



City of Nedlands

Minutes

Council Meeting

25 September 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 25 September 2012 at 7 pm.

Declaration of Opening

The Presiding Member declared the meeting open at 7 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 N B J Horley | 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 K Walker (until 8.13 pm) | Hollywood Ward |
| | Councillor T James | Melvista Ward |
| | Councillor M L Somerville-Brown | Melvista Ward |

| | | |
|--------------|----------------|---|
| Staff | Mr M Cole | Acting Chief Executive Officer |
| | Ms D Blake | Acting Director Corporate & Strategy |
| | Mr P Mickleson | Director Planning & Development Services |
| | Mr A Melville | Acting Director Technical Services |
| | Ms M Granich | Acting Director Community & Organisational Development |
| | Ms N Borowicz | Executive Assistant |

Public There were 5 members of the public present.

Press The Post Newspaper and Western Suburbs Weekly representatives.

| | | |
|---|------------------------|----------------|
| Leave of Absence (Previously Approved) | Councillor B G Hodsdon | Hollywood Ward |
| | Councillor N Shaw | Melvista Ward |

Apologies Councillor L J McManus Coastal Districts Ward

Absent Nil.

Disclaimer

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

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

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

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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

Non-Elector

Moved – Councillor Hassell

Seconded – Councillor James

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

CARRIED UNANIMOUSLY 10/-

Mr R Griffiths, 30 Swansea Street, Swanbourne
(spoke in relation to Allen Park)

Mr D Breen, 12 Brockman Avenue, Dalkeith Report PD38.12
(spoke in relation to the recommendation and asked for an amendment)

Mr A Byk, 3 Betty Street, Nedlands Report PD37.12
(spoke in support of the recommendation)

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

3. Requests for Leave of Absence

Nil.

4. Petitions

Nil.

5. Disclosures of Financial Interest

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

There were no disclosures affecting impartiality.

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

Councillor Walker advised she had not given due consideration to the legal advice given on Item 14.2 – Councillor Argyle's Notice of Motion.

The Presiding Member granted a 5 minute recess for Councillors to read and consider the legal advice.

The meeting reconvened at 7.14 pm.

8. Confirmation of Minutes

8.1 Ordinary Council meeting 28 August 2012

Moved – Councillor Collins
 Seconded – Councillor Argyle

The minutes of the ordinary Council meeting held 28 August 2012 are confirmed.

**CARRIED 9/1
 (Against: Cr. Walker)**

8.2 Special Council meeting 11 September 2012

Moved – Councillor Argyle
 Seconded – Councillor Binks

The minutes of the ordinary Council meeting held 11 September 2012 are confirmed.

**CARRIED 9/1
 (Against: Cr. Walker)**

9. Announcements of the Presiding Member without discussion

Functions where the Mayor had represented the City since the last Council meeting:

| | | |
|-------------------|--|---|
| 29 August 2012 | Nedlands Cultural & Community Society. | Meeting |
| 30 August 2012 | WALGA | Central Metro Zone meeting |
| 3 September 2012 | City of Nedlands | CEO Appointment Committee |
| 4 September 2012 | City of Nedlands | Meeting with new owners of Swanbourne Hospital |
| 4 September 2012 | City of Nedlands | JC Cruickshank public meeting |
| 5 September 2012 | Dept. of Planning | Waratah Ave DAP meeting |
| 5 September 2012 | Residents | Woolworths rezoning, Stirling Hwy, public meeting |
| 7 September 2012 | Town of Cambridge | Regional Road Group meeting |
| 9 September 2012 | Friends of Hollywood Bush | Open Day |
| 10 September 2012 | City of Nedlands | Meeting with Council |

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| | | solicitors re Regis site Master Plan and LPP |
| 10 September 2012 | National Trust (WA) | Council Meeting (WALGA nominee) |
| 12 September 2012 | Planning Institute | Urban Strategy Masterclass – transforming complex places with innovation |
| 13 September 2012 | RAC | Local Government Day - driver training |
| 14 September 2012 | Waste Authority | Waste and Recycling Conference |
| 15 September 2012 | Swanbourne Coastal Alliance | Dune planting |
| 17 September 2012 | Art Deco Society | AGM |
| 18 September 2012 | Landcorp | 30 Year Celebration Breakfast |
| 18 September 2012 | Committee for Perth | Launch of Perth 2030 Vision Report |
| 18 September 2012 | Australian institute of Architects | Urban Design Committee meeting |
| 20 September 2012 | FESA | Recovery Management Course |
| 20 September 2012 | City Vision | Meeting |
| 21 September 2012 | Nedlands PS | Launch of 100 year anniversary celebrations |
| 21 September 2012 | UDIA | Planning Reform in NSW |
| 21 September 2012 | SAT | On-site mediation, 119 Rochdale Road |
| 24 September 2012 | National Trust of WA | Executive meeting |
| 24 September 2012 | City of Nedlands | Citizenship ceremony |
| 25 September 2012 | Australian Children's Trust | Inspection of Sunset site |

The Mayor gave notice of a Public Forum to be held by the Western Suburbs Alliance at the Cottesloe Civic Centre, 7.30pm, Thursday 11 October 2012.

The theme of the forum is “Our Communities at Risk”, from state government’s interference with and overriding of, local government’s planning powers. Four western suburbs’ mayors are participating in the event, including himself. He believed that there will be a strong attendance, to drive the message home to state government that local communities, through their local governments, have rights and must be listened to.

10. Members announcements without discussion

10.1 Councillor Argyle

Councillor Argyle stated that he was pleased with the invitation to go and have a look at Sunset Hospital. He was very pleased with Andrew Forrest's work there. He was aware that they had been given an extension for another couple of years. They have 100 people working there in various divisions. Councillor Argyle mentioned that they had tidied up at the front and he left with high hopes for the future of the site.

11. Matters for Which the Meeting May Be Closed

Council, in accordance with Standing Orders and for the convenience of the public, is to identify any matter which is to be discussed behind closed doors at this meeting, and that matter is to be deferred for consideration as the last item of this meeting.

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 Binks
Seconded – Councillor Collins

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

Council Committee
Circulated to Councillors on 18 September 2012

11 September 2012

**CARRIED 9/1
(Against: Cr. Walker)**

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 James

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. PD37.12 PD38.12, TS18.12, TS19.12, CM08.12 & CP41.12 are adopted en bloc.


CARRIED UNANIMOUSLY 10/-

12.2 Planning & Development Report No's PD37.12 to PD39.12 (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.

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| PD37.12 | No. 3 (Lot 2) Betty Street, Nedlands – Proposed Garage Door to Existing Carport |
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|------------------|-------------------|
| Committee | 11 September 2012 |
| Council | 25 September 2012 |

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|-------------------------------|---|
| Applicant | Lanie Byk |
| Owner | Lanie Byk |
| Officer | Laura Sabitzer - Planning Officer |
| Director | Peter Mickleson - Director Planning & Development Services |
| Director Signature |  |
| File ref. | DA12/137 : BE8/3 |
| 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 Argyle
 Seconded – Councillor Collins

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

CARRIED 6/4
(Against: Mayor Hipkins Crs. Horley Walker & Somerville-Brown)

Council Resolution / Committee Recommendation

Council approves an application for a Garage Door to Existing Carport at No. 3 (Lot 2) Betty, Nedlands in accordance with the application dated 5 April 2012 and the plans dated 5 April 2012 and 30 July 2012 and a side wall facing the street.

Recommendation to Committee

Council refuses an application for a Garage Door to Existing Carport at No. 3 (Lot 2) Betty, Nedlands in accordance with the application dated 5 April 2012 and the plans dated 5 April 2012 and 30 July 2012 for the following reason:

- a. the application is contrary to Clause 5.6.2(d) of the City of Nedlands Town Planning Scheme No.2 (TPS2) and there is no discretion under TPS2 for this provision to be varied.

| | |
|----------------|--|
| PD38.12 | No. 12 (Lot 188) Brockman Avenue, Dalkeith – Retrospective Additions (Alfresco, Loft, Patio, Enclosure of Carport, Retaining Walls, Fill and Over-height Dividing Wall) to Single House |
|----------------|--|

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|------------------|-------------------|
| Committee | 11 September 2012 |
| Council | 25 September 2012 |

| | |
|-------------------------------|---|
| Applicant | TPG Town Planning and Urban Design |
| Owner | David and Sara Breen |
| Officer | Laura Sabitzer - Planning Officer |
| Director | Peter Mickleson - Director Planning & Development Services |
| Director Signature |  |
| File ref. | DA12/279 : BR3/12 |
| Previous Item No's | Nil |
| Disclosure of Interest | No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> . |

Regulation 11(da) – Council agreed to screening being installed in conjunction with the building development application currently before Council staff.

Moved – Councillor Hassell
 Seconded – Councillor Argyle

That the Recommendation to Council is adopted subject to the b. being amended to read as follows:

- b. the patio, as marked in red on the approved plans shall have permanent vertical screening on the south side to prevent overlooking in accordance with the visual privacy requirements of the Residential Design Codes of WA. The screening shall be installed either within 42 days from the date of this approval or in conjunction with the building development application currently before Council should it be approved and remain in place permanently, unless otherwise approved by the City;**

**CARRIED 6/4
 (Against: Mayor Hipkins Crs. Horley
 Walker & Somerville-Brown)**

Council Resolution

Council approves an application for Retrospective Additions (Alfresco, Loft, Patio, Retaining Walls, Fill and Over-height Dividing Wall) and enclosures to carport to Single House at No. 12 (Lot 188) Brockman, Dalkeith in accordance with the application and plans received 16 July 2012 the following conditions:

- a. the applicant/owner shall make application to the Manager Property Services for a Building Certificate, to acknowledge the unauthorised works;**
- b. the patio, as marked in red on the approved plans shall have permanent vertical screening on the south side to prevent overlooking in accordance with the visual privacy requirements of the Residential Design Codes of WA. The screening shall be installed either within 42 days from the date of this approval or in conjunction with the building development application currently before Council should it be approved and remain in place permanently, unless otherwise approved by the City;**
- c. 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 1.0m³ for every 80m² of calculated surface area of the development;**
- d. all footings and structures to retaining walls and dividing fences shall be constructed wholly inside the site boundaries of the Certificate of Title;**
- e. the use of bare or painted metal building materials is permitted on the basis that, if during or following the erection of the development the Council forms the opinion that glare which is produced from the building / roof has or will have a significant detrimental effect upon the amenity of neighbouring properties, the Council may require the owner to treat the building / roof to reduce the reflectivity to a level acceptable to Council; and**
- f. 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. 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 1.8m from any building, and at least 1.8m from the boundary of the block.**
- 2. The City does not recommend any air-conditioner or mechanical equipment is installed near a property boundary where it is likely noise from such mechanical equipment in these locations will intrude on neighbouring properties. Prior to selecting a location to install an air-conditioner, applicant is advised to consult the online fairair noise calculator at www.fairair.com.au and use this as a guide on air-conditioner placement so as to prevent noise affecting neighbouring properties. Prior to installing an air-conditioner or mechanical equipment, the applicant is advised to consult residents of neighbouring properties and if necessary take measures to prevent noise affecting neighbouring properties.**

Committee Recommendation

Council approves an application for Retrospective Additions (Alfresco, Loft, Patio, Retaining Walls, Fill and Over-height Dividing Wall) and enclosures to carport to Single House at No. 12 (Lot 188) Brockman, Dalkeith in accordance with the application and plans received 16 July 2012 the following conditions:

- a. the applicant/owner shall make application to the Manager Property Services for a Building Certificate, to acknowledge the unauthorised works;
- b. the patio, as marked in red on the approved plans shall have permanent vertical screening on the south side to prevent overlooking in accordance with the visual privacy requirements of the Residential Design Codes of WA. The screening shall be installed within 42 days from the date of this approval and remain in place permanently, unless otherwise approved by the City;
- c. 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 1.0m³ for every 80m² of calculated surface area of the development;
- d. all footings and structures to retaining walls and dividing fences shall be constructed wholly inside the site boundaries of the Certificate of Title;

- e. the use of bare or painted metal building materials is permitted on the basis that, if during or following the erection of the development the Council forms the opinion that glare which is produced from the building / roof has or will have a significant detrimental effect upon the amenity of neighbouring properties, the Council may require the owner to treat the building / roof to reduce the reflectivity to a level acceptable to Council; and
- f. 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. 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 1.8m from any building, and at least 1.8m from the boundary of the block.
2. The City does not recommend any air-conditioner or mechanical equipment is installed near a property boundary where it is likely noise from such mechanical equipment in these locations will intrude on neighbouring properties. Prior to selecting a location to install an air-conditioner, applicant is advised to consult the online fairair noise calculator at www.fairair.com.au and use this as a guide on air-conditioner placement so as to prevent noise affecting neighbouring properties. Prior to installing an air-conditioner or mechanical equipment, the applicant is advised to consult residents of neighbouring properties and if necessary take measures to prevent noise affecting neighbouring properties.

