



City of Nedlands

Minutes

Council Committee Meeting

9 October 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.

Table of Contents

Declaration of Opening	4
Present and Apologies and Leave Of Absence (Previously Approved)	4
1. Addresses By Members of the Public (only for items listed on the agenda).....	5
2. Disclosures of Financial Interest	6
3. Disclosures of Interests Affecting Impartiality.....	6
3.1 Councillor Somerville-Brown – PD40.12 - No. 20 (Lot 25) Betty Street, Nedlands – Proposed Change of Non-Conforming Use (from Aged Care Facility) to 10 Multiple Dwellings (Aged or Dependant Persons’ Dwellings) in a 3-Storey Building.....	6
3.2 Councillor Collins – PD40.12 - No. 20 (Lot 25) Betty Street, Nedlands – Proposed Change of Non-Conforming Use (from Aged Care Facility) to 10 Multiple Dwellings (Aged or Dependant Persons’ Dwellings) in a 3-Storey Building	6
3.3 Councillor Argyle – PD40.12 - No. 20 (Lot 25) Betty Street, Nedlands – Proposed Change of Non-Conforming Use (from Aged Care Facility) to 10 Multiple Dwellings (Aged or Dependant Persons’ Dwellings) in a 3-Storey Building	7
3.4 Councillor Walker – PD43.12 - Omnibus Scheme Amendment No. 194	7
3.5 Councillor McManus – 9.1 - Parking Permits	7
4. Declarations by Members That They Have Not Given Due Consideration to Papers.....	7
5. Confirmation of Minutes	8
5.1 Committee Meeting 11 September 2012.....	8
6. Matters for Which the Meeting May Be Closed	8
7. Divisional Reports	8
7.1 Planning & Development Report No’s PD40.12 to PD44.12	9
PD40.12 No. 20 (Lot 25) Betty Street, Nedlands – Proposed Change of Non-Conforming Use (from Aged Care Facility) to 10 Multiple Dwellings (Aged or Dependant Persons’ Dwellings) in a 3-Storey Building.....	9
PD43.12 Omnibus Scheme Amendment No. 194.....	18
PD44.12 Waratah Avenue Placemaking Strategy – Ratification of Steering Committee members	20
7.2 Technical Services Report No’s TS20.12.....	22
TS20.12 Tender No. 2012/13.01 – Supply and Installation of Sports Lighting Mt Claremont Oval: Stage 2	22
7.3 Corporate & Strategy Report No’s CP41.12 to CP44.12.....	23
CP41.12 Monthly Financial Report – August 2012	23
CP42.12 Investment Report – August 2012.....	24
CP43.12 List of Accounts Paid – August 2012.....	25
CP44.12 Local Government Ordinary Election 2013	26
8. Reports by the Chief Executive Officer	27
9. Elected Members Notices of Motions of Which Previous Notice Has Been Given.....	27
9.1 Councillor McManus - Parking Permits	27

10. Urgent Business Approved By the Presiding Member or By
Decision29

10.1 Councillor Hassell – Request for Leave of Absence29

11. Confidential Items29

Declaration of Closure29

City of Nedlands

Minutes of a meeting of the Council Committee held in the Council Chambers, Nedlands on Tuesday 9 October 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 K E Collins	Coastal Districts Ward
	Councillor N B J Horley (until 8.24 pm)	Coastal Districts Ward
	Councillor L J McManus	Coastal Districts Ward
	Councillor I S Argyle	Dalkeith Ward
	Councillor W R Hassell	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 M L Somerville-Brown	Melvista Ward

Staff	Mr M Cole	Acting Chief Executive Officer
	Mr P Mickleson	Director Planning & Development Services
	Mr M Goodlet	Director Technical Services
	Ms M Granich	Acting Director Community & Organisational Development
	Ms N Borowicz	Executive Assistant

Public There were 16 members of the public present.

Press The Post Newspaper representative.

Leave of Absence (Previously Approved) Councillor N Shaw Melvista Ward

Apologies Councillor S J Porter Dalkeith Ward
Ms D Blake Acting Director Corporate & Strategy

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 had completed Public Address Session Forms were made as each item relating to their address was discussed by the Committee.

