



City of Nedlands

# **Agenda**

## **Council Meeting**

**10 December 2013**

Dear Council member

The next ordinary meeting of the City of Nedlands will be held on Tuesday 10 December 2013 in the Council chambers at 71 Stirling Highway Nedlands commencing at 7 pm.

Greg Trevaskis  
Chief Executive Officer  
4 December 2013

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## City of Nedlands

**Notice of an ordinary meeting of Council to be held in the Council chambers, Nedlands on Tuesday 10 December 2013 at 7 pm.**

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### Council Agenda

#### Declaration of Opening

The Presiding Member will declare the meeting open at 7 pm and will draw 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)

**Leave of Absence**                      None  
**(Previously Approved)**

**Apologies**                      None as at distribution of this agenda.

#### 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.

**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.

**3. Requests for Leave of Absence**

Any requests from Councillors for leave of absence to be made at this point.

**4. Petitions**

Petitions to be tabled at this point.

**5. Disclosures of Financial Interest**

The Presiding Member to remind 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.

A declaration under this section requires that the nature of the interest must be disclosed. Consequently a member who has made a declaration must not preside, participate in, or be present during any discussion or decision making procedure relating to the matter the subject of the declaration.

However, other members may allow participation of the declarant if the member further discloses the extent of the interest. Any such declarant who wishes to participate in the meeting on the matter, shall leave the meeting, after making their declaration and request to participate, while other members consider and decide upon whether the interest is trivial or insignificant or is common to a significant number of electors or ratepayers.

**6. Disclosures of Interests Affecting Impartiality**

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

Councillors and staff are required, in addition to declaring any financial interests to declare any interest that may affect their impartiality in considering a matter. This declaration does not restrict any right to participate in or be present during the decision-making procedure.

The following pro forma declaration is provided to assist in making the disclosure.

"With regard to ..... the matter in item x..... I disclose that I have an association with the applicant (or person seeking a decision). As a consequence, there may be a perception that my impartiality on the matter may be affected. I declare that I will consider this matter on its merits and vote accordingly."

The member or employee is encouraged to disclose the nature of the association.

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

Members who have not read the business papers to make declarations at this point.

**8. Confirmation of Minutes**

**8.1 Ordinary Council meeting 26 November 2013**

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

**9. Announcements of the Presiding Member without discussion**

Any written or verbal announcements by the Presiding Member to be tabled at this point.

His Worship the Mayor will present cheques to Nedlands Primary School and Hollywood Primary School for the 2013 Pool Subsidy Grants.

**10. Members announcements without discussion**

Written announcements by Councillors to be tabled at this point.

Councillors may wish to make verbal announcements at their discretion.

**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.

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

**12.1 Minutes of Council Committees**

This is an information item only to receive the minutes of the various meetings held by the Council appointed Committees (N.B. This should not be confused with Council resolving to accept the recommendations of a particular Committee. Committee recommendations that require Council's approval should be presented to Council for resolution via the relevant departmental reports).

**The Minutes of the following Committee meetings (in date order) are to be received:**

<b>Audit &amp; Risk Committee</b> Unconfirmed, circulated to Councillors on 24 October 2013	<b>14 October 2013</b>
<b>CEO Performance Review Committee</b> Unconfirmed, circulated to Councillors on 5 December 2013	<b>2 December 2013</b>
<b>Council Committee</b> Unconfirmed, circulated to Councillors on 5 December 2013	<b>3 December 2013</b>

**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.**

**12.2 Planning & Development Report No's PD57.13 to PD61.13 (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.

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

**Committee Recommendation:**

**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.**

Recommendation to Committee:

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

<b>PD58.13</b>	<b>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'</b>
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<b>Committee</b>	03 December 2013
<b>Council</b>	10 December 2013
<b>Applicant</b>	MW Urban Planning and Development
<b>Owner</b>	Mark & Hilary Dolling
<b>Officer</b>	Jason Moore – Strategic Planning Officer
<b>Director</b>	Peter Mickleson – Director Planning & Development
<b>Director Signature</b>	
<b>File Reference</b>	TPN/A201
<b>Previous Item</b>	Nil

**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.

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

**Committee Recommendation / 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.**

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

**Committee Recommendation:**

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.

## 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.

**12.3 Technical Services Report No's TS20.13 to TS23.13 (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.

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

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

**Committee Recommendation / 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.

<p><b>TS21.13 Tender No. 2013/14.12 Construction of Roundabout at Bruce Street and Elizabeth Street, Nedlands</b></p>
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<b>Committee</b>	3 December 2013
<b>Council</b>	10 December 2013
<b>Applicant</b>	City of Nedlands
<b>Officer</b>	Taryn King
<b>Director</b>	Mark Goodlet – Director Technical Services
<b>Director Signature</b>	
<b>File Reference</b>	TEN/425
<b>Previous Item</b>	TS14.13 Council Meeting 27 August 2013 – Bruce Street / Elizabeth Street Black Spot Intersection Improvements