Amended Administration Recommendation

1. Council approves an application for Retrospective Additions (Alfresco, Loft, Patio, Retaining Walls, Fill and Over-height Dividing Wall) and enclosures to carport to Single House at No. 12 (Lot 188) Brockman, Dalkeith in accordance with the application and plans received 16 July 2012 the following conditions:
 - a. the applicant/owner shall make application to the Manager Property Services for a Building Certificate, to acknowledge the unauthorised works;
 - b. This planning approval does not pertain to the unauthorised enclosures to the carport. The unauthorised enclosures to the carport are to be removed within 42 days of the date of this decision;
 - c. the patio, as marked in red on the approved plans shall have permanent vertical screening on the south side to prevent overlooking in accordance with the visual privacy requirements of the Residential Design Codes of WA. The screening shall be installed within 42 days from the date of this approval and remain in place permanently, unless otherwise approved by the City;
 - 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 1.0m³ for every 80m² of calculated surface area of the development;
 - e. all footings and structures to retaining walls and dividing fences shall be constructed wholly inside the site boundaries of the Certificate of Title;
 - f. the use of bare or painted metal building materials is permitted on the basis that, if during or following the erection of the development the Council forms the opinion that glare which is produced from the building / roof has or will have a significant detrimental effect upon the amenity of neighbouring properties, the Council may require the owner to treat the building / roof to reduce the reflectivity to a level acceptable to Council; and
 - g. 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.

2. Council refuses an application for Retrospective Additions (Enclosure of Carport) at No. 12 (Lot 188) Brockman Avenue, Dalkeith in accordance with the application and plans received 16 July 2012 the for the following reasons:
 - a. The application is contrary to Clause 5.6.2(d) of the City of Nedlands Town Planning Scheme No.2 (TPS2) and there is no discretion under TPS2 for this provision to be varied;
 - b. The application does not comply with Council's Policy 6.23 '*Carports and Minor Structures Forward of the Primary Street Setback*'; and
 - c. The proposal will not be orderly and proper planning.

Advice Notes specific to this approval:

1. 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 1.8m from any building, and at least 1.8m from the boundary of the block.
2. The City does not recommend any air-conditioner or mechanical equipment is installed near a property boundary where it is likely noise from such mechanical equipment in these locations will intrude on neighbouring properties. Prior to selecting a location to install an air-conditioner, applicant is advised to consult the online fairair noise calculator at www.fairair.com.au and use this as a guide on air-conditioner placement so as to prevent noise affecting neighbouring properties. Prior to installing an air-conditioner or mechanical equipment, the applicant is advised to consult residents of neighbouring properties and if necessary take measures to prevent noise affecting neighbouring properties.

Recommendation to Committee

1. Council approves an application for Retrospective Additions (Alfresco, Loft, Patio, Retaining Walls, Fill and Over-height Dividing Wall) to Single House at No. 12 (Lot 188) Brockman Avenue, Dalkeith in accordance with the application and plans received 16 July 2012 the following conditions:
 - a. The applicant/owner shall make application to the Manager Property Services for a Building Certificate, to acknowledge the unauthorised works;
 - b. This planning approval does not pertain to the unauthorised enclosures to the carport. The unauthorised enclosures to the carport are to be removed within 42 days of the date of this decision;
 - c. The patio, as marked in red on the approved plans shall have permanent vertical screening to prevent overlooking in accordance with the visual privacy requirements of the *Residential Design Codes of WA (RCodes)*. The screening(s) shall be installed within 42 days from the date of this approval and remain in place permanently, unless otherwise approved by the City;
 - 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 calculated surface area of the development.;
 - e. All footings and structures to retaining walls and dividing fences shall be constructed wholly inside the site boundaries of the Certificate of Title;
 - f. The use of bare or painted metal building materials is permitted on the basis that, if during or following the erection of the development the Council forms the opinion that glare which is produced from the building / roof has or will have a significant detrimental effect upon the amenity of neighbouring properties, the Council may require the owner to treat the building / roof to reduce the reflectivity to a level acceptable to Council;
 - g. 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; and
2. Council refuses an application for Retrospective Additions (Enclosure of Carport) at No. 12 (Lot 188) Brockman Avenue,

Dalkeith in accordance with the application and plans received 16 July 2012 the for the following reasons:


- a. The application is contrary to Clause 5.6.2(d) of the City of Nedlands Town Planning Scheme No.2 (TPS2) and there is no discretion under TPS2 for this provision to be varied;
- b. The application does not comply with Council's Policy 6.23 '*Carports and Minor Structures Forward of the Primary Street Setback*'; and
- c. The proposal will not be orderly and proper planning.

Advice Notes specific to this approval:

1. 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.
2. The City does not recommend any air-conditioner or mechanical equipment is installed near a property boundary where it is likely noise from such mechanical equipment in these locations will intrude on neighbouring properties. Prior to selecting a location to install an air-conditioner, applicant is advised to consult the online fairair noise calculator at www.fairair.com.au and use this as a guide on air-conditioner placement so as to prevent noise affecting neighbouring properties. Prior to installing an air-conditioner or mechanical equipment, the applicant is advised to consult residents of neighbouring properties and if necessary take measures to prevent noise affecting neighbouring properties.

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| PD39.12 | Dedication of portions of land within West Coast Highway reserve between Rochdale Road and Alfred Road as Road Reserve |
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|------------------|-------------------|
| Committee | 11 September 2012 |
| Council | 25 September 2012 |

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| Applicant | Main Roads Western Australia |
| Owner | State of Western Australia |
| Officer | Michael Swanepoel - Senior Strategic Planner |
| Director | Peter Mickleson - Director Planning & Development Services |
| Director Signature |  |
| File ref. | WE3 |
| Previous Item No's | N/A |
| Disclosure of Interest | No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> . |

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

Moved – Councillor James
 Seconded – Councillor Collins

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

CARRIED UNANIMOUSLY EN BLOC 10/-


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| <p>Council Resolution / Committee Recommendation / Recommendation to Committee</p> <p>Council concurs with the dedication of the portions of land as West Coast Highway shown as items 11, 15, 19, and 21 in attachment 1 as 'Road Reserve' under Section 56 of the <i>Land Administration Act 1997</i>.</p> |
|--|

12.3 Technical Services Report No's TS18.12 to TS19.12 (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.

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|----------------|---|
| TS18.12 | Request for Retrospective Approval of Nature Strip Development at 47 Esplanade, Nedlands |
|----------------|---|

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|------------------|-------------------|
| Committee | 11 September 2012 |
| Council | 25 September 2012 |

| | |
|-------------------------------|---|
| Applicant | City of Nedlands |
| Owner | City of Nedlands |
| Officer | Andrew Dickson – Manager Parks Services |
| Director | Andrew Melville – Acting Director Technical Services |
| Director Signature |  |
| File ref. | ES1/47, M12/10245, D12/10950 |
| Previous Item No's | Item 12.4 Report CP31.12 – Council Meeting – 24 July 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 Collins
 Seconded – Councillor Hassell

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

CARRIED 9/1
(Against: Cr. Walker)


Council Resolution / Committee Recommendation / Recommendation to Committee

Council approves the request for retrospective approval of the nature strip development adjacent to 47 Esplanade, Nedlands subject to the following conditions being completed within 28 days ensuring compliance with the City of Nedlands Nature Strip Development policy:

- 1. the various components of the nature strip development are to be modified so that artificial grass does not comprise more than 40% and garden beds and/or other natural elements comprises a minimum of 20% of the total nature strip area;**
- 2. drainage is installed to the artificial grass sub base, as approved by Administration, to ensure that all storm water is retained within the nature strip area;**
- 3. The City is indemnified by the owner of 47 Esplanade, Nedlands against all claims arising out of, or in connection with the nature strip development.**

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|----------------|---|
| TS19.12 | Requests for Street Tree Removals Referred for Council Consideration |
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|------------------|-------------------|
| Committee | 11 September 2012 |
| Council | 25 September 2012 |

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|-------------------------------|---|
| Applicant | City of Nedlands |
| Owner | City of Nedlands |
| Officer | Andrew Dickson – Manager Parks Services |
| Director | Andrew Melville – A/Director Technical Services |
| Director Signature |  |
| File ref. | AR1, ME2/54, GR9/80, PRS/117 |
| Previous Item No's | Item 12.4 report CP31.12 - Council Minutes - 24 July 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) – Councillors did not approve the requests from 54 Melvista Avenue, Dalkeith or 7 Archdeacon Street, Nedlands and did not require compensation for loss of amenity value for 31 Bulimba Road.

Moved – Councillor James
 Seconded – Councillor Walker

The Presiding Member agreed that each clause would be voted on separately.

Council:

1. **approve the request for the removal of the Hills Weeping Fig (*Ficus microcarpa var hillii*) street tree adjacent to 80 Grovedale Street, Floreat subject to replacement by a suitable species;**

**CARRIED 9/1
 (Against: Cr. Walker)**

2. **approve the request for the removal of two (2) Hills Weeping Fig (*Ficus microcarpa var hillii*) street trees adjacent to 54 Melvista Avenue, Dalkeith subject to replacement by a suitable species;**

**Lost on the casting vote 5/6
 (Against: Mayor Hipkins Crs. Horley Hassell Porter Walker)**

3. approve the request for the removal of the Hills Weeping Fig (*Ficus microcarpa var hillii*) street tree adjacent to 7 Archdeacon Street, Nedlands subject to replacement by a suitable species; and

Lost 4/6

(Against: Mayor Hipkins Crs. Horley Argyle Hassell Porter Walker)

4. approve the request for removal of the Jacaranda (*Jacaranda mimosifolia*) street tree adjacent to 31 Bulimba Road (Barcoo Ave nature strip), subject to the owner consenting to:

- a. covering 100% of the cost for the City to remove the tree and plant a replacement tree of an appropriate size and species at a suitable location on the same verge;

CARRIED 6/4

(Against: Crs. Horley Porter Binks & Walker)

Council Resolution

Council:

1. approve the request for the removal of the Hills Weeping Fig (*Ficus microcarpa var hillii*) street tree adjacent to 80 Grovedale Street, Floreat subject to replacement by a suitable species;
2. approve the request for removal of the Jacaranda (*Jacaranda mimosifolia*) street tree adjacent to 31 Bulimba Road (Barcoo Ave nature strip), subject to the owner consenting to:
 - a. covering 100% of the cost for the City to remove the tree and plant a replacement tree of an appropriate size and species at a suitable location on the same verge;

Please note: Administration Recommendation now includes the street tree on Archdeacon Street (see clause 3).

Administration Recommendation to Council

Council:

1. approve the request for the removal of the Hills Weeping Fig (*Ficus microcarpa* var *hillii*) street tree adjacent to 80 Grovedale Street, Floreat subject to replacement by a suitable species;
2. approve the request for the removal of two (2) Hills Weeping Fig (*Ficus microcarpa* var *hillii*) street trees adjacent to 54 Melvista Avenue, Dalkeith subject to replacement by a suitable species;
3. approve the request for the removal of the Hills Weeping Fig (*Ficus microcarpa* var *hillii*) street tree adjacent to 7 Archdeacon Street, Nedlands subject to replacement by a suitable species; and
4. refuse the request for removal of the Jacaranda (*Jacaranda mimosifolia*) street tree adjacent to 31 Bulimba Road (Barcoo Ave nature strip), Nedlands on the grounds of leaf fall; alternatively Council may, in accordance with current policy, consider approval subject to the owner consenting to:
 - a. compensating the City \$1732.00 being the amenity value of the tree as determined by the City's tree audit; and
 - b. covering 100% of the cost for the City to remove the tree and plant a replacement tree of an appropriate size and species at a suitable location on the same verge;

Committee Recommendation

That this matter be referred back to Administration to address information on the street tree on Archdeacon Street that is mentioned in the arboricultural report.

Recommendation to Committee

Council:


1. approve the request for the removal of the Hills Weeping Fig (*Ficus microcarpa* var *hillii*) street tree adjacent to 80 Grovedale Street, Floreat subject to replacement by a suitable species;
2. approve the request for the removal of two (2) Hills Weeping Fig (*Ficus microcarpa* var *hillii*) street trees adjacent to 54 Melvista Avenue, Dalkeith subject to replacement by a suitable species; and
3. refuse the request for removal of the Jacaranda (*Jacaranda mimosifolia*) street tree adjacent to 31 Bulimba Road (Barcoo Ave nature strip), Nedlands on the grounds of leaf fall; alternatively Council may, in accordance with current policy, consider approval subject to the owner consenting to:
 - a. compensating the City \$1732.00 being the amenity value of the tree as determined by the City's tree audit; and
 - b. covering 100% of the cost for the City to remove the tree and plant a replacement tree of an appropriate size and species at a suitable location on the same nature strip;

12.4 Community & Organisational Development Report No's CM07.12 to CM08.12 (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.