Mr S Menezes, 16 Betty Street, Nedlands
(spoke in support of the recommendation) Report PD40.12

Mr A Nyman, 65 Melvista Avenue, Nedlands
(spoke in support of the recommendation) Report PD40.12

Mr S Risso, 36 Margaret Street, Cottesloe
(spoke in opposition to the recommendation) Report PD40.12

Mr M Hardy, Level 1, 28 Ord Street, West Perth
(spoke in opposition to the recommendation) Report PD40.12

Ms C Richards C/- Greg Rowe & Associates
Level 3, 369 Newcastle Street, Northbridge
(spoke in opposition to the recommendation)

Report PD41.12

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*.

3.1 Councillor Somerville-Brown – PD40.12 - No. 20 (Lot 25) Betty Street, Nedlands – Proposed Change of Non-Conforming Use (from Aged Care Facility) to 10 Multiple Dwellings (Aged or Dependant Persons' Dwellings) in a 3-Storey Building

Councillor Somerville-Brown disclosed an impartiality interest in Item PD40.12 - No. 20 (Lot 25) Betty Street, Nedlands – Proposed Change of Non-Conforming Use (from Aged Care Facility) to 10 Multiple Dwellings (Aged or Dependant Persons' Dwellings) in a 3-Storey Building. He disclosed that he had been approached and had discussions with numerous residents, and as a consequence, there may be a perception that his impartiality on the matter may be affected. He declared that he would consider this matter on its merits and vote accordingly.

3.2 Councillor Collins – PD40.12 - No. 20 (Lot 25) Betty Street, Nedlands – Proposed Change of Non-Conforming Use (from Aged Care Facility) to 10 Multiple Dwellings (Aged or Dependant Persons' Dwellings) in a 3-Storey Building

Councillor Collins disclosed an impartiality interest in Item PD40.12 - No. 20 (Lot 25) Betty Street, Nedlands – Proposed Change of Non-Conforming Use (from Aged Care Facility) to 10 Multiple Dwellings (Aged or Dependant Persons' Dwellings) in a 3-Storey Building. He disclosed that he is the Council representative on the Nedlands Aged Persons Trust, and as a consequence, there may be a perception that his impartiality on the matter may be affected. He declared that he would consider this matter on its merits and vote accordingly.

3.3 Councillor Argyle – PD40.12 - No. 20 (Lot 25) Betty Street, Nedlands – Proposed Change of Non-Conforming Use (from Aged Care Facility) to 10 Multiple Dwellings (Aged or Dependant Persons’ Dwellings) in a 3-Storey Building

Councillor Argyle disclosed an impartiality interest in Item PD40.12 - No. 20 (Lot 25) Betty Street, Nedlands – Proposed Change of Non-Conforming Use (from Aged Care Facility) to 10 Multiple Dwellings (Aged or Dependant Persons’ Dwellings) in a 3-Storey Building. He disclosed that because of his age, there may be a perception that his impartiality on the matter may be affected. He declared that he would consider this matter on its merits and vote accordingly.

3.4 Councillor Walker – PD43.12 - Omnibus Scheme Amendment No. 194

Councillor Walker disclosed an impartiality interest in Item PD43.12 - Omnibus Scheme Amendment No. 194. She disclosed that she knows lots of people in the area, 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.

3.5 Councillor McManus – 9.1 - Parking Permits

Councillor McManus disclosed an impartiality interest in Item 9.1 - Parking Permits. He disclosed that has known Mr Cullen for many years, and as a consequence, there may be a perception that his impartiality on the matter may be affected. He declared that he would consider this matter on its merits and vote accordingly.

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

Nil.

5. Confirmation of Minutes

5.1 Committee Meeting 11 September 2012

Moved – Councillor Argyle
Seconded – Councillor Collins

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

**CARRIED 10/-
(Abstained: 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.

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 PD40.12 to PD44.12

PD40.12	No. 20 (Lot 25) Betty Street, Nedlands – Proposed Change of Non-Conforming Use (from Aged Care Facility) to 10 Multiple Dwellings (Aged or Dependant Persons' Dwellings) in a 3-Storey Building
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Committee	9 October 2012
Council	23 October 2012

Applicant	Hawkestone Property Development Pty Ltd
Owner	Aged Persons Homes Trust & Melvista Nursing Home
Officer	Matt Stuart – Senior Statutory Planning Officer
Director	Peter Mickleson – Director Planning & Development
Director Signature	
File ref	BE8/20-02 : DA11/115
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 Somerville-Brown – Impartiality Interest

Councillor Somerville-Brown disclosed that he had been approached and had discussion with numerous residents, and as a consequence, there may be a perception that his impartiality on the matter may be affected. He declared that he would consider this matter on its merits and vote accordingly.