**Committee Recommendation / 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.

<p><b>TS22.13 Delegation of Authority – Awards of Tenders during the Council Recess</b></p>
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<b>Committee</b>	3 December 2013
<b>Council</b>	10 December 2013
<b>Applicant</b>	City of Nedlands
<b>Officer</b>	Pollyanne Fisher
<b>Director</b>	Mark Goodlet – Director Technical Services
<b>Director Signature</b>	
<b>File Reference</b>	IFM/414
<b>Previous Item</b>	CPS53.12

**Committee Recommendation / 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).

<b>TS23.13</b>	<b>Tender No. 2013/14.14 – Supply and Delivery of 1 x 11/12 Tonne GVM Truck</b>
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<b>Committee</b>	3 December 2013
<b>Council</b>	10 December 2013
<b>Applicant</b>	City of Nedlands
<b>Officer</b>	Alex Macarthur
<b>Director</b>	Mark Goodlet – Director Technical Services
<b>Director Signature</b>	
<b>File Reference</b>	TEN/427
<b>Previous Item</b>	Not Applicable

**Committee Recommendation / 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.

**12.4 Community Development Report No CM09.13 to CM11.13**

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.

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

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

**Committee Recommendation:**

**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.**

**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.

<p><b>CM10.13    The Great Western Sandstorm Event Application - Beach closure for Swanbourne Beach</b></p>
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<b>Committee</b>	03 December 2013
<b>Council</b>	10 December 2013
<b>Applicant</b>	Dr Mark Familton
<b>Officer</b>	Amanda Cronin – Administration and Events Officer Marion Granich - Manager Community Development
<b>Director</b>	Michael Cole – Director Corporate and Strategy
<b>Director Signature</b>	
<b>File Reference</b>	CMS/505
<b>Previous Item</b>	N/A

**Committee Recommendation:**

**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.**

**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.

**CM11.13 Arts Committee and Terms of Reference**

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

**Committee Recommendation:**

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.**

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.

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

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.

<b>CPS39.13 List of Accounts Paid – October 2013</b>
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<b>Committee</b>	3 December
<b>Council</b>	10 December
<b>Applicant</b>	City of Nedlands
<b>Officer</b>	Rajah Senathirajah – Manager Finance
<b>Director</b>	Michael Cole – Director Corporate & Strategy
<b>Director Signature</b>	
<b>File Reference</b>	Fin/072-17
<b>Previous Item</b>	Nil

**Committee Recommendation / Recommendation to Committee**

**Recommendation to Committee**

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

<b>CPS40.13 Policy Review</b>
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<b>Committee</b>	3 December 2013
<b>Council</b>	11 December 2013
<b>Applicant</b>	City of Nedlands
<b>Officer</b>	Phoebe Huigens, Policy & Projects Officer
<b>Director</b>	Michael Cole, Director Corporate & Strategy
<b>Director Signature</b>	
<b>File Reference</b>	
<b>Previous Item</b>	NIL

**Committee Recommendation / 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

<b>CPS41.13 Council and Committee Meeting Dates 2014</b>
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<b>Committee</b>	3 December 2013
<b>Council</b>	10 December 2013
<b>Applicant</b>	City of Nedlands
<b>Officer</b>	Phoebe Huigens
<b>Director</b>	Michael Cole Director Corporate and Strategy
<b>Director Signature</b>	
<b>File Reference</b>	
<b>Previous Item</b>	Not applicable

**Committee Recommendation / 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

**13. Reports by the Chief Executive Officer**

**13.1 Common Seal Register Report – November 2013**

The attached Common Seal Register Report for the month of November 2013 is to be received.

**13.2 List of Delegated Authorities – November 2013**

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

**13.3 Delegations of Authority – *Cat Act 2011* and *Dog Act 1976***

<b>Council</b>	10 December 2013
<b>Applicant</b>	City of Nedlands
<b>Officer</b>	Phoebe Huigens, Policy & Projects Officer
<b>Director</b>	Michael Cole, Director Corporate & Strategy
<b>Director Signature</b>	
<b>File Reference</b>	IFM/417
<b>Previous Item</b>	NIL

**Executive Summary**

The newly developed *Cat Act 2011* and the recently amended *Dog Act 1976* require some new delegations of authority from the Council to the CEO. They are presented here for adoption.

**Recommendation to Committee****Council:**

1. **Delegates all powers under the *Dog Act 1976* to the Chief Executive Officer;**
2. **Delegates all powers under the *Cat Act 2011* to the Chief Executive Officer.**

**ABSOLUTE MAJORITY REQUIRED**

**Strategic Plan**

KFA: Governance and Civic Leadership

The delegation of duties from Council to the Chief Executive Officer may be beneficial in cases where it will assist the smooth running of the day to day operations of the City. Council may still exercise any of its powers or duties that have been delegated to the Chief Executive Officer or to a Committee.

**Background**

The Council may delegate some of its duties under Acts such as the *Local Government Act 1995*, the *Building Act 2011*, the *Cat Act 2011* and more recently, the *Dog Act 1976*.

