



City of Nedlands

Minutes

Council Committee Meeting

10 May 2011

Attention:

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

Table of Contents

Declaration of Opening	4
Present and Apologies and Leave Of Absence (Previously Approved)	4
1. Addresses By Members of the Public (only for items listed on the agenda).....	5
2. Disclosures of Financial Interest	5
2.1 Mr G Foster, Chief Executive Officer - Report CP20.11 – Review of Council’s Delegated Authorities.....	6
3. Disclosures of Interests Affecting Impartiality.....	6
3.1 Councillor Smyth - Report D37.11 - Adoption of Proposed Outline Development Plan for complex formerly known as Swanbourne Hospital for the Insane: Lot 12040 Heritage Lane Mt Claremont.....	6
4. Declarations by Members That They Had Not Given Due Consideration to Papers.....	6
5. Confirmation of Minutes	6
5.1 Committee Meeting 12 April 2011	6
6. Matters for Which the Meeting May Be Closed	7
7. Divisional Reports	7
7.1 Development Services Report No’s D35.11 to D40.11	7
D35.11 No. 10 (Lot 1) Knutsford Street Swanbourne - Proposed Carport Enclosure	7
D36.11 JoJo’s Restaurant and Cafe – Retrospective Increased in Seating Capacity.....	9
D37.11 Adoption of Proposed Outline Development Plan for complex formerly known as Swanbourne Hospital for the Insane: Lot 12040 Heritage Lane Mt Claremont	11
D38.11 Mattie Furphy House, Allen Park Heritage Precinct – Reserve 7804 (Lot 403 on Deposited Plan 36773, Marine Parade, Swanbourne. Proposed twenty-one year lease between the City and the Fellowship of Australian Writers Western Australia Inc.	22
D39.11 Vacant Bowling Green located at Hollywood-Subiaco Bowling Club Inc, Crown Reserve 20838 (Lot 13423 on Deposited Plan 194320), Monash Avenue, Nedlands. Proposed Sub-Lease commencing on the date of signing with the option of an additional five (5) year term between the City, Hollywood-Subiaco Bowling Club Inc and West Coast Futsal Association Inc for the use of a vacant Bowling Green	23
D40.11 Former Hollywood After School Activity Centre, Crown Reserve 20838 (Part Lot 13423 on Deposited Plan 194320), Monash Avenue, Nedlands. Proposed three (3) year lease with the option of an additional four (4) year term between the City and West Coast Futsal Association Inc for the use of the former Hollywood After School Activity Centre building.....	24
7.2 Technical Services Report No’s T02.11 to T03.11	25

T02.11	Reporting on past, current and future use of fertiliser by the City of Nedlands.....	25
T03.11	Quarterly Report - Requests for street tree removals referred for Council consideration	26
7.3	Corporate Services Report No's CP17.11 to CP20.11.....	27
CP17.11	Monthly Financial Report – March 2011.....	27
CP18.11	Investment Report – March 2011	28
CP19.11	List of Accounts Paid – March 2011.....	29
CP20.11	Review of Council's Delegated Authorities.....	30
8.	Reports by the Chief Executive Officer	33
9.	Urgent Business Approved By the Presiding Member or By Decision	33
10.	Confidential Items	33
	Declaration of Closure	33

City of Nedlands

Minutes of a meeting of the Council Committee held in the Council Chambers, Nedlands on Tuesday 10 May 2011 at 7.01 pm.

Declaration of Opening

The Presiding Member declared the meeting open at 7.01 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	Her Worship the Mayor, S A Froese	(Presiding Member)
	Councillor K E Collins	Coastal Districts Ward
	Councillor N B J Horley	Coastal Districts Ward
	Councillor K A Smyth	Coastal Districts Ward
	Councillor I S Argyle	Dalkeith Ward
	Councillor R M Hipkins	Dalkeith Ward
	Councillor M S Negus	Dalkeith Ward
	Councillor J D Bell	Hollywood Ward
	Councillor R M Binks	Hollywood Ward
	Councillor B G Hodsdon	Hollywood Ward
	Councillor M L Somerville-Brown	Melvista Ward
	Councillor I Tan	Melvista Ward
	Councillor B Tyson	Melvista Ward

Staff	Mr GT Foster	Chief Executive Officer
	Ms C Eldridge	Director Development Services
	Mr M Cole	Director Corporate Services
	Ms D Blake	Director Community & Strategy
	Ms S Love	Executive Assistant
	Ms G Martyn	Development Services Administration Officer

Public There were nine members of the public present.

Press The Post Newspaper representative (from 7:07 pm).

Leave of Absence (Previously Approved) Nil.

Apologies Nil.

Absent Nil.

