



City of Nedlands

Minutes

Council Meeting

22 July 2014

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 an ordinary meeting of Council held in the Council Chambers, Nedlands on 22 July 2014 at 7.00pm.

Council 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 T James	Melvista Ward
	Councillor N Shaw	Melvista Ward
	Councillor N B J Horley	Coastal Districts Ward
	Councillor L J McManus	Coastal Districts Ward
	Councillor K Smyth	Coastal Districts Ward
	Councillor I S Argyle	Dalkeith Ward
	Councillor W R Hassell	Dalkeith Ward
	Councillor S J Porter	Dalkeith Ward
	Councillor R M Binks	Hollywood Ward
	Councillor B G Hodsdon	Hollywood 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
	Mrs A Sunderland	Executive Assistant
	Ms R Forrest	Community Development Officer
Public	There were 7 members of the public present.	
Press	The Post Newspaper representative.	
Leave of Absence (Previously Approved)	Councillor J Wetherall	Hollywood Ward
Apologies	Councillor G Hay	Melvista 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. 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.

Nil questions were received.

2. Addresses by Members of the Public

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

Mr & Mrs Griffin 2 James Road, Swanbourne General Address to Council
(Spoke in regard to operating a BB in James Road, Swanbourne)

Mr K Doepel (Doepel Marsh Architects – Applicants) PD23.14
(Spoke in support of the amended recommendation)

Mr J Del Piano, 110 Victoria Avenue, Dalkeith PD23.14
(Withdrew his intention to address Council)

Mr S Allerding (Allerding & Associates) PD24.14
(Spoke in support of the recommendation)

Mrs J Lord, 114 Rosalie Street, Shenton Park TS14.14
(Spoke in support of the recommendation)

3. Requests for Leave of Absence

Moved – Councillor James
Seconded – Councillor Shaw

Council approves Councillor Hassell’s request for Leave of Absence for all the Council and Committee Meetings to be held in August and September 2014.

CARRIED UNANIMOUSLY 11/-

4. Petitions

Nil petitions were received.

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.

No declarations of Financial Interest were received.

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*.

6.1 Councillor Horley – CM04.14 – Confidential Report – Freeman of the City of Nedlands

Councillor Horley disclosed an impartiality interest in Item CM04.14. – Confidential Report – Freeman of the City of Nedlands She disclosed she has an association with 2 members of the community that are nominated as in the confidential report and as a consequence, there may be a perception that her impartiality on the matter may be affected. She declared that she would consider this matter on its merits and vote accordingly.

6.2 Councillor Hassell – PD23.14 – No. 110A (Lot 14) Victoria Avenue, Dalkeith – Various Retrospective Additions to a Single House

Councillor Hassell disclosed an impartiality interest in Item PD 23.14 - No. 110A (Lot 14) Victoria Avenue, Dalkeith – Various Retrospective Additions to a Single House. Councillor Hassell disclosed that he had an association with Mr Dopel of Dopel March Architects, and as a consequence, there may be a perception that his impartiality on the matter may be affected. Councillor Hassell declared that he would consider this matter on its merits and vote accordingly.

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

No declarations were received.

8. Confirmation of Minutes

8.1 Ordinary Council meeting 24 June 2014

Moved – Councillor Shaw
 Seconded – Councillor Argyle

Council adopts the Minutes of the Ordinary Meeting of Council held on 24 June 2014 as previously circulated, as a true and accurate record of proceedings with the following amendment to item 13.7 – Adoption of the Annual Budget 2014/15 to the Council Resolution:

“2. Adopts the following Rates and Charges:

j. swimming Pool Inspection Fee \$55 (Incl. Excl. GST) per inspection annum;”

CARRIED UNANIMOUSLY 11/-

9. Announcements of the Presiding Member without discussion

Date	Venue	Topic
25 June 2014	City of Nedlands	Winter Business Seminar
26 June 2014	Premier Barnett	Lunch to discuss future of Claremont School of Art
27 June 2014	Councils for Democracy	Meeting
28 June 2014	ASLIA	Interpreter Awards
2 July 2014	Town of Claremont	Conferring of Freemen of the City
3 July 2014	Eastern Metropolitan Regional Council	Urban Heat Workshop
3 July 2014	CEDA	Economics of Climate Change
3 July 2014	City of Nedlands	Local Government Minister Visit
8 July 2014	CEDA	WA's Future Energy Grid

Date	Venue	Topic
11 July 2014	Councils for Democracy	Meeting
12 July 2014	Nedlands Rugby Union Football Club	Game
13 July 2014	Alliance Francaise	Bastille Day Celebration
15 July 2014	Australian Institute of Architects	Urban Design Committee Meeting
17 July 2014	Rotary Club of Nedlands	Presentation
18 July 2014	City of Nedlands	Meeting with Local MP, Bill Marmion
21 July 2014	FESA	Bushfire Risk Management

10. Members announcements without discussion

10.1 Councillor Hassell

Councillor Hassell advised that he had received some complaints from the community about the new Doggie Bags that were supplied in several reserves in the City of Nedlands. Councillor Hassell then advised that he had been in contact with the Director Planning and Development and this issue was to be rectified.

10.2 Councillor James

Councillor James attended the City of Nedlands Library today and become a member for the first time. Councillor James stated that she was impressed with the service and tools that can be accessed at home and also impressed with the collaboration with the western suburbs for online tools and research.

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.

CM04.14 Confidential Report – Freeman of the City of Nedlands

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).

Moved – Councillor Shaw
Seconded – Councillor Binks

Council receives the Minutes of the following Committee.

Council Committee **8 July 2014**
Circulated to Councillors on 15 July 2014

**CARRIED 10/1
(Against: Crs. Horley)**

Moved – Councillor Shaw
Seconded – Councillor Binks

Council receives the Minutes of the following Committee.

Sustainable Nedlands Committee **7 July 2014**
Circulated to Councillors on 11 July 2014e

CARRIED UNANIMOUSLY 11/-

Moved – Councillor James
Seconded – Councillor Hodsdon

Council receives the Minutes of the following Committee.

Arts Advisory Committee **16 June 2014**
Circulated to Councillors on 10 July 2014

CARRIED UNANIMOUSLY 11/-

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

En Bloc

Moved - Councillor James

Seconded – Councillor Binks

All Committee Recommendations relating to Reports under items 12.2, 12.3, 12.4 and 12.5 with the exception of Report No's. PD23.14, PD24.14, CPS26.14 and PD27.14, be adopted en bloc.