Councillor Collins – Impartiality Interest

Councillor Collins disclosed that he is the Council representative on the Nedlands Aged Persons Trust, and as a consequence, there may be a perception that his impartiality on the matter may be affected. He declared that he would consider this matter on its merits and vote accordingly.

Councillor Argyle – Impartiality Interest

Councillor Argyle disclosed that because of his age, there may be a perception that his impartiality on the matter may be affected. He declared that he would consider this matter on its merits and vote accordingly.

Mr S Menezes, 16 Betty Street, Nedlands Report PD40.12
(spoke in support of the recommendation)

Mr A Nyman, 65 Melvista Avenue, Nedlands Report PD40.12
(spoke in support of the recommendation)

Non-Elector

Moved – Councillor Walker

Seconded – Councillor Hassell

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

CARRIED UNANIMOUSLY 11/-

Mr S Risso, 36 Margaret Street, Cottesloe Report PD40.12
(spoke in opposition to the recommendation)

The Presiding Member granted Mr Risso a further 1 minute.

Non-Elector

Moved – Councillor Walker

Seconded – Councillor McManus

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

CARRIED UNANIMOUSLY 11/-

Mr M Hardy, Level 1, 28 Ord Street, West Perth Report PD40.12
(spoke in opposition to the recommendation)

Regulation 11(da) – Councillors agreed to refer the matter back so that the applicant could address concerns and issues raised regarding setbacks, open stairwells, car parking and landscaping.

Moved – Councillor Somerville-Brown
Seconded – Councillor Walker

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

Put Motion

Moved – Councillor Binks
Seconded – Councillor Hodsdon

That the motion be put.

PUT MOTION Lost 4/5
(Against: Crs. Collins Horley Argyle
Walker & Somerville-Brown)
(Abstained: Mayor Hipkins & Cr James)

Councillor Horley retired from the meeting at 8.24 pm.

The motion was put and

Lost 4/5
(Against: Crs. Collins McManus Hassell Binks & James)
(Abstained: Mayor Hipkins)

Refer Back

Moved – Councillor McManus
Seconded – Councillor Hassell

That this matter be referred back to Administration for further discussion with the applicant to address the matters identified in the administration recommendation.

CARRIED UNANIMOUSLY 10/-

Committee Recommendation

That this matter be referred back to Administration for further discussion with the applicant to address the matters identified in the administration recommendation.

Recommendation to Committee

Council refuses an application for a Change of Non-Conforming Use (from Aged Care Facility) to 10 Multiple Dwellings (Aged or Dependant Persons' Dwellings) in a 3 Storey Building at No. 20 (Lot 25) Betty

Street, Nedlands, in accordance with the application dated 31 March 2011 and plans received on 17 July 2012, for the following reasons:


1. the front setbacks of proposed buildings are not in keeping with the existing rhythm of the streetscape and general character of the locality;
2. the proposed residential density (R23/R77) does not conform to the required density coding (R12.5), or existing character of the locality (R10-R12.5);
3. the proposed development is not compatible with the heritage value of the site, in accordance with the listing on the Municipal Heritage Inventory;
4. the excavation in the front setback area adversely affects the streetscape and does not comply with the Acceptable Development standard or Performance Criteria 6.6.1 of the Rcodes;
5. the landscaping (hard surfaces) in the front setback area adversely affects the streetscape and does not comply with the Acceptable Development standard or Performance Criteria 6.4.5 of the Rcodes;
6. rubbish bins are not able to be collected from the street due to safety and convenience, and does not comply with the Acceptable Development standard or Performance Criteria 6.10.3 of the Rcodes;
7. the bin store area is insufficient for the required number of bins, and does not comply with the Acceptable Development standard or Performance Criteria 6.4.5 of the Rcodes;
8. vehicle manoeuvring is not safe or efficient, requiring the southern store room to be truncated; and
9. the proposed development will adversely affect the amenity of the surrounding locality, in accordance with clause 5.5.1 of TPS2.

