



City of Nedlands

Minutes

Council Committee Meeting

8 May 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 8 May 2012 at 7.00 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 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	Hollywood Ward
	Councillor K Walker	Hollywood Ward
	Councillor T James	Melvista Ward
	Councillor N Shaw	Melvista Ward
	Councillor M L Somerville-Brown	Melvista Ward

Staff	Mr M Cole	Acting Chief Executive Officer
	Mr R Senathirajah	Acting Director Corporate & Strategy
	Ms J Heyes	A/ Director Planning & Development Services
	Mr A Melville	A/ Director Sustainable Infrastructure
	Ms D Blake	Director Community & Organisational Development
	Ms N Borowicz	Executive Assistant

Public There were 13 members of the public present.

Press The Post Newspaper representative.

Leave of Absence (Previously Approved) Councillor K E Collins Coastal Districts Ward

Apologies Nil

Absent Nil

Disclaimer

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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 Mui Kim Tan, 45 Webster Street, Nedlands Report PD17.12
(spoke in support of the recommendation)

Mr D Meaney, 38 Dalkeith Road, Nedlands Reports PD17.12
(spoke in opposition of the recommendation)

Ms M Nicholson, 15 Grainger Drive, Mt Claremont Report PD18.12
(spoke in opposition to the recommendation)

Ms S Folwell, 26 Genesta Crescent, Dalkeith Report SI09.12
(spoke in opposition of the recommendation)

Mr B Doyle, PO Box 8701, Perth B Report SI09.12
(spoke in opposition of the recommendation)

2. Disclosures of Financial Interest

The Presiding Member to 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 to 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 10 April 2012

Moved – Councillor Binks
Seconded – Councillor Shaw

The minutes of the Council Committee held 10 April 2012 are confirmed.

**CARRIED 11/1
(Against: Cr. Walker)**

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.

The Acting Chief Executive Officer advised that the meeting may be closed to consider the Old Swanbourne Hospital report Item 7.1 Report PD18.12.

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 PD17.12 to PD18.12

PD17.12	No. 36A (Lot 2) Dalkeith Road, Nedlands – Proposed Single Storey Aged or Dependent Persons Dwelling
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Committee	8 May 2012
Council	22 May 2012

Applicant	Ross North Homes
Owner	Mui Lim Tan & Angeline Tan
Officer	Laura Sabitzer – Planning Officer
Director	Jennifer Heyes - Acting Director Planning & Development Services
Director Signature	
File ref	DA12/44 : DA1/36A
Previous Item No's	E167.02
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 Mui Kim Tan, 45 Webster Street, Nedlands Report PD17.12
(spoke in support of the recommendation)

The Presiding Member granted additional time to Mr Tan to complete his address.

Mr D Meaney, 38 Dalkeith Road, Nedlands Reports PD17.12
(spoke in opposition of the recommendation)

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 11/1
(Abstained: Cr. James)

Committee Recommendation / Recommendation to Committee

Council approves an application for a single storey aged or dependent persons dwelling at No. 36A (Lot 2) Dalkeith Road, Nedlands, in accordance with the application dated 14 February 2012 and plans dated 19 April 2012, with the following conditions:

- 1. the aged or dependent persons' dwelling shall have at least one permanent occupant aged 55 years or over or a dependent person, as defined in the *Residential Design Codes of WA*, or the surviving spouse of such a person;**
- 2. all crossovers to street shall be constructed to the Council's Crossover Specifications and the applicant / owner to obtain levels for crossovers from the Council's Infrastructure Services under supervision on-site, prior to commencement of works;**
- 3. concrete footpaths must be retained across crossovers;**
- 4. a grated channel strip-drain shall be constructed across the driveway, aligned with and wholly contained within the property boundary and the discharge from this drain to be run to a soak-well situated within the property;**
- 5. all stormwater from building, paved areas and driveways shall be contained on site by draining to soak-wells of adequate capacity to contain runoff from a 10 year recurrent storm event; and soak-wells shall be a minimum capacity of 1 m³ for every 80 m² of paved or roofed surface on the property;**
- 6. without prior approval from the City, the applicant / landowner shall not place any fill or construct retaining walls on the lot other than that shown on the approved plans;**
- 7. all footings and structures to retaining walls, dividing fences and parapet wall shall be constructed wholly inside the site boundaries of the Certificate of Title;**
- 8. the parapet wall shall be finished to a quality finish and professional standard, to the satisfaction of the City;**
- 9. 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

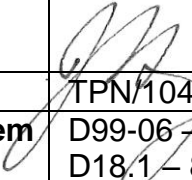
10. any additional development, which is not in accordance with the original application or conditions of approval, as outlined above, will require further approval by Council.