**CARRIED 10/1
(Against: Cr. Horley)**

12.2 Planning & Development Report No's PD23.14 to PD27.14 (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.

PD23.14	No. 110a (Lot 14) Victoria Avenue, Dalkeith – Various Retrospective Additions to a Single House
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Committee	8 July 2014
Council	22 July 2014
Applicant	Kim Doppel – Doppel Marsh Architects
Landowner	R Smith
Officer	Matt Stuart – Senior Statutory Planning Officer
Director	Peter Mickleson – Director Planning & Development Services
File Reference	VI1/110A-02 : DA13/596
Previous Item	24 June 1986 – Two-Storey Additions at the Rear of the Dwelling (Approved)

Councillor Hassell – Impartiality Interest

Councillor Hassell declared an impartiality interest in item PD23.14 as previously declared in item 6.2.

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

Moved – Councillor Shaw

Seconded – Councillor Binks

Council adopt the Recommendation to Council.

(Printed below for ease of reference)

CARRIED UNANIMOUSLY 11/-

Council Resolution / Amended Recommendation to Council

Council:

1. Approves the application for various retrospective additions shown in 1 b) below, to a single house at No. 110a (Lot 14) Victoria Avenue, Dalkeith, in accordance with the application dated 23 December 2013 with amended plans received on 01 May 2014, subject to the following conditions:
 - a. The development shall at all times comply with the approved plans.
 - b. This planning approval pertains only to the following structures (as marked in red on the plans):
 - i. Front (eastern) yard – excavation, retaining walls, over-height front fence and patio;
 - ii. Side (southern) yard – portico;
 - iii. Side (northern) yard – two patios and pergola;
 - iv. Side (northern) yard – over-height dividing fence; and
 - v. Rear (western) yard – fill and over-height dividing fence
 - c. The rear (western) yard fill shall be reduced to a maximum of 500mm above natural ground level;
 - d. All footings and structures to retaining walls, fences and parapet walls shall be constructed wholly inside the site boundaries of the Certificate of Title.
 - e. All stormwater from the development, which includes permeable and non-permeable areas, shall be contained onsite by draining to soak-wells of adequate capacity to contain runoff from a 20 year recurrent storm event. Soak-wells shall be a minimum capacity of 1.0m³ for every 80m² of calculated surface area of the development. Soak-wells shall be a minimum capacity of 1.0m³ for every 80m² of calculated surface area of the development.

Advice Notes specific to this proposal:

- a. This decision constitutes planning approval only and is valid for a period of two years from the date of approval. If the subject development is not substantially commenced within the two year period, the approval shall lapse and be of no further effect.
- b. A Building Approval Certificate is required for all structures on the property.

Committee Recommendation / Recommendation to Committee

Council:

1. Approves the application for various retrospective additions to a single house at No. 110a (Lot 14) Victoria Avenue, Dalkeith, in accordance with the application with amended plans received on 01 May 2014, subject to the following conditions:
 - a. The development shall at all times comply with the approved plans.
 - b. This planning approval pertains only to the following structures (as marked in red on the plans):
 - i. Front (eastern) yard – excavation, retaining walls, over-height front fence and patio;
 - ii. Side (southern) yard – portico;
 - iii. Side (northern) yard – two patios and pergola;
 - iv. Side (northern) yard – over-height dividing fence (see Condition c); and
 - v. Rear (western) yard – retaining walls, landfill and over-height dividing fence (see Condition d).
 - c. The fence described in Condition b(iv) above is approved on the basis that it is modified within 4.0m either side of the neighbour's bedroom window, by reducing the height to no greater than 1.8m (from the ground level on the higher side), in accordance with Scheme and policy provisions.
 - d. The structures described in Condition b(v) above are approved on the basis that the heights are modified as follows:
 - i. Retaining walls and landfill (except on or about the northern boundary) – maximum 500mm; and
 - ii. Fences – minimum 1.65m, maximum 1.8m.
 - e. All footings and structures to retaining walls, fences and parapet walls shall be constructed wholly inside the site boundaries of the Certificate of Title.
 - f. All stormwater from the development, which includes permeable and non-permeable areas, shall be contained onsite by draining to soak-wells of adequate capacity to contain runoff from a 20 year recurrent storm event. Soak-wells shall be a minimum capacity of 1.0m³ for every 80m² of calculated surface area of the development.
 - g. A further planning application and approval from the CEO is required for any fill or retaining walls on the lot, other than that shown on the approved plans.

Advice Notes specific to this proposal:

- a. All development on the nature-strip / verge shall comply with the Council's Nature-Strip / Verge Development Policy, where development other than lawn requires a landscaping plan submitted for approval before commencement, and development not complying with this policy shall be modified at the landowner's cost; and
- b. This decision constitutes planning approval only and is valid for a period of two years from the date of approval. If the subject development is not substantially commenced within the two year period, the approval shall lapse and be of no further effect.

2. Refuses the application for various retrospective additions to a single house at No. 110a (Lot 14) Victoria Avenue, Dalkeith, in accordance with the application and amended plans received on 01 May 2014, for the following reasons:
 - a. Subject to approved modification in Condition No. 1c and 1d, this planning refusal pertains only to the following structures (as marked in red on the plans):
 - i. Rear (western) yard, except on the northern boundary – over-height retaining walls, landfill and dividing fences (see Reasons b-d); and
 - ii. Side (northern) yard – over-height dividing fence, 4.0m either side of the neighbour's bedroom window (see Reason e).
 - b. Further to Reason a(i), the retaining walls do not meet Town Planning Scheme No. 2 clauses 5.10.2 – 5.10.3 (CDA) and 6.4.2 (consideration of applications), or Residential Design Codes of WA 2013 elements 5.3.8 (retaining walls) and 5.4.1 (visual privacy), as:
 - i. It does not respond or respect the natural ground levels or features of the site;
 - ii. It is not minimal fill and the height is excessive;
 - iii. It directly overlooks sensitive areas of the neighbouring property to the west;
 - iv. Certification of structural integrity has not been provided; and
 - v. It detrimentally and unduly affects the amenity of the adjoining property to the west.
 - c. Further to Reason a(i), the landfill does not meet Town Planning Scheme No. 2 clauses 5.10.2 – 5.10.3 (CDA) and 6.4.2 (consideration of applications), or the Residential Design Codes of WA 2013 elements 5.3.7 (site works) and 5.4.1 (visual privacy), as:
 - i. It does not respond or respect the natural ground levels or features of the site;
 - ii. It is not minimal fill and the height is excessive;
 - iii. It directly overlooks sensitive areas of the neighbouring property to the west;
 - iv. Certification of structural integrity has not been supplied; and
 - v. It detrimentally and unduly affects the amenity of the adjoining property to the west.
 - d. Further to Reasons a(i) – (ii), the dividing fences do not meet Town Planning Scheme No. 2 clause 5.6.4 (dividing fences) 5.10.2 – 5.10.3 (CDA) and 6.4.2 (consideration of applications), Fill and Fencing Policy clause 3 (dividing fences), or Fencing Local Law clause 13 (structural report), as:
 - i. A written agreement from the neighbours, and certification of structural integrity has not been supplied. Accordingly, the fence may have an adverse effect on the safety or convenience of the northern neighbour; and
 - ii. It detrimentally and unduly affects the amenity of the adjoining property to the north and west.
 - e. Remedial works required to bring all unauthorised works into conformity with this planning refusal (retaining walls, landfill and over-height fences), shall be completed in accordance with the Directions Notice and Notice of Breach issued on 18 November 2013.
3. Instructs the Administration to continue with compliance action as required.