Advice Notes specific to this proposal

1. Should a subsequent application be approved, the site will require a Section 70 notification on the Certificate of Title, that at least one aged or dependant persons reside in the properties.

PD41.12	No. 64 (Lot 1) Jutland Parade, Dalkeith – Proposed Portico/Carport
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Committee	9 October 2012
Council	23 October 2012

Applicant	Greg Rowe and Associates
Owner	I Budiarto and B Hartono
Officer	Elle O'Connor - Planning Officer
Director	Peter Mickleson - Director Planning & Development
Director Signature	
File ref.	DA12/238 : JU2/64-U1
Previous Item No's	DA09/491
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 Collins
 Seconded – Councillor Walker

That Ms Richards, a non-elect of the City be permitted to address the meeting.

CARRIED UNANIMOUSLY 10/-

Ms C Richards C/- Greg Rowe & Associates, Level 3, 369 Newcastle Street, Northbridge Report PD41.12
 (spoke in opposition to the recommendation)

The Presiding Member granted Ms Richards a further 1 minute.

Regulation 11(da) – Councillors agreed to recommend approval.

Moved – Councillor Hassell
 Seconded – Councillor Hodsdon

Council approves an application for a Portico/Carport at No. 64 (Lot 1) Jutland Parade, Dalkeith in accordance with the application received 18 June 2012 and the plans received 17 August 2012.

EVEN VOTE 4/4

**(Against: Mayor Hipkins Crs. McManus Walker & Somerville-Brown)
 (Abstained: Crs. Binks & James)
 (Casting Vote Abstained: Mayor Hipkins)**

Committee Recommendation

Council approves an application for a Portico/Carport at No. 64 (Lot 1) Jutland Parade, Dalkeith in accordance with the application received 18 June 2012 and the plans received 17 August 2012.


Recommendation to Committee

Council refuses an application for a Portico/Carport at No. 64 (Lot 1) Jutland Parade, Dalkeith in accordance with the application received 18 June 2012 and the plans received 17 August 2012 for the following reasons:

1. the proposed 4.5 m front setback is inconsistent with Clause 6.4.2(b) of the City's TPS2 and is not in keeping with the general character of the locality;
2. the proposed structure does not comply with Local Planning Policy 6.23; and
3. the steep levels of the driveway do not allow for access in a u-shape fashion as the gradient does not comply with Australian Standard 2890.1 and will cause vehicles to 'bottom out' when exiting.

PD42.12	No. 72 (Lot 51) The Avenue, Nedlands – Proposed Demolition of Single House on Municipal Heritage Inventory
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Committee	9 October 2012
Council	23 October 2012

Applicant	Charles Johnson – Planning Context
Owner	Estate of D E Ransom
Officer	Laura Sabitzer – Planning Officer
Director	Peter Mickleson - Director Planning & Development
Director Signature	
File ref.	DA12/276 : TH1/72
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 required a development application approval and a building permit issued by Council for the development of the site prior to the issue of a demolition permit.

Moved – Councillor Binks
 Seconded – Councillor Hassell

Councillor McManus left the room at 8.41 pm.

Council approves an application for the demolition of No. 72 (Lot 51) The Avenue, Nedlands in accordance with the application received 13 July 2012 subject to the following conditions:

- 1. prior to the issue of a demolition permit a comprehensive record of the building and a history of successive occupants, prepared by a heritage professional is to be submitted and approved by the City (refer to Advice Note 2); and**
- 2. prior to the issue of a demolition permit there shall be a development application approved and a building permit issued by the Council for the development of the site.**

Advice Notes specific to this approval:

1. The comprehensive record is to include research through Council's Local Studies Collection and other material for details of origins of the building contract, subsequent alterations and/or additions together with measured drawings, plans and elevations and a photographic record in colour of the exterior and interior of the building. Copies of the document shall be lodged in Council's Local Studies Collection for public research.

