



City of Nedlands

Minutes

Council Committee Meeting

11 September 2012

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 11 September at 7 pm.

Declaration of Opening

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

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

Present and Apologies and Leave Of Absence (Previously Approved)

| | | |
|--------------------|---------------------------------------|------------------------|
| Councillors | His Worship the Mayor, R M Hipkins | (Presiding Member) |
| | Councillor K E Collins | Coastal Districts Ward |
| | Councillor N B J Horley | Coastal Districts Ward |
| | Councillor L J McManus | Coastal Districts Ward |
| | Councillor I S Argyle | Dalkeith Ward |
| | Councillor W R Hassell | Dalkeith Ward |
| | Councillor S J Porter | Dalkeith Ward |
| | Councillor R M Binks | Hollywood Ward |
| | Councillor B G Hodsdon (from 7.03 pm) | Hollywood Ward |
| | Councillor T James | Melvista Ward |
| | Councillor N Shaw | Melvista Ward |

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

Public There were 5 members of the public present.

Press The Post Newspaper representative.

Leave of Absence (Previously Approved) Nil.

| | | |
|------------------|---------------------------------|----------------|
| Apologies | Councillor K Walker | Hollywood Ward |
| | Councillor M L Somerville-Brown | Melvista Ward |

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.

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

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

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

Mr D Breen, 12 Brockman Avenue, Dalkeith
(spoke in opposition to the recommendation) Report PD38.12

Mr C Harmin, Town Planning Group
(spoke in opposition to the recommendation) Report PD38.12

2. Disclosures of Financial Interest

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

There were no disclosures of financial interest.

3. Disclosures of Interests Affecting Impartiality

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

There were no disclosures affecting impartiality.

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

Nil.

5. Confirmation of Minutes

5.1 Committee Meeting 14 August 2012

Moved – Councillor Shaw
Seconded – Councillor Collins

The minutes of the Council Committee held 14 August 2012 are confirmed.

**CARRIED 8/-
(Abstained Crs Hassell & Porter)**

6. Matters for Which the Meeting May Be Closed

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

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

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

| | |
|-------------------------------|---|
| Applicant | Lanie Byk |
| Owner | Lanie Byk |
| Officer | Laura Sabitzer - Planning Officer |
| Director | Peter Mickleson - Director Planning & Development Services |
| Director Signature |  |
| File ref. | DA12/137 : BE8/3 |
| Previous Item No's | Nil |
| Disclosure of Interest | No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> . |

Councillor Hodsdon joined the meeting at 7.03 pm.

Mr A Byk. 3 Betty Street, Nedlands
(spoke in opposition of the recommendation)

Report PD37.12

Regulation 11(da) – Councillors agreed to recommend approval of the garage door and side wall on security grounds.

Moved – Councillor Argyle
Seconded – Councillor James

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

**CARRIED 8/1
(Against: Mayor Hipkins)
(Abstained: Crs. Horley & Binks)**

Committee Recommendation

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

Recommendation to Committee

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

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

| | |
|----------------|--|
| PD38.12 | No. 12 (Lot 188) Brockman Avenue, Dalkeith – Retrospective Additions (Alfresco, Loft, Patio, Enclosure of Carport, Retaining Walls, Fill and Over-height Dividing Wall) to Single House |
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|------------------|-------------------|
| Committee | 11 September 2012 |
| Council | 25 September 2012 |

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

Mr D Breen, 12 Brockman Avenue, Dalkeith
(spoke in opposition to the recommendation)

Report PD38.12

Non-Elector

Moved – Councillor Hodsdon
Seconded – Councillor Hassell

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

CARRIED UNANIMOUSLY 11/-

Mr C Harmin, Town Planning Group
(spoke in opposition to the recommendation)

Report PD38.12

Regulation 11(da) – Councillors agreed to approve the garage door for security reasons.