PD24.14	NO. 136 (LOT 8) VICTORIA AVENUE, DALKEITH - RETROSPECTIVE & PROSPECTIVE ADDITIONS (VARIOUS) TO SINGLE HOUSE
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Committee	8 July 2014
Council	22 July 2014
Applicant	Rowe Group
Landowner	A Singh & B Kaur
Officer	Matt Stuart – Senior Statutory Planning Officer
Director	Peter Mickleson – Director Planning & Development Services
File Reference	VI1/136-02 : DA13/352
Previous Item	Nil

Mr S Allering (Allering & Associates)
(Spoke in support of the recommendation)

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Shaw
Seconded – Councillor Binks

Council adopt the Recommendation to Council.
(Printed below for ease of reference)

CARRIED UNANIMOUSLY 11/-

Council Resolution / Committee Recommendation

That Council:

1. Refuses the application on the grounds of the impact on the amenity of the neighbours; and
2. Requests the applicant give consideration as to how the unapproved extension to the building can be modified to restore to the extent reasonably possible, the amenity to the neighbouring property.

Advice Note

In relation to point 2 of the recommendation, Council is prepared to consider a set of revised plans with truncated balconies on the North-west corner of the building.

Recommendation to Committee

Council approves an application for retrospective & prospective additions (various) to a single house at No. 136 (Lot 8) Victoria Avenue, Dalkeith, in accordance with the application and amended plans received on 10 December 2014, with the following conditions:

- a. The development shall at all times comply with the approved plans.
- b. This planning approval only pertains to the following structures:
 - i. The amended position of the building on the lot of the three upmost floor levels;
 - ii. The air-conditioning housing on the north-western side;
 - iii. The retaining walls and landscaping in the front (north-eastern) portion of the lot; and
 - iv. Modifications to the roof above the rear balcony on the upper floor level.
- c. This planning approval does not approve modifications to the internal size of the Boat Store on the Undercroft floor level, whereby the design in the 2007 planning approval still has affect.
- d. A further planning application and approval from the City is required for any fill or retaining walls on the lot, other than that shown on the approved plans.
- e. All existing and proposed visual privacy screens and/or obscure glass panels to Major Openings and/or Active Habitable Spaces (including the upper-floor front balcony) shown on the approved drawings, shall prevent overlooking in accordance with the visual privacy requirements of the Residential Design Codes 2013 (R-Codes). The structure(s) shall be installed and remain in place permanently, unless otherwise approved by the City.
- f. The parapet walls shall be finished to a professional standard, to the satisfaction of the City.
- g. Following a referral to the SRT, the following conditions are included:
 - i. No fill, building materials, rubbish or any other deleterious matter shall be deposited on the foreshore Parks and Recreation reserve or allowed to enter the river as a result of the development;
 - ii. Stormwater drainage shall be contained on site or connected to the local government stormwater drainage system; and
 - iii. An open view fence with a height of 1.8 metres is to be retained along the boundary of the Parks and Recreation reserve and any gap or gateway that allows access through this fence to the boat store from the foreshore reserve shall be reduced in width to no more than 1.6m (see Advice Notes).

Advice Notes specific to this proposal:

All downpipes from guttering shall be connected so as to discharge into drains, which shall empty into a soak-well; and each soak-well shall be located at least 1.8m from any building, at least 1.8m from the boundary of the block.

- a. The landowner is advised that all mechanical equipment (e.g. air-conditioner, swimming pool or spa) is required to comply with the *Environmental Protection (Noise) Regulations 1997*, in relation to noise.
- b. Following a referral to the SRT , the following Advice Notes are provided:

- i. The applicant is advised that no vehicle access is permitted on the Parks and Recreation reserve;
 - ii. The applicant is advised that it is an offence under the *Swan River Trust Regulations 2007* to launch a vessel directly from a trailer into any waters in the Swan River except at a permitted launching place. Because vehicles and trailers cannot be used to access the boat store, a 1.6 metre wide gate to the public reserve will be sufficient for the hand launching of small water craft;
 - iii. The Swan River Trust recommends garden planting with local native species to reduce water usage and fertiliser requirements; and
 - iv. The applicant is advised that it is an offence under the *Swan River Trust Regulations 2007* to destroy, pull up, cut back, or damage vegetation that is on land in the Swan River Trust Management area – Penalty \$5,000.
- c. This decision constitutes planning approval only and is valid for a period of two years from the date of approval. If the subject development is not substantially commenced within the two year period, the approval shall lapse and be of no further effect.

PD25.14	NO. 70 (LOT 100) MINORA ROAD, DALKEITH – TWO STOREY SINGLE HOUSE, POOL AND FRONT FENCE
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Committee	8 July 2014
Council	22 July 2014
Applicant	Concept Building Design
Owner	Louis Lu (Xin Lu)
Officer	Thomas Geddes- Planning Officer
Director	Peter Mickleson – Director Planning & Development
File Reference	DA14/62

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor James
 Seconded – Councillor Binks

Council adopt the Recommendation to Council.
 (Printed below for ease of reference)

CARRIED EN BLOC 10/1
(Against: Cr. Horley)

Council Resolution / Committee Recommendation / Recommendation to Committee

Council approves an application for a two storey single house, pool and front fence at No. 70 (Lot 100) Minora Road, Dalkeith in accordance with the application received on 13 February 2014 and the plans received on 19 May 2014, subject to the following conditions:

- 1. The development shall at all times comply with the approved plans.**
- 2. The use of the cellar level shall be restricted to uses of plant and equipment, storage, toilets and/or the parking of wheeled vehicles. Prior to occupation of the dwelling / development, the owner shall execute and provide to the City a notification pursuant to s. 70A of the *Transfer of Land Act 1893* to be registered on the title to the land as notification to prospective purchasers that the use of the cellar is subject to the restriction set out above.**
- 3. All street trees in the nature-strip / verge are to be retained and shall not be removed without written approval from the CEO.**

4. All crossovers to the street shall be constructed to the Council's Crossover Specifications and the applicant / landowner to obtain levels for crossovers from the CEO under supervision onsite, prior to commencement of works.
5. The existing crossover shall be removed and the nature-strip / verge reinstated with grass or landscaping in accordance with Council's Nature-Strip / Verge Development Policy.
6. Any construction in the nature-strip / verge (including footpaths) will require a Nature-Strip / Verge Permit to be lodged with, and approved by, the CEO, prior to construction.
7. All stormwater from the development, which includes permeable and non-permeable areas, shall be contained onsite by draining to soak-wells of adequate capacity to contain runoff from a 20 year recurrent storm event. Soak-wells shall be a minimum capacity of 1.0m³ for every 80m² of calculated surface area of the development.
8. Front walls and fences in the primary street setback area shall be:
 - a) A maximum height of 1.8m above natural ground level at the base of the wall;
 - b) Visually Permeable above 1.2m in accordance with the *Residential Design Codes 2013* and Council Policy; and
 - c) Truncated or reduced to no higher than 750mm within 1.5m of where walls and fences adjoin vehicle access points, including neighbouring properties.
9. All footings and structures to retaining walls, fences and parapet walls shall be constructed wholly inside the site boundaries of the Certificate of Title.
10. All fencing, visual privacy screens and/or obscure glass panels to Major Openings and/or Active Habitable Spaces shown on the approved drawings, shall prevent overlooking in accordance with the visual privacy requirements of the Residential Design Codes 2013 (R-Codes). The structure(s) shall be installed and remain in place permanently, unless otherwise approved by the CEO.

Advice Notes specific to this approval:

- 1) All internal water closets and ensuites without fixed or permanent window access to outside air or which open onto a hall, passage, hobby or staircase, shall be serviced by a mechanical ventilation exhaust system which is ducted to outside air, with a minimum rate of air change equal to or greater than 25 litres / second.

- 2) All downpipes from guttering shall be connected so as to discharge into drains, which shall empty into a soak-well; and each soak-well shall be located at least 1.8m from any building, and at least 1.8m from the boundary of the block.
- 3) The applicant is advised to consult the City's *Visual and Acoustic Privacy Advisory Information* in relation to selecting and locating any air-conditioner or swimming pool or spa mechanical equipment such that noise, vibration and visual impact on neighbours is mitigated. The City does not recommend installing any equipment near a property boundary where it is likely noise in these locations will intrude on neighbouring properties.
 - a) Prior to selecting a location to install an air-conditioner, applicant is advised to consult the online fairair noise calculator at www.fairair.com.au and use this as a guide on air-conditioner placement so as to prevent noise affecting neighbouring properties.
 - b) Prior to installing an air-conditioner or swimming pool or spa mechanical equipment, the applicant is advised to consult residents of neighbouring properties and if necessary take measures to suppress noise.
- 4) The landowner is required to limit construction noise and hours in accordance with the *Environmental Protection (Noise) Regulations 1997*.
- 5) All swimming pools, whether retained, partially constructed or finished, shall be kept dry during the construction period. Alternatively, the water shall be maintained to a quality which prevents mosquitoes from breeding.
- 6) This decision constitutes planning approval only and is valid for a period of two years from the date of approval. If the subject development is not substantially commenced within the two year period, the approval shall lapse and be of no further effect.

PD26.14	REASONS REQUIRED FOR SCHEME AMENDMENT NO. 201 REZONE LOT 346 (NO. 11) BEDFORD STREET.
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Committee	8 July 2014
Council	22 July 2014
Applicant	MW Urban Planning and Development
Owner	Mark & Hilary Dolling
Officer	Jason Moore
Director	Peter Mickleson – Planning & Development
File Reference	TPN/A201
Previous Item	22 April 2014 - PD13.14; 10 December 2013 - PD58.13

Regulation 11(da) – Not Applicable – Recommendation Adopted.

Moved – Councillor Shaw
Seconded – Councillor Binks

That Council to proceed with Scheme Amendment No 201 for two residences to be erected on this site.

Councillor Shaw and Councillor Binks agreed to withdraw the motion.

Moved – Councillor Argyle
Seconded – Councillor Porter

Council adopt the Recommendation to Council.

(Printed below for ease of reference)

CARRIED 7/4
(Against: Cr’s. Shaw McManus Binks Hodsdon)

Council Resolution / Committee Recommendation

Council:

- 1) Does not wish to proceed with scheme amendment No. 201 as it deems this amendment to be contrary to orderly and proper planning for the following reasons:
 - a. There is no current strategic vision that allows for the building of two houses on a single lot;**
 - b. The building of two houses on a single lot would be out of character to the area; and**
 - c. One-off scheme amendments constitute ad hoc planning.****
- 2) Endorses the schedule of submissions;**

Recommendation to Committee

Council

- 1) Does not wish to proceed with scheme amendment No. 201 as it deems this amendment to be contrary to orderly and proper planning for the following reasons:
 - a. there is no current strategic vision that allows for the subdivision of lots in the area;
 - b. a subdivided lot would be out of character to the area; and
 - c. one off scheme amendments constitute ad hoc planning.
- 2) Endorses the schedule of submissions;

PD27.14	DRAFT LOCAL PLANNING POLICY – ANCILLARY ACCOMMODATION
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Committee	8 July 2014
Council	22 July 2014
Applicant	City of Nedlands
Officer	Christie Downie – Sustainable Planning Officer
Director	Peter Mickleson – Planning & Development
File Reference	TPN/165
Previous Item	PD11.14 - 22 April 2014

The Mayor advised the meeting that the CEO has requested withdrawal of this item which will be resubmitted in due course, subject to some minor amendments.

The item was withdrawn.

Committee Recommendation / Recommendation to Committee

Council:

1. Adopts the proposed Draft Local Planning Policy – Ancillary Accommodation; and
2. Instructs Administration to finalise the policy in accordance with Clause 8.3.5 of Town Planning Scheme No 2.

