



City of Nedlands

# ***Minutes***

## ***Council Committee Meeting***

***8 March 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.

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## City of Nedlands

### Minutes of a meeting of the Council Committee held in the Council Chambers, Nedlands on Tuesday 8 March 2011 at 7.00 pm.

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#### Declaration of Opening

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

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

#### Present and Apologies and Leave Of Absence (Previously Approved)

<b>Councillors</b>	Her Worship the Mayor, S A Froese	(Presiding Member)
	Councillor K E Collins	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 (from 7.26 pm)	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

<b>Staff</b>	Mr GT Foster	Chief Executive Officer
	Ms C Eldridge	Director Development Services
	Mr M Cole	Director Corporate Services
	Mr I Hamilton	Director Technical Services
	Ms S Love	Executive Assistant

**Public** There were 12 members of the public present, including one staff member.

**Press** The Post Newspaper representative (until 8.21 pm).

**Leave of Absence** None.  
**(Previously Approved)**

**Apologies** Councillor N B J Horley Coastal Districts Ward

**Absent** None.

## 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.

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### 1. Public Question Time

Nil.

### 2. 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.

#### Non-Elector

Moved – Councillor Tyson

Seconded – Councillor Tan

**That Mr T Burkett, Ms R McAulay, Mr L Scanlan, Mr L Webb and Mr P Odden, non-electors of the City be permitted to address the meeting.**

**CARRIED UNANIMOUSLY 11/-**

Mr T Burkett, 125 Hamersley Road, Subiaco (Spoke in support of the application)	Report D16.11
Ms R McAulay, 152-158 St Georges Terrace, Perth (Spoke in opposition to the application)	Report D16.11
Mr L Scanlan, 20 Warnham Road, Cottesloe (Spoke in support of the application)	Report D20.11
Mr L Webb, 107 Lakes Street, Southern River (Spoke in opposition to the application)	Report D21.11
Mr P Odden, 267 Stirling Highway, Claremont (Spoke in support of the application)	Report D22.11

### **3. Disclosures of Financial Interest**

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

Nil.

### **4. Disclosures of Interests Affecting Impartiality**

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

#### **4.1 Councillor Tan - Report D16.11 - No. 78 (Lot 12) Brookdale Street, Floreat: Proposed Child Care Centre**

Councillor Tan disclosed an impartiality interest in Report D16.11 - No. 78 (Lot 12) Brookdale Street, Floreat: Proposed Child Care Centre. She disclosed that Mr Steve Allarding of Allarding and Associates assisted Council in a successful SAT Hearing at which she was one of the two Council representatives, 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.

#### **4.2 Councillor Tan - Report D20.11 - No. 98 (Lot 604) Circe Circle, Dalkeith: Overheight Secondary Street Fence**

Councillor Tan disclosed an impartiality interest in Report D20.11 - No. 98 (Lot 604) Circe Circle, Dalkeith: Overheight Secondary Street Fence. She disclosed that she has an association with one of the

objectors, 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.

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

Nil.

**6. Confirmation of Minutes**

**6.1 Committee Meeting 8 February 2011**

Moved – Councillor Negus  
Seconded – Councillor Binks

**That the minutes of the Council Committee held 8 February 2011 are confirmed.**

**CARRIED 10/1  
(Against: Crs. Smyth)**

**7. Matters for Which the Meeting May Be Closed**

Nil.

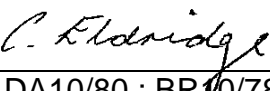
**8. Divisional Reports**

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.

**8.1 Development Services Report No's D16.11 to D26.11**

<b>D16.11</b>	<b>No. 78 (Lot 12) Brookdale Street, Floreat: Proposed Child Care Centre</b>
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<b>Committee</b>	8 March 2011
<b>Council</b>	22 March 2011

<b>Applicant</b>	Allerding & Associates
<b>Owner</b>	Wesbrel Pty Ltd
<b>Officer</b>	Coralie Anderson – Senior Statutory Planning Officer
<b>Director</b>	Carlie Eldridge – Director Development Services
<b>Director Signature</b>	
<b>File ref</b>	DA10/80 : BR 10/78
<b>Previous Item No's</b>	Nil
<b>Disclosure of Interest</b>	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 Tan** disclosed an impartiality interest in Report D16.11 - No. 78 (Lot 12) Brookdale Street, Floreat: Proposed Child Care Centre. She disclosed that Mr Steve Allerding of Allerding and Associates assisted Council in a successful SAT Hearing at which she was one of the two Council representatives, 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 T Burkett, 125 Hamersley Road, Subiaco  
(Spoke in support of the application)

The Presiding Member granted Mr Burkett an additional 2 minutes to conclude his public address.

