



City of Nedlands

Minutes

Council Committee Meeting

14 August 2012

Attention:

This is a Committee which has only made recommendations to Council. No action should be taken on any recommendation contained in these Minutes. The Council resolution pertaining to an item will be made at the Ordinary Council Meeting next following this meeting.

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City of Nedlands

Minutes of a meeting of the Council Committee held in the Council Chambers, Nedlands on Tuesday 14 August 2012 at 7 pm.

Declaration of Opening

The Presiding Member declared the meeting open at 7.00 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 L J McManus	Coastal Districts Ward
Councillor I S Argyle	Dalkeith Ward
Councillor S J Porter	Dalkeith Ward
Councillor R M Binks	Hollywood Ward
Councillor B G Hodsdon	Hollywood Ward
Councillor K Walker	Hollywood Ward
Councillor T James	Melvista Ward
Councillor N Shaw	Melvista Ward
Councillor M L Somerville-Brown	Melvista Ward

Staff

Mr M Cole	Acting Chief Executive Officer
Ms D Blake	Acting Director Corporate & Strategy
Mr P Mickleson	Director Planning & Development Services
Mr A Melville	Acting Director Technical Services
Ms M Granich	Acting Director Community & Organisational Development
Ms N Borowicz	Executive Assistant

Public There were 8 members of the public present.

Press The Post Newspaper representative.

Leave of Absence (Previously Approved) Councillor W R Hassell Dalkeith Ward

Apologies Councillor K E Collins Coastal Districts Ward
Councillor N B J Horley Coastal Districts Ward

Absent Nil.

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

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

Mr C Carey, 9 Cross Street, Swanbourne
(spoke in support of the proposal) Report PD28.12

Dr R Oates, 101 Tyrell Street, Nedlands
(spoke in support of the administration recommendation) Report PD31.12

Mr P Webb, Unit 2, 19 York Street, Subiaco
(spoke against the recommendation) Report PD31.12

Mr M Jones, 23 Swansea Street, Swanbourne
(spoke in support of the recommendation) Report CM05.12

2. Disclosures of Financial Interest

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

There were no disclosures of Financial Interest.

3. Disclosures of Interests Affecting Impartiality

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

3.1 Councillor Walker – PD33.12 - Draft North Hollywood Precinct Land Use Strategy

Councillor Walker disclosed an impartiality interest in Report PD33.12 Draft North Hollywood Precinct Land Use Strategy. She disclosed that she is a resident of the area, 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.

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

Nil.

5. Confirmation of Minutes

5.1 Committee Meeting 10 July 2012

Moved – Councillor Shaw
Seconded – Councillor McManus

The minutes of the Council Committee held 10 July 2012 are confirmed.

**CARRIED 9/-
(Abstained: Cr Walker)**

6. Matters for Which the Meeting May Be Closed

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

Nil


7. Divisional Reports

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

7.1 **Planning & Development Report No's PD28.12 to PD36.12**

PD28.12	No. 9 (Lot 201) Cross Street, Swanbourne – Retrospective Additions and Enclosure of Carport to Single House
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Committee	14 August 2012
Council	28 August 2012

Applicant	Mr Chris Carey
Owner	Mr Chris Carey
Officer	Nick Bakker - Planning Officer
Director	Peter Mickleson - Director Planning & Development Services
Director Signature	
File ref.	DA11/165
Previous Item No's	Nil
Disclosure of Interest	No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> .

Mr C Carey, 9 Cross Street, Swanbourne
(spoke in support of the proposal)

Report PD28.12

The Presiding Member granted Mr Carey a further 2 minutes.

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

Moved – Councillor McManus
Seconded – Councillor James

Council approves an application for Retrospective Additions and Enclosure of Carport to Single House at No. 9 (Lot 201) Cross Street, Swanbourne in accordance with the application and plans dated 10 May 2011 with the following condition:

1. any additional development, which is not in accordance with the original application or conditions of approval, as outlined above, will require further approval by Council.

Lost 4/5
(Against: Mayor Hipkins Crs. Porter Walker Shaw & Somerville-Brown)
(Abstained: Cr. Binks)

Moved – Councillor Somerville-Brown
Seconded – Councillor Shaw

That the Recommendation to Committee is adopted.

(Printed below for ease of reference)

**CARRIED ON THE CASTING VOTE 5/4
(Against: Crs. McManus Argyle Hodsdon & James)
(Abstained: Crs. Binks & Walker)**


Committee Recommendation / Recommendation to Committee

Council approves an application for Retrospective Additions and Enclosure of Carport to Single House at No. 9 (Lot 201) Cross Street, Swanbourne in accordance with the application and plans dated 10 May 2011 with the following conditions:

- 1. the door is to be removed from the street elevation of the existing carport, (as marked in red on the attached plans);**
- 2. the door on the existing carport is to be removed within 42 days of the date of this decision; and**
- 3. any additional development, which is not in accordance with the original application or conditions of approval, as outlined above, will require further approval by Council.**

PD29.12	No. 7 (Lot 201) Cross Street, Swanbourne – Retrospective Enclosure of Carport to Single House
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Committee	14 August 2012
Council	28 August 2012

Applicant	Mr N George & S Sofoulis
Owner	Mr N George & S Sofoulis
Officer	Nick Bakker - Planning Officer
Director	Peter Mickleson - Director Planning & Development Services
Director Signature	
File ref.	DA12/263
Previous Item No's	Nil
Disclosure of Interest	No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> .

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

Moved – Councillor McManus
 Seconded – Councillor Argyle

Council:

1. approves the application for Retrospective Enclosure of a Carport to Single House at No. 7 (Lot 200) Cross Street, Swanbourne in accordance with the application and plans dated 6 July 2012.

Lost 4/5

(Against: Mayor Hipkins Crs. Porter Walker Shaw & Somerville-Brown)

(Abstained: Cr. Binks)

Moved – Councillor Walker
 Seconded – Councillor Shaw

That the Recommendation to Committee is adopted.

(Printed below for ease of reference)

CARRIED ON THE CASTING VOTE 5/4
(Against: Crs. McManus Argyle Hodsdon & James)
(Abstained: Crs. Binks & Walker)


Committee Recommendation / Recommendation to Committee

Council:

- 1. refuses the application for Retrospective Enclosure of a Carport to Single House at No. 7 (Lot 200) Cross Street, Swanbourne in accordance with the application and plans dated 6 July 2012 for the following reasons:**
 - a. the door on the carport with a nil front setback does not meet the Performance Criteria or Acceptable Development Criteria of the RCodes; and**
 - b. the enclosed carport with a nil front setback is not in keeping with the surrounding streetscape and the proposal will not be orderly and proper planning.**
- 2. instructs the removal of the door on the carport within 42 days of the date of this decision.**

PD30.12	No. 75 (Lot 137) Viking Road, Dalkeith – Retrospective Enclosure of Carport to Single House
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Committee	14 August 2012
Council	28 August 2012

Applicant	Ms Marilyn Tan
Owner	Ms Marilyn Tan
Officer	Laura Sabitzer - Planning Officer
Director	Peter Mickleson - Director Planning & Development Services
Director Signature	
File ref.	DA12/221 : VI3/75-02
Previous Item No's	Nil
Disclosure of Interest	No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> .