12.3 Technical Services Report No's TS13.14 to TS14.14 (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.

TS13.14	PROPOSED PARKING RESTRICTIONS IN KARELLA STREET AND BORONIA AVENUE
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Committee	8 July 2014
Council	22 July 2014
Applicant	City of Nedlands
Officer	Shaun Fletcher – Engineering Technical Officer
Director	Mark Goodlet – Director Technical Services
File Reference	TS - 000074
Previous Item	Not Applicable

Regulation 11(da) – Not Applicable – Recommendation Adopted.

Moved – Councillor James
 Seconded – Councillor Binks

Council adopt the Recommendation to Council.
 (Printed below for ease of reference)

**CARRIED EN BLOC 10/1
 (Against: Cr. Horley)**

- Council Resolution / Committee Recommendation / Recommendation to Committee**
- Council:**
- 1. approves three (3) hour parking in Karella Street West on the north side, from 8am – 5pm, Monday to Friday and No Parking on the south side, from 8am – 5pm Monday – Friday; and**
 - 2. approves three (3) hour parking in Boronia Avenue on the east side, from 8am – 5pm, Monday to Friday and No Parking on the West side, from 8am – 5pm Monday – Friday.**

TS14.14	REVIEW OF ADMINISTRATION DECISION TO REFUSE NATURE STRIP DEVELOPMENT APPLICATION
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Committee	8 July 2014
Council	22 July 2014
Applicant	City of Nedlands
Officer	Andrew Dickson – Manager Parks Services
Director	Mark Goodlet – Director Technical Services
File Reference	AL2/21; DA14/132; TS-004725; PAR-001687
Previous Item	Not Applicable

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor James
 Seconded – Councillor Binks

Council adopt the Recommendation to Council.
 (Printed below for ease of reference)

CARRIED ENBLOC 10/1
(Against: Cr. Horley)

Council Resolution / Committee Recommendation

Council:

- 1. Approves of the Nature Strip Development Application proposing the removal of a street tree and construction of a new crossover, in the proposed location, within the road reserve on Leon Road adjacent to No. 21 (Lot 220) Alexander Road, Dalkeith;**
- 2. Applicant be required to provide at least 2 replacement trees in Leon Road.**

Recommendation to Committee

Council:

1. refuses approval of the Nature Strip Development Application proposing the removal of a street tree and construction of a new crossover, in the proposed location, within the road reserve on Leon Road adjacent to No. 21 (Lot 220) Alexander Road, Dalkeith;
2. requests the Applicant investigate alternative design options to relocate or reconfigure the crossover and driveway, enabling retention of the street tree, prior to re-submitting an application for nature strip development approval; and
3. Advises where a re-submitted Nature Strip Development Application is intended, a minimum clearance of 1.5 metres is required between the trunk of the subject street tree and the proposed crossover or any other proposed private development.

12.4 Community & Organisational Development Report No CM04. (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.

CM04.14 Confidential Report – Freeman of the City of Nedlands

This item was discussed in Item 18 of this agenda.

12.5 Corporate & Strategy Report No's CPS25.14 to CPS26.14 (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.

CPS25.14	LIST OF ACCOUNTS PAID – MAY 2014
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Committee	8 July 2014
Council	22 July 2014
Applicant	City of Nedlands
Officer	Rajah Senathirajah – Manager Finance
Director	Michael Cole – Director Corporate & Strategy
File Reference	Fin/072-17
Previous Item	Nil

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor James
 Seconded – Councillor Binks

Council adopt the Recommendation to Council.
 (Printed below for ease of reference)

CARRIED ENBLOC 10/1
(Against: Cr. Horley)

Council Resolution / Committee Recommendation / Recommendation to Committee

Council receives the List of Accounts Paid for the month of May 2014 (Refer to Attachment).

CPS26.14	SITE EROSION AND SAND DRIFT LOCAL LAW 2014
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Committee	8 July 2014
Council	22 July 2014
Applicant	City of Nedlands
Officer	Phoebe Huigens, Policy & Projects Officer
Director	Michael Cole – Director Corporate & Strategy
File Reference	LEG/025
Previous Item	Nil

Please note that under section 3.12(2) of the *Local Government Act 1995*, the Presiding Member read aloud the purpose and effect of the proposed local law prior to the following motion being considered.

The purpose of the local law is to provide for the regulation, control and management of site erosion and sand on land within the district so as to protect the amenity of the area.

The effect of the local law is to establish requirements for the management and control of site erosion and sand on land within the district.

Regulation 11(da) – Not Applicable – Recommendation Adopted.

Moved – Councillor James
 Seconded – Councillor Shaw

Council adopt the Recommendation to Council.
 (Printed below for ease of reference)

CARRIED BY ABSOLUTE MAJORITY 11/-

Council Resolution / Committee Recommendation / Recommendation to Committee

Council adopts the proposed *City of Nedlands Site Erosion and Sand Drift Local Law 2014* as contained in Attachment 1.

ABSOLUTE MAJORITY REQUIRED

13. Reports by the Chief Executive Officer

13.1 Common Seal Register Report – June 2014

The attached Common Seal Register Report for the month of June 2014 is to be received.

Moved – Councillor Shaw

Seconded – Councillor McManus

The attached Common Seal Register Report for the month of June 2014 is received.

CARRIED UNANIMOUSLY 11/-

13.2 List of Delegated Authorities – June 2014

The attached List of Delegated Authorities for the month of June 2014 is to be received.

Moved – Councillor James
Seconded – Councillor Binks

The attached List of Delegated Authorities for the month of June 2014 is received.

CARRIED UNANIMOUSLY 11/-

13.3 Monthly Financial Report – June 2014

Council	22 July 2014
Applicant	City of Nedlands
Officer	Rajah Senathirajah – Manager Finance
CEO	Greg Trevaskis
File Reference	CEO-004037
Previous Item	Nil

Regulation 11(da) – Not Applicable – Recommendation Adopted.

Moved – Councillor James
 Seconded – Councillor Binks

Council adopt the Recommendation to Council.

(Printed below for ease of reference)

CARRIED UNANIMOUSLY 11/-

Council Resolution / Recommendation to Council

Council receives the Monthly Financial Report for June 2014.

Executive Summary

Administration is required to provide Council with a monthly financial report in accordance with *Regulation 34(1) of the Local Government (Financial Management) Regulations 1996*. The monthly financial variance from the budget of each business unit is reviewed with the respective manager and the Executive to identify the need for any remedial action. Significant variances are highlighted to Council in the attached Monthly Financial Report.

Recommendation to Council

Council receives the Monthly Financial Report for June 2014.