Moved – Councillor Hassell

Seconded – Councillor Shaw

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

- a. the applicant/owner shall make application to the Manager Property Services for a Building Certificate, to acknowledge the unauthorised works;**
- b. the patio, as marked in red on the approved plans shall have permanent vertical screening on the south side to prevent overlooking in accordance with the visual privacy requirements of the Residential Design Codes of WA. The screening shall be installed within 42 days from the date of this approval and remain in place permanently, unless otherwise approved by the City;**
- c. all stormwater from the development which includes permeable and non-permeable areas shall be contained on site by draining to soak-wells of adequate capacity to contain runoff from a 20 year recurrent storm event; and soak-wells shall be a minimum capacity of 1.0m³ for every 80m² of calculated surface area of the development;**
- d. all footings and structures to retaining walls and dividing fences shall be constructed wholly inside the site boundaries of the Certificate of Title;**
- e. the use of bare or painted metal building materials is permitted on the basis that, if during or following the erection of the development the Council forms the opinion that glare which is produced from the building / roof has or will have a significant detrimental effect upon the amenity of neighbouring properties, the Council may require the owner to treat the building / roof to reduce the reflectivity to a level acceptable to Council; and**
- f. any additional development, which is not in accordance with the original application or conditions of approval, as outlined above, will require further approval by Council;**

Advice Notes specific to this approval:

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

CARRIED 8/1
(Against: Mayor Hipkins)
(Abstained: Crs. Horley & Porter)

Committee Recommendation

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

- a. the applicant/owner shall make application to the Manager Property Services for a Building Certificate, to acknowledge the unauthorised works;
- b. the patio, as marked in red on the approved plans shall have permanent vertical screening on the south side to prevent overlooking in accordance with the visual privacy requirements of the Residential Design Codes of WA. The screening shall be installed within 42 days from the date of this approval and remain in place permanently, unless otherwise approved by the City;
- c. all stormwater from the development which includes permeable and non-permeable areas shall be contained on site by draining to soak-wells of adequate capacity to contain runoff from a 20 year recurrent storm event; and soak-wells

shall be a minimum capacity of 1.0m³ for every 80m² of calculated surface area of the development;

- d. all footings and structures to retaining walls and dividing fences shall be constructed wholly inside the site boundaries of the Certificate of Title;
- e. the use of bare or painted metal building materials is permitted on the basis that, if during or following the erection of the development the Council forms the opinion that glare which is produced from the building / roof has or will have a significant detrimental effect upon the amenity of neighbouring properties, the Council may require the owner to treat the building / roof to reduce the reflectivity to a level acceptable to Council; and
- f. any additional development, which is not in accordance with the original application or conditions of approval, as outlined above, will require further approval by Council.

Advice Notes specific to this approval:

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

Amended Administration Recommendation

1. Council approves an application for Retrospective Additions (Alfresco, Loft, Patio, Retaining Walls, Fill and Over-height Dividing Wall) and enclosures to carport to Single House at No. 12 (Lot 188) Brockman, Dalkeith in accordance with the application and plans received 16 July 2012 the following conditions:
 - a. the applicant/owner shall make application to the Manager Property Services for a Building Certificate, to acknowledge the unauthorised works;
 - b. This planning approval does not pertain to the unauthorised enclosures to the carport. The unauthorised enclosures to the carport are to be removed within 42 days of the date of this decision;
 - c. the patio, as marked in red on the approved plans shall have permanent vertical screening on the south side to prevent overlooking in accordance with the visual privacy requirements of the Residential Design Codes of WA. The screening shall be installed within 42 days from the date of this approval and remain in place permanently, unless otherwise approved by the City;
 - d. all stormwater from the development which includes permeable and non-permeable areas shall be contained on site by draining to soak-wells of adequate capacity to contain runoff from a 20 year recurrent storm event; and soak-wells shall be a minimum capacity of 1.0m³ for every 80m² of calculated surface area of the development;
 - e. all footings and structures to retaining walls and dividing fences shall be constructed wholly inside the site boundaries of the Certificate of Title;
 - f. the use of bare or painted metal building materials is permitted on the basis that, if during or following the erection of the development the Council forms the opinion that glare which is produced from the building / roof has or will have a significant detrimental effect upon the amenity of neighbouring properties, the Council may require the owner to treat the building / roof to reduce the reflectivity to a level acceptable to Council; and
 - g. any additional development, which is not in accordance with the original application or conditions of approval, as outlined above, will require further approval by Council.