Regulation 11(da) – Councillors agreed to allow the lattice to remain as it assists growth of plants.

Moved – Councillor Shaw
 Seconded – Councillor Porter

Council approves an application for Retrospective Enclosure of Carport to Single House at No. 75 (Lot 137) Viking Road, Dalkeith in accordance with the application and plans dated 6 June 2012 with the following conditions:

- 1. all stormwater from the development which includes permeable and non-permeable areas shall be contained on site by draining to soak-wells of adequate capacity to contain runoff from a 20 year recurrent storm event; and soak-wells shall be a minimum capacity of 1 m³ for every 80 m² of calculated surface area of the development; and**
- 2. any additional development, which is not in accordance with the original application or conditions of approval, as outlined above, will require further approval by Council.**

Advice Notes specific to this approval:

1. 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 1.8 m from any building, and at least 1.8 m from the boundary of the block.

Put Motion

Moved – Councillor Hodsdon

Seconded – Councillor Binks

That the motion be put.

**PUT MOTION CARRIED 7/1
(Against: Cr. Porter)
(Abstained: Mayor Hipkins & Cr Argyle)**

The motion was put and

**CARRIED 7/3
(Against: Mayor Hipkins Crs. McManus & Walker)**

Committee Recommendation

Council approves an application for Retrospective Enclosure of Carport to Single House at No. 75 (Lot 137) Viking Road, Dalkeith in accordance with the application and plans dated 6 June 2012 with the following conditions:

1. all stormwater from the development which includes permeable and non-permeable areas shall be contained on site by draining to soak-wells of adequate capacity to contain runoff from a 20 year recurrent storm event; and soak-wells shall be a minimum capacity of 1 m³ for every 80 m² of calculated surface area of the development; and
2. any additional development, which is not in accordance with the original application or conditions of approval, as outlined above, will require further approval by Council.

Advice Notes specific to this approval:

1. 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 1.8 m from any building, and at least 1.8 m from the boundary of the block.

Recommendation to Committee

Council approves an application for Retrospective Enclosure of Carport to Single House at No. 75 (Lot 137) Viking Road, Dalkeith in accordance with the application and plans dated 6 June 2012 with the following conditions:


1. the lattice on the south and west sides of the carport shall be removed within 42 days from the date of this decision;
2. all stormwater from the development which includes permeable and non-permeable areas shall be contained on site by draining to soak-wells of adequate capacity to contain runoff from a 20 year recurrent storm event; and soak-wells shall be a minimum capacity of 1 m³ for every 80 m² of calculated surface area of the development; and
3. any additional development, which is not in accordance with the original application or conditions of approval, as outlined above, will require further approval by Council.

Advice Notes specific to this approval:

1. 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 1.8 m from any building, and at least 1.8 m from the boundary of the block.

PD31.12	No. 97 (Lots 619-620) Tyrell Street, Nedlands – Proposed Retrospective Side Fence to Single House
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Committee	14 August 2012
Council	28 August 2012

Applicant	Peter Webb & Associates
Owner	Ms Makara Pen
Officer	Matt Stuart – Senior Statutory Planning Officer
Director	Peter Mickleson – Director Planning & Development Services
Director Signature	
File ref	TY1/97-02 : DA12/235 : M12/15720
Previous Item No's	Nil
Disclosure of Interest	No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> .

Dr R Oates, 101 Tyrell Street, Nedlands
(spoke in support of the administration recommendation)

Report PD31.12

Non-Elector

Moved – Councillor Hodsdon
Seconded – Councillor Walker

That Mr Webb, a non-elect of the City be permitted to address the meeting.

**CARRIED 9/1
(Against: Cr. James)**

Mr P Webb, Unit 2, 19 York Street, Subiaco
(spoke against the recommendation)

Report PD31.12

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

Moved – Councillor Walker
Seconded – Councillor James

That the Recommendation to Committee is adopted.

(Printed below for ease of reference)

Put Motion

Moved – Councillor James
Seconded – Councillor McManus

That the motion be put

**PUT MOTION CARRIED 6/3
(Against: Crs. Argyle Porter & Somerville-Brown)
(Abstained: Mayor Hipkins)**

The motion was put and

**CARRIED 9/
(Abstained: Cr. Somerville-Brown)**

Committee Recommendation / Recommendation to Committee

Council refuses an application for a retrospective side fence to a single house at No. 97 (Lot 619-620) Tyrell Street, Nedlands, in accordance with the application and plans dated 12 June 2012, for the following reasons:

- 1. the perspex / plastic material is dangerous by not maintaining adequate sightlines within the 1.5 m truncation area, in accordance with Council Policy 6.19 (Fill and Fencing) clause ‘Fencing Abutting Vehicle Access Points’;**
- 2. the perspex / plastic material is dangerous by not maintaining adequate sightlines within the 1.5 m truncation area, in accordance with *City of Nedlands Fencing Local Law 2007*, clause 14.1 (Maintenance and Protection of Fences);**
- 3. the perspex / plastic material is not a listed material in accordance with the *City of Nedlands Fencing Local Law 2007*, clause 16 (Fencing Materials). Furthermore, the material is not accepted via the discretion of clause 15 (General Discretion of the Local Government) due to it adversely affecting the safety and convenience of the southern neighbour and general public;**


4. the fence has not been finished to an acceptable standard, in accordance with the *City of Nedlands Fencing Local Law 2007*, clause 14.1 (Maintenance and Protection of Fences), namely:
 - a. unfinished paint on the southern side of the lattice;
 - b. bare masonry (maxi-bricks) not being rendered and painted to match the existing fence;
5. the external appearance of the fence adversely affects the amenity of the surrounding area, in accordance with Town Planning Scheme No. 2 (TPS2) clause 5.5.1 (Preservation of Amenity); and
6. the development is not orderly and proper planning, in accordance with Town Planning Scheme No. 2 (TPS2) clause 6.5.1 (Determination by Council).

Advice Notes specific to this proposal:

1. The Notices served upon the landowner in April 2012 remain current. These notices require the landowner to bring the structures into compliance with the previous planning approvals, within specific timeframes which are now overdue.
2. As the obstructed visual sightline is a safety issue for the general public, the landowner is urged to bring the structure into compliance without delay.

PD32.12	Draft Subiaco Wastewater Treatment Plant Odour Buffer Local Planning Policy
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Committee	14 August 2012
Council	28 August 2012

Applicant	N/A
Owner	N/A
Officer	Michael Swanepoel - Senior Strategic Planning Officer
Director	Peter Mickleson - Director Planning & Development Services
Director Signature	
File ref.	TPN/130
Previous Item No's	D61.10
Disclosure of Interest	No officer is involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> .

Councillor Porter & Mr A Melville, Acting Director Technical Services left the room at 8.32 pm.

Regulation 11(da) – Councillors agreed to refer this back to Administration for review and clarification.

Moved – Councillor Shaw
 Seconded – Councillor Somerville-Brown

That the Recommendation to Committee is adopted.
 (Printed below for ease of reference)

Mr A Melville, Acting Director Technical Services returned to the room at 8.34 pm.

Councillor Porter returned to the room at 8.35 pm.

Councillor Hodsdon left the room at 8.36 pm and returned at 8.37 pm.

Mr M Cole, Acting Chief Executive Officer left the room at 8.48 pm and returned at 8.49 pm.

