



City of Nedlands

# ***Minutes***

## ***Council Meeting***

***22 March 2011***

### ***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 Tuesday 22 March 2011 at 7.00 pm.

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#### Declaration of Opening

The Presiding Member declared the meeting open at 7.00 pm and drew attention to the disclaimer below.

The Presiding Member congratulated Ms Darla Blake, the new Director Community & Strategy on her appointment and wished her well at the City.

(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)

<b>Councillors</b>	Her Worship the Mayor, S A Froese	(Presiding Member)
	Councillor N B J Horley	Coastal Districts Ward
	Councillor K A Smyth	Coastal Districts Ward
	Councillor I S Argyle	Dalkeith Ward
	Councillor R M Hipkins	Dalkeith Ward
	Councillor M S Negus	Dalkeith Ward
	Councillor J D Bell	Hollywood Ward
	Councillor R M Binks	Hollywood Ward
	Councillor B G Hodsdon	Hollywood Ward
	Councillor I Tan	Melvista Ward
	Councillor B Tyson	Melvista Ward

<b>Staff</b>	Mr GT Foster	Chief Executive Officer
	Ms C Eldridge	Director Development Services
	Mr M Cole	Director Corporate Services
	Mr I Hamilton	Director Technical Services
	Ms D Blake	Director Community & Strategy
	Ms S Love	Executive Assistant

**Public** There were 21 members of the public present, including 3 staff members.

**Press** The Post Newspaper representative (from 7.11 pm to 8.22 pm).

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

**Apologies**                      Councillor M L Somerville-Brown                      Melvista Ward  
    Councillor K E Collins                                      Coastal Districts Ward

**Absent**                      Nil.

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## **1. Public Question Time**

### **1.1 Responses to previous questions from members of the public taken on notice**

Moved – Councillor Negus  
Seconded – Councillor Bell

**That the following question tabled by Mr M Cross (Item 1.1.1), together with answers from Administration, is taken as having been read to the meeting due to it having been included in the meeting agenda and hard copies circulated in the public gallery.**

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

**1.1.1 Mr M Cross – 20 Loftus Street, Nedlands - Sump reinstatement at 22 Loftus Street, Nedlands**

At the Council meeting on 22 February 2011, Mr G Foster, Chief Executive Officer, on behalf of Mr M Cross of 20 Loftus Street, Nedlands tabled the following two questions in relation to Item 18.1 - Extreme Storm Event on 22 March 2010 and Strategy for Sump Rationalisation on Loftus Street and Napier Street, Nedlands.

Question 1

Regarding item 18.1 of the agenda, when will work commence on sump reinstatement at 22 Loftus Street?

Answer 1

City will commence works on the sump reinstatement after Council has approved the project in the proposed 2011/12 budget.

Question 2

Does the reinstatement work include retaining walls to retain the soil which was filled in 2005 to a higher level than the ground level in adjacent properties?

Answer 2

A detailed analysis/design will be undertaken by a Drainage Design Engineer. Until this has been completed the City is not able to advise if the design will include a retaining wall.

**1.2 Public Question Time**

**1.2.1 Mr K Eastwood – 7 Alexander Place, Dalkeith – 2030 Community Visioning Project Outcomes Report**

Mr G Foster, Chief Executive Officer, on behalf of Mr K Eastwood, Chairman Nedlands Electors Association Inc of 7 Alexander Place, Dalkeith tabled the following five questions in relation to Report CM02.11 - 2030 Community Visioning Project Outcomes Report.

Question 1

The City of Nedlands publication CITY NEWS Autumn 2011 notes that at the 2030 Conference on Saturday 5 February 2011 there were 100 participants in attendance. The report under consideration for Council acceptance this evening, attachment 1, draws its statistics from no more than 78 votes on any subject. This has led to incorrect percentage voting of all items mentioned in the 8 page document.

For example item 1 records the percentage in favour as 94.80% by combining the "strongly support (75.32%)" and "support (19.48%)" categories. If 100 persons were in attendance then 23 of those attendees have failed to vote on the subject which therefore results in the voting in support as 73% (58% and 15%) not 94.80%. The remainder of the percentages reported for each of the 40 questions examined are, likewise, also incorrect on the same basis.

Please confirm whether there were 100 conference participants as noted in the Autumn edition of City News?

#### Question 2

The report states that at Stage 1 - Gathering Information - consisted of the following consultation opportunities (17 listed). Included in the 17 sources listed are the following:

- Family Fun Day
- Children's Art Competition
- Mt Claremont Markets Consult
- Library Christmas Party Consult
- Shenton College Concert
- 4 Sure Youth Festival
- 2 Full page newspaper ads

Please outline how each of these sources provided any sort of meaningful, measurable feedback?

#### Question 3

Whilst it may be true that over 2,100 persons submitted 8,500 separate items of information, many of which will have been overlapping, duplicated or repeated or of very little value, the end analysis now provided has been the result of opinions given by just 100 (or less) selected participants in the one day conference.

Given that the population of the City is 22,400 persons how can a response from 100 participants (0.45 of 1%), or less, be considered to be the basis of a future Strategic Plan?

#### Question 4

The report contains a number of "motherhood statements" such as "We will live sustainably within the natural environment", "We will live in a beautiful place", "Many people will walk or cycle to their local community hub", "Our gardens, streets and parks will be leafy and green despite water restrictions", "A state of the art public and private urban transport system", and "Easy access to local shops, businesses, markets, community centres, libraries and parks". Who is going to say they don't support wider bike paths, later opening coffee shops, cleaner



discharge into the Swan, faster planning processes, more efficient use of water, etc.?

How can achievement of such a subjective wish list be measured?

Question 5

Of the 40 questions analysed over the 8 page Attachment 1, a number are repetitive i.e. re cycle paths, and increased density around civic and commercial hubs.

Will feedback be refined to grade items as to relevance?

The questions were taken on notice and will be answered in writing, and both the questions, together with the answers, will be included in the agenda and minutes of the next ordinary Council meeting scheduled for 27 April 2011.

**1.2.2 Ms H Leeder - 3 Cuthbert Street, Shenton Park - Proposal for a temporary parking facility to be located at Highview Park**

Mr G Foster, Chief Executive Officer, on behalf of Ms H Leeder of 3 Cuthbert Street, Shenton Park tabled the following 3 questions in relation to the proposal for a temporary parking facility to be located at Highview Park.

Question 1

Will the Mayor confirm that, as a Class A Reserve, the vested use of Highview Park is for Recreation, and that changing the usage will involve both Houses of State Parliament?

Question 2

Will the Mayor inform this meeting which Ministers will be involved in making this decision?

Question 3

Will the Mayor use Thursday's information session to advise residents of the State's proposal and intended plan of action, as must have been outlined to the CEO?

The questions was taken on notice and will be answered in writing, and both the questions, together with the answers, will be included in the agenda and minutes of the next ordinary Council meeting scheduled for 27 April 2011.

**1.2.3 Mr C Latchem - 2 Sherwood Road, Dalkeith – Amalgamation with the City of Subiaco**

Mr G Foster, Chief Executive Officer, on behalf of Mr C Latchem of 2 Sherwood Road, Dalkeith tabled the following six questions in relation to an amalgamation with the City of Subiaco.

Question 1

What specific qualifications, professional expertise and experience in business planning, strategic planning, and capital works planning, asset management, and the legal, management and financial aspects of local government can be evidenced by the Nedlands Council's representatives on the RTG Board?

Question 2

If the Business Plan put forward by KPMG does appear to be favourable to amalgamation between Nedlands and Subiaco, what steps will have been taken to ensure that the outcomes are significantly more favourable than through a possible merger between Nedlands and any other neighbouring Council - for example with Claremont, something which, in a fully and well-researched 188-page 2009 document, Nedlands Council previously advocated?

Question 3

Not only did Nedlands Council advocate amalgamation with Claremont in this extensive document, but it stated on page 34 that, 'The City of Nedlands also believes that there are not sufficient synergies or common communities of interest with Subiaco "proper" to warrant pursuit of a full amalgamation with the City of Subiaco'. These findings are less than two years old. What factors have changed since that time?

Question 4

The Exploring the Potential website states that the purpose of the community visioning projects undertaken by each council are to ascertain if there is commonality between the values and vision for each community [italics added].

- Why then does the Autumn 2011 City News only state that the community workshops will be written up as a draft Community Plan and shared vision for the City of Nedlands [italics added]. Why is it not explicitly stated that the community visioning workshops were in fact part of the amalgamation process?
- Was the fact that this was the prime aim of these workshops made quite clear to all of the participants in the four community workshops?

- What conclusions, for or against any merger with Subiaco or any other Council, can be derived from the generalities in the four main themes and the 'shared vision' statement resulting from this expensive exercise?
- Is Subiaco the only other local government area in the western suburbs where people desire to 'live sustainably . . . from "cradle to grave" . . . in a diverse community . . . that is vibrant, safe and inclusive', etc?

#### Question 5

The RTG Board website states that once the feasibility study has been completed and endorsed by the Department of Local Government, 'the plan' will be considered by each council to decide whether a merger is best for its community. It also states that if either council does not endorse the feasibility study at this stage, the merger will not proceed. What steps will the Council take to make sure that all of the strengths, weaknesses, opportunities and threats of a possible merger are fully spelled out to all of the Nedlands ratepayers so that they can consider these and make their views known to their elected representatives before they vote on endorsement of the Regional Business Plan?

#### Question 6

The Exploring the Potential website states that 'other councils in Western Australia that have amalgamated have reported the following benefits' of a merger. The source of this 'evidence' is not cited. One assumes that these derive from proposals for amalgamation by the Shires of Mingenew, Morawa, Perenjori and Three Springs in one case, and an MOU between the City of Geraldton-Greenough and the Shire of Mullewa in the second.

- Might it not be have been more intellectually honest to explain the source of these 'findings', and to acknowledge that the needs and conditions within these non-metropolitan areas might be significantly different from those pertaining in Perth?
- Might it have been more in keeping the Council's claims of 'transparency' to have also asked and answered the question, 'What are the cons for any merger between Nedlands and Subiaco' citing, for example, eastern States findings that there are no cost benefits in amalgamating local authorities?
- What costing and other studies have been carried out in regard to amalgamations – and de-amalgamations - in the other States?

#### Question 7

Would the Mayor accept that the ratepayers are being kept in the dark over the ruling that unless more than 50% of the electorate actually vote against any proposed merger (a special condition applying to the

RTG process that does not apply generally in the Local Government Law Act), any poll will be nullified and amalgamation will then proceed without any evidence of majority approval on the part of the electorate? Would the Mayor agree that this is a fundamentally undemocratic process?

The questions were taken on notice and will be answered in writing, and both the questions, together with the answers, will be included in the agenda and minutes of the next ordinary Council meeting scheduled for 27 April 2011.

## 2. Addresses by Members of the Public

Addresses by members of the public who had completed Public Address Session Forms were made at this point.

### Non-Elector

Moved – Councillor Tyson

Seconded – Councillor Negus

**That Ms R McAulay and Mr S Allarding, non-electors of the City be permitted to address the meeting.**

**CARRIED UNANIMOUSLY 11/-**

Ms R McAulay, 152-158 St Georges Tce, Perth Report D16.11  
(Spoke in opposition to the application)

Mr S Allarding, 125 Hamersley Rd, Subiaco Report D16.11  
(Spoke in opposition to the recommendation)

The Presiding Member granted Mr Allarding an additional minute to conclude his public address.

Mr R Steele, 78 Brookdale St, Floreat Report D16.11  
(Spoke in opposition to the recommendation)

Ms C Zorzi, 57 Esplanade, Nedlands Report D25.11  
(Spoke in opposition to the application)

The Presiding Member granted Ms Zorzi and additional 2 minutes to conclude her public address.

Mr C R Matson, 116 Waratah Ave, Dalkeith Report CM02.11  
(Spoke in support of the proposal)

**3. Requests for Leave of Absence**

Nil.

**4. Petitions**

Nil.

**5. 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 was discussed.

**5.1 Mayor Froese – Item 13.3 - Attendance at 2011 National General Assembly of Local Government (NGA)**

Mayor Froese disclosed a financial interest in Item 13.3 - Attendance at 2011 National General Assembly of Local Government (NGA), her interest being that it relates to payment for her travel expenses. She advised that she would leave the meeting during this matter and that the Deputy Mayor would assume the role of Presiding Member during that time.

**6. 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*.

**6.1 Councillor Tan - Report D16.11 - No. 78 (Lot 12) Brookdale Street, Floreat: Proposed Child Care Centre**

Councillor Tan disclosed an impartiality interest in Report D16.11 - No. 78 (Lot 12) Brookdale Street, Floreat: Proposed Child Care Centre. She disclosed that Mr Steve Allerding of Allerding and Associates assisted Council in a successful SAT Hearing at which she was one of the two Council representatives, 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 Tan - Report D20.11 - No. 98 (Lot 604) Circe Circle, Dalkeith: Overheight Secondary Street Fence**

Councillor Tan disclosed an impartiality interest in Report D20.11 - No. 98 (Lot 604) Circe Circle, Dalkeith: Overheight Secondary Street Fence. She disclosed that she has an association with one of the objectors, 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.

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

Nil.

**8. Confirmation of Minutes**

**8.1 Ordinary Council meeting 22 February 2011**

Moved – Councillor Negus  
Seconded – Councillor Bell

**That the minutes of the ordinary Council meeting held 22 February 2011 are to be confirmed.**

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

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

The Presiding Member tabled the following list of functions she had attended during the past period 23 February 2011 to 22 March 2011.

Friday, 25 February 2011	Swan Canning Policy Forum
Sunday, 27 February 2011	City of Nedlands Summer Concerts in the Park, Dot Bennett Park
Wednesday, 2 March 2011	Launch: Genesta Park artwork
Thursday, 3 March 2011	CEDA event: 2011 Economic and Political Review
Friday, 4 March 2011	World Day of Prayer, Dalkeith Road Church of Christ
Tuesday, 8 March 2011	Luncheon & opening day of 2011 Season for Lady Members, Nedlands Golf Club
Tuesday, 8 March 2011	University of Western Australia, Briefing about the bid for the CRC for Water Sensitive Cities

Thursday, 10 March 2011	City of Perth Civic reception for the Ambassador of France
Friday, 11 March 2011	International Women's Day Centenary Breakfast
Saturday, 12 March 2011	Surf Life Saving Western Australia Senior State Championships
Monday, 14 March 2011	Business Sundowner / You're Welcome WA Launch
Sunday, 20 March 2011	Commonwealth Prayer Initiative launch, FGA Marketplace Church

The Mayor spoke of the Committee for Economic Development for Australia (CEDA) 2011 Economic and Political Review event on 3 March. She explained that seminar gave an outlook for the Australian economy in 2011 and discussed the economic and political factors that will impact for the coming year. She described the event as interesting and worthy of note.

The Mayor also spoke of the University of Western Australia briefing regarding the bid for the Cooperative Research Centre (CRC) for Water Sensitive Cities on 8 March. She explained that three major universities, Monash University, The University of Queensland and The University of Western Australia and a number of industry partners were joining forces to prepare a major bid under the 14<sup>th</sup> round of the Australian Government's CRC Scheme. She described the project as one of the most important water projects of the decade, adding that it will consist of the research, design, and development of the socio-technical systems that will make water sensitive cities and regions a reality in Australia.

## **10. Members announcements without discussion**

### **10.1 Councillor Bell – Hollywood Aged Care Village**

Councillor Bell advised that he attended a meeting with residents of the Hollywood Aged Care Village and is appalled at the pressure put on them to support the removal of the memorial title and re-zoning of the land. He noted that he was concerned at their current loss of amenity and added that the residents had asked for Council's continued support to ensure the entire site is made available to aged persons.

## 10.2 Councillor Hipkins – Functions attended & informal gathering to discuss the proposed amalgamation of the Cities of Nedlands and Subiaco

Councillor Hipkins tabled the following list of functions where he had represented the City during the past period 23 February 2011 to 22 March 2011.

23 February 2011	IPAA	The Future of Perth, at the Hyatt Hotel
02 March 2011	CoN	Sculpture Opening, Genesta Park
03 March 2011	CoN	Workshop: Waste Treatment Plant Odours
06 March 2011	CoN	Clean Up Australia Day, River Foreshore
14 March 2011	Local MLA	Business Sundowner
16 March 2011	CoN	Swanbourne Hospital Open Day
18 March 2011	WALGA	Road Safety Workshop, Town of Vincent
20 March 2011	UBC	Bushwalk – Winthrop Ave to Hollywood R.
21 March 2011	UWA	Ray Jones Architectural Exhibition

Additionally, Councillor Hipkins spoke of the invitation he extended to the Mayor and Councillors to attend an informal gathering at his home on 10 March to discuss the proposed amalgamation of the Cities of Nedlands and Subiaco. He described the informal discussions as an opportunity to review recent research, look at similarities and differences between the two cities and air ideas in a casual setting. He added that the gathering, which included partners, was not a secret meeting and nor were any decisions reached.

## 10.3 Councillor Tyson – Clean-up at Pt Resolution & workshop on greywater and rainwater tanks

Councillor Tyson advised that the City of Nedlands, with the support of the Friends of Point Resolution, held a Clean Up Australia Day event on Sunday 6 March 2011 on the Esplanade in Dalkeith. She noted the considerable turn out of volunteers, considering the event was held over a long weekend and extended her thanks to the City of Nedlands staff members for all their efforts.

Additionally, Councillor Tyson spoke of the City of Nedlands free workshop on greywater and rainwater tanks held on Saturday 19 March at the Mt Claremont Community Centre organised by the Sustainable Nedlands team. She advised that the workshop discussed the costs, benefits, government regulations and addressed topics such as the safety of drinking rainwater. She described the workshop as excellent with over 60 participants attending and extended her thanks to Andrew



Melville, Manager Sustainable Nedlands and Phoebe Huigens, Sustainability Officer for their efforts.

**10.4 Councillor Tan - Proposed Perth Light Rail Network & Local Government Safe System Project**

Councillor Tan advised that she attended a presentation by Senator Scott Ludlum at the University of Western Australia on 17 March 2011 on the proposed Perth Light Rail Network.

Additionally, Councillor Tan advised that she attended a presentation by Ruth Wernham, Safe System Coordinator from WALGA at the Town of Vincent on 18 March 2011. She advised that the Safe System Coordinator spoke on the State Government's "Road Safety Strategy" and its objective to achieve dramatic reductions in death and serious injury on our roads over the next 12 years.

Councillor Tan added that she would submit the written material provided at each session to the Chief Executive Officer for the benefit and information of Council and members of the Traffic Management Committee.

**11. Matters for Which the Meeting May Be Closed**

Nil.

**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 Negus  
Seconded – Councillor Tyson

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

**Traffic Management Committee** **1 March 2011**  
Un-confirmed, circulated to Councillors on 8 March 2011

**Council Committee**

**8 March 2011**

Un-confirmed, circulated to Councillors on 15 March 2011

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

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

En Bloc

Moved - Councillor Negus

Seconded – Councillor Bell

**That all Committee Recommendations relating to Reports under items 12.2, 12.3 and 12.4 with the exception of Report Nos. D16.11, D17.11, D20.11, D22.11 and D25.11 are adopted en bloc.**

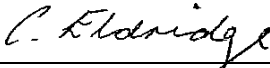
**CARRIED 9/2  
(Against: Crs. Tan & Tyson)**

**12.2 Development Services Report No's D16.11 to D26.11 (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.

<b>D16.11</b>	<b>No. 78 (Lot 12) Brookdale Street, Floreat: Proposed Child Care Centre</b>
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<b>Committee</b>	8 March 2011
<b>Council</b>	22 March 2011

<b>Applicant</b>	Allerding & Associates
<b>Owner</b>	Wesbrel Pty Ltd
<b>Officer</b>	Coralie Anderson – Senior Statutory Planning Officer
<b>Director</b>	Carlie Eldridge – Director Development Services
<b>Director Signature</b>	
<b>File ref</b>	DA10/80 : BR10/78
<b>Previous Item No's</b>	Nil
<b>Disclosure of Interest</b>	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> .