Council may still exercise any of its powers or duties that have been delegated to the Chief Executive Officer or to a committee.

“A delegation does not strip the person making the delegation of the right to exercise the delegated power or discharge the delegated duty”.

(Government of Western Australia, Department of Local Government, Local Government Operational Guidelines Number 17 January 2007)

## **Key Relevant Previous Council Decisions:**

NIL

## **Discussion**

### ***Dog Act 1976***

The *Dog Act 1976* has recently been amended by including the provision to allow delegation of some duties to the Chief Executive Officer of Local Governments.

The power to delegate under the *Dog Act 1976* is through Section 10AA which reads:

10AA. Delegation of local government powers and duties

(1) A local government may, by absolute majority as defined in the *Local Government Act 1995* section 1.4, delegate to its chief executive officer any power or duty of the local government under another provision of this Act.

(2) The delegation must be in writing.

(3) The delegation may expressly authorise the delegate to further delegate the power or duty.

(4) A local government's chief executive officer who is exercising or performing a power or duty that has been delegated as authorised under this section, is to be taken to do so in accordance with the terms of the delegation unless the contrary is shown.

(5) Nothing in this section limits the ability of a local government's chief executive officer to perform a function through an officer or agent.

Administration recommends delegation of all powers under the *Dog Act 1976* to the Chief Executive Officer. Some key activities which would be delegated to the CEO include:

- Establish and maintain dog management facilities (Section 11(1));
- Keep a register of dogs (Section 14(1));
- Discount or waive a dog registration fee (Section 16(4A));
- Grant exemption regarding the number of dogs that may be kept (Section 26(3));
- Approve kennel establishments (Section 27);
- Appoint persons to seize dogs (Section 29(1)); and
- Declare a dog to be a dangerous dog (Section 33E).

### ***Cat Act 2011***

The power to delegate under the *Cat Act 2011* is through Section 44 which reads:

44. Delegation by local government

- (1) The local government may delegate to its CEO the exercise of any of its powers or the discharge of any of its duties under another provision of this Act.
- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.
- (3) A decision to delegate under this section is to be made by an absolute majority.

Administration recommends delegation of all powers under the *Cat Act 2011* to the Chief Executive Officer. Some key activities which would be delegated to the CEO include:

- Allot a registration number to a cat, provide a registration certificate and a registration tag (Section 11);
- Keep a register of cats (Section 12);
- Give a cat control notice (Section 26(1));
- Grant or refuse approval to breed cats (Section 37(1)); and
- Approve or refuse approval to keep an additional number of cats (Regulation 8).

At the present time, the City does not have a local law which restricts the number of cats which may be kept. Therefore, the restrictions within the City's Health Local Law 2007 prevail, which limit the number to 3. No provision exists in the Health Local Law to delegate the approval of keeping more cats to the CEO, and therefore this function will remain with Council. However, should the Health Local Law be amended or revoked in future, the CEO would be delegated authority to approve an additional number of cats.

## Consultation

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

## Legislation / Policy

*Cat Act 2011*  
*Dog Act 1976*

## Budget/Financial Implications

Within current approved budget: Yes  No   
Requires further budget consideration: Yes  No

## Risk Management

The proposed delegations in this report address operational and reputational risks to the City. The proposals will allow for timely processing of applications

under the *Cat Act 2011* and *Dog Act 1976* without the need for referral to Council.

## **Conclusion**

The newly developed *Cat Act 2011* and the recently amended *Dog Act 1976* require some new delegations of authority from the Council to the CEO. They are presented here for adoption. All delegations are reviewed on a yearly basis by report to Council. Council can remove delegation of any power under either Act at any time it sees fit, through Absolute Majority.

## **Attachments**

Nil.

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

<b>Council</b>	10 December 2013
<b>Applicant</b>	City of Nedlands
<b>Officer</b>	Phoebe Huigens, Policy & Projects Officer
<b>Director</b>	Michael Cole, Director Corporate and Strategy
<b>Director Signature</b>	
<b>File Reference</b>	TEN/399-02
<b>Previous Item</b>	Confidential item 10.1, meeting of Council 12 March 2013 Item 13.5 Provision of Child Care Services, meeting of Council 22 October 2013

**Executive Summary**

At its meeting of 22 October 2013, Council resolved to authorise administration under section 3.58(3) of the *Local Government Act 1995* to give local public notice that the City proposes to lease 64-66 Melvista Avenue, Dalkeith to Kidz Galore Pty Ltd for the purposes of child care services. The local public notice was initially given on 2 November 2013, with a public comment period ending on 17 November 2013. However, due to an administrative oversight, the local public notice was required to be re-advertised, on Monday 25 November 2013 with submissions closing at noon on Tuesday 10 December. Subject to any submissions received, Administration recommends entering in to a lease with Kidz Galore Pty Ltd for a term of 10 years.