Councillor Walker left the room at 8.50 pm and returned at 8.51 pm.

Put Motion

Moved – Councillor Hodsdon

Seconded – Councillor James

That the motion be put

PUT MOTION Lost 4/5

(Against: Crs. McManus Porter Binks Shaw & Somerville-Brown)

(Abstained: Mayor Hipkins)

The substantive motion was put and

Lost 4/6

(Against: Mayor Hipkins Crs. Porter Binks

Hodsdon Walker & James)

Refer Back

Moved – Councillor James

Seconded – Councillor Walker

That this matter be referred back to Administration for review and clarification of the following:

- 1. Boundary Setbacks;**
- 2. Building Provisions;**
- 3. Buffer Zone;**
- 4. Permitted Uses; and**
- 5. Consultation occurs including the Water Corporation to address points 1-4.**

Councillor McManus left the room at 9.11 pm.

Councillor Binks left the room at 9.12 pm and returned at 9.13 pm.

Councillor McManus returned to the room at 9.14 pm.

CARRIED 6/4

(Against: Crs. McManus Argyle Binks & Shaw)

Committee Recommendation

That this matter be referred back to Administration for review and clarification of the following:

- 1. Boundary Setbacks;**
- 2. Building Provisions;**
- 3. Buffer Zone;**
- 4. Permitted Uses; and**
- 5. Consultation occurs including the Water Corporation to address points 1-4.**

Recommendation to Committee

Council endorses the Draft Subiaco Wastewater Plant Odour Buffer Local Planning Policy for public advertising as per attachment 1.

Brought forward

Moved – Councillor Hodsdon

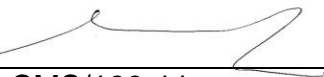
Seconded – Councillor Binks

That Report CM05.12 be brought forward.

CARRIED UNANIMOUSLY 10/-

CM05.12	CSRFF Applications Small Grants Summer Round 2012/13 City of Nedlands and Allen Park Tennis Club
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Committee	14 August 2012
Council	28 August 2012

Applicant	City of Nedlands
Owner	City of Nedlands
Officer	Paul Goodley – Senior Community Development Officer (Recreation)
Director	Marion Granich – A/Director Community & Organisational Development
Director Signature	
File ref	CMS/190-11
Previous Item No's	Nil
Disclosure of Interest	No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> .

Mr M Jones, 23 Swansea Street, Swanbourne
(spoke in support of the recommendation)

Report CM05.12

Ms N Borowicz, Executive Assistant left the room at 9.20 pm and returned at 9.22 pm.

Regulation 11(da) - Councillors agreed to consider a contribution to funding for the Allen Park Tennis Club in the Mid Year Budget Review to emphasise their support of the club.

Moved – Councillor McManus
Seconded – Councillor Binks

Council:

1. **advises the Department of Sport and Recreation that it has ranked and rated the application to the Community Sport and Recreation Facilities Fund Small Grants Summer round 2012/2013 as follows:**
 - a. **City of Nedlands, Highview Park – Irrigation Upgrade: Well planned and needed by the municipality (A Rating); and**

- b. **Allen Park Tennis Club – Clubhouse Renovations: Well planned and needed by the municipality (A Raking).**
- 2. **endorses the above projects as CSRFF applications on the conditions that the applicants:**
 - a. **obtain all necessary approvals, including Council planning and building approval as required; and**
 - b. **receive DSR funding approval and complete the project as per the CSRFF requirements.**
- 3. **contribution to funding for the Allen Park Tennis Club to be listed for consideration in the Mid Year Budget Review.**

The Presiding Member granted an adjournment for 10 minutes for the purposes of a refreshment break.

The meeting adjourned at 9.34 pm and reconvened at 9.44 pm with the following people in attendance:

Councillors	His Worship the Mayor, R M Hipkins	(Presiding Member)
	Councillor L J McManus	Coastal Districts Ward
	Councillor I S Argyle	Dalkeith Ward
	Councillor S J Porter	Dalkeith Ward
	Councillor R M Binks	Hollywood Ward
	Councillor B G Hodsdon	Hollywood Ward
	Councillor K Walker	Hollywood Ward
	Councillor T James	Melvista Ward
	Councillor N Shaw	Melvista Ward
	Councillor M L Somerville-Brown	Melvista Ward

Staff	Mr M Cole	Acting Chief Executive Officer
	Ms D Blake	Acting Director Corporate & Strategy
	Mr P Mickleson	Director Planning & Development Services
	Mr A Melville	Acting Director Technical Services
	Ms M Granich	Director Community & Organisational Development
	Ms N Borowicz	Executive Assistant

Public There were 3 members of the public present.

Press The Post Newspaper representative.

The motion was put and

**CARRIED 8/1
(Against: Cr. Argyle)
(Abstained: Mayor Hipkins)**

Committee Recommendation

Council:

- 1. advises the Department of Sport and Recreation that it has ranked and rated the application to the Community Sport and Recreation Facilities Fund Small Grants Summer round 2012/2013 as follows:**
 - a. City of Nedlands, Highview Park – Irrigation Upgrade: Well planned and needed by the municipality (A Rating); and**
 - b. Allen Park Tennis Club – Clubhouse Renovations: Well planned and needed by the municipality (A Rating).**
- 2. endorses the above projects as CSRFF applications on the conditions that the applicants:**
 - c. obtain all necessary approvals, including Council planning and building approval as required; and**
 - d. receive DSR funding approval and complete the project as per the CSRFF requirements.**
- 3. contribution to funding for the Allen Park Tennis Club to be listed for consideration in the Mid Year Budget Review.**


Recommendation to Committee

Council:

1. advises the Department of Sport and Recreation that it has ranked and rated the application to the Community Sport and Recreation Facilities Fund Small Grants Summer round 2012/2013 as follows:
 - a. City of Nedlands, Highview Park – Irrigation Upgrade: Well planned and needed by the municipality (A Rating); and
 - b. Allen Park Tennis Club – Clubhouse Renovations: Well planned and needed by the municipality (A Rating).
2. endorses the above projects as CSRFF applications on the conditions that the applicants:
 - a. obtain all necessary approvals, including Council planning and building approval as required; and
 - b. receive DSR funding approval and complete the project as per the CSRFF requirements.
3. does not provide financial support to the Allen Park Tennis Club.

PD33.12	Draft North Hollywood Precinct Land Use Strategy
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Committee	14 August 2012
Council	28 August 2012

Applicant	City of Nedlands
Owner	Various
Officer	Strategic Planning Department
Director	Peter Mickleson - Director Planning & Development Services
Director Signature	
File ref.	TPN/127-04
Previous Item No's	Nil
Disclosure of Interest	No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> .

Councillor Walker – Impartiality Interest

Councillor Walker disclosed that she is a resident of the area, 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.

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

Moved – Councillor Shaw
 Seconded – Councillor Binks

That the Recommendation to Committee is adopted.

(Printed below for ease of reference)


CARRIED 6/2
(Against: Mayor Hipkins Cr. Binks)
(Abstained: Crs. Walker & James)

Committee Recommendation / Recommendation to Committee

Endorses the proposed draft North Hollywood Strategy for public consultation.