#### Disclosure of Interest

**Councillor Tan** disclosed an impartiality interest in Report D16.11 - No. 78 (Lot 12) Brookdale Street, Floreat: Proposed Child Care Centre. She disclosed that Mr Steve Allerding of Allerding and Associates assisted Council in a successful SAT Hearing at which she was one of the two Council representatives, 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.

Moved – Councillor Smyth  
Seconded – Councillor Horley

**That this matter lay on the table in order for the proponent to address planning matters.**

**CARRIED 6/5  
(Against: Crs. Argyle Hipkins Binks Tan & Tyson)**

#### Council Resolution

**That this matter lay on the table in order for the proponent to address planning matters.**

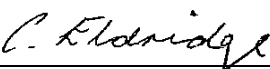
Committee Recommendation / Recommendation to Committee

Council refuses the application for Child Care Centre located at No.78 (Lot 12) Brookdale Street, Floreat in accordance with application dated 24 February 2010 and amended plans dated 1 November 2010 for the following reasons:

1. The proposal does not satisfy the conditions and standards of Clause 6.4.2 and Clause 5.5.1 of the Town Planning Scheme No. 2;
2. The proposal will increase existing traffic and noise impacts;
3. The proposal will have an overall adverse impact on the amenity of the surrounding residents; and
4. The proposal cannot comply with the Noise Regulations without overheight boundary fencing in a residential area.

<b>D17.11</b>	<b>No. 101 Monash Ave (Hollywood Hospital) and Reserve 33244 Monash Ave (QEII Medical Centre): Proposed Temporary Child Care Centre at QEII Medical Centre</b>
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<b>Committee</b>	8 March 2011
<b>Council</b>	22 March 2011

<b>Applicant</b>	Aurora Projects
<b>Owner</b>	QEII Medical Trust & Ramsay Hospital Holdings Pty Ltd
<b>Officer</b>	Coralie Anderson – Senior Statutory Planning Officer
<b>Director</b>	Carlie Eldridge – Director Development Services
<b>Director Signature</b>	
<b>File ref:</b>	DA10/645 : DA10/646
<b>Previous Item No's</b>	Nil
<b>Disclosure of Interest</b>	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) – Council considered it appropriate to add an additional reason for refusal, being that the proposed development is contrary to the QEII Medical Centre structure plan.**

Moved – Councillor Hipkins  
Seconded – Councillor Negus

**Council:**

1. **Recommends refusal to the Western Australian Planning Commission (WAPC) for the proposed Temporary Child Care Centre located at No. 101 Monash Ave (Hollywood Hospital) and Reserve 33244 Monash Ave (QEII Medical Centre) in accordance with the application dated 7 December 2010 and plans dated 7 December 2010 and 7 February 2011, for the following reasons:**
  - i) **Inadequate location of reserve car bays;**
  - ii) **Adverse impact on the surrounding residential amenity;**
  - iii) **The proposed development is contrary to the QEII Medical Centre structure plan;**
  
2. **Should the WAPC see fit to approve the application, the Council recommends the approval should be subject to the following conditions:**
  - i) **The Child Care Centre shall operate from a maximum period up until July 2014;**
  - ii) **After the operations have ceased in accordance with i) above, the temporary building shall be removed and the area landscaped in accordance with the QEII Structure Plan and Master Plan;**
  - iii) **The hours of the operation for the Child Care Centre shall be restricted to the current operating times:**
    - a) **Before and After School 6:45am – 6:00 pm (Monday to Friday);**
    - b) **Vacation 6.45am – 5.45pm (Monday to Friday);**
  - iv) **The Child Care Centre shall accommodate a maximum of 60 children;**
  - v) **As shown on the plans, seven (7) car bays shall be reserved for the exclusive use of the Child Care Centre, and appropriate signage installed to reflect this;**

- vi) **The reserved car bays shall be restricted to ten (10) minute maximum time period and appropriate signage shall be installed to indicate this time limit;**
- vii) **Ten (10) bollards, that are 2 m apart, shall be erected on the verge in front of the Child Care Centre;**
- viii) **The appropriate signage shall be installed in consultation and to the satisfaction of the City to prevent left turn movement out from the western exit of the car park onto Verdun Road;**
- ix) **The proposed pedestrian path shall be constructed in consultation with and to the satisfaction of the City and such path shall be:**
  - a) **A minimum 2 m in width;**
  - b) **Comply with the relevant Australian Standards.**

**CARRIED UNANIMOUSLY 11/-**

#### **Council Resolution**

##### **Council:**

1. **Recommends refusal to the Western Australian Planning Commission (WAPC) for the proposed Temporary Child Care Centre located at No. 101 Monash Ave (Hollywood Hospital) and Reserve 33244 Monash Ave (QEII Medical Centre) in accordance with the application dated 7 December 2010 and plans dated 7 December 2010 and 7 February 2011, for the following reasons:**
  - i) **Inadequate location of reserve car bays;**
  - ii) **Adverse impact on the surrounding residential amenity;**
  - iii) **The proposed development is contrary to the QEII Medical Centre structure plan;**
2. **Should the WAPC see fit to approve the application, the Council recommends the approval should be subject to the following conditions:**
  - i) **The Child Care Centre shall operate from a maximum period up until July 2014;**

- ii) After the operations have ceased in accordance with i) above, the temporary building shall be removed and the area landscaped in accordance with the QEII Structure Plan and Master Plan;**
- iii) The hours of the operation for the Child Care Centre shall be restricted to the current operating times:
  - a) Before and After School 6:45am – 6:00 pm (Monday to Friday);**
  - b) Vacation 6.45am – 5.45pm (Monday to Friday);****
- iv) The Child Care Centre shall accommodate a maximum of 60 children;**
- v) As shown on the plans, seven (7) car bays shall be reserved for the exclusive use of the Child Care Centre, and appropriate signage installed to reflect this;**
- vi) The reserved car bays shall be restricted to ten (10) minute maximum time period and appropriate signage shall be installed to indicate this time limit;**
- vii) Ten (10) bollards, that are 2 m apart, shall be erected on the verge in front of the Child Care Centre;**
- viii) The appropriate signage shall be installed in consultation and to the satisfaction of the City to prevent left turn movement out from the western exit of the car park onto Verdun Road;**
- ix) The proposed pedestrian path shall be constructed in consultation with and to the satisfaction of the City and such path shall be:
  - a) A minimum 2 m in width;**
  - b) Comply with the relevant Australian Standards.****

Committee Recommendation

Council:

1. Recommends refusal to the Western Australian Planning Commission (WAPC) for the proposed Temporary Child Care Centre located at No. 101 Monash Ave (Hollywood Hospital) and Reserve 33244 Monash Ave (QEII Medical Centre) in accordance with the application dated 7 December 2010 and

plans dated 7 December 2010 and 7 February 2011, for the following reasons:

- i) Inadequate location of reserve car bays;
  - ii) Adverse impact on the surrounding residential amenity;
2. Should the WAPC see fit to approve the application, the Council recommends the approval should be subject to the following conditions:
- i) The Child Care Centre shall operate from a maximum period up until July 2014;
  - ii) After the operations have ceased in accordance with i) above, the temporary building shall be removed and the area landscaped in accordance with the QEII Structure Plan and Master Plan;
  - iii) The hours of the operation for the Child Care Centre shall be restricted to the current operating times:
    - a) Before and After School 6:45am – 6:00 pm (Monday to Friday);
    - b) Vacation 6.45am – 5.45pm (Monday to Friday);
  - iv) The Child Care Centre shall accommodate a maximum of 60 children;
  - v) As shown on the plans, seven (7) car bays shall be reserved for the exclusive use of the Child Care Centre, and appropriate signage installed to reflect this;
  - vi) The reserved car bays shall be restricted to ten (10) minute maximum time period and appropriate signage shall be installed to indicate this time limit;
  - vii) Ten (10) bollards, that are 2 m apart, shall be erected on the verge in front of the Child Care Centre;
  - viii) The appropriate signage shall be installed in consultation and to the satisfaction of the City to prevent left turn movement out from the western exit of the car park onto Verdun Road;
  - ix) The proposed pedestrian path shall be constructed in consultation with and to the satisfaction of the City and such path shall be:



- a) A minimum 2 m in width;
  - b) Comply with the relevant Australian Standards;  
and
3. The proposed development is contrary to the QEII Medical Centre structure plan.

Recommendation to Committee

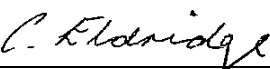
Council:

1. Recommends refusal to the Western Australian Planning Commission (WAPC) for the proposed Temporary Child Care Centre located at No. 101 Monash Ave (Hollywood Hospital) and Reserve 33244 Monash Ave (QEII Medical Centre) in accordance with the application dated 7 December 2010 and plans dated 7 December 2010 and 7 February 2011, for the following reasons:
  - i) Inadequate location of reserve car bays.
  - ii) Adverse impact on the surrounding residential amenity.
2. Should the WAPC see fit to approve the application, the Council recommends the approval should be subject to the following conditions:
  - i) The Child Care Centre shall operate from a maximum period up until July 2014.
  - ii) After the operations have ceased in accordance with i) above, the temporary building shall be removed and the area landscaped in accordance with the QEII Structure Plan and Master Plan.
  - iii) The hours of the operation for the Child Care Centre shall be restricted to the current operating times:
    - a) Before and After School 6:45am – 6:00 pm (Monday to Friday).
    - b) Vacation 6.45am – 5.45pm (Monday to Friday).
  - iv) The Child Care Centre shall accommodate a maximum of 60 children.
  - v) As shown on the plans, seven (7) car bays shall be reserved for the exclusive use of the Child Care Centre, and appropriate signage installed to reflect this.

- vi) The reserved car bays shall be restricted to ten (10) minute maximum time period and appropriate signage shall be installed to indicate this time limit.
- vii) Ten (10) bollards, that are 2 m apart, shall be erected on the verge in front of the Child Care Centre.
- viii) The appropriate signage shall be installed in consultation and to the satisfaction of the City to prevent left turn movement out from the western exit of the car park onto Verdun Road.
- ix) The proposed pedestrian path shall be constructed in consultation with and to the satisfaction of the City and such path shall be:
  - a) A minimum 2 m in width.
  - b) Comply with the relevant Australian Standards.

<b>D18.11</b>	<b>No. 28 (Lot 158) Waroonga Road, Nedlands: Proposed Carport</b>
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<b>Committee</b>	8 March 2011
<b>Council</b>	22 March 2011

<b>Applicant</b>	Sanath Dayasila De Tissera
<b>Owner</b>	Sanath Dayasila De Tissera
<b>Officer</b>	Elle O'Connor – Planning Officer
<b>Director</b>	Carlie Eldridge – Director Development Services
<b>Director Signature</b>	
<b>File ref</b>	DA10/507 : W/15/28 : M11/03494
<b>Previous Item No's</b>	Nil
<b>Disclosure of Interest</b>	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 Negus  
 Seconded – Councillor Bell

**That the Committee Recommendation is adopted.**

(Printed below for ease of reference)

**CARRIED E BLOC 9/2  
 (Against: Crs. Tan & Tyson)**

**Council Resolution / Committee Recommendation / Recommendation to Committee**

**Council refuses the application for a carport at No. 28 (Lot 158) Waroonga Road, Nedlands in accordance with the application and plans dated 19 October 2010 for the following reasons:**

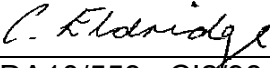
- 1. The proposed carport does not comply with Council's Policy 6.23 'Carports and Minor Structures Forward of the Primary Street Setback'.**
- 2. There is an existing two car garage behind the primary street setback.**

<b>D19.11</b>	<b>No. 40 (Lot 312) Dalkeith Road, Nedlands: Proposed Carport</b>
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Item withdrawn

<b>D20.11</b>	<b>No. 98 (Lot 604) Circe Circle, Dalkeith: Overheight Secondary Street Fence</b>
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<b>Committee</b>	8 March 2011
<b>Council</b>	22 March 2011

<b>Applicant</b>	Lawrence Scanlan Architects
<b>Owner</b>	Mario & Natalie De Felice
<b>Officer</b>	Elle O'Connor – Planning Officer
<b>Director</b>	Carlie Eldridge – Director Development Services
<b>Director Signature</b>	
<b>File ref</b>	DA10/553 : CI2/98-02 : M11/03496
<b>Previous Item No's</b>	Nil
<b>Disclosure of Interest</b>	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> .

Disclosure of Interest

**Councillor Tan** disclosed an impartiality interest in Report D20.11 - No. 98 (Lot 604) Circe Circle, Dalkeith: Overheight Secondary Street Fence. She disclosed that she has an association with one of the objectors, 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) – Council conditionally approved the fence as the conditions required 2/3 of the fence to be compliant with regulations and approved an over height fence for the remainder as the 1.5 m setback reduced the impact of the additional 0.5 m in height.**

Moved – Councillor Negus  
Seconded – Councillor Bell

**Council approves the application for an over height secondary street fence at No. 98 (Lot 604) Circe Circle, Dalkeith in accordance with the application and plans dated 10 November 2010 subject to the following conditions:**

- a) The proposed fence in the 9 m primary street setback shall be a maximum height of 1.8 m above natural ground level at the base of the wall and visually permeable in accordance with the Residential Design Codes 2010;**
- b) The 26 m portion of the fence located on the secondary street boundary, behind the 9 m primary setback does not exceed 1.8 m from natural ground level'; and**
- c) The 15.5 m portion of the fence setback 1.5 m from the secondary street boundary does not exceed 1.8 m above the R.L14.85 deck level.**

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

#### **Council Resolution**

**Council approves the application for an over height secondary street fence at No. 98 (Lot 604) Circe Circle, Dalkeith in accordance with the application and plans dated 10 November 2010 subject to the following conditions:**

- a) The proposed fence in the 9 m primary street setback shall be a maximum height of 1.8 m above natural ground level at the base of the wall and visually permeable in accordance with the Residential Design Codes 2010;**
- b) The 26 m portion of the fence located on the secondary street boundary, behind the 9 m primary setback does not exceed 1.8 m from natural ground level'; and**
- c) The 15.5 m portion of the fence setback 1.5 m from the secondary street boundary does not exceed 1.8 m above the R.L14.85 deck level.**


Committee Recommendation / Recommendation to Committee

Council refuses the application for an over height secondary street fence at No. 98 (Lot 604) Circe Circle, Dalkeith in accordance with the application and plans dated 10 November 2010 for the following reasons:

1. The proposed fence does not comply with the City of Nedlands Town Planning Scheme No. 2 Clause 5.6.4 and Clause 5.5.1;
2. The proposed fence does not comply with Council's Policy 6.19 'Fill and Fencing'; and
3. The proposed fence would have an adverse affect on the streetscape of Curlew road.

<b>D21.11</b>	<b>Unit 1, 2 and 3 No. 27 Carrington Street, Nedlands: Incidental Shop Use</b>
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<b>Committee</b>	8 <sup>th</sup> March 2011
<b>Council</b>	27 March 2011

<b>Applicant</b>	Ron Rutherford
<b>Owner</b>	Attila Holdings, Tarry Superannuation Fund
<b>Officer</b>	Joseph Ravi – Planning Officer
<b>Director</b>	Carlie Eldridge – Director Development Services
<b>Director Signature</b>	
<b>File ref</b>	DA09/542 : CA4/2741 : M11/3076
<b>Previous Item No's</b>	Nil
<b>Disclosure of Interest</b>	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 Negus  
 Seconded – Councillor Bell

**That the Committee Recommendation is adopted.**

(Printed below for ease of reference)

**CARRIED E BLOC 9/2  
 (Against: Crs. Tan & Tyson)**

**Council Resolution / Committee Recommendation / Recommendation to Committee**


Council approves the application for an Incidental Shop Use at Unit 1, 2 and 3 No.27 (Lot 51) Carrington Street, Nedlands in accordance with the application dated 16 November 2009, report dated 25 November 2010 and amended plans dated 17 January 2011 subject to 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**

1. The use will need to comply with all health regulations. Please contact the City's Health Services for further information.

<b>D22.11</b>	<b>No. 58 (Lot 4) Jenkins Ave, Nedlands: Two Storey Garage/Studio, Deck, and Fencing</b>
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<b>Committee</b>	8 March 2011
<b>Council</b>	22 March 2011

<b>Applicant</b>	Optimum Resource Architects
<b>Owner</b>	Andrew Sproul
<b>Officer</b>	Joseph Ravi – Planning Officer
<b>Director</b>	Carlie Eldridge – Director Development Services
<b>Director Signature</b>	
<b>File ref</b>	DA10/643 : JEM/58
<b>Previous Item No's</b>	Nil
<b>Disclosure of Interest</b>	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) – Council considered it appropriate to refuse the application as a parapet wall in a low density R12.5 zoning has not been justified, the required rear setback of 6 m has not been satisfied and the proposed 2 m setback to a double storey building on Bulimba Road is out of character with the majority of other buildings in the street, being single storey with a 9 m setback.**

Moved – Councillor Hipkins

Seconded – Councillor Tan

**Council refuses to approve the application for a Two Storey Garage/Studio, Deck and Fencing at No. 58 (Lot 4) Jenkins Ave, Nedlands in accordance with the application dated 6 December 2010 and plans dated 14 February 2011, for the following reasons:**

1. a parapet wall in a low density R12.5 zoning has not been justified;
2. the required rear setback of 6 m has not been satisfied;
3. the proposed 2 m setback to a double storey building on Bulimba Road is out of character with the majority of other buildings in the street, being single storey with a 9 m setback.

**CARRIED 6/5**

**(Against: Mayor & Crs. Negus Bell Binks & Hodsdon)**

#### **Council Resolution**

**Council refuses to approve the application for a Two Storey Garage/Studio, Deck and Fencing at No. 58 (Lot 4) Jenkins Ave, Nedlands in accordance with the application dated 6 December 2010 and plans dated 14 February 2011, for the following reasons:**

1. a parapet wall in a low density R12.5 zoning has not been justified;
2. the required rear setback of 6 m has not been satisfied;
3. the proposed 2 m setback to a double storey building on Bulimba Road is out of character with the majority of other buildings in the street, being single storey with a 9 m setback.

#### **Committee Recommendation / Recommendation to Committee**

**Council approves the application for a Two Storey Garage/Studio, Deck, and Fencing at No. 58 (Lot 4) Jenkins Ave, Nedlands in accordance with the application dated 6 December 2010 and plans dated 14 February 2011 subject to the following conditions:**

1. The proposed 1.8 m high link mesh fencing shall be visually permeable in accordance with the Residential Design Codes;

2. The studio shall not be used as ancillary accommodation without a further planning approval;
3. All storm water from building and paving areas (including driveways) shall be contained on site by draining to soakwells of adequate capacity to contain runoff from a ten (10) year recurrent storm event and the capacity of soakwells shall be a minimum of one (1) cubic metre for every 80 m<sup>2</sup> of paved or roofed surface on the property;
4. The parapet wall, fencing and footings shall be constructed wholly inside the allotment;
5. The use of bare or painted metal building materials is permitted on the basis that, if during or following the erection of the development the Council forms the opinion that glare which is produced from the building has or will have a significant detrimental effect upon the amenity of neighbouring properties, the Council may require the owner to treat the building/roof to reduce the reflectivity to a level acceptable to Council; and
6. 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.

