



City of Nedlands

Minutes

Council Committee Meeting

3 December 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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City of Nedlands

Minutes of a meeting of the Council Committee held in the Council Chambers, Nedlands on Tuesday 3 December 2013 at 7 pm.

Council Committee Agenda

Declaration of Opening

The Presiding Member declared the meeting open at 7 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 K Smyth	Coastal Districts Ward
	Councillor L McManus	Coastal Districts Ward
	Councillor I S Argyle	Dalkeith Ward
	Councillor B Hassell	Dalkeith Ward
	Councillor S J Porter (from 7.04pm)	Dalkeith Ward
	Councillor R M Binks	Hollywood Ward
	Councillor J Wetherall	Hollywood Ward
	Councillor T James	Melvista Ward
	Councillor N Shaw	Melvista Ward

Staff	Mr G Trevaskis	Chief Executive Officer
	Mr M Cole	Director Corporate & Strategy
	Mr P Mickleson	Director Planning & Development
	Mr M Goodlet	Director Technical Services
	Ms P Panayotou	Manager Community Service Centres
	Ms P Huigens	Policy & Projects Officer

Public There were 3 members of the public present at the commencement of the meeting.

Press The Post Newspaper

Leave of Absence (Previously Approved) Nil

Apologies Councillor G A R Hay Melvista Ward

Absent Councillor B G Hodsdon Hollywood Ward

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.

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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.

Moved - Councillor Binks
Second - Councillor Wetherall

That a non-electoral of the City of Nedlands, Mr Anthony Morcombe, be permitted to address the Council.

11/-

Mr Anthony Morcombe, PO Box 214, North Fremantle (spoke in support of the recommendation)	Report PD58.13
Ms Paula Kay, 17 Alexander Road, Dalkeith (spoke in opposition of the recommendation)	Report CM09.13
Dr Mark Familton, 24 Jubaea Gardens, Mount Claremont (spoke in opposition of the recommendation)	Report CM10.13

2. Disclosures of Financial Interest

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

There were no disclosures of financial interest.

3. Disclosures of Interests Affecting Impartiality

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

There were no disclosures of interests affecting impartiality.

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

Nil

5. Confirmation of Minutes

5.1 Committee Meeting 12 November 2013

Moved – Councillor Shaw
Seconded – Councillor Wetherall

The minutes of the Council Committee held 12 November 2013 are confirmed.

9/-
(Abstained: Cr James)

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 PD57.13 to PD61.13

Planning & Development Report No's PD57.13 to PD61.13 to be dealt with at this point (copy attached yellow cover sheet).

PD57.13	Sunset Transformation Strategy – Sunset Hospital Site Birdwood Parade, Dalkeith
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Committee	03 December 2013
Council	10 December 2013
Applicant	State Government
Owner	State Government
Officer	Peter Mickleson – Director Planning & Development
Director	Peter Mickleson – Director Planning & Development
File Reference	M13/32955
Previous Item	PD34.12

Councillor Porter arrived at 7.04pm

Moved - Councillor Shaw
Second - Councillor Smyth

That the Council advises the Premier of Western Australia that:
The City of Nedlands does not support the sale of any part of the Sunset site,
as a means of funding the Transformation Strategy.

LOST 3/8 (Against: His Worship the Mayor and Cr's James, McManus,
Argyle, Hassell, Porter, Binks & Wetherall)

Moved - Councillor Hassell
Seconded - Councillor Smyth

That the Premier of Western Australia be advised that:

- 1. Council notes the Sunset Transformation Strategy announced by the State Government;**
- 2. Council supports the proposals for the long term development of the site; and**
- 3. However, consistent with its previous decisions expressing Council views in relation to the site and its future and the views expressed by the Nedlands community at the meeting at which the Sunset Transformation Strategy was announced, the Council does not support**

the sale of any part of the site as a means of funding the Transformation Strategy.

CARRIED 8/3 (Against: Cr's Argyle, McManus & Binks)

Regulation 11(da) – Councillors wanted to confirm support for the Transformation Strategy but also reaffirm their previous decision to not support the sale of any part of the site.

Recommendation to Committee:

That the Council advises the Premier of Western Australia that the City of Nedlands supports the proposed Sunset Transformation Strategy.

