



City of Nedlands

Minutes

Council Meeting

26 November 2013

ATTENTION

These minutes are subject to confirmation.

Prior to acting on any resolution of the Council contained in these minutes, a check should be made of the Ordinary Council Meeting next following this meeting to ensure that there has not been a correction made to any resolution.

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Seconded: Councillor Hassell 10

That all Committee Recommendations relating to Reports under items
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City of Nedlands

Minutes of an ordinary meeting of Council held in the Council chambers, Nedlands on Tuesday 26 November 2013 at 7 pm.

Declaration of Opening

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

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 K Smyth	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 J Wetherall	Hollywood Ward
	Councillor G A R Hay	Melvista Ward
	Councillor N Shaw	Melvista Ward

Staff	Mr G Trevaskis	Chief Executive Officer
	Mr M Goodlet	Director Technical Services
	Mr M Fletcher	Manager Corporate Strategy & Systems
	Ms J Heyes	Manager Statutory Planning
	Ms M Granich	Manager Community Development
	Ms P Huigens	Policy & Projects Officer

Public There were 5 members of the public present.

Press The Post Newspaper representative (from 8.15pm)

Leave of Absence (Previously Approved) Nil.

Apologies	Councillor B G Hodsdon	Hollywood Ward
	Councillor T James	Melvista Ward

Absent Nil.

Disclaimer

Members of the public who attend Council meetings should not act immediately on anything they hear at the meetings, without first seeking clarification of Council's position. For example by reference to the confirmed Minutes of Council meeting. Members of the public are also advised to wait for written advice from the Council prior to taking action on any matter that they may have before Council.

Any plans or documents in agendas and minutes may be subject to copyright. The express permission of the copyright owner must be obtained before copying any copyright material.

1. Public Question Time

A member of the public wishing to ask a question should register that interest by notification in writing to the CEO in advance, setting out the text or substance of the question.

The order in which the CEO receives registrations of interest shall determine the order of questions unless the Mayor determines otherwise. Questions must relate to a matter affecting the City of Nedlands.

None received.

2. Addresses by Members of the Public

Addresses by members of the public who have completed Public Address Session Forms to be made at this point.

Mr Brett Chadrand, 55 Kirwan Street, Floreat
(spoke in support of the recommendation)

Report PD50.13

Non-Elector

Moved – Councillor Hay

Seconded – Councillor Wetherall

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

CARRIED UNANIMOUSLY 11/-

Mr Peter Driscoll, 5/16 Nicholson Road, Subiaco
(spoke in support of the recommendation)

Report PD53.13

Suk Ckan Choong, 43 Aberdare Road, Nedlands
(spoke in support of the recommendation)

Item 14.1

Mr Christian d'Argent, 61 Aberdare Road, Nedlands
(spoke in support of the recommendation)

Item 14.1

Ms Paula Kay, 17 Alexander Road, Dalkeith
(spoke in opposition of the recommendation)

Item withdrawn - to be considered at December meeting

3. Requests for Leave of Absence

Nil.

4. Petitions

A petition was received from residents in Webster Street in opposition of parking restrictions on Webster Street between Edward and Elizabeth Streets.

Moved: Councillor Binks
Seconded: Councillor Shaw

That the matter be referred to Administration for report to Council.

CARRIED UNANIMOUSLY 11/-

5. 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.

6. 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.

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

Nil.

8. Confirmation of Minutes

8.1 Ordinary Council meeting 22 October 2013

Moved – Councillor Shaw
 Seconded – Councillor Hay

The minutes of the ordinary Council meeting held 22 October 2013 are confirmed.

CARRIED UNANIMOUSLY 11/-

9. Announcements of the Presiding Member without discussion

Functions where I have represented the City since the last Council meeting I attended on 22 October 2013:

23 October 2013	UDIA	R-Codes Seminar
23 October 2013	Dept. Of Planning	DAP site visit & meeting (Swanbourne)
23 October 2013	RAC	Reception with Minister for Police
24 October 2013	CoN	WAVE community workshop
25 October 2013	Nedlands PS	100 Year Anniversary Open Day
27 October 2013	Nedlands PS	Concert
28 October 2013	National Trust	Executive Meeting
30 October 2013	Planning Institute	Productive Cities Lecture
30 October 2013	Aust Urban Design Resource Centre	Take me to the River Exhibition
30 October 2013	Learning and Disability Services	Valued Teacher Awards
31 October 2013	Regional Development Aust	Budget Process Lecture
31 October 2013	State Government	Sunset Hospital Presentation
31 October 2013	CoN	WAVE community workshop
1 November 2013	Realmark Western Suburbs	Office opening