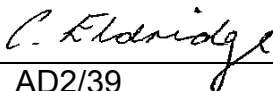
Advice Notes specific to this approval

- a) Ensure that airconditioner unit(s) comply with relevant Australian Standards and that noise emissions comply with the *Environmental Protection (Noise) Regulations 1997*; and
- b) It is strongly advised that consultation is undertaken with the installer and adjoining neighbour(s) prior to installation of airconditioning equipment. In the event of a noise complaint being received by the City, remedial action (including potential relocation or other attenuation measures) may be required or the airconditioner may be prohibited from being used. It is recommended that applicants refer to the City's Visual and Acoustic Privacy Information document and also the fairair noise calculator online at [www.fairair.com.au](http://www.fairair.com.au).



<b>D23.11</b>	<b>No. 39 (Lot 58) Adderley Street, Mt Claremont: Proposed Single Storey Dwelling</b>
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<b>Committee</b>	8 March 2011
<b>Council</b>	22 March 2011

<b>Applicant</b>	Austin & Elizabeth Wilson
<b>Owner</b>	As above
<b>Officer</b>	Nick Bakker – Planning Officer
<b>Director</b>	Carlie Eldridge – Director Development Services
<b>Director Signature</b>	
<b>File ref</b>	AD2/39
<b>Previous Item No's</b>	Nil
<b>Disclosure of Interest</b>	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 Negus  
 Seconded – Councillor Bell

**That the Committee Recommendation is adopted.**

(Printed below for ease of reference)

**CARRIED E BLOC 9/2  
 (Against: Crs. Tan & Tyson)**

**Council Resolution / Committee Recommendation**

Council approves the application for a single storey dwelling on the property at No. 39 (Lot 58) Adderley Street, Mt Claremont in accordance with the application dated 6 October 2010 and amended plans dated 8 February 2011, subject to the following conditions:

1. The single storey dwelling being amended to reduce its overall size to provide 60% open space in accordance with the acceptable development standards of the Residential Design Codes;
2. that building set-back from the Western and all of South boundaries be increased;
3. All storm water from building and paving areas (including driveways) shall be contained on site by draining to

soakwells of adequate capacity to contain runoff from a ten (10) year recurrent storm event and the capacity of soakwells shall be a minimum of one (1) cubic metre for every 80 m<sup>2</sup> of paved or roofed surface on the property;

4. The existing crossover shall be removed and the verge reinstated with grass or landscaping in accordance with Council's Verge Development Policy 4.7;
5. The parapet wall and footings shall be constructed wholly inside the allotment;
6. The use of bare or painted metal building materials is permitted on the basis that, if during or following the erection of the development the Council forms the opinion that glare which is produced from the building has or will have a significant detrimental effect upon the amenity of neighbouring properties, the Council may require the owner to treat the building/roof to reduce the reflectivity to a level acceptable to Council;
7. A grated channel strip-drain shall be constructed across the driveway, aligned with and wholly contained within the property boundary and the discharge from this drain to be run to a soakwell situated within the property; and
8. 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:**

- a) All internal WC's and ensuites without window access to outside air must be serviced by mechanical ventilation, which is ducted to outside air and the minimum rate of air change must be equal or greater than 25 litres per second;
- b) All swimming pool waste water is to be disposed of into an adequate dedicated soakwell located on the same lot, or in a manner approved by the Council's Sustainable Nedlands department;
- c) Ensure that airconditioner unit(s) and pool pumps comply with relevant Australian Standards and that noise emissions comply with the *Environmental Protection (Noise) Regulations 1997*; and
- d) It is strongly advised that consultation is undertaken with the installer and adjoining neighbour(s) prior to installation of airconditioning equipment. In the event of a noise complaint being received by the City, remedial action

**(including potential relocation or other attenuation measures) may be required or the airconditioner may be prohibited from being used. It is recommended that applicants refer to the City's Visual and Acoustic Privacy Information document and also the fairair noise calculator online at [www.fairair.com.au](http://www.fairair.com.au).**

#### Recommendation to Committee

Council approves the application for a single storey dwelling on the property at No. 39 (Lot 58) Adderley Street, Mt Claremont in accordance with the application dated 6 October 2010 and amended plans dated 8 February 2011, subject to the following conditions:

1. The single storey dwelling being amended to reduce its overall size to provide 60% open space in accordance with the acceptable development standards of the Residential Design Codes.
2. All storm water from building and paving areas (including driveways) shall be contained on site by draining to soakwells of adequate capacity to contain runoff from a ten (10) year recurrent storm event and the capacity of soakwells shall be a minimum of one (1) cubic metre for every 80 m<sup>2</sup> of paved or roofed surface on the property.
3. The existing crossover shall be removed and the verge reinstated with grass or landscaping in accordance with Council's Verge Development Policy 4.7.
4. The parapet wall and footings shall be constructed wholly inside the allotment.
5. The use of bare or painted metal building materials is permitted on the basis that, if during or following the erection of the development the Council forms the opinion that glare which is produced from the building has or will have a significant detrimental effect upon the amenity of neighbouring properties, the Council may require the owner to treat the building/roof to reduce the reflectivity to a level acceptable to Council.
6. The parapet walls shall be finished to a quality finish and to a professional standard to the satisfaction of the City.
7. A grated channel strip-drain shall be constructed across the driveway, aligned with and wholly contained within the property boundary and the discharge from this drain to be run to a soakwell situated within the property.

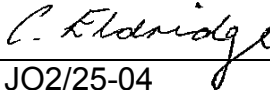
8. Any additional development, which is not in accordance with the original application or conditions of approval, as outlined above, will require further approval by Council.

*Advice Notes specific to this approval*

- a) All internal WC's and ensuites without window access to outside air must be serviced by mechanical ventilation, which is ducted to outside air and the minimum rate of air change must be equal or greater than 25 litres per second.
- b) All swimming pool waste water is to be disposed of into an adequate dedicated soakwell located on the same lot, or in a manner approved by the Council's Sustainable Nedlands department.
- c) Ensure that airconditioner unit(s) and pool pumps comply with relevant Australian Standards and that noise emissions comply with the *Environmental Protection (Noise) Regulations 1997*.
- d) It is strongly advised that consultation is undertaken with the installer and adjoining neighbour(s) prior to installation of airconditioning equipment. In the event of a noise complaint being received by the City, remedial action (including potential relocation or other attenuation measures) may be required or the airconditioner may be prohibited from being used. It is recommended that applicants refer to the City's Visual and Acoustic Privacy Information document and also the fairair noise calculator online at [www.fairair.com.au](http://www.fairair.com.au).

<b>D24.11</b>	<b>No. 25 (Lot 10629) John XXIII Avenue Mt Claremont: Proposed Outline Development Plan for John XXIII High School</b>
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<b>Committee</b>	8 March 2011
<b>Council</b>	22 March 2011

<b>Applicant</b>	MGA Town Planners
<b>Owner</b>	Roman Catholic Archbishop of Perth
<b>Officer</b>	Gabriela Poezyn – Manager Strategic Planning
<b>Director</b>	Carlie Eldridge – Director Development Services
<b>Director Signature</b>	
<b>File ref</b>	JO2/25-04
<b>Previous Item No's</b>	Nil
<b>Disclosure of Interest</b>	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 Negus  
 Seconded – Councillor Bell

**That the Committee Recommendation is adopted.**

(Printed below for ease of reference)

**CARRIED E BLOC 9/2  
 (Against: Crs. Tan & Tyson)**

**Council Resolution / Committee Recommendation / Recommendation to Committee**

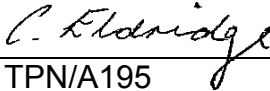
**Council:**

1. Approves the Outline Development Plan prepared by MGA Town Planners in the document entitled “Outline Development Plan, John XXIII College, Mooro Drive, Mt Claremont” dated October 2010 for John XXIII College located at No. 25 (Lot 10629) John XXIII Avenue, Mt Claremont pursuant to Clause 3.8.7 of the City’s Town Planning Scheme No. 2; and
2. Advises the school that the Department of Health as a neighbour has requested that that they be consulted at the

**design stage of developments at the school site so that dialogue can occur when necessary.**

<b>D25.11</b>	<b>Proposed Town Planning Scheme No. 2 amendment to allow increased height restrictions to 12 m for lots 49 to 51 at Nidjalla Loop, Swanbourne (formerly Swanbourne High School)</b>
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<b>Committee</b>	8 March 2011
<b>Council</b>	22 March 2011

<b>Applicant</b>	Halsall & Associates Town Planning Consultants
<b>Owner</b>	Mr. Carlin – No 4 (Lot 50) Nidjalla Loop Mr. and Mrs. Zorzi – No 6 (Lot 49) Nidjalla Loop Mr. and Mrs. Mori – No 2 (Lot 51) Nidjalla Loop
<b>Officer</b>	Michael Swanepoel – Senior Strategic Planning Officer
<b>Director</b>	Carlie Eldridge – Director Development Services
<b>Director Signature</b>	
<b>File ref:</b>	TPN/A195
<b>Previous Item No's</b>	D49.07 – 31 July 2007
<b>Disclosure of Interest</b>	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) – Council considered it appropriate to approve to initiate an additional height to 12 m as a scheme amendment because it was only a additional mezzanine and Town Planning Scheme No. 3 would allow 3 habitable floors above each other.**

Moved – Councillor Binks  
Seconded – Councillor Tyson

**That Council initiates the proposed scheme amendment to allow a 12 m height limit on Lots 49, 50 and 51 Nidjalla Loop compiled by Halsall & Associates Town Planning dated January 2011.**

Mr M Cole, Director Corporate Services left the meeting at 7.50 pm and returned at 7.55 pm

**CARRIED 8/3  
(Against: Crs. Tan Horley & Smyth)**

**Council Resolution**

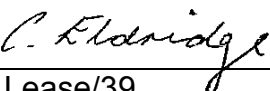
**That Council initiates the proposed scheme amendment to allow a 12 m height limit on Lots 49, 50 and 51 Nidjalla Loop compiled by Halsall & Associates Town Planning dated January 2011.**

**Committee Recommendation / Recommendation to Committee**

That Council does not initiate the proposed scheme amendment to allow a 12 m height limit on Lots 49, 50 and 51 Nidjalla Loop compiled by Halsall & Associates Town Planning dated January 2011 because the proposal is contrary to orderly and proper planning.

<b>D26.11</b>	<b>Early Childhood Education Centre (Annie's Playschool): No. 25 Strickland Street, Mt Claremont (Lot 254 on Deposited Plan 3321): Deed of Variation of Lease</b>
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<b>Committee</b>	8 March 2011
<b>Council</b>	22 March 2011

<b>Applicant</b>	Ann Louise O'Hara – Annie's Playgroup
<b>Owner</b>	City of Nedlands
<b>Officer</b>	Neil Scanes – Property Management Officer
<b>Director</b>	Carlie Eldridge – Director Development Services
<b>Director Signature</b>	
<b>File ref</b>	Lease/39
<b>Previous Item No's</b>	Item D86.10, 23 November 2010: Item D30.06, 25 April 2006: Item D90.05, 13 December 2005: Notice of Motion - Item 15.5, 14 December 2004
<b>Disclosure of Interest</b>	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 Negus  
Seconded – Councillor Bell

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

**CARRIED E BLOC 9/2  
(Against: Crs. Tan & Tyson)**

**Council Resolution / Committee Recommendation / Recommendation to Committee**

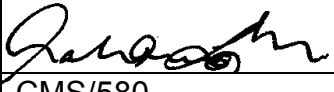
**Council approves and endorses a Deed of Variation of Lease between the City and Ann Louise O’Hara as per attachment 1.**

**12.3 Community & Strategy Report No CM02.11 (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.

<b>CM02.11</b>	<b>2030 Community Visioning Project Outcomes Report</b>
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<b>Committee</b>	8 March 2011
<b>Council</b>	22 March 2011

<b>Applicant</b>	City of Nedlands
<b>Owner</b>	City of Nedlands
<b>Officer</b>	Marion Granich – Manager Community Development
<b>CEO</b>	Graham Foster – Chief Executive Officer
<b>CEO Signature</b>	
<b>File ref.</b>	CMS/580
<b>Previous Item No’s</b>	Item 7 – 13 September 2010
<b>Disclosure of Interest</b>	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 Negus  
 Seconded – Councillor Bell

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

**CARRIED E BLOC 9/2  
 (Against: Crs. Tan & Tyson)**



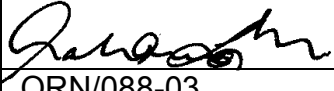
**Council Resolution / Committee Recommendation / Recommendation to Committee**

**Council:**

1. receives the 2030 Community Visioning project outcomes, being the Vision Statement and strategies identified by the community at the 2030 Conference; and
2. agrees to workshop these outcomes for possible incorporation into the City's Strategic Plan.

**12.4 Corporate Services Report No's CP08.11 to CP11.11 (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.

<b>CP08.11 Compliance Audit Return 2010</b>	
<b>Committee</b>	8 March 2011
<b>Council</b>	22 March 2011
<b>Applicant</b>	City of Nedlands
<b>Owner</b>	City of Nedlands
<b>Officer</b>	Michael Cole – Director Corporate Services
<b>CEO</b>	Graham Foster – Chief Executive Officer
<b>CEO Signature</b>	
<b>File ref.</b>	ORN/088-03
<b>Previous Item No's</b>	Nil
<b>Disclosure of Interest</b>	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 Negus  
 Seconded – Councillor Bell

**That the Committee Recommendation is adopted.**

(Printed below for ease of reference)


**CARRIED E BLOC 9/2  
 (Against: Crs. Tan & Tyson)**

**Council Resolution / Committee Recommendation /  
 Recommendation to Committee**

**Council adopts the 2010 Compliance Audit Return.**

<b>CP09.11</b>	<b>Monthly Financial Report – January 2011</b>
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<b>Committee</b>	8 March 2011
<b>Council</b>	22 March 2011

<b>Applicant</b>	City of Nedlands
<b>Owner</b>	City of Nedlands
<b>Officer</b>	Rajah Senathirajah – Manager Finance
<b>Director</b>	Michael Cole – Director Corporate Service
<b>Director Signature</b>	
<b>File ref.</b>	Fin/072-16
<b>Previous Item No's</b>	Nil
<b>Disclosure of Interest</b>	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 Negus  
 Seconded – Councillor Bell

**That the Committee Recommendation is adopted.**

(Printed below for ease of reference)


**CARRIED E BLOC 9/2  
 (Against: Crs. Tan & Tyson)**

**Council Resolution / Committee Recommendation /  
 Recommendation to Committee**

**Council receives the Monthly Financial Report for January 2011.**

<b>CP10.11</b>	<b>Investment Report – January 2011</b>
----------------	---

<b>Committee</b>	8 March 2011
<b>Council</b>	22 March 2011

<b>Applicant</b>	City of Nedlands
<b>Owner</b>	City of Nedlands
<b>Officer</b>	Rajah Senathirajah – Manager Finance
<b>Director</b>	Michael Cole – Director Corporate Service
<b>Director Signature</b>	
<b>File ref.</b>	Fin/072-16
<b>Previous Item No's</b>	Nil
<b>Disclosure of Interest</b>	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 Negus  
 Seconded – Councillor Bell


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

**CARRIED E BLOC 9/2**  
**(Against: Crs. Tan & Tyson)**

<p><b>Council Resolution / Committee Recommendation / Recommendation to Committee</b></p> <p><b>Council receives the Investment Report for the period ended 31 January 2011.</b></p>
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<b>CP11.11</b>	<b>List of Accounts Paid – January 2011</b>
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<b>Committee</b>	8 March 2011
<b>Council</b>	22 March 2011

<b>Applicant</b>	City of Nedlands
<b>Owner</b>	City of Nedlands
<b>Officer</b>	Rajah Senathirajah – Manager Finance
<b>Director</b>	Michael Cole – Director Corporate Service
<b>Director Signature</b>	
<b>File ref:</b>	Fin/072-16
<b>Previous Item No's</b>	Nil
<b>Disclosure of Interest</b>	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 Negus  
 Seconded – Councillor Bell

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

**CARRIED E BLOC 9/2**  
**(Against: Crs. Tan & Tyson)**

**Council Resolution / Committee Recommendation / Recommendation to Committee**

**Council receives the List of Accounts Paid for the month of January 2011.**

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

**13.1 Common Seal Register Report – February 2011**

Moved – Councillor Negus  
 Seconded – Councillor Hodsdon

**That the attached Common Seal Register Report for the month of February 2011 is received.**

**CARRIED UNANIMOUSLY 11/-**

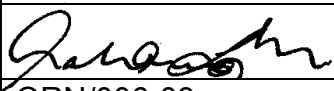
**13.2 List of Delegated Authorities - February 2011**

Moved – Councillor Negus  
 Seconded – Councillor Bell

**That the attached List of Delegated Authorities for the month of February 2011 is received.**

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

**13.3 Attendance at 2011 National General Assembly of Local Government (NGA)**

<b>Applicant</b>	City of Nedlands
<b>Owner</b>	City of Nedlands
<b>CEO</b>	Graham Foster - Chief Executive Officer
<b>CEO Signature</b>	
<b>File ref.</b>	ORN/006-03
<b>Previous Item No's</b>	Nil
<b>Disclosure of Interest</b>	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> .

**Mayor Froese** disclosed a financial interest in Item 13.3 - Attendance at 2011 National General Assembly of Local Government (NGA), her interest being that it relates to payment for her travel expenses. She advised that she would leave the meeting during this matter.

Mayor Froese left the meeting at 8.15 pm and Deputy Mayor, Councillor Hipkins assumed the role of Presiding Member.

Mr. I. Hamilton, Director Technical Services, Councillor Binks and Councillor Hodsdon left the meeting at 8.16 pm

**Regulation 11(da) – Council considered it appropriate to request a report be presented following attendance at conferences by Elected Members and Officers to improve communication channels and gain maximum benefit through information sharing.**

Moved – Councillor Tan  
Seconded – Councillor Horley

**Council:**

1. **Approves attendance at the National General Assembly of Local Government by the Mayor; and**
2. **Upon return, a formal report containing information (including all documents and copies of presentations made) is to be presented to Councillors and Directors during mealtime of the next Council Meeting, so that the benefits of the Conference can be shared by Council and Administration and incorporated into the workings of the various Committees, where relevant.**

**Advice Notes:**

- a) **The formal report should be made a standard requirement to any request of attendance at such conferences by Elected Members or Officers of the City of Nedlands; and**
- b) **All documentation should be reported in dot form in the relevant Committee Agendas and filed (either in hard copies or electronically) and left in the Director's Offices, to be made available to Councillors and Committee members upon request.**

Councillor Binks and Councillor Hodsdon returned to the meeting at 8.17 pm

Put Motion

Moved – Councillor Bell  
Seconded – Councillor Binks

That the motion be put.

PUT MOTION LOST 6/5  
On the Casting Vote of the Presiding Member  
(Against: Crs. Hipkins Argyle Hodsdon Tyson & Smyth)

Mr. I. Hamilton, Director Technical Services returned to the meeting at 8.25 pm

Adoption – **Clause 1 of motion was put and**

**CARRIED UNANIMOUSLY 10/-**

Adoption – **Clause 2 and advice notes a) and b) were put and**

**CARRIED 8/2  
(Against: Cr. Smyth & Hodsdon)**

### **Council Resolution**

#### **Council**

- 1. Approves attendance at the National General Assembly of Local Government by the Mayor; and**
- 2. Upon return, a formal report containing information (including all documents and copies of presentations made) is to be presented to Councillors and Directors during mealtime of the next Council Meeting, so that the benefits of the Conference can be shared by Council and Administration and incorporated into the workings of the various Committees, where relevant.**

#### **Advice Notes:**

- a) The formal report should be made a standard requirement to any request of attendance at such conferences by Elected Members or Officers of the City of Nedlands; and**
- b) All documentation should be reported in dot form in the relevant Committee Agendas and filed (either in hard copies or electronically) and left in the Director's Offices, to be made available to Councillors and Committee members upon request.**

Recommendation to Council

Council approves attendance at the National General Assembly of Local Government by the Mayor.