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| CM07.12 Proposed Blessing of the River Event |
|---|

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| Committee | 11 September 2012 |
| Council | 25 September 2012 |

| | |
|-------------------------------|---|
| Applicant | City of Nedlands |
| Owner | City of Nedlands |
| Officer | Misha Elliott – Community Development Officer (Community Groups and Events) |
| Director | Marion Granich – A/Director Community & Organisational Development |
| Director Signature |  |
| File ref | CMS/505 |
| Previous Item No's | N/A |
| Disclosure of Interest | No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> . |

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

Moved – Councillor James
 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

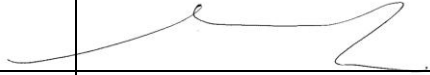
Council approves expenditure of \$4,250 in unbudgeted funds to provide a Blessing of the River event, to be combined with a family picnic day supported by Council, this expenditure to be incorporated into the midyear budget review.

Recommendation to Committee

Council approves expenditure of \$4,250 in unbudgeted funds to provide a Blessing of the River event, this expenditure to be incorporated into the midyear budget review.

CM08.12 Access Working Group – Council Representation

| | |
|------------------|-------------------|
| Committee | 11 September 2012 |
| Council | 25 September 2012 |

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|-------------------------------|---|
| Applicant | City of Nedlands |
| Owner | City of Nedlands |
| Officer | Marion Granich – A/Director Community & Organisational Development |
| Director | Marion Granich – A/Director Community & Organisational Development |
| Director Signature |  |
| File ref. | CMS/505 |
| 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) – Councillor Walker withdrew her nomination and nominated Councillor Horley instead. Councillor Horley accepted the nomination.

Moved – Councillor Walker
 Seconded – Councillor Binks

Council appoints Councillor Collins & Councillor Horley to be its representatives on the City's Access Working Group.

CARRIED UNANIMOUSLY 10/-

Council Resolution

Council appoints Councillor Collins & Councillor Horley to be its representatives on the City's Access Working Group.

Committee Recommendation

Council appoints Councillor Collins & Councillor Walker to be its representatives on the City's Access Working Group.

Recommendation to Committee


Council appoints Councillor _____ & Councillor _____ to be its representatives on the City's Access Working Group.

12.5 Corporate & Strategy Report No's CP38.12 to CP42.12 (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.

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| CP38.12 | Monthly Financial Report – July 2012 |
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| Committee | 11 September 2012 |
| Council | 25 September 2012 |

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| Applicant | City of Nedlands |
| Owner | City of Nedlands |
| Officer | Rajah Senathirajah – Manager Finance |
| Director | Darla Blake – 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 James
 Seconded – Councillor Collins


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

CARRIED UNANIMOUSLY EN BLOC 10/-

| |
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| <p>Council Resolution / Committee Recommendation / Recommendation to Committee</p> <p>Council receives the Monthly Financial Report for July 2012 (Refer to Attachments).</p> |
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| | |
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| CP39.12 | Investment Report – July 2012 |
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| Committee | 11 September 2012 |
| Council | 25 September 2012 |

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|-------------------------------|---|
| Applicant | City of Nedlands |
| Owner | City of Nedlands |
| Officer | Rajah Senathirajah – Manager Finance |
| Director | Darla Blake – 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 James
 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 July 2012 (refer to attachment).

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| CP40.12 | List of Accounts Paid – July 2012 |
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| Committee | 11 September 2012 |
| Council | 25 September 2012 |

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| Applicant | City of Nedlands |
| Owner | City of Nedlands |
| Officer | Rajah Senathirajah – Manager Finance |
| Director | Darla Blake – 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 James
 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 July 2012 (Refer to Attachment).

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| CP41.12 | Policy Review |
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| Committee | 11 September 2012 |
| Council | 25 September 2012 |

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| Applicant | City of Nedlands |
| Owner | City of Nedlands |
| Coordinator | Phoebe Huigens – Acting Coordinator Corporate & Strategy |
| Director | Darla Blake – A/Director Corporate & Strategy |
| Director Signature |  |
| File ref | CRS/055 |
| 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 Somerville-Brown

That the Recommendation to Council is adopted.

(Printed below for ease of reference)

Amendment

Moved - Councillor Horley
 Seconded - Councillor Binks (Pro forma)

That the Recommendation to Council is adopted subject with the exception of the State Administration Tribunal - Response to appeals Policy, be referred back to Administration for further refinement.

Councillor Walker left the room at 8.09 pm and returned at 8.10 pm.

The Presiding Member ruled that Councillor Walker no longer be heard for the rest of the meeting.

Councillor Walker retired from the meeting 8.13 pm.

AMENDMENT Lost 2/7
 (Against: Mayor Hipkins Crs. Collins Argyle Hassell Porter Binks & James)

The substantive motion was put and

**CARRIED 8/1
(Against: Cr. Horley)**

Council Resolution / Committee Recommendation

Council

- 1. approves the following policies:**
 - a. Deputations to Council**
 - c. Development of Policies and Administrative Protocols**
- 2. Approves the following policies with the following amendments:**
 - b. State Administrative Tribunal – Response to Appeals - under the heading “Decisions made by Council contrary to the Administration Recommendation”:**
 - in the first paragraph, adding the words “that moved or seconded” after the words “2 elected members”;
 - in the first dot point of paragraph 2, adding the words “supporting the Council’s position” after the words “Elected Member”; and
 - in the third last paragraph, adding the words “provided by the Council’s appointed solicitor” after the word “advice”.
 - d. Dinghy Storage on River Foreshore Reserves – under the heading “Statement”:**
 - adding the words “so as not to interfere with public enjoyment” after the words “foreshore to continue”; and
 - change the word “consideration” to “priority”.


Recommendation to Committee

Council approves the following policies:

- a. Deputations to Council
- b. State Administrative Tribunal – Response to Appeals
- c. Development of Policies and Administrative Protocols
- d. Dinghy Storage on River Foreshore Reserves

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| CP42.12 | Review of Council's Delegated Authorities – July 2012 |
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| Committee | 11 September 2012 |
| Council | 25 September 2012 |

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|-------------------------------|---|
| Applicant | City of Nedlands |
| Owner | City of Nedlands |
| Officer | Phoebe Huigens – Acting Coordinator Corporate Services |
| Director | Darla Blake – A/Director Corporate & Strategy |
| Director Signature |  |
| File ref. | CRS/058 |
| 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 James
 Seconded – Councillor Collins

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

CARRIED UNANIMOUSLY EN BLOC 10/-

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| Council Resolution / Committee Recommendation | |
| Council | |
| 1. | Revokes the numbering on Delegations; |
| 2. | Retains the following Delegations of Authority without amendment; |
| | <ul style="list-style-type: none"> • Requests for Financial Assistance; • Landscaping River Foreshores; • Issuing Section 3.25 Notices; • Signing of Metropolitan Region Scheme Form 1 Applications; • Liquor Licensing Act Functions; and • Active Recreation Area Use; |

- 3. Amends the Delegated Authority – Private Works - by replacing the words “provided such works can be fitted into the works programme without undue disruption; such works may only be for properties within the City of Nedlands” with the words “provided that: such works can be fitted into the works programme without undue disruption; such works may only be for properties within the City of Nedlands, and; that the works are charged on a cost recovery basis, and that these fees are included in the City’s schedule of fees and charges”;**
- 4. Amends the Delegated Authority – Traffic Management Committee - by removing the word “Committee” from the title, and by replacing “Traffic Management Committee” with “Chief Executive Officer”;**
- 5. Amends the Delegated Authority – Use of Reserves during Building Operations on Adjacent Property - by adding the words “in consultation with the Mayor” after the words “Chief Executive Officer”;**
- 6. Amends the Delegated Authority – Town Planning Scheme No. 2 – Approval and Refusal of Planning Applications - by:**

 - deleting the word “where” from “where after advertising where no valid objections”; replacing 1c “Developments involving subdivision, producing up to four lots or amalgamations of up to four lots and recommendations to the Western Australian Planning Committee of such subdivisions and amalgamations and that a copy of comments be made available to Elected Members as they are made available to the WAPC” with “Developments in accordance with the R-codes, involving subdivision or amalgamations, and any recommendations made to the Western Australian Planning Committee of such subdivisions and amalgamations, provided that a copy of comments be made available to Elected Members as they are made to the WAPC”;**
 - add the words “after advertising” after the words “comply with Council Policy” in 1e; replace “four(4)” in 1h. With “two(2)”;** and
 - further delegating to Planning Officers, 1b), 1e), 1f), 1g) (single storey developments only) and 1h) (single storey developments only);** and
 - add the words “ in accordance with zoning” after the words “involving subdivision;**

- 7. Amends the Delegated Authority – Trading in Public Places - by adding “(“charitable organisation” as defined by the City of Nedlands Local Law Relating to Trading in Public Places” after the words “charitable organisation”.**

Recommendation to Committee

Council

1. Revokes the numbering on Delegations;
2. Retains the following Delegations of Authority without amendment;
 - Requests for Financial Assistance;
 - Landscaping River Foreshores;
 - Issuing Section 3.25 Notices;
 - Signing of Metropolitan Region Scheme Form 1 Applications;
 - Liquor Licensing Act Functions; and
 - Active Recreation Area Use;
3. Amends the Delegated Authority – Private Works - by replacing the words “provided such works can be fitted into the works programme without undue disruption; such works may only be for properties within the City of Nedlands” with the words “provided that: such works can be fitted into the works programme without undue disruption; such works may only be for properties within the City of Nedlands, and; that the works are charged on a cost recovery basis, and that these fees are included in the City’s schedule of fees and charges”;
4. Amends the Delegated Authority – Traffic Management Committee - by removing the word “Committee” from the title, and by replacing “Traffic Management Committee” with “Chief Executive Officer”;
5. Amends the Delegated Authority – Use of Reserves during Building Operations on Adjacent Property - by adding the words “in consultation with the Mayor” after the words “Chief Executive Officer”;
6. Amends the Delegated Authority – Town Planning Scheme No. 2 – Approval and Refusal of Planning Applications - by:
 - deleting the word “where” from “where after advertising where no valid objections”; replacing 1c “Developments involving subdivision, producing up to four lots or amalgamations of up to four lots and recommendations to the Western Australian Planning Committee of such

subdivisions and amalgamations and that a copy of comments be made available to Elected Members as they are made available to the WAPC” with “Developments in accordance with the R-codes, involving subdivision or amalgamations, and any recommendations made to the Western Australian Planning Committee of such subdivisions and amalgamations, provided that a copy of comments be made available to Elected Members as they are made to the WAPC”;

- add the words “after advertising” after the words “comply with Council Policy” in 1e; replace “four(4)” in 1h. With “two(2)”;and
 - Further delegating to Planning Officers, 1b), 1e), 1f), 1g) (single storey developments only) and 1h) (single storey developments only);
7. Amends the Delegated Authority – Trading in Public Places - by adding “(“charitable organisation” as defined by the City of Nedlands Local Law Relating to Trading in Public Places” after the words “charitable organisation”.

13. Reports by the Chief Executive Officer

13.1 List of Delegated Authorities – August 2012

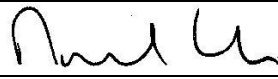
Moved – Councillor Collins
 Seconded – Councillor Somerville-Brown

The attached List of Delegated Authorities for the month of August 2012 is received.

CARRIED UNANIMOUSLY 9/-

13.2 Draft City of Nedlands Strategic Community Plan 2013-2023

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| Committee | 11 September 2012 |
| Council | 25 September 2012 |

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|-------------------------------|---|
| Applicant | City of Nedlands |
| Owner | City of Nedlands |
| Director | Darla Blake – Acting Director Corporate & Strategy |
| Acting CEO | Mike Cole – Acting Chief Executive Officer |
| Acting CEO's Signature |  |
| File ref. | STR/003-10 |
| 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> . |

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 9/-

Council Resolution / Committee Recommendation / Recommendation to Council

Council approves the release of the Draft City of Nedlands Strategic Community Plan 2013-2023, for Community comment.

13.3 Metro West JDAP Application – 118 (Lot 88) Monash Avenue Nedlands – Proposed Nursing Home Redevelopment (135 beds) and incidental uses including Office – General, Consulting Rooms and Shop in a 5 Storey Building (plus Basement)

Regulation 11(da) - *

Moved – Councillor Binks

Seconded – Councillor Somerville-Brown

Council endorses the officer recommendation.

Amendment

Moved - Councillor James

Seconded - Councillor Collins

but requests the setback from Monash Avenue to be 6 metres.