Disclaimer

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

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

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

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

Addresses by the following members of the public who had completed Public Address Session Forms were invited to be made as each item relating to their address was discussed by the Committee.

Mr J Hebenton, 33 St Johns Wood Blvd, Mt Claremont Report D37.11
(Spoke in opposition to the recommendation)

2. Disclosures of Financial Interest

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

2.1 Mr G Foster, Chief Executive Officer - Report CP20.11 – Review of Council’s Delegated Authorities

Mr G Foster, Chief Executive Officer disclosed a financial interest in Report CP20.11 – Review of Council’s Delegated Authorities, in regard to delegated authority 1J Perth Flying Squadron Yacht Club, his interest being that he is an honorary member of the Club. Mr G Foster, Chief Executive Officer advised that he would leave the meeting during this matter.

3. Disclosures of Interests Affecting Impartiality

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

3.1 Councillor Smyth - Report D37.11 - Adoption of Proposed Outline Development Plan for complex formerly known as Swanbourne Hospital for the Insane: Lot 12040 Heritage Lane Mt Claremont

Councillor Smyth disclosed an impartiality interest in Report D37.11 - Adoption of Proposed Outline Development Plan for complex formerly known as Swanbourne Hospital for the Insane: Lot 12040 Heritage Lane Mt Claremont. She disclosed that she and her husband own property in the vicinity of the Old Swanbourne Hospital, and as a consequence, there may be a perception that her impartiality on the matter may be affected. She declared that she would consider this matter on its merits and vote accordingly.

4. Declarations by Members That They Had Not Given Due Consideration to Papers

Nil

5. Confirmation of Minutes

5.1 Committee Meeting 12 April 2011

Moved – Councillor Negus
Seconded – Councillor Hodsdon

That the minutes of the Council Committee held 12 April 2011 are confirmed.

**CARRIED 12/1
(Against: Cr. Smyth)**

6. Matters for Which the Meeting May Be Closed

Nil

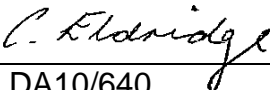
7. Divisional Reports

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

7.1 Development Services Report No's D35.11 to D40.11

D35.11	No. 10 (Lot 1) Knutsford Street Swanbourne - Proposed Carport Enclosure
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Committee	10 May 2011
Council	24 May 2011

Applicant	Lawrie and Karen Tremaine
Owner	As above
Officer	Nick Bakker – Planning Officer
Director	Carlie Eldridge – Director Development Services
Director Signature	
File ref	DA10/640
Previous Item No's	DA08/66
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 Negus
Seconded – Councillor Tyson

That the Recommendation to Committee is adopted.

(Printed below for ease of reference)

CARRIED UNANIMOUSLY 13/-

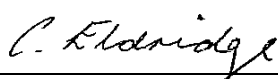
Committee Recommendation / Recommendation to Committee

Council approves the application for enclosing a carport at No. 10 (Lot 1) Knutsford Street Swanbourne, in accordance with the application dated 2 December 2010 subject to the following conditions:

- 1. the proposed garage door is to be amended to a gate with a maximum height of 1.8 m from natural ground level and visually permeable in accordance with the Residential Design Codes (RCodes);**
- 2. all proposed walls around the carport forward of the 4.5 m front garage setback (including the store parapet wall) are to be reduced to a maximum height of 1.8 m above the existing ground level and visually permeable in accordance with the Residential Design Codes(RCodes);**
- 3. all storm water from building and paving areas (including driveways) shall be contained on site by draining to soakwells of adequate capacity to contain runoff from a 10 year recurrent storm event and the capacity of soakwells shall be a minimum of one (1) cubic metre for every 80 m² of paved or roofed surface on the property;**
- 4. a grated channel strip-drain shall be constructed across the driveway, aligned with and wholly contained within the property boundary and the discharge from this drain to be run to a soakwell situated within the property; and**
- 5. 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.**

D36.11	JoJo's Restaurant and Cafe – Retrospective Increased in Seating Capacity
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Committee	10 May 2011
Council	24 May 2011

Applicant	JoJo's Restaurant – Umberto Tinelli
Owner	Swan River Trust
Officer	Coralie Anderson – Senior Statutory Planning Officer
Director	Carlie Eldridge – Director Development Services
Director Signature	
File ref	BR2/JETTY-06
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 Tyson
 Seconded – Councillor Hodsdon

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

Amendment

Moved - Councillor Argyle
 Seconded - Councillor Hipkins

That clause 2 be deleted.