PD34.12	Sunset Hospital
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Committee	14 August 2012
Council	28 August 2012

Applicant	City of Nedlands
Owner	City of Nedlands
Officer	Peter Mickleson - Director Planning & Development Services
Director	Peter Mickleson - Director Planning & Development Services
Director Signature	
File ref.	M12/16264
Previous Item No's	Nil
Disclosure of Interest	No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> .

Regulation 11(da) – Councillors included subdivision as they believe it to be an important factor of maintaining the integrity of the site.

Moved – Councillor Shaw

Seconded – Councillor Somerville-Brown

That the Council advises the Premier of Western Australia that the City of Nedlands wishes to have the following matters considered in any future use or development of the former Sunset Hospital site.

- 1. Integrity of the Site:**
The whole of the site should be retained as an A Class Reserve in one lot in public ownership, with no subdivision permitted. This would not preclude some parts of the site being leased;
- 2. Public Access:**
It is important that public access is maintained within and through the site including to the reserve adjoining the Swan River. This would not preclude some parts of the site being closed to the public;
- 3. Land Use:**
It is acknowledged that some form of alternative land use is likely to occur in order to allow the site to be available for

public access and that this alternate land use should be sympathetic to the existing amenity of the site and the surrounding neighbourhood;

- 4. Heritage:**
Any buildings that have significant heritage values either in their own right or in combination with other buildings on the site should be retained;
- 5. Site Coverage:**
Site coverage should not exceed that which currently exists in order to maintain the amenity of the site and the surrounding residential neighbourhood;
- 6. Traffic:**
Allowing public access to and use of the site is likely to increase vehicle movements to and from the site. Any other non-public uses of the site should not increase traffic on surrounding streets by more than the vehicle movements that existed when the hospital was in operation; and
- 7. Built Form:**
In general terms the current built form, including maximum heights and setbacks, should not be increased. Council would prefer to see a reduction in building bulk by removing a number of the later additions which connect buildings. This would enhance the amenity of the site by providing view shafts between buildings and from the surrounding neighbourhood through the site.

**CARRIED 9/1
(Against: Cr. Argyle)**

Committee Recommendation

That the Council advises the Premier of Western Australia that the City of Nedlands wishes to have the following matters considered in any future use or development of the former Sunset Hospital site.

- 1. Integrity of the Site:**
The whole of the site should be retained as an A Class Reserve in one lot in public ownership, with no subdivision permitted. This will not preclude some parts of the site being leased;
- 2. Public Access:**
It is important that public access is maintained within and through the site including to the reserve adjoining the Swan River. This would not preclude some parts of the site being closed to the public;
- 3. Land Use:**
It is acknowledged that some form of alternative land use is likely to occur in order to allow the site to be available for public access and that this alternate land use should be sympathetic to the existing amenity of the site and the surrounding neighbourhood;
- 4. Heritage:**
Any buildings that have significant heritage values either in their own right or in combination with other buildings on the site should be retained;
- 5. Site Coverage:**
Site coverage should not exceed that which currently exists in order to maintain the amenity of the site and the surrounding residential neighbourhood;
- 6. Traffic:**
Allowing public access to and use of the site is likely to increase vehicle movements to and from the site. Any other non-public uses of the site should not increase traffic on surrounding streets by more than the vehicle movements that existed when the hospital was in operation; and
- 7. Built Form:**
In general terms the current built form, including maximum heights and setbacks, should not be increased. Council would prefer to see a reduction in building bulk by removing a number of the later additions which connect buildings. This would enhance the amenity of the site by providing view shafts between buildings and from the surrounding neighbourhood through the site.


Recommendation to Committee

That the Council advises the Premier of Western Australia that the City of Nedlands wishes to have the following matters considered in any future use or development of the former Sunset Hospital site.

1. Land Use:
It is acknowledged that some form of alternative land use is likely to occur in order to allow the site to be available for public access and that this alternate land use should be sympathetic to the existing amenity of the site and the surrounding neighbourhood;
2. Public Access:
It is important that public access is maintained within and through the site including to the reserve adjoining the Swan River. This would not preclude some parts of the site being closed to the public;
3. Site Coverage:
Site coverage should not exceed that which currently exists in order to maintain the amenity of the site and the surrounding residential neighbourhood;
4. Building Bulk:
In general terms the current building bulk, including maximum heights and setbacks, should not be increased. Council would prefer to see a reduction in building bulk by removing a number of the later additions which connect buildings. This would enhance the amenity of the site by providing view shafts between buildings and from the surrounding neighbourhood through the site;
5. Heritage:
Any buildings that have significant heritage values either in their own right or in combination with other buildings on the site should be retained; and
6. Traffic:
Allowing public access to and use of the site is likely to increase vehicle movements to and from the site. Any other non-public uses of the site should not increase traffic on surrounding streets by more than the vehicle movements that existed when the hospital was in operation.

PD35.12	Review of the verge parking trial, Smyth Road between Monash Avenue and Verdun Street
----------------	--

Committee	14 August 2012
Council	28 August 2012

Applicant	City of Nedlands
Owner	City of Nedlands
Officer	Luke Marsden – Parking Strategy Coordinator
Director	Peter Mickleson – Director Planning & Development Services
Director Signature	
File ref.	SM1-03
Previous Item No's	Item 7.6 – 2 August 2011
Disclosure of Interest	No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> .

Regulation 11(da) – Councillors agreed to include parking restrictions along Kinninmont Avenue as there are no restrictions at present and when restrictions are placed on Smyth Road and Langham Street then people would move to Kinninmont Avenue to park instead.

Moved – Councillor Binks
 Seconded – Councillor Hodsdon

Council

1. **approves that the six (6) month parking trial restrictions become permanent in:**
 - a. **Smyth Road from Monash Avenue to Verdun Street which provides for two (2) hour parking restriction “2P Monday to Friday 8 am to 5 pm, Verge only” on the eastern side of Smyth Road and that “No Verge Parking” on the western side of Smyth Road; and**
 - b. **Langham Street, between Gordon Street and Karella Street, which provides for two (2) hour parking, “2P Monday to Friday 8 am – 5 pm” restriction on the east side and “No Parking, Monday to Friday 8 am – 5 pm” on the west side;**

parking "2P Monday to Friday 8 am - 5 pm" restriction on east side and "No Parking, Monday to Friday 8 am - 5pm" on the west side

- 2. changes to the respective roads be made to facilitate the parking in accordance with attachment 2 and attachment 3; and**
- 3. refers all project costs for the recommended parking proposal to the 2013/14 budget for consideration.**

Amendment

Moved - Councillor Walker

Seconded - Councillor James

That clause 1 a. be amended as follows:

- a. Smyth Road from Monash Avenue to the chicane which provides for two (2) hour parking restriction "2P Monday to Friday 8 am to 5 pm, Verge only" on the eastern side of Smyth Road and that "No Verge Parking" on the western side of Smyth Road; and**

Councillor Shaw left the room at 10.28 pm and returned at 10.29 pm.