Strategic Plan

KFA: Governance and Civic Leadership

This report will ensure the City meets its statutory requirements.

Background

Regulation 34(1) of the Local Government (Financial Management) Regulations 1996 requires a local government to prepare a monthly statement

of financial activity reporting on the revenue and expenditure, as set out in the annual budget.

A statement of financial activity and any accompanying documents are to be presented to the Council at the next ordinary meeting of the Council following the end of the month to which the statement relates, or to the next ordinary meeting of the council after that meeting.

In addition to the above and in accordance with *Regulation 34(5) of the Local Government (Financial Management) Regulations 1996*, each year Council is required to adopt a percentage or value to be used in the reporting of material variances. For this financial year the amount is \$10,000 or 10% whichever is the greater.

Discussion

This report gives only a preliminary view of the 2013/14 financial year. As in previous years, the books of accounts are kept open after 30 June 2014 to capture expenses pertaining to the 2013/14 financial year. A full set of Financial Statements will be prepared after the books are closed, and these will be submitted before the end of August 2014 for audit by the City's Independent Auditor. The audited Financial Statements will give a true and accurate picture of the financial performance of the City of Nedlands for the 2013/14 financial year.

The operating revenue at the end of June 2014 was \$ 29.14 million, which is 1.6% higher than the year-to-date Revised Budget.

The total operating expense at the end of June 2014 was \$ 26.63 million. This is 93% of the Revised Budget, but invoices for the year are still being received at the writing of this report. Due to the end-of-year processes the depreciation charges for June have also not been included. However, savings for the year are expected when the books are closed.

The attached operating statement compares "Actual" with "Budget" by Business Units.

Variations from the current Budget of revenue and expenses by Directorates are highlighted in the following paragraphs.

Governance

Expenditure: Favourable variance of \$ 9,700
Revenue: Favourable variance of \$ 200,300

The favourable expenditure variance is not material.

The apparent favourable revenue variance is mainly due to the reimbursement by other WESROC members of the of their share of the WESROC project costs incurred by the City of Nedlands, grant for Western Metropolitan Reform study

and rental of parking space to Hollywood Private Hospital, as well as the reimbursement of Workers Compensation claims paid to staff.

Corporate and Strategy

Expenditure: Favourable variance of \$ 78,400

Revenue: Unfavourable variance of \$ 5,000

The favourable expenditure variance is mainly due to reduced use of professional services and consultants, as well as savings in the use of relief staff during the year.

The small unfavourable revenue variance is due to reduced interest earnings, offset to some extent by the improved interim rates revenue.

Community Development

Expenditure: Favourable variance of \$ 315,700

Revenue: Favourable variance of \$ 55,500

The apparent favourable expenditure variance is largely due deferment in budgeted donations as well due to unfilled staff positions. Some invoices for expenses incurred in June are yet to be processed.

The favourable revenue variance is mainly due increased fees from courses run at Tresillian Community Centre, and higher grants for Nedlands Community Care.

Planning and Development

Expenditure: Favourable variance of \$ 489,200

Revenue: Favourable variance of \$ 98,600

The favourable expenditure variance is due to the delay in commencing planned projects in Strategic Town Planning, Environmental Conservation, Sustainability and Environmental Health. Some of these projects may need to be carried into 2014/15 year. Reduced need for legal services in the planning area also contributed to the favourable expenditure variance.

The favourable revenue variance is due mainly to increased revenue from the registration of dogs and cats, as well as prosecutions by Environmental Health and Town Planning departments.

Technical Services

Expenditure: Favourable variance of \$ 984,000

Revenue: Favourable variance of \$ 107,400

The favourable expenditure variance is largely due to delay in receiving of invoices for maintenance works and street lighting, and savings in waste

collection charges due to the implementation of the new contract from December 2013. Another contributing factor for the large favourable variance is that depreciation charges for June have not been raised awaiting the completion of the capitalisation of assets.

Capital Works Programme

At the end of June the expenses on new capital works were \$6,533,200, with commitments of \$614,700. This is 88% of the revised capital budget for the year. It is expected that the unspent funds, together with the associated projects, will need to be carried forward into 2014/15 year.

Consultation

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

Legislation / Policy

The monthly financial management report meets the requirements of *Regulation 34(1) and 34(5) of the Local Government (Financial Management) Regulations 1996*.

Budget/Financial Implications

As outlined in the Monthly Financial Report.

Risk Management

The monthly financial variance from the budget of each business unit is reviewed with the respective manager and the Executive to identify the need for any remedial action. Significant variances are highlighted to Council in the Monthly Financial Report.

Conclusion

The preliminary financial statements to the end of June 2014 indicate that the operating expenses are under the Budget, while revenue is better than the revised Budget. However, not all invoices for work carried out in June have been processed, and depreciation charges for June have not been included awaiting the completion of the end-of-year processes. Thus the total operating expenses for the year in the audited Financial Statements will be higher than the values shown in the preliminary summary attached to this report.

Attachments

1. Statement of Financial Activity by Directorates as at 30 June 2014
2. Net Current Assets as at 30 June 2014
3. Financial Summary (Operating) by Business Units as at 30 June 2014
4. Capital Works & Acquisitions as at 30 June 2014

13.4 Investment Report – June 2014

Council	22 July 2014
Applicant	City of Nedlands
Officer	Rajah Senathirajah – Manager Finance
CEO	Greg Trevaskis
File Reference	FIN-FS-00004
Previous Item	Nil

Moved – Councillor Shaw
 Seconded – Councillor Hassell

Council adopt the Recommendation to Council.

(Printed below for ease of reference)

CARRIED UNANIMOUSLY 11/-

Council Resolution / Recommendation to Council

Council receives the Investment Report for the period ended 30 June 2014.

Executive Summary

In accordance with the Council's Investment Policy, Administration is required to present a summary of investments to Council on a monthly basis.

Recommendation to Council

Council receives the Investment Report for the period ended 30 June 2014.

Strategic Plan

KFA5: Governance

5.1 – Manage the City's resources in a sustainable and responsible manner.

This report is in accordance with the Council's Investment Policy and demonstrates the investment of City's surplus cash in a sustainable and responsible manner.

Background

Council's Investment Policy requires a summary of investments to be presented to Council on a monthly basis.

Discussion

The Investment Summary shows that as at 30 June the City held the following funds in investments:

Municipal Funds	\$	3,128,182
Reserve Funds	\$	3,966,675
Adelma Interest	\$	<u>0</u>
Total	\$	<u>7,094,857</u>

The total interest earned from investments for the year was \$503,600.