LOST 4/9
 (Against: Mayor & Crs. Negus Bell Hodsdon Somerville-Brown
 Tan Tyson Horley & Smyth)

Adoption – **The original motion was put and**

CARRIED 11/1
(Against: Cr. Argyle)
(Abstained: Cr. Hipkins)

Committee Recommendation / Recommendation to Committee

Council recommends approval to the Swan River Trust (SRT) for the retrospective increase in seating capacity at JoJo's Restaurant and Café located at Broadway Jetty Nedlands in accordance with the application referred from SRT on 18 November 2010, subject to the following conditions:

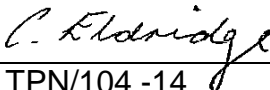
- 1. The maximum seating capacity of the restaurant and café shall be limited to:**
 - i. a maximum of 180 seats on eight (8) occasions per year;**
 - ii. a maximum of 130 seats at all other times;**
- 2. An Event Management Plan is to be submitted to and approved by the City for functions exceeding the 130 seating capacity (Please refer to Advice Note 1).**

Advice Notes:

- a) With reference to condition 2, the Event Management Plan shall include but not be limited to the following information:**
 - i. Hours of Operation**
 - ii. Noise Management Measures**
 - ii. Code of Conduct**
 - iv. Transport and Traffic Management**

D37.11	Adoption of Proposed Outline Development Plan for complex formerly known as Swanbourne Hospital for the Insane: Lot 12040 Heritage Lane Mt Claremont
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Committee	10 May 2011
Council	24 May 2011

Applicant	The Planning Group
Owner	Swanbourne Estate Developments Pty Ltd
Officer	Gabriela Poezyn - Manager Strategic Planning
Director	Carlie Eldridge - Director Development Services
Director Signature	
File ref	TPN/104 -14
Previous Item No's	D99-06 – 12 December 2006 D18.1 – 8 May 2007 D22.08 – 27 May 2008 D58.10 – 10 August 2010
Disclosure of Interest	No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> .

Disclosure of Interest

Councillor Smyth disclosed an impartiality interest in Report D37.11 - Adoption of Proposed Outline Development Plan for complex formerly known as Swanbourne Hospital for the Insane: Lot 12040 Heritage Lane Mt Claremont. She disclosed that she and her husband own property in the vicinity of the Old Swanbourne Hospital, and as a consequence, there may be a perception that her impartiality on the matter may be affected. She declared that she would consider this matter on its merits and vote accordingly.

Public Address

Mr J Heberton, 33 St Johns Wood Blvd, Mt Claremont
(Spoke in opposition to the recommendation)

Regulation 11(da) – Committee considered it appropriate to amend the clause regarding public open space to reflect the State Government subdivision approval for this development, that required 9923 m² of open space be included in the Outline Development Plan.

Moved – Councillor Negus
Seconded – Councillor Bell

That the Amended Recommendation to Committee (printed below for ease of reference) **is adopted, subject to clause 1. i. being amended to the following:**

- i. **An additional amount of 7441 m² public open space be provided on site ideally in the location as shown on the 2005 development plan or in a configuration as agreed with the City, so that the total amount of Public Open Space on the site is 9923 m² as shown in the 2005 development plan and required under Town Planning Scheme No. 2 (TPS2) and flagged in advice notes 1 attached to subdivision approvals WAPC131108 and WAPC131109 dated 24 February 2010.**

CARRIED 8/4

(Against: Crs. Argyle Hipkins Tyson & Collins)

(Abstained: Cr. Binks)

Committee Recommendation

Council

1. **Approves the Outline Development Plan (ODP) approved for advertising by the Western Australian Planning Commission (WAPC) for the Old Swanbourne Hospital Site, Lot 12040 Heritage Lane Mt Claremont, pursuant to Clause 3.8.7 of the City's Town Planning Scheme No. 2 (TPS2), subject to the following conditions:**
 - i. **An additional amount of 7441 m² public open space be provided on site ideally in the location as shown on the 2005 development plan or in a configuration as agreed with the City, so that the total amount of Public Open Space on the site is 9923 m² as shown in the 2005 development plan and required under Town Planning Scheme No. 2 (TPS2) and flagged in advice notes 1 attached to subdivision approvals WAPC131108 and WAPC131109 dated 24 February 2010.**
 - ii. **A provision be included in the final ODP to ensure that the City retains a role in the negotiation process to determine public open space on the site.**
 - iii. **Provisions are incorporated into the ODP to impose a relationship between the development of the historic buildings following the sale of the vacant**

blocks in the north and south wing so that the developer is legally bound to link the sale of the north and south wings to the development of the historic building and in this way guarantees are put in place to ensure that the historic buildings will be developed within an agreed timeframe.