1 November 2013	Dalkeith PS	75 Years Anniversary Concert
6 November 2013	CRC, Water Sensitive Cities	Regional Advisory Panel meeting
6 November 2013	Friends of RPH	AGM
6 November 2013	Rotary Club of Freshwater Bay	Presentation on Council activities
7 November 2013	CEDA	Water to Industry Forum
8 November 2013	Friends of Allen Park	AGM
10 November 2013	Friends of Hollywood Bush	Working Bee
11 November 2013	RSL/CoN	Remembrance Day service
11 November 2013	Dept. of Planning	DAP Meeting (QEII)
11 November 2013	National Trust	Council meeting
12 November 2013	CoN	Lunch with Cambridge CEO & Mayor
13 November 2013	Christ Church School	Public meeting re new playing fields
13 November 2013	National Trust	AGM
15 November 2013	Hollywood PS	Presentation of Water Sensitive Garden Award
15 November 2013	RPH Heritage Society	Art and Heritage exhibition
19 November 2013	CRC, Water Sensitive Cities	Regional Advisory Panel meeting
19 November 2013	Institute of Architects	Urban Design Committee meeting
20 November 2013	Defence Reserves Support Council	Awards Presentations
21 November 2013	Main Roads WA	Regional Group meeting
21 November 2013	CityVision	Meeting
25 November 2013	Curtin Health Research Centre	Receipt of Healthway awards
25 November 2013	National Trust	Executive meeting
25 November 2013	Land Corp	Christmas Function, Ross Holt farewell

The above list does not include meetings with elected members, staff and electors.

In addition there have been several exploratory meetings with lawyers re amalgamations, without charge to the City.

Max Hipkins

10. Members Announcements Without Discussion

10.1 Councillor Binks

Councillor Binks attended the Home Harvest Workshop on Saturday 16 November 2013 at the Mount Claremont Community Centre. The workshop featured a representative from Department of Agriculture to talk about fruit fly, and two staff from GreenSkills to demonstrate building compost tumblers and worm farms. Yvonne Page from the Mayo House Community Garden group attended.

10.2 Councillor Hassell

Attended opening of Federal Parliament and spoke to Foreign Minister Julie Bishop to make a submission on behalf of a Nedlands family.

10.3 Councillor Argyle

Submitted by way of a report his speech which he gave at the Nedlands RSL Remembrance Day Ceremony on Monday 11 November 2013.

11. Matters for Which the Meeting May Be Closed

Council, in accordance with Standing Orders and for the convenience of the public, 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.

12. Divisional reports and minutes of Council committees and administrative liaison working groups

12.1 Minutes of Council Committees

Moved – Councillor Shaw
Seconded – Councillor Hassell

That the Minutes of the Council Committee meeting of the 12 November 2013 unconfirmed, circulated to Councillors on 19 November 2013, are received.

CARRIED UNANIMOUSLY 11/-

Note: As far as possible all the following reports under items 12.2, 12.3, 12.4 and 12.5 will be moved en-bloc and only the exceptions (items which Councillors wish to amend) will be discussed.