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

Advice Notes specific to this approval:

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

Recommendation to Committee

1. Council approves an application for Retrospective Additions (Alfresco, Loft, Patio, Retaining Walls, Fill and Over-height Dividing Wall) to Single House at No. 12 (Lot 188) Brockman Avenue, Dalkeith in accordance with the application and plans received 16 July 2012 the following conditions:
 - a. The applicant/owner shall make application to the Manager Property Services for a Building Certificate, to acknowledge the unauthorised works;
 - b. This planning approval does not pertain to the unauthorised enclosures to the carport. The unauthorised enclosures to


- the carport are to be removed within 42 days of the date of this decision;
- c. The patio, as marked in red on the approved plans shall have permanent vertical screening to prevent overlooking in accordance with the visual privacy requirements of the *Residential Design Codes of WA (RCodes)*. The screening(s) shall be installed within 42 days from the date of this approval and remain in place permanently, unless otherwise approved by the City;
 - d. All stormwater from the development which includes permeable and non-permeable areas shall be contained on site by draining to soak-wells of adequate capacity to contain runoff from a 20 year recurrent storm event; and soak-wells shall be a minimum capacity of 1 m³ for every 80 m² of calculated surface area of the development.;
 - e. All footings and structures to retaining walls and dividing fences shall be constructed wholly inside the site boundaries of the Certificate of Title;
 - f. The use of bare or painted metal building materials is permitted on the basis that, if during or following the erection of the development the Council forms the opinion that glare which is produced from the building / roof has or will have a significant detrimental effect upon the amenity of neighbouring properties, the Council may require the owner to treat the building / roof to reduce the reflectivity to a level acceptable to Council;
 - g. Any additional development, which is not in accordance with the original application or conditions of approval, as outlined above, will require further approval by Council; and
2. Council refuses an application for Retrospective Additions (Enclosure of Carport) at No. 12 (Lot 188) Brockman Avenue, Dalkeith in accordance with the application and plans received 16 July 2012 the for the following reasons:
- a. The application is contrary to Clause 5.6.2(d) of the City of Nedlands Town Planning Scheme No.2 (TPS2) and there is no discretion under TPS2 for this provision to be varied;
 - b. The application does not comply with Council's Policy 6.23 '*Carports and Minor Structures Forward of the Primary Street Setback*'; and
 - c. The proposal will not be orderly and proper planning.

Advice Notes specific to this approval:

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

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

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

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

Moved – Councillor Shaw
 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 concurs with the dedication of the portions of land as West Coast Highway shown as items 11, 15, 19, and 21 in attachment 1 as 'Road Reserve' under Section 56 of the *Land Administration Act 1997*.

7.2 Technical Services Report No's TS18.12 to TS19.12

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|----------------|---|
| TS18.12 | Request for Retrospective Approval of Nature Strip Development at 47 Esplanade, Nedlands |
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|------------------|-------------------|
| Committee | 11 September 2012 |
| Council | 25 September 2012 |

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|-------------------------------|---|
| Applicant | City of Nedlands |
| Owner | City of Nedlands |
| Officer | Andrew Dickson – Manager Parks Services |
| Director | Andrew Melville – Acting Director Technical Services |
| Director Signature |  |
| File ref. | ES1/47, M12/10245, D12/10950 |
| Previous Item No's | Item 12.4 Report CP31.12 – Council Meeting – 24 July 2012 |
| Disclosure of Interest | No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> . |

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

Moved – Councillor Shaw
 Seconded – Councillor Hassell

That the Recommendation to Committee is adopted.

(Printed below for ease of reference)

CARRIED 8/3
(Against: Crs. Horley McManus & Porter)

Committee Recommendation / Recommendation to Committee


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

- 1. the various components of the nature strip development are to be modified so that artificial grass does not comprise more than 40% and garden beds and/or other natural elements comprises a minimum of 20% of the total nature strip area;**

- 2. drainage is installed to the artificial grass sub base, as approved by Administration, to ensure that all storm water is retained within the nature strip area;**
- 3. The City is indemnified by the owner of 47 Esplanade, Nedlands against all claims arising out of, or in connection with the nature strip development.**

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

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| Applicant | City of Nedlands |
| Owner | City of Nedlands |
| Officer | Andrew Dickson – Manager Parks Services |
| Director | Andrew Melville – A/Director Technical Services |
| Director Signature |  |
| File ref. | AR1, ME2/54, GR9/80, PRS/117 |
| Previous Item No's | Item 12.4 report CP31.12 - Council Minutes - 24 July 2012 |
| Disclosure of Interest | No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> . |

Regulation 11(da) – Councillors agreed to refer this matter back to address the street tree on Archdeacon Street, that was included in the arboricultural report.