PD58.13	Proposed Scheme Amendment No. 201 - Rezone Lot 346 (No. 11) Bedford Street, Nedlands from 'Residential R10' to 'Residential R10 with Additional Use for two (2) Single Houses'
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Committee	03 December 2013
Council	10 December 2013
Applicant	MW Urban Planning and Development
Owner	Mark & Hilary Dolling
Officer	Jason Moore – Strategic Planning Officer
Director	Peter Mickleson – Director Planning & Development
File Reference	TPN/A201
Previous Item	Nil

Moved: Binks
Second: Wetherall

That a non-electoral of the City of Nedlands, Mr Anthony Morcombe, be permitted to address the Council.

CARRIED UNANIMOUSLY 11/-

Mr Anthony Morcombe, PO Box 214, North Fremantle
(spoke in support of the recommendation)

Report PD58.13

Moved: Councillor Binks
Second: Councillor McManus

That the Recommendation to Committee be adopted.

Recommendation to Committee:

Council

1. initiates the proposed scheme amendment to change the zoning of Lot 346 (No. 11) Bedford Street, Nedlands from 'Residential R10' to 'Residential R10 with Additional Use for two single houses' to be developed in accordance with a Local Area Plan attached to the scheme amendment; and

2. instructs Administration to progress the proposal in accordance with requirements of the relevant legislation.

LOST 2/7 (Against: His Worship the Mayor & Cr's Shaw, James, Horley,
Smyth, Argyle & Porter)
(Abstained: Cr's Wetherall & Hassell)

Regulation 11(da) – Not applicable – Recommendation lost

PD59.13	Lease of Premises at Charles Court Reserve, Esplanade by Nedlands Rugby Union Football Club Inc.
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Committee	03 December 2013
Council	10 December 2013
Applicant	City of Nedlands
Owner	City of Nedlands
Officer	Rebecca Boley – Property Management Officer
Director	Peter Mickleson – Director Planning & Development
File Reference	IFM/426-12
Previous Item	Item CM14.06 on 28 March 2006

Moved: Councillor McManus
 Second: Councillor Shaw

That the Recommendation to Committee be adopted.

Recommendation to Committee

Council

1. **accepts the Nedlands Rugby Union Football Club Inc. surrender of Lease of premises at Charles Court Reserve (commencement date 29 March 2006 and term of 10 years with further term of 5 years); and**
2. **agrees to enter into the Deed of Lease with the Nedlands Rugby Union Football Club Inc. for a term of 21 years as per Attachment 1.**

CARRIED UNANIMOUSLY 11/-

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

PD60.13 Big Day Out Concert – Sunday 2 February 2014
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Committee	03 December 2013
Council	10 December 2013
Applicant	Department of Environment and Regulation
Owner	N/A
Officer	Andrew Melville – Manager Health and Compliance
Director	Peter Mickleson – Director Planning & Development
File Reference	IFM/426-12
Previous Item	Nil

Moved: Councillor McManus
 Second: Councillor James

That the Recommendation to Committee be adopted.

Recommendation to Committee

Council, pursuant to Regulation 18 (12) of the *Environmental Protection (Noise) Regulations 1997*, agrees to the Department of Environment and Regulation's proposed conditions, (refer to attachment 1) for the Big Day Out music festival to be held at the Claremont Showgrounds on Sunday 2 February 2014 subject to the Department of Environment and Regulation or Altered State (WA) Pty Ltd notifying the City of Nedlands Health Section of any noise complaints received from City of Nedlands residents, within 7 days after the event.

Moved: Councillor Horley
Seconded: Councillor Smyth

That the substantive motion be amended by requesting hat the notification area be extended to Stephenson Avenue.

CARRIED 10/-
(Abstained: Cr Wetherall)

Cr McManus left the room at 8.20pm
 Cr McManus returned at 8.22pm

The substantive motion, with the amendment, was put.

That Council, pursuant to Regulation 18 (12) of the *Environmental Protection (Noise) Regulations 1997*, agrees to the Department of Environment and Regulation's proposed conditions, (refer to attachment 1) for the Big Day Out music festival to be held at the Claremont Showgrounds on Sunday 2 February 2014 subject to:

- 1. the Department of Environment and Regulation or Altered State (WA) Pty Ltd notifying the City of Nedlands Health Section of any noise complaints received from City of Nedlands residents, within 7 days after the event; and**
- 2. the notification area be extended to Stephenson Avenue, Mount Claremont.**

CARRIED 10/1 (Against: Cr Porter)

Regulation 11(da) – Recommendation adopted with the extension of the notification area to Stephenson Avenue, Mount Claremont.