En Bloc

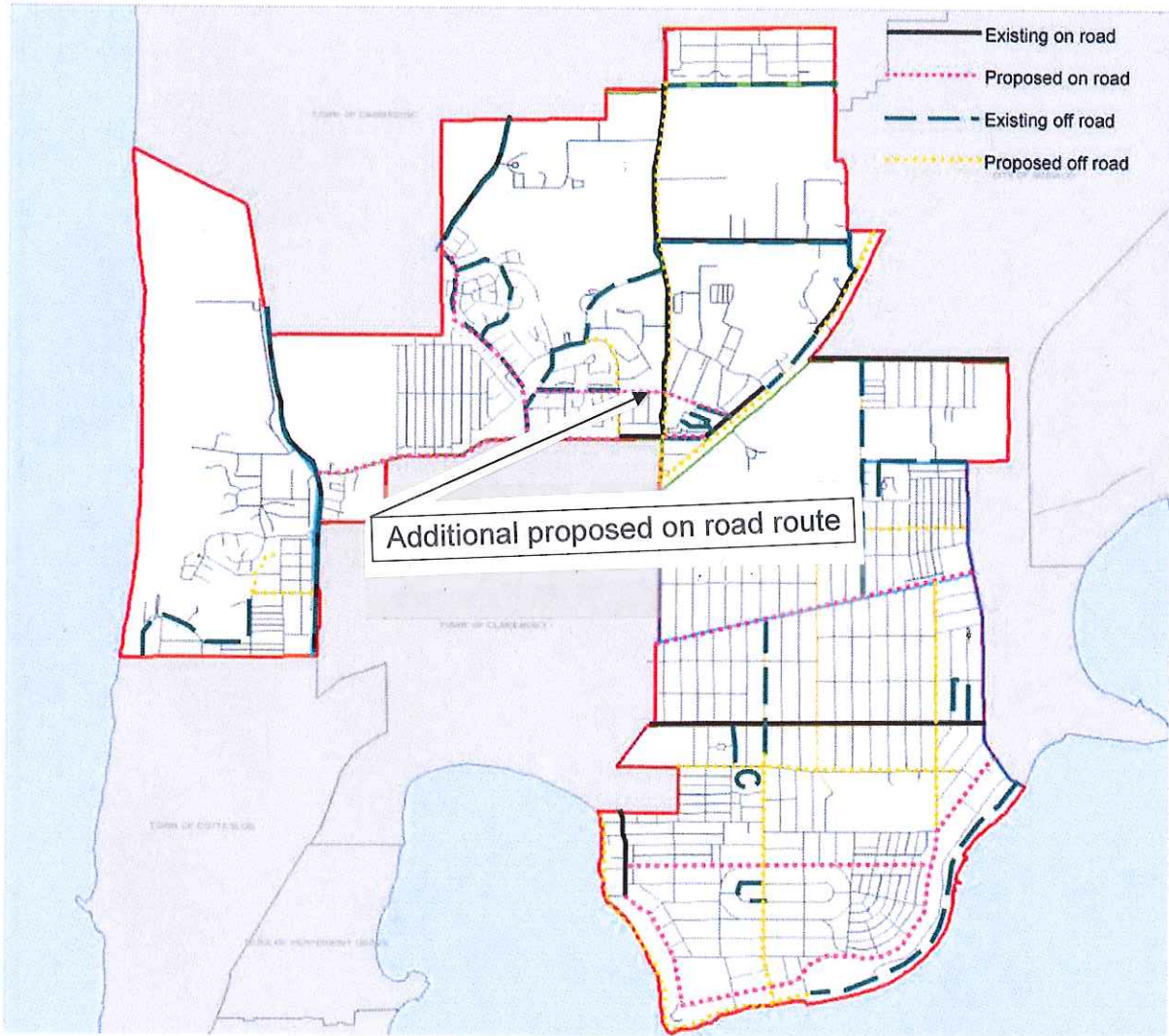
Moved: Councillor Binks
Seconded: Councillor Hassell

That all Committee Recommendations relating to Reports under items 12.2, 12.3, 12.4 and 12.5 with the Exception of Report Nos. PD50.13, PD52.13, PD53.13 and TS19.13 are adopted en bloc. The amendments suggested by Administration for Report PD54.13 are adopted (printed below for ease of reference).

Administration Amendments for PD54.13:

- 1. Replace Page 10 with Page 10 overleaf.**
- 2. Add the following Recommendation in Page 9 of the Bike Plan: Request the consideration of an east-west cycle way linking Stephenson Avenue and Brockway Road if an appropriate opportunity is to arise from development of land in the area north of St Johns Wood.**

CARRIED UNANIMOUSLY 11/-



Map 3 – Proposed cycle facilities

*Please note this map will be converted to a fully digital format before consultation


Planning & Development Report No's PD49.13 to PD56.13 (copy attached)

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.

PD49.13 No.103 (Lot 3) Smyth Road, Nedlands – Proposed Three (3) Storey Dwelling and Front Fence

Item withdrawn and Refused under Delegation by Administration.

PD50.13 No.55 (Lot 122) Kirwan Street, Floreat – Proposed Ancillary Accommodation

Committee	12 November 2013
Council	26 November 2013
Applicant	Brett Chadband
Owner	Brett Chadband & Rebecca Cameron
Officer	Elle O'Connor – Planning Officer
Director	Peter Mickleson – Director Planning & Development
Director Signature	
File Reference	KI6/55
Previous Item	Nil

Moved – Councillor Binks
 Seconded – Councillor Hay

That Administration’s Recommendation to Committee is adopted.

Recommendation to Committee

Council approves an application for ancillary accommodation at unit at No. 55 (Lot 122) Kirwan Street, Floreat in accordance with the application and plans dated 22 August 2013 and the amended plans dated 8 October 2013 subject to the following conditions:

- 1. the ancillary accommodation building shall be occupied only by direct members of the same family as the occupiers of the main dwelling;**
- 2. prior to the issue of a Building Licence for the development, the owner shall execute and provide to the City a notification pursuant to Section 70A of the Transfer of Land Act 1893 to be registered on the title to the land as notification to prospective purchasers that the use of the ancillary accommodation building is subject to the restriction set out in condition 1) above;**
- 3. 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;**
- 4. 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;**

5. any additional development, which is not in accordance with the original application or conditions of approval as outlined above, will require further approval by Council; and
6. the development shall at all times comply with the approved plans.

Advice Notes specific to this approval:

1. 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;
2. 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;
3. 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. The City does not recommend installing any equipment near a property boundary where it is likely noise in these locations will intrude on neighbouring properties;
4. 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;
5. 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 suppress noise; and
6. The landowner is advised to limit construction noise and hours as per the *Environmental Protection (Noise) Regulations 1997*.