Following Council’s decision in May 2012, all investments are placed with the ‘big four’ banks.

The Investment Portfolio comprises holdings in the following institutions:

Financial Institution	Funds Invested	Interest Rate	Proportion of Portfolio
NAB	\$ 2,580,739	3.60% - 3.74%	36.37%
Westpac	\$ 1,535,474	3.55% - 3.60%	21.64%
ANZ	\$ 1,329,128	3.65% - 3.70%	18.73%
CBA	\$ 1,649,516	3.50%	23.25%
Total	\$ 7,094,857		100.00%

Consultation

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

Legislation / Policy

Not applicable.

Budget/Financial Implications

Investment income is less than the budgeted value due to the lower interest rates provided by the banks.

Risk Management

The Investment Policy of the City, which is reviewed each year by the Audit and Risk Committee of Council, is structured so as to minimise any risks associated with the City’s cash investments. The officers adhere to this Policy, and continuously monitor market conditions to ensure that the City obtains attractive yields without compromising on risk management.

Conclusion

The Investment Report is presented to Council. It is noted that the investments in NAB are more than 30%, but this was only for a short duration as a Term Deposit that matured on 7 July 2014 has now been redeemed for payments.

Attachments

1. Investment Report for the period ended 30 June 2014

13.5 The Naked Fig Café at 278 Marine Parade, Swanbourne – Liquor Licence

Council	22 July 2014
Applicant	City of Nedlands
Owner	City of Nedlands
Officer	Rebecca Boley – Property Management Officer
Director	Peter Mickleson – Planning & Development
CEO	Greg Trevaskis
File Reference	CEO-004052
Previous Item	Item 13.5 – 11 December 2007; Item 13.7 – 10 February 2009; Item 13.6 – 11 December 2012; PD40.13 – 27 August 2013

Regulation 11(da) – Council agreed to not endorse the recommendation as there is insufficient information and lack of consultation with the nearby residents and stakeholders and is contrary to the original intent of the development.

Moved – Councillor James

Seconded – Councillor Hodsdon

That Council, as Sublessor of premises at 278 Marine Parade, Swanbourne, does not endorse the Naked Fig Pty Ltd.’s application for a liquor licence to serve alcohol without a meal.

**CARRIED 6/5
(Against: Crs. Shaw McManus Argyle Hassell Binks)**

Mr Trevaskis left the Chambers at 8.17pm and returned at 8.20pm.

Cr Shaw left the Chambers at 8.29pm and returned at 8.30pm.

Recommendation to Council

That Council, as Sublessor of premises at 278 Marine Parade, Swanbourne, endorses the Naked Fig Pty Ltd.’s application for a liquor licence to serve alcohol without a meal.

Executive Summary

This item is now presented to Council for consideration as Sublessor of premises pursuant to the Deed of Sublease for premises that are the Naked Fig Café at Swanbourne Beach. The Café is applying for a liquor licence to serve alcohol without a meal – activity consistent with approvals for a “restaurant” under the City of Nedlands Town Planning Scheme No. 2.

Recommendation to Council

That Council, as Sublessor of premises at 278 Marine Parade, Swanbourne, endorses the Naked Fig Pty Ltd.'s application for a liquor licence to serve alcohol without a meal.

Strategic Community Plan

KFA 5: Governance

This item requires Council as the Sublessor of premises to consider terms of the agreed arrangement for tenancy at the Naked Fig Café and to ensure an appropriate response is made.

Background

Pursuant to a Deed of Lease dated 15 January 2009 the City leases land at 278 Marine Parade Swanbourne from the State of Western Australia. The City of Nedlands subleases a portion of this land to The Naked Fig Pty Ltd for the purpose of "Café, Kiosk and Change rooms". The terms of the Sublease include Clause 7.2(i) – Use of premises – Café which states:

The Sublessee is not permitted to allow any alcoholic beverages to be brought onto or sold from the Premises, unless the appropriate liquor licence (if required) is obtained and the written consent of the Council of the Sublessor has first been obtained.

The Naked Fig Café building has been approved for use as a "Café Kiosk and change rooms", consistent with the permitted purpose of the Sublease. This permitted purpose is defined as a "restaurant" under the City's Town Planning Scheme No.2 (TPS2). The Café has also been granted a liquor licence. The Café has applied to the Department of Racing Gaming and Liquor to serve alcohol without a meal.

On consultation with the City's Planning department it was noted that the application is consistent with approvals for the Café in terms of hours of operation and the current Town Planning Scheme's requirements for activities of a "Restaurant".

Key Relevant Previous Council Decisions

Item 13.5 on 11 December 2007 – Recommended approval and conditions of development for Swanbourne Beach café and car parking.

Item 13.7 on 10 February 2009 – Current lease and sublease agreements for premises at Swanbourne Beach Café.

Item 13.6 at the Council meeting of 11 December 2012 - The City resolved to amend the Sublease in terms of the Café's operations in accordance with a decision by the Western Australia Planning Commission (WAPC) if the Café was in substantial compliance with Noise regulations as found on a monitoring exercise.

PD40.13 at the Council meeting of 27 August 2013 - On considering results of Administration's exercise of monitoring Café operations for compliance with noise regulations Council agreed to approve the variation of the Sublease to accord the WAPC decision to allow extended operating hours on basis of on-going compliance with the Noise Management Plan.

Legislation / Policy

The relevant framework for Council considering this item is the Deed of Sublease itself. Provisions of the Sublease involve the City as Sublessor considering activities of its Sublessee onsite.

Consultation Process

Upon receiving a request for relevant documentation from the City's Planning Department as part of a liquor licence application to the Department of Racing Gaming and Liquor the City as Sublessor now considers this item to ensure its consistency with terms of the Sublease.

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

Budget / Financial Implications

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

There are no financial impacts relating to this item which directly affect the City.

Risk management

Any risk associated with permitting this application by the City's sublessee are mitigated by the requirements of liquor licensing as well as terms of the Sublease. The Department of Racing Gaming and Liquor's requirement for a licensee to comply with its Harm Minimisation Policy Guideline is directly referenced in the Sublease agreement at Clause 39 making this a term of sublease. The Sublease at Clause 9.1(d) further requires that the Sublessee not do anything onsite which causes a nuisance to the City or owners or occupiers of neighbouring properties.