Ms R McAulay, 152-158 St Georges Terrace, Perth  
(Spoke in opposition to the application)

**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 9/-**  
**(Abstained: Crs. Somerville-Brown & Smyth)**

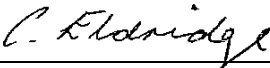
**Committee Recommendation / Recommendation to Committee**

**Council refuses the application for Child Care Centre located at No.78 (Lot 12) Brookdale Street, Floreat in accordance with application dated 24 February 2010 and amended plans dated 1 November 2010 for the following reasons:**

- 1. The proposal does not satisfy the conditions and standards of Clause 6.4.2 and Clause 5.5.1 of the Town Planning Scheme No. 2;**
- 2. The proposal will increase existing traffic and noise impacts;**
- 3. The proposal will have an overall adverse impact on the amenity of the surrounding residents; and**
- 4. The proposal cannot comply with the Noise Regulations without overheight boundary fencing in a residential area.**

<b>D17.11</b>	<b>No. 101 Monash Ave (Hollywood Hospital) and Reserve 33244 Monash Ave (QEII Medical Centre): Proposed Temporary Child Care Centre at QEII Medical Centre</b>
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<b>Committee</b>	8 March 2011
<b>Council</b>	22 March 2011

<b>Applicant</b>	Aurora Projects
<b>Owner</b>	QEII Medical Trust & Ramsay Hospital Holdings Pty Ltd
<b>Officer</b>	Coralie Anderson – Senior Statutory Planning Officer
<b>Director</b>	Carlie Eldridge – Director Development Services
<b>Director Signature</b>	
<b>File ref:</b>	DA10/645 : DA10/646
<b>Previous Item No's</b>	Nil
<b>Disclosure of Interest</b>	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) – Committee considered it appropriate to add an additional reason for refusal, being that the proposed development is contrary to the QEII Medical Centre structure plan.**

Moved – Councillor Negus  
 Seconded – Councillor Hodsdon

**That the Recommendation to Committee** (printed below for ease of reference) **is adopted, subject to an additional clause 3 being added as follows: “The proposed development is contrary to the QEII Medical Centre structure plan.”**

**CARRIED UNANIMOUSLY 11/-**

**Committee Recommendation**

**Council:**

- 1. Recommends refusal to the Western Australian Planning Commission (WAPC) for the proposed Temporary Child Care Centre located at No. 101 Monash Ave (Hollywood Hospital) and Reserve 33244 Monash Ave (QEII Medical Centre) in accordance with the application dated 7**

**December 2010 and plans dated 7 December 2010 and 7 February 2011, for the following reasons:**

- i) Inadequate location of reserve car bays;**
  - ii) Adverse impact on the surrounding residential amenity;**
- 2. Should the WAPC see fit to approve the application, the Council recommends the approval should be subject to the following conditions:**
- i) The Child Care Centre shall operate from a maximum period up until July 2014;**
  - ii) After the operations have ceased in accordance with i) above, the temporary building shall be removed and the area landscaped in accordance with the QEII Structure Plan and Master Plan;**
  - iii) The hours of the operation for the Child Care Centre shall be restricted to the current operating times:
    - a) Before and After School 6:45am – 6:00 pm (Monday to Friday);**
    - b) Vacation 6.45am – 5.45pm (Monday to Friday);****
  - iv) The Child Care Centre shall accommodate a maximum of 60 children;**
  - v) As shown on the plans, seven (7) car bays shall be reserved for the exclusive use of the Child Care Centre, and appropriate signage installed to reflect this;**
  - vi) The reserved car bays shall be restricted to ten (10) minute maximum time period and appropriate signage shall be installed to indicate this time limit;**
  - vii) Ten (10) bollards, that are 2 m apart, shall be erected on the verge in front of the Child Care Centre;**
  - viii) The appropriate signage shall be installed in consultation and to the satisfaction of the City to prevent left turn movement out from the western exit of the car park onto Verdun Road;**

- ix) **The proposed pedestrian path shall be constructed in consultation with and to the satisfaction of the City and such path shall be:**
  - a) **A minimum 2 m in width;**
  - b) **Comply with the relevant Australian Standards; and**
- 3. **The proposed development is contrary to the QEII Medical Centre structure plan.**