AMENDMENT CARRIED UNANIMOUSLY 9/-

The substantive was put and

CARRIED 5/4

(Against: Crs. Horley Hassell Porter & James)

Council Resolution

Council endorses the officer recommendation, but requests the setback from Monash Avenue to be 6 metres.



Government of **Western Australia**
Development Assessment Panels

Form 1 - Responsible Authority Report (Regulation 12)

| | |
|------------------------------------|---|
| Application Details: | Proposed Nursing Home Redevelopment (135 beds) and incidental uses including Office – General, Consulting Rooms and Shop in a 5-Storey Building (plus Basement) |
| Property Location: | No. 118 (Lot 88) Monash Avenue, Nedlands |
| DAP Name: | Metro West JDAP |
| Applicant: | TPG Town Planning, Urban Design and Heritage |
| Owner: | Regis Aged Care Pty Ltd |
| LG Reference: | DA2012/284 |
| Responsible Authority: | City of Nedlands |
| Authorising Officer: | Peter Mickleson – Director Planning & Development Services |
| Application No and File No: | DA2012/284 – MO1/118-07 |
| Report Date: | 17 September 2012 |
| Application Receipt Date: | 16 July 2012 |
| Application Process Days: | 80 calendar days |
| Attachment(s): | 1 – Internal Advice Notes 2 – Locality Plan 3 – Development Plans 4 - Elevation Plans and Section 5 – Landscape Concept Plan 6 – Applicant's Report 7 – Scheme - Schedule V - No. 118-120 Monash Avenue, Nedlands 8 – Approved Master Plan |

Recommendation:

That the Metropolitan West Joint Development Assessment Panel resolves to:

- A. Approve** DAP Application reference DA2012/284 and accompanying plans comprising of Attachments 3-5 dated 16 July 2012 and 13 September 2012, in accordance with the provisions of the *City of Nedlands Town Planning Scheme No. 2*, subject to the following conditions and advice notes:

Conditions

1. Landscaping- in relation to the portion of the lot between the street boundary and the setback line:
 - a. A revised landscaping plan having due regard to Council's Greenway Policy shall be prepared and approved by the City. The landscaping plan shall include but not limited to the following; the

- location and species of vegetation and details of any hard landscaping proposed;
- b. The landscaping shall be established prior to the development being first occupied and thereafter maintained to the satisfaction of the City throughout the life of the development.
2. Trees- the two mature Peppermint Trees near Rookstone Court to be retained and shall not be removed without prior written approval from the City's Manager Park Services.
 3. Glare- the use of bare or painted metal building materials is permitted on the basis that, if during or following the erection of the development the Council forms the opinion that glare which is produced from the building / roof has or will have a significant detrimental effect upon the amenity of neighbouring properties, the Council may require the owner to treat the structure to reduce the reflectivity to a level acceptable to Council.
 4. Pre-Works- all footings and structures to retaining walls, dividing fences and parapet walls shall be constructed wholly inside the boundaries of the site's Certificate of Title.
 5. Construction Management Plan- shall be prepared to the satisfaction of the City's Environmental Health section, prior to the commencement of construction. The plan shall detail how the proposed construction will be managed to minimise environmental impacts and shall address:
 - a. Staging plan for the entire works;
 - b. Applicable timeframes and assigned responsibilities for tasks;
 - c. On-site storage of materials and equipment;
 - d. Parking for contractors;
 - e. Waste management;
 - f. Management of noise in accordance with the requirements of the Environmental Protection (Noise) Regulations 1997;
 - g. Management of vibrations; and
 - h. Complaints and incidents procedures.
 6. Noise - the applicant shall engage the services of a suitably qualified acoustic engineer (who is suitable for membership of either the Australian Acoustical Society or the Association of Australian Acoustical Consultants) to prepare and submit an acoustic report, to the satisfaction of the City, prior to fit-out of the building, and to including the following:
 - a. Comparison with noise criteria - *Environmental Protection (Noise) Regulations 1997*;
 - b. Noise impact prediction for the proposed development;
 - c. Acoustic solutions for building design (AS/NZS 2107:2000 Acoustics –Recommended Design Sound Levels and Reverberation Times for Building Interiors);

- d. Engineering and/or operational noise management solutions;
 - e. Noise modelling for impact on a number of noise sensitive, commercial premises receivers, taking into account meteorological and topographical effects;
 - f. Site-specific issues including mechanical exhaust and ventilation, air conditioning / refrigeration / compressor equipment, service vehicle access routes and any time restrictions, vehicle reversing alarms and loading bay locations (waste collection and deliveries), mechanical sources, operational times, commercial shop use and piped music and closest noise sensitive receivers.
- 7. Storm water- the storm water disposal system shall cater for a 20 year storm event with an overland path provided, or shall cater for a 100 year storm event.
 - 8. Car-parking- the car bays shall be marked on site as indicated on the approved site plan, in order to comply with the requirements of clause 5.4.1.4 of Town Planning Scheme No. 2. Such marking shall be subsequently maintained so that the delineation of bays remains clearly visible at all times.
 - 9. Car-parking- shall be in accordance with AS/NZS2890.1-2004; AS2890.2:2002 and AS/NZS2890.6.2009, with particular reference to:
 - a. where car bays are adjacent to columns, the columns are to be setback a minimum of 0.75m from the rear of the car bay.
 - 10. Infrastructure- where the development necessitates the removal or relocation of the City's infrastructure (e.g. drainage on the Site), the developer shall bear the full cost of the City's works.
 - 11. Further development- any additional development, which is not in accordance with the approved plans or above conditions, requires further approval by the City.

Advice Notes

- 1. Sign licence- a separate application for a Sign Licence is required for any proposed signage.
- 2. Internal requirements- the development will be subject to the attached Engineering, Environmental Health and Sustainable Environment requirements (refer to Attachment 1).

B. Advise the applicant and the City of Nedlands of its decision accordingly.

Background:

| | |
|-----------------------|--|
| Property Address: | No. 118 (Lot 888) Monash Avenue, Nedlands |
| Zoning | MRS: Urban |
| | TPS: Special Use - Various |
| Use Class: | <p>'P' Permitted: Nursing home</p> <p>'IP' Not permitted unless such use is incidental to the predominant use as decided and approved by Council: Consulting Rooms Office – General Shop</p> <p>All other uses are not permitted unless identified in approved Master Plan, and then the proposed use shall be subject to the provisions of Clause 6.3.3 and 6.3.4 of the Scheme: Restaurant</p> |
| Strategy Policy: | N/A |
| Development Scheme: | Town Planning Scheme No. 2 (TPS2) |
| Lot Size: | 60, 306m ² |
| Existing Land Use(s): | Nursing Home, Aged Persons Dwellings and other 'IP' (incidental) uses |
| Value of Development: | \$27 million |

The lot has frontages to Monash Avenue to the north, Williams Road to the east, Karella Street to the south and Smyth Road to the west, as seen in the aerial photograph below (refer to Figure 1). The development site is located in the central -north portion of the lot, with frontage to Monash Avenue (refer to Figure 1).

The surrounding land uses are existing Nursing Home and Aged Persons Dwellings on the subject lot and Hollywood Primary School & Hollywood Private Hospital opposite the development site on Monash Avenue. The relationship between the proposed development and the surrounding built environment is shown in Attachment 2.



Figure 1: aerial photography

A Master Plan for the site was approved by Council in 2002, which provides an indicative outline of the proposed future use of the site at that time. It is noted that in 2007, a new Master Plan was supported by Council for public consultation, however this Master Plan did not proceed.

In 2008, subdivision approval was granted by the Western Australian Planning Commission (**WAPC**) for a two lot subdivision, Lot 888 (subject lot for this application) and Lot 889.

Development approval was issued by the City of Nedlands in 2008 for an Aged Care Facility on Lot 889 (south western corner of the site). The previous units on this site have been demolished, however the new Aged Care Facility has not been built, and the planning approval has now expired.

Subdivision approval was granted by the WAPC in 2012 to subdivide Lot 888 into three lots. At present, this subdivision has not been cleared.

In July 2012, the City received an application for a 5-storey (plus Basement) Nursing Home Redevelopment on the subject site.

Details: outline of development application

The proposed development consists of the following (refer to Attachments 3-4):

Overall

- 5-storeys, plus 62 bay basement car park
- Nursing home - 135 aged care bedrooms
- Offices, consulting rooms, supermarket/cafe, hairdresser, day spa
- Other incidental uses

Basement

- 62 car parking bays with access from Monash Avenue
- Stores, kitchen and laundry
- Floor area – 2400m²

Ground Floor

- Entry lobby
- 22 bed units
- Amenities
- Offices
- Supermarket/cafe
- Day centre
- Consulting rooms
- Floor area – 2180 m2

First & Second Floor

- 45 bed units per floor
- Amenities
- Floor area – 2095 m2 per floor

Third Floor

- 23 aged care apartments
- Amenities
- Floor area – 2025 m2

Fourth Floor

- Lifestyle precinct
- Hairdresser
- Day spa
- Cinema/library media
- Amenities
- Floor area – 480 m2

Legislation & policy:

Legislation

City of Nedlands Town Planning Scheme No. 2 (Scheme)

The site is zoned Special Use under the City of Nedlands Town Planning Scheme No. 2 and is subject to Schedule V (refer to Attachment 7).

Schedule V refers to the approved Master Plan (**Master Plan**). The current master plan was approved by Council in 2002 and provides an indicative outline of the proposed future use of the site at that time (refer to Attachment 8). The main focus of the Master Plan was to improve the urban design aspects of the current aged person development, with some changes to the location of facilities within the site.

The application has the following differences to the Master Plan for the site:

- (i) The nursing home facility is being redeveloped in the centre - north portion of the site (the existing location of the nursing home). The Master Plan adopted in 2002 shows the Nursing Home facility being relocated to the centre - east portion of the site and the Administration Centre being located in the existing centre - north portion of the site.
- (ii) The height of the building is 4 storeys above ground level facing the street and up to 5 storeys at the centre of the building. The Master Plan adopted in 2002 recommends 3 storeys adjoining all boundaries of the site and up to 6 storeys located towards the centre of the site.

State Government Policies

Nil

Local Policies

Policy 6.4 'Neighbour Consultation – Planning Applications'.

Consultation:

Consultation with other Agencies or Consultants

- *City of Nedlands Engineering Section*

The application was referred to the City's Engineering section on engineering matters. In response, the section advised in summary:

1. The storm water disposal system will need to cater for the 20 year storm event and provide an overland flow path, or alternatively will cater for 100 year storm event.
2. The nib wall near the entry of the undercroft carpark is required to be open or visually permeable above 0.75m high, to allow for adequate sightlines.
3. The column locations adjacent to car bays in the undercroft car park are to be setback at minimum 0.75m from the front of the car bay.
4. The existing bitumen crossovers are to be upgraded to the current standard, levels to match the existing footpath and the wings are to be a minimum 3m radius.
5. A one way system is recommended for the undercroft carpark, in a clockwise direction to assist traffic manoeuvring.
6. The existing headroom along the entry driveway (in front of the Aged Care Facility entry and drop off), should allow for the largest expected service vehicle.

- *City of Nedlands Environmental Health Section*

The application was referred to the City's Environmental Health section to assess environmental health matters. In response, the section advised in summary:

1. An inside bin collection service is required as a collection from the street is not possible due to the number of bins;
 2. The bin enclosures shall be constructed as per the City's requirements.
 3. An acoustic report to the satisfaction of the City is required, however it is envisaged that this will not meaningfully affect the design of the building and as such will not require major changes. A suitable fit-out of the building will resolve any noise issues;
 4. Food businesses and hairdressing establishments to meet standard conditions for these uses;
 5. Other standard conditions.
- *City of Nedlands Sustainable Environment Section*

The application was referred to the City's Sustainable section on environmental matters. In response, the section advised in summary:

1. The development site falls within the buffer of a confirmed Carnaby's Black Cockatoo (*Calyptorhynchus latirostris*) roosting site (Hollywood Hospital Site Nedlands (R3)).
2. The development site falls along the Monash Avenue greenway as identified in the City of Nedlands Greenways Policy. This policy identified land where action could be taken to enhance local and regional ecological corridors. Main roads with wide verges were selected for revegetation specifically where they connected important local areas in parks and reserves.
3. The development site falls within a regional ecological linkage area identified by the Perth Biodiversity Project linking Kings Park through Hollywood Reserve to Bold Park.
4. There are trees on the site that have been indicated for removal. Given the site falls within the buffer of a confirmed Carnaby's Black Cockatoo roosting site and that it is part of an ecological linkage area these trees could be considered possible food and roosting habitat.

As a result of the above, suitable conditions and advice notes are recommended.