Advice Notes specific to this approval:

1. Any fencing forward of the primary street setback requires further development approval from the City.
2. All internal water closets and ensuites without fixed or permanent window access to outside air or which open onto a hall, passage, hobby or staircase, shall be serviced by a mechanical ventilation exhaust system which is ducted to outside air, with a minimum rate of air change equal to or greater than 25 litres/second.
3. 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.
4. Any proposed structure or addition shall not encroach closer than 1.8 m on any soak-well.
5. The applicant is advised to consult the City's *Visual and Acoustic Privacy Advisory Information* in relation to selecting and locating any air-conditioner or swimming pool or spa mechanical equipment such that noise, vibration and visual impact on neighbours is mitigated.
6. The City does not recommend any air-conditioner, swimming pool or spa 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 swimming pool or spa mechanical equipment, the applicant is advised to consult residents of neighbouring properties and if necessary take measures to prevent noise affecting neighbouring properties.

PD18.12	Final Approval of Proposed Outline Development Plan for complex formerly known as Swanbourne Hospital for the Insane - Lot 12040 Heritage Lane Mt Claremont
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Committee	8 May 2012
Council	22 May 2012

Applicant	The Planning Group
Owner	Swanbourne Estate Developments Pty Ltd
Officer	Gabriela Poezyn - Manager Strategic Planning
Director	Jennifer Heyes - Acting Director Planning & Development Services
Director Signature	
File ref	TPN/104-14
Previous Item No's	D99-06 – 12 December 2006 D18.1 – 8 May 2007 D22.08 – 27 May 2008 D58/10 – 10 August 2010 D37.11- May 2011
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> .

Ms M Nicholson, 15 Grainger Drive, Mt Claremont Report PD18.12
(spoke in support of the recommendation)

Mr D Thomas, 69 St Johns Wood Boulevard, Mt Claremont Report PD18.12
(spoke in support of the recommendation)

Closure of Meeting to the Public

Moved – Councillor Binks

Seconded - Councillor Hassell

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

CARRIED 8/4

(Against: Mayor Hipkins Crs. Horley Argyle & Walker)

Moved – Councillor Hassell
Seconded – Councillor Shaw


That this item be considered as the last item on the agenda.

**CARRIED 11/1
(Against: Cr. Horley)**

7.2 Sustainable Infrastructure Report No's SI09.12 to SI10.12

SI09.12	Request for Retrospective Approval of Verge Development at 26 Genesta Crescent, Dalkeith
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Committee	8 May 2012
Council	22 May 2012

Applicant	City of Nedlands
Owner	City of Nedlands
Officer	Andrew Dickson – Acting Manager Parks Services
Director	Andrew Melville – Acting Director Sustainable Infrastructure
Director Signature	
File ref.	GE1/26-02
Previous Item No's	Item CM09.10 – Council meeting – 27 April 2010
Disclosure of Interest	No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> .

Non-Elector

Moved – Councillor Hodsdon
 Seconded – Councillor Walker

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

CARRIED UNANIMOUSLY 12/-

Mr B Doyle, PO Box 8701, Perth
 (spoke in opposition of the recommendation)

Report SI09.12

The Presiding Member granted Mr Doyle a further 2 minutes.

Ms S Folwell, 26 Genesta Crescent, Dalkeith
 (spoke in opposition of the recommendation)

Report SI09.12

The Presiding Member granted Ms Folwell a further 2 minutes.

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

Moved – Councillor Hassell
Seconded – Councillor Argyle

Council:

1. Approves the request for retrospective approval of the verge development adjacent to 26 Genesta Crescent, Dalkeith subject to the following conditions being completed within 28 days ensuring compliance with the City of Nedlands Verge Development policy:
 - a. drainage is installed to the artificial grass sub base, as approved by Administration, to ensure that all storm water is retained within the verge area; and
 - b. The City is indemnified by the owner of 26 Genesta Crescent, Dalkeith against all claims arising out of, or in connection with the verge development.

Put Motion

Moved – Councillor Binks
Seconded – Councillor McManus

That the motion be put.