**CARRIED 9/2
(Against: His Worship the Mayor & Councillor Shaw)**

Amended Administration Recommendation:

Council approves an application for ancillary accommodation unit at No. 55 (Lot 122) Kirwan Street, Floreat in accordance with the application and plans

dated 22 August 2013 and the amended plans dated 8 October 2013 subject to the following conditions:

1. The ancillary accommodation unit is restricted to the footprint of the existing outbuilding.
2. Prior to the issue of a Building Licence for the development the owner shall execute and provide to the City a notification pursuant to Section 70A of the Transfer of Land Act 1893 to be registered on the title to the land as notification to prospective purchasers that the use of the ancillary accommodation building is subject to the restriction set out in condition 1) above;
3. 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;
4. 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;
5. Any additional development, which is not in accordance with the original application or conditions of approval as outlined above, will require further approval by Council;
6. The development shall at all times comply with the approved plans.

Advice Notes specific to this approval:

1. 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.
2. 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.
3. 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. The City does not recommend installing any equipment near a property boundary where it is likely noise 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 suppress noise.

4. The landowner is advised to limit construction noise and hours as per the *Environmental Protection (Noise) Regulations 1997*.

Committee Recommendation:

Council approves an application for ancillary accommodation at unit at No. 55 (Lot 122) Kirwan Street, Floreat in accordance with the application and plans dated 22 August 2013 and the amended plans dated 8 October 2013 subject to the following conditions:

1. the ancillary accommodation building shall be occupied only by direct members of the same family as the occupiers of the main dwelling;
2. prior to the issue of a Building Licence for the development, the owner shall execute and provide to the City a notification pursuant to Section 70A of the Transfer of Land Act 1893 to be registered on the title to the land as notification to prospective purchasers that the use of the ancillary accommodation building is subject to the restriction set out in condition 1) above;
3. 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;
4. 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;
5. any additional development, which is not in accordance with the original application or conditions of approval as outlined above, will require further approval by Council; and

6. the development shall at all times comply with the approved plans.
7. Maintain the minimum setback of 4.7m from the southern boundary.

Advice Notes specific to this approval:

5. 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;
6. 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;
7. 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. The City does not recommend installing any equipment near a property boundary where it is likely noise in these locations will intrude on neighbouring properties;
4. 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;
5. 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 suppress noise; and
6. The landowner is advised to limit construction noise and hours as per the *Environmental Protection (Noise) Regulations 1997*.

**PD51.13 No. 102 (Lot 237) Stirling Highway, Nedlands –
Proposed Change of Use (from Residential) to Office**

This item was withdrawn by the applicant prior to the Committee meeting.

PD52.13 Proposed Incentives Program for Heritage List

Committee	12 November 2013
Council	26 November 2013
Applicant	City of Nedlands
Officer	Gabriela Poczyn – Manager Strategic Planning
Director	Peter Mickleson – Director Planning & Development
Director Signature	
File Reference	HER/017-02
Previous Item	Nil

Moved – Councillor Smyth
 Seconded – Councillor Binks (pro-forma)

That the Committee Recommendation be adopted.

Committee Recommendation:

That the matter be referred back to Administration.

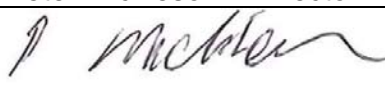
CARRIED UNANIMOUSLY 11/-

Recommendation to Committee:

Council:

1. adopts the proposed incentive program to support the City’s Heritage List in order to promote inclusion of properties on the heritage list for implementation from 1 July 2014 subject to 2014/15 budget considerations; and
2. instructs Administration to consult with the owners of properties likely to be offered development incentives in order to determine the most appropriate incentive in each instance.

PD53.13 No. 101 (Lot 564) Monash Avenue, Nedlands - Final Adoption of Proposed Masterplan for Hollywood Private Hospital

Committee	12 November 2013
Council	26 November 2013
Applicant	Peter Driscoll, Landvision on behalf of Hollywood Hospital
Officer	Gabriela Poezyn – Manager Strategic Planning
Director	Peter Mickleson – Director Planning & Development
Director Signature	
File Reference	MO1/101-09
Previous Item	June 2013 - PD23.13 August 2013 – PD 34.13

Councillor Porter left the room at 7.55pm
Councillor Porter returned at 7.57pm

Moved – Councillor Shaw
Seconded – Councillor Binks

That Council approves the proposed Hollywood Private Hospital Masterplan dated July 2013 for Lot 564 (No. 101) Monash Avenue subject to the following conditions:

- 1. the masterplan be amended to include that a construction method will be used for the proposed multi storey car park that will not generate the noise associated with vehicles driving over metal plates;**
- 2. the proposed landscaping plan be modified to include that shade trees are provided at a rate of one (1) tree for every four (4) car bays in the car parking areas located alongside Monash Avenue; and**
- 3. the masterplan be supported by a lighting plan for the buildings and site that demonstrates that there will be no spill of light beyond the boundaries of the site.**
- 4. the masterplan be amended to reposition the building footprint directly opposite Burwood Street to allow the view into the site to be uninterrupted by the proposed “Future Development Area”; and**
- 5. Figure 6 and 6.2 Development Standards Table of the masterplan be amended to show a minimum 20 metre setback for new buildings from Monash Avenue, with parking permitted in this area, the identified existing trees being preserved and new parking having 1 new tree per 4 parking bays.**

Advice Notes:

- 1. Conditions 1, 2, 4 and 5 are to be cleared by Council officers so that the masterplan is not required to be brought back to Council due to the urgency to commence some development and to avoid any delays.**
- 2. The Lighting Plan required by Condition 3 may be submitted separately to the masterplan to be approved prior to the final approval of the next Development Application.**
- 3. The 20 metre setback from Monash Avenue does not affect existing building and development.**

CARRIED UNANIMOUSLY 11/-

Moved: Councillor Wetherall
Seconded: Councillor Hassell

That the motion be amended to replace the word “minimum” with the word “average” in Condition number 5.

LOST 1/10


(Against: His Worship the Mayor, Crs. Hay, Shaw, Horley, McManus, Smyth, Argyle, Hassell, Porter & Binks)

Committee Recommendation / Recommendation to Committee

Council approves the proposed Hollywood Private Hospital Masterplan dated July 2013 for Lot 564 (No. 101) Monash Avenue subject to the following conditions:

1. the masterplan be amended to include that a construction method will be used for the proposed multi storey car park that will not generate the noise associated with vehicles driving over metal plates;
2. the proposed landscaping plan be modified to include that shade trees are provided at a rate of one (1) tree for every four (4) car bays in the car parking areas located alongside Monash Avenue; and
3. the masterplan be supported by a lighting plan for the buildings and site that demonstrates that there will be no spill of light beyond the boundaries of the site.

PD54.13	Draft City of Nedlands Bike Plan
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Committee	12 November 2013
Council	26 November 2013
Applicant	City of Nedlands
Officer	Christie Downie – Sustainability Planning Officer
Director	Peter Mickleson – Director Planning & Development
Director Signature	
File Reference	TPN/133-03
Previous Item	Nil

Moved: Councillor Binks
 Seconded: Councillor Hasell

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

Committee Recommendation

That Council endorse the draft City of Nedlands Bike Plan contained in Attachment 1 with the following additions:


**a) Safe, convenient, protected on-road cycling routes along major commuter routes (specifically include Mt Claremont, QE11 & UWA) and;
 b) a cycling route through the Mount Claremont sporting precinct.**

CARRIED UNANIMOUSLY EN BLOC 11-/-

Recommendation to Committee:

That Council endorse the draft City of Nedlands Bike Plan for the purposes of consultation.

PD55.13 Stereosonic Concert 2013 – Saturday 30 November & Sunday 1 December 2013 – Claremont Showgrounds, Claremont

Committee	12 November 2013
Council	26 November 2013
Applicant	Town of Claremont
Officer	Andrew Melville – Manager Health & Compliance
Director	Peter Mickleson – Director Planning & Development
Director Signature	
File Reference	ENV/017-05: M13/25110
Previous Item	Nil

Moved: Councillor Binks
 Seconded: Councillor Hassell

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

Committee Recommendation

Council, pursuant to Regulation 18 (12) of the *Environmental Protection (Noise) Regulations 1997*, agrees to the Town of Claremont’s proposed conditions, (outlined in Attachment 1) for the ‘Stereosonic’ concert to be held at the Claremont Showground on Saturday 30 November and Sunday 1 December 2013, subject to:

- 1. the Town of Claremont’s ‘Advice to Residents’ leaflet being distributed to the residential notification area within the City of Nedlands identified in Attachment 2 with the notification area being increased to the north to include the area up to Stevenson Avenue ; and**
- 2. the Town of Claremont notifying the City of Nedlands Environmental Health Services Section of any noise complaints received from residents in the City of Nedlands, within 5 days after the event.**

CARRIED UNANIMOUSLY EN BLOC 11-/-

Recommendation to Committee

Council, pursuant to Regulation 18 (12) of the *Environmental Protection (Noise) Regulations 1997*, agrees to the Town of Claremont’s proposed conditions, (outlined in Attachment 1) for the ‘Stereosonic’ concert to be held at the Claremont Showground on Saturday 30 November and Sunday 1 December 2013, subject to:

1. the Town of Claremont's 'Advice to Residents' leaflet being distributed to the residential notification area within the City of Nedlands identified in Attachment 2; and
2. the Town of Claremont notifying the City of Nedlands Environmental Health Services Section of any noise complaints received from residents in the City of Nedlands, within 5 days after the event.