**CARRIED 8/-
(Abstained: Cr. Walker)**

Committee Recommendation

Council approves an application for the demolition of No. 72 (Lot 51) The Avenue, Nedlands in accordance with the application received 13 July 2012 subject to the following conditions:

1. prior to the issue of a demolition permit a comprehensive record of the building and a history of successive occupants, prepared by a heritage professional is to be submitted and approved by the City (refer to Advice Note 2); and
2. prior to the issue of a demolition permit there shall be a development application approved and a building permit issued by the Council for the development of the site.

Advice Notes specific to this approval:

1. The comprehensive record is to include research through Council's Local Studies Collection and other material for details of origins of the building contract, subsequent alterations and/or additions together with measured drawings, plans and elevations and a photographic record in colour of the exterior and interior of the building. Copies of the document shall be lodged in Council's Local Studies Collection for public research.

Councillor McManus returned to the room at 8.43 pm.

Recommendation to Committee

Council approves an application for the demolition of No. 72 (Lot 51) The Avenue, Nedlands in accordance with the application received 13 July 2012 subject to the following conditions:


1. prior to the issue of a demolition license a comprehensive record of the building and a history of successive occupants, prepared by a heritage professional is to be submitted and approved by the City (refer to Advice Note 2); and
2. 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. In accordance with Council's Policy and Procedure Listed Heritage Places – Demolition Policy prior to the issue of a demolition license, plans are to be approved by Council for the redevelopment of the site.
2. The comprehensive record is to include research through Council's Local Studies Collection and other material for details of origins of the building contract, subsequent alterations and/or additions together with measured drawings, plans and elevations and a photographic record in colour of the exterior and interior of the building. Copies of the document shall be lodged in Council's Local Studies Collection for public research.

PD43.12	Omnibus Scheme Amendment No. 194
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Committee	9 October 2012
Council	23 October 2012

Applicant	N/A
Owner	Various
Officer	Gabriela Poezyn – Manager Strategic Planning
Director	Peter Mickelson – Director Planning & Development
Director Signature	
File ref.	TPN/A194
Previous Item No's	D03/12 – 28 February 2012 Item 13.5 – 26 October 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> .

Councillor Walker – Impartiality Interest

She disclosed that knows lots of people in the area, 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.

Regulation 11(da) - Councillors resolved to discontinue Scheme Amendment No. 194 instead of deferring it.

Moved – Councillor Walker
Seconded – Councillor Argyle

Council resolves to discontinue Scheme Amendment No. 194 and requests Administration to advise the Western Australian Planning Commission accordingly.

**CARRIED 8/1
(Against: Cr. Hodsdon)
(Abstained: Cr. Binks)**

Committee Recommendation


Council resolves to discontinue Scheme Amendment No. 194 and requests Administration to advise the Western Australian Planning Commission accordingly.

Recommendation to Committee

Council instructs Administration to advise the Western Australian Planning Commission that its decision in relation to Scheme Amendment No. 194 has been delayed as the outcomes of the North Hollywood Precinct Study have not been completed.

PD44.12	Waratah Avenue Placemaking Strategy – Ratification of Steering Committee members
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Committee	9 October 2012
Council	23 October 2012

Applicant	N/A
Owner	N/A
Officer	Michael Swanepoel - Senior Strategic Planning Officer
Director	Peter Mickleson - Director Planning & Development
Director Signature	
File ref.	TPN/150
Previous Item No's	27 March 2012 - Item 14.1.
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 resolves:

1. that the membership of the steering committee comprises of:
 - a. the Mayor ex officio;
 - b. the Chief Executive Officer or his nominee ex officio;
 - c. Mr Ken Eastwood, Mr Colin Latchem and Ms Paola Lovi as local resident representatives; and
 - d. two Dalkeith Ward Councillors - Councillor Hassell & Councillor Porter and two other Councillors - Councillor James & Councillor Shaw.

2. to nominate and elect Councillors to the Steering Committee at its Ordinary Meeting scheduled for 23 October 2012 as required for d. above.