- iv. The land needed for dual use access purposes through the site be in public ownership so as to ensure that public access through the site is maintained in perpetuity.**
- v. The ODP addresses the question of a future use for Montgomery Hall and provides for the future parking needs for this use on site or alternatively provides an area on site where future parking needs of Montgomery Hall could be accommodated.**
- vi. A pedestrian access way along the eastern side of Montgomery Hall be provided so that full public access to the exterior of the building remains.**
- vii. The following correction are made to the ODP Maps:**
 - a) The Land Classification Plan is amended so that the area to the north of Charles Lane Extension is shown as open space and not road reserve.**
 - b) A shared access path is provided to link The Marlows and Heritage Lane.**
- viii. The following provisions are included in the text of the ODP to provide safeguards for minor changes to the ODP in the future:**
 - b) There shall be no link between Heritage Lane throughout the site to the North or South Wings which would enable vehicular access to or from Heritage Lane to or from any other existing public road;**
 - b) An additional vehicle access point can be provided from Heritage Lane south of Circular Dive;**
 - c) There shall be no vehicle access to and from the site via St John's Wood Boulevard, Abbey Gardens, Charles Lane or Hamilton Gardens unless otherwise provided in this ODP;**

- d) The curtilage areas are to be retained for the purposes of:**

 - 1. providing public access throughout the site;**
 - 2. retaining the conservation values of the buildings;**
 - 3. providing a visual separation between the heritage buildings and other development; and**
 - 4. providing limited parking.**
 - e) No above ground structures of any type including movable furniture and equipment will be permitted in the curtilage areas unless approved as part of the landscape masterplan.**
 - f) The levels within all curtilage areas shall not be altered by more than 500 mm calculated from the Natural Ground Level shown on the Development Plan.**
 - g) The full extent of the curtilage area may be given up by the Developer free of cost as a reserve for which the City has care, control and management.**
 - h) Circular Drive remain accessible to the public at all time and shall not be gated.**
 - i) The following words “so that view corridors to and from the historic building from all sides are retained” are added to the sentence in the ODP “High quality open space treatments are required, commensurate with the quality of the redevelopment of the heritage buildings”.**
- 2. The document text be amended to reflect the following:**
- a) It is misleading to state that the area is well serviced by public open space as there is in fact a shortfall in POS when compared with the 10% required by State legislation and policy.**
 - b) Access to public transport is overstated as in reality exclusive reliance on public transport in**

Mt Claremont is not practical as the area is poorly serviced with limited bus services.

- c) John XXIII College is not located approximately 1km to the east from the site, but borders onto the subject site**

3. The City takes notice of the following matters and addressed them appropriately and will:

i. refer the following proposals to the City's Traffic Management Committee to evaluate implementation feasibility:

a) Install a manned crosswalk along Heritage Lane to allow pedestrian movement to John 23 College from the subject site via Heritage Lane;

b) Install traffic management devices in Charles Lane and Abbey Gardens in order to slow the traffic down in these local roads.

c) Modify the existing hammerhead turnaround alignment of Charles Lane as Charles Lane is no longer a cul-de-sac in consultation with existing residents of Charles Lane.

ii. ensure that the existing three paper bark trees at the head of the existing Charles Lane are not removed and are protected in the redesign works of Charles Lane.

Amended Recommendation to Committee

Council

1. Approves the Outline Development Plan (ODP) approved for advertising by the Western Australian Planning Commission (WAPC) for the Old Swanbourne Hospital Site, Lot 12040 Heritage Lane Mt Claremont, pursuant to Clause 3.8.7 of the City's Town Planning Scheme No. 2 (TPS2), subject to the following conditions:

i. An additional amount of 7441 m² public open space be provided on site ideally in the location as the shown on the 2005 development plan or in a configuration as agreed with the City, so that the total amount of Public Open Space on the site is 9923 m² as shown in the 2005

development plan and required under Town Planning Scheme No. 2 (TPS2).

- ii. A provision be included in the final ODP to ensure that the City retains a role in the negotiation process to determine public open space on the site.
- iii. Provisions are incorporated into the ODP to impose a relationship between the development of the historic buildings following the sale of the vacant blocks in the north and south wing so that the developer is legally bound to link the sale of the north and south wings to the development of the historic building and in this way guarantees are put in place to ensure that the historic buildings will be developed within an agreed timeframe.
- iv. The land needed for dual use access purposes through the site be in public ownership so as to ensure that public access through the site is maintained in perpetuity.
- v. The ODP addresses the question of a future use for Montgomery Hall and provides for the future parking needs for this use on site or alternatively provides an area on site where future parking needs of Montgomery Hall could be accommodated.
- vi. A pedestrian access way along the eastern side of Montgomery Hall be provided so that full public access to the exterior of the building remains.
- vii. The following correction are made to the ODP Maps:
 - a) The Land Classification Plan is amended so that the area to the north of Charles Lane Extension is shown as open space and not road reserve.
 - b) A shared access path is provided to link The Marlows and Heritage Lane.
- viii. The following provisions are included in the text of the ODP to provide safeguards for minor changes to the ODP in the future:
 - b) There shall be no link between Heritage Lane throughout the site to the North or South Wings which would enable vehicular access to or from Heritage Lane to or from any other existing public road;