PD56.13 Introduced Rainbow Lorikeet and Corella Response Strategy
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Committee	12 November 2013
Council	26 November 2013
Applicant	City of Nedlands
Officer	Andrew Melville – Manager Health & Compliance
Director	Peter Mickleson – Director Planning & Development
Director Signature	
File Reference	
Previous Item	Nil

Moved: Councillor Binks
 Seconded: Councillor Hassell

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

Committee Recommendation / Recommendation to Committee

Council agree to support the Introduced Rainbow Lorikeet and Corella Response Strategy and contributing \$5,000 for the 2013/14 – 2017/08 financial years inclusive to assist with its implementation.

CARRIED UNANIMOUSLY EN BLOC 11-/-

12.2 Technical Services Report No's TS17.13 to TS18.13 (copy attached)

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.

TS19.13	Request for Street Tree Removal
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Committee	12 November 2013
Council	26 November 2013
Applicant	City of Nedlands
Officer	Andrew Dickson – Manager Parks Services
Director	Mark Goodlet – Director Technical Services
File Reference	CRS/073
Previous Item	Item 12.4 – report CP31.12 – Council Minutes 24 July 2012

Councillor Hay left the room at 8.21pm

Councillor Hay returned at 8.23pm

Moved – Councillor Wetherall
 Seconded – Councillor Hassell

Council approves the request from the owner of 75 Philip Road, Dalkeith for the removal of one (1) Queensland Box tree (*Lophostemon confertus*) street tree adjacent to their property conditional to:

1. the owners accepting all associated costs for removal of the street tree;
2. the owners providing three (3) street trees chosen from the preferred species list to be installed at nine metre intervals on the established planting line within the nature strip and maintained for a period of 12 months from installation, with all associated costs to be borne by the owners.

CARRIED 9/2
(Against: His Worship the Mayor & Cr. Horley)

Mr Greg Trevaskis left the room at 8.31pm

Mr Greg Trevaskis returned at 8.33

Committee Recommendation / Recommendation to Committee


Council approves the request from the owner of 75 Philip Road, Dalkeith for the removal of one (1) Queensland Box tree (*Lophostemon confertus*) street tree adjacent to their property conditional to:

1. the owners accepting all associated costs for removal of the street tree;
2. the owners compensating Council, in accordance with Council's Street Trees policy, the amount of \$1,440.00 being the current escalated amenity value of the street tree as independently assessed in 2012; and
3. the owners providing three (3) street trees chosen from the preferred species list to be installed at nine metre intervals on the established planting line within the nature strip and maintained for a period of 12 months from installation, with all associated costs to be borne by the owners.

12.3 Community Development Report No CM08.13

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.

CM08.13	Use of Council Facilities and Infrastructure at Swanbourne Beach
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Committee	12 November 2013
Council	26 November 2013
Applicant	The Fig Group
Officer	Amanda Cronin – Administration and Events Officer
Director	Michael Cole – Director Corporate and Strategy
Director Signature	
File Reference	CMS/505
Previous Item	N/A

Moved: Councillor Binks
Seconded: Councillor Hassell

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

Committee Recommendation / Recommendation to Committee

Council:

1. Approves the use of council facilities and infrastructure i.e. car park, toilets and vehicle beach access at Swanbourne Beach for the purpose of supporting the proposed conduct of the Fig Nude Swim on Sunday 30 March 2014 between the hours of 9am and 3pm, subject to the requirement to submit the following details;
 - Risk Management Plan
 - Public Liability Insurance
 - Parking and Traffic Management Plan
 - First Aid Plan
 - Water Safety Plan
 - Security Measures

- **Notification to stakeholders i.e. Police, Residents, Businesses etc.**
 - **Waste Management Plan**
 - **Temporary Structures**
 - **Toilets (additional on-site)**
 - **Complaints procedure**
2. **Agrees the City must receive written confirmation of no objection of the event from the Department of Defence, Swanbourne Nedlands Surf Life Saving Club and the WA Police.**
 3. **Agrees that the CEO is authorised to withdraw permission if any requirements are not provided.**

CARRIED UNANIMOUSLY EN BLOC 11-/-

12.4 Corporate & Strategy Report No's CPS35.13 to CPS38.13

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.