**Recommendation to Committee**

**Council authorises administration to enter in to a lease agreement with Kidz Galore Pty Ltd for the lease of 64-66 Melvista Avenue Dalkeith for a period of 10 years for the purpose of child care services with an annual rental of \$46,200 per annum (plus GST) and all outgoings, to be increased by CPI each year.**

**Strategic Plan**

KFA: Governance and Civic Leadership

The City demonstrates good governance and civic leadership with sound financial decisions which are in the best interests of the community, whilst maintaining the City's high level of service delivery.

## Background

At its meeting of 26 March 2013, Council resolved to call for expressions of interest for an external provider to run a child care service at Melvista Pre-School and/or Point Resolution Child Care Centre. Administration ran an expression of interest period between August and September 2013.

Seven submissions were received. Administration recommended that Council accept the proposal for lease of both 64-66 Melvista Avenue Dalkeith and 53 Jutland Parade Dalkeith as submitted by Kidz Galore Pty Ltd.

At its meeting of 22 October 2013, Council approved the disposition by way of lease of 64-66 Melvista Avenue Dalkeith to Kidz Galore Pty Ltd.

### Key Relevant Previous Council Decisions:

Item 13.5, meeting of Council 22 October 2013.

Council:

1. authorises administration under section 3.58(3) of the *Local Government Act 1995* to give local public notice that the City proposes to lease 64-66 Melvista Avenue, Dalkeith to Kidz Galore Pty Ltd for the purposes of child care services; and
2. authorises administration to conduct a thorough investigation with the users of the Jutland Parade site regarding their willingness to pay fees which would make it break even.

Item 10.1, meeting of Council 12 March 2013

Council approves:

1. administration calling for Expressions of Interest (EOI) for an external child care provider, to be located at the Melvista Pre-School site and PROCC site (with a proviso that Point Resolution Occasional Child Care (PROCC) staff and the currently registered children are included in the service);
2. the services provided by Point Resolution Occasional Child Care (PROCC) to cease, if opening of an approved external child care service at the Melvista Pre-School;
3. relocating PROCC child care services to the vacant Melvista Pre School site, should the EOI be unsuccessful in finding a suitable provider; with City staff making the required operational changes to child care services, to assist with the application for Child Care Benefit;

4. the allocation of \$38,200 in the Mid Year Budget Review to cover modification costs of the Melvista site, for PROCC child care; and
5. investigation of the relocation of the Positive Ageing program to the vacated PROCC site, should it become available.

## Consultation

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

In accordance with Section 3.58 of the *Local Government Act 1995* before disposing of property a local government must give local public notice of the proposed disposition –

- (i) describing the property concerned
- (ii) giving details of the proposed disposition
- (iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given.

The local government must then consider any submissions, and record the reasons for any decisions it makes in the meeting at which the decision was made.

“Dispose” includes to sell, lease, or otherwise dispose of, whether absolutely or not.

The City initially gave local public notice on Saturday 2 November 2013 that it proposes to dispose by way of lease 64-66 Melvista Avenue Nedlands to Kidz Galore Pty Ltd for a period of 10 years. That public submission period ran until Monday 17 November 2013, and one submission was received. A copy of the submission and administration’s comments were provided to Councillors. However, due to an administrative oversight, the local public notice was required to be re-advertised, on Monday 25 November 2013 with submissions closing at noon on Tuesday 10 December. Any submissions received will be presented to Council for consideration at the meeting.

## Legislation / Policy

Section 3.58 of the *Local Government Act 1995*, as described above.

## Budget/Financial Implications

Within current approved budget: Yes  No   
Requires further budget consideration: Yes  No

64-66 Melvista Avenue Dalkeith will attract an annual rental of \$46,200 per annum (plus GST) and all outgoings. The responsibility for capital works and

maintenance of the building also transfers with the lease, reducing the liability for the City.

## **Risk Management**

The City of Nedlands has conducted a diligent Expression of Interest process to identify Kidz Galore Pty Ltd as the preferred supplier of child care services for the City of Nedlands. The City has adhered to the requirements under section 3.58 of the *Local Government Act 1995* in the disposition of property to Kidz Galore Pty Ltd.

The City reduces any risk to itself by ensuring good governance procedures such as those described above are carried out.

## **Discussion**

At its meeting of 26 March 2013, Council resolved to call for expressions of interest for an external provider to run a child care service at Melvista Pre-School and/or Point Resolution Child Care Centre.

A market valuation of the two centres was undertaken in June of 2013 by AVP valuers. The market valuation for Melvista Avenue was:

64-66 Melvista Avenue, Dalkeith	\$46,200 per annum net plus GST and all outgoings
---------------------------------	--

Rental will increase each year by CPI, with a market rental review after 5 years.

Administration prepared an Expression of Interest (EOI) document and accepted submissions between 30 August 2013 and 27 September 2013. A compulsory briefing/site inspection was held. The City received a total of seven submissions.

Kidz Galore Pty Ltd's submission scored the highest during the evaluation of the EOI submissions. Kidz Galore expressed an interest to lease both sites for a maximum of 21 years, and commit to an initial investment of \$105,000 in to the buildings.