**PUT MOTION CARRIED 9/3
(Against: Mayor Hipkins Crs. Porter & Walker)**

The motion was put and

Lost 5/7
(Against: Crs. Horley McManus Porter Walker James & Shaw)

Moved – Councillor James
Seconded – Councillor Walker

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

**CARRIED ON THE CASTING VOTE 7/6
(Against: Crs. Argyle Hassell Binks Hodsdon
Shaw & Somerville-Brown)**

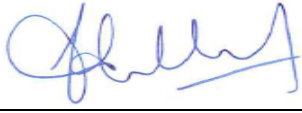
Committee Recommendation / Recommendation to Committee

Council:

- 1. Approves the request for retrospective approval of the verge development adjacent to 26 Genesta Crescent, Dalkeith subject to the following conditions being completed within 28 days ensuring compliance with the City of Nedlands Verge Development policy:**
 - a. the artificial grass component of the verge development is to be reduced so as the combined total of artificial grass and all other hard paved areas does not comprise more than 40% of the total verge area;**
 - b. drainage is installed to the artificial grass sub base, as approved by Administration, to ensure that all storm water is retained within the verge area;**
 - c. The City is indemnified by the owner of 26 Genesta Crescent, Dalkeith against all claims arising out of, or in connection with the verge development.**

SI10.12	Black Spot Project 2011/12 – Intersection Upgrade at the Intersections of Stirling Highway and Florence Road and Florence Road and Princess Road, Nedlands
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Committee	8 May 2012
Council	22 May 2012

Applicant	City of Nedlands
Owner	City of Nedlands
Officer	Wayne Mo - Design Engineer
Director	Andrew Melville – Acting Director Sustainable Infrastructure
Director Signature	
File ref.	TEC/009-02
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 Walker

Council:

1. Does not approve the installation of a traffic island at the intersection of Stirling Highway and Florence Road as approved under the Main Roads WA Black Spot Program (refer to Attachment 1); and
2. Does not approve the installation of traffic islands at the intersection of Princess Road and Florence Road as approved under the Main Roads WA Black Spot Program (refer to Attachment 2).

Councillor Shaw left the room at 8.18 pm and returned at 8.20 pm.

Councillor Hassell left the room at 8.20 pm and returned at 8.21 pm.

Mr M Cole, Acting Chief Executive Officer left the room at 8.22 pm and returned at 8.24 pm.

Ms J Heyes, Acting Director Planning Development left the room at 8.24 pm and returned at 8.30 pm.

The Presiding Member agreed to put each clause separately.

Clause 1 was put and

Lost 3/9
(Against: Mayor Hipkins Crs. Horley McManus Porter
Binks Hodsdon Shaw & Somerville-Brown)

Clause 2 was put and

Lost 5/7
(Against: Crs. Horley McManus Binks Hodsdon
Walker Shaw & Somerville-Brown)

Moved – Councillor Hodsdon
Seconded – Councillor Somerville-Brown

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

Put Motion

Moved – Councillor Binks
Seconded – Councillor Walker

That the motion be put.

PUT MOTION CARRIED 8/4
(Against: Mayor Hipkins Crs. Argyle Porter & James)

The motion was put and

CARRIED 7/5
**(Against: Mayor Hipkins Crs. Argyle
Hassell Porter & James)**

Committee Recommendation / Recommendation to Committee


Council:

- 1. Approves the installation of a traffic island at the intersection of Stirling Highway and Florence Road as approved under the Main Roads WA Black Spot Program (refer to Attachment 1); and**
- 2. Approves the installation of traffic islands at the intersection of Princess Road and Florence Road as approved under the Main Roads WA Black Spot Program (refer to Attachment 2).**

7.3 Corporate & Strategy Report No's CP21.12 to CP23.12

CP21.12 Monthly Financial Report – March 2012

Committee	8 May 2012
Council	22 May 2012

Applicant	City of Nedlands
Owner	City of Nedlands
Officer	Vanaja Jayaraman – A/Manager Finance
Director	Rajah Senathirajah – A/Director Corporate & Strategy Service
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 Hodsdon
 Seconded – Councillor Shaw

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

Ms D Blake, Director Community & Organisational Development and Mr A Melville, A/ Director Sustainable Infrastructure left the room at 8.51 pm and returned at 8.52 pm.

