



City of Nedlands

Agenda

Council Committee Meeting

12 August 2014

Dear Council Member

The next meeting of the Council Committee will be held on Tuesday, 12 August 2014 in the Council Chambers, City of Nedlands, 71 Stirling Highway Nedlands, commencing at 7.00pm.

Greg Trevaskis
Chief Executive Officer
5 August 2014

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City of Nedlands

Notice of a meeting of the Council Committee to be held in the Council Chambers on Tuesday 12 August 2014 commencing at 7.00pm.

Council Committee Agenda

Declaration of Opening

The Presiding Member will declare the meeting open at 7.00pm and will draw your attention to the disclaimer below:

(Note: At the Ordinary Meeting held on 24 August 2014, Council resolved that should the meeting time reach 11.00pm, the meeting is to consider an adjournment motion to reconvene the next day).

Leave of Absence (previously approved)

| | |
|------------------------|----------------|
| Councillor W R Hassell | Dalkeith Ward |
| Councillor J Wetherall | Hollywood Ward |

Apologies

Nil 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 a Council's position. For example, by reference to the Confirmed Minutes of a 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. Public Question Time

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

The order in which the Chief Executive Officer 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. Address by Members of the Public (only items listed on the Agenda)

Addresses by members of the public who have completed the Intention to Address Council Forms will be invited to address Council as their item is discussed by the Committee.

3. Disclosures of Financial Interest

The Presiding Member will remind Councillors and Staff of the requirements of Section 5.65 of the *Local Government Act (1995)* 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 had made a declaration must not preside, participate in or be present during any discussion making procedure relating to the subject of the declaration.

However, other members may allow participation of the declarant if the further discloses the extent of the interest. Any such declarant who wished 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.

4. Disclosures of Interests Affecting Impartiality

The Presiding Member is to remind Councillors and Staff of the requirements of the Council's *Code of Conduct* in accordance with Section 5.103 of the *Local Government Act (1995)*.

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 process.

The following pro forma declaration is provided to assist in making a disclosure:

'With regard to item, I disclose that I have an association with, 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.

5. Declarations by Members That They Have Not Given Due Consideration

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

6. Confirmation of Minutes

6.1 Committee Meeting 8 July 2014

The minutes of the Council Committee held on 8 July 2014 to be confirmed.

7. Matters for Which the Meeting May Be Closed

In accordance with Standing Order Local Law and for the convenience of the public, the Committee is to identify any matter which is to be discussed behind closed doors.

8. Divisional Reports

Note:

Regulation 11(da) of the *Local Government Act (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. Not a decision to only note the matter or to return the recommendation for further consideration.

8.1 Planning and Development Report No's PD28.14 to PD29.14

Planning and Development Reports PD28.14 to PD29.14 be dealt with at this point (yellow cover sheet attached).

PD28.14 (Lot 315) No. 12 Leura Street, Nedlands – Additions (Three Story) to Office-Professional

PD29.14 (Lot 109) No. 60 Vincent Street, Nedlands – Proposed Additions (Two Story Garage and Attic) to Single House

8.2 Technical Services Report No TS15.14

Technical Services Report No TS15.14 to be dealt with at this point (blue cover sheet attached).

TS15.14 Tender No. 2013/14.17 Lawn Maintenance Estate Areas.

8.3 Community & Organisational Development Report No CM05.14

Report No CM05.14 to be dealt with at this point (pink cover sheet attached).

CM05.14 Tresillian Proposed Name Change.

8.4 Corporate & Strategy's Report No's CPS27.14 to CPS28.14

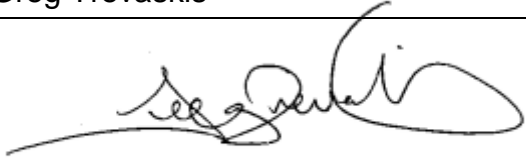
Report No's CPS27.14 to CPS28.14 to be dealt with at this point (green cover sheet attached).