- b) An additional vehicle access point can be provided from Heritage Lane south of Circular Drive;
 - c) There shall be no vehicle access to and from the site via St John's Wood Boulevard, Abbey Gardens, Charles Lane or Hamilton Gardens unless otherwise provided in this ODP;
 - d) The curtilage areas are to be retained for the purposes of:
 - 1. providing public access throughout the site;
 - 2. retaining the conservation values of the buildings;
 - 3. providing a visual separation between the heritage buildings and other development; and
 - 4. providing limited parking.
 - e) No above ground structures of any type including movable furniture and equipment will be permitted in the curtilage areas unless approved as part of the landscape masterplan.
 - f) The levels within all curtilage areas shall not be altered by more than 500 mm calculated from the Natural Ground Level shown on the Development Plan.
 - g) The full extent of the curtilage area may be given up by the Developer free of cost as a reserve for which the City has care, control and management.
 - h) Circular Drive remain accessible to the public at all time and shall not be gated.
 - i) The following words "so that view corridors to and from the historic building from all sides are retained" are added to the sentence in the ODP "High quality open space treatments are required, commensurate with the quality of the redevelopment of the heritage buildings".
2. The document text be amended to reflect the following:
- a) It is misleading to state that the area is well serviced by public open space as there is in fact a

shortfall in POS when compared with the 10% required by State legislation and policy.

- b) Access to public transport is overstated as in reality exclusive reliance on public transport in Mt Claremont is not practical as the area is poorly serviced with limited bus services.
 - c) John XXIII College is not located approximately 1km to the east from the site, but borders onto the subject site
3. The City takes notice of the following matters and addressed them appropriately and will:
- i. refer the following proposals to the City's Traffic Management Committee to evaluate implementation feasibility:
 - a) Install a manned crosswalk along Heritage Lane to allow pedestrian movement to John 23 College from the subject site via Heritage Lane;
 - b) Install traffic management devices in Charles Lane and Abbey Gardens in order to slow the traffic down in these local roads.
 - c) Modify the existing hammerhead turnaround alignment of Charles Lane as Charles Lane is no longer a cul-de-sac in consultation with existing residents of Charles Lane.
 - ii. ensure that the existing three paper bark trees at the head of the existing Charles Lane are not removed and are protected in the redesign works of Charles Lane.

Recommendation to Committee

Council

- 1. Approves the Outline Development Plan (ODP) approved by the Western Australian Planning Commission (WAPC) for the Old Swanbourne Hospital Site, Lot 12040 Heritage Lane Mt Claremont, pursuant to Clause 3.8.7 of the City's Town Planning Scheme No. 2 (TPS2), subject to the following conditions:
 - i. An additional amount of the 7440 m² public open space be provided on site ideally in the location as the shown on the 2005 development plan or in a configuration as

agreed with the City, so that the total amount of Public Open Space on the site is 9922 m² as shown in the 2005 development plan and required under Town Planning Scheme No. 2 (TPS2).

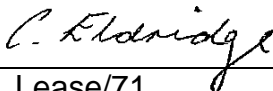
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 - a) The Land Classification Plan is amended so that the area to the north of Charles Lane Extension is shown as open space and not road reserve.
 - b) A shared access path is provided to link The Marlows and Heritage Lane.
- viii. The following provisions are included in the text of the ODP to provide safeguards for minor changes to the ODP in the future:
 - b) There shall be no link between Heritage Lane throughout the site to the North or South Wings which would enable vehicular access to or from Heritage Lane to or from any other existing public road;

- b) An additional vehicle access point can be provided from Heritage Lane south of Circular Drive;
 - c) There shall be no vehicle access to and from the site via St John's Wood Boulevard, Abbey Gardens, Charles Lane or Hamilton Gardens unless otherwise provided in this ODP;
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 - i) The following words "so that view corridors to and from the historic building from all sides are retained" are added to the sentence in the ODP "High quality open space treatments are required, commensurate with the quality of the redevelopment of the heritage buildings".
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- a) It is misleading to state that the area is well serviced by public open as there is in fact a shortfall in POS when compared the 10% required by State legislation and policy.
 - b) Access to public transport is overstated as in reality exclusive reliance on public transport in Mt Claremont is not practical as the area is poorly serviced with limited bus services.
 - c) John XXIII College is not located approximately 1km to the east from the site, but borders onto the subject site
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 - c) Modify the existing hammerhead turnaround alignment of Charles Lane as Charles Lane is no longer a cul-de-sac in consultation with existing residents of Charles Lane.
 - ii. ensure that the existing three paper bark trees at the head of the existing Charles Lane are not removed and are protected in the redesign works of Charles Lane.