Discussion

This proposal to endorse the Sublessee, Naked Fig Pty Ltd.'s application for liquor license to serve alcohol without a meal is consistent with the City's definition of a Restaurant pursuant to its Town Planning Scheme No. 2. While the Sublease contains a permitted purpose of "Café Kiosk and Change Rooms" the City's Town Planning Scheme No. 2 (TPS2) defines this as a "Restaurant". Selling liquor without a meal remains consistent with the definition of a "restaurant" under the TPS2. Therefore the land is not changing and remains consistent with original approvals. The Sublease agreement specifically requires that the Sublessee comply with the Department of Racing Gaming and

Liquor's Harm Minimisation Policy Guideline. Any negative impacts such as nuisance to neighbouring properties resulting from such a change to the Sublessee's liquor licence are able to be addressed by provisions of the Sublease agreement, noted above.

Conclusion

This item is to be considered by the City as Sublessor of the premises. In doing so it is noted that the Naked Fig's application to sell alcohol without a meal is consistent with current approvals for the premises and that potential ill effect from such activity can be addressed through provisions of the Sublease as well as the Department of Racing Gaming and Liquor's capacity as a regulatory body.

Attachments

Nil.

13.6 Rename the Foreshore 3 to “Sunset Foreshore”

Council	22 July 2014
Applicant	City of Nedlands
Officer	Brid Ni Mhuineachain, Community Engagement Coordinator
CEO	Greg Trevaskis
File Reference	CEO-004057
Previous Item	NIL

Regulation 11(da) – Not Applicable – Recommendation Adopted.

Moved – Councillor Hodsdon
 Seconded – Councillor Shaw

Council adopt the Recommendation to Council.
 (Printed below for ease of reference)

CARRIED UNANIMOUSLY 11/-

Council Resolution / Recommendation to Council

Council instructs administration to apply to the Geographical Names Committee to have the reserve currently named ‘Foreshore 3’ changed to ‘Sunset Foreshore’.

Executive Summary

The purpose of this report is for Council to approve the name ‘Sunset Foreshore’ as the new name for the reserve currently known as Foreshore 3.

Recommendation to Council

Council instructs administration to apply to the Geographical Names Committee to have the reserve currently named ‘Foreshore 3’ changed to ‘Sunset Foreshore’.

Strategic Plan

KFA: Natural and Built Environment

This KPA contributes to enhancing community spaces, heritage protection and environmental protection.

Background

In November 2013, it was decided that the reserve currently known as Foreshore 3 would be renamed to improve the identification of the reserve and its importance to Dalkeith, the Swan River and the area.

To meet this objective, it was agreed by council in a Councilor briefing session that a community competition should be held to engage the community. This would provide Council with a selection of potential new names for the reserve.

The competition was called "Name the River's Edge". Entry forms along with historical information was distributed to the community. The competition was promoted through the City's online newsletter, newspaper advertising, City's social media pages, City's website and through local schools, sporting groups and community groups.

The competition ran from 4 March – 11 April 2014.

A \$500 prize will be awarded to the person/group that has selected the chosen name.

A judging panel of four was established to judge the entries. This panel consisted of the Mayor Max Hipkins, Councilor Leo Mc Manus, Michael Cole (City of Nedlands) and Libby Matthews (community member).

Key Relevant Previous Council Decisions:

Nil.

Discussion

69 entries to the competition were received.

All entries were sent to judges along with the reason the name was chosen. Judges did not receive the entrants' names.

On Tuesday 6 May, the judges decided on their top three names out of the 69 entries.

A Councilor briefing session held on 17 June 2014 agreed that the name 'Sunset Foreshore' was the preferred name due to the reserves proximity to the former Sunset Hospital site.

Consultation

Required by legislation:

Yes

No

Required by City of Nedlands policy:

Yes

No

The community was consulted by way of a competition held from 4 March to 11 April 2014.

Legislation / Policy

Nil

Budget/Financial Implications

Within current approved budget:

Yes

No

Requires further budget consideration:

Yes

No

Risk Management

Not Applicable

Conclusion

Council adopts the name Sunset Foreshore for the reserve currently known as Foreshore 3.

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.

Nil.

15. Elected members notices of motion given at the meeting for consideration at the following ordinary meeting on 26 August 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 26 August 2014 to be tabled at this point in accordance with Clause 3.9(2) of Council's Local Law Relating to Standing Orders.

Nil.

15.1 Mayor Hipkins – Installation of On-Site Power Generation

On 19 July 2014 via email, Mayor Hipkins gave notice of his intention to move the following motion:

That Council adopts a policy of installing on-site power generation (solar panels or wind generators) whenever it constructs or refurbishes a building with a value of \$500,000 or more and considers such installation if any Council building is re-roofed.

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

Nil.

17. Confidential Items

Closure of Meeting to the Public

Moved – Councillor Binks

Seconded - Councillor Shaw

That the meeting be closed to the public in accordance with Section 5.23 2(b) of the Local Government Act 1995 to allow confidential discussion on the following Items:

CM04.14 Confidential Report – Freeman of the City of Nedlands

**CARRIED 7/4
(Against: Crs. Horley, McManus, Smyth, Argyle)**

The meeting was closed to the public at 8.40pm.

Cr James left the Chambers at 8.40pm and returned at 8.42pm.

17.1 CM04.14 Confidential Report – Freeman of the City of Nedlands

Moved – Councillor Argyle

Seconded – Councillor Porter

Council adopt the Recommendation to Council.

(Printed below for ease of reference)

**CARRIED 10/1
(Against: Cr. Porter)**

Council Resolution / Committee Recommendation

Council:

- 1. Offers the status of Freeman of the City of Nedlands to Mr Hal Colebatch and Mr Gordon Davies;**
- 2. Arrangements be made to convene a suitable ceremony and presentation to both recipients; and**
- 3. Grants approval to affix the Common Seal to the Freeman certificates.**

Opening of Meeting to the Public

Moved - Councillor Binks

Seconded - Councillor Hodsdon

That the meeting be reopened to members of the public and the press.

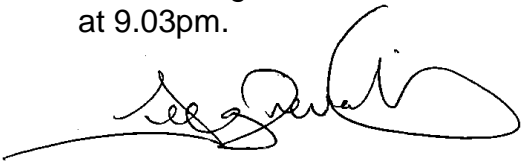
**CARRIED 10/1
(Against: Cr. Smyth)**

The meeting was reopened to members of the public and the press at 9.02pm.

In accordance with Standing Orders 12.7(3) the Presiding Member read out the motions passed by the Council behind closed doors and the vote of the members to be recorded in the minutes under section 5.21 of the Local Government Act 1995.

Declaration of Closure

There being no further business, the Presiding Member will declared the meeting closed at 9.03pm.



Greg Trevaskis
Chief Executive Officer