#### **Purpose**

To gain approval for the Mayor to attend the National General Assembly for Local Government in June 2011.

#### **Strategic Plan**

KFA 5: Governance

To ensure that the processes of Local Government are delivered responsibly and in a transparent, consistent and accountable manner.

- 5.8 Establish and actively manage a range of partnerships with government, private and not-for-profit sectors

### **Background**

The National General Assembly (NGA) of Local Government is held annually. It is convened by the Australian Local Government Association (ALGA) for local councils across Australia to develop and express a united voice on the core issues affecting local government and their communities.

The NGA provides an important platform to showcase local government to influential decision-makers of the federal government, at both the political and departmental levels.

### **Proposal Detail**

The 2010 National General Assembly of Local Government (NGA) will be held in Canberra from 19 to 22 June 2011.

It is proposed to send the Mayor to participate in the NGA in Canberra in June. This is an important event and most CEO's and Mayors across Australia attend the assembly.

### **Consultation**

Required by legislation:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Required by City of Nedlands policy:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

### **Budget/financial implications**

Budget:

Within current approved budget:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Requires further budget consideration:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

The total estimated cost, inclusive of registration, accommodation, airfares and incidentals is \$3000.

### **Discussion**

The theme for the 2011 National General Assembly for Local Government (NGA) is: "Growing with our Communities: Places, Position and Partnership". The aim is to stimulate ideas about new ways of doing business to meet the infrastructure and service needs of local people in their local communities.

The "Places" topic recognises that individuals and households live and work in: suburbs, neighbourhoods, farms, cities, towns, and local communities i.e. "places". As these places differ geographically,



culturally, economically and socially, it is not surprising that services need to be tailored to local circumstances. Under this topic, delegates will be invited to discuss models for improved collaboration between governments and governance models to jointly develop policy, plan, coordinate and deliver better infrastructure and services that will meet the circumstances of a particular “place”.

The “Position” topic refers to the need for local government to be seen and treated as an integral part of the Australian federal system. There are more than 560 local governments in Australia, all of them democratically elected, accountable to their communities and charged with the responsibility, under state legislation, to govern in the interests of their local communities. Under this topic delegates will be invited to explore ways of ensuring that local government is properly recognised in all government structures including the Australian Constitution, as well as how local government can be better involved in shaping Commonwealth and state service delivery to better meet local needs.

The third topic is “Partnership”. This recognises that government service provision, including regulation, is a shared responsibility. While local government provides a wide range of services and infrastructure, many of these are in partnership with other levels of government. At the national level the partnership between local government and the Australian Government has delivered benefits to every Australian community including through programs such as the Roads to Recovery Program (R2R) and Community Infrastructure Program (CIP). Under this theme delegates will be encouraged to identify opportunities and challenges to the development of effective partnerships to improve the delivery of services and infrastructure at the local and regional level.

### **Conclusion**

The NGA is the most important event for local government across Australia bringing together Mayors and CEO’s.

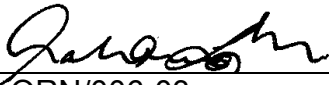
It is recommended that Council approve the Mayor’s attendance at NGA.

### **Attachments**

1. National General Assembly provisional program

Mayor Froese returned to the meeting and assumed the role of Presiding Member at 8.31 pm

**13.4 Constitutional Recognition of Local Government**

<b>Applicant</b>	City of Nedlands
<b>Owner</b>	City of Nedlands
<b>Director</b>	Michael Cole – Director Corporate Services
<b>CEO</b>	Graham Foster – Chief Executive Officer
<b>CEO Signature</b>	
<b>File ref.</b>	ORN/006-03
<b>Previous Item No's</b>	Nil
<b>Disclosure of Interest</b>	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 Negus  
 Seconded – Councillor Argyle

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

**CARRIED 7/4**  
**(Against: Crs. Argyle Hipkins Binks & Tyson)**

**Council Resolution / Recommendation to Council**

**Council:**

- 1. declares its support for financial recognition of local government in the Australian Constitution so that the Federal Government has the power to fund local government directly;**
- 2. declares its support for inclusion of local government in any new Preamble to the Constitution if one is proposed; and**
- 3. calls on all political parties to support a referendum by 2013 to change the Constitution to achieve this recognition.**

**Purpose**

For Council to consider giving active support to the ALGA Campaign for constitutional recognition of local government.

## **Strategic Plan**

KFA 5: Governance

- 5.8 Establish and actively manage a range of partnerships with government, private and not-for-profit sectors.

## **Background**

Constitutional recognition of local government has been the subject of wide debate across the country in recent years. In a submission to the Senate Select Committee inquiry into reform of the Australian Federation in 2010, the Australian Local Government Association (ALGA) detailed the important and expanding role of local government in the modern Australian Federal system of government. ALGA highlighted local government's critical role in meeting the increasingly diverse needs of its local and regional communities.

The role and functions of local government are increasingly relevant to Australians as they progress further into the 21st century. However, it is subject to considerable uncertainties because local government has no formal place in the nation's Constitution. These uncertainties are compounded by inadequate recognition and funding support for local and regional communities from the other levels of government, and various restrictions that are placed upon it by its state government masters.

Local government is the oldest form of government in Australia. It has proven itself to be competent, reliable, innovative, adaptable and flexible in changing policy environments and is committed to progressing national objectives in collaboration with the other levels of government.

Local government believes that its growing role in the Federation must be supported through constitutional reform to recognise it as a level of government and provide the capacity for direct funding from the Commonwealth, and through more increased (and adequate) funding so that it can continue to meet the needs and expectations of local and regional communities.

Following the 2010 Federal Election, Prime Minister Gillard committed to holding a dual referendum on the constitutional recognition of local government and the recognition of Indigenous Australians.

The Australian Local Government Association (ALGA) has suggested that the challenge for local government is threefold:

1. to ensure the referendum is held:
2. to ensure the type of recognition sought meets the needs of local government; and

3. to make sure there is a positive result in the referendum.

It is expected that any such referendum will be held in conjunction with the next Federal Elections due to be held in 2013.

ALGA has devoted considerable resources to develop a case for constitutional recognition and reform. The need for reform was highlighted in 2009 by the decision of the High Court in *Pape v Federal Commissioner of Taxation* where the High Court set out the limitations of the Australian Constitution of the Federal Government and in doing so clearly indicated that the Federal Government does not have the power to fund local government directly.

It is considered in the best interests of local communities that Federal Governments, whatever their political persuasion, have the capacity to funds councils directly to achieve national objectives. The type of funding envisaged by ALGA will not impact on existing relationships between State and local government and has been endorsed by the Western Australian Local Government Association.

### **Proposal Detail**

All councils across Australia have been asked to support the ALGA campaign by:

1. formally endorsing by way of Council resolution the position that a referendum be held in 2013 to change the Australian Constitution to allow that the Federal Government to fund local government directly; and
2. approach national political leaders and local Federal Members of Parliament to advise them of council's support for constitutional recognition of local government.

It is intended that a Constitutional Declaration for Councils will be submitted for signature by council representatives at the conclusion of the 2011 National General Assembly of Local Government on 22 June 2011.

### **Consultation**

Required by legislation:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Required by City of Nedlands policy:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

### **Legislation**

Not applicable.

### **Budget/financial implications**

Not applicable.

### **Risk Management**

Not applicable.

### **Discussion**

The growing role of local government must be supported through constitutional reform to recognise it as a level of government and provide the capacity for direct funding from the Commonwealth, and through more increased (and adequate) funding so that it can continue to meet the needs and expectations of local and regional communities.

A referendum will be required to amend the Australian Constitution to allow the Federal Government to fund local government directly. Such an amendment is considered in the best interests of local communities so that Federal Governments, whatever their political persuasion, have the capacity to fund councils directly to achieve national objectives.

### **Conclusion**

ALGA has sought support from councils across Australia for their campaign for constitutional recognition of local government. Council endorsement of the proposal is recommended.

### **Attachments**

Nil.

## **14. Elected Members Notices of Motions of Which Previous Notice Has Been Given**

Disclaimer: Where administration has provided any assistance with the framing and/or wording of any motion/amendment to a Councillor who has advised their intention to move it, the assistance has been provided on an impartial basis. The principle and intention expressed in any motion/amendment is solely that of the intended mover and not that of the officer/officers providing the assistance. Under no circumstances is it to be expressed to any party that administration or any Council officer holds a view on this motion other than that expressed in an official written or verbal report by Administration to the Council meeting considering the motion.

### **14.1 Councillor Hipkins - Donation to the Shire of Carnarvon**

At the Council meeting on 22 February 2011 Councillor Hipkins gave notice of his intention to move the following at this meeting.

Moved – Councillor Hipkins  
Seconded – Councillor Tyson

That the City of Nedlands makes a \$2,000.00 donation to the Shire of Carnarvon to aid reconstruction arising from recent flood events.

LOST4/7

(Against: Mayor & Crs. Negus Bell Binks Hodsdon Tan & Horley)

#### Administration Comment

The City of Nedlands does not have a specific budget allocation for donations to other organisations in the event of natural disasters.

While the amount sought could be seen as a token gesture of moral support for the Shire of Carnarvon, it could also set a precedent of expectation from other local governments impacted by other natural disasters. Already this year there have been a number of other disasters in Western Australian, namely the Lake Clifton bush fire, the Gosnells bush fire and more recently flooding incidents in the Kimberley. There is no doubt the losses suffered by these communities is every bit as significant to the communities concerned as the flooding in Carnarvon.

In addition, the human scale of the Carnarvon floods, while unfortunate, pale against recent events in Japan, Christchurch, Queensland and Victoria.

The Commonwealth and State Government already have in place natural disaster funding arrangements to aid the reconstruction of community infrastructure and to assist members of the community who have also suffered losses from natural disasters. Members of the wider community are also able to make personal donations through many not-for-profit organisations such as the Red Cross, or the Lord Mayors Distress Relief Fund.

The major question, therefore, is whether the City should make a donation or leave it to individual residents who will qualify for a tax deduction by doing so. Council does not have this advantage.

Accordingly, the notice of motion is not supported.

#### **14.2 Councillor Tan - Strategic Traffic and Parking Management Planning Workshop**

At the Council meeting on 22 February 2011 Councillor Tan gave notice of her intention to move the following at this meeting.

Moved – Councillor Tan  
Seconded – Councillor Hodsdon

**That Council:**

- i) instructs Administration to organise a Strategic Planning Workshop of all Councillors, Directors, the Parking and Access Internal Working Group and Traffic Management Committee community members in the last week of April 2011 to discuss traffic and parking hotspots as identified in maps presented by City Officers and in various correspondence from the Community, so that the said issues can be fully discussed by all concerned and results of the Workshop submitted to the Traffic Management Committee;**
- ii) instructs the Traffic Management Committee to use the information from this Workshop to develop an Action Plan for Strategic Traffic and Parking Management in the City and a Time Line for its implementation by May 2011 for approval by Council and consideration of its implementation in the 2011/2012 Budget; and**
- iii) encourages the attendance of all concerned at this Workshop so that a full and proper consideration of the issues - present and anticipated (in the light of proposed development of large projects in the City) are duly discussed and all decision-makers on the matter are fully informed and have the opportunity to provide input into this important strategic plan.**

**Advice Notes:**

**To this end, it is recommended that Officers, prior to the proposed Workshop:**

- identify all relevant Reports, Management Plans and Financial Statements that relate to the management of Traffic and Parking in the City of Nedlands so that all parties involved in the Workshop can update themselves on the information already available to them; and**
- organise meetings with stakeholders involved eg UWA, QEII Hospital, Sir Charles Gardiner Hospital, relevant Government Statutory Bodies etc to update Council on their future development plans and obtain any reports they have on the matter, and invite all involved to these information sessions.**

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

## **Council Resolution**

### **That Council:**

- i) instructs Administration to organise a Strategic Planning Workshop of all Councillors, Directors, the Parking and Access Internal Working Group and Traffic Management Committee community members in the last week of April 2011 to discuss traffic and parking hotspots as identified in maps presented by City Officers and in various correspondence from the Community, so that the said issues can be fully discussed by all concerned and results of the Workshop submitted to the Traffic Management Committee;**
- ii) instructs the Traffic Management Committee to use the information from this Workshop to develop an Action Plan for Strategic Traffic and Parking Management in the City and a Time Line for its implementation by May 2011 for approval by Council and consideration of its implementation in the 2011/2012 Budget; and**
- iii) encourages the attendance of all concerned at this Workshop so that a full and proper consideration of the issues - present and anticipated (in the light of proposed development of large projects in the City) are duly discussed and all decision-makers on the matter are fully informed and have the opportunity to provide input into this important strategic plan.**

### **Advice Notes:**

**To this end, it is recommended that Officers, prior to the proposed Workshop:**

- identify all relevant Reports, Management Plans and Financial Statements that relate to the management of Traffic and Parking in the City of Nedlands so that all parties involved in the Workshop can update themselves on the information already available to them; and**
- organise meetings with stakeholders involved eg UWA, QEII Hospital, Sir Charles Gardiner Hospital, relevant Government Statutory Bodies etc to update Council on their future development plans and obtain any reports they have on the matter, and invite all involved to these information sessions.**



### Supporting Comments from Councillor Tan

- The main function of the TMC has always been to provide a strategic overview and solution to traffic and parking problems in Nedlands - issues that are being compounded at the moment by developments at QEII and UWA sites in Hollywood - and will be further worsened by proposed developments along Waratah Avenue, Stirling Highway, Hampden Road and Broadway.
- Although the Traffic Management Committee has been trying very hard to do this for some time, it has been hampered by too much micro-management of many small issues being done at a very localised level.
- In addition, oftentimes Council questions and rehashes recommendations that have been carefully considered by the TMC.
- Other hurdles that hamper the TMC from achieving its strategic function include the non-provision of available information to Committee members, poor communication with major stakeholders and within Council itself, and the absence of strong leadership and subsequent lack of clear guidelines.
- It would therefore make more sense, and be more time-effective if this important proposed workshop be conducted straight away at Council level, so that all concerned are fully informed on all matters pertaining to Traffic and Parking in Nedlands, and the need for countless rounds of decision-making at TMC, Council Committee and Council levels is diminished greatly. Otherwise it could well be 2012/2013 before this Strategic Plan is realised.
- The Time Line being suggested is due to timing of Meetings: Workshop in early April, TMC discussion at their April/May meeting, and presentation of that Plan to Council in May 2011 for approval and consideration in the next Budget meeting.
- (iii) has been intentionally inserted to try to ensure that everyone (including Community reps of the TMC) are present to provide their invaluable input.

### Administration Comment

Administration supports the notice of motion; however due various meetings and public holidays in April it is recommended the date for the proposed workshop be 5 May 2011. It is also suggested the implementation date be changed from May to June 2011.

**15. Elected members notices of motion given at the meeting for consideration at the following ordinary meeting on 27 April 2011**

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 27 April 2011 to be tabled at this point in accordance with Clause 3.9(2) of Council's Local Law Relating to Standing Orders.

**15.1 Councillor Horley – Old Swanbourne Hospital**

Councillor Horley gave notice of her intention to move the following at the Council meeting on 27 April 2011.

**Due to grave long-term public concerns that the heritage buildings at the Old Swanbourne Hospital are excessively vulnerable to hazards such as fire and damage resulting from apparent deficiencies in maintenance and security, the State government is requested to take appropriate measures that will lead to greater security and protection for the heritage buildings at the Old Swanbourne Hospital site with regard to potential fire and damage to the buildings while the site remains under planning consideration.**

**15.2 Councillor Negus - Paid parking**

Councillor Negus gave notice of his intention to move the following at the Council meeting on 27 April 2011.

**That the City of Nedlands will not implement paid parking throughout the City.**

**15.3 Councillor Hipkins - Setbacks from side and rear boundaries in low density residential zones**

Councillor Hipkins gave notice of his intention to move the following at the Council meeting on 27 April 2011.

**That:**

**The administration is to prepare a draft policy for consideration by Council no later than the June 2011 round of meetings containing the following elements:**

**Objectives**

- 1. To guide the exercise of discretion for variations within low density zones of the Residential Design Codes and the operation of the amenity clause 5.5 in Town Planning Scheme No. 2;**
- 2. To preserve the open and spacious character of the City of Nedlands; and**
- 3. To assist in the maintenance of privacy and prevention of overlooking of back yards.**

**Policy**

**The side and rear setbacks specified in R10, R12.5 and R15 zones of the Residential Design Codes shall be enforced without variation, interchange or boundary parapet walls, provided that:**

- 1. a single storey building comprising a garage or carport may be constructed with a minimum setback of 1.0m from an adjoining laneway;**
- 2. a garage or carport may be constructed with a minimum setback of 4.0m from a secondary street;**
- 3. this policy does not apply to outbuildings as defined by the Residential Design Codes;**
- 4. any variation to this policy, arising from a small or irregular shaped lot or any other reason, is to be submitted with justification to Council for determination.**

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

Nil.

**17. Confidential Items**

Nil.

**Declaration of Closure**

There being no further business, the Presiding Member declared the meeting closed at 8.47 pm.

**Attachment to Report CP08.11**

**Council Meeting – 22 March 2011**

Updated Compliance Audit Return 2010



## Nedlands - Compliance Audit Return 2010

### Certified Copy of Return

Please submit a signed copy to the Director General of the Department of Local Government together with a copy of section of relevant minutes.