Moved – Councillor Binks
 Seconded – Councillor Hassell

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

Lost 3/7
 (Against: Mayor Hipkins Crs. Collins Argyle
 Hassell Porter James & Shaw)
 (Abstained: Crs. Horley)

Refer Back
 Moved – Councillor Hassell
 Seconded – Councillor James

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

CARRIED 10/1
(Against: Cr. McManus)

Committee Recommendation

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

Recommendation to Committee

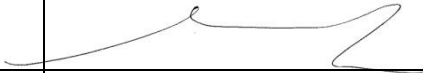
Council:

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

7.3 Community & Organisational Development No's CM07.12 to CM08.12

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| CM07.12 Proposed Blessing of the River Event |
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| Committee | 11 September 2012 |
| Council | 25 September 2012 |

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

Regulation 11(da) – Councillors agreed to include a family picnic day to support this event.

Moved – Councillor Shaw
 Seconded – Councillor McManus

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

Mr A Melville, Acting Director Technical Services left the room at 8.08 pm and returned at 8.10 pm.

**CARRIED 7/1
 (Against: Cr. Argyle)
 (Abstained: Crs. Collins Horley & Hodsdon)**

Committee Recommendation


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

Recommendation to Committee

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

CM08.12 Access Working Group – Council Representation

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

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

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

Moved – Councillor Hodsdon
 Seconded – Councillor Hassell

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

**CARRIED 10/1
 (Against: Cr. Argyle)**

Committee Recommendation

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


Recommendation to Committee

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

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

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| CP38.12 | Monthly Financial Report – July 2012 |
|----------------|---|

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

| | |
|-------------------------------|---|
| Applicant | City of Nedlands |
| Owner | City of Nedlands |
| Officer | Rajah Senathirajah – Manager Finance |
| Director | Darla Blake – A/Director Corporate & Strategy |
| Director Signature |  |
| File ref. | Fin/072-17 |
| Previous Item No's | Nil |
| Disclosure of Interest | No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> . |

Councillor Shaw left the room at 8.14 pm.

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

Moved – Councillor Collins
 Seconded – Councillor Hassell

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

Councillor Shaw returned to the room at 8.16 pm.


CARRIED 10/-
(Abstained: Cr. Shaw)

Committee Recommendation / Recommendation to Committee

Council receives the Monthly Financial Report for July 2012 (Refer to Attachments).

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| CP39.12 Investment Report – July 2012 |
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|------------------|-------------------|
| Committee | 11 September 2012 |
| Council | 25 September 2012 |

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|-------------------------------|---|
| Applicant | City of Nedlands |
| Owner | City of Nedlands |
| Officer | Rajah Senathirajah – Manager Finance |
| Director | Darla Blake – A/Director Corporate & Strategy |
| Director Signature |  |
| File ref. | Fin/071-07 |
| Previous Item No's | Nil |
| Disclosure of Interest | No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> . |

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

Moved – Councillor James
 Seconded – Councillor McManus

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 July 2012 (refer to attachment).

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

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|-------------------------------|---|
| Applicant | City of Nedlands |
| Owner | City of Nedlands |
| Officer | Rajah Senathirajah – Manager Finance |
| Director | Darla Blake – A/Director Corporate & Strategy |
| Director Signature |  |
| File ref. | Fin/072-17 |
| Previous Item No's | Nil |
| Disclosure of Interest | No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> . |

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

Moved – Councillor Shaw
 Seconded – Councillor Hassell

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


CARRIED 10/-
(Abstained: Cr. Binks)

Committee Recommendation / Recommendation to Committee

Council receives the List of Accounts Paid for the month of July 2012 (Refer to Attachment).

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| CP41.12 | Policy Review |
|----------------|----------------------|

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

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|-------------------------------|---|
| Applicant | City of Nedlands |
| Owner | City of Nedlands |
| Coordinator | Phoebe Huigens – Acting Coordinator Corporate & Strategy |
| Director | Darla Blake – A/Director Corporate & Strategy |
| Director Signature |  |
| File ref | CRS/055 |
| Previous Item No's | Nil |
| Disclosure of Interest | No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> . |

Regulation 11(da) – Councillors agreed to minor changes to 2 of the policies as per below.

Moved – Councillor Hassell
 Seconded – Councillor Hodsdon

That the Recommendation to Committee is adopted subject to the following amendments:

- b. State Administrative Tribunal – Response to Appeals - under the heading “Decisions made by Council contrary to the Administration Recommendation”:**
 - in the first paragraph, adding the words “that moved or seconded” after the words “2 elected members”;
 - in the first dot point of paragraph 2, adding the words “supporting the Council’s position” after the words “Elected Member”; and
 - in the third last paragraph, adding the words “provided by the Council’s appointed solicitor” after the word “advice”.