Recommendation to Committee:

Council, pursuant to Regulation 18 (12) of the *Environmental Protection (Noise) Regulations 1997*, agrees to the Department of Environment and Regulation's proposed conditions, (refer to attachment 1) for the Big Day Out music festival to be held at the Claremont Showgrounds on Sunday 2 February 2014 subject to the Department of Environment and Regulation or Altered State (WA) Pty Ltd notifying the City of Nedlands Health Section of any noise complaints received from City of Nedlands residents, within 7 days after the event.

Moved: Cr Wetherall
Seconded: Cr McManus

That items CM09.13 and CM10.13 be brought forward.

**CARRIED 8/-
(Abstained: Cr's Hassell, Porter & Binks)**

CM09.13 Proposal for the City to continue to provide Child Care Services at Point Resolution Child Care

Committee	3 December 2013
Council	10 December 2013
Applicant	City of Nedlands
Officer	Patricia Panayotou – Manager Community Service Centres
Director	Michael Cole – Director Corporate and Strategy
File Reference	CMS/505
Previous Item	Item 13.5, Meeting of Council 22 October 2013

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

Report CM09.13

Moved: Councillor Horley
Seconded: Councillor Porter

Council agrees to continue to operate Point Resolution Child Care at 53 Jutland Parade, Dalkeith, subject to the following conditions:

1. fees are increased in line-with other local long day care centres, which allows Point Resolution Child Care (PRCC) to operate on a cost-neutral basis;
2. the establishment of a Point Resolution Building Reserve Account to fund ongoing building maintenance and ground maintenance and that \$10,000 be set aside annually for the Point Resolution Building Reserve account; and
3. the viability of the service is reviewed again at the end of the 2014/2015 financial year to ensure it is operating without subsidization from the City.

**CARRIED 8/1 (Against: Cr Hassell)
(Abstained: Cr's James & Shaw)**

Regulation 11(da) – Councillors did not support Kidz Galore being the preferred operator of if the City is unable to continue to operate PRCC at no cost to ratepayers, adding that a further EOI should be sought at that time.

Recommendation to Committee:

Council agrees to continue to operate Point Resolution Child Care at 53 Jutland Parade, Dalkeith, subject to the following conditions:

1. fees are increased in line-with other local long day care centres, which allows Point Resolution Child Care (PRCC) to operate on a cost-neutral basis;
2. the establishment of a Point Resolution Child Care Reserve to fund ongoing building maintenance and ground maintenance;
3. the ongoing budget for PRCC to include \$10,000 for the Point Resolution Building Reserve account;
4. the viability of the service is reviewed again at the end of the 2014/2015 financial year to ensure it is operating without subsidisation from the City:
and
5. on the basis of the Expression of Interest submitted, and within a period of no more than 18 months, Kidz Galore will be the preferred operator should the City be unable to continue to operate PRCC at no cost to ratepayers.

CM10.13 The Great Western Sandstorm Event Application - Beach closure for Swanbourne Beach

Committee	03 December 2013
Council	10 December 2013
Applicant	Dr Mark Familton
Officer	Amanda Cronin – Administration and Events Officer Marion Granich - Manager Community Development
Director	Michael Cole – Director Corporate and Strategy
File Reference	CMS/505
Previous Item	N/A

Dr Mark Familton, 24 Jubaea Gardens, Mount Claremont Report CM10.13
(spoke in opposition of the recommendation)

Cr Porter left the room at 9.04pm
Cr Porter returned at 9.08pm

Moved: Councillor McManus
Second: Councillor Horley

Council approves the use of council facilities and infrastructure at Swanbourne Beach for the purpose of supporting the proposed conduct of the Great Western Sand Storm on Saturday 19 April 2014 between the hours of 6am and 6pm with conditions that the CEO and Administration sees fit.

**CARRIED 10/-
(Abstained: Cr Hassell)**

Regulation 11(da) – Councillors agreed to approve this event and authorise the CEO and administration to determine suitable conditions.

Recommendation to Committee:

Council does not approve the use of council facilities and infrastructure at Swanbourne Beach for the purpose of supporting the proposed conduct of the Great Western Sand Storm on Saturday 19 April 2014 between the hours of 6am and 6pm.