CPS35.13	List of Accounts Paid – September 2013
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Committee	12 November 2013
Council	26 November 2013
Applicant	City of Nedlands
Officer	Rajah Senathirajah – Manager Finance
Director	Michael Cole – Director Corporate & Strategy
File Reference	Fin/072-17
Previous Item	Nil

Moved: Councillor Binks
Seconded: Councillor Hassell

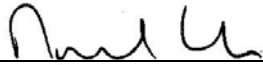
**That the Recommendation to Council is adopted.
(Printed below for ease of reference)**

Committee Recommendation / Recommendation to Committee

Council receives the List of Accounts Paid for the month of September 2013 (Refer to Attachment).

CARRIED UNANIMOUSLY EN BLOC 11/-

CPS36.13	Code of Conduct
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Committee	10 September 2013
Council	24 September 2013
Applicant	City of Nedlands
Officer	Phoebe Huigens, Policy & Projects Officer
Director	Michael Cole, Director Corporate & Strategy
Director Signature	
File Reference	CRS/007-02
Previous Item	NIL

Moved: Councillor Binks
 Seconded: Councillor Hassell

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

Committee Recommendation

That Council adopts the City of Nedlands Code of Conduct as per Attachment 1 with the following alterations:


- 1. Remove "Elected members" from clause 6.4**
- 2. Delete "Committee or" from Clause 6.11.**

CARRIED UNANIMOUSLY EN BLOC 11-/-

Recommendation to Committee

Council adopts the City of Nedlands Code of Conduct as per Attachment 1

CPS37.13 Post-Audit Changes to 2013/14 Budget
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Committee	12 November 2013
Council	26 November 2013
Applicant	City of Nedlands
Officer	Rajah Senathirajah
Director	Michael Cole – Director Corporate & Strategy
Director Signature	
File Reference	Fin/003-15
Previous Item	Nil

Moved: Councillor Binks
 Seconded: Councillor Hassell

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

Committee Recommendation / Recommendation to Committee

Council:

1. receives and adopts the changes to the 2013/14 adopted Budget following the audit of the Annual Financial Statements for the 2012/13 financial year,
2. notes the additional brought forward surplus from 2012/13 financial year of \$2,056,200 includes the following:
 - a. \$ 1,265,300 of unutilised funding for capital works approved in 2012/13 but carried forward for completion in 2013/14;
 - b. \$ 413,500 from WA Grants Commission, being 53% of the operating grant for 2013/14;
 - c. \$210,000 grant for Blackspot project received in advance;
3. approves the inclusion in the 2013/14 Capital Works Budget the brought forward capital works, as listed in Attachment 1 and totalling \$1,265,300;
4. approves the reduction of the Operating Grants revenue for 2013/14 by \$413,500;
5. approves the increase in the operating expenditure budget for Governance by \$233,320 to meet the increased meeting fees as

approved by salaries and allowance tribunal effective from 1 July 2013;

- 6. approves the reduction in Roads capital works to reflect:
 - a. only the City's contribution to Stirling Highway/Broadway Black Spot project as the project will now be taken over and constructed by Perth Transport Authority, and**
 - b. the City having to return grant funds received in advance for this project; and****
- 7. approves the revised Rate Setting Statement incorporating all the above adjustments, with the anticipated surplus at the end of this financial year of \$ 331,100 - this amount being subject to the Mid-year Budget Review in January 2014.**

CARRIED UNANIMOUSLY EN BLOC 11-/-

CPS38.13	Annual Report for the year ended 30 June 2013
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Committee	12 November 2013
Council	26 November 2013
Applicant	City of Nedlands
Officer	Rajah Senathirajah – Manager Finance
Director	Michael Cole – Director Corporate & Strategy
Director Signature	
File Reference	Fin/008-25
Previous Item	Nil

Moved: Councillor Binks
 Seconded: Councillor Hassell

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

Committee Recommendation / Recommendation to Committee

Council:

1. in accordance with the provisions of *Section 5.54 of the Local Government Act 1995*, accepts the annual report of the City of Nedlands for the Year ended 30 June 2013 including:
 - a. the Financial Report
 - b. the Independent Auditor's Report; and
2. refers the Annual Report for the year ended 30 June 2013 to the Annual General Meeting of Electors of the City of Nedlands to be held at 6:00pm, Tuesday 10th December 2013 in the Council Chambers.

CARRIED UNANIMOUSLY EN BLOC 11/-

13. Reports by the Chief Executive Officer

13.1 Common Seal Register Report – October 2013

Councillor Hay left the room at 8.34pm
Councillor Hassell left the room at 8.34pm

Moved – Councillor Shaw
Seconded – Councillor McManus

The Common Seal Register Report for the month of October 2013 is received.

CARRIED UNANIMOUSLY 9/-

13.2 List of Delegated Authorities – October 2013

The attached List of Delegated Authorities for the month of October 2013 is to be received.

Councillor Hay returned at 8.34pm

Moved – Councillor McManus
Seconded – Councillor Shaw

That the list of Delegated Authorities for the month of October 2013 be received.