- d. Dinghy Storage on River Foreshore Reserves – under the heading “Statement”:**
 - adding the words “so as not to interfere with public enjoyment” after the words “foreshore to continue”; and
 - change the word “consideration” to “priority”.

CARRIED UNANIMOUSLY 11/-

Committee Recommendation

Council

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


Recommendation to Committee

Council approves the following policies:

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

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

| | |
|-------------------------------|---|
| Applicant | City of Nedlands |
| Owner | City of Nedlands |
| Officer | Phoebe Huigens – Acting Coordinator Corporate Services |
| Director | Darla Blake – A/Director Corporate & Strategy |
| Director Signature |  |
| File ref. | CRS/058 |
| Previous Item No's | Nil |
| Disclosure of Interest | No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> . |

Regulation 11(da) – Councillors agreed to a minor addition to the Town Planning Scheme No. 2 – Approval and Refusal of Planning Applications.

Moved – Councillor Shaw
 Seconded – Councillor Collins

That the Recommendation to Committee is adopted subject to the Town Planning Scheme No. 2 – Approval and Refusal of Planning Applications Delegation being amended by adding the words “in accordance with zoning” after the words “involving subdivision”.

CARRIED UNANIMOUSLY 11/-

Committee Recommendation

Council

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

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

- **add the words “after advertising” after the words “comply with Council Policy” in 1e; replace “four(4)” in 1h. With “two(2)”;** and
- **further delegating to Planning Officers, 1b), 1e), 1f), 1g) (single storey developments only) and 1h) (single storey developments only);** and
- **add the words “ in accordance with zoning” after the words “involving subdivision;**

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

Recommendation to Committee

Council


1. Revokes the numbering on Delegations;
2. Retains the following Delegations of Authority without amendment;
 - Requests for Financial Assistance;
 - Landscaping River Foreshores;
 - Issuing Section 3.25 Notices;
 - Signing of Metropolitan Region Scheme Form 1 Applications;
 - Liquor Licensing Act Functions; and
 - Active Recreation Area Use;
3. Amends the Delegated Authority – Private Works - by replacing the words “provided such works can be fitted into the works programme without undue disruption; such works may only be for properties within the City of Nedlands” with the words “provided that: such works can be fitted into the works programme without undue disruption; such works may only be for properties within the City of Nedlands, and; that the works are charged on a cost recovery basis, and that these fees are included in the City’s schedule of fees and charges”;

4. Amends the Delegated Authority – Traffic Management Committee - by removing the word “Committee” from the title, and by replacing “Traffic Management Committee” with “Chief Executive Officer”;
5. Amends the Delegated Authority – Use of Reserves during Building Operations on Adjacent Property - by adding the words “in consultation with the Mayor” after the words “Chief Executive Officer”;
6. Amends the Delegated Authority – Town Planning Scheme No. 2 – Approval and Refusal of Planning Applications - by:
 - deleting the word “where” from “where after advertising where no valid objections”; replacing 1c “Developments involving subdivision, producing up to four lots or amalgamations of up to four lots and recommendations to the Western Australian Planning Committee of such subdivisions and amalgamations and that a copy of comments be made available to Elected Members as they are made available to the WAPC” with “Developments in accordance with the R-codes, involving subdivision or amalgamations, and any recommendations made to the Western Australian Planning Committee of such subdivisions and amalgamations, provided that a copy of comments be made available to Elected Members as they are made to the WAPC”;
 - add the words “after advertising” after the words “comply with Council Policy” in 1e; replace “four(4)” in 1h. With “two(2)”;and
 - Further delegating to Planning Officers, 1b), 1e), 1f), 1g) (single storey developments only) and 1h) (single storey developments only);
7. Amends the Delegated Authority – Trading in Public Places - by adding “(“charitable organisation” as defined by the City of Nedlands Local Law Relating to Trading in Public Places” after the words “charitable organisation”.

8. Reports by the Chief Executive Officer

8.1 Draft City of Nedlands Strategic Community Plan 2013-2023

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

| | |
|-------------------------------|---|
| Applicant | City of Nedlands |
| Owner | City of Nedlands |
| Director | Darla Blake – Acting Director Corporate & Strategy |
| Acting CEO | Mike Cole – Acting Chief Executive Officer |
| Acting CEO's Signature |  |
| File ref. | STR/003-10 |
| Previous Item No's | |
| Disclosure of Interest | No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> . |

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

Moved – Councillor Hassell
 Seconded – Councillor Shaw

That the Recommendation to Committee is adopted.