**AMENDMENT CARRIED 5/4
(Against: Crs. McManus Argyle Shaw & Somerville-Brown)
(Abstained: Cr. Porter)**

The substantive motion was put and

**CARRIED 9/1
(Against: Cr. McManus)**

Committee Recommendation

Council

- 1. approves that the six (6) month parking trial restrictions become permanent in:**
 - a. Smyth Road from Monash Avenue to the chicane which provides for two (2) hour parking restriction “2P Monday to Friday 8 am to 5 pm, Verge only” on the eastern side of Smyth Road and that “No Verge Parking” on the western side of Smyth Road; and**
 - b. Langham Street, between Gordon Street and Karella Street, which provides for two (2) hour parking, “2P Monday to Friday 8 am – 5 pm” restriction on the east side and “No Parking, Monday to Friday 8 am – 5 pm” on the west side;**
 - c. Kinninmont Avenue, between Karella Street and Carrington Street, which provides for two (2) hour parking "2P Monday to Friday 8 am - 5 pm" restriction on east side and "No Parking, Monday to Friday 8 am - 5pm" on the west side**
- 2. changes to the respective roads be made to facilitate the parking in accordance with attachment 2 and attachment 3; and**
- 3. refers all project costs for the recommended parking proposal to the 2013/14 budget for consideration.**


Recommendation to Committee

Council

1. approves that the six (6) month parking trial restrictions become permanent in:
 - a. Smyth Road from Monash Avenue to Verdun Street which provides for two (2) hour parking restriction “2P Monday to Friday 8 am to 5 pm, Verge only” on the eastern side of Smyth Road and that “No Verge Parking” on the western side of Smyth Road; and
 - b. Langham Street, between Gordon Street and Karella Street, which provides for two (2) hour parking, “2P Monday to Friday 8 am – 5 pm” restriction on the east side and “No Parking, Monday to Friday 8 am – 5 pm” on the west side;
2. changes to the respective roads be made to facilitate the parking in accordance with attachment 2 and attachment 3; and
3. refers all project costs for the recommended parking proposal to the 2013/14 budget for consideration.

PD36.12	Review of the Proposed Local Law Relating to Parking and Parking Facilities
----------------	--

Committee	14 August 2012
Council	28 August 2012

Applicant	City of Nedlands
Owner	City of Nedlands
Officer	Peter Mickleson – Director Planning & Development Services
Director	Peter Mickleson – Director Planning & Development Services
Director Signature	
File ref.	LEG/003-07/01
Previous Item No's	PD21.12 – 26 June 2012 14.3 – 27 April 2011 T24.10 – 14 December 2010 13.2 - 22 June 2010 7.7 - 18 May 2010 CP41.09 - 13 October 2009 14.2 - 11 August 2009
Disclosure of Interest	No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> .

Mr A Melville, Acting Director Technical Services left the room at 10.46 pm and returned at 10.47 pm.

Councillor Hodsdon left the room at 10.49 pm and returned at 10.51 pm.

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

Moved – Councillor James
Seconded – Councillor Hodsdon

That the Recommendation to Committee is adopted.
(Printed below for ease of reference)

CARRIED 9/-
(Abstained: Cr. Somerville-Brown)


Committee Recommendation / Recommendation to Committee

Council approves the proposed Parking and Parking Facilities Local Law as shown in attachment 1 in accordance with the statutory requirements, Part 3, Division 2, section 3.12 of the *Local Government Act 1995*.

7.2 Technical Services Report No TS17.12

TS17.12	Investigation of Location Options for a Fenced Dog Park South of Stirling Highway
----------------	--

Committee	14 August 2012
Council	28 August 2012

Applicant	City of Nedlands
Owner	City of Nedlands
Officer	Andrew Dickson – Manager Parks Services
Director	Andrew Melville – Acting Director Technical Services
Director Signature	
File ref.	CRS/011-05, CRS/011-04, C08/937, D08/15612
Previous Item No's	Item 15.2 – Council Meeting – 26 August 2008; Item 12.3 Report T1.09 – Council Meeting – 24 February 2009
Disclosure of Interest	No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> .

Regulation 11(da) – Councillors agreed to amend the attached survey to obtain further feedback from local residents.

Moved – Councillor Hodsdon
Seconded – Councillor Binks (pro forma)

That the Recommendation to Committee is adopted subject to the survey being amended as attached.

Councillor Walker left the room at 11.01 pm and returned at 11.02 pm.

Moved – Councillor Hodsdon
Seconded – Councillor Walker

That the meeting continue after 11.00 pm.

CARRIED 8/2
(Against: Crs. Porter & Somerville-Brown)

CARRIED 5/3
(Against: Crs. Argyle James & Shaw)
(Abstained: Crs. Porter & Somerville-Brown)

Committee Recommendation

Council:

- 1. accepts DC Cruickshank Reserve, Nedlands Park and Paul Hasluck Reserve as the three (3) potential locations for investigating the establishment of a fenced dog park south of Stirling Highway;**
- 2. approves the attached amended Survey for distribution to residents surrounding the three (3) potential locations to ascertain the level of community support for such a facility; and**
- 3. requests that Administration report back to Council with the results of the survey and its investigations, together with a recommendation for the progression and location of a fenced dog park south of Stirling Highway.**

Recommendation to Committee

Council:

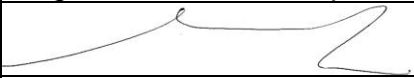
1. accepts DC Cruickshank Reserve, Nedlands Park and Paul Hasluck Reserve as the three (3) potential locations for investigating the establishment of a fenced dog park south of Stirling Highway;
2. approves the attached Survey for distribution to residents surrounding the three (3) potential locations to ascertain the level of community support for such a facility; and
3. requests that Administration report back to Council with the results of the survey and its investigations, together with a recommendation for the progression and location of a fenced dog park south of Stirling Highway.

7.3 **Community & Organisational Development No's CM05.12 to CM06.12**

Please note: This item was brought forward. (Please see page 20)

CM05.12	CSRFF Applications Small Grants Summer Round 2012/13 City of Nedlands and Allen Park Tennis Club
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Committee	14 August 2012
Council	28 August 2012

Applicant	City of Nedlands
Owner	City of Nedlands
Officer	Paul Goodley – Senior Community Development Officer (Recreation)
Director	Marion Granich – A/Director Community & Organisational Development
Director Signature	
File ref	CMS/190-11
Previous Item No's	Nil
Disclosure of Interest	No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> .

PLEASE NOTE: This Item has been withdrawn

CM06.12	MOU – City of Nedlands and Rotary – All Abilities Play Space, Beaton Park
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Committee	14 August 2012
Council	28 August 2012

Applicant	City of Nedlands
Owner	City of Nedlands
Officer	Marion Granich – A/Director Community & Organisational Development
Director	Marion Granich – A/Director Community & Organisational Development
Director Signature	
File ref	CMS/591
Previous Item No's	Nil
Disclosure of Interest	No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> .

7.4 Corporate & Strategy Report No's CP32.12 to CP37.12

CP32.12	Monthly Financial Report – June 2012
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Committee	14 August 2012
Council	28 August 2012

Applicant	City of Nedlands
Owner	City of Nedlands
Officer	Rajah Senathirajah – Manager Finance
Director	Darla Blake – A/Director Corporate & Strategy
Director Signature	
File ref.	Fin/072-17
Previous Item No's	Nil
Disclosure of Interest	No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> .

