/504****4 (Lot 778) Viking Road Dalkeith - Frot Fence & Gatehouse to Single House**

Delegation Type	6A - TPS No 2 - Approval and Refusal of Planning Applications
Date Registered	25/9/2012 at 12:18 PM
Position Exercising Delegated Authority	Senior Statutory Planning Officer
How Delegation Is Recorded	Approval Letter (Planning D'A/s)
Applicant	Escape Garden Design & Construction

DEL12/505**11 (Lot 250) Loneragan Street Nedlands - Two Storey Single House**

Delegation Type	6A - TPS No 2 - Approval and Refusal of Planning Applications
Date Registered	25/9/2012 at 12:19 PM
Position Exercising Delegated Authority	Manager Statutory Planning
How Delegation Is Recorded	Approval Letter (Planning D'A/s)
Applicant	Grand View Homes (WA) Pty Ltd (Ad

DEL12/506**14 (Lot 783) Nardina Crescent Dalkeith - Retaining Wall & Dividing Fence to Single Hosue**

Delegation Type	6A - TPS No 2 - Approval and Refusal of Planning Applications
Date Registered	25/9/2012 at 12:21 PM
Position Exercising Delegated Authority	Senior Statutory Planning Officer
How Delegation Is Recorded	Approval Letter (Planning D'A/s)
Applicant	FA & MP Saville (Addressee)

DEL12/507**81 (Lot 269) Philip Road Dalkeith - Cabana to Single House**

Delegation Type	6A - TPS No 2 - Approval and Refusal of Planning Applications
Date Registered	25/9/2012 at 12:23 PM
Position Exercising Delegated Authority	Senior Statutory Planning Officer
How Delegation Is Recorded	Approval Letter (Planning D'A/s)
Applicant	David Reynolds (Addressee)

DEL12/508**74 (Lot 535) Archdeacon Street Nedlands - Additions (Ground Floor) & Re Roof to Single House**

Delegation Type	6A - TPS No 2 - Approval and Refusal of Planning Applications
Date Registered	25/9/2012 at 12:46 PM
Position Exercising Delegated Authority	Senior Statutory Planning Officer
How Delegation Is Recorded	Approval Letter (Planning D'A/s)
Applicant	Pierre Albert Schinazi (Addressee)

DEL12/509**118 (Lot 888) Monash Avenue Nedlands - Signage to Nursing Home**

Delegation Type	6A - TPS No 2 - Approval and Refusal of Planning Applications
Date Registered	25/9/2012 at 12:47 PM
Position Exercising Delegated Authority	Senior Statutory Planning Officer
How Delegation Is Recorded	Approval Letter (Planning D'A/s)
Applicant	Signwave South Melbourne (Addressee)

DEL12/510**66 (Lot 5) Jutland Parade Dalkeith - Retaining Wall & Fill to Single House**

Delegation Type	6A - TPS No 2 - Approval and Refusal of Planning Applications
Date Registered	25/9/2012 at 12:49 PM
Position Exercising Delegated Authority	Senior Statutory Planning Officer
How Delegation Is Recorded	Approval Letter (Planning D'A/s)
Applicant	Barry Turner (Addressee)

DEL12/511**121 (Lot 226) Rochdale Road Mt Claremont - Retrospective Additions (Retaining Wall Decking Spa & Outbuilding) to Single House**

Delegation Type	6A - TPS No 2 - Approval and Refusal of Planning Applications
Date Registered	25/9/2012 at 12:51 PM
Position Exercising Delegated Authority	Manager Statutory Planning
How Delegation Is Recorded	Approval Letter (Planning D'A/s)
Applicant	Patrick Golden (Addressee)