Recommendation to Committee

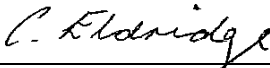
Council:

1. Recommends refusal to the Western Australian Planning Commission (WAPC) for the proposed Temporary Child Care Centre located at No. 101 Monash Ave (Hollywood Hospital) and Reserve 33244 Monash Ave (QEII Medical Centre) in accordance with the application dated 7 December 2010 and plans dated 7 December 2010 and 7 February 2011, for the following reasons:
  - i) Inadequate location of reserve car bays.
  - ii) Adverse impact on the surrounding residential amenity.
2. Should the WAPC see fit to approve the application, the Council recommends the approval should be subject to the following conditions:
  - i) The Child Care Centre shall operate from a maximum period up until July 2014.
  - ii) After the operations have ceased in accordance with i) above, the temporary building shall be removed and the area landscaped in accordance with the QEII Structure Plan and Master Plan.
  - iii) The hours of the operation for the Child Care Centre shall be restricted to the current operating times:
    - a) Before and After School 6:45am – 6:00 pm (Monday to Friday).
    - b) Vacation 6.45am – 5.45pm (Monday to Friday).

- iv) The Child Care Centre shall accommodate a maximum of 60 children.
- v) As shown on the plans, seven (7) car bays shall be reserved for the exclusive use of the Child Care Centre, and appropriate signage installed to reflect this.
- vi) The reserved car bays shall be restricted to ten (10) minute maximum time period and appropriate signage shall be installed to indicate this time limit.
- vii) Ten (10) bollards, that are 2 m apart, shall be erected on the verge in front of the Child Care Centre.
- viii) The appropriate signage shall be installed in consultation and to the satisfaction of the City to prevent left turn movement out from the western exit of the car park onto Verdun Road.
- ix) The proposed pedestrian path shall be constructed in consultation with and to the satisfaction of the City and such path shall be:
  - a) A minimum 2 m in width.
  - b) Comply with the relevant Australian Standards.

<b>D18.11</b>	<b>No. 28 (Lot 158) Waroonga Road, Nedlands: Proposed Carport</b>
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<b>Committee</b>	8 March 2011
<b>Council</b>	22 March 2011

<b>Applicant</b>	Sanath Dayasila De Tissera
<b>Owner</b>	Sanath Dayasila De Tissera
<b>Officer</b>	Elle O'Connor – Planning Officer
<b>Director</b>	Carlie Eldridge – Director Development Services
<b>Director Signature</b>	
<b>File ref</b>	DA10/507 : W/15/28 : M11/03494
<b>Previous Item No's</b>	Nil
<b>Disclosure of Interest</b>	No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> .

Councillor Bell joined the meeting at 7.26 pm

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

Moved – Councillor Hipkins  
 Seconded – Councillor Negus

**That the Recommendation to Committee is adopted.**

(Printed below for ease of reference)

**CARRIED UNANIMOUSLY 12/-**

**Committee Recommendation / Recommendation to Committee**

**Council refuses the application for a carport at No. 28 (Lot 158) Waroonga Road, Nedlands in accordance with the application and plans dated 19 October 2010 for the following reasons:**


1. The proposed carport does not comply with Council's Policy 6.23 'Carports and Minor Structures Forward of the Primary Street Setback'.
2. There is an existing two car garage behind the primary street setback.

<b>D19.11</b>	<b>No. 40 (Lot 312) Dalkeith Road, Nedlands: Proposed Carport</b>
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Item withdrawn

<b>D20.11</b>	<b>No. 98 (Lot 604) Circe Circle, Dalkeith: Overheight Secondary Street Fence</b>
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<b>Committee</b>	8 March 2011
<b>Council</b>	22 March 2011

<b>Applicant</b>	Lawrence Scanlan Architects
<b>Owner</b>	Mario & Natalie De Felice
<b>Officer</b>	Elle O'Connor – Planning Officer
<b>Director</b>	Carlie Eldridge – Director Development Services
<b>Director Signature</b>	
<b>File ref</b>	DA10/553 : C12/98-02 : M11/03496
<b>Previous Item No's</b>	Nil
<b>Disclosure of Interest</b>	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 Tan** disclosed an impartiality interest in Report D20.11 - No. 98 (Lot 604) Circe Circle, Dalkeith: Overheight Secondary Street Fence. She disclosed that she has an association with one of the objectors, 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 L Scanlan, 20 Warnham Road, Cottesloe Report D20.11  
(Spoke in support of the application)

The Presiding Member granted Mr Scanlan an additional 2 minutes to conclude his public address.