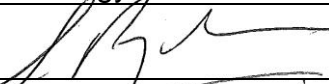
CARRIED 10/1
(Against: Cr. Walker)
(Abstained: Cr. Binks)

Committee Recommendation / Recommendation to Committee

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

CP22.12	Investment Report – March 2012
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Committee	8 May 2012
Council	22 May 2012

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

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

Moved – Councillor Hassell
 Seconded – Councillor Walker

That the Recommendation to Committee is adopted.

(Printed below for ease of reference)

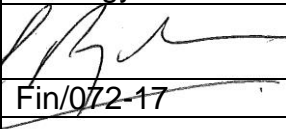
CARRIED UNANIMOUSLY 12/-

Committee Recommendation / Recommendation to Committee

Council receives the Investment Report for the period ended 31 March 2012 (refer to attachment).

CP23.12 List of Accounts Paid – March 2012

Committee	8 May 2012
Council	22 May 2012

Applicant	City of Nedlands
Owner	City of Nedlands
Officer	Vanaja Jayaraman – A/Manager Finance
Director	Rajah Senathirajah – A/Director Corporate & Strategy Service
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 Hodsdon
 Seconded – Councillor McManus

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

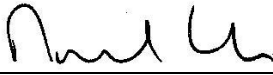
Councillor Hodsdon left the room at 8.57 pm and returned at 8.58 pm.

CARRIED 10/1
(Against: Crs. Walker)
(Abstained: Crs. Binks)

Committee Recommendation / Recommendation to Committee
Council receives the List of Accounts Paid for the month of March 2012. (Refer to Attachment)

8. Reports by the Chief Executive Officer

8.1 Review of Council's Delegated Authorities

Committee	08/05/2012
Council	22/05/2012
Applicant	City of Nedlands
Owner	City of Nedlands
Director	Natalie Wilson – Acting Coordinator Corporate Services
CEO	Michael Cole – Acting Chief Executive Officer
Director Signature	
File ref:	CRS/058
Previous Item No's	Nil.
Disclosure of Interest	No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> .

Councillor McManus left the room at 9.03 pm and returned at 9.04 pm.

Regulation 11(da) – Councillors made minor amendments to some delegations.

Moved – Councillor Walker
 Seconded – Councillor Binks

That the Recommendation to Committee is adopted with the exception of 1J, 1L, 3A, 3B, 3C, 3E, 3F, 3G, 4C, 4D, 4E, 4F,4G, 5A, 5B, 6A, 6B, 7E, 7F, 8B, 10C, 10D, 10E, &10F to be removed for further discussion.

Councillor Hodsdon and Horley left the room at 9.07 pm.

Councillor Walker left the room at 9.09 pm and returned at 9.10 pm.

Councillor Hodsdon and Horley returned to the room at 9.11 pm.

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

The Presiding Member granted an adjournment for the purposes of a refreshment break.

The meeting adjourned at 9.13 pm and reconvened at 9.20 pm with the following people in attendance:

Councillors	His Worship the Mayor, R M Hipkins	(Presiding Member)
	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	Hollywood Ward
	Councillor K Walker	Hollywood Ward
	Councillor T James	Melvista Ward
	Councillor N Shaw	Melvista Ward
	Councillor M L Somerville-Brown	Melvista Ward

Staff	Mr M Cole	Acting Chief Executive Officer
	Mr R Senathirajah	Acting Director Corporate & Strategy
	Ms J Heyes	A/ Director Planning & Development Services
	Mr A Melville	A/ Director Sustainable Infrastructure
	Ms D Blake	Director Community & Organisational Development
	Ms N Borowicz	Executive Assistant

Public There was 1 member of the public present.

Moved – Councillor James
Seconded – Councillor Hodsdon

Retains without amendment the following Delegated Authority:

1J Perth Flying Squadron Yacht Club

CARRIED UNANIMOUSLY 12/-

Moved – Councillor James
Seconded – Councillor Walker

Retains without amendment the following Delegated Authority:

1L Management Licences for Community Organisations

CARRIED UNANIMOUSLY 12/-

Moved – Councillor Walker
Seconded – Councillor Porter

Retains the following Delegated Authority: 3A Investment of Funds with words “and in accordance with Council’s investment policy” being added after the words “Local Government Act 1995.”