<b>Caravan Parks and Camping Grounds</b>					
<b>No</b>	<b>Reference</b>	<b>Question</b>	<b>Response</b>	<b>Comments</b>	<b>Respondent</b>
1	s21(1) Caravan Parks and Camping Grounds Act 1995	Did the local government inspect each caravan park or camping ground in its district within the period 1 July 2009 to 30 June 2010.	N/A		Gary Martin
2	s14(1) of the Caravans and Camping Grounds Act 1995	Did you keep a register of caravan park licences. (For the return period)	N/A		Gary Martin

<b>Cemeteries</b>					
<b>No</b>	<b>Reference</b>	<b>Question</b>	<b>Response</b>	<b>Comments</b>	<b>Respondent</b>
1	s40(1)(a), (b) Cemeteries Act 1986	Has a register been maintained which contains details of all burials in the cemetery, including details of the names and descriptions of the deceased persons and location of the burial. (For the return period)	N/A		Gary Martin
2	s40(1)(a), (b) Cemeteries Act 1986	Has a register been maintained which contains details of all grants of right of burial in the cemetery, including details of assignments or bequests of grants. (For the return period)	N/A		Gary Martin
3	s40(2) Cemeteries Act 1986	Have plans been kept and maintained showing the location of all burials registered in as above.	N/A		Gary Martin



<b>Commercial Enterprises by Local Governments</b>					
<b>No</b>	<b>Reference</b>	<b>Question</b>	<b>Response</b>	<b>Comments</b>	<b>Respondent</b>
1	s3.59(2)(a)(b)(c) F&G Reg 7,9	Has the local government prepared a business plan for each major trading undertaking in 2010.	N/A		Gary Martin
2	s3.59(2)(a)(b)(c) F&G Reg 7,10	Has the local government prepared a business plan for each major land transaction that was not exempt in 2010.	N/A		Gary Martin
3	s3.59(2)(a)(b)(c) F&G Reg 7,11	Has the local government prepared a business plan before entering into each land transaction that was preparatory to entry into a major land transaction in 2010.	N/A		Gary Martin
4	s3.59(4)	Has the local government given Statewide public notice of each proposal to commence a major trading undertaking or enter into a major land transaction for 2010.	N/A		Gary Martin
5	s3.59(5)	Did the Council, during 2010, resolve to proceed with each major land transaction or trading undertaking by absolute majority.	N/A		Gary Martin



Delegation of Power / Duty					
No	Reference	Question	Response	Comments	Respondent
1	s5.16, 5.17, 5.18	Were all delegations to committees resolved by absolute majority.	N/A		Gary Martin
2	s5.16, 5.17, 5.18	Were all delegations to committees in writing.	N/A		Gary Martin
3	s5.16, 5.17, 5.18	Were all delegations to committees within the limits specified in section 5.17.	N/A		Gary Martin
4	s5.16, 5.17, 5.18	Were all delegations to committees recorded in a register of delegations.	N/A		Gary Martin
5	s5.18	Has Council reviewed delegations to its committees in the 2009/2010 financial year.	N/A		Gary Martin
6	s5.42(1),5.43 Admin Reg 18G	Did the powers and duties of the Council delegated to the CEO exclude those as listed in section 5.43 of the Act.	Yes		Gary Martin
7	s5.42(1)(2) Admin Reg 18G	Were all delegations to the CEO resolved by an absolute majority.	Yes		Gary Martin
8	s5.42(1)(2) Admin Reg 18G	Were all delegations to the CEO in writing.	No	Written notice of a delegations to employees has been inconsistent. Procedures amended to ensure the CEO and each officer receive a written instrument each year that documents their delegations.	Michael Cole
9	s5.44(2)	Were all delegations by the CEO to any employee in writing.	No	Written notice of a delegations to employees has been inconsistent. Procedures amended to ensure the CEO and each officer receive a written instrument each year that documents their delegations.	Michael Cole
10	s5.45(1)(b)	Were all decisions by the Council to amend or revoke a delegation made by absolute majority.	N/A		Gary Martin
11	s5.46(1)	Has the CEO kept a register of all delegations made under the Act to him and to other employees.	Yes		Gary Martin
12	s5.46(2)	Were all delegations made under Division 4 of Part 5 of the Act reviewed by the delegator at least once during the 2009/2010 financial year.	Yes		Gary Martin
13	s5.46(3) Admin Reg 19	Did all persons exercising a delegated power or duty under the Act keep, on all occasions, a written record as required.	Yes		Gary Martin

#### Disclosure of Interest





No	Reference	Question	Response	Comments	Respondent
1	s5.67	If a member disclosed an interest, did he/she ensure that they did not remain present to participate in any discussion or decision-making procedure relating to the matter in which the interest was disclosed (not including participation approvals granted under s5.68).	Yes		Gary Martin
2	s5.68(2)	Were all decisions made under section 5.68(1), and the extent of participation allowed, recorded in the minutes of Council and Committee meetings.	Yes		Gary Martin
3	s5.73	Were disclosures under section 5.65 or 5.70 recorded in the minutes of the meeting at which the disclosure was made.	Yes		Gary Martin
4	s5.75(1) Admin Reg 22 Form 2	Was a primary return lodged by all newly elected members within three months of their start day.	N/A		Gary Martin
5	s5.75(1) Admin Reg 22 Form 2	Was a primary return lodged by all newly designated employees within three months of their start day.	Yes		Gary Martin
6	s5.76(1) Admin Reg 23 Form 3	Was an annual return lodged by all continuing elected members by 31 August 2010.	Yes		Gary Martin
7	s5.76(1) Admin Reg 23 Form 3	Was an annual return lodged by all designated employees by 31 August 2010.	Yes		Gary Martin
8	s5.77	On receipt of a primary or annual return, did the CEO, (or the Mayor/ President in the case of the CEO's return) on all occasions, give written acknowledgment of having received the return.	Yes		Gary Martin
9	s5.88(1)(2) Admin Reg 28	Did the CEO keep a register of financial interests which contained the returns lodged under section 5.75 and 5.76	Yes		Gary Martin
10	s5.88(1)(2) Admin Reg 28	Did the CEO keep a register of financial interests which contained a record of disclosures made under sections 5.65, 5.70 and 5.71, in the form prescribed in Administration Regulation 28.	Yes		Gary Martin
11	s5.88 (3)	Has the CEO removed all returns from the register when a person ceased to be a person required to lodge a return under section 5.75 or 5.76.	Yes		Gary Martin
12	s5.88(4)	Have all returns lodged under section 5.75 or 5.76 and removed from the register, been kept for a period of at least five years, after the person who lodged the return ceased to be a council member or designated employee.	Yes		Gary Martin



No	Reference	Question	Response	Comments	Respondent
13	s5.103 Admin Reg 34C & Rules of Conduct Reg 11	Where an elected member or an employee disclosed an interest in a matter discussed at a Council or committee meeting where there was a reasonable belief that the impartiality of the person having the interest would be adversely affected, was it recorded in the minutes.	Yes	Note Complaints to Standards Panel	Gary Martin
14	s5.66(b)	Did the person presiding at a meeting, on all occasions, when given a member's written financial interest disclosure by the CEO, bring its contents to the attention of persons present immediately before any matters to which the disclosure relates were discussed.	Yes		Gary Martin
15	s5.71(a)	Did the CEO disclose to the mayor or president the nature of the interest as soon as practicable after becoming aware that he or she had an interest in the matter to which the delegated power or duty related.	Yes		Gary Martin
16	5.71(b)	Did an employee disclose to the CEO the nature of the interest as soon as practicable after becoming aware that he or she had an interest in the matter to which the delegated power or duty related.	N/A	No examples were noted	Gary Martin
17	s5.70(2)	Where an employee had an interest in any matter in respect of which the employee provided advice or a report directly to the Council or a Committee, did that person disclose the nature of that interest when giving the advice or report.	Yes		Gary Martin
18	s5.70(3)	Where an employee disclosed an interest under s5.70(2), did that person also disclose the extent of that interest when required to do so by the Council or a Committee.	Yes		Gary Martin
19	s5.66(a)	Did the CEO, on all occasions, where a council member gave written notice of a disclosure of interest before a meeting, cause that notice to be given to the person who presided at the meeting.	Yes		Gary Martin
20	s5.71	On all occasions were delegated powers and duties not exercised by employees that had an interest in the matter to which the delegated power or duty related.	N/A	No examples noted	Gary Martin



Disposal of Property					
No	Reference	Question	Response	Comments	Respondent
1	s3.58(3)	Was local public notice given prior to disposal for any property not disposed of by public auction or tender (except where excluded by Section 3.58(5)).	N/A		Gary Martin
2	s3.58(4)	Where the local government disposed of property under section 3.58(3), did it provide details, as prescribed by section 3.58(4), in the required local public notice for each disposal of property.	N/A		Gary Martin

Elections					
No	Reference	Question	Response	Comments	Respondent
1	s4.17(3)	Was approval sought from the Electoral Commissioner where council allowed a vacancy to remain unfilled as a result of a councillor's position becoming vacant under s2.32 and in accordance with s4.17(3)(a) & (b).	N/A		Gary Martin
2	s4.20(2)	Did the local government appoint a person other than the CEO to be the returning officer of the local government for an election or all other elections held while that appointment applied, after having written agreement of the person concerned and the Electoral Commissioner.	N/A		Gary Martin
3	s4.20(4)	Did the local government declare the electoral commissioner to be responsible for the conduct of an election, after having first obtained the written agreement of the Electoral Commissioner.	N/A		Gary Martin
4	s4.20(5)	Where a declaration has not already been made, was a declaration made under s4.20(4) prior to the 80th day before election day.	N/A		Gary Martin
5	s4.32(4)	Did the CEO, within 14 days after receiving a claim for enrolment, decide whether the claimant was eligible or not eligible under s4.30(1)(a)&(b) and accept or reject the claim accordingly.	N/A		Gary Martin
6	s4.32(6) Elect Reg 13	Did the CEO record on all occasions the decision in the owners and occupiers register in accordance with Regulation 13 of the Local Government (Elections) Regulations 1997 and give written notice of the decision to the claimant without delay, for eligibility to enrol.	N/A		Gary Martin
7	s4.35(2)	Did the CEO give written notice to the person before making a decision under subsection (1)(c) and allow 28 days for the person to make submissions on the matter.	N/A		Gary Martin



No	Reference	Question	Response	Comments	Respondent
8	s4.35(3)	Did the CEO, after making a decision under subsection (1)(c), give written notice of it to the person.	N/A		Gary Martin
9	s4.35(5)	Did the CEO, on receipt of advice of the Electoral Commissioner's decision on an appeal, take any action necessary to give effect to that decision.	N/A		Gary Martin
10	s4.35(6)	Did the CEO give written notice on all occasions to the person, where after considering submissions made under subsection 2, the CEO decided that the person was still eligible under s4.30 to be enrolled to vote at elections for the district or ward.	N/A		Gary Martin
11	s4.35(7)	Did the CEO, on all occasions, record any decision under subsection (1) or (6) in the register referred to in section 4.32(6).	N/A		Gary Martin
12	s4.39(2)	Did the CEO on or after the 70th day, but no later than the 56th day give statewide public notice of the time and date of the close of enrolments.	N/A		Gary Martin
13	s4.41(1)	Did the CEO prepare an owners and occupiers roll for the election on or before the 36th day before election day.	N/A		Gary Martin
14	s4.41(2)	Did the CEO certify that the owners and occupiers roll included the names of all persons who were electors of the district or ward under s4.30 at the close of enrolments.	N/A		Gary Martin
15	s4.43(1)	Where the CEO was returning officer (RO) and the rolls were not consolidated, did the RO delete the names of any person from the owners and occupiers roll whose name also appeared on the residents roll, on or before the 22nd day before election day.	N/A		Gary Martin
16	s4.47(1)	Where the CEO was returning officer (RO), did the RO give statewide public notice calling for nominations of candidates for the election on or after the 56th day but no later than the 45th day before election day.	N/A		Gary Martin
17	s4.47(2)(a)	Did the notice referred to in s4.47(1) calling for nominations specify the kind of election to be held and the vacancy or vacancies to be filled.	N/A		Gary Martin
18	s4.47(2)(b)	Did the notice referred to in s4.47(1) calling for nominations specify the place where nominations may be delivered or sent.	N/A		Gary Martin
19	s4.47(2)(c)	Did the notice referred to in s4.47(1) calling for nominations specify the period within which nominations have to be delivered or sent.	N/A		Gary Martin



No	Reference	Question	Response	Comments	Respondent
20	s4.47(2)(d)	Did the notice referred to in s4.47(1) calling for nominations specify any other arrangements made for the receipt by the returning officer of nominations.	N/A		Gary Martin
21	s4.61(2)	Did the Council of the local government, where it decided to conduct the election as a postal election, make that decision by absolute majority.	N/A		Gary Martin
22	s4.61(3)	Where a decision was made under s4.61(2) and a relevant declaration had not already been made, was that decision made prior to the 80th day before election day.	N/A		Gary Martin
23	s4.64	Where the CEO was returning officer (RO), did the RO give Statewide public notice (election notice) as soon as practicable after preparations for the election, but no later than on the 19th day before election day, in accordance with regulations that included details of how, when and where the election will be conducted and the names of the candidates.	N/A		Gary Martin
24	Elect Reg 7	Did a person, before acting as an electoral officer, make the required declaration as stated in local government election regulation 7.	N/A		Gary Martin
25	Elect Reg 8(2)	Where the CEO was returning officer (RO), did the RO prepare and adopt a Code of Conduct for the 2010 Extraordinary Elections.	N/A		Gary Martin
26	Elect Reg 8(3)	Where the CEO was returning officer (RO), did the RO provide each electoral officer a copy or access to a copy of the electoral code of conduct for the 2010 Extraordinary Elections.	N/A		Gary Martin
27	Elect Reg 13(1)	Has the relevant information as listed in Election Reg 13 been recorded in the owners and occupiers register.	N/A		Gary Martin
28	Elect Reg 13(4)	Did the CEO amend the register from time to time to make sure that the information recorded in it is accurate.	N/A		Gary Martin
29	Elect Reg 17	Did the local government keep an enrolment eligibility claim form, if accepted, a copy of a notice of acceptance for 2 years after the claim and notice expired, and a copy of a notice of rejection for 2 years after the claim was rejected.	N/A		Gary Martin
30	Elect Reg 26(4)	Did the CEO or an employee of the local government appointed as Returning Officer keep the deposit referred to in s4.49(d) separate from other money and credited to a fund of the local government.	N/A		Gary Martin



No	Reference	Question	Response	Comments	Respondent
31	Elect Reg 30G (1)	Did the CEO establish and maintain an electoral gift register and ensure that all 'disclosure of gifts' forms completed by candidates and received by the CEO were placed on the electoral gift register at the time of receipt by the CEO and in a manner that clearly identifies and distinguishes the candidates.	Yes		Gary Martin
32	Elect Reg 30G(3)	Did the CEO remove any "disclosure of gifts" forms completed by unsuccessful candidates from the electoral gift register in accordance with the period under regulation 30C and retain those forms separately for a period of at least 2 years.	No	Gift Disclosures forms for unsuccessful candidate still in Register. These have now been removed.	Michael Cole
33	Elect Reg 30H	Has the electoral gift register been kept at the appropriate local government offices.	Yes		Gary Martin
34	Elect Reg 40	Has a postal voters register been kept of electors whose applications are under regulation 37(1)(b) and are accepted under regulation 38(1), which contains the enrolment details of each elector included on it and any ward in respect of which the elector is registered.	Yes		Gary Martin
35	Elect Reg 81	Was the report relating to an election under s4.79 provided to the Minister within 14 days after the declaration of the result of the election.	N/A		Gary Martin

**Executive Functions**

No	Reference	Question	Response	Comments	Respondent
1	s3.18(3)(a)	Has the local government satisfied itself that the services and facilities that it provides ensure integration and co-ordination of services and facilities between governments.	Yes		Gary Martin
2	s3.32(1)	Was a notice of intended entry given to the owner or occupier of the land, premises or thing that had been entered.	N/A		Gary Martin
3	s3.50	Did the local government close a thoroughfare wholly or partially for a period not exceeding 4 weeks under the guidelines of 3.50.	Yes		Gary Martin
4	s3.18(3)(b)	Has the local government satisfied itself that the services and facilities that it provides avoid unnecessary duplication of services or competition particularly with the private sector.	Yes		Gary Martin
5	s3.18(3)(c)	Has the local government satisfied itself that the services and facilities that it provides ensure services and facilities are properly managed.	Yes		Gary Martin



No	Reference	Question	Response	Comments	Respondent
6	s3.40A(1)	Where in the opinion of the local government a vehicle was an abandoned vehicle wreck, was it removed and impounded by an employee authorised (for that purpose) by the local government.	Yes		Gary Martin
7	s3.40A(2)	Where the owner of the vehicle was identified within 7 days after its removal under s3.40A(1), did the local government give notice to that person advising that the vehicle may be collected from a place specified during such hours as are specified in the notice.	Yes		Gary Martin
8	s3.40A(3)	Where notice was given under s3.40A (2) did it include a short statement of the effect of subsection (4)(b) and the effect of the relevant provisions of sections 3.46 and 3.47.	Yes		Gary Martin
9	s3.51(3)	Did the local government give notice of what is proposed to be done giving details to the proposal and inviting submissions from any person who wishes to make a submission and allow a reasonable time for submissions to be made and consider any submissions made.	N/A	During 2010, it was considered that works on thoroughfares consisted of resurfacing works and minor improvements unlikely to have an adverse affect on landowners.	Michael Cole
10	s3.52(4)	Has the local government kept plans for the levels and alignments of public thoroughfares that are under its control or mangement, and made those plans available for public inspection.	Yes		Gary Martin
11	s3.32(2)	Did the notice of intended entry specify the purpose for which the entry was required.	N/A		Gary Martin
12	s3.32(3)	Was the notice of intended entry given not less than 24 hours before the power of entry was exercised.	N/A		Gary Martin

#### Finance

No	Reference	Question	Response	Comments	Respondent
1	s5.53, Admin Reg 19B	Has the local government prepared an annual report for the financial year ended 30 June 2010 that contained the prescribed information under the Act and Regulations.	Yes		Gary Martin
2	s5.54(1), (2)	Was the annual report accepted by absolute majority by the local government by 31 December 2010.	Yes		Gary Martin
3	s5.54(1), (2)	Where the Auditor's report was not available in time for acceptance by 31 December, was it accepted no more than two months after the Auditor's report was made available.	N/A		Gary Martin
4	s5.55	Did the CEO give local public notice of the availability of the annual report as soon as practicable after the local government accepted the report.	Yes		Gary Martin



No	Reference	Question	Response	Comments	Respondent
5	s5.56 Admin Reg 19C(2)	Has the local government made a plan for the future of its district in respect of the period specified in the plan (being at least 2 financial years).	Yes		Gary Martin
6	Admin Reg 19D	After a plan for the future, or modifications to a plan were adopted under regulation 19C, did the local government give public notice in accordance with subsection (2).	N/A		Gary Martin
7	s5.94, s5.95	Did the local government allow any person attending the local government during office hours to inspect information, free of charge, listed in s5.94 of the Act and subject to s5.95 whether or not the information was current at the time of inspection.	Yes		Gary Martin
8	s5.96	Where a person inspected information under Part 5, Division 7 of the Act and requested a copy of that information, did the local government ensure that copies were available at a price that did not exceed the cost of providing those copies.	Yes		Gary Martin
9	s5.98 Admin Reg 30	Was the fee made available to elected members for attending meetings within the prescribed range.	N/A		Gary Martin
10	s5.98 Admin Reg 31	Was the reimbursement of expenses to elected members within the prescribed ranges or as prescribed.	Yes		Gary Martin
11	s5.98A Admin Reg 33A	Where a local government decided to pay the deputy mayor or the deputy president an allowance, was it resolved by absolute majority.	Yes		Gary Martin
12	s5.98A Admin Reg 33A	Where a local government decided to pay the deputy mayor or the deputy president an allowance, was it up to (or below) the prescribed percentage of the annual local government allowance to which the mayor or president is entitled under section 5.98 (5).	Yes		Gary Martin
13	s5.99 Admin Reg 34	Where a local government decided to pay Council members an annual fee in lieu of fees for attending meetings, was it resolved by absolute majority.	Yes		Gary Martin
14	s5.99 Admin Reg 34	Where a local government decided to pay Council members an annual fee in lieu of fees for attending meetings, was it within the prescribed range.	Yes		Gary Martin
15	s5.99A Admin Reg 34A, AA, AB	Where a local government decided to pay Council members an allowance instead of reimbursing telephone, facsimile machine rental charges and other telecommunication, information technology, travelling and accommodation expenses, was it resolved by absolute majority.	Yes		Gary Martin