CARRIED UNANIMOUSLY 10/-

13.3 Monthly Financial Report – October 2013

Council	26 November 2013
Applicant	City of Nedlands
Officer	Rajah Senathirajah – Manager Finance
CEO	Greg Trevaskis
CEO Signature	
File Reference	Fin/072-19
Previous Item	Nil

Moved – Councillor Binks
Seconded – Councillor Hay

That the Recommendation to Council be adopted.

Recommendation to Council

Council receives the Monthly Financial Report for October 2013.

CARRIED UNANIMOUSLY 10/-

13.4 Monthly Investment Report – October 2013

Council	26 November 2013
Applicant	City of Nedlands
Officer	Rajah Senathirajah – Manager Finance
CEO	Greg Trevaskis
CEO Signature	
File Reference	FIN/071-09
Previous Item	Nil

Councillor Hassell returned 8.35pm

Moved – Councillor Argyle
 Seconded – Councillor Shaw

That the Recommendation to Council be adopted.

Recommendation to Council

Council receives the Investment Report for the period ended 31 October 2013.

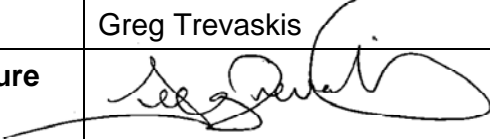
CARRIED UNANIMOUSLY 11/-

13.5 Disposal (Lease) of Property 64-66 Melvista Avenue Dalkeith

Item withdrawn by Administration for re-advertising of the proposed disposal or property.

Will be presented to Council for consideration on 10 December 2013.

13.6 Community Survey on Council Amalgamations

Council	26 November 2013
Applicant	City of Nedlands
Officer	Phoebe Huigens – Policy & Projects Officer
CEO	Greg Trevaskis
CEO Signature	
File Reference	BND/005
Previous Item	Item 7 Local Government Metropolitan Reform Special Council Meeting 1 October 2013

Moved – Councillor Shaw
 Seconded – Councillor Wetherall

That the Recommendation to Council be adopted.

Recommendation to Council

Council receives the report resulting from the Catalyse survey on community views on proposed Council amalgamations.

CARRIED UNANIMOUSLY 11/-

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

14.1 Councillor Wetherall – Aberdare Road

At the Council Meeting of 22 October 2013, Councillor Wetherall gave notice of his intention to move the following motion.

Moved: Councillor Wetherall
Second: Councillor Binks

Council instructs Administration to:

- 1. Initiate and complete as soon as practicable, and at the City's cost, rezoning to R25 for those properties on the southern side of Aberdare Road between Gairdner Drive and Kitchener Streets that have not as of the present date already been subdivided as retrospective compensation for the removal of 5m 30 years ago from the northern boundary of said allotments for provision of landscaping and future road widening.**
- 2. Advise in writing proprietors of properties where physical subdivision has not occurred that the subdivision to R25 process has been agreed to by Council and will commence as soon as practicable with the outcome backdated to the 23rd of July 2013,**
- 3. That rating will continue as at present until physical subdivision and development is affected.**

CARRIED 6/5 (Mayor, Shaw, Horley, Smyth, Porter)

14.2 Councillor Horley – Rochdale Road

On 7 October 2013 via email Councillor Horley gave notice of her intention to move the following motion.

Councillor Argyle left the room at 9.06pm

Moved: Cr Horley
Seconded: Cr McManus

That administration investigate and report back to Council regarding any possible parking, traffic and safety issues on Rochdale Road Mount Claremont.

**CARRIED 9/1
(Against: Cr Wetherall)**

14.3 Councillor Hassell – Men’s Shed

On 30 October 2013 via email Councillor Hassell gave notice of his intention to move the following motion.

Councillor Argyle returned at 9.15pm

Moved: Councillor Hassell
Seconded: Councillor Binks

Noting that the Council has been approached by the Rotary Club of Crawley, Council supports the establishment in Nedlands of a Men’s Shed on the basis that the only substantive role for Council would be to identify and make available a site, Council authorises:

- 1. Discussions with the Rotary Club to continue;**
- 2. Work being done to identify, if possible, a suitable site;**
- 3. An invitation to Mr Jaap Poll of the Rotary Club of Crawley to attend a Council briefing and explain the history of the Men’s Shed movement and what is proposed.**

CARRIED UNANIMOUSLY 11/-

15. Elected members notices of motion given at the meeting for consideration at the following ordinary meeting on 10 December 2013

Notices of motion for consideration at the Council Meeting to be held on 10 December 2013 to be tabled at this point in accordance with Clause 3.9(2) of Council’s Local Law Relating to Standing Orders.

None received.

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

Nil.

17. Confidential Items

Nil.

Declaration of Closure

There being no further business, the Presiding Member declared the meeting closed at 9.17 pm.