At its meeting of 22 October 2013, Council resolved to give local public notice that the City proposes to lease 64-66 Melvista Avenue Dalkeith to Kidz Galore Pty Ltd, and request that administration seek responses from clients of Point Resolution Child Care to determine their willingness to pay market rate child care fees.

In accordance with Section 3.58(3) of the *Local Government Act 1995*, the City gave local public notice on Saturday 2 November 2013 that it proposes to dispose by way of lease 64-66 Melvista Avenue Nedlands to Kidz Galore Pty Ltd for a period of 10 years. As mentioned earlier in this report, the local

public notice was re-advertised on Monday 25 November 2013 with submissions closing at noon on Tuesday 10 December. Any submissions will be presented to Council for consideration.

Point Resolution Child Care will be considered in a separate report to Council in December.

### **Conclusion**

Administration recommends that Council disposes by way of lease 64-66 Melvista Avenue Dalkeith to Kidz Galore Pty Ltd for a period of 10 years.

### **Attachments**

Nil

**13.5 Mayo House Community Garden**

<b>Council</b>	10 December 2013
<b>Applicant</b>	City of Nedlands
<b>Officer</b>	Phoebe Huigens, Policy & Project Officer
<b>Director</b>	Peter Mickleson, Director Planning & Development
<b>Director Signature</b>	
<b>File Reference</b>	IFM/417
<b>Previous Item</b>	Nil

**Executive Summary**

A group of interested community members have formed with the desire to establish a community garden at the old Mayo House site, 91 Wood Street Swanbourne.

This report is to gain in-principle support for the establishment of this garden, subject to further reports to Council for the lease of the property and possible financial contribution from Council.

The establishment of the community garden will be the responsibility of the community group, with minor administrative support from the City. The City is not in a position to run a community garden, nor does it promote community self-sufficiency by doing so.

**Recommendation to Committee****Council:**

- 1. Gives in principle support to the establishment of a community garden at the former Mayo House site, No. 91 Wood Street Swanbourne.**
- 2. Notes that any financial contribution from Council for the development of the community garden will be subject to a further report to Council.**

**Strategic Plan**

KFA: Natural and Built Environment

This KFA contributes directly to engaging community spaces and environmental protection.

KFA: Community Development

This KFA helps build a sense of local community, provides opportunities for community interaction and the development of local relationships.

## Background

Mayo House was one of a number of cottages in the Allen Park Heritage Precinct. It was built in approximately 1912-1913. The cottage was burned down in a fire in 2009, the cause of which was never able to be determined. The house has since been demolished, except for the original veranda which remains. Aside from the veranda and two sheds, the site has remained vacant since 2009.

The Vision 2030 community engagement process identified some community interest in the establishment of a community garden. Since that time, the Sustainable Nedlands Committee has done some investigative work into suitable sites for a community garden.

At its meeting of 10 December 2012, the Committee discussed the following sites that they had investigated:

- East of PRC
- Near Hackett Hall in Floreat
- North of the Bridge Club in Swanbourne
- Asquith Park, Mount Clarmeont
- Corner of Melvista and Bruce Street Nedlands
- Mason's Gardens.

Further discussion has occurred since this meeting, as well as the suggestion of a community garden within the All Abilities Play Space area. The community interest in a community garden within the City of Nedlands has been demonstrated.

## Key Relevant Previous Council Decisions:

Not applicable.

## Consultation

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

The City undertook a community engagement project in 2012 to create "Vision 2030", a document which aimed to record the community's vision for Nedlands in the year 2030. 133 responses were received in relation to the community wanting more community gardens, green spaces and community spaces in the City of Nedlands.

The City undertook a survey in August 2013 to gauge interest in the establishment of a Community Garden at either Mayo House, or in Asquith

Street Mount Claremont. Anyone was eligible to complete the survey. The City received 32 responses which are summarised overleaf:

<b>Please tick the box(es) that reflect your level of interest in a community garden</b>		
<b>Answer Options</b>	<b>Response Percent</b>	<b>Response Count</b>
No interest	3.1%	1
Visit or attend events at the community garden	62.5%	20
Help with physical labour required to establish the garden	50.0%	16
Member of garden management committee	18.8%	6
Volunteer to manage with the communal garden areas	34.4%	11
Lease a garden plot to grow fruit and vegetables	43.8%	14
Involvement with the day to day management of the garden	18.8%	6
Other (please specify)		4
<b>Please indicate which site/s you would like to see used as a community garden</b>		
<b>Answer Options</b>	<b>Response Percent</b>	<b>Response Count</b>
Asquith Street, Mount Claremont	15.6%	5
Mayo House, Swanbourne	71.9%	23
Both	34.4%	11
Other (please specify)		2

71.9% of the survey respondents indicated that they would like Mayo House to be used as a Community Garden.

### **Legislation / Policy**

Not applicable.