No	Reference	Question	Response	Comments	Respondent
16	s5.99A Admin Reg 34A, AA, AB	Where a local government decided to pay Council members an allowance instead of reimbursing telephone, facsimile machine rental charges and other telecommunication, information technology, travelling and accommodation expenses, was it within the prescribed range.	Yes		Gary Martin
17	s5.100 (1)	Did the local government pay a fee for attending committee meetings only to a committee member who was a council member.	N/A		Gary Martin
18	s5.100 (2)	Where the local government decided to reimburse a committee member, who was not a council member or employee, for an expense incurred by the person in relation to a matter affecting the local government, was it within the prescribe range.	N/A		Gary Martin
19	s6.8	Was expenditure that the local government incurred from its municipal fund, but not included in its annual budget, authorised in advance on all occasions by absolute majority resolution.	Yes		Gary Martin
20	s6.8(1)(c)	Did the Mayor or President authorise expenditure from the municipal fund in an emergency. (Please Indicate circumstances in the "Comments" column)	N/A		Gary Martin
21	s6.8	In relation to expenditure that the local government incurred from its municipal fund that was authorised in advance by the mayor or president in an emergency, was it reported on all occasions to the next ordinary meeting of council.	N/A		Gary Martin
22	s6.12, 6.13, 6.16 (1),(3)	Did Council at the time of adopting its budget, determine the granting of a discount or other incentive for early payment by absolute majority.	N/A		Gary Martin
23	s6.12, 6.13, 6.16 (1),(3)	Did Council determine the setting of an interest rate on money owing to Council by absolute majority.	Yes		Gary Martin
24	s6.12, 6.13, 6.16 (1),(3)	Did Council determine to impose or amend a fee or charge for any goods or services provided by the local government by absolute majority. (Note: this applies to money other than rates and service charges).	Yes		Gary Martin
25	s6.17(3)	Were the fees or charges imposed for receiving an application for approval, granting an approval, making an inspection and issuing a licence, permit, authorisation or certificate, limited to the cost of providing the service or goods.	Yes		Gary Martin
26	s6.17(3)	Were the fees or charges imposed for any other service prescribed in section 6.16 (2)(f), limited to the cost of providing the service or goods.	Yes		Gary Martin



No	Reference	Question	Response	Comments	Respondent
27	s6.19	After the budget was adopted, did the local government give local public notice for all fees and charges stating its intention to introduce the proposed fees or charges and the date from which it proposed to introduce the fees or charges.	Yes	Food Act fees	Gary Martin
28	s6.20(2) FM Reg 20	On each occasion where the local government exercised the power to borrow, was the Council decision to exercise that power by absolute majority (Only required where the details of the proposal were not included in the annual budget for that financial year).	N/A		Gary Martin
29	S6.76(6)	Was the outcome of an objection under section 6.76(1) promptly conveyed to the person who made the objection including a statement of the local government's decision on the objection and its reasons for that decision.	Yes		Gary Martin
30	FM Reg 5	Has efficient systems and procedures been established by the CEO of a local government as listed in Finance Reg 5.	Yes		Gary Martin
31	FM Reg 6	Has the local government ensured that an employee to whom is delegated responsibility for the day to day accounting or financial management operations of a local government is not also delegated the responsibility for conducting an internal audit or reviewing the discharge of duties by that employee.	Yes		Gary Martin
32	s7.1A	Has the local government established an audit committee and appointed members by absolute majority in accordance with section 7.1A of the Act.	Yes		Gary Martin
33	s7.1B	Where a local government determined to delegate to its audit committee any powers or duties under Part 7 of the Act, did it do so by absolute majority.	Yes		Gary Martin
34	s7.3	Was the person(s) appointed by the local government to be its auditor, a registered company auditor.	N/A		Gary Martin
35	s7.3	Was the person(s) appointed by the local government to be its auditor, an approved auditor.	N/A		Gary Martin
36	s7.3	Was the person or persons appointed by the local government to be its auditor, appointed by an absolute majority decision of Council.	N/A		Gary Martin
37	s7.12A(3), (4)	Where the local government determined that matters raised in the auditor's report prepared under s7.9 (1) of the Act required action to be taken by the local government, was that action undertaken.	N/A		Gary Martin



No	Reference	Question	Response	Comments	Respondent
38	s7.12A(3), (4)	Where the local government determined that matters raised in the auditor's report (prepared under s7.9 (1) of the Act) required action to be taken by the local government, was a report prepared on any actions undertaken.	N/A		Gary Martin
39	s7.12A(3), (4)	Where the local government determined that matters raised in the auditor's report (prepared under s7.9 (1) of the Act) required action to be taken by the local government, was a copy of the report forwarded to the Minister by the end of the financial year or 6 months after the last report prepared under s7.9 was received by the local government whichever was the latest in time.	N/A		Gary Martin
40	Audit Reg 7	Did the agreement between the local government and its auditor include the objectives of the audit.	N/A		Gary Martin
41	Audit Reg 7	Did the agreement between the local government and its auditor include the scope of the audit.	N/A		Gary Martin
42	Audit Reg 7	Did the agreement between the local government and its auditor include a plan for the audit.	N/A		Gary Martin
43	Audit Reg 7	Did the agreement between the local government and its auditor include details of the remuneration and expenses to be paid to the auditor.	N/A		Gary Martin
44	Audit Reg 7	Did the agreement between the local government and its auditor include the method to be used by the local government to communicate with, and supply information to, the auditor.	N/A		Gary Martin

**Local Government Employees**

No	Reference	Question	Response	Comments	Respondent
1	Admin Reg 18C	Did the local government approve the process to be used for the selection and appointment of the CEO before the position of CEO was advertised.	N/A		Gary Martin
2	s5.36(4) s5.37(3)	Were all vacancies for the position of CEO and for designated senior employees advertised.	Yes		Gary Martin
3	s5.36(4) s5.37(3) Admin Reg 18A(1)	Did the local government advertise for the position of CEO and for designated senior employees in a newspaper circulated generally throughout the State.	Yes		Gary Martin
4	s5.36(4), 5.37(3), Admin Reg 18A	Did all advertisements for the position of CEO and for designated senior employees contain details of the remuneration and benefits offered.	Yes		Gary Martin



No	Reference	Question	Response	Comments	Respondent
5	s5.36(4), 5.37(3), Admin Reg 18A	Did all advertisements for the position of CEO and for designated senior employees contain details of the place where applications for the position were to be submitted.	Yes		Gary Martin
6	s5.36(4), 5.37(3), Admin Reg 18A	Did all advertisements for the position of CEO and for designated senior employees detail the date and time for closing of applications.	Yes		Gary Martin
7	s5.36(4), 5.37(3), Admin Reg 18A	Did all advertisements for the position of CEO and for designated senior employees indicate the duration of the proposed contract.	Yes		Gary Martin
8	s5.36(4), 5.37(3), Admin Reg 18A	Did all advertisements for the position of CEO and for designated senior employees provide contact details of a person to contact for further information.	Yes		Gary Martin
9	s5.37(2)	Did the CEO inform council of each proposal to employ or dismiss a designated senior employee.	N/A		Gary Martin
10	s5.38	Was the performance of each employee, employed for a term of more than one year, (including the CEO and each senior employee), reviewed within the most recently completed 12 months of their term of employment.	Yes		Gary Martin
11	Admin Reg 18D	Where Council considered the CEO's performance review did it decide to accept the review with or without modification (if Council did not accept the review, the preferred answer is N/A & refer Q12).	Yes		Gary Martin
12	Admin Reg 18D	Where the Council considered the CEO's performance review, but decided not to accept the review, did it decide to reject the review (if Council accepted the review, the preferred answer is N/A refer Q11).	N/A		Gary Martin
13	s5.39	During the period covered by this Return, were written performance based contracts in place for the CEO and all designated senior employees who were employed since 1 July 1996.	Yes		Gary Martin
14	s5.39 Admin Reg 18B	Does the contract for the CEO and all designated senior employees detail the maximum amount of money payable if the contract is terminated before the expiry date. This amount is the lesser of the value of one year's remuneration under the contract.	Yes		Gary Martin
15	s5.39 Admin Reg 18B	Does the contract for the CEO and all designated senior employees detail the maximum amount of money payable if the contract is terminated before the expiry date and this amount is the lesser of the value of the remuneration they would be entitled to had the contract not been terminated.	Yes		Gary Martin



No	Reference	Question	Response	Comments	Respondent
16	s5.50(1)	Did Council adopt a policy relating to employees whose employment terminates, setting out the circumstances in which council would pay an additional amount to that which the employee is entitled under a contract or award.	Yes		Gary Martin
17	s5.50(1)	Did Council adopt a policy relating to employees whose employment terminates, setting out the manner of assessment of an additional amount.	Yes		Gary Martin
18	s5.50(2)	Did the local government give public notice on all occasions where council made a payment that was more than the additional amount set out in its policy.	N/A		Gary Martin
19	s5.53(2)(g) Admin Reg 19B	For the purposes of section 5.53(2)(g) did the annual report of a local government for a financial year contain the number of employees of the local government entitled to an annual salary of \$100,000 or more.	Yes		Gary Martin
20	s5.53(2)(g) Admin Reg 19B	For the purposes of section 5.53(2)(g) did the annual report of a local government for a financial year contain the number of those employees with an annual salary entitlement that falls within each band of \$10,000 and over \$100,000.	Yes		Gary Martin
21	Admin Reg 18F	Was the remuneration and other benefits paid to a CEO on appointment the same remuneration and benefits advertised for the position of CEO under section 5.36(4).	N/A		Gary Martin
22	Admin Regs 18E	Did the local government ensure checks were carried out to confirm that the information in an application for employment was true (applicable to CEO only).	N/A		Gary Martin
23	Admin Reg 33	Was the allowance paid to the mayor or president for the purposes of s5.98 (5) within the prescribed range.	Yes		Gary Martin

Local Laws					
No	Reference	Question	Response	Comments	Respondent
1	s3.12(2) F&G Reg 3	On each occasion that Council resolved to make a local law, did the person presiding at the Council meeting give notice of the purpose and effect of each proposed local law in the manner prescribed in Functions and General Regulation 3.	Yes		Gary Martin
2	s3.12(4)	Have all Council's resolutions to make local laws been by absolute majority.	N/A		Gary Martin
3	s3.12(4)	Have all Council's resolutions to make local laws been recorded as such in the minutes of the meeting.	N/A		Gary Martin



No	Reference	Question	Response	Comments	Respondent
4	s3.12(6)	After the local law was published in the Gazette, did the local government give local public notice summarising the purpose and effect of the local law and the day on which it came into operation.	N/A		Gary Martin
5	s3.12(6)	After the local law was published in the Gazette, did the local government give local public notice advising that copies of the local law may be inspected or obtained from its office.	N/A		Gary Martin
6	s3.16(1)	Have all reviews of local laws under section 3.16(1) of the Act been carried out within a period of 8 years.	No	Majority of Local Laws completed or underway. Remaining local laws scheduled for review in 2011.	Michael Cole
7	s3.16(1)(2)	If the local government carried out a review of a local law under section 3.16 of the Act, to determine whether or not the local law should be repealed or amended, did it give Statewide public notice stating that it intended to review the local law.	Yes		Gary Martin
8	s3.16(1)(2)	If the local government carried out a review of a local law under section 3.16 of the Act, to determine whether or not the local law should be repealed or amended, did it give Statewide public notice advising that a copy of the local law could be inspected or obtained at the place specified in the notice.	Yes		Gary Martin
9	s3.16(1)(2)	If the local government carried out a review of a local law under section 3.16 of the Act, to determine whether or not the local law should be repealed or amended, did it give Statewide public notice detailing the closing date for submissions about the local law.	Yes		Gary Martin
10	s3.16(3)	Did the local government (after the last day for submissions) prepare a report of the review and have it submitted to Council.	Yes		Gary Martin
11	s3.16(4)	Was the decision to repeal or amend a local law determined by absolute majority on all occasions.	Yes		Gary Martin

Meeting Process					
No	Reference	Question	Response	Comments	Respondent
1	s2.25(1)(3)	Where Council granted leave to a member from attending 6 or less consecutive ordinary meetings of Council was it by Council resolution.	Yes		Gary Martin
2	s2.25(1)(3)	Where Council granted leave to a member from attending 6 or less consecutive ordinary meetings of Council, was it recorded in the minutes of the meeting at which the leave was granted.	Yes		Gary Martin



No	Reference	Question	Response	Comments	Respondent
3	s2.25(3)	Where Council refused to grant leave to a member from attending 6 or less consecutive ordinary meetings of Council, was the reason for refusal recorded in the minutes of the meeting.	N/A		Gary Martin
4	s2.25(2)	Was Ministerial approval sought (on all occasions) before leave of absence was granted to an elected member in respect of more than 6 consecutive ordinary meetings of council.	N/A		Gary Martin
5	s5.4	On all occasions when the mayor or president called an ordinary or special meeting of Council, was it done by notice to the CEO setting out the date and purpose of the proposed meeting;	Yes		Gary Martin
6	s5.5	On all occasions when councillors called an ordinary or special meeting of Council was it called by at least 1/3 (one third) of the councillors, by notice to the CEO setting out the date and purpose of the proposed meeting.	N/A		Gary Martin
7	s5.5(1)	Did the CEO give each council member at least 72 hours notice of the date, time, place and an agenda for each ordinary meeting of Council.	Yes		Gary Martin
8	s5.5(2)	Did the CEO give each council member notice before the meeting, of the date, time, place and purpose of each special meeting of Council.	Yes		Gary Martin
9	s5.7	Did the local government seek approval (on each occasion as required) from the Minister or his delegate, for a reduction in the number of offices of member needed for a quorum at a Council meeting	N/A		Gary Martin
10	s5.7	Did the local government seek approval (on each occasion as required) from the Minister or his delegate, for a reduction in the number of offices of member required for absolute majorities.	N/A		Gary Martin
11	s5.8	Did the local government ensure all Council committees (during the review period) were established by an absolute majority.	Yes		Gary Martin
12	s5.10(1)(a)	Did the local government ensure all members of Council committees, during the review period, were appointed by an absolute majority (other than those persons appointed in accordance with section 5.10 (1)(b)).	Yes		Gary Martin
13	s5.10(2)	Was each Council member given their entitlement during the review period, to be appointed as a committee member of at least one committee, as referred to in section 5.9(2)(a) & (b) of the Act.	Yes		Gary Martin



No	Reference	Question	Response	Comments	Respondent
14	s5.12(1)	Were Presiding members of committees elected by the members of the committees (from amongst themselves) in accordance with Schedule 2.3, Division 1 of the Act.	Yes		Gary Martin
15	s5.12(2)	Were Deputy presiding members of committees elected by the members of the committee (from amongst themselves) in accordance with Schedule 2.3 Division 2 of the Act.	Yes		Gary Martin
16	s5.15	Where the local government reduced a quorum of a committee meeting, was the decision made by absolute majority on each occasion.	N/A		Gary Martin
17	s5.21 (4)	When requested by a member of Council or committee, did the person presiding at a meeting ensure an individual vote or the vote of all members present, were recorded in the minutes.	Yes		Gary Martin
18	s5.22(1)	Did the person presiding at a meeting of a Council or a committee ensure minutes were kept of the meeting's proceedings.	Yes		Gary Martin
19	s5.22(2)(3)	Were the minutes of all Council and committee meetings submitted to the next ordinary meeting of Council or committee, as the case requires, for confirmation.	Yes		Gary Martin
20	s5.22(2)(3)	Were the minutes of all Council and committee meetings signed to certify their confirmation by the person presiding at the meeting at which the minutes of Council or committee were confirmed.	Yes		Gary Martin
21	s5.23 (1)	Were all council meetings open to members of the public (subject to section 5.23(2) of the Act).	Yes		Gary Martin
22	s5.23 (1)	Were all meetings of committees to which a power or duty had been delegated open to members of the public (subject to section 5.23(2) of the Act).	Yes		Gary Martin
23	s5.23(2)(3)	On all occasions, was the reason, or reasons, for closing any Council or committee meeting to members of the public, in accordance with the Act.	Yes		Gary Martin
24	s5.23(2)(3)	On all occasions, was the reason, or reasons, for closing any Council or committee meeting to members of the public recorded in the minutes of that meeting.	Yes		Gary Martin
25	s5.24 (1) Admin Reg 5&6	Was a minimum time of 15 minutes allocated for questions to be raised by members of the public and responded to at every ordinary meeting of Council.	Yes		Gary Martin





No	Reference	Question	Response	Comments	Respondent
26	s5.24 (1) Admin Reg 5&6	Was a minimum time of 15 minutes allocated for questions to be raised by members of the public and responded to at every special meeting of Council.	Yes		Gary Martin
27	s5.24 (1) Admin Reg 5&6	Was a minimum time of 15 minutes allocated for questions to be raised by members of the public and responded to at every meeting of a committee to which the local government has delegated a power or duty.	Yes		Gary Martin
28	Admin Reg 8	Was a period of 30 minutes allowed from the advertised commencement time before any Council or committee was adjourned due to the lack of a quorum.	N/A		Gary Martin
29	Admin Reg 9	Was voting at Council or committee meetings conducted so that no vote was secret.	Yes		Gary Martin
30	Admin Reg 10(1)	Were all motions to revoke or change decisions at Council or committee meetings supported in the case where an attempt to revoke or change the decision had been made within the previous 3 months but failed, by an absolute majority.	N/A		Gary Martin
31	Admin Reg 10(1)	Were all motions to revoke or change decisions at Council or committee meetings supported in any other case, by at least one third of the number of officers of member (whether vacant or not) of the Council or committee.	N/A		Gary Martin
32	Admin Reg 10(2)	Were all decisions to revoke or change decisions made at Council or committee meetings made (in the case where the decision to be revoked or changed was required to be made by an absolute majority or by a special majority), by that kind of majority.	N/A		Gary Martin
33	Admin Reg 10(2)	Were all decisions to revoke or change decisions made at Council or committee meetings made in any other case, by an absolute majority.	N/A		Gary Martin
34	Admin Reg 11	Did the contents of minutes of all Council or committee meetings include the names of members present at the meeting.	Yes		Gary Martin
35	Admin Reg 11	Did the contents of minutes of all Council or committee meetings include where a member entered or left the meeting, the time of entry or departure, as the case requires, in the chronological sequence of the business of the meeting.	Yes		Gary Martin
36	Admin Reg 11	Did the contents of minutes of all Council or committee meetings include details of each motion moved at the meeting, including details of the mover and outcome of the motion.	Yes		Gary Martin



No	Reference	Question	Response	Comments	Respondent
37	Admin Reg 11	Did the contents of minutes of all Council or committee meetings include details of each decision made at the meeting.	Yes		Gary Martin
38	Admin Reg 11	Did the contents of the minutes of all Council or committee meetings include, where the decision was significantly different from written recommendation of a committee or officer, written reasons for varying that decision.	Yes		Gary Martin
39	Admin Reg 11	Did the contents of minutes of all Council or committee meetings include a summary of each question raised by members of the public and a summary of the response given.	Yes		Gary Martin
40	Admin Reg 11	Did the contents of minutes of all Council or committee meetings include in relation to each disclosure made under sections 5.65 or 5.70, where the extent of the interest has been disclosed, the extent of the interest.	Yes		Gary Martin
41	Admin Reg 12(1)	Did the local government, at least once during the period covered by this return, give local public notice for the next twelve months of the date, time and place of ordinary Council meetings.	Yes		Gary Martin
42	Admin Reg 12(1)	Did the local government, at least once during the period covered by this return, give local public notice for the next twelve months of the date, time and place of those committee meetings that were required under the Act to be open to the public or that were proposed to be open to the public.	Yes		Gary Martin
43	Admin Reg 12(2)	Did the local government give local public notice of any changes to the dates, time or places referred to in the question above.	Yes		Gary Martin
44	Admin Reg 12(3) (4)	In the CEO's opinion, where it was practicable, were all special meetings of Council (that were open to members of the public) advertised via local public notice.	Yes		Gary Martin
45	Admin Reg 12(3) (4)	Did the notice referred to in the question above include details of the date, time, place and purpose of the special meeting.	Yes		Gary Martin
46	Admin Reg 13	Did the local government make available for public inspection unconfirmed minutes of all Council meetings within 10 business days after the Council meetings.	Yes		Gary Martin
47	Admin Reg 13	Did the local government make available for public inspection unconfirmed minutes of all committee meetings within 5 business days after the committee meetings.	Yes		Gary Martin