CARRIED UNANIMOUSLY 12/-

Moved – Councillor McManus
Seconded – Councillor Somerville-Brown

Retains without amendment the following Delegated Authority:

3B Debt Recovery

**CARRIED 10/2
(Against: Mayor Hipkins Cr. James)**

Moved – Councillor James
Seconded – Councillor Walker

Defers to a policy workshop the following Delegated Authority:

3C Requests for Financial Assistance

**CARRIED 10/-
(Against: Cr. Argyle)
(Abstained: Cr Hodsdon)**

Moved – Councillor Walker
Seconded – Councillor Hodsdon

Retains the following Delegated Authority:

3E Invitations for Registrations of Interest with the words “and in accordance with Council Policy” being added after the words “where he deems it appropriate”.

CARRIED UNANIMOUSLY 12/-

Moved – Councillor James
Seconded – Councillor Walker

Retains without amendment the following Delegated Authority

3F Write Off of Minor Debts

CARRIED UNANIMOUSLY 12/-

Moved – Councillor James
Seconded – Councillor Walker

Retains the following Delegated Authority:

3G Acceptance of Tenders with the words “in accordance with Council Policy.” being added after the words “a tender should be called.”

CARRIED UNANIMOUSLY 12/-

Moved – Councillor Walker
Seconded – Councillor James

Retains without amendment the following Delegated Authority:

4C Verge Development

CARRIED UNANIMOUSLY 12/-

Moved – Councillor James
Seconded – Councillor Walker

Retains without amendment the following Delegated Authority

4D Street Trees

Councillor Hodsdon left the room at 10.11 pm.

CARRIED 11/-

Moved – Councillor Hassell
Seconded – Councillor McManus

Delegations not considered will continue in force until considered at Council workshop.

CARRIED UNANIMOUSLY 12/-

Committee Recommendation

Council

1. Retains without amendment the following Delegated Authorities:

- 1A Acting Chief Executive Officer**
- 1B Office Hours**
- 1C Staff Vehicle Use**
- 1D Use of Council's Common Seal and Authority to Sign Documents**
- 1E Local Government Act, Executive Functions Delegated to the Chief Executive**
- 1F Performance Review of Chief Executive Officer**
- 1G Consumption of Alcohol in Public Places**
- 1H Authority to Grant Permission for Vehicles on a Reserve**
- 1I Use of Council Chambers**
- 1J Perth Flying Squadron Yacht Club**
- 1K Authority to Call Tenders**
- 1L Management Licences for community Organisations**
- 3B Debt Recovery**
- 3D Operation of Council Bank Accounts**
- 3F Write Off of Minor Debts**
- 4A Engagement of Contractors**
- 4B Obstruction of Rights Of Way**
- 4C Verge Development**
- 4D Street Trees**
- 4E Vehicle Crossing Places**
- 7A Legislative Building Control**
- 7C Assignment of House Numbers**
- 7D Fences within Reduced Truncations**
- 8A Health Act Functions**
- 8C Caravan and Camping Grounds Act Functions**
- 8D Environmental Protection Act Functions**
- 9B Prosecution Officers**
- 9F Temporary Street Closure and Temporary Suspension of Road Rules**
- 9G Removal of Obstructions and Deposit on Streets and Public Places**
- 9H Registration Officers**

- 10A Tresillian Studio Leases**
- 10B Erection of Neighbourhood Watch Signs**
- 10D Signs on Reserves**

- 2. Amends the following Delegated Authorities by including “Coordinator Corporate Services”**

- 1G Consumption of Alcohol in Public Places**
- 9A Collection of Unpaid Fines (Parking) Authority**
- 9C Withdrawal of Infringement Notices**
- 9D Collection of unpaid Fines (Dog Control)**
- 9E Power to Authorise Withdrawal of Dog Infringements; and**

- 3. Amends the following Delegated Authorities by adding: “Manager Parks Services”**

- 5C Dangerous Trees on Private Property on Adjacent Property.**

- 4. Amends the following Delegated Authority with the words “and in accordance with Council’s investment policy” being added after the words “Local Government Act 1995.”**

- 3A Investment of Funds**

- 5. Amends the following Delegated Authority with the words “ and in accordance with Council’s policy” being added after the words**

- 3E Invitations for Registrations of Interest**

- 6. Amends the following Delegated Authority with the words “in accordance with Council Policy.” being added after the words “a tender should be called.”**

- 3G Acceptance of Tenders**

- 7. Refers back to a Council workshop the following Delegated Authority:**

- 3C Requests for Financial Assistance**

- 8. The following Delegated Authorities will continue in force until a Council Workshop:**