### **Budget/Financial Implications**

Within current approved budget:                      Yes                       No   
 Requires further budget consideration:                      Yes                       No

This report is for in-principle support for the establishment of a community garden. There may be a future request to Council for financial contribution, but that would form the basis of a separate report to Council.

### **Risk Management**

The City will work with the community group to minimise risks for this project. At this time, the proposal is for in-principle support. Risks can be further

explored during the next phase subject to Council agreeing to give in principle support.

## **Discussion**

Community Gardens are places where people come together to grow food and community. They can be communal (where people garden collectively and share produce) or allotment gardens (where people 'lease' their own plot) or a combination of both. The benefits of community gardens include reducing food-miles, increased social interaction and participation, gardening opportunities for those with unsuitable gardens at home, and they provide places for community events and celebrations.

There is significant interest in the establishment of a community garden within the City of Nedlands. Requests for a garden were received through the Vision 2030 community engagement process, the Sustainable Nedlands Committee has been investigating this for some time, and a concept for a community garden has been identified in the Swanbourne Masterplan and the All Abilities Playspace drawings.

The City undertook a survey in August 2013 to determine interest in the establishment of a community garden at either Mayo House Swanbourne, or Asquith Park in Mount Claremont. 71.9% of respondents (32 in total) supported a garden at Mayo House Swanbourne.

City staff have assessed the Mayo House site and confirm that the site is well suited for use as a community garden. The site already has access to scheme water and electricity due to the house that once stood there. The site could be connected to groundwater either through a new bore on the site, or the extension of the reticulation from Allen Park. Sufficient parking exists at Allen Park, and public toilets are at Allen Park Lower Pavilion which is a short walk from the Mayo House site.

A "Mayo House Community Garden" Committee has been formed from the respondents who completed the survey, and other community members who have heard of the garden by word of mouth. The Committee has met a few times, and is seeking in-principle support from Council to establish the community garden before they invest significant amounts of time and resources to the project.

Administration estimate that a report will be presented to Council in February to lease the site to the Community Garden Committee.

## **Conclusion**

Community Gardens bring significant benefits to the local community. The City of Nedlands community has expressed an interest in the establishment of a community garden since the Vision 2030 community engagement process. A group of Swanbourne and Mount Claremont residents has formed who would like to establish a community garden at Mayo House, 91 Wood Street in Swanbourne. They are seeking in-principle support from Council for this project.

## **Attachments**

Nil.

**13.6 Corporate Business Plan Report – Quarter 1 2013/14**

<b>Council</b>	10 December 2013
<b>Applicant</b>	City of Nedlands
<b>Officer</b>	Mike Fletcher, Manager Corporate Strategy & Systems
<b>Director</b>	Michael Cole, Director Corporate & Strategy
<b>Director Signature</b>	
<b>File Reference</b>	IFM/417
<b>Previous Item</b>	Nil

**Report to be distributed prior to the meeting.**

**13.7 Proposal to Extend Parking Restrictions in East Melvista**

<b>Council</b>	10 December 2013
<b>Applicant</b>	City of Nedlands
<b>Officer</b>	Jacqueline Scott – Manager Technical Services
<b>Director</b>	Mark Goodlet – Director Technical Services
<b>File Reference</b>	TEC/047
<b>Previous Item</b>	Report TS10.13 Council Meeting 23 July 2013

**Executive Summary**

The purpose of this report is to report community feedback in response to a proposal to extend existing parking restrictions in East Melvista, and to obtain Council’s approval to implement permanent parking restrictions south of the Stirling Highway to the east side of the City.

**Recommendation to Council**

**Council:**

3. receives the petitions from residents of Archdeacon Street and Webster Street;
4. approves the implementation of additional parking restrictions to Thomas Street, Tyrell Street and Archdeacon Street between Edward Street and Princess Road; and
5. requests that Administration monitors the section of Archdeacon Street between Princess Road and Melvista Avenue, and Webster Street for community feedback once the parking restrictions in item 2 have been implemented.

**Strategic Plan**

KFA: Natural and Built Environment  
 KFA: Transport

**Background**

The City has received a large number of complaints over recent years from residents, community groups, businesses and proprietors regarding parking around Stirling Highway, Nedlands.

In this period, there has been an influx of long term parking within residential Streets and the City has received many complaints from residents who feel

that the level of amenity in local Streets has been reduced due to all day parking in the residential Streets.

In November 2012 the City commenced the parking trial which imposed parking restrictions along side Streets north and south of Stirling Highway through a combination of:

- Three hour parking limits;
- “No Parking” Monday – Friday; and
- 8am – 5pm restricted parking Monday to Friday.

The objectives of the trial were to:

- Increase the functionality of the parking by discouraging all day parking;
- Create turnover of bays so that a greater number of users can access them; and
- Better amenity for residents in the area who are largely affected by long term parking.