D38.11	Mattie Furphy House, Allen Park Heritage Precinct – Reserve 7804 (Lot 403 on Deposited Plan 36773, Marine Parade, Swanbourne. Proposed twenty-one year lease between the City and the Fellowship of Australian Writers Western Australia Inc.
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Committee	10 May 2011
Council	24 May 2011

Applicant	Fellowship of Australian Writers Western Australia Inc
Owner	State of WA – Vested to City of Nedlands
Officer	Neil Scanes – Property Management Officer
Director	Carlie Eldridge – Director Development Services
Director Signature	
File ref	Lease/71
Previous Item No's	Item 17.1 - 26 October 2004
Disclosure of Interest	No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> .

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

Moved – Councillor Binks
 Seconded – Councillor Tyson

That the Recommendation to Committee is adopted.

(Printed below for ease of reference)

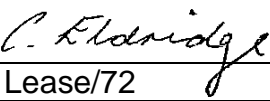
CARRIED UNANIMOUSLY 13/-

Committee Recommendation / Recommendation to Committee

Council approves and endorses an exclusive use lease for a twenty-one year term between the City and the Fellowship of Australian Writers Western Australia Inc for the use of the land that Mattie Furphy House resides on as per attachment 1.

D39.11	Vacant Bowling Green located at Hollywood-Subiaco Bowling Club Inc, Crown Reserve 20838 (Lot 13423 on Deposited Plan 194320), Monash Avenue, Nedlands. Proposed Sub-Lease commencing on the date of signing with the option of an additional five (5) year term between the City, Hollywood-Subiaco Bowling Club Inc and West Coast Futsal Association Inc for the use of a vacant Bowling Green
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Committee	10 May 2011
Council	24 May 2011

Applicant	Hollywood-Subiaco Bowling Club Inc and West Coast Futsal Association Inc
Owner	State of WA – Vested to City of Nedlands
Officer	Neil Scanes – Property Management Officer
Director	Carlie Eldridge – Director Development Services
Director Signature	
File ref	Lease/72
Previous Item No's	Item C28.03 - 27 May 2003
Disclosure of Interest	No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> .

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

Moved – Councillor Binks
 Seconded – Councillor Somerville-Brown

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

Councillor Horley left the meeting at 8.00 pm and returned at 8.01 pm.

CARRIED 11/1
(Against: Cr. Tyson)
(Abstained: Cr. Tan)

Committee Recommendation / Amended Recommendation to Committee

Council approves and endorses an exclusive use Sub-lease commencing on the date of signing with the option of a further five (5) year term between the City, Hollywood-Subiaco Bowling

Club Inc and West Coast Futsal Association Inc for the soccer clubs use of the vacant bowling green located within the Hollywood-Subiaco Bowling Club Inc's current lease area as per attachment 1, subject to the amendment of clause 6.1 "Associate Membership of Sublessor to the following:

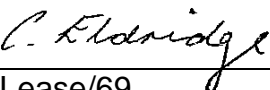
"In consideration of the Sublessor granting this Sublease to the Sublessee, the Sublessee covenants and agreed with the Sublessor to ensure that all of its members also become "Associate member-Futsal" of the Sublessor".

Recommendation to Committee

Council approves and endorses an exclusive use Sub-lease commencing on the date of signing with the option of a further five (5) year term between the City, Hollywood-Subiaco Bowling Club Inc and West Coast Futsal Association Inc for the soccer clubs use of the vacant bowling green located within the Hollywood-Subiaco Bowling Club Inc's current lease area as per attachment 1.

D40.11	Former Hollywood After School Activity Centre, Crown Reserve 20838 (Part Lot 13423 on Deposited Plan 194320), Monash Avenue, Nedlands. Proposed three (3) year lease with the option of an additional four (4) year term between the City and West Coast Futsal Association Inc for the use of the former Hollywood After School Activity Centre building
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Committee	10 May 2011
Council	24 May 2011

Applicant	West Coast Futsal Association Inc
Owner	State of WA – Vested to City of Nedlands
Officer	Neil Scanes – Property Management Officer
Director	Carlie Eldridge – Director Development Services
Director Signature	
File ref	Lease/69
Previous Item No's	Item D14.11 - Council 22 February 2011; Item D27.09 - Council 28 April 2009; and Item C54.01 - 21 June 2001
Disclosure of Interest	No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> .

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

Moved – Councillor Somerville-Brown
 Seconded – Councillor Bell

That the Recommendation to Committee is adopted.