CARRIED UNANIMOUSLY 10/-

Committee Recommendation

Council resolves:

- 1. that the membership of the steering committee comprises of:
 - a. the Mayor ex officio;**
 - b. the Chief Executive Officer or his nominee ex officio;**
 - c. Mr Ken Eastwood, Mr Colin Latchem and Ms Paola Lovi as local resident representatives; and**
 - d. two Dalkeith Ward Councillor - Councillor Hassell & Councillor Porter and two other Councillors - Councillor James & Councillor Shaw.****
- 2. to nominate and elect Councillors to the Steering Committee at its Ordinary Meeting scheduled for 23 October 2012 as required for d. above.**

Recommendation to Committee


Council resolves:

1. that the membership of the steering committee comprises of:
 - a. the Mayor ex officio;
 - b. the Chief Executive Officer or his nominee ex officio;
 - c. Mr Ken Eastwood, Mr Colin Latchem and Ms Paola Lovi as local resident representatives; and
 - d. two Dalkeith Ward Councillors and two other Councillors.
2. to nominate and elect Councillors to the Steering Committee at its Ordinary Meeting scheduled for 23 October 2012 as required for d. above.

7.2 Technical Services Report No's TS20.12

TS20.12	Tender No. 2012/13.01 – Supply and Installation of Sports Lighting Mt Claremont Oval: Stage 2
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Committee	9 October 2012
Council	23 October 2012

Applicant	City of Nedlands
Owner	City of Nedlands
Officer	Andrew Dickson – Manager Parks Services
Director	Mark Goodlet – Director Technical Services
Director Signature	
File ref.	TEN/371
Previous Item No's	Report CM04.10 – Council Minutes – 23 February 2010 Item 14.4 – Council Minutes – 27 July 2010 Item 12.3 report CM02.12 – Council Minutes – 27 March 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 McManus
Seconded – Councillor Somerville-Brown

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

CARRIED UNANIMOUSLY 10/-

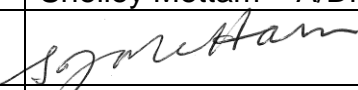
Committee Recommendation / Recommendation to Committee

Council accepts the tender submitted by Hender Lee Electrical & Instrumentation Contractors Pty Ltd, for the supply and installation of sports lighting at Mt Claremont Oval in accordance with the submitted price of \$53,977.00 excluding GST.

7.3 Corporate & Strategy Report No's CP41.12 to CP44.12

CP41.12 Monthly Financial Report – August 2012

Committee	9 October 2012
Council	23 October 2012

Applicant	City of Nedlands
Owner	City of Nedlands
Officer	Rajah Senathirajah – Manager Finance
Director	Shelley Mettam – 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 Collins
 Seconded – Councillor James

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

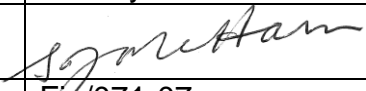
Councillor Hodsdon left the room at 8.55 pm.

CARRIED 7/-
(Abstained: Crs. Binks & Walker)

Committee Recommendation / Recommendation to Committee
Council receives the Monthly Financial Report for August 2012
(refer to attachments).

CP42.12	Investment Report – August 2012
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Committee	9 October 2012
Council	23 October 2012

Applicant	City of Nedlands
Owner	City of Nedlands
Officer	Rajah Senathirajah – Manager Finance
Director	Shelley Mettam – 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 McManus
 Seconded – Councillor James

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

Councillor Hodsdon returned to the room at 8.57 pm.

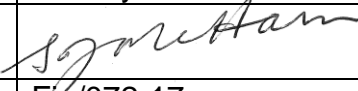
CARRIED 8/-
(Abstained: Crs. Hodsdon & Walker)

Committee Recommendation / Recommendation to Committee

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

CP43.12	List of Accounts Paid – August 2012
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Committee	9 October 2012
Council	23 October 2012

Applicant	City of Nedlands
Owner	City of Nedlands
Officer	Rajah Senathirajah – Manager Finance
Director	Shelley Mettam – 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.

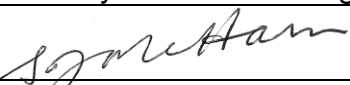
Moved – Councillor Collins
 Seconded – Councillor James

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

CARRIED 8/-
(Abstained: Crs. Binks & Walker)

Committee Recommendation / Recommendation to Committee
Council receives the List of Accounts Paid for the month of August 2012. (refer to attachment)

CP44.12 Local Government Ordinary Election 2013

Committee	9 October 2012
Council	23 October 2012
Applicant	City of Nedlands
Owner	City of Nedlands
Officer	Mathew Ayre – Rates Officer
Director	Shelley Mettam – Acting Director Corporate Services
Director Signature	
File ref.	ELN/024
Previous Item No's	Nil
Disclosure of Interest	No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> .