Public Consultation

The application was advertised to the public from 10 August 2012 – 31 August 2012. Public consultation included the following:

- Letters sent to land owners and occupiers surrounding the development site;
- Plans and supporting information made available at the City's Administration Centre, Centennial Close Temporary Centre and on the City's website;
- Advertising on the City's website

- Advertising on the DAP section of the Western Australian Planning Commission's website.
- The City's Officer/s - available in-person, by phone, letter, fax and email to discuss proposal

In total eleven (11) submissions were received; four (4) in support of the proposal, two (2) objections, one (1) no comment and four (4) provided comments but did not indicate if they were for or against the proposal. A summary of the public consultation and response from the City is included in Table 1 below:

Table 1: Summary of Submissions Received

| | |
|------------------------------|--|
| Issue: | Parking |
| Summary of comment received: | The design must include adequate car parking on-site during and after construction. There is minimal parking available in the surrounding streets. |
| Applicant's Response: | The City of Nedlands Scheme requires 34 bays to be provided and 62 bays are proposed, 28 more than required. A temporary parking area for construction vehicles will be set aside during construction. It is anticipated that a condition will be imposed on the approval for a Construction Management Plan to be prepared and implemented to address this issue. |
| City's Response: | The Scheme requires at minimum 34 car bays to be provided for the development. A basement car bay with 62 car bays is proposed. A surplus 28 car bays are proposed. It is considered there is sufficient car parking on-site for the development. In relation to parking during construction, if the application is approved it is recommended that the JDAP impose a condition requiring a Construction Management Plan (including plans for contractor/construction parking) be prepared and implemented. |
| Issue: | Traffic |
| Summary of comment received: | Concern of increased traffic along Monash Avenue and Smyth Road. Traffic on Monash Avenue is a nightmare already with the hospital, school and numerous medical practices and has numerous intersections and driveways. |
| Applicant's Response: | A Transport Assessment was submitted with the application. The development is expected to result in an additional 8 vehicles per hour in the PM Peak period, 5 cars leaving the development and 3 cars arriving. The impact on the surrounding road network is therefore considered to be minimal and well within the capacity of the surrounding road network. |
| City's Response: | A Traffic Impact Study has been completed for the proposal. The study found that redevelopment will have minimal impact on the surrounding road network, and at peak times would only result in an additional eight vehicles than the existing situation. In regards to vehicle access to the site, no additional crossovers are proposed, and the existing crossovers on |

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| | <p>Monash Avenue will be used to access the basement car park. For further information refer to the discussion section and Appendix F in Attachment 6.</p> |
| Issue: | Construction |
| Summary of comment received: | <p>During construction traffic along Monash Avenue could be congested during peak periods. The primary school is concerned about utility interruptions, noise and large vehicles on Monash Avenue during construction. We will require communication during stages of construction to ensure contingency plans in unforeseen circumstances.</p> |
| Applicant's Response: | It is anticipated that a condition will be imposed on the approval for a Construction Management Plan to be prepared and implemented to address this issue. |
| City's Response: | A condition on approval is recommended to be imposed by the JDAP to ensure a Construction Management Plan is prepared and implemented to the satisfaction of the City. It is recommended the construction management plan addresses (but not be limited) to the following; noise, vibrations, parking, waste, storage of materials & equipment, complaints & incidents. |
| Issue: | Pedestrian crossing |
| Summary of comment received: | The primary school has requested if the developer could liaise with the City to install button controlled lights at the pedestrian crossings currently manned by traffic wardens at the busy times of the day. |
| City's Response: | The button controlled pedestrian lights are referred to as pelican crossings. Pelican crossings are identified by Main Roads as being appropriate in locations with high pedestrian crossing volumes and high traffic volumes. According to the Main Roads matrix, Monash Avenue (near Smyth Road) does not have sufficient vehicle movements per hour to warrant a pelican crossing. |
| Issue: | Location of proposed nursing home |
| Summary of comment received: | The proposal should not front Monash Avenue, instead it should use Karella Street, Williams Road or Smyth Road for its main entrance. Traffic on Monash Avenue is a nightmare already with the hospital, school and numerous medical practices, and has numerous intersections and driveways. |
| Applicant's Response: | Disagree. The existing Nursing Home already fronts Monash Avenue. |
| City's Response: | The approved Master Plan shows the Nursing Home Facility being located on the centre - east portion of the site, fronting Williams Road (refer to Attachment 2). The proposed nursing home is in the existing location of the current Park Lodge Nursing Home. The Scheme does not control the location of land uses within the site. The Master Plan only provides an |

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| | indicative outline of the proposed future use of the site, rather than explicitly stating the location of certain uses on the lot. For further discussion, see below. |
| Issue: | Use of site |
| Summary of comment received: | The land should be resumed from its restrictive use of Aged Care and become part of the Queen Elizabeth Medical Centre. |
| Applicant's Response: | The proposed use is consistent with the Scheme and is under private ownership. |
| City's Response: | Noted |
| Issue: | Retention of Peppermint trees |
| Summary of comment received: | Would like the two mature Peppermint trees in Rookstone Court to remain. |
| Applicant's Response: | The Peppermint Trees in Rookstone Court are to remain. This can be included as a condition of approval. |
| City's Response: | It is recommended that the JDAP include a condition of approval requiring the two Peppermint trees in Rookstone Court to remain and not be removed without prior written consent from the Manager Park Services. |
| Issue: | Broken promises by the Landowner |
| Summary of comment received: | <p>Hope the current proposal does not go the way of Regis' many promises during the past five years.</p> <p>5 ½ years ago I was moved from my unit for the good of the community, on the promise of a new nursing home. I hope we do not lose the mini mart, coffee shop, hairdresser & day centre when the new nursing home is built.</p> <p>What was wrong with building the nursing home on the vacant lot, as promised in the previously.</p> <p>The units on the Smyth & Karella Street lot were demolished, and the proposed aged care building was not developed, as building costs in WA were unaffordable at the time.</p> |
| Applicant's Response: | <p>The mini mart, coffee shop hairdresser and day centre in the existing Elloura building are all to remain until the new facility is constructed.</p> <p>A smaller staged development is required for commercial reasons and therefore the building needs to be constructed near the existing Nursing Home facilities for operational efficiencies.</p> |

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| City's Response: | This is not a planning consideration. Even if this application is approved, the City cannot enforce the Landowner to commence construction. |
| Issue: | Partial demolition of Elloura Lodge |
| Summary of comment received: | Concerns regarding what will happen to the residents that currently live in rooms in Elloura Lodge which are proposed to be demolished. |
| Applicant's Response: | All existing residents will continue to be looked after in existing facilities on site. By the time demolition and redevelopment is to take place any existing residents in the portion to be demolished will be moved to vacant beds in the remainder of the facility. Works will not commence until all residents are within suitable on site accommodation. |
| City's Response: | This is not a planning consideration. For information regarding the future plans for the residents that currently live in rooms that are proposed to be demolished, please refer to the Applicant's Response. |

Planning assessment:

The subject application has been assessed in accordance with the abovementioned legislation and policy, with the main statutory provisions listed in Table 2 below.

Table 2: Assessment Summary

| Issue | Requirement | Proposed | Complies? |
|---|------------------------|-------------------------|-----------|
| Land uses <i>Scheme Schedule V (i), (ii) & (iii)</i> | 'P' permitted uses: | Nursing Homes – 'P' | Yes |
| | Aged Persons Dwellings | Consulting Rooms – 'IP' | |
| | Aged Persons Hostel | Office – General – 'IP' | |
| | Residential Building | Shop – 'IP' | |
| | Nursing Homes | | |
| | Public Utility | | |
| | 'IP' permitted uses: | | |
| | Consulting Rooms | | |
| | Office – General | | |
| | Office – Professional | | |
| Office – Service | | | |

| | | | |
|--|--|---|------------|
| | <p>Medical Centre</p> <p>Shop</p> <p>Car Park</p> <p>Place of Public Worship</p> <p>All other uses are not permitted unless identified in the approved Master Plan, and then the proposed use shall be subject to the provisions of Clause 6.3.3 and 6.3.4 of the Scheme</p> | | |
| <p>Building heights</p> <p><i>Scheme Schedule V (iv)</i></p> | <p>As per approved Master Plan.</p> <p>The Master Plan recommends three (3) storeys adjoining all boundaries of the site and up to six (6) storeys located towards the centre of the site.</p> | <p>The proposed height is four (4) storeys above ground level facing the street and up to five (5) storeys at the centre of the building.</p> | <p>Yes</p> |
| <p>Vehicle access points</p> <p><i>Scheme Schedule V (v)</i></p> | <p>As per locations stipulated on the approved Master Plan</p> | <p>Using existing vehicle access points</p> | <p>Yes</p> |
| <p>Front setback</p> <p><i>Scheme Table II</i></p> | <p>Minimum 4.5m</p> | <p>4.58m</p> | <p>Yes</p> |
| <p>Plot ratio</p> <p><i>Scheme Table II</i></p> | <p>Maximum 0.75</p> | <p>Total area (Lot 888): 60,306m²</p> | <p>Yes</p> |

| | | | |
|---|--|---|-----------------------------|
| | | <p>Plot ratio area (PRA):</p> <p>(Park Lodge): 7,249m²</p> <p>(Elloura/Weston): 5,639m²</p> <p>(Wyvern) : 12,210 m²</p> <p>(Independent Living Units): 4,462m²</p> <p>(other) 288m²</p> <p>Total PRA: 29,848 m²</p> <p>Plot ratio: 0.49</p> | |
| <p>Car-parking bays</p> <p><i>Scheme Schedule III</i></p> | <p>Nursing Home (135 beds)</p> <p>Hospital (12 OR 1 per every 4 beds, whichever is greater)</p> <p>Required bays = 34 bays</p> <p><i>Please note: Schedule III has no car parking requirement for Nursing Home, therefore using comparable use class of Hospital. Other uses on-site are incidental and do not require car bays.</i></p> | <p>Overall provided = 62 bays</p> | <p>Yes</p> |
| <p>Landscaping</p> <p><i>Scheme cl. 5.4.2</i></p> | <p>The portion of the lot between the street boundary and the setback line shall be designed and developed to the satisfaction of the Council.</p> | | <p>Refer to Condition 1</p> |
| <p>Amenity</p> <p><i>Scheme cl. 5.5.1</i></p> | <p>Preservation of amenity</p> | | <p>Yes</p> |
| <p>Consideration</p> <p><i>Scheme cl. 6.4.1</i></p> | <p>Consideration of applications</p> | | <p>Yes</p> |

Land uses

Schedule V of the Scheme lists the 'P' permitted and 'IP' incidental uses for the site (refer to Attachment 7). All other uses are not permitted unless identified in the approved Master Plan. The predominate use proposed for the site is Nursing Homes, which is a 'P' use. Incidental uses of Consulting Rooms, Office – General and Shop are proposed, which are 'IP' uses in Schedule V. The applicant's report (refer to Attachment 6) indicates a cafe is proposed. A cafe would fall under the use class of Restaurant under the Scheme. The applicant has since confirmed that a cafe is no longer proposed as part of this application.

"With regard to the former café use, the proposal was never meant to be for use for members of the general public, only for residents, staff and visiting family members. This is the same as the hair dresser and the day spa which is also amenities only for residents and is all ancillary to the predominant Nursing Home use. We are not seeking approval for a café or a restaurant as defined by the Scheme and have amended the plan as outlined above".

As a result, the proposed land uses comply with the uses listed in Schedule V of the Scheme.

Building Height

Schedule V of the Scheme states that building height shall be in accordance with the approved Master Plan for the site. The approved Master Plan recommends a height limit of three and six storeys. The approved Master Plan at 4.3.4 Built form states (emphasis added),

*"...it is **recommended** that **height limit of 6 storeys** be maintained for the site, with a requirement that development of this scale should be **located towards the centre of the site** in order to **minimise the impact** on surrounding uses, particularly that **adjacent residential areas**".*

*"It is considered that the treatment of the **built form along the boundaries to the site, particularly the residential interface**, is of **high importance** so as to maintain an acceptable level of amenity. In order to achieve this the Master Plan recommends that a **height limit of three storeys** be permitted for **development adjoining all boundaries of the site**".*

The height of the building is 4 storeys above ground level facing the street and up to 5 storeys at the centre of the building. Referring to Attachment 2, the lot as a whole is bounded by Monash Avenue, Smyth Road, Williams Road and Karella Street, with the latter two boundaries having residential properties opposite. Development near these boundaries would have to consider the amenity of the adjacent residences.

The intent of the Master Plan is that buildings along the boundaries of the site, adjacent to residential properties are reduced to three storeys to ensure the residential interface will not be impacted. The proposed development site faces Monash Avenue, and is not immediately surrounded by residential

properties. The site is located opposite Hollywood Primary School (zoned Public Purpose) and Hollywood Private Hospital (zoned Special Use). The proposed building height is considered to be in keeping the development site's immediate surrounds.