(Printed below for ease of reference)

CARRIED UNANIMOUSLY 11/-

Committee Recommendation / Recommendation to Council

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

Purpose

The Draft City of Nedlands Strategic Community Plan 2013-2023 is presented to Council to be approved for release to the Community for comment.

Strategic Plan

- KFA 5: Governance
- 5.1 Manage the City's resources in a sustainable and responsible manner.
 - 5.2 Develop and maintain a long-term strategic financial plan which is formally reviewed every two years.

- 5.5 Develop and maintain excellence in corporate planning and associated corporate reporting.
- 5.6 Ensure compliance with statutory requirements and guidelines.

KFA 6: Community Engagement

- 6.1 Improve community awareness of City's directions, facilities and services.
- 6.2 Encourage community participation in the City's decision making processes.

Background

Under the Local Government Act 1995 s.5.56 new regulations were introduced in August 2010, with requirements for Council to Plan for the Future. All local governments in Western Australia will be required to develop and adopt two key documents by 30 June 2013; a Strategic Community Plan and a Corporate Business Plan.

The Draft City of Nedlands Strategic Community Plan 2013-2023 is Council's first document using the integrated planning and reporting framework.

Council has built on the community's plan "Our Vision 2030" resulting in several months work and consultation on place making, community wellbeing and major issues facing Nedlands, over the next ten years.

Council are now seeking the community's further comments to the Draft City of Nedlands Strategic Community Plan 2013-2023 prior to making a decision on a final document.

Consultation

Required by legislation: Yes No

Required by City of Nedlands policy: Yes No

Consultation type and dates:

The dates covering the consultation period will be from 29 August 2012 to 28 September 2012. Proposed methods of consultation of the Draft City of Nedlands Strategic Community Plan 2013-2023 will include, but not limited to the following:

- Local newspapers;
- City of Nedlands website;
- City of Nedlands social media;
- Hard copies of the document to be available at the Nedlands and Mount Claremont libraries, front counter of the City of Nedlands Administration building;

- Posters advising the consultation and details on City of Nedlands Notice Boards; and
- Notices sent out to previous consultation participants who provided contact details, advising of the consultation period and details to submit comments.

Legislation

Under the *Local Government Act 1995*, s5.56:

1. “a local government is to ensure that a strategic community plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013;
2. a strategic community plan for a district is to cover the period specified in the plan, which is to be at least 10 financial years;
3. a strategic community plan for a district is to set out the vision, aspirations and objectives of the community in the district;
4. a local government is to review the current strategic community plan for its district at least once every 4 years;
5. in making or reviewing a strategic community plan, a local government is to have regard to:
 - a. the capacity of its current resources and the anticipated capacity of its future resources;
 - b. strategic performance indicators and the ways of measuring its strategic performance by the application of those indicators; and
 - c. (c) demographic trends.
6. subject to sub regulation (9), a local government may modify its strategic community plan, including extending the period the plan is made in respect of;
7. a council is to consider a strategic community plan, or modification of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications. *Absolute majority required;
8. if a strategic community plan is, or modifications of a strategic community plan are, adopted by the council, the plan applies to the district for the period specific in the plan;
9. a local government is to ensure that the electors and ratepayers of its district are consulted during the development of a strategic

community plan and when preparing modifications of a strategic community plan; and

10. a strategic community plan for a district is to contain a description of the involvement of the electors and ratepayers of the district in the development of the plan or the preparation of modifications of the plan.”

Budget/financial implications

Budget:

Within current approved budget: Yes No

Requires further budget consideration: Yes No

Financial:

Nil

Risk Management

Should appropriate consultation with the Community not be sought, the City of Nedlands would be in breach of the Local Government Act 1995 and its Regulations.

Discussion

The Draft City of Nedlands Strategic Community Plan 2013-2023 will set the scene for Council decisions and priorities over the next ten years. It is a long term plan in which Council has considered its vision, values, aspirations, and priorities while also considering the challenge of balancing Community aspirations, service delivery levels, priorities, and affordability.

Council is now looking for final comments from the Community prior to approving the City of Nedlands Strategic Community Plan 2013-2023. The Plan will then provide the necessary framework for Administration to finalise the Corporate Plan, Workforce Planning, Asset Management Plans, long term Financial Plan, and other Strategies by 30 June 2012.

Conclusion

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

Attachments

1. Draft City of Nedlands Strategic Community Plan 2013-2023 circulated to Councillors on Friday 7 September 2012.

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 8.50 pm.