- 4F Private Works**
- 4G Traffic Management Committee**

6A	Town Planning Scheme no. 2 – Approval and Refusal of Planning Applications
6B	Trading in Public Places
7E	Issuing Section 3.25 Notices
7F	Signing of Metropolitan Region Scheme Form 1 Applications
8B	Liquor Licensing Act Functions
10C	Active Recreation Area Use
10E	Community and Cultural Development Fund
10F	Sponsorship of Youth Initiatives Fund;
5A	Use of Reserves during Building Operations on Adjacent Property
5B	Landscaping River Foreshore

Recommendation to Committee

Council

1. Retains without amendment the following Delegated Authorities:
 - 1A Acting Chief Executive Officer
 - 1B Office Hours
 - 1C Staff Vehicle Use
 - 1D Use of Council's Common Seal and Authority to Sign Documents
 - 1E Local Government Act, Executive Functions Delegated to the Chief Executive
 - 1F Performance Review of Chief Executive Officer
 - 1G Consumption of Alcohol in Public Places
 - 1H Authority to Grant Permission for Vehicles on a Reserve
 - 1I Use of Council Chambers
 - 1J Perth Flying Squadron Yacht Club
 - 1K Authority to Call Tenders
 - 1L Management Licences for community Organisations
 - 3A Investment of Funds
 - 3B Debt Recovery
 - 3C Requests for Financial Assistance
 - 3D Operation of Council Bank Accounts
 - 3E Invitations for Registrations of Interest
 - 3F Write Off of Minor Debts
 - 3G Acceptance of Tenders
 - 4A Engagement of Contractors
 - 4B Obstruction of Rights Of Way
 - 4C Verge Development
 - 4D Street Trees
 - 4E Vehicle Crossing Places
 - 4F Private Works
 - 4G Traffic Management Committee
 - 6A Town Planning Scheme no. 2 – Approval and Refusal of

- Planning Applications
- 6B Trading in Public Places
- 7A Legislative Building Control
- 7C Assignment of House Numbers
- 7D Fences within Reduced Truncations
- 7E Issuing Section 3.25 Notices
- 7F Signing of Metropolitan Region Scheme Form 1 Applications
- 8A Health Act Functions
- 8B Liquor Licensing Act Functions
- 8C Caravan and Camping Grounds Act Functions
- 8D Environmental Protection Act Functions
- 9B Prosecution Officers
- 9F Temporary Street Closure and Temporary Suspension of Road Rules
- 9G Removal of Obstructions and Deposit on Streets and Public Places
- 9H Registration Officers
- 10A Tresillian Studio Leases
- 10B Erection of Neighbourhood Watch Signs
- 10C Active Recreation Area Use
- 10D Signs on Reserves
- 10E Community and Cultural Development Fund
- 10F Sponsorship of Youth Initiatives Fund;

2. Amends the following Delegated Authorities by including "Coordinator Corporate Services"

- 1G Consumption of Alcohol in Public Places
- 9A Collection of Unpaid Fines (Parking) Authority
- 9C Withdrawal of Infringement Notices
- 9D Collection of unpaid Fines (Dog Control)
- 9E Power to Authorise Withdrawal of Dog Infringements; and

3. Amends the following Delegated Authorities by adding: "Manager Parks Services"

- 5A Use of Reserves during Building Operations on Adjacent Property
- 5B Landscaping River Foreshore
- 5C Dangerous Trees on Private Property on Adjacent Property.

Purpose

The purpose of this report is to review delegations that have been made in accordance with section 5.46 of the *Local Government Act 1995*.

Strategic Plan

Key Focus Area 5: Governance

Strategy 5.6 - Ensure compliance with statutory requirements and guidelines.

The review of the Delegated Authority Manual by Administration and by Council will ensure the City meets its statutory requirements.

Background

The delegated authorities have been adopted by Council to assist in the efficient administration of the City and are published as the Council Delegated Authority Manual on the Council's website.

Proposal Detail

Not applicable.

Consultation

Required by legislation: Yes No
Required by City of Nedlands policy: Yes No

Legislation

This report meets the requirements of Section 5.44 and 5.46 of the Local Government Act 1995.

Budget/financial implications

Not applicable.

Risk Management

Not applicable.