PD61.13	Sustainable Nedlands Committee
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Committee	03 December 2013
Council	10 December 2013
Applicant	City of Nedlands (unless otherwise)
Owner	N/A
Officer	Andrew Melville – Manager Sustainable Nedlands
Director	Peter Mickleson – Director Planning & Development
File Reference	
Previous Item	Item 2.4 Special Council Meeting 22 October 2013

Councillor Hassell left the room at 9.17pm
 Councillor Hassell returned at 9.19pm

Moved: Councillor Shaw
 Second: Councillor Horley

That the Recommendation to Committee be adopted.

Recommendation to Committee

Council adopt the Terms of Reference of the Sustainable Nedlands Committee.

**CARRIED 8/1 (Against: Cr Porter)
 (Abstained: Cr Hassell & Cr James)**

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

7.2 Technical Services Report No's TS20.13 to TS23.13

Technical Services Report No's TS20.13 to TS23.13 to be dealt with at this point (copy attached blue cover sheet).

TS20.13 Tender No. 2013/14.11 – Supply and Construction Of Extruded Kerbing

Committee	3 December 2013
Council	10 December 2013
Applicant	City of Nedlands
Officer	Taryn King
Director	Mark Goodlet – Director Technical Services
File Reference	TEN424
Previous Item	Not Applicable

Moved: Councillor Binks
 Second: Councillor Shaw

That the Recommendation to Committee be adopted.

Recommendation to Committee

Council:

1. agrees to award tender no.2013/14.11 to LD Total for the provision of Supply and Construction of Extruded Kerbing as per the schedule of rates (Attachment 1) submitted; and
2. authorises the Chief Executive Officer to sign an acceptance of offer for this tender.

CARRIED UNANIMOUSLY 11/-

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

TS21.13 Tender No. 2013/14.12 Construction of Roundabout at Bruce Street and Elizabeth Street, Nedlands

Committee	3 December 2013
Council	10 December 2013
Applicant	City of Nedlands
Officer	Taryn King
Director	Mark Goodlet – Director Technical Services
File Reference	TEN/425
Previous Item	TS14.13 Council Meeting 27 August 2013 – Bruce Street / Elizabeth Street Black Spot Intersection Improvements

Moved: Councillor Binks
Seconded: Councillor Shaw

That the Recommendation to Committee be adopted.

Recommendation to Committee

Council:

1. agrees to award tender no.2013/14.12 to Roads 2000 PTY LTD for the provision of construction of a roundabout at Bruce Street and Elizabeth Street, Nedlands.
2. authorises the Chief Executive Officer to sign an acceptance of offer for this tender.

**CARRIED 10/-
(Abstained: Cr James)**

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

TS22.13 Delegation of Authority – Awards of Tenders during the Council Recess

Committee	3 December 2013
Council	10 December 2013
Applicant	City of Nedlands
Officer	Pollyanne Fisher
Director	Mark Goodlet – Director Technical Services
File Reference	IFM/414
Previous Item	CPS53.12

Moved: Councillor Binks
 Seconded: Councillor Shaw

That the Recommendation to Committee be adopted.

Recommendation to Committee

Council:

1. agrees to delegate to the Chief Executive Officer, in consultation with the Mayor, the authority to determine tenders in accordance with the *Local Government Act (Functions and General) Regulations 1996* over the Council recess, from 11 December 2013 to 31 January 2014, and to award tenders to a maximum of \$500,000 (excl GST).

CARRIED UNANIMOUSLY 11/-

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

TS23.13 Tender No. 2013/14.14 – Supply and Delivery of 1 x 11/12 Tonne GVM Truck

Committee	3 December 2013
Council	10 December 2013
Applicant	City of Nedlands
Officer	Alex Macarthur
Director	Mark Goodlet – Director Technical Services
File Reference	TEN/427
Previous Item	Not Applicable

Moved: Councillor Hassell
 Seconded: Councillor Binks

That the Recommendation to Committee be adopted.

Recommendation to Committee

Council:

1. agrees to award tender no.2013/14.14 to WA Hino, for the supply of a Hino FD 1024 Long Pro Auto, at a net purchase price of \$136,345.00 including GST;
2. agrees to award tender no.2013/14.14 to PVT Sales Pty Ltd, for the purchase and removal of a trade in vehicle, Hino 12 GVM Truck fleet No 516, at a net purchase price of \$55,100.00 including GST; and
3. authorises the Chief Executive Officer to sign an acceptance of offer for this tender.