The City saw a significant drop in parking complaints from residents living in sections of Street with the parking restrictions that were implemented as a result. However, the number of complaints from residents living on parts of Webster Street, Thomas Street, Tyrell Street, Archdeacon Street and Bruce Street that did not have the same restrictions in place, were increased, as parking behaviours in the areas changed.

The Administration findings and community consultation results of the trial were submitted to Council in July 2013, where it was approved for permanent restrictions to be implemented including on Webster St, Tyrell St, Thomas St, Archdeacon St and Bruce St.

The Council Resolution for the submission of the previous report to Council in July 2013 was as follows;

**Council:**

**1. Approves the implementation of permanent parking restrictions as per the trial restrictions (Attachment 1); with the following amendments:**

**a. reinstate 2 hour parking back to 1 hour parking (from the corner of Stirling Hwy and Archdeacon Street West side to number 1 Archdeacon Street); and**

**b. no parking on the West side of Archdeacon Street in this 1 hour parking zone, opposite the driveway to the apartments on the corner of Stirling Hwy and Archdeacon Street.**

**2. Approved the implementation of additional parking restrictions to Bruce Street, Archdeacon Street, Tyrell Street, Thomas Street and Webster Street (refer to attachment 2);**

3. Approves the implementation of additional parking bays near the intersections of Stirling Highway as part of the ongoing capital roads program;
4. Agrees to support line marking delineation for residential driveways near parking generating facilities in accordance with the Chief Executive Officer's existing delegated traffic management authority;
5. Agrees to create a reserve fund entitled 'Cash in Lieu of Parking' for setting aside of these funds from development applications where the Council has approved cash in lieu of parking;
6. Agrees to provide in-principle support for some four hour parking near businesses on Stirling Highway, subject to consultation, design and in accordance with the Chief Executive Officer's existing delegated traffic management authority and subject to budget approval; and
7. Authorises the amendment of the short term parking on Weld St, near Stirling Highway, from half an hour to one hour parking restriction.

As such a plan was released to the community for comment (Attachment 1) for the placement of signage, inviting feedback by 11 November 2013.

### Consultation

Required by legislation: Yes  No

Required by City of Nedlands policy: Yes  No

Consultation for the proposed extension of parking restrictions commenced on 28<sup>th</sup> October with letter drops being completed throughout the areas proposed for change, with additional information and a plan (Attachment 1) being published on the website. A paper based and online feedback form was made available welcoming feedback regarding the proposal.

### Legislation / Policy

Traffic management delegation to the Chief Executive Officer under the *Local Government Act 1995*.

Creation of Reserve accounts under *section 6.11 of the Local Government Act 1995*.

Traffic Management Policy - Identifies an intention to investigate parking hotspots.

### Budget/Financial Implications

Within current approved budget: Yes  No

Requires further budget consideration: Yes  No

## Risk Management

The following risks have been identified should Council not approve the recommendation:

- Decrease in the functionality of the parking;
- Ongoing issues for businesses with lack of parking;
- Loss of amenity for residents who are largely affected by long term parking; and
- Safety issues with people entering and exiting their driveways.

## Discussion

Based on the plan sent to the public for review, the community consultation experienced a 15% response rate, with 52% of respondents in support of the proposed parking restriction extensions.

In addition to the feedback to the consultation activity that was implemented, three (3) petitions submitted from three (3) of the Streets included in the proposal were taken into consideration.

Petitions in favour of the proposal were received from residents of one (1) Street:

- Tyrell Street (Attachment 5)

Petitions in opposition to the proposal were received from residents of two (2) Streets:

- Webster Street (Attachment 6)
- Archdeacon Street (Attachment 7)

The feedback from the consultation respondents identified a real mix of views with some areas strongly supporting the proposal and others strongly against. Notably it was strongly felt from the respondents living in Webster Street that they did not want these restrictions implemented outside their homes – with 92%, including those that signed a petition, saying they did not support the idea.

Results from Archdeacon Street were also notably mixed – those living closest the Stirling Highway felt that this would improve the parking in their area, voting yes, with those living higher up the Street towards Melvista Avenue, not feeling it was necessary and voting no.

The full findings of the consultation are detailed in the Community Engagement Results (Attachment 2).

Residents living in Tyrell Street were strongly supportive of the proposal with 88% in favour, and 67% of residents that participated in the consultation from Thomas Street were also in support.

Bruce Street were included in the consultation for these same restrictions to be applied, however the line markings here are currently being discussed with Main Roads Western Australia as solid 'no parking' lines are currently painted on the road along the section between Princess Road and Melvista Avenue. Any changes to this area are subject to Main Roads approval and the 'no parking' needs to be enforced whilst the solid lines are in place.

## **Conclusion**

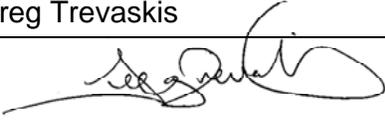
The original proposal has been reviewed to take into consideration the feedback received during the community engagement and consultation of residents in the area, extending the parking restrictions as planned but with the exception of Webster Street completely, and the section of Archdeacon Street between Princess Road and Melvista Avenue. These areas can then be reassessed in coming months if required, with the continuous monitoring of any further feedback from the residents following the rollout of this proposal.