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

Moved – Councillor Hipkins  
Seconded – Councillor Bell

Council approves the application for an over height secondary street fence at No. 98 (Lot 604) Circe Circle, Dalkeith in accordance with the application and plans dated 10 November 2010, subject to:

1. The 1.6 m set-back area forming part of the nature strip to be landscaped to the satisfaction of the City.

LOST 3/6  
(Against: Mayor & Crs. Negus Hodsdon Somerville-Brown  
Tan & Smyth)  
(Abstained: Crs. Binks Tyson & Collins)

Moved – Councillor Tan  
Seconded – Councillor Negus

**That the Committee Recommendation is adopted.**

(Printed below for ease of reference)

**CARRIED 6/3**  
**(Against: Crs. Argyle Hipkins & Bell)**  
**(Abstained: Crs. Binks Tyson & Collins)**


**Committee Recommendation / Recommendation to Committee**

Council refuses the application for an over height secondary street fence at No. 98 (Lot 604) Circe Circle, Dalkeith in accordance with the application and plans dated 10 November 2010 for the following reasons:

1. The proposed fence does not comply with the City of Nedlands Town Planning Scheme No. 2 Clause 5.6.4 and Clause 5.5.1;
2. The proposed fence does not comply with Council's Policy 6.19 'Fill and Fencing'; and
3. The proposed fence would have an adverse affect on the streetscape of Curlew road.

<b>D21.11</b>	<b>Unit 1, 2 and 3 No. 27 Carrington Street, Nedlands: Incidental Shop Use</b>
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<b>Committee</b>	8 <sup>th</sup> March 2011
<b>Council</b>	27 March 2011

<b>Applicant</b>	Ron Rutherford
<b>Owner</b>	Attila Holdings, Tarry Superannuation Fund
<b>Officer</b>	Joseph Ravi – Planning Officer
<b>Director</b>	Carlie Eldridge – Director Development Services
<b>Director Signature</b>	
<b>File ref</b>	DA09/542 : CA/4/2741 : M11/3076
<b>Previous Item No's</b>	Nil
<b>Disclosure of Interest</b>	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> .

Public Address

Mr L Webb, 107 Lakes Street, Southern River  
(Spoke in opposition to the application)

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



Moved – Councillor Hipkins  
 Seconded – Councillor Negus

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

**CARRIED 9/1**  
**(Against: Cr. Tyson)**  
**(Abstained: Crs. Binks & Tan)**

**Committee Recommendation / Recommendation to Committee**


**Council approves the application for an Incidental Shop Use at Unit 1, 2 and 3 No.27 (Lot 51) Carrington Street, Nedlands in accordance with the application dated 16 November 2009, report dated 25 November 2010 and amended plans dated 17 January 2011 subject to 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**

- 1. The use will need to comply with all health regulations. Please contact the City's Heath Services for further information.**

<b>D22.11</b>	<b>No. 58 (Lot 4) Jenkins Ave, Nedlands: Two Storey Garage/Studio, Deck, and Fencing</b>
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<b>Committee</b>	8 March 2011
<b>Council</b>	22 March 2011

<b>Applicant</b>	Optimum Resource Architects
<b>Owner</b>	Andrew Sproul
<b>Officer</b>	Joseph Ravi – Planning Officer
<b>Director</b>	Carlie Eldridge – Director Development Services
<b>Director Signature</b>	
<b>File ref</b>	DA10/643 : JED/58
<b>Previous Item No's</b>	Nil
<b>Disclosure of Interest</b>	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> .

Public Address

Mr P Odden, 267 Stirling Highway, Claremont  
(Spoke in support of the application)

Report D22.11

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

Moved - Councillor Hipkins  
Seconded - Councillor Tyson

Council refuses to approve the application for a Two Storey Garage/Studio, Deck and Fencing at No. 58 (Lot 4) Jenkins Ave, Nedlands in accordance with the application dated 6 December 2010 and plans dated 14 February 2011, for the following reasons:

1. a parapet wall in a low density R12.5 zoning has not been justified;
2. the required rear setback of 6 m has not been satisfied; and
3. the proposed 2 m setback to a double storey building on Bulimba Road is out of character with the majority of other buildings in the street, being single storey with a 9 m setback.