No	Reference	Question	Response	Comments	Respondent
48	Admin Reg 14(1) (2)	Were notice papers, agenda and other documents relating to any Council or committee meeting, (other than those referred to in Admin Reg 14(2)) made available for public inspection.	Yes		Gary Martin
49	Admin Reg 14A	On all occasions where a person participated at a Council or committee meeting by means of instantaneous communication, (by means of audio, telephone or other instantaneous contact) as provided for in Administration Regulation 14A, did the Council approve of the arrangement by absolute majority.	N/A		Gary Martin
50	Admin Reg 14A	On all occasions where a person participated at a Council or committee meeting by means of instantaneous communication, (as provided for in Administration Regulation 14A) was the person in a suitable place as defined in Administration Regulation 14A(4)	N/A		Gary Martin
51	s5.27(2)	Was the annual general meeting of electors held within 56 days of the local government's acceptance of the annual report for the previous financial year.	Yes		Gary Martin
52	s5.29	Did the CEO convene all electors' meetings by giving at least 14 days local public notice and each Council member at least 14 days notice of the date, time, place and purpose of the meeting.	Yes		Gary Martin
53	s5.32	Did the CEO ensure the minutes of all electors' meetings were kept and made available for public inspection before the Council meeting at which decisions made at the electors' meeting were first considered.	Yes		Gary Martin
54	s5.33(1)	Were all decisions made at all electors' meetings considered at the next ordinary Council meeting, or, if not practicable, at the first ordinary Council meeting after that, or at a special meeting called for that purpose.	Yes		Gary Martin
55	s5.33(2)	Were the reasons for Council decisions in response to decisions made at all electors' meetings recorded in the minutes of the appropriate Council meeting.	Yes		Gary Martin
56	s5.103(3) Admin Reg 34B	Has the CEO kept a register of all notifiable gifts received by Council members and employees.	Yes		Gary Martin



<b>Miscellaneous Provisions</b>					
<b>No</b>	<b>Reference</b>	<b>Question</b>	<b>Response</b>	<b>Comments</b>	<b>Respondent</b>
1	s9.4	Has each person who received an unfavourable decision from Council, or from an employee of the local government exercising delegated authority, (that is appealable under Part 9 of the Act) been informed of his or her right to object and appeal against the decision.	Yes		Gary Martin
2	s9.29(2)(b)	On all occasions, were those employees who represented the local government in court proceedings, appointed in writing by the CEO.	N/A		Gary Martin
3	s9.6(5)	Did the local government ensure that the person who made the objection was given notice in writing of how it has been decided to dispose of the objection and the reasons why.	Yes		Gary Martin
<b>Official Conduct</b>					
<b>No</b>	<b>Reference</b>	<b>Question</b>	<b>Response</b>	<b>Comments</b>	<b>Respondent</b>
1	s5.120	Where the CEO is not the complaints officer, has the local government designated a senior employee, as defined under s5.37, to be its complaints officer.	N/A		Gary Martin
2	s5.121(1)	Has the complaints officer for the local government maintained a register of complaints which records all complaints that result in action under s5.110(6)(b) or (c).	Yes		Gary Martin
3	s5.121(2)(a)	Does the complaints register maintained by the complaints officer include provision for recording of the name of the council member about whom the complaint is made.	Yes		Gary Martin
4	s5.121(2)(b)	Does the complaints register maintained by the complaints officer include provision for recording the name of the person who makes the complaint.	Yes		Gary Martin
5	s5.121(2)(c)	Does the complaints register maintained by the complaints officer include provision for recording a description of the minor breach that the standards panel finds has occurred.	Yes		Gary Martin
6	s5.121(2)(d)	Does the complaints register maintained by the complaints officer include the provision to record details of the action taken under s5.110(6)(b) (c).	Yes		Gary Martin



Swimming Pools						
No	Reference	Question	Response	Comments	Respondent	
1	s245A(5)(aa) LG (MiscProv) Act 1960	Have inspections of known private swimming pools, either been, or are proposed to be, carried out as required by section 245A(5)(aa) of the Local Government (Miscellaneous Provisions) Act 1960.	Yes		Gary Martin	

Tenders for Providing Goods and Services						
No	Reference	Question	Response	Comments	Respondent	
1	s3.57 F&G Reg 11	Did the local government invite tenders on all occasions (before entering into contracts for the supply of goods or services) where the consideration under the contract was, or was expected to be, worth more than the consideration stated in Regulation 11(1) of the Local Government (Functions & General) Regulations (Subject to Functions and General Regulation 11(2)).	Yes		Gary Martin	
2	F&G Reg 12	Has the local government, as far as it is aware, only entered into a single contract rather than multiple contracts so as to avoid the requirements to call tenders in accordance with F&G Reg 11 (1).	Yes		Gary Martin	
3	F&G Reg 14(1)	Did the local government invite tenders via Statewide public notice.	Yes		Gary Martin	
4	F&G Reg 14(3)	Did all the local government's invitations to tender include a brief description of the goods and services required and contact details for a person from whom more detailed information could be obtained about the tender.	Yes		Gary Martin	
5	F&G Reg 14(3)	Did all the local government's invitations to tender include information as to where and how tenders could be submitted.	Yes		Gary Martin	
6	F&G Reg 14(3)	Did all the local government's invitations to tender include the date and time after which tenders would not be accepted.	Yes		Gary Martin	
7	F&G Reg 14(3)(4)	Did the local government ensure information was made available to all prospective tenderers concerning detailed specifications of the goods or services required.	Yes		Gary Martin	
8	F&G Reg 14(3)(4)	Did the local government ensure information was made available to all prospective tenderers of the criteria for deciding which tender would be accepted.	Yes		Gary Martin	



No	Reference	Question	Response	Comments	Respondent
9	F&G Reg 14(3)(4)	Did the local government ensure information was made available to all prospective tenderers about whether or not the local government had decided to submit a tender.	Yes		Gary Martin
10	F&G Reg 14(3)(4)	Did the local government ensure information was made available to all prospective tenderers on whether or not tenders were allowed to be submitted by facsimile or other electronic means and if so, how tenders were to be submitted.	Yes	Inconsistent detail concerning facsimile and email	Gary Martin
11	F&G Reg 14(3)(4)	Did the local government ensure all prospective tenderers had any other information that should be disclosed to those interested in submitting a tender.	Yes		Gary Martin
12	F&G Reg 14(5)	If the local government sought to vary the information supplied to tenderers, was every reasonable step taken to give each person who sought copies of the tender documents or each acceptable tenderer, notice of the variation.	Yes		Gary Martin
13	F&G Reg 15	Following the publication of the notice inviting tenders, did the local government allow a minimum of 14 days for tenders to be submitted.	Yes		Gary Martin
14	F&G Reg 16(1)	Did the local government ensure that tenders submitted, (including tenders submitted by facsimile or other electronic means) were held in safe custody.	Yes		Gary Martin
15	F&G Reg 16(1)	Did the local government ensure that tenders submitted, (including tenders submitted by facsimile or other electronic means) remained confidential.	Yes		Gary Martin
16	F&G Reg 16 (2)& (3)(a)	Did the local government ensure all tenders received were not opened, examined or assessed until after the time nominated for closure of tenders.	Yes		Gary Martin
17	F&G Reg 16 (2)& (3)(a)	Did the local government ensure all tenders received were opened by one or more employees of the local government or a person authorised by the CEO.	Yes		Gary Martin
18	F&G Reg 16 (3)(b)	Did the local government ensure members of the public were not excluded when tenders were opened.	Yes		Gary Martin
19	F&G Reg 16 (3)(c)	Did the local government record all details of the tender (except the consideration sought) in the tender register immediately after opening.	Yes		Gary Martin
20	F&G Reg 18(1)	Did the local government reject the tenders that were not submitted at the place, and within the time specified in the invitation to tender.	Yes		Gary Martin



No	Reference	Question	Response	Comments	Respondent
21	F&G Reg 18 (4)	In relation to the tenders that were not rejected, did the local government assess which tender to accept and which tender was most advantageous to the local government to accept, by means of written evaluation criteria.	Yes		Gary Martin
22	F&G Reg 17 (2) & (3)	Does the local government's Tender Register include (for each invitation to tender) a brief description of the goods or services required.	Yes		Gary Martin
23	F&G Reg 17 (2) & (3)	Does the local government's Tender Register include (for each invitation to tender) particulars of the decision made to invite tenders and if applicable the decision to seek expressions of interest under Regulation 21(1).	No	The details of a decision to invite tenders required by F&G reg 17 (2) and (3) are not included in the Register of Tenders. To be addressed by implementing a tender checklist, regularly checked by a senior officer.	Michael Cole
24	F&G Reg 17 (2) & (3)	Does the local government's Tender Register include (for each invitation to tender) particulars of any notice by which expressions of interest from prospective tenderers were sought and any person who submitted an expression of interest.	N/A		Gary Martin
25	F&G Reg 17 (2) & (3)	Does the local government's Tender Register include (for each invitation to tender) any list of acceptable tenderers that was prepared under regulation 23(4)	N/A		Gary Martin
26	F&G Reg 17 (2) & (3)	Does the local government's Tender Register include (for each invitation to tender) a copy of the notice of invitation to tender.	Yes		Gary Martin
27	F&G Reg 17 (2) & (3)	Does the local government's Tender Register include (for each invitation to tender) the name of each tenderer whose tender was opened.	Yes		Gary Martin
28	F&G Reg 17 (2) & (3)	Does the local government's Tender Register include (for each invitation to tender) the name of the successful tenderer.	Yes		Gary Martin
29	F&G Reg 17 (2) & (3)	Does the local government's Tender Register include (for each invitation to tender) the amount of consideration or the summary of the amount of the consideration sought in the accepted tender.	No	Consideration not consistently recorded in the register. Reference to a schedule is not sufficient. A checklist is to be implemented and regularly checked by a senior officer.	Michael Cole
30	F&G Reg 19	Was each tenderer sent written notice advising particulars of the successful tender or advising that no tender was accepted.	Yes		Gary Martin



No	Reference	Question	Response	Comments	Respondent
31	F&G Reg 21(3)	On each occasion that the local government decided to invite prospective tenderers to submit an expression of interest for the supply of goods or services, did the local government issue a Statewide public notice.	N/A		Gary Martin
32	F&G Reg 21(4)	Did all public notices inviting an expression of interest, include a brief description of the goods and services required.	N/A		Gary Martin
33	F&G Reg 21(4)	Did all public notices inviting an expression of interest, include particulars of a person from whom more detailed information could be obtained.	N/A		Gary Martin
34	F&G Reg 21(4)	Did all public notices inviting an expression of interest, include information as to where and how expressions of interest could be submitted.	N/A		Gary Martin
35	F&G Reg 21(4)	Did all public notices inviting an expression of interest, include the date and time after which expressions of interest would not be accepted.	N/A		Gary Martin
36	F&G Reg 22	Following the publication of the notice inviting expressions of interest, did the local government allow a minimum of 14 days for the submission of expressions of interest.	N/A		Gary Martin
37	F&G Reg 23(1)	Did the local government reject the expressions of interest that were not submitted at the place and within the time specified in the notice.	N/A		Gary Martin
38	F&G Reg 23(4)	After the local government considered expressions of interest, did the CEO list each person considered capable of satisfactorily supplying goods or services.	N/A		Gary Martin
39	F&G Reg 24	Was each person who submitted an expression of interest, given a notice in writing in accordance with Functions & General Regulation 24.	N/A		Gary Martin
40	F&G Reg 24E	Where the local government gave a regional price preference in relation to a tender process, did the local government prepare a proposed regional price preference policy (only if a policy had not been previously adopted by Council).	N/A		Gary Martin
41	F&G Reg 24E	Where the local government gave a regional price preference in relation to a tender process, did the local government give Statewide public notice of its intention to have a regional price preference policy and include in that notice the region to which the policy is to relate (only if a policy had not been previously adopted by Council).	N/A		Gary Martin





No	Reference	Question	Response	Comments	Respondent
42	F&G Reg 24E	Where the local government gave a regional price preference in relation to a tender process, did the local government include in the notice details of where a complete copy of the proposed policy may be obtained (only if a policy had not been previously adopted by Council).	N/A		Gary Martin
43	F&G Reg 24E	Where the local government gave a regional price preference in relation to a tender process, did the local government include in the notice a statement inviting submissions commenting on the proposed policy, together with a closing date of not less than 4 weeks for those submissions (only if a policy had not been previously adopted by Council).	N/A		Gary Martin
44	F&G Reg 24E	Where the local government gave a regional price preference in relation to a tender process, did the local government make a copy of the proposed regional price preference policy available for public inspection in accordance with the notice (only if a policy had not been previously adopted by Council).	N/A		Gary Martin
45	F&G Reg 11A(1)	Has the local government prepared and adopted a purchasing policy in relation to contracts for other persons to supply goods or services where the consideration under the contract is, or is expected to be, \$100,000 or less or worth \$100,000 or less.	Yes		Gary Martin
46	F&G Reg 11A(3)(a)	Did the purchasing policy that was prepared and adopted make provision in respect of the form of quotations acceptable.	Yes		Gary Martin
47	F&G Reg 11A (3) (b)	Did the purchasing policy that was prepared and adopted make provision in respect to the recording and retention of written information, or documents for all quotations received and all purchases made.	Yes		Gary Martin

I certify this Compliance Audit return has been adopted by Council at its meeting on \_\_\_\_\_

\_\_\_\_\_  
Signed Mayor / President, Nedlands

\_\_\_\_\_  
Signed CEO, Nedlands

**Attachment to Item 13.1**

**Council Meeting – 22 March 2011**

Common Seal Register Report – February 2011

Common Seal Register Report

February 2011

SEAL NUMBER	DATE SEALED	DEPARTMENT	MEETING DATE / ITEM NO.	REASON FOR USE
550	3 February 2011	Development Services	Council Resolution 14 December 2010 Report D95.10	Final approval fo scheme amendment No. 193 to re-zone lots on Dalkeith Road, Carrington Street, Portland Street, Karella Street and Bedbrook Place and to alter residential parking requirements (4 copies).
551	3 February 2011	Development services	Delegated Authority	
552	15 February 2011	Development services	Delegated Authority	Notification under Section 70A – No. 17 Cross Street, Swanbourne (Lot 51 on deposited plan 65773) – the use of the undercroft level shall be restricted to the uses as depicted in the plans dated 20 July 2010 ie. Garage and store.
553	22 February 2011	Development Services	Delegated Authority	Collaborative arrangement between the Swan River Trust and the City of Nedlands for the Riverbank Grants Scheme 2010/11 – 11NL02 – Waratah Place Foreshore Restoration.

**Attachment to Item 13.2**

**Council Meeting – 22 March 2011**

List of Delegated Authorities - February 2011

**DELEGATED AUTHORITY REPORT**

List of Delegated Authorities - February 2011

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Date 15/03/2011

Time 2:59:22 PM

Login Name Sarah Love

**DEL11/34****Seal Certification - Seal No. 550 – Final approval for scheme amendment No. 193 to re-zone lots on Dalkeith Toad, Carrington Street, Portland Street, Karella Street and Bedbrook Place and to alter***Delegation Type* 1D - Use of Council's Common Seal and Authority to Sign Documents*Date Registered* 3/02/2011 at 12:25 PM*Position Exercising Delegated Authority* Chief Executive Officer*How Delegation Is Recorded* Seal Register*Applicant* City of Nedlands (Addressee)**DEL11/35****Seal Certification - Seal No. 551 – Notification under Section 70A – No. 64 Jutland Parade, Dalkeith – the use of basements/ lower level shall be restricted to plant and equipment, storage, toilets and the***Delegation Type* 1D - Use of Council's Common Seal and Authority to Sign Documents*Date Registered* 3/02/2011 at 12:27 PM*Position Exercising Delegated Authority* Chief Executive Officer*How Delegation Is Recorded* Seal Register*Applicant* Michael Bambang Hartono (Address)**DEL11/36****Mr. Michael Cole - Acting Chief Executive Officer - 20 January 2011 to 7 February 2011 Inclusive***Delegation Type* 1A - Acting Chief Executive Officer*Date Registered* 3/02/2011 at 1:50 PM*Position Exercising Delegated Authority* Chief Executive Officer*How Delegation Is Recorded* Letter (general)*Applicant* Mike Cole (Addressee)**DEL11/37****Approval to write off minor rate debts - 4th instalment 2010/11 - \$4.80***Delegation Type* 3F - Write off of Minor Debts*Date Registered* 4/02/2011 at 8:25 AM*Position Exercising Delegated Authority* Chief Executive Officer*How Delegation Is Recorded* Authorisation Form*Applicant* City of Nedlands (Addressee)**DEL11/38****Approval to write off of minor rate debts - January 2011 - \$37.54***Delegation Type* 3F - Write off of Minor Debts*Date Registered* 4/02/2011 at 8:33 AM*Position Exercising Delegated Authority* Chief Executive Officer*How Delegation Is Recorded* Authorisation Form*Applicant* City of Nedlands (Addressee)**DEL11/39****Infringement Withdrawal 301090***Delegation Type* 9C - Withdrawal of Infringement Notices*Date Registered* 4/02/2011 at 3:43 PM*Position Exercising Delegated Authority* Manager Corporate Services*How Delegation Is Recorded* Withdrawal Notice*Applicant* Eva & Michael Palmer (Addressee)**DEL11/40****Infringement Withdrawn 200709***Delegation Type* 9C - Withdrawal of Infringement Notices*Date Registered* 7/02/2011 at 3:14 PM*Position Exercising Delegated Authority* Manager Corporate Services*How Delegation Is Recorded* Withdrawal Notice*Applicant* Alison Conroy (Addressee)**DEL11/41****Approval for a Vehicle on a Reserve Lawler Park - City of Nedlands Summer Concerts***Delegation Type* 1H - Authority to Grant Permission for Vehicle on Reserve*Date Registered* 7/02/2011 at 3:21 PM*Position Exercising Delegated Authority* Administration Officer - Community and Str*Applicant* City of Nedlands (Addressee)

