



City of Nedlands

Agenda

Council Committee Meeting

9 October 2012

Dear Council member

The next meeting of the Council Committee will be held on Tuesday 9 October 2012 in the Council Chambers at 71 Stirling Highway Nedlands commencing at 7 pm.

Michael Cole
Acting Chief Executive Officer
2 October 2012

Table of Contents

Declaration of Opening	3
Present and Apologies and Leave Of Absence (Previously Approved)	3
1. Addresses By Members of the Public (only for items listed on the agenda).....	4
2. Disclosures of Financial Interest	4
3. Disclosures of Interests Affecting Impartiality.....	4
4. Declarations by Members That They Have Not Given Due Consideration to Papers.....	5
5. Confirmation of Minutes	5
5.1 Committee Meeting 11 September 2012.....	5
6. Matters for Which the Meeting May Be Closed	5
7. Divisional Reports	5
7.1 Planning & Development Report No's PD40.12 to PD44.12	6
7.2 Technical Services Report No's TS20.12.....	7
7.3 Corporate & Strategy Report No's CP41.12 to CP44.12.....	8
8. Reports by the Chief Executive Officer	9
9. Elected Members Notices of Motions of Which Previous Notice Has Been Given.....	9
9.1 Councillor McManus - Parking Permits	9
10. Urgent Business Approved By the Presiding Member or By Decision	10
11. Confidential Items	10
Declaration of Closure	10

City of Nedlands

Notice of a meeting of the Council Committee to be held in the Council Chambers, Nedlands on Tuesday 9 October 2012 at 7 pm.

Council Committee Agenda

Declaration of Opening

The Presiding Member will declare the meeting open at 7 pm, and will draw attention to the disclaimer below.

(NOTE: Council at its meeting on 24 August 2004 resolved that should the meeting time reach 11.00 p.m. the meeting is to consider an adjournment motion to reconvene the next day).

Present and Apologies and Leave Of Absence (Previously Approved)

Leave of Absence Councillor N Shaw Melvista Ward
(Previously Approved)

Apologies None as at distribution of this agenda.

Disclaimer

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

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

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

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

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

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

2. Disclosures of Financial Interest

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

A declaration under this section requires that the nature of the interest must be disclosed. Consequently a member who has made a declaration must not preside, participate in, or be present during any discussion or decision making procedure relating to the matter the subject of the declaration.

However, other members may allow participation of the declarant if the member further discloses the extent of the interest. Any such declarant who wishes to participate in the meeting on the matter, shall leave the meeting, after making their declaration and request to participate, while other members consider and decide upon whether the interest is trivial or insignificant or is common to a significant number of electors or ratepayers.

3. Disclosures of Interests Affecting Impartiality

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

Councillors and staff are required, in addition to declaring any financial interests to declare any interest that may affect their impartiality in considering a matter. This declaration does not restrict any right to participate in or be present during the decision-making procedure.

The following pro forma declaration is provided to assist in making the disclosure.

"With regard to the matter in item x..... I disclose that I have an association with the applicant (or person seeking a decision). As a consequence, there may be a perception that my impartiality on the matter may be affected. I declare that I will consider this matter on its merits and vote accordingly."

The member or employee is encouraged to disclose the nature of the association.

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

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

5. Confirmation of Minutes

5.1 Committee Meeting 11 September 2012

The minutes of the Council Committee held 11 September 2012 are to be confirmed.

6. Matters for Which the Meeting May Be Closed

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

7. Divisional Reports

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

7.1 Planning & Development Report No's PD40.12 to PD44.12

Planning & Development Report No's PD40.12 to PD44.12 to be dealt with at this point (copy attached yellow cover sheet).

- PD40.12 No. 20 (Lot 25) Betty Street, Nedlands – Proposed Change of Non-Conforming Use (from Aged Care Facility) to 10 Multiple Dwellings (Aged or Dependant Persons' Dwellings) in a 3-Storey Building
- PD41.12 No. 64 (Lot 1) Jutland Parade, Dalkeith – Proposed Portico/Carport
- PD42.12 No. 72 (Lot 51) The Avenue, Nedlands – Proposed Demolition of Single House on Municipal Heritage Inventory
- PD43.12 Omnibus Scheme Amendment No. 194
- PD44.12 Waratah Avenue Placemaking Strategy – Ratification of Steering Committee members

7.2 Technical Services Report No's TS20.12

Technical Services Report No TS20.12 to be dealt with at this point (copy attached blue cover sheet).

TS20.12 Tender No. 2012/13.01 – Supply and Installation of Sports Lighting Mt Claremont Oval: Stage 2.

7.3 Corporate & Strategy Report No's CP41.12 to CP44.12

Report No's CP41.12 to CP44.12 to be dealt with at this point (copy attached green cover sheet).

- CP41.12 Monthly Financial Report – August 2012
- CP42.12 Investment Report – August 2012
- CP43.12 List of Accounts Paid – August 2012
- CP44.12 Local Government Ordinary Election 2013

8. Reports by the Chief Executive Officer

Nil.

9. 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.

9.1 Councillor McManus - Parking Permits

Councillor McManus gave notice to move the following at this meeting.

Council resolve that parking permits may be issued to small local businesses with a maximum limit of 7 permits per business during the City of Nedlands parking 6 month trial period recently passed by Council in respect to Stirling Hwy

Supporting Comments

The Fair Work Act 2009 defines small business as less than 15 employees. Nedlands is a City that welcomes and encourages businesses but especially small and local businesses.

The City of Nedlands has recently resolved to test changes to the timing of parking 100 meters either side of Stirling Hwy. This is to assist the local community with the parking issues where non residents are using local streets as a park and ride stations.

The impact on the trial will present major difficulties to the employees of small, local businesses of Nedlands and this motion proposed is an attempt to strike a balance between the community and small local businesses while the trial is conducted.

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

Any urgent business to be considered at this point.

11. Confidential Items

Nil.

Declaration of Closure

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

A handwritten signature in black ink, appearing to read 'Michael Cole', written in a cursive style.

Michael Cole
Acting Chief Executive Officer