The direct face of the building is three storeys high and then steps back to four & five storeys. The first three storeys are setback 4.58m from the front of the lot. The fourth storey is setback 6m and the fifth storey is setback 15.05m from the front of the lot. Therefore the building is setback from the front, above the third storey. Overall, the building is 5 storeys, with an underground basement. Therefore the proposal meets the prescribed height limit of 6 storeys as specified in the approved Master Plan.

It is deemed that the building heights meet the requirements and the intent of the approved Master Plan.

Location of Proposal

The Master Plan adopted in 2002 shows the Nursing Home facility being relocated to the centre - east portion of the site, fronting Williams Road and the Administration Centre being located in the existing centre - north portion of the site (refer to Attachment 2). The nursing home facility is being redeveloped in the centre - north portion of the site fronting Monash Avenue, the site of Administration Centre on the Master Plan.

The location of the proposal is considered suitable for the following reasons:

- The Master Plan only provides an indicative outline of the proposed future use of the site, rather than explicitly stating the location of certain uses on the lot.
- The location of the uses at the site are not controlled in Schedule V of the Scheme
- The new Nursing Home facility is proposed at the site of the existing Hollywood Village Park Lodge Nursing Home, which is earmarked to be demolished.
- The ground floor of the proposal includes 68.66m² and 160.15m² of Administration (Office –General use).

Car Parking

The Scheme does not have prescribed car parking requirements for the use class Nursing Home therefore the requirements of the comparable use class of Hospital are used. It is noted that the other uses proposed are 'IP' incidental uses which do not require the provision of car bays.

The number of car bays required for the development was calculated according to the number of beds, with 1 car bay required for every 4 beds (refer to Table 1). The proposed nursing home contains 135 beds, and therefore a minimum of 34 bays are required on-site. The proposal includes a basement carpark including 62 bays. As surplus bays are provided, it is

considered that there is sufficient car parking provided for the development. Additionally, the site is in proximity and can be accessed via frequent public transport routes.

Traffic

Monash Avenue is a single carriageway road, featuring on-street parking on both sides of the road. The site has vehicle access via the existing crossovers on Monash Avenue. No new crossovers are proposed with this application.

The applicant has commissioned a traffic impact study for the proposed redevelopment (refer to Appendix F in Attachment 6). In summary, the applicant's traffic impact study found:

- The proposed development will result in approximately eight (8) more vehicles per hour during peak hour (3-4pm) than the existing situation.
- The crossovers will operate satisfactorily during the development's peak hour.
- The nearby intersection of Smyth Road and Monash Avenue will continue to operate at its existing level of service.
- The proposed redevelopment will have minimal impact on the surrounding road network.

Preservation of Amenity

Scheme clause 5.5.1 (Preservation of Amenity) states:

'Without limiting the generality of Clause 6.5 the Council may refuse to approve any development if in its opinion the development would adversely affect the amenity of the surrounding area having regard to the likely effect on the locality in terms of the external appearance of the development, traffic congestion and hazard, noise or any other factor inconsistent with the use for which the lot is zoned'.

In response, the development complies with the Scheme provisions, in particular the development controls specific to the site, outlined in Schedule V. The external appearance of the development is contemporary in nature, featuring balconies and architectural facades. The external appearance of the development is in keeping with the locality. Traffic generated from the proposal, has been found to have minimal impacts to the existing traffic situation in the area. Noise can be mitigated to an acceptable level, and it is recommended that JDAP impose the suggested condition in regard to noise.

It is considered that the proposed development does not adversely affect the amenity of the surrounding area. Accordingly, the proposed development is satisfactory, subject to the recommended conditions.

Consideration of Applications

Scheme clause 6.4.1 (Consideration of Applications) states:

'In considering any application for planning approval the Council may have regard to the appropriateness of the proposed use and its effect on the Scheme area, and in particular the provisions of this Scheme or any By-laws in force in the district and the relationship of these to the proposed development or use'.

The development has been designed in accordance with Scheme provisions, including the specific provisions for the site in Schedule V.

It is considered that the proposed development and its effect on the area are appropriate. Accordingly, the proposed development is satisfactory, subject to the recommended conditions.

Orderly & Proper Planning

Scheme clause 6.5.1 under section 6.5 (Determination by Council) states:

'The Council may determine an application by granting approval, refusing approval or granting approval subject to such conditions as it thinks fit, having regard to the orderly and proper planning of the area'.

In response, the development is consistent with the relevant Scheme provisions. It is deemed that the proposed development represents orderly and proper planning, subject to the recommended conditions.

Conclusion:

There is increasing demand for aged care facilities in the community, and the proposed redevelopment of the existing Park Lodge Nursing Home provides for a modern aged care facility.

The redevelopment is considered to meet the intent of the Master Plan, and as such is supported by the City. Overall, development has been designed in accordance with the relevant Scheme provisions. The proposal is considered to be consistent with the orderly and proper planning of the area and will contribute positively on the amenity of the locality.

Accordingly, the City of Nedlands recommends to the Metro-West Joint Development Assessment Panel to approve this planning application, subject to recommended conditions and advice notes.

Attachments:

1. To be circulated to Councillors on Thursday 20 September 2012.

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 Horley – Manual Tender Submissions

At the Council meeting on 24 July 2012 Councillor Horley gave notice of her intention to move the following at this meeting.

Moved – Councillor Horley
Seconded – Councillor Collins

That the City of Nedlands permits tender submissions to be officially accepted over the counter at the Administration office on Stirling Highway.

**CARRIED 5/4
(Against: Crs. Hassell Porter James & Somerville-Brown)**

Council Resolution

That the City of Nedlands permits tender submissions to be officially accepted over the counter at the Administration office on Stirling Highway.

Supporting Comments

In brief, manual submission of tender documents at the City's office will enable the traditional form of tender application. It may also be more equitable in application, putting those with less computer access and knowledge at an equal footing with others.

Administration Comment

The City currently requires tenders to be lodged by e-Tender only. This is in line with best practice and enables more people to respond to tenders. It also reduces the risk of late tenders traditionally experienced by the lodgement of hard copy submissions. It should be noted that most small businesses require computer access for their basic day to day business requirements and the electronic lodgement of tender submissions should not be a deterrent to them.

14.2 Councillor Argyle – Dividing Fence and Retaining Wall – 11 and 13 Loftus Street Nedlands

Councillor Argyle gave notice of his intention to move the following at this meeting.

Moved – Councillor Argyle

Seconded – Councillor Hassell (Pro Forma)

Council:

1. Notes advice previously provided by Administration with regards to the background and legal position on the boundary fence/wall at 11 and 13 Loftus Street Nedlands;
2. Agrees that Council should assist ratepayers whenever possible to resolve matters in dispute; and
3. Authorises the Acting Chief Executive Officer to issue a notice requiring compliance with the building licence approval of 1986 including the burden to construct a retaining wall within No. 11, along part of the boundary with No. 13 Loftus Street, because the retaining wall as specified in the architectural drawings is an integral part of the building licence issued.

Mr A Melville, Acting Director Technical Services left the room at 8.51 pm and returned at 8.52 pm.

Lost 2/7
(Against: Mayor Hipkins Crs. Collins Hassell Porter Binks James & Somerville-Brown)

Supporting Comments

Councillors have been approached by Mr and Mrs Mitchell of 13 Loftus Street Nedlands to seek our support to resolve the issue of the boundary fence and non-existent retaining wall between their property and their neighbour at 11 Loftus Street.

Council records show that when building approval for works at 11 Loftus Street was given, those plans indicated the construction of a retaining wall. This retaining wall was not constructed. Some 26 years

later, a problem with the uneven levels has arisen and the Mitchell's quite rightly have looked to Council to follow up on the 1986 approvals. To require both parties to go through the civil courts is in my view a waste of their time and resources. This may be a case of Administration assisting in mediating an outcome and I urge Councillors to support my motion.

Administration Comment

1. The dispute is a civil matter and the City has no jurisdiction.
2. Should Council resolve to appoint an independent authority to mediate an outcome, it will be the Council paying. In effect ratepayers will be subsidising both parties when they should get their own legal advice.
3. Under the Building Act at the time (1986), there was no legislative authority for Council to inspect completed works. However under the new Building Act (2011) the builder and owner are required to certify that work has been completed in accordance with the approved Building Permit. Accordingly, there is greater onus on the owner and builder to comply with the approved plans but still no requirement to do the work.
4. The Council should carefully consider whether this will set a precedent as it could make subsequent claims for Council assistance where neighbours are in dispute hard to resist.
5. Council's usual legal advisors, who are familiar with the issue, could not act as mediators as they have a conflict. Any independent authority would need to review the file to ensure they were aware of all the facts. This will of course add to the costs.
6. If mediation is agreed to by both parties (one party has already refused mediation) there is the possibility that one party will still be aggrieved.
7. Mediation may still fail unless there is agreement that it become binding on both parties (presumably through some sort of legal agreement). Failed mediation can only end with the matter going to Court and further involvement by the City may be expected.

For these reasons, the motion is not supported.

15. Elected members notices of motion given at the meeting for consideration at the following ordinary meeting on 23 October 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 23 October 2012 to be tabled at this point in accordance with Clause 3.9(2) of Council's Local Law Relating to Standing Orders.

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

Nil.

17. Confidential Items

17.1 Freeman of the City of Nedlands

Please note the nomination was withdrawn and therefore this report has been withdrawn.

Declaration of Closure

There being no further business, the Presiding Member declared the meeting closed at 9.08 pm.

Attachment to Item 13.1

Council Meeting – 25 September 2012

List of Delegated Authorities – August 2012

**DELEGATED AUTHORITY REPORT**

List of Delegated Authority - August 2012

DEL12/385**Parking Infringement Withdrawn 21521 - Hina Solanki**

| | |
|---|---|
| Delegation Type | 9C - Withdrawal of Infringement Notices |
| Date Registered | 2/8/2012 at 4:18 PM |
| Position Exercising Delegated Authority | Chief Executive Officer |
| How Delegation Is Recorded | Withdrawal Notice |
| Applicant | Lina Solanki (Addressee) |

DEL12/386**Seal Certification - Seal No.618 - Notification Under Section 70A – Lot 74 (HN 37A) The Avenue, Nedlands - Restricted use of the Basement Level as depicted in the plans submitted 3 February 2012**

| | |
|---|---|
| Delegation Type | 1D - Use of Council's Common Seal and Authority to Sign Documents |
| Date Registered | 8/8/2012 at 10:39 AM |
| Position Exercising Delegated Authority | Chief Executive Officer |
| How Delegation Is Recorded | Seal Register |
| Applicant | Peppi Petroula Sharrin (Addressee) |

DEL12/387**29 (Lot 187) Kirwan Street Floreat - Dividing Fences**

| | |
|---|---|
| Delegation Type | 6A - TPS No 2 - Approval and Refusal of Planning Applications |
| Date Registered | 10/8/2012 at 9:37 AM |
| Position Exercising Delegated Authority | Senior Statutory Planning Officer |
| How Delegation Is Recorded | Approval Letter (building D'A's) |
| Applicant | Cliff and Kelly Stagoll (Addressee) |

DEL12/388**44 (Lot 86) Strickland Street Mt Claremont - Retrospective Re-Roof to Single House**

| | |
|---|---|
| Delegation Type | 6A - TPS No 2 - Approval and Refusal of Planning Applications |
| Date Registered | 10/8/2012 at 9:41 AM |
| Position Exercising Delegated Authority | Senior Statutory Planning Officer |
| How Delegation Is Recorded | Approval Letter (Planning D'A/s) |
| Applicant | Susan McDonald (Addressee) |

DEL12/389**93 (Lot 538) Broadway Nedlands - Additions (Patio) to Single House**

| | |
|---|---|
| Delegation Type | 6A - TPS No 2 - Approval and Refusal of Planning Applications |
| Date Registered | 10/8/2012 at 9:44 AM |
| Position Exercising Delegated Authority | Senior Statutory Planning Officer |
| How Delegation Is Recorded | Approval Letter (Planning D'A/s) |
| Applicant | Swan Patio & Pergolas (Addressee) |

DEL12/390**53 (Lot 155) Alderbury Street Floreat - Front Fence to Single House**

| | |
|---|---|
| Delegation Type | 6A - TPS No 2 - Approval and Refusal of Planning Applications |
| Date Registered | 10/8/2012 at 9:52 AM |
| Position Exercising Delegated Authority | Senior Statutory Planning Officer |
| How Delegation Is Recorded | Approval Letter (Planning D'A/s) |
| Applicant | Lisa & Andrew Byars (Addressee) |