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

Moved – Councillor Binks
 Seconded – Councillor McManus

That the Recommendation to Committee is adopted.
 (Printed below for ease of reference)


CARRIED 7/-
(Abstained: Crs. Porter Hodsdon & Walker)

Committee Recommendation / Recommendation to Committee

Council receives the Monthly Financial Report for June 2012.
(Refer to Attachments)

CP33.12	Investment Report – June 2012
----------------	--------------------------------------

Committee	14 August 2012
Council	28 August 2012

Applicant	City of Nedlands
Owner	City of Nedlands
Officer	Rajah Senathirajah – Manager Finance
Director	Darla Blake – A/Director Corporate & Strategy
Director Signature	
File ref.	Fin/071-07
Previous Item No's	Nil
Disclosure of Interest	No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> .

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

Moved – Councillor Binks
 Seconded – Councillor McManus

That the Recommendation to Committee is adopted.
 (Printed below for ease of reference)


CARRIED 9/-
(Abstained: Cr. Walker)

Committee Recommendation / Recommendation to Committee

Council receives the Investment Report for the period ended 30 June 2012 (refer to attachment).

CP34.12	List of Accounts Paid – June 2012
----------------	--

Committee	14 August 2012
Council	28 August 2012

Applicant	City of Nedlands
Owner	City of Nedlands
Officer	Rajah Senathirajah – Manager Finance
Director	Darla Blake – A/Director Corporate & Strategy
Director Signature	
File ref.	Fin/072-17
Previous Item No's	Nil
Disclosure of Interest	No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> .

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

Moved – Councillor Binks
 Seconded – Councillor Shaw

That the Recommendation to Committee is adopted.
 (Printed below for ease of reference)


CARRIED 9/-
(Abstained: Cr. Walker)

Committee Recommendation / Recommendation to Committee

Council receives the List of Accounts Paid for the month of June 2012. (Refer to Attachment)

CP35.12	Policy and Delegation Review
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Committee	14 August 2012
Council	28 August 2012

Applicant	City of Nedlands
Owner	City of Nedlands
Coordinator	Phoebe Huigens – Acting Coordinator Corporate & Strategy
Director	Darla Blake – A/Director Corporate & Strategy
Director Signature	
File ref	CRS/055
Previous Item No's	Nil
Disclosure of Interest	No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> .

Regulation 11(da) – Councillors agreed to refer back “Rights Of Way – Upgrading” Policy for further work.

Moved – Councillor Walker
 Seconded – Councillor Porter

1. **Council revokes the following policies to be combined in the new Council Provided Grants, Subsidies & Donations policy:**
 - a. **Donations – Policy 3.60;**
 - b. **Nedlands Primary Schools & Pools – Policy 10.28;**
 - c. **Sponsorship of Youth Initiatives Fund – Policy 10.18;**
 - d. **Subsidies & Donations – League of Home Help – Policy 10.29;**
 - e. **Community Grants (approved 26 October 2010); and**
 - f. **Subsidy for the Sterilisation of Domestic Cats (approved 14 December 2010)**

2. **Council approves the following policies:**
 - a. **Council Provided Grants, Subsidies & Donations; and**
 - b. **Social Media**

3. **Refers back the following policy:**
 - a. **Rights Of Way – Upgrading**

4. **Council revokes the following delegations:**
 - a. **3C – Requests for Financial Assistance;**
 - b. **10E – Community Grants; and**
 - c. **10F – Sponsorship of Youth Initiatives Fund**

5. **Council approves the following amended delegation:**

Council Provided Grants, Subsidies & Donations:

 - **Request for Financial Assistance;**
 - **Community Grants; and**
 - **Sponsorship for Youth Initiatives**

CARRIED 6/3
(Against: Crs. McManus Hodsdon & Shaw)
(Abstained: Cr. James)

Committee Recommendation

1. **Council revokes the following policies to be combined in the new Council Provided Grants, Subsidies & Donations policy:**
 - a. **Donations – Policy 3.60;**
 - b. **Nedlands Primary Schools & Pools – Policy 10.28;**
 - c. **Sponsorship of Youth Initiatives Fund – Policy 10.18;**
 - d. **Subsidies & Donations – League of Home Help – Policy 10.29;**
 - e. **Community Grants (approved 26 October 2010); and**
 - f. **Subsidy for the Sterilisation of Domestic Cats (approved 14 December 2010)**

2. **Council approves the following policies:**
 - a. **Council Provided Grants, Subsidies & Donations; and**
 - b. **Social Media**

3. **Refers back the following policy:**
 - a. **Rights Of Way – Upgrading**

4. **Council revokes the following delegations:**
 - a. **3C – Requests for Financial Assistance;**
 - b. **10E – Community Grants; and**
 - c. **10F – Sponsorship of Youth Initiatives Fund**

5. Council approves the following amended delegation:

Council Provided Grants, Subsidies & Donations:

- Request for Financial Assistance;
- Community Grants; and
- Sponsorship for Youth Initiatives

Recommendation to Committee

1. Council revokes the following policies to be combined in the new Council Provided Grants, Subsidies & Donations policy:
 - a. Donations – Policy 3.60;
 - b. Nedlands Primary Schools & Pools – Policy 10.28;
 - c. Sponsorship of Youth Initiatives Fund – Policy 10.18;
 - d. Subsidies & Donations – League of Home Help – Policy 10.29;
 - e. Community Grants (approved 26 October 2010); and
 - f. Subsidy for the Sterilisation of Domestic Cats (approved 14 December 2010)

2. Council approves the following policies:
 - a. Council Provided Grants, Subsidies & Donations; and
 - b. Social Media
 - c. Rights Of Way – Upgrading

3. Council revokes the following delegations:
 - a. 3C – Requests for Financial Assistance;
 - b. 10E – Community Grants; and
 - c. 10F – Sponsorship of Youth Initiatives Fund


4. Council approves the following amended delegation:

Council Provided Grants, Subsidies & Donations:

 - Request for Financial Assistance;
 - Community Grants; and
 - Sponsorship for Youth Initiatives

CP36.12	Review of Wards and Representation
----------------	---

Committee	14 August 2012
Council	28 August 2012

Applicant	City of Nedlands
Owner	City of Nedlands
Officer	Phoebe Huigens
Director	Darla Blake, A/Director Corporate and Strategy
Director Signature	
File ref.	BND/001-03
Previous Item No's	CP01.12
Disclosure of Interest	No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> .

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

Moved – Councillor Binks
 Seconded – Councillor Hodsdon

That the Recommendation to Committee is adopted.
 (Printed below for ease of reference)


CARRIED 8/-
(Abstained: Crs. Walker & James)

Committee Recommendation / Recommendation to Committee

Council resolves to retain current ward boundaries and representation.

CP37.12	Dogs Local Law 2012
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Committee	14 August 2012
Council	28 August 2012

Applicant	City of Nedlands
Owner	City of Nedlands
Officer	Phoebe Huigens
Director	Darla Blake, Director Corporate and Strategy
Director Signature	
File ref.	LEG/024
Previous Item No's	N/A
Disclosure of Interest	No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> .

Please note that under section 3.12(2) of the *Local Government Act 1995*, the Presiding Officer is to read aloud the purpose and effect of the proposed local law.

Purpose: The purpose of the local law is to provide for the regulation, control and management of dogs and issues relating to dogs within the municipality.

Effect: The effect of the local law is to control activities and manage dogs within the municipality.