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

Moved – Councillor James
 Seconded – Councillor Collins

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

CARRIED 8/-
(Against: Cr. Hodsdon)
(Abstained: Cr. Walker)

Committee Recommendation / Recommendation to Committee

Council endorses

- To declare, in accordance with section 4.20(4) of the *Local Government Act 1995*, the Electoral Commissioner to be responsible for the conduct of the 2013 ordinary elections together with any other elections or polls which may be required; and**
- the City of Nedlands 2013 Ordinary Council Election being conducted as a postal election in accordance with provisions under section 4.61(2) of the *Local Government Act 1995*.**

Absolute Majority Required

8. Reports by the Chief Executive Officer

Nil.

9. Elected Members Notices of Motions of Which Previous Notice Has Been Given

Disclaimer: Where administration has provided any assistance with the framing and/or wording of any motion/amendment to a Councillor who has advised their intention to move it, the assistance has been provided on an impartial basis. The principle and intention expressed in any motion/amendment is solely that of the intended mover and not that of the officer/officers providing the assistance. Under no circumstances is it to be expressed to any party that administration or any Council officer holds a view on this motion other than that expressed in an official written or verbal report by Administration to the Council meeting considering the motion.

9.1 Councillor McManus - Parking Permits

Councillor McManus – Impartiality Interest

He disclosed that has known Mr Cullen for many years, and as a consequence, there may be a perception that his impartiality on the matter may be affected. He declared that he would consider this matter on its merits and vote accordingly.

Councillor Hassell left the room at 9.00 pm.

Councillor McManus gave notice to move the following at this meeting.

Moved – Councillor McManus
Seconded – Councillor Walker

Council resolve that parking permits may be issued to small local businesses with a maximum limit of 7 permits per business during the City of Nedlands parking 6 month trial period recently passed by Council in respect to Stirling Hwy.

Councillor Hassell returned to the room at 9.03 pm.

Councillor Walker left the room at 9.11 pm and returned at 9.12 pm.

**EVEN 4/4
(Against: Crs. Argyle Hodsdon James & Somerville-Brown)
(Abstained: Mayor Hipkins Cr. Binks)**

Committee Recommendation

Council resolve that parking permits may be issued to small local businesses with a maximum limit of 7 permits per business during the City of Nedlands parking 6 month trial period recently passed by Council in respect to Stirling Hwy.

Supporting Comments

The Fair Work Act 2009 defines small business as less than 15 employees. Nedlands is a City that welcomes and encourages businesses but especially small and local businesses.

The City of Nedlands has recently resolved to test changes to the timing of parking 100 meters either side of Stirling Hwy. This is to assist the local community with the parking issues where non residents are using local streets as a park and ride stations.

The impact on the trial will present major difficulties to the employees of small, local businesses of Nedlands and this motion proposed is an attempt to strike a balance between the community and small local businesses while the trial is conducted.

Administration Comment

The recently adopted Parking Local Law has a provision in clause 6.10 which would allow the Council to issue temporary permits to “a specific vehicle” for a specified period. Note that the permit is issued to a specific vehicle rather than a person or business. The permit overrides any signed parking restriction.

The clause also provides for a fee to be collected however the permit could also be issued without a fee being required.

This clause is intended for temporary (undefined in the Local Law) parking so it could be used in this situation for the trial period. As noted any permit would need to be issued to a specific vehicle (specifying the registration plate details may be appropriate) not to any particular business.

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

10.1 Councillor Hassell – Request for Leave of Absence

Moved – Councillor Hodsdon
Seconded – Councillor Collins

That Councillor Hassell be granted leave of absence for the Council Meeting on 25 October 2012.

CARRIED UNANIMOUSLY 10/-

11. Confidential Items

Nil.

Declaration of Closure

There being no further business, the Presiding Member declared the meeting closed at 9.37 pm.