Mr. G. Foster, Chief Executive Officer left the meeting at 8.07 pm and returned at 8.12 pm.

Councillor Bell left the meeting at 8.13 pm and returned at 8.16 pm.

LOST 5/6  
(Against: Mayor & Crs. Negus Bell Hodsdon  
Somerville-Brown & Smyth)  
(Abstained: Cr. Binks)

Moved – Councillor Hodsdon  
Seconded – Councillor Negus

**That the Recommendation to Committee is adopted.**

(Printed below for ease of reference)

**CARRIED 6/5  
ON THE CASTING VOTE OF THE PRESIDING MEMBER  
(Against: Crs. Argyle Hipkins Tan Tyson & Collins)  
(Abstained: Crs. Binks & Smyth)**

**Committee Recommendation / Recommendation to Committee**

**Council approves the application for a Two Storey Garage/Studio, Deck, and Fencing at No. 58 (Lot 4) Jenkins Ave, Nedlands in accordance with the application dated 6 December 2010 and plans dated 14 February 2011 subject to the following conditions:**

- 1. The proposed 1.8 m high link mesh fencing shall be visually permeable in accordance with the Residential Design Codes;**
- 2. The studio shall not be used as ancillary accommodation without a further planning approval;**
- 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 ten (10) year recurrent storm event and the capacity of soakwells shall be a minimum of one (1) cubic metre for every 80 m<sup>2</sup> of paved or roofed surface on the property;**
- 4. The parapet wall, fencing and footings shall be constructed wholly inside the allotment;**
- 5. The use of bare or painted metal building materials is permitted on the basis that, if during or following the erection of the development the Council forms the opinion that glare which is produced from the building has or will have a significant detrimental effect upon the amenity of neighbouring properties, the Council may require the owner to treat the building/roof to reduce the reflectivity to a level acceptable to Council; and**
- 6. Any additional development, which is not in accordance with the original application or conditions of approval, as outlined above, will require further approval by Council.**

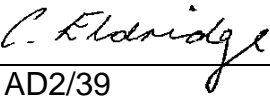
**Advice Notes specific to this approval**

- a) Ensure that airconditioner unit(s) comply with relevant Australian Standards and that noise emissions comply with the *Environmental Protection (Noise) Regulations 1997*; and**
- b) It is strongly advised that consultation is undertaken with the installer and adjoining neighbour(s) prior to installation of airconditioning equipment. In the event of a noise complaint being received by the City, remedial action (including potential relocation or other attenuation measures) may be required or the airconditioner may be prohibited from being used. It is recommended that**

applicants refer to the City's Visual and Acoustic Privacy Information document and also the fairair noise calculator online at [www.fairair.com.au](http://www.fairair.com.au).

<b>D23.11</b>	<b>No. 39 (Lot 58) Adderley Street, Mt Claremont: Proposed Single Storey Dwelling</b>
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<b>Committee</b>	8 March 2011
<b>Council</b>	22 March 2011

<b>Applicant</b>	Austin & Elizabeth Wilson
<b>Owner</b>	As above
<b>Officer</b>	Nick Bakker – Planning Officer
<b>Director</b>	Carlie Eldridge – Director Development Services
<b>Director Signature</b>	
<b>File ref</b>	AD2/39
<b>Previous Item No's</b>	Nil
<b>Disclosure of Interest</b>	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) – Committee considered it suitable to add an additional clause requiring that building set-back from the Western and all of South boundaries be increased to achieve the open space shortfall in areas it felt appropriate.**

Moved – Councillor Binks  
Seconded – Councillor Negus

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

Amendment  
Moved - Councillor Hipkins  
Seconded - Councillor Argyle

**That a new clause 2 is added as follows: “that building set-back from the Western and all of South boundaries be increased.” and clause 6 is deleted.**

Mr. M. Cole, Director Corporate Services left the meeting at 8.29 pm

Adoption – The amendment was put and

**AMENDMENT CARRIED 9/2  
(Against: Crs. Negus & Bell)  
(Abstained: Cr. Somerville-Brown)**

Adoption – The amended motion was put and

**CARRIED UNANIMOUSLY 12/-**

#### **Committee Recommendation**

**Council approves the application for a single storey dwelling on the property at No. 39 (Lot 58) Adderley Street, Mt Claremont in accordance with the application dated 6 October 2010 and amended plans dated 8 February 2011, subject to the following conditions:**