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

Moved – Councillor Walker
 Seconded – Councillor Shaw

That the Recommendation to Committee is adopted.
 (Printed below for ease of reference)

CARRIED UNANIMOUSLY 10/-

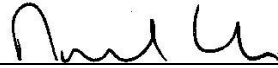
Committee Recommendation / Recommendation to Committee

Council adopts the proposed *City of Nedlands Dogs Local Law 2012* as contained in Attachment 1.

8. Reports by the Chief Executive Officer

8.1 Negotiation Process for City Of Nedlands Membership of the WMRC

Committee	14 August 2012
Council	28 August 2012

Applicant	City of Nedlands
Owner	City of Nedlands
Acting CEO	Michael Cole A/CEO
Acting CEO Signature	
File ref.	ORN/016-21
Previous Item No's	TS11.12 - 26 June 2012
Disclosure of Interest	No officer involved in the preparation of this report had any interest which required it to be declared in accordance with the provisions of the <i>Local Government Act (1995)</i> .

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

Moved – Councillor Hodsdon

Seconded – Councillor Shaw

- 1. Council endorse the process and proposed timeline for the negotiations between the City of Nedlands and the Western Metropolitan Regional Council (WMRC) member Councils for membership of the WMRC; and**
- 2. Councillor McManus, Councillor Binks and the Acting Chief Executive Officer be appointed as the City of Nedlands representatives on the Core Negotiating Group.**

CARRIED UNANIMOUSLY 10/-

Committee Recommendation

- 1. Council endorse the process and proposed timeline for the negotiations between the City of Nedlands and the Western Metropolitan Regional Council (WMRC) member Councils for membership of the WMRC; and**
- 2. Councillor McManus, Councillor Binks and the Acting Chief Executive Officer be appointed as the City of Nedlands representatives on the Core Negotiating Group.**

Recommendation to Committee

1. Council endorse the process and proposed timeline for the negotiations between the City of Nedlands and the Western Metropolitan Regional Council (WMRC) member Councils for membership of the WMRC; and
2. _____ ; _____ and the A/Chief Executive Officer be appointed as the City of Nedlands representatives on the Core Negotiating Group.

Purpose

The purpose of this report is to seek Council endorsement of the negotiation process and proposed timeline for membership of the WMRC and to appoint 2 elected members and the Acting Chief Executive Officer as the Council's representatives on the Core Negotiating Group.

Strategic Plan

KFA 5: Governance

- 5.6 Ensure compliance with statutory requirements and guidelines.
- 5.7 Provide Elected Members and Staff with training to assist them in complying with their legislative and implied roles and responsibilities.
- 5.8 Establish and actively manage a range of partnerships with government, private and not-for-profit sectors.

KFA 7: Economic Development

- 7.3 Work collaboratively with WESROC and State Government agencies in developing and implementing regional strategies.

Background

At its meeting on 26 June 2012, Council resolved that:

Council:

1. Enters into negotiations with the WMRC; and
2. Negotiations are completed and reported back to Council by 31 December 2012.

The Western Metropolitan Regional Council (WMRC) has as its member Councils the Town of Claremont, Town of Cottesloe, Town of Mosman Park, Shire of Peppermint Grove and City of Subiaco. The

WMRC operates the Waste Transfer Station at Brockway Road in Shenton Park, as well as providing waste education services on behalf of the members and the City of Nedlands (the City).

The WMRC was formed in 1989 from a predecessor organisation, the Refuse Disposal Zone (“the Zone”) which ran the Brockway Tip. The City was a member of the Zone and withdrew from the Zone upon closure of the Brockway Tip at the end of 1990.

On withdrawing from the Zone, the City also withdrew its proportion of the Zone’s equity. The City has not joined the WMRC since, and has disposed of its waste at a range of sites including the Brockway Waste Transfer Station for many years now.

All WMRC member Councils have endorsed the commencement of negotiations with the City in relation to membership of the WMRC.

Proposal Detail

The proposal involves the City entering into negotiations for its membership of the WMRC. All WMRC member Councils have agreed to the negotiation process and proposed timeline. Should the City wish to proceed, Council will be required to endorse the negotiation process and proposed timeline and appoint 2 elected members and the Acting Chief Executive Officer as the Council’s representatives on the Core Negotiating Group.

The negotiation process and proposed timeline are attached to this report.

Consultation

Required by legislation: Yes No

Required by City of Nedlands policy: Yes No

Consultation type:

It is proposed to appoint 2 elected members and the Acting Chief Executive Officer as the City representatives on the Core Negotiating Group. The City representatives will consult with and report back to Council as required.

Legislation

The establishment of regional local governments, including the requirements for a constitution, an establishment agreement and related matters in covered in Division 4 – Regional Local Governments of the *Local Government Act 1995*. ie Sections 3.61 to 3.68.

Budget/financial implications

Budget:

Within current approved budget: Yes No

Requires further budget consideration: Yes No

Financial:

The negotiations will incur legal and facilitation costs. The negotiations may also incur costs to value the WMRC. The WMRC has agreed to cover all costs associated with the negotiations.

Any additional advice, including independent legal advice that may be sought by the City of Nedlands will not be covered by the WMRC.

One of the ultimate outcomes of the negotiations will be a proposed equity contribution payable by the City. The membership contribution could range from no cost to potentially \$3 million.

Risk Management

By joining the WMRC, the City of Nedlands will have access to a governance structure that can achieve strong regional projects for the benefit of the western suburbs as a whole. This in turn will enable the City to more effectively and efficiently deliver ratepayers services that are common to the region.

Discussion

All WMRC Councils have endorsed the commencement of negotiations. However, further thought needed to be given to how the negotiations are to be conducted. It was initially envisaged that the WMRC CEO negotiate with the City's Acting CEO, and seek endorsement of the negotiated outcome from the WMRC member Councils and this Council.

The WMRC CEO has since discussed the process for negotiation with the Acting CEO and the CEOs of all other WMRC member Councils. These discussions have led to a more structured process in which all Councils are involved in the negotiations, and in particular, where the negotiations include elected members.

A structured process reduces the risk of an iterative process where an outcome, ostensibly agreed by the WMRC CEO and the City's Acting CEO, is rejected upon consideration at one or more of the Councils. Whilst an iterative process might eventually reach a negotiated outcome, it is unlikely to do so before 31 December 2012.

The proposed process is contained in Attachment 1, and uses the services of an external facilitator to work with all of the Councils to draw out goals, concerns, alternatives and relationships associated with the negotiation. The facilitator then manages the negotiation.

A core negotiating group of six is proposed for the negotiation, with three from the City of Nedlands and three representing the WMRC member Councils. It is recommended that the three representatives for the City be the Acting CEO and two elected members, with the elected members being both experienced in such negotiations and able to maintain strong lines of communication back to Council.

The first step in the process is for all Councils to endorse the proposed process and nominate representatives to the member Council liaison group. To achieve the nominated timeframe, this needs to be completed by the end of August.

Conclusion

The City of Nedlands and all WMRC members Councils are being asked to endorse the negotiation process and proposed timeline so that negotiations can commence. Council's endorsement of the negotiation process and proposed timeline and appointment of two elected members and the Acting Chief Executive Officer to the Core Negotiating Group is recommended.

Attachments

1. WMRC negotiation process and proposed timeline

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

Nil.

- 10. Confidential Items**

Nil.