DEL12/391**97 (Lot 619) Tyrell Street Nedlands - Retrospective Front Fence to Single House**

| | |
|---|---|
| Delegation Type | 6A - TPS No 2 - Approval and Refusal of Planning Applications |
| Date Registered | 10/8/2012 at 9:53 AM |
| Position Exercising Delegated Authority | Senior Statutory Planning Officer |
| How Delegation Is Recorded | Approval Letter (Planning D'A/s) |
| Applicant | Peter D Webb and Associates (Address) |

DEL12/392**114a (Lot 16) Victoria Avenue Dalkeith - 3 Storey Grouped Dwelling**

| | |
|---|---|
| Delegation Type | 6A - TPS No 2 - Approval and Refusal of Planning Applications |
| Date Registered | 10/8/2012 at 11:25 AM |
| Position Exercising Delegated Authority | Senior Statutory Planning Officer |
| How Delegation Is Recorded | Approval Letter (Planning D'A/s) |
| Applicant | Cross & Design Group (Addressee) |

**DELEGATED AUTHORITY REPORT**

List of Delegated Authority - August 2012

Page 2

Date 18/9/2012

Time 10:34:57 AM

Login Name Nicole Borowicz

Continued...

| | |
|---|--|
| DEL12/393 | 41 (Lot 217) Mountjoy Road Nedlands - Additions (Carport Front Fence and Patio) to Single House |
| Delegation Type | 6A - TPS No 2 - Approval and Refusal of Planning Applications |
| Date Registered | 10/8/2012 at 11:31 AM |
| Position Exercising Delegated Authority | Senior Statutory Planning Officer |
| How Delegation Is Recorded | Approval Letter (Planning D'A/s) |
| Applicant | Craig & Susan James (Addressee) |
| DEL12/394 | 14 (Lot 17) Swansea Street Swanbourne - Re-Roof to Single House |
| Delegation Type | 6A - TPS No 2 - Approval and Refusal of Planning Applications |
| Date Registered | 10/8/2012 at 11:32 AM |
| Position Exercising Delegated Authority | Senior Statutory Planning Officer |
| How Delegation Is Recorded | Approval Letter (Planning D'A/s) |
| Applicant | David J Willis Building Pty Ltd (Addr |
| DEL12/395 | 10 (Lot 130) Lantana Avenue Mt Claremont - Home Business Renew (Beauty Treatment) |
| Delegation Type | 6A - TPS No 2 - Approval and Refusal of Planning Applications |
| Date Registered | 10/8/2012 at 11:39 AM |
| Position Exercising Delegated Authority | Senior Statutory Planning Officer |
| How Delegation Is Recorded | Approval Letter (Planning D'A/s) |
| Applicant | Poh Tin Lau (Addressee) |
| DEL12/396 | 39 (Lot 146) Alexander Road Dalkeith - Additions (Ground Floor Carport & Modifications to Existing Front Fence) to Single House |
| Delegation Type | 6A - TPS No 2 - Approval and Refusal of Planning Applications |
| Date Registered | 10/8/2012 at 11:41 AM |
| Position Exercising Delegated Authority | Senior Statutory Planning Officer |
| How Delegation Is Recorded | Approval Letter (Planning D'A/s) |
| Applicant | Vue Developments (Addressee) |
| DEL12/397 | 8b (Lot 889) Alexander Road Dalkeith - Two Storey Single House & Swimming Pool |
| Delegation Type | 6A - TPS No 2 - Approval and Refusal of Planning Applications |
| Date Registered | 10/8/2012 at 11:53 AM |
| Position Exercising Delegated Authority | Manager Statutory Planning |
| How Delegation Is Recorded | Approval Letter (Planning D'A/s) |
| Applicant | Ross Griffin Homes (Addressee) |
| DEL12/398 | 96 (Lot 682) Stanley Street Nedlands - Additions (Two Storey) Pool Pergola & Landscaping to Single House |
| Delegation Type | 6A - TPS No 2 - Approval and Refusal of Planning Applications |
| Date Registered | 10/8/2012 at 11:58 AM |
| Position Exercising Delegated Authority | Senior Statutory Planning Officer |
| How Delegation Is Recorded | Approval Letter (Planning D'A/s) |
| Applicant | Paterson Group Architects (Addressee) |
| DEL12/399 | 21 (Lot 89) Doonan Road Nedlands - Additions (Ground Floor) to Single House |
| Delegation Type | 6A - TPS No 2 - Approval and Refusal of Planning Applications |
| Date Registered | 10/8/2012 at 11:59 AM |
| Position Exercising Delegated Authority | Senior Statutory Planning Officer |
| How Delegation Is Recorded | Approval Letter (Planning D'A/s) |
| Applicant | Silk Construction Pty Ltd (Addressee) |
| DEL12/400 | 63 (Lot 443) Circe Circle Dalkeith - Pool to Single House |
| Delegation Type | 6A - TPS No 2 - Approval and Refusal of Planning Applications |
| Date Registered | 10/8/2012 at 12:01 PM |
| Position Exercising Delegated Authority | Senior Statutory Planning Officer |
| How Delegation Is Recorded | Approval Letter (Planning D'A/s) |
| Applicant | Riverina Pools (Addressee) |

**DELEGATED AUTHORITY REPORT**

List of Delegated Authority - August 2012

Continued...

DEL12/401**6 (Lot 278) Rawley Gardens Mt Claremont - Additions (Two Storey) to Single House**

| | |
|---|---|
| Delegation Type | 6A - TPS No 2 - Approval and Refusal of Planning Applications |
| Date Registered | 10/8/2012 at 12:06 PM |
| Position Exercising Delegated Authority | Senior Statutory Planning Officer |
| How Delegation Is Recorded | Approval Letter (Planning D'A/s) |
| Applicant | Peter Robinson Designer (Addressee) |

DEL12/402**29 (Lot 118) Browne Avenue Dalkeith - Additions (Ground Floor) to Single House**

| | |
|---|---|
| Delegation Type | 6A - TPS No 2 - Approval and Refusal of Planning Applications |
| Date Registered | 10/8/2012 at 12:07 PM |
| Position Exercising Delegated Authority | Senior Statutory Planning Officer |
| How Delegation Is Recorded | Approval Letter (Planning D'A/s) |
| Applicant | Philip McAllistair Architect Pty Ltd (A |

DEL12/403**41 (Lot 257) Thomas Street Nedlands - Retrospective Additions (Ground Level & Cellar) to Single House**

| | |
|---|---|
| Delegation Type | 6A - TPS No 2 - Approval and Refusal of Planning Applications |
| Date Registered | 10/8/2012 at 12:09 PM |
| Position Exercising Delegated Authority | Senior Statutory Planning Officer |
| How Delegation Is Recorded | Approval Letter (Planning D'A/s) |
| Applicant | Marissa Ravi (Addressee) |

DEL12/404**9 (Lot 111) Riverview Court Dalkeith - Retrospective Amendments to Approval - Reduction to Finished Floor Levels Changes to Windows Revised Northern Side Setbacks and 1.8 m Dividing Fence**

| | |
|---|---|
| Delegation Type | 6A - TPS No 2 - Approval and Refusal of Planning Applications |
| Date Registered | 10/8/2012 at 12:12 PM |
| Position Exercising Delegated Authority | Manager Statutory Planning |
| How Delegation Is Recorded | Approval Letter (Planning D'A/s) |
| Applicant | Milankov Designs (Addressee) |

DEL12/405**56 (Lot 631) Waratah Avenue Dalkeith - Additions (Carport) to Single House**

| | |
|---|---|
| Delegation Type | 6A - TPS No 2 - Approval and Refusal of Planning Applications |
| Date Registered | 10/8/2012 at 12:13 PM |
| Position Exercising Delegated Authority | Senior Statutory Planning Officer |
| How Delegation Is Recorded | Approval Letter (Planning D'A/s) |
| Applicant | Robert & Sue Davis (Addressee) |

DEL12/406**5 (Lot 159) Bruce Street Nedlands - Ancillary Accommodation to Single House**

| | |
|---|---|
| Delegation Type | 6A - TPS No 2 - Approval and Refusal of Planning Applications |
| Date Registered | 10/8/2012 at 12:25 PM |
| Position Exercising Delegated Authority | Manager Statutory Planning |
| How Delegation Is Recorded | Approval Letter (Planning D'A/s) |
| Applicant | Renlong Han (Addressee) |

DEL12/407**30 (Lot 15) The Avenue Nedlands - New Access Ramp to Bottle Shop**

| | |
|---|---|
| Delegation Type | 6A - TPS No 2 - Approval and Refusal of Planning Applications |
| Date Registered | 10/8/2012 at 12:26 PM |
| Position Exercising Delegated Authority | Senior Statutory Planning Officer |
| How Delegation Is Recorded | Approval Letter (Planning D'A/s) |
| Applicant | Steves Nedlands Park Nominees (Addr |

DEL12/408**56 Gallop Road Dalkeith - Section 40 Certificate for Wholesale Liquor Licence**

| | |
|---|---|
| Delegation Type | 6A - TPS No 2 - Approval and Refusal of Planning Applications |
| Date Registered | 10/8/2012 at 3:01 PM |
| Position Exercising Delegated Authority | Manager Statutory Planning |
| How Delegation Is Recorded | Approval Letter (Planning D'A/s) |
| Applicant | Arthur Cooper (Addressee) |

**DELEGATED AUTHORITY REPORT**

List of Delegated Authority - August 2012

Continued...**DEL12/409****17 (Lot 329) Leura Street Nedlands - Front Fence and Retaining Walls to Single House**

Delegation Type 6A - TPS No 2 - Approval and Refusal of Planning Applications

Date Registered 10/8/2012 at 3:04 PM

Position Exercising Delegated Authority Senior Statutory Planning Officer

How Delegation Is Recorded Approval Letter (Planning D'A/s)

Applicant Patrick John Tremlett (Addressee)

DEL12/410**30 (Lot 101) Marita Road Nedlands - Two Storey Additions Alfresco and Carport to Single House**

Delegation Type 6A - TPS No 2 - Approval and Refusal of Planning Applications

Date Registered 10/8/2012 at 3:08 PM

Position Exercising Delegated Authority Senior Statutory Planning Officer

How Delegation Is Recorded Approval Letter (Planning D'A/s)

Applicant Tangent Nominees Pty (Addressee)

DEL12/411**11 (Lot 218) Whitfield Street Floreat - Pool to Single House**

Delegation Type 6A - TPS No 2 - Approval and Refusal of Planning Applications

Date Registered 10/8/2012 at 3:27 PM

Position Exercising Delegated Authority Manager Statutory Planning

How Delegation Is Recorded Approval Letter (Planning D'A/s)

Applicant Riverina Pools (Addressee)

DEL12/412**17 (Lot 198) Mayfair Street Mt Claremont - Additions (Bathroom) to Single House**

Delegation Type 6A - TPS No 2 - Approval and Refusal of Planning Applications

Date Registered 10/8/2012 at 3:28 PM

Position Exercising Delegated Authority Senior Statutory Planning Officer

How Delegation Is Recorded Approval Letter (Planning D'A/s)

Applicant Edwin & Jo Sutherland (Addressee)

DEL12/413**96 (Lot 603) Circe Circle Dalkeith - Pool to Single House**

Delegation Type 6A - TPS No 2 - Approval and Refusal of Planning Applications

Date Registered 10/8/2012 at 3:56 PM

Position Exercising Delegated Authority Senior Statutory Planning Officer

How Delegation Is Recorded Approval Letter (Planning D'A/s)

Applicant Compass Pools Perth (Addressee)

DEL12/414**7 (Lot 272) Alderbury Street Floreat - Retrospective Additions (Retaining & Fill) to Single House**

Delegation Type 6A - TPS No 2 - Approval and Refusal of Planning Applications

Date Registered 10/8/2012 at 3:57 PM

Position Exercising Delegated Authority Senior Statutory Planning Officer

How Delegation Is Recorded Approval Letter (Planning D'A/s)

Applicant Jason Brewer (Addressee)

DEL12/415**81 (Lot 310) Dalkeith Road Nedlands - Home Business Renewal**

Delegation Type 6A - TPS No 2 - Approval and Refusal of Planning Applications

Date Registered 10/8/2012 at 4:04 PM

Position Exercising Delegated Authority Senior Statutory Planning Officer

How Delegation Is Recorded Approval Letter (Planning D'A/s)

Applicant Chao Ji Xu (Addressee)

DEL12/416**101 (Lot 654) Monash Avenue Nedlands - Private Healthcare Addition - Cafe**

Delegation Type 6A - TPS No 2 - Approval and Refusal of Planning Applications

Date Registered 10/8/2012 at 4:07 PM

Position Exercising Delegated Authority Manager Statutory Planning

How Delegation Is Recorded Approval Letter (Planning D'A/s)

Applicant Wayne Williams (Addressee)

**DELEGATED AUTHORITY REPORT**

List of Delegated Authority - August 2012

Continued...