CARRIED UNANIMOUSLY 11/-

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

7.3 Community Development Report No's CM09.13 to CM11.13

Report No's CM09.13 to CM11.13 to be dealt with at this point (copy attached pink cover sheet).

<p>CM09.13 Proposal for the City to continue to provide Child Care Services at Point Resolution Child Care</p>

This item was dealt with earlier in the meeting.

**CM10.13 The Great Western Sandstorm Event
Application - Beach closure for
Swanbourne Beach**

This item was dealt with earlier in the meeting.

CM11.13 Arts Committee and Terms of Reference

Committee	3 December 2013
Council	10 December 2013
Applicant	City of Nedlands
Officer	Marion Granich – Manager Community Development
Director	Michael Cole
File Reference	CMS/505
Previous Item	N/A

Moved: Councillor Hassell
 Seconded: Councillor Shaw

Council:

1. **Establishes an Arts Committee of Council according to the Terms of Reference at Attachment 1, with the following amendments:**
 - a. **After the section headed Scope add the following section Procedure**
 After the adoption of the City’s budget by Council each year and before commencing its work for the ensuing year the Committee shall
 - **Consider the budget and any other available funds for art works to be acquired in the ensuing year;**
 - **Formulate a plan of priorities and objectives for the year including the proposed siting of any public art works;**
 - **Present that plan for review and amendment or approval by the Council.**
2. **appoints the Mayor, Cr Wetherall, Cr Shaw, Cr Smyth and Cr James as Council delegates to the Arts Committee.**

CARRIED 9/2 (Against: Cr’s Horley & McManus)

Regulation 11(da) – Councillors agreed to add a procedure requiring the Committee to present a plan for the coming year and increase Councillor membership to 4.

Recommendation to Committee:

Council:

1. establishes an Arts Committee of Council according to the Terms of Reference at Attachment 1; and
2. appoints the Mayor, Cr _____ and Cr _____ as Council delegates to the Arts Committee.

7.4 Corporate & Strategy Report No's CPS39.13 to CPS41.13

Report No's CPS39.13 to CPS41.13 to be dealt with at this point (copy attached green cover sheet).

CPS39.13 List of Accounts Paid – October 2013
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Committee	3 December
Council	10 December
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 Shaw
 Seconded: Councillor Hassell

That the Recommendation to Committee is adopted.

Recommendation to Committee

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

**CARRIED 10/-
 (Abstained: Cr Binks)**

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

CPS40.13 Policy Review

Committee	3 December 2013
Council	11 December 2013
Applicant	City of Nedlands
Officer	Phoebe Huigens, Policy & Projects Officer
Director	Michael Cole, Director Corporate & Strategy
File Reference	
Previous Item	NIL

Moved: Councillor Shaw
 Moved: Councillor McManus

That the Recommendation to Committee is adopted.

Recommendation to Committee

Council:

1. approves the following policies:
 - a. Debt Recovery
 - b. Public Interest Disclosure
 - c. Review of Policies
 - d. Fireworks in the City
 - e. Operation of Council Bank Accounts
 - f. Application of Grant Funding
 - g. Disposal and Acquisition of Land
 - h. Investment of Council Funds

2. revokes the following policies:
 - a. Intergenerational Housing
 - b. Elected Members Undertaking Site Visits
 - c. Significant Accounting Policies
 - d. Access to and use of Information
 - e. Council Committees and Administration Liaison Working Groups
 - f. Delegation to Chief Executive Officer
 - g. Acting Chief Executive Officer

CARRIED UNANIMOUSLY 11/-

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

CPS41.13 Council and Committee Meeting Dates 2014

Committee	3 December 2013
Council	10 December 2013
Applicant	City of Nedlands
Officer	Phoebe Huigens
Director	Michael Cole Director Corporate and Strategy
File Reference	IFM/417
Previous Item	Not applicable

Moved: Councillor Binks
 Seconded: Councillor Shaw

That the Recommendation to Committee is adopted.

Recommendation to Committee

Council:

1. endorses the Council and Committee meeting schedule for 2014; and
2. authorises the CEO to give local public notice of the Council and Committee meeting schedule for 2014

CARRIED UNANIMOUSLY 11/-

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

8. Reports by the Chief Executive Officer

Nil.

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 9.53pm.

A handwritten signature in black ink, appearing to read 'Greg Trevaskis', with a long horizontal line extending to the left.

Greg Trevaskis
Chief Executive Officer