Declaration of Closure

There being no further business, the Presiding Member declared the meeting closed at 11.18 pm.

Attachment to Item 7.2

Committee 14 August 2012

**TS17.12 - Investigation of Location Options for a Fenced Dog Park South of
Stirling Hwy**

Amended Survey

The City of Nedlands is investigating establishing a fenced dog park in one of its reserves south of Stirling Highway. The facility would be comparable to the fenced dog park (Carrington Park) north of Stirling Highway on the corner of Carrington St and Broome St, Nedlands. As part of its investigations, the City is surveying local residents living south of Stirling Highway on their level of support for such a facility. The survey has been designed to be completed within 5 minutes. Please answer the questions below by ticking one box for each question.

1. Do you own a dog?

Yes

No (go to question 5)

2. Is your dog a guide dog registered for assisting people who are blind?

Yes

No

3. Do you exercise your dog?

Yes

No (go to question 5)

4. Where do you exercise your dog?

Local Park Local Area Wider District Other

5. How would you rate the need for a fenced dog park south of Stirling Highway?

Very Low Low Neutral High Very High Unsure

6. If you own a dog or are thinking of getting one, would you use this facility if provided or an alternative?

Yes

No

Alternative

7. Do you have a preferred location for the proposed dog park? (please circle)

(a) David Cruickshank Reserve – Beatrice Rd

(b) Nedlands Park – Bruce Street

(c) Paul Hasluck Reserve, Esplanade

(d) No preference

If you wish to comment on any other aspect of the City establishing a fenced dog park within a reserve south of Stirling Highway, please do so below. Add more pages if you wish to.

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Thank you for taking the time to complete this survey.
Please place and return it to the City of Nedlands in the pre-paid envelope provided.

Attachment to Item 8.1

Committee 14 August 2012

Negotiation Process for City of Nedlands Membership of the WMRC

1 Setting the scene

1.1 Presentation

Each Council to receive a presentation from WMRC Administration that sets out:

- History
- Current Establishment Agreement
- WMRC Strategic Direction
- Explanation of DiCOM
- The process to be taken in negotiations

1.2 Workshop

Externally facilitated workshop with each Council to document the parameters for negotiation. Purpose is to clarify what Councils would like from the negotiation, to identify obstacles and rapidly come to common ground that is likely to gain agreement from all parties.

Structure in terms of:

- **Goals.** What does the Council want to achieve through the negotiation? What would you like to see the WMRC achieve?
- **Concerns.** What worries you about the negotiation? What do you want to avoid as an outcome? What worries you about the WMRC?
- **Alternatives.** If we can't agree on membership, what alternatives do you have? Are these alternatives good or bad? Does it matter if we can't reach agreement? Does failure to reach agreement cut you out of future agreements?
- **Relationships.** What is our history together like? How do we deal with this history?

This information will be useful for representatives empowered to negotiate terms.

1.3 DiCOM tour

All Councillors to be offered a tour of DiCOM, preferably guided by key figures from AnaeCo (perhaps Patrick Kedemos, CEO and MD of AnaeCo)

1.4 Facilitator

Facilitator to be appointed and paid for by the WMRC. Facilitator preferably independent from all of the participants, and where this is not possible, to clearly state previous work.

1.5 Valuation

WMRC has engaged AVP Valuers to value the WMRC assets on the basis of fair market value (assets are currently valued on historical cost). This valuation could be useful in the context of the negotiation.

2 Negotiations

2.1 Decision making

The negotiations are governed by two key considerations:

1. Formally, each member Council and Nedlands needs to individually endorse the negotiated outcome, as each Council individually signs the new Establishment Agreement.
2. The decision to endorse the negotiated outcome is made at each Council, where most of the Councillors will not have the depth of understanding of how the negotiations progressed.

Care must be taken in the negotiations to avoid these two elements leading to the negotiations being “hijacked” by a small group of Councillors within a single Council. Rules on how to agree on an outcome need to be set early. Councils need to be kept abreast of the negotiations as they occur.

2.2 Member Council liaison group

The negotiation group will need regular liaison back to member Councils to confirm negotiating positions. Suggest a liaison group comprised of:

- Three representing each of the member Councils
- Each member Council should be represented by two Councillors and the CEO.
- Might be worthwhile having each Mayor/President on the liaison group

2.3 Core negotiating group

To expedite negotiations, form a core negotiating group of six. Comprised of:

- Three representing the member Councils (as a group), to be selected from liaison group.
- Three representing Nedlands.
- Each group should be two Councillors and a CEO.

Members should be sufficiently empowered and trusted by their respective groups.

Negotiation to be facilitated externally, with negotiations to be completed in an intensive period of 2-3 meetings over a period of 2-3 weeks. Administration of the negotiating group to be conducted by WMRC CEO, who will also answer questions on relation to the implications of negotiated points for the operation of the WMRC. The WMRC CEO will not participate in negotiations.

2.4 Reaching agreement

As negotiations get closer to agreement, it may be wise to consolidate the two groups to be sure that there are no outstanding issues to resolve. This will provide each of the member Councils the opportunity to verify the negotiations against their own expectations.

2.5 Converting

Attention must be given to converting the negotiated outcome, ultimately a consensus of representatives of each Council, into agreement at each Council. Conversion cannot be assured, especially if some representatives are seen as having “betrayed” their Council’s wishes.

Conversion will be assisted by the external facilitator speaking to the negotiated outcome when it comes to each Council, potentially by presenting at committee. The WMRC CEO might assist here.

3 Timelines

3.1 End date

The Nedlands resolution requires the outcome of negotiations to be presented for consideration by 31 December 2012. The latest meeting to achieve this end date will be held on 11 December 2012, with committee on 4 December 2012 and agendas closing in mid November.

3.2 Council meetings

All Councils with the exception of the WMRC have their Council meetings in the last week of the month, and a committee meeting either one or two weeks prior. The Town of Claremont has a Council meeting two weeks prior in lieu of a committee meeting. The Town of Cottesloe has its meeting on the Monday, and all others have their meetings on the Tuesday. To make each agenda, a report needs to be ready very early in the month, typically within the first week of the month.

The WMRC has a meeting every two months, with the meeting being on the first Thursday of the month. Remaining WMRC meetings before the end date are in August, October and December.

3.3 Indicative sequencing

Month	Activity
July	<ul style="list-style-type: none">• All CEOs agree to broad process and commit to proposed timeline• WMRC accepts quotations for facilitator• Commence drafting of amended Establishment Agreement
August	<ul style="list-style-type: none">• WMRC presentations on process to Councils• All Councils agree to process and nominate participants for liaison group (negotiating group in the case of Nedlands)• Facilitator appointed
September	<ul style="list-style-type: none">• Council workshops• Negotiations conducted
October	<ul style="list-style-type: none">• Negotiations conclude, liaison and negotiating groups consolidated to ensure agreement• Complete drafting of deed of membership and amended Establishment Agreement• Update reports on negotiations to respective Councils, intended to draw out any further concerns at Council level
November	<ul style="list-style-type: none">• Resolve outstanding issues raised at Council meetings• Finalise legal drafting• Final proposed negotiated agreement considered by all Councils
December	Float month – used if necessary

After the Councils agree, the amended Establishment Agreement is sent to the Minister for Local Government for his endorsement.