(Printed below for ease of reference)

**CARRIED 10/1
 (Against: Cr. Tyson)
 (Abstained: Crs. Tan & Smyth)**

Committee Recommendation / Recommendation to Committee


Council:

1. Approves and endorses an exclusive use lease for a three (3) year term with the option of a further four (4) year term between the City and West Coast Futsal Association Inc for the use of the former Hollywood After School Activity Centre building as an office/storeroom as per attachment 1; and
2. Defers the Council's decision to demolish the former Hollywood After School Activity Centre building for the short to medium term.

7.2 Technical Services Report No's T02.11 to T03.11

T02.11	Reporting on past, current and future use of fertiliser by the City of Nedlands
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Committee	10 May 2011
Council	24 May 2011

Applicant	City of Nedlands
Owner	City of Nedlands
Officer	Andrew Dickson – A/Manager Parks Services
Director	Ian Hamilton – Director Technical Services
Director Signature	
File ref.	PRS/100-15
Previous Item No's	Item 14.1 – 23 February 2010
Disclosure of Interest	No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> .

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

Moved – Councillor Negus
 Seconded – Councillor Somerville-Brown

That the Recommendation to Committee is adopted.

(Printed below for ease of reference)

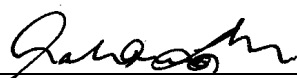
**CARRIED 12/-
 (Abstained: Cr. Tyson)**

Committee Recommendation / Recommendation to Committee

Council receives the report on past, current and future use of fertiliser by the City of Nedlands, inclusive of a comparison with the practices of other Local Government Authorities in the Swan River catchment area.

T03.11	Quarterly Report - Requests for street tree removals referred for Council consideration
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Committee	10 May 2011
Council	24 May 2011

Applicant	City of Nedlands
Owner	City of Nedlands
Officer	Andrew Dickson – A/Manager Parks Services
Director	Ian Hamilton – Director Technical Services
Director Signature	
File ref.	PRS/117
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 Negus
 Seconded – Councillor Binks

That the Recommendation to Committee is adopted.

(Printed below for ease of reference)

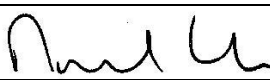
**CARRIED 11/-
 (Abstained: Crs. Collins & Smyth)**

Committee Recommendation / Recommendation to Committee

Council:

- a) refuse the request for street tree removals as listed at:
 - i. 69 Circe Circle, Dalkeith
 - ii. 26 Reeve Street, Swanbourne; and
- b) approves the request for street tree removal as listed at:
 - i. 14 Lynton Street, Swanbourne

7.3 Corporate Services Report No's CP17.11 to CP20.11

CP17.11 Monthly Financial Report – March 2011	
Committee	10 May 2011
Council	24 May 2011
Applicant	City of Nedlands
Owner	City of Nedlands
Officer	Rajah Senathirajah – Manager Finance
Director	Michael Cole – Director Corporate Service
Director Signature	
File ref.	Fin/072-16
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 Negus
 Seconded – Councillor Bell

That the Recommendation to Committee is adopted.

(Printed below for ease of reference)

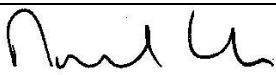
**CARRIED 10/-
 (Abstained: Crs. Hipkins Tan & Tyson)**

Committee Recommendation / Recommendation to Committee

Council receives the Monthly Financial Report for March 2011.

CP18.11	Investment Report – March 2011
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Committee	10 May 2011
Council	24 May 2011

Applicant	City of Nedlands
Owner	City of Nedlands
Officer	Rajah Senathirajah – Manager Finance
Director	Michael Cole – Director Corporate Service
Director Signature	
File ref.	Fin/071-06
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 Somerville-Brown
 Seconded – Councillor Bell

That the Recommendation to Committee is adopted.

(Printed below for ease of reference)


CARRIED UNANIMOUSLY 13/-

Committee Recommendation / Recommendation to Committee

Council receives the Investment Report for the period ended 31 March 2011.

CP19.11	List of Accounts Paid – March 2011
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Committee	10 May 2011
Council	24 May 2011

Applicant	City of Nedlands
Owner	City of Nedlands
Officer	Rajah Senathirajah – Manager Finance
Director	Michael Cole – Director Corporate Service
Director Signature	
File ref:	Fin/072-16
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 Bell
 Seconded – Councillor Negus

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

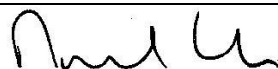
CARRIED 12/-
(Abstained: Cr. Tan)

Committee Recommendation / Recommendation to Committee

Council receives the List of Accounts Paid for the month of March 2011.