With these considerations made and revisions to the plan, the proposal detailed in this conclusion meets 80% of the respondent's preferences, including those that signed a petition regarding parking restrictions in their Street or submitted feedback in response to the community consultation activity.

## **Attachments**

1. Formalised Parking – East Melvista Ward
2. East Melvista Extension of Parking Restrictions - Community Engagement Results
3. Map – East Melvista Parking Restrictions – Community Consultation Results (confidential attachment circulated separately)
4. FAQ Stirling Highway Parking Extension – East Melvista
5. Petition – Request for restrictions to be applied on Tyrell Street
6. Petition – Request for restrictions not to be applied on Webster Street
7. Petition - Request for restrictions not to be applied on Archdeacon Street

**13.8 Access Working Group**

<b>Council</b>	10 December 2013
<b>Applicant</b>	City of Nedlands
<b>Officer</b>	Phoebe Huigens, Policy & Projects Officer
<b>CEO</b>	Greg Trevaskis
<b>CEO Signature</b>	
<b>File Reference</b>	IFM/417
<b>Previous Item</b>	Nil

**Executive Summary**

The Access Working group included two Councillor representatives from September 2012 to October 2013. This report seeks to appoint new Councillor representatives to the working group.

**Recommendation to Committee**

**Council appoints Cr \_\_\_\_\_ and Cr \_\_\_\_\_ to be its representatives on the City’s Access Working Group.**

**Strategic Plan**

Community Development

This KFA contributes to community wellbeing, and includes access and inclusion.

**Background**

The City’s Access Working Group is an Administrative Liaison Working Group that provides advice to Administration on issues related to disability access and inclusion. To be eligible for membership, community members must demonstrate expertise in the area of disability and inclusion. Such expertise may include being a person with disability; a parent of a child or young person with disability; and/or working in a disability-related field.

The Access Working Group meets with City staff quarterly.

**Key Relevant Previous Council Decisions:**

Nil

## Consultation

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

## Legislation / Policy

The *Western Australian Disability Services Act 1993 (amended in 2004)* requires that all public authorities ensure that the services, facilities, information, events and consultation opportunities provided by them are accessible by people with disabilities.

## Budget/Financial Implications

Within current approved budget: Yes  No   
Requires further budget consideration: Yes  No

## Risk Management

There are no significant risks associated with appointing Councillor representatives to the Access Working Group.

## Discussion

The Access Working Group was originally established to provide a way for Administration to liaise directly with community members with disability expertise. It also assists with the City meeting its statutory requirement to ensure that all consultation undertaken is equally available to people with disabilities as to the community as a whole.

From September 2012 to October 2013 there were two Councillor representatives (Councillor Horley and ex-Councillor Collins) on the Access Working Group. There is no requirement for Councillor representation on the working group, however the group has found it advantageous to do so.

## Conclusion

Council is requested to nominate Councillor representatives to become members of the Access Working Group. This is not a committee of Council, and therefore Councillor representation is not a requirement.

## Attachments

Nil

**14. 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.

**14.1 Councillor Hassell – Freemen of the City**

Councillor Hassell gave notice by email on 2 December 2013 of his intention to move the following motion.

**That the Council request a report on long term volunteers of the City of Nedlands as possible candidates for the honour of being made Freemen of the City of Nedlands.**

Supporting Comments:

1. In his weekly update on Friday 29<sup>th</sup> November the CEO named several persons who have given exceptional voluntary service to the City of Nedlands community.
2. It may be that Council would consider that one or more of those persons is worthy of having bestowed on him/her/them the honour of becoming Freeman of the City of Nedlands. It is suggested this should be properly considered.
3. The Council has not bestowed the honour for some time and whilst that in itself is not reason to do so now, it may be that the bestowal in appropriate cases has simply been overlooked. This resolution aims to at least ensure the matter is considered in relation to *prima facie* worthy cases.
4. To avoid embarrassment to individuals who may be considered for but not awarded the honour, the report shall remain confidential.

Administration Comment:

Discussing possible long-term volunteers of the City of Nedlands who may be suitable for the title of Freeman of the City is a good idea. Administration recommends discussing the idea in open session, then referring the matter back to Administration for research, and a subsequent closed session with Council to discuss specific possible nominations.

**15. Elected members notices of motion given at the meeting for consideration at the following ordinary meeting on 25 February 2014.**

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.

Notices of motion for consideration at the Council Meeting to be held on 25 February 2014 to be tabled at this point in accordance with Clause 3.9(2) of Council's Local Law Relating to Standing Orders.

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

Any urgent business to be considered at this point.

**17. Confidential Items**

**17.1 Chief Executive Officer Annual Performance Review.**

A confidential report has been circulated prior to the meeting.

**Declaration of Closure**

There being no further business, the Presiding Member will declare the meeting closed.



Greg Trevaskis  
Chief Executive Officer