



City of Nedlands

Agenda

Council Committee Meeting

10 May 2011

Dear Council member

The next meeting of the Council Committee will be held on Tuesday 10 May 2011 in the Council Chambers at 71 Stirling Highway Nedlands commencing at 7 pm.

A handwritten signature in black ink, appearing to read 'Graham Foster', is positioned above the printed name and title.

Graham Foster
Chief Executive Officer
3 May 2011

Table of Contents

Declaration of Opening	3
Present and Apologies and Leave Of Absence (Previously Approved)	3
1. Addresses By Members of the Public (only for items listed on the agenda).....	4
2. Disclosures of Financial Interest	4
3. Disclosures of Interests Affecting Impartiality.....	4
4. Declarations by Members That They Have Not Given Due Consideration to Papers.....	5
5. Confirmation of Minutes	5
5.1 Committee Meeting 12 April 2011	5
6. Matters for Which the Meeting May Be Closed	5
7. Divisional Reports	5
7.1 Development Services Report No's D35.11 to D40.11	5
7.2 Technical Services Report No's T02.11 to T03.11	6
7.3 Corporate Services Report No's CP17.11 to CP20.11	6
8. Reports by the Chief Executive Officer	6
9. Urgent Business Approved By the Presiding Member or By Decision	7
10. Confidential Items	7
Declaration of Closure	7

City of Nedlands

Notice of a meeting of the Council Committee to be held in the Council Chambers, Nedlands on Tuesday 10 May 2011 at 7 pm.

Council Committee 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

No responsibility whatsoever is implied or accepted by the City of Nedlands for any act, omission or statement or intimation occurring during Council or Committee meetings. City of Nedlands disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council or Committee meetings. Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council or Committee meeting does so at that person's or legal entity's own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or intimation of approval made by a member or officer of the City of Nedlands during the course of any meeting is not intended to be and is not to be taken as notice of approval from the City of Nedlands. The City of Nedlands warns that anyone who has any application lodged with the City of Nedlands must obtain and should only rely on written confirmation of the outcome of the application, and any conditions attaching to the decision made by the City of Nedlands in respect of the application.

The City of Nedlands wishes to advise that any plans or documents contained within this agenda may be subject to copyright law provisions (*Copyright Act 1968, as amended*) and that the express permission of the copyright owner(s) should be sought prior to their reproduction.

It should be noted that Copyright owners are entitled to take legal action against any persons who infringe their copyright. A reproduction of material that is protected by copyright may represent a copyright infringement.

1. Addresses By Members of the Public (only for items listed on the agenda)

Addresses by members of the public who have completed Public Address Session Forms will be invited to be made as each item relating to their address is discussed by the Committee.

2. 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.

3. 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.

4. 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.

5. Confirmation of Minutes

5.1 Committee Meeting 12 April 2011

The minutes of the Council Committee held 12 April 2011 are to be confirmed.

6. Matters for Which the Meeting May Be Closed

In accordance with Standing Orders and for the convenience of the public, the Committee is to identify any matter which is to be discussed behind closed doors at this meeting and that matter is to be deferred for consideration as the last item of this meeting.

7. Divisional Reports

Note: Regulation 11(da) of the *Local Government (Administration) Regulations 1996* requires written reasons for each decision made at the meeting that is significantly different from the relevant written recommendation of a committee or an employee as defined in section 5.70, but not a decision to only note the matter or to return the recommendation for further consideration.

7.1 Development Services Report No's D35.11 to D40.11

Development Services Report No's D35.11 to D40.11 to be dealt with at this point (copy attached yellow cover sheet).

D35.11 No. 10 (Lot 1) Knutsford Street Swanbourne - Proposed Carport Enclosure

D36.11 JoJo's Restaurant and Cafe – Retrospective Increased in Seating Capacity

D37.11 Adoption of Proposed Outline Development Plan for complex formerly known as Swanbourne Hospital for the Insane: Lot 12040 Heritage Lane Mt Claremont

D38.11 Mattie Furphy House, Allen Park Heritage Precinct – Reserve 7804 (Lot 403 on Deposited Plan 36773, Marine Parade, Swanbourne. Proposed twenty-one

year lease between the City and the Fellowship of Australian Writers Western Australia Inc.

D39.11 Vacant Bowling Green located at Hollywood-Subiaco Bowling Club Inc, Crown Reserve 20838 (Lot 13423 on Deposited Plan 194320), Monash Avenue, Nedlands. Proposed Sub-Lease commencing on the date of signing with the option of an additional five (5) year term between the City, Hollywood-Subiaco Bowling Club Inc and West Coast Futsal Association Inc for the use of a vacant Bowling Green.

D40.11 Former Hollywood After School Activity Centre, Crown Reserve 20838 (Part Lot 13423 on Deposited Plan 194320), Monash Avenue, Nedlands. Proposed three (3) year lease with the option of an additional four (4) year term between the City and West Coast Futsal Association Inc for the use of the former Hollywood After School Activity Centre building.

7.2 Technical Services Report No's T02.11 to T03.11

Technical Services Report No' T02.11 to T03.11 to be dealt with at this point (copy attached blue cover sheet).

T02.11 Reporting on past, current and future use of fertiliser by the City of Nedlands

T03.11 Requests for street tree removals referred for Council consideration.

7.3 Corporate Services Report No's CP17.11 to CP20.11

Report No's CP17.11 to CP20.11 to be dealt with at this point (copy attached green cover sheet).

CP17.11 Monthly Financial Report – March 2011

CP18.11 Investment Report – March 2011

CP19.11 List of Accounts Paid – March 2011

CP20.11 Review of Council's Delegated Authorities

8. Reports by the Chief Executive Officer

Nil.

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


Any urgent business to be considered at this point.

10. Confidential Items

Any confidential items to be considered at this point.

Declaration of Closure

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

A handwritten signature in black ink, appearing to read 'Graham Foster', with a stylized flourish at the end.

Graham Foster
Chief Executive Officer