CPS27.14 List of Accounts Paid June 2014

CPS28.14 Policy Review

9. Reports by the Chief Executive Officer

9.1 Register of Delegations of Authority

| | |
|-----------------------|--|
| Committee | 12 August 2014 |
| Council | 26 August 2014 |
| Applicant | City of Nedlands |
| Officer | Michael Cole, Director Corporate and Strategy |
| CEO | Greg Trevaskis |
| CEO Signature |  |
| File Reference | CEO-004340 |
| Previous Item | CPS29.13 – 24 September 2013 |

Executive Summary

This report is being presented to Council to address an omission from the printed Register of Delegations of Authority that was endorsed by Council at its meeting of 24 September 2014.

The omission related to delegations to officers under Town Planning Scheme No 2.

Recommendation to Committee

Council endorses the correction of the Register of Delegations under the City of Nedlands Town Planning Scheme No 2 to include delegation to the following officers:

- **Manager of Statutory Planning;**
- **Manager Strategic Planning;**
- **Senior Statutory Planning Officer (for categories 1b), 1e), 1f), 1g), 1h) and 3); and**
- **Planning Officer (for categories 1b), 1e), 1f), 1g) (single storey developments only) and 1h) (single storey developments only))**

Strategic Plan

KFA: Governance and Civic Leadership

Officer to write brief comment on how the report relates to the identified KFA/S chosen.

Background

Under section 5.42 of the Local Government Act 1995, the Council may delegate certain functions to the CEO. These delegations must be in writing and any decision to amend the delegation is to be by an absolute majority. These delegations under Section 5.42 relate to the Local Government Act 1995. In addition, Under Section 6.7 of the City of Nedlands Town Planning Scheme No 2, the Council may either generally, or in a particular case by resolution delegate to a Committee of the Council or an officer of the Council the authority to deal with an application for planning approval made under this Scheme.

At its meeting of 24 September 2013, Council approved the Register of Delegations of Authority, which included delegations under 6.7 of the Town Planning Scheme No 2. However, the attachment did not include the officers to whom this was delegated.

These should have been listed as follows:

Delegation:

- Manager of Statutory Planning
- Manager Strategic Planning
- Senior Statutory Planning Officer (for categories 1b), 1e), 1f), 1g), 1h) and 3)
- Planning Officer (for categories 1b), 1e), 1f), 1g) (single storey developments only) and 1h) (single storey developments only))

It is necessary for Council to correct this omission.

Key Relevant Previous Council Decisions:

CPS29.13 – 24 September 2014.

Consultation

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

Not applicable.

Legislation / Policy

Section 5.42 of the Local Government Act 1995 and Section 6.7 of the City of Nedlands Town Planning Scheme No 2 refers.

Budget/Financial Implications

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

There are no financial impacts of the proposal.

Risk Management

The correction of this error will address the omission of the officers that were intended to have delegated authority under Section 6.7 of the City of Nedlands Town Planning Scheme No 2.

Discussion

The inclusion of the following delegations in the register of Delegations is recommended:

3. Register of Delegations under City of Nedlands Town Planning Scheme 2

Authority to delegate: City of Nedlands Town Planning Scheme 2 Section 6.7

Function: Section 6.7.1, the Council may either generally, or in a particular case by resolution delegate to a Committee of the Council or an officer of the Council the authority to deal with an application for planning approval made under this Scheme

Delegation:

- Manager of Statutory Planning
- Manager Strategic Planning
- Senior Statutory Planning Officer (for categories 1b), 1e), 1f), 1g), 1h) and 3)
- Planning Officer (for categories 1b), 1e), 1f), 1g) (single storey developments only) and 1h) (single storey developments only))

Conclusion

Council is requested to endorse the recommendation that corrects this error in the preparation of the Register of Delegated Authority endorsed by Council on 24 September 2013.

Attachments

1. Extract from Register of Delegations

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

Any urgent business to be considered at this point

11. Confidential Items

Nil.

Declaration of Closure

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