- 1. The single storey dwelling being amended to reduce its overall size to provide 60% open space in accordance with the acceptable development standards of the Residential Design Codes;**
- 2. that building set-back from the Western and all of South boundaries be increased;**
- 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 ten (10) year recurrent storm event and the capacity of soakwells shall be a minimum of one (1) cubic metre for every 80 m<sup>2</sup> of paved or roofed surface on the property;**
- 4. The existing crossover shall be removed and the verge reinstated with grass or landscaping in accordance with Council's Verge Development Policy 4.7;**
- 5. The parapet wall and footings shall be constructed wholly inside the allotment;**
- 6. The use of bare or painted metal building materials is permitted on the basis that, if during or following the erection of the development the Council forms the opinion that glare which is produced from the building has or will have a significant detrimental effect upon the amenity of neighbouring properties, the Council may require the owner to treat the building/roof to reduce the reflectivity to a level acceptable to Council;**

- 7. 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**
- 8. Any additional development, which is not in accordance with the original application or conditions of approval, as outlined above, will require further approval by Council.**

**Advice Notes specific to this approval:**

- a) All internal WC's and ensuites without window access to outside air must be serviced by mechanical ventilation, which is ducted to outside air and the minimum rate of air change must be equal or greater than 25 litres per second;**
- b) All swimming pool waste water is to be disposed of into an adequate dedicated soakwell located on the same lot, or in a manner approved by the Council's Sustainable Nedlands department;**
- c) Ensure that airconditioner unit(s) and pool pumps comply with relevant Australian Standards and that noise emissions comply with the *Environmental Protection (Noise) Regulations 1997*; and**
- d) It is strongly advised that consultation is undertaken with the installer and adjoining neighbour(s) prior to installation of airconditioning equipment. In the event of a noise complaint being received by the City, remedial action (including potential relocation or other attenuation measures) may be required or the airconditioner may be prohibited from being used. It is recommended that applicants refer to the City's Visual and Acoustic Privacy Information document and also the fairair noise calculator online at [www.fairair.com.au](http://www.fairair.com.au).**

**Recommendation to Committee**

Council approves the application for a single storey dwelling on the property at No. 39 (Lot 58) Adderley Street, Mt Claremont in accordance with the application dated 6 October 2010 and amended plans dated 8 February 2011, subject to the following conditions:

- 1. The single storey dwelling being amended to reduce its overall size to provide 60% open space in accordance with the acceptable development standards of the Residential Design Codes.**

2. 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 ten (10) year recurrent storm event and the capacity of soakwells shall be a minimum of one (1) cubic metre for every 80 m<sup>2</sup> of paved or roofed surface on the property.
3. The existing crossover shall be removed and the verge reinstated with grass or landscaping in accordance with Council's Verge Development Policy 4.7.
4. The parapet wall and footings shall be constructed wholly inside the allotment.
5. The use of bare or painted metal building materials is permitted on the basis that, if during or following the erection of the development the Council forms the opinion that glare which is produced from the building has or will have a significant detrimental effect upon the amenity of neighbouring properties, the Council may require the owner to treat the building/roof to reduce the reflectivity to a level acceptable to Council.
6. The parapet walls shall be finished to a quality finish and to a professional standard to the satisfaction of the City.
7. 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.
8. Any additional development, which is not in accordance with the original application or conditions of approval, as outlined above, will require further approval by Council.

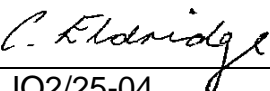
*Advice Notes specific to this approval*

- a) All internal WC's and ensuites without window access to outside air must be serviced by mechanical ventilation, which is ducted to outside air and the minimum rate of air change must be equal or greater than 25 litres per second.
- b) All swimming pool waste water is to be disposed of into an adequate dedicated soakwell located on the same lot, or in a manner approved by the Council's Sustainable Nedlands department.
- c) Ensure that airconditioner unit(s) and pool pumps comply with relevant Australian Standards and that noise emissions comply with the *Environmental Protection (Noise) Regulations 1997*.

- d) It is strongly advised that consultation is undertaken with the installer and adjoining neighbour(s) prior to installation of airconditioning equipment. In the event of a noise complaint being received by the City, remedial action (including potential relocation or other attenuation measures) may be required or the airconditioner may be prohibited from being used. It is recommended that applicants refer to the City's Visual and Acoustic Privacy Information document and also the fairair noise calculator online at [www.fairair.com.au](http://www.fairair.com.au).