**DELEGATED AUTHORITY REPORT**

List of Delegated Authorities - February 2011

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**Continued...****DEL11/42****11 ( Lot 330 ) Florence Road Nedlands - Front Fencing***Delegation Type**Date Registered**Position Exercising Delegated Authority**How Delegation Is Recorded**Applicant***6A - TPS No 2 - Approval and Refusal of Planning Applications****9/02/2011 at 9:44 AM****Manager Statutory Planning****Approval Letter (Planning D'A/s)****Creative Limestone (Addressee)****DEL11/43****38 ( Lot 313 ) Dalkeith Road Nedlands - Single Storey Additions***Delegation Type**Date Registered**Position Exercising Delegated Authority**How Delegation Is Recorded**Applicant***6A - TPS No 2 - Approval and Refusal of Planning Applications****9/02/2011 at 9:46 AM****Manager Strategic Planning****Approval Letter (Planning D'A/s)****Lesley & Damian Meaney (Addressee)****DEL11/44****22 ( Lot 393 ) Cooper Street Nedlands - Pergola, Garage with Parapet Wall, Retaining Boundary Fencing and Swimming Pool***Delegation Type**Date Registered**Position Exercising Delegated Authority**How Delegation Is Recorded**Applicant***6A - TPS No 2 - Approval and Refusal of Planning Applications****9/02/2011 at 9:48 AM****Manager Statutory Planning****Approval Letter (Planning D'A/s)****Optimum Resource Architects (Addressee)****DEL11/45****8 ( Lot 60 ) Lovegrove Close Mt Claremont - Shed***Delegation Type**Date Registered**Position Exercising Delegated Authority**How Delegation Is Recorded**Applicant***6A - TPS No 2 - Approval and Refusal of Planning Applications****9/02/2011 at 10:32 AM****Manager Statutory Planning****Approval Letter (Planning D'A/s)****Jacqui Williams (Addressee)****DEL11/46****16 ( Lot 330 ) Baird Avenue Nedlands - Patio***Delegation Type**Date Registered**Position Exercising Delegated Authority**How Delegation Is Recorded**Applicant***6A - TPS No 2 - Approval and Refusal of Planning Applications****9/02/2011 at 10:34 AM****Manager Statutory Planning****Approval Letter (Planning D'A/s)****Abel Roofing (Addressee)****DEL11/47****34 ( Lot 99 ) Mooro Drive Mt Claremont - Patio***Delegation Type**Date Registered**Position Exercising Delegated Authority**How Delegation Is Recorded**Applicant***6A - TPS No 2 - Approval and Refusal of Planning Applications****9/02/2011 at 10:36 AM****Manager Statutory Planning****Approval Letter (Planning D'A/s)****One Stop Patio Shop (Addressee)****DEL11/48****18 ( Lot 335 ) Lisle Street Mt Claremont - Single Storey Additions/Alterations and Re-Roof***Delegation Type**Date Registered**Position Exercising Delegated Authority**How Delegation Is Recorded**Applicant***6A - TPS No 2 - Approval and Refusal of Planning Applications****9/02/2011 at 10:39 AM****Manager Statutory Planning****Approval Letter (Planning D'A/s)****Timothy John Cusack (Addressee)****DEL11/49****25 ( Lot 254 ) Strickland Street Mt Claremont - Occasional Child Care Centre ( Annie's Playschool )***Delegation Type**Date Registered**Position Exercising Delegated Authority**How Delegation Is Recorded**Applicant***6A - TPS No 2 - Approval and Refusal of Planning Applications****9/02/2011 at 10:41 AM****Manager Statutory Planning****Approval Letter (Planning D'A/s)****Lesley O'Hara (Addressee)**

**DELEGATED AUTHORITY REPORT**

List of Delegated Authorities - February 2011

**Continued...****DEL11/50****47 ( Lot 424 ) Viking Road Dalkeith - Two Storey Dwelling***Delegation Type* **6A - TPS No 2 - Approval and Refusal of Planning Applications***Date Registered* **9/02/2011 at 10:43 AM***Position Exercising Delegated Authority* **Manager Statutory Planning***How Delegation Is Recorded* **Approval Letter (Planning D'A/s)***Applicant* **Josephene & Blane Brackenridge (A)****DEL11/51****Change parking restrictions to "No stopping" on Williams Rd as per map number Ned\_03\_11 and associated kerbside line marking on Williams Rd from Hardy St to Karella St west***Delegation Type* **4G - Traffic Management Committee***Date Registered* **9/02/2011 at 5:05 PM***Position Exercising Delegated Authority* **Traffic Management Committee***How Delegation Is Recorded* **TMC DA Register***Applicant* **City of Nedlands (Addressee)****DEL11/52****Changing parking restrictions on Victoria Ave, Dalkeith from "No parking road or verge" to "no parking" only***Delegation Type* **4G - Traffic Management Committee***Date Registered* **9/02/2011 at 5:14 PM***Position Exercising Delegated Authority* **Traffic Management Committee***How Delegation Is Recorded* **TMC DA Register***Applicant* **City of Nedlands (Addressee)****DEL11/53****Parking changes on Viewway between Princess Rd and Bruce St as per map no. Ned\_33\_10 - "No parking" on the west side of Viewway and 2P 8 am to 5 pm Mon - Fri on the east side of Viewway***Delegation Type* **4G - Traffic Management Committee***Date Registered* **9/02/2011 at 5:20 PM***Position Exercising Delegated Authority* **Traffic Management Committee***How Delegation Is Recorded* **TMC DA Register***Applicant* **City of Nedlands (Addressee)****DEL11/54****Infringement Withdrawal 301012***Delegation Type* **9C - Withdrawal of Infringement Notices***Date Registered* **10/02/2011 at 10:39 AM***Position Exercising Delegated Authority* **Director Corporate Services***How Delegation Is Recorded* **Withdrawal Notice***Applicant* **Jacqueline Kent (Addressee)****DEL11/55****Infringement Withdrawal 301096 & 301097***Delegation Type* **9C - Withdrawal of Infringement Notices***Date Registered* **10/02/2011 at 10:40 AM***Position Exercising Delegated Authority* **Director Corporate Services***How Delegation Is Recorded* **Withdrawal Notice***Applicant* **B.A. Stokes (Addressee)****DEL11/56****Infringement Withdrawal 301100 & 301101***Delegation Type* **9C - Withdrawal of Infringement Notices***Date Registered* **10/02/2011 at 10:55 AM***Position Exercising Delegated Authority* **Manager Corporate Services***How Delegation Is Recorded* **Withdrawal Notice***Applicant* **Rano Wibisono (Addressee)**

**DELEGATED AUTHORITY REPORT**

List of Delegated Authorities - February 2011

**DEL11/57****Infringement Withdrawal 200629**

*Delegation Type* 9C - Withdrawal of Infringement Notices  
*Date Registered* 10/02/2011 at 3:03 PM  
*Position Exercising Delegated Authority* Manager Corporate Services  
*How Delegation Is Recorded* Withdrawal Notice  
*Applicant* Maddigan (Addressee)

**DEL11/58****26 ( Lot 73 ) Odern Crescent Swanbourne - Three Storey Dwelling**

*Delegation Type* 6A - TPS No 2 - Approval and Refusal of Planning Applications  
*Date Registered* 11/02/2011 at 11:16 AM  
*Position Exercising Delegated Authority* Manager Statutory Planning  
*How Delegation Is Recorded* Approval Letter (Planning D'A/s)  
*Applicant* Boughton Architecture (Addressee)

**DEL11/59****162 ( Lot 21 ) Victoria Avenue Dalkieth - Portico**

*Delegation Type* 6A - TPS No 2 - Approval and Refusal of Planning Applications  
*Date Registered* 11/02/2011 at 11:17 AM  
*Position Exercising Delegated Authority* Manager Statutory Planning  
*How Delegation Is Recorded* Approval Letter (Planning D'A/s)  
*Applicant* Dale Alcock Home Improvement (Ac

**DEL11/60****73 ( Lot 603 ) Meriwa Street Nedlands - Singlen Storey Dwelling**

*Delegation Type* 6A - TPS No 2 - Approval and Refusal of Planning Applications  
*Date Registered* 11/02/2011 at 11:19 AM  
*Position Exercising Delegated Authority* Manager Statutory Planning  
*How Delegation Is Recorded* Approval Letter (Planning D'A/s)  
*Applicant* Summit Home Improvements (Addr

**DEL11/61****3B ( Lot 400 ) Clement Street Swanbourne - Patio**

*Delegation Type* 6A - TPS No 2 - Approval and Refusal of Planning Applications  
*Date Registered* 11/02/2011 at 12:05 PM  
*Position Exercising Delegated Authority* Manager Statutory Planning  
*How Delegation Is Recorded* Approval Letter (Planning D'A/s)  
*Applicant* Saleeba Adams Architects (Address

**DEL11/62****50 ( Lot 314 ) Robinson Street Nedlands - Fencing**

*Delegation Type* 6A - TPS No 2 - Approval and Refusal of Planning Applications  
*Date Registered* 11/02/2011 at 12:09 PM  
*Position Exercising Delegated Authority* Manager Statutory Planning  
*How Delegation Is Recorded* Approval Letter (Planning D'A/s)  
*Applicant* Stephen Gibson (Addressee)

**DEL11/63****8 ( Lot 6 ) Betty Street Nedlands - Front Fencing**

*Delegation Type* 6A - TPS No 2 - Approval and Refusal of Planning Applications  
*Date Registered* 14/02/2011 at 11:40 AM  
*Position Exercising Delegated Authority* Manager Statutory Planning  
*How Delegation Is Recorded* Approval Letter (Planning D'A/s)  
*Applicant* Simon Price (Addressee)

**DEL11/72****Parking Infringement Withdrawn 200831 - Louisa Chawhan**

*Delegation Type* 9C - Withdrawal of Infringement Notices  
*Date Registered* 28/02/2011 at 9:45 AM  
*Position Exercising Delegated Authority* Manager Corporate Services  
*How Delegation Is Recorded* Withdrawal Notice  
*Applicant* Louisa Chawhan (Addressee)



**DELEGATED AUTHORITY REPORT**

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**DEL11/73****Parking Infringement Withdrawn 100718 - Desiree Oorloff**

*Delegation Type* 9C - Withdrawal of Infringement Notices  
*Date Registered* 28/02/2011 at 10:58 AM  
*Position Exercising Delegated Authority* Manager Corporate Services  
*How Delegation Is Recorded* Withdrawal Notice  
*Applicant* Desiree Oorloff (Addressee)

**DEL11/76****Parking Infringements Withdrawn 500796 & 500797 - Stephen Toole**

*Delegation Type* 9C - Withdrawal of Infringement Notices  
*Date Registered* 28/02/2011 at 2:54 PM  
*Position Exercising Delegated Authority* Manager Corporate Services  
*How Delegation Is Recorded* Withdrawal Notice  
*Applicant* Stephen Toole (Addressee)

**DEL11/64****Seal Certification - Seal No. 552 –Notification under Section 70A–No. 17 Cross Street, Swanbourne (Lot 51 on deposited plan 65773)–the use of the undercroft level shall be restricted to the uses**

*Delegation Type* 1D - Use of Council's Common Seal and Authority to Sign Documents  
*Date Registered* 15/02/2011 at 10:03 AM  
*Position Exercising Delegated Authority* Chief Executive Officer  
*How Delegation Is Recorded* Seal Register  
*Applicant* Terry & Sandra Foley (Addressee)

**DEL11/65****37 ( Lot 14426 ) Lemnos Street Shenton Park - Telecommunications Facility**

*Delegation Type* 6A - TPS No 2 - Approval and Refusal of Planning Applications  
*Date Registered* 16/02/2011 at 9:17 AM  
*Position Exercising Delegated Authority* Manager Statutory Planning  
*How Delegation Is Recorded* Approval Letter (Planning D'A/s)  
*Applicant* Western Australian Planning Comm

**DEL11/66****25 ( Lot 10629 ) John XXIII Avenue Mt Claremont - Addition Classroom to existing Kindergarten and Playground and extension of Mary Ward Centre**

*Delegation Type* 6A - TPS No 2 - Approval and Refusal of Planning Applications  
*Date Registered* 16/02/2011 at 9:20 AM  
*Position Exercising Delegated Authority* Manager Statutory Planning  
*How Delegation Is Recorded* Approval Letter (Planning D'A/s)  
*Applicant* Broderick Architects (Addressee)

**DEL11/67****101 ( Lot 564 ) Monash Avenue Nedlands - Storeroom**

*Delegation Type* 6A - TPS No 2 - Approval and Refusal of Planning Applications  
*Date Registered* 16/02/2011 at 9:21 AM  
*Position Exercising Delegated Authority* Manager Statutory Planning  
*How Delegation Is Recorded* Approval Letter (Planning D'A/s)  
*Applicant* Westral Outdoor Centre (Addressee)

**DEL11/68****48 ( Lot 338 ) Florence Road Nedlands - Fencing**

*Delegation Type* 6A - TPS No 2 - Approval and Refusal of Planning Applications  
*Date Registered* 16/02/2011 at 9:24 AM  
*Position Exercising Delegated Authority* Manager Statutory Planning  
*How Delegation Is Recorded* Approval Letter (Planning D'A/s)  
*Applicant* Melissa Cunningham (Addressee)

**DEL11/69****Collaborative arrangement between the Swan River Trust and the City of Nedlands for the Riverbank Grants Scheme 2010/11 – 11NL02 – Waratah Place Foreshore Restoration**

*Delegation Type* 1D - Use of Council's Common Seal and Authority to Sign Documents  
*Date Registered* 22/02/2011 at 10:31 AM  
*Position Exercising Delegated Authority* Chief Executive Officer  
*How Delegation Is Recorded* Seal Register  
*Applicant* Swan River Trust (Addressee)

**DELEGATED AUTHORITY REPORT**

List of Delegated Authorities - February 2011

**Continued...****DEL11/70****Youth Grant - 2011 Australian Rowing Championships, Adelaide***Delegation Type* 10F - Sponsorship of Youth Initiatives Fund*Date Registered* 24/02/2011 at 4:49 PM*Position Exercising Delegated Authority* Manager Community Development*How Delegation Is Recorded* Authorisation Form*Applicant* Patton Su Tinapple (Addressee)**DEL11/71****Youth Grant - 2011 Australian Rowing Championships, Adelaide***Delegation Type* 10F - Sponsorship of Youth Initiatives Fund*Date Registered* 24/02/2011 at 4:52 PM*Position Exercising Delegated Authority* Manager Community Development*How Delegation Is Recorded* Authorisation Form*Applicant* Lilly Tinapple (Addressee)**DEL11/74****1/9 ( Lot 1 ) Hampden Road Nedlands - Re-Roof***Delegation Type* 6A - TPS No 2 - Approval and Refusal of Planning Applications*Date Registered* 28/02/2011 at 1:59 PM*Position Exercising Delegated Authority* Manager Statutory Planning*How Delegation Is Recorded* Approval Letter (Planning D'A/s)*Applicant* Central Building & Maintenance (Ad**DEL11/75****1 ( Lot 301 ) Langham Street Nedlands - Fencing***Delegation Type* 6A - TPS No 2 - Approval and Refusal of Planning Applications*Date Registered* 28/02/2011 at 2:00 PM*Position Exercising Delegated Authority* Manager Statutory Planning*How Delegation Is Recorded* Approval Letter (Planning D'A/s)*Applicant* Gilbert & Cidalia Clemente (Address**DEL11/77****41 ( Lot 304 ) Marita Road Nedlands - Carport and Fencing***Delegation Type* 6A - TPS No 2 - Approval and Refusal of Planning Applications*Date Registered* 28/02/2011 at 3:35 PM*Position Exercising Delegated Authority* Manager Statutory Planning*How Delegation Is Recorded* Approval Letter (Planning D'A/s)*Applicant* Maxine Canning Architect (Address**DEL11/78****18 ( Lot 1 ) Knutsford Street Swanbourne - Three Storey Dwelling and Fencing***Delegation Type* 6A - TPS No 2 - Approval and Refusal of Planning Applications*Date Registered* 28/02/2011 at 3:36 PM*Position Exercising Delegated Authority* Manager Statutory Planning*How Delegation Is Recorded* Approval Letter (Planning D'A/s)*Applicant* Neil Robertson (Addressee)**DEL11/79****96 ( Lot 600 ) Tyrell Street Nedlands - Landscaping and Retaining***Delegation Type* 6A - TPS No 2 - Approval and Refusal of Planning Applications*Date Registered* 28/02/2011 at 3:38 PM*Position Exercising Delegated Authority* Manager Statutory Planning*How Delegation Is Recorded* Approval Letter (Planning D'A/s)*Applicant* Building Corporation (Addressee)**DEL11/80****96 ( Lot 600 ) Tyrell Street Nedlands - Swimming Pool***Delegation Type* 6A - TPS No 2 - Approval and Refusal of Planning Applications*Date Registered* 28/02/2011 at 3:40 PM*Position Exercising Delegated Authority* Manager Statutory Planning*How Delegation Is Recorded* Approval Letter (Planning D'A/s)*Applicant* Quality Dolphin Pools (Addressee)



# DELEGATED AUTHORITY REPORT

List of Delegated Authorities - February 2011

Continued...

## DEL11/81

**32 ( Lot 126 ) Portland Street Nedlands - Single Storey Dwelling**

*Delegation Type*

*Date Registered*

*Position Exercising Delegated Authority*

*How Delegation Is Recorded*

*Applicant*

**6A - TPS No 2 - Approval and Refusal of Planning Applications**

**28/02/2011 at 4:22 PM**

**Manager Statutory Planning**

**Approval Letter (Planning D'A/s)**

**James Thompson (Addressee)**

## DEL11/82

**18 ( Lot 7 ) Reeve Street Swanbourne - Amendment to Approval**

*Delegation Type*

*Date Registered*

*Position Exercising Delegated Authority*

*How Delegation Is Recorded*

*Applicant*

**6A - TPS No 2 - Approval and Refusal of Planning Applications**

**28/02/2011 at 4:32 PM**

**Manager Statutory Planning**

**Approval Letter (Planning D'A/s)**

**Danmar Homes Pty Ltd (Addressee)**

## DEL11/83

**54 ( Lot 260 ) Melvista Avenue Dalkeith - Single Storey Additions/Alterations and Carport**

*Delegation Type*

*Date Registered*

*Position Exercising Delegated Authority*

*How Delegation Is Recorded*

*Applicant*

**6A - TPS No 2 - Approval and Refusal of Planning Applications**

**28/02/2011 at 4:46 PM**

**Manager Statutory Planning**

**Approval Letter (Planning D'A/s)**

**Tangent Nominees Pty (Addressee)**

**Attachment to Item 13.3**

**Council Meeting – 22 March 2011**

Attendance at 2011 National General Assembly  
of Local Government (NGA)

**National General Assembly of Local Government**  
**Growing with our Community – Place, Position, Partnership**  
**Sunday 19 – Wednesday 22 June 2011**  
**Provisional Program**

**Sunday 19 June**

5.00-7.00pm Welcome Reception

**Monday 20 June**

9.00-9.30am Opening Ceremony

9.30 – 10.15am Political Address: Prime Minister, Julia Gillard (invited)

10.15 – 10.30am Welcome Address: President, Cr Genia McCaffery

10.30 – 11.00am MORNING TEA

11.00-12.30pm The Pitch – Local Government Campaign – How do we sell local government?

12.30-1.30pm LUNCH

1.30-2.00pm Place Speaker

2.00-3.30pm Debate (Place)

3.30-4.00pm AFTERNOON TEA

4.00-4.30pm Local Government and Community Resilience – 2011 Floods

4.30-5.00pm Political Address: Leader of the Opposition, Tony Abbott (invited)

7.00-11.00pm Day 1 Dinner – National Convention Centre

## **Tuesday 21 June**

9.00-9.30am	Position Speaker
9.30-10.30am	Debate (Position)
10.30 – 11.00am	MORNING TEA
11.00-11.30am	Partnership Speaker
11.30-12.00noon	Political Address
12.00-12.30pm	Partnership Speaker
12.30-1.30pm	LUNCH
1.30-3.00pm	Concurrent Sessions
3.00-3.30pm	AFTERNOON TEA
3.30-5.00pm	Debate (Partnership)
7.00-11.00pm	Day 2 Dinner – Great Hall, Parliament House

## **Wednesday 22 June**

9.00-9.30am	Constitutional Reform Update
9.30-10.00am	Constitutional Reform Keynote
10.00-10.30am	Political Address: Shadow Minister for Local Government, Barnaby Joyce (interested)
10.30 – 11.00am	MORNING TEA
11.00-11.45am	Political Address: Leader of the Greens, Bob Brown (accepted - change time)
11.45-12.30am	Political Address: Minister for Local Government, Simon Crean (invited)
12.30-1.00pm	Closing Address
1.00-2.00pm	LUNCH