CP20.11	Review of Council's Delegated Authorities
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Committee	10 May 2011
Council	22 June 2010

Applicant	City of Nedlands
Owner	City of Nedlands
Director	Michael Cole – Director Corporate Service
CEO	Graham Foster - Chief Executive Officer
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 Local Government Act (1995).

Disclosure of Interest

Mr G Foster, Chief Executive Officer disclosed a financial interest in Report CP20.11 – Review of Council's Delegated Authorities, in regard to delegated authority 1J Perth Flying Squadron Yacht Club, his interest being that he is an honorary member of the Club. Mr G Foster, Chief Executive Officer advised that he would leave the meeting during this matter.

Mr G Foster, Chief Executive Officer left the meeting at 8.25 pm.

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

Moved – Councillor Negus

Seconded – Councillor Somerville-Brown

That the Recommendation to Committee is adopted.

(Printed below for ease of reference)

CARRIED 7/3
(Against: Crs. Argyle Hipkins & Tyson)
(Abstained: Crs. Tan Collins & Smyth)

Mr G Foster, Chief Executive Officer returned to the meeting at 8:34 pm.

Committee Recommendation / Recommendation to Committee

Council

1. retains the following Delegated Authorities without amendment:

- 1A Acting Chief Executive Officer
- 1B Office Hours
- 1C Staff Vehicle Use
- 1D Use of Council's Common Seal and Authority to Sign Documents
- 1E Local Government Act, Executive Functions Delegated to the Chief Executive Officer
- 1F Performance Review of Chief Executive Officer
- 1G Consumption of Alcohol in Public Places
- 1H Authority to Grant Permission for Vehicles on a Reserve
- 1I Use of Council Chambers
- 1J Perth Flying Squadron Yacht Club – Delegated Authority
- 1K Authority to Call Tenders
- 3A Investment of Funds
- 3B Debt Recovery
- 3C Requests for Financial Assistance
- 3D Operation of Council Bank Accounts
- 3E Invitations for Registrations of Interest
- 3F Write Off of Minor Debts
- 3G Acceptance of Tenders
- 4A Engagement of Contractors
- 4B Obstruction of Rights Of Way
- 4C Verge Development
- 4D Street Trees
- 4E Vehicle Crossing Places
- 4F Private Works
- 4G Traffic Management Committee
- 5A Use of Reserves During Building Operations on Adjacent Property
- 5B Landscaping River Foreshore
- 5C Dangerous Trees on Private Property
- 6B Trading in Public Places
- 7B Endorsement of Strata Titles
- 7C Assignment of House Numbers
- 7E Issuing Section 3.25 Notices
- 7F Signing of Metropolitan Region Scheme Form 1 Applications
- 8A Health Act Functions
- 8B Liquor Licensing Act Functions
- 8C Caravan and Camping Grounds Act Functions
- 8D Environmental Protection Act Functions

- 9A Collection of Unpaid Fines (Parking)
 - 9B Prosecution Officers
 - 9C Withdrawal of Infringement Notices
 - 9E Power to Authorise Withdrawal of Dog Infringements
 - 9G Removal of Obstructions and Deposit on Streets and Public Places
 - 9H Registration Officers
 - 10A Tresillian Studio Leases
 - 10B Erection of Neighbourhood Watch Signs
 - 10C Active Recreation Area Use
 - 10D Signs on Reserves
 - 10E Community and Cultural Development Fund
 - 10F Sponsorship of Youth Initiatives Fund
2. Amends Delegated Authority 6A Town Planning Scheme No. 2 - Approval and Refusal of Planning Applications as follows:
- a) adds to category 1.a) the words “where no valid objections relating to the proposal were received.”
 - b) adds a further delegation to Senior Statutory Planner, for categories 1b, 1e, 1f, 1g, 1h and 3.
3. Amends Delegated Authority 7A - Legislative Building Control to in paragraph 3 to include Notices under Section 409.
4. Amends Delegated Authority 7D - Fences Within Reduced Truncations by changing the further delegation from Manager Property Services to Manager Statutory Planning.
5. Amends Delegated Authority 9F - Temporary Street Closure and Temporary Suspension of Road Rules by deleting “Council’s Ranger Administrator” in both places and replacing with “the Senior Ranger”.
6. Amends Delegated Authority 10D – Signs on Reserves by:
- a) Deleting “Policy on Signs on Reserves” and replacing it with “City of Nedlands Signs Local Law 2007”; and
 - b) Amends further delegation by deleting “Director Community and Strategy, Community Development Officer (Recreation) and Community Development Officer (Groups and Facilities)” and replacing with “Manager Property Services”.

8. Reports by the Chief Executive Officer

Nil.

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

Nil.

10. Confidential Items

Nil.

Declaration of Closure

There being no further business, the Presiding Member declared the meeting closed at 8.35 pm.