<b>D24.11</b>	<b>No. 25 (Lot 10629) John XXIII Avenue Mt Claremont: Proposed Outline Development Plan for John XXIII High School</b>
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<b>Committee</b>	8 March 2011
<b>Council</b>	22 March 2011

<b>Applicant</b>	MGA Town Planners
<b>Owner</b>	Roman Catholic Archbishop of Perth
<b>Officer</b>	Gabriela Poezyn – Manager Strategic Planning
<b>Director</b>	Carlie Eldridge – Director Development Services
<b>Director Signature</b>	
<b>File ref</b>	JO2/25-04
<b>Previous Item No's</b>	Nil
<b>Disclosure of Interest</b>	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> .

Mr. M. Cole, Director Corporate Services returned to the meeting at 8.31 pm.

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

Moved – Councillor Tan  
 Seconded – Councillor Binks

**That the Recommendation to Committee is adopted.**

(Printed below for ease of reference)

**CARRIED UNANIMOUSLY 12/-**



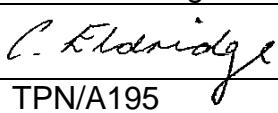
**Committee Recommendation / Recommendation to Committee**

**Council:**

1. Approves the Outline Development Plan prepared by MGA Town Planners in the document entitled "Outline Development Plan, John XXIII College, Mooro Drive, Mt Claremont" dated October 2010 for John XXIII College located at No. 25 (Lot 10629) John XXIII Avenue, Mt Claremont pursuant to Clause 3.8.7 of the City's Town Planning Scheme No. 2; and
2. Advises the school that the Department of Health as a neighbour has requested that that they be consulted at the design stage of developments at the school site so that dialogue can occur when necessary.

<b>D25.11</b>	<b>Proposed Town Planning Scheme No. 2 amendment to allow increased height restrictions to 12 m for lots 49 to 51 at Nidjalla Loop, Swanbourne (formerly Swanbourne High School)</b>
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<b>Committee</b>	8 March 2011
<b>Council</b>	22 March 2011

<b>Applicant</b>	Halsall & Associates Town Planning Consultants
<b>Owner</b>	Mr. Carlin – No 4 (Lot 50) Nidjalla Loop Mr. and Mrs. Zorzi – No 6 (Lot 49) Nidjalla Loop Mr. and Mrs. Mori – No 2 (Lot 51) Nidjalla Loop
<b>Officer</b>	Michael Swanepoel – Senior Strategic Planning Officer
<b>Director</b>	Carlie Eldridge – Director Development Services
<b>Director Signature</b>	
<b>File ref:</b>	TPN/A195
<b>Previous Item No's</b>	D49.07 – 31 July 2007
<b>Disclosure of Interest</b>	No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> .

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

Moved – Councillor Tan  
 Seconded – Councillor Bell

**That the Recommendation to Committee is adopted.**

(Printed below for ease of reference)

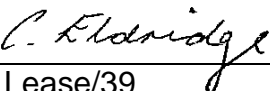
**CARRIED 11/-  
 (Abstained: Cr. Hodsdon)**

**Committee Recommendation / Recommendation to Committee**

**That Council does not initiate the proposed scheme amendment to allow a 12 m height limit on Lots 49, 50 and 51 Nidjalla Loop compiled by Halsall & Associates Town Planning dated January 2011 because the proposal is contrary to orderly and proper planning.**

<b>D26.11</b>	<b>Early Childhood Education Centre (Annie’s Playschool): No. 25 Strickland Street, Mt Claremont (Lot 254 on Deposited Plan 3321): Deed of Variation of Lease</b>
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<b>Committee</b>	8 March 2011
<b>Council</b>	22 March 2011

<b>Applicant</b>	Ann Louise O’Hara – Annie’s Playgroup
<b>Owner</b>	City of Nedlands
<b>Officer</b>	Neil Scanes – Property Management Officer
<b>Director</b>	Carlie Eldridge – Director Development Services
<b>Director Signature</b>	
<b>File ref</b>	Lease/39
<b>Previous Item No’s</b>	Item D86.10, 23 November 2010: Item D30.06, 25 April 2006: Item D90.05, 13 December 2005: Notice of Motion - Item 15.5, 14 December 2004
<b>Disclosure of Interest</b>	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 Negus

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

Councillor Hodsdon left the meeting at 8.37 pm


**CARRIED 9/-**  
**(Abstained: Crs. Tyson & Smyth)**

**Committee Recommendation / Recommendation to Committee**  
**Council approves and endorses a Deed of Variation of Lease between the City and Ann Louise O’Hara as per attachment 1.**