| | |
|---|--|
| DEL12/417 | 118 & 120 (Lot 888 & 889) Monash Avenue Nedlands - Boundary Fencing |
| Delegation Type | 6A - TPS No 2 - Approval and Refusal of Planning Applications |
| Date Registered | 10/8/2012 at 4:11 PM |
| Position Exercising Delegated Authority | Manager Statutory Planning |
| How Delegation Is Recorded | Approval Letter (Planning D'A/s) |
| Applicant | TPG Town Planning and Urban Desig |
| DEL12/418 | 13 (Lot 35) Loftus Street Nedlands - Front Fence Retaining Walls & Outbuilding to Single House |
| Delegation Type | 6A - TPS No 2 - Approval and Refusal of Planning Applications |
| Date Registered | 10/8/2012 at 4:14 PM |
| Position Exercising Delegated Authority | Senior Statutory Planning Officer |
| How Delegation Is Recorded | Approval Letter (Planning D'A/s) |
| Applicant | Adrian & Nicola Mitchell (Addressee) |
| DEL12/419 | 33 (Lot 165) Bruce Street Nedlands - Front Fence to Single House |
| Delegation Type | 6A - TPS No 2 - Approval and Refusal of Planning Applications |
| Date Registered | 10/8/2012 at 4:23 PM |
| Position Exercising Delegated Authority | Senior Statutory Planning Officer |
| How Delegation Is Recorded | Approval Letter (Planning D'A/s) |
| Applicant | Amy Tai-Ling Yem (Addressee) |
| DEL12/420 | 67 (Lot 459) Thomas Street Nedlands - Two Storey Single House |
| Delegation Type | 6A - TPS No 2 - Approval and Refusal of Planning Applications |
| Date Registered | 10/8/2012 at 4:24 PM |
| Position Exercising Delegated Authority | Senior Statutory Planning Officer |
| How Delegation Is Recorded | Approval Letter (Planning D'A/s) |
| Applicant | Nam Nguyen (Addressee) |
| DEL12/421 | 30 (Lot 567) Viking Road Dalkeith - Two Storey Single House & Pool |
| Delegation Type | 6A - TPS No 2 - Approval and Refusal of Planning Applications |
| Date Registered | 10/8/2012 at 4:26 PM |
| Position Exercising Delegated Authority | Senior Statutory Planning Officer |
| How Delegation Is Recorded | Approval Letter (Planning D'A/s) |
| Applicant | Yan & Naiming Chen (Addressee) |
| DEL12/422 | 24-26 (Lot 500) Wavell Road Dalkeith - Single Storey Single House (with Undercroft) Swimming Pool & Front Fence |
| Delegation Type | 6A - TPS No 2 - Approval and Refusal of Planning Applications |
| Date Registered | 10/8/2012 at 4:27 PM |
| Position Exercising Delegated Authority | Senior Statutory Planning Officer |
| How Delegation Is Recorded | Approval Letter (Planning D'A/s) |
| Applicant | Esplanade Homes Pty Ltd (Addressee) |
| DEL12/423 | 7 (Lot 35) Birrigan Loop Swanbourne - Two Storey Amendments - Changed to Laundry Western Wall to Alfresco and Reconfiguration of Upper Study Window |
| Delegation Type | 6A - TPS No 2 - Approval and Refusal of Planning Applications |
| Date Registered | 10/8/2012 at 4:30 PM |
| Position Exercising Delegated Authority | Senior Statutory Planning Officer |
| How Delegation Is Recorded | Approval Letter (Planning D'A/s) |
| Applicant | Webb & Brown-Neaves (Addressee) |
| DEL12/424 | Parking Infringement Withdrawn 22006 - Lorre Priest |
| Delegation Type | 9C - Withdrawal of Infringement Notices |
| Date Registered | 14/8/2012 at 9:00 AM |
| Position Exercising Delegated Authority | Chief Executive Officer |
| How Delegation Is Recorded | Withdrawal Notice |
| Applicant | Lorre Priest (Addressee) |

**DELEGATED AUTHORITY REPORT**

List of Delegated Authority - August 2012

Continued...**DEL12/425****Parking Infringement Withdrawn 302333 - Rev Fr Timothy Deeter**

Delegation Type 9C - Withdrawal of Infringement Notices
 Date Registered 14/8/2012 at 9:04 AM
 Position Exercising Delegated Authority Chief Executive Officer
 How Delegation Is Recorded Withdrawal Notice
 Applicant Timothy E Deeter (Addressee)

DEL12/426**Youth Grant - 2012 UCI Jnr Track World Championships, Derecourt, Trent**

Delegation Type 10F - Sponsorship of Youth Initiatives Fund
 Date Registered 14/8/2012 at 11:49 AM
 Position Exercising Delegated Authority Manager Community Development
 How Delegation Is Recorded Authorisation Form
 Applicant Trent Derecourt (Addressee)

DEL12/427**Youth Grant - SSWA Under 21 Soccer Nationals - Matt Tissiman**

Delegation Type 10F - Sponsorship of Youth Initiatives Fund
 Date Registered 14/8/2012 at 12:01 PM
 Position Exercising Delegated Authority Manager Community Development
 How Delegation Is Recorded Authorisation Form
 Applicant Anne & Phillip Tissiman (Addressee)

DEL12/428**Parking Infringement Withdrawn 22084 - Jenifer Stratton**

Delegation Type 9C - Withdrawal of Infringement Notices
 Date Registered 17/8/2012 at 11:50 AM
 Position Exercising Delegated Authority Chief Executive Officer
 How Delegation Is Recorded Withdrawal Notice
 Applicant K & J Stratton (Addressee)

DEL12/429**Community Grants Fund - Rowena Walsh - Art Exhibition**

Delegation Type 10E - Community and Cultural Development Fund
 Date Registered 17/8/2012 at 2:51 PM
 Position Exercising Delegated Authority Manager Community Development
 How Delegation Is Recorded Authorisation Form
 Applicant Rowena Walsh (Addressee)

DEL12/430**Community Grants Fund - Robin Lacey - St Peters Square Development**

Delegation Type 10E - Community and Cultural Development Fund
 Date Registered 17/8/2012 at 2:53 PM
 Position Exercising Delegated Authority Manager Community Development
 How Delegation Is Recorded Authorisation Form
 Applicant Robin Lacey (Addressee)

DEL12/431**31 (Lot 1) Rockton Road Nedlands - Retrospective Outbuilding to Grouped Dwelling**

Delegation Type 6A - TPS No 2 - Approval and Refusal of Planning Applications
 Date Registered 20/8/2012 at 9:23 AM
 Position Exercising Delegated Authority Senior Statutory Planning Officer
 How Delegation Is Recorded Approval Letter (Planning D'A/s)
 Applicant Peata Wishart (Addressee)

DEL12/432**118 & 120 (Lots 888 & 889) Monash Avenue Nedlands - Boundary Fencing**

Delegation Type 6A - TPS No 2 - Approval and Refusal of Planning Applications
 Date Registered 20/8/2012 at 9:25 AM
 Position Exercising Delegated Authority Manager Statutory Planning
 How Delegation Is Recorded Approval Letter (Planning D'A/s)
 Applicant TPG Town Planning and Urban Desig



DELEGATED AUTHORITY REPORT

List of Delegated Authority - August 2012

Continued...

DEL12/433 **21 (Lot 49) Lovegrove Close Mt Claremont - Additions (Patio) to Single House**
 Delegation Type 6A - TPS No 2 - Approval and Refusal of Planning Applications
 Date Registered 20/8/2012 at 9:27 AM
 Position Exercising Delegated Authority Senior Statutory Planning Officer
 How Delegation Is Recorded Approval Letter (Planning D'A/s)
 Applicant Michael Reid (Addressee)

DEL12/434 **31 (Lot 411) Clark Street Nedlands - Swimming Pool to Single House**
 Delegation Type 6A - TPS No 2 - Approval and Refusal of Planning Applications
 Date Registered 20/8/2012 at 9:27 AM
 Position Exercising Delegated Authority Senior Statutory Planning Officer
 How Delegation Is Recorded Approval Letter (Planning D'A/s)
 Applicant Buccaneer Pools (Addressee)

DEL12/435 **49 (Lot 300) Marita Road Nedlands - Additions (Patio) to Single House**
 Delegation Type 6A - TPS No 2 - Approval and Refusal of Planning Applications
 Date Registered 20/8/2012 at 9:28 AM
 Position Exercising Delegated Authority Senior Statutory Planning Officer
 How Delegation Is Recorded Approval Letter (Planning D'A/s)
 Applicant Softwoods Timberyards (Addressee)

DEL12/436 **8 (Lot 13) Stephanie Street Dalkeith - Front Fence & Additions (Ground Floor) to Single House**
 Delegation Type 6A - TPS No 2 - Approval and Refusal of Planning Applications
 Date Registered 20/8/2012 at 9:30 AM
 Position Exercising Delegated Authority Senior Statutory Planning Officer
 How Delegation Is Recorded Approval Letter (Planning D'A/s)
 Applicant Dale Alcock Home Improvement (Add)

DEL12/437 **46 (Lot 134) Watkins Road Dalkeith - Additions (Ground & Upper Floor) Studio & Front Fence to Single House**
 Delegation Type 6A - TPS No 2 - Approval and Refusal of Planning Applications
 Date Registered 20/8/2012 at 9:31 AM
 Position Exercising Delegated Authority Senior Statutory Planning Officer
 How Delegation Is Recorded Approval Letter (Planning D'A/s)
 Applicant Sandtracks Design (Addressee)

DEL12/438 **Infringement Withdrawn 21881 - Luke Turner**
 Delegation Type 9C - Withdrawal of Infringement Notices
 Date Registered 22/8/2012 at 12:53 PM
 Position Exercising Delegated Authority Chief Executive Officer
 How Delegation Is Recorded Withdrawal Notice
 Applicant Luke Turner (Addressee)

DEL12/439 **Parking Infringement Withdrawn 22325 & 22086 - Elizabeth Briggs**
 Delegation Type 9C - Withdrawal of Infringement Notices
 Date Registered 23/8/2012 at 8:42 AM
 Position Exercising Delegated Authority Chief Executive Officer
 How Delegation Is Recorded Withdrawal Notice
 Applicant IM & ER Briggs (Addressee)

DEL12/440 **Parking Infringement Withdrawn 22067- Rachael Anastas**
 Delegation Type 9C - Withdrawal of Infringement Notices
 Date Registered 23/8/2012 at 9:21 AM
 Position Exercising Delegated Authority Chief Executive Officer
 How Delegation Is Recorded Withdrawal Notice
 Applicant Rachael Anastas (Addressee)



DELEGATED AUTHORITY REPORT

List of Delegated Authority - August 2012

Continued...

DEL12/441

Parking Infringement Withdrawn 21884 - Angeline Kok

| | |
|---|---|
| Delegation Type | 9C - Withdrawal of Infringement Notices |
| Date Registered | 29/8/2012 at 8:49 AM |
| Position Exercising Delegated Authority | Chief Executive Officer |
| How Delegation Is Recorded | Withdrawal Notice |
| Applicant | Angeline Kok (Addressee) |

DEL12/442

Parking Infringement Withdrawn 22170 - Ray Wishart

| | |
|---|---|
| Delegation Type | 9C - Withdrawal of Infringement Notices |
| Date Registered | 29/8/2012 at 8:50 AM |
| Position Exercising Delegated Authority | Chief Executive Officer |
| How Delegation Is Recorded | Withdrawal Notice |
| Applicant | R & M Wishart (Addressee) |

DEL12/443

Parking Infringement Withdrawn 21882 - Ruth Wong

| | |
|---|---|
| Delegation Type | 9C - Withdrawal of Infringement Notices |
| Date Registered | 29/8/2012 at 8:51 AM |
| Position Exercising Delegated Authority | Chief Executive Officer |
| How Delegation Is Recorded | Withdrawal Notice |
| Applicant | Ruth Wong (Addressee) |

DEL12/444

Parking Infringement Withdrawn 22116 - Mr Liakishev

| | |
|---|---|
| Delegation Type | 9C - Withdrawal of Infringement Notices |
| Date Registered | 31/8/2012 at 9:59 AM |
| Position Exercising Delegated Authority | Chief Executive Officer |
| How Delegation Is Recorded | Withdrawal Notice |
| Applicant | V Liakishev (Addressee) |

DEL12/445

Parking Infringement Withdrawn 22231 - Natalie Elliott

| | |
|---|---|
| Delegation Type | 9C - Withdrawal of Infringement Notices |
| Date Registered | 31/8/2012 at 12:11 PM |
| Position Exercising Delegated Authority | Chief Executive Officer |
| How Delegation Is Recorded | Withdrawal Notice |
| Applicant | Natalie Elliott (Addressee) |