Discussion

The Local Government Act 1995 (the Act) sets out the local government's power to delegate to the Chief Executive Officer the exercise of any of its powers or the discharge of any of its duties, with some exceptions as listed in Section 5.43. Delegation of certain powers is common across local governments and facilitates good governance.

In addition, Section 5.44 of the Act allows the Chief Executive Officer to further delegate to any employee of the local government the exercise of any of the Chief Executive Officer's powers other than that of delegation.

Under Section 5.46 of the Act, a local government is required to review each financial year delegations that have been made. Council is also required to review annually the delegations it has made to the Chief Executive Officer.

In considering this matter in May 2011, Council resolved that the annual review of delegated authorities should be scheduled by administration so as not to coincide with budget deliberations. All reviews over recent years have been brought to Council in May or June but it was recognised that this is busy period for elected members. Accordingly, a commitment was given that future annual reviews would be brought forward.

Unfortunately, with the turnover of senior staff the review was not commenced sooner. Accordingly, it is proposed to undertake a minor review this financial year, with a more comprehensive review to be conducted in August 2012, after the annual budget process has been completed.

Therefore, the following minor changes to Delegations of Authority are recommended:

1. Amends the following Delegations of Authority to include the Coordinator Corporate Services
 - a. 1G - Consumption of Alcohol in Public Places;
 - b. 9A - Collection of Unpaid Fines (Parking);
 - c. 9C - Withdrawal of Infringement Notices;
 - d. 9D - Collection of unpaid Fines (Dog Control); and
 - e. 9E - Power to Authorise Withdrawal of Dog Infringements

Reason:

The additional delegation to the Coordinator Corporate Services would significantly improve customer service as this officer is responsible for these roles.

2. Amends the following Delegations of Authority to include the Delegated Authority to Manager Parks Services:
 - a. 5A - Use of Reserves during Building Operations on Adjacent Property; and
 - b. 5B - Landscaping River Foreshore

Reason:

The additional delegation to the Manager Parks Services as these matters are mostly referred to this position.

Conclusion

A review of Delegation is required to be undertaken each financial year. The Delegation of Authority Manual has been reviewed by Administration and is now presented to Council for consideration. The suggested changes are of a minor nature with a more comprehensive review scheduled for August 2012..

Attachments

Council Delegated Authority Manual

Moved – Councillor Argyle
Seconded – Councillor Horley

Council rescinds the motion that the meeting go behind close doors.

Ms J Heyes, Acting Director Planning Development left the room at 10.17 pm and returned at 10.19 pm.

Lost 5/7
(Against: Crs. McManus Hassell Porter Hodsdon
James Shaw & Somerville-Brown)

Closure of Meeting to the Public

Moved – Councillor Binks
Seconded - Councillor Hassell

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

**CARRIED 8/4
(Against: Mayor Hipkins Crs. Horley Argyle & Walker)**

In accordance with the earlier decision above the meeting was closed to members of the public at 10.25 pm.

Councillor Somerville-Brown left the room at 10.26 pm and returned at 10.27 pm.

Opening of Meeting to the Public

Moved - Councillor Hodsdon

Seconded - Councillor Walker

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

CARRIED UNANIMOUSLY 11/-

The meeting was reopened to members of the public at 11.34 pm.

In accordance with Standing Orders 12.7(3) the Presiding Member read out the motions passed by the Council whilst it was proceeding behind closed doors and the vote of the members to be recorded in the minutes under section 5.21 of the Act.

Committee Recommendation

Council:

- 1. Accepts the Outline Development Plan (ODP) for the Old Swanbourne Hospital Site, Lot 12040 St Johns Wood Boulevard, Mt Claremont, approved by the Western Australian planning Commission (WAPC) on 26 July 2011 with the final document endorsed on 27 March 2012, subject to:**
 - a) Height of courtyard building**

The maximum height of the building being 10m above the current level of the courtyard;
 - b) Number of permitted dwelling units in the historic buildings**

The maximum number of dwellings being 28;
 - c) Circular drive**

There being an easement on title to permit public access to, and where provided use of car parking on, Circular Drive.
 - d) That the 10 metre wide public access way be reinstated within the curtilage area.**
 - e) Vehicle access to the site be solely from Heritage Lane.**
- 2. Revokes the ODP approved by Council on 24 May 2011; and**
- 3. Amends the planning policy for Lot 12040 to reflect the above.**

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 11.33 pm.