**8.2 Community & Strategy Report No CM02.11**

**CM02.11 2030 Community Visioning Project Outcomes Report**

<b>Committee</b>	8 March 2011
<b>Council</b>	22 March 2011

<b>Applicant</b>	City of Nedlands
<b>Owner</b>	City of Nedlands
<b>Officer</b>	Marion Granich – Manager Community Development
<b>CEO</b>	Graham Foster – Chief Executive Officer
<b>CEO Signature</b>	
<b>File ref.</b>	CMS/580
<b>Previous Item No’s</b>	Item 7 – 13 September 2010
<b>Disclosure of Interest</b>	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 UNANIMOUSLY 11/-**

**Committee Recommendation / Recommendation to Committee**


**Council:**

1. receives the 2030 Community Visioning project outcomes, being the Vision Statement and strategies identified by the community at the 2030 Conference; and
2. agrees to workshop these outcomes for possible incorporation into the City’s Strategic Plan.

**8.3 Corporate Services Report No’s CP08.11 to CP11.11**

<b>CP08.11</b>	<b>Compliance Audit Return 2010</b>
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<b>Committee</b>	8 March 2011
<b>Council</b>	22 March 2011

<b>Applicant</b>	City of Nedlands
<b>Owner</b>	City of Nedlands
<b>Officer</b>	Michael Cole – Director Corporate Services
<b>CEO</b>	Graham Foster – Chief Executive Officer
<b>CEO Signature</b>	
<b>File ref.</b>	ORN/088-03
<b>Previous Item No’s</b>	Nil
<b>Disclosure of Interest</b>	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)

Councillor Hodsdon returned to the meeting at 8.42 pm.


Councillor Hipkins left the meeting at 8.49 pm.

**CARRIED 9/-  
(Abstained: Crs. Tan & Tyson)**

**Committee Recommendation / Recommendation to Committee**  
**Council adopts the 2010 Compliance Audit Return.**

**CP09.11 Monthly Financial Report – January 2011**

<b>Committee</b>	8 March 2011
<b>Council</b>	22 March 2011

<b>Applicant</b>	City of Nedlands
<b>Owner</b>	City of Nedlands
<b>Officer</b>	Rajah Senathirajah – Manager Finance
<b>Director</b>	Michael Cole – Director Corporate Service
<b>Director Signature</b>	
<b>File ref.</b>	Fin/072-16
<b>Previous Item No's</b>	Nil
<b>Disclosure of Interest</b>	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 UNANIMOUSLY 11/-**

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

<b>CP10.11</b>	<b>Investment Report – January 2011</b>
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<b>Committee</b>	8 March 2011
<b>Council</b>	22 March 2011

<b>Applicant</b>	City of Nedlands
<b>Owner</b>	City of Nedlands
<b>Officer</b>	Rajah Senathirajah – Manager Finance
<b>Director</b>	Michael Cole – Director Corporate Service
<b>Director Signature</b>	
<b>File ref.</b>	Fin/072-16
<b>Previous Item No's</b>	Nil
<b>Disclosure of Interest</b>	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 Negus

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

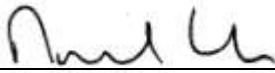
**CARRIED UNANIMOUSLY 11/-**

**Committee Recommendation / Recommendation to Committee**

**Council receives the Investment Report for the period ended 31 January 2011.**

<b>CP11.11</b>	<b>List of Accounts Paid – January 2011</b>
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<b>Committee</b>	8 March 2011
<b>Council</b>	22 March 2011

<b>Applicant</b>	City of Nedlands
<b>Owner</b>	City of Nedlands
<b>Officer</b>	Rajah Senathirajah – Manager Finance
<b>Director</b>	Michael Cole – Director Corporate Service
<b>Director Signature</b>	
<b>File ref:</b>	Fin/072-16
<b>Previous Item No's</b>	Nil
<b>Disclosure of Interest</b>	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)

Councillor Hipkins returned to the meeting at 8.51 pm.

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

**Committee Recommendation / Recommendation to Committee**  
**Council receives the List of Accounts Paid for the month of January 2011.**

**9. Reports by the Chief Executive Officer**

None.

**10. Urgent Business Approved By the Presiding Member or By Decision**

None.

**11. Confidential Items**

None.

**Declaration of Closure**

There being no further business, the Presiding Member declared the meeting closed at 8.56 pm.