



City of Nedlands

# ***Minutes***

## ***Council Committee Meeting***

***12 November 2013***

### **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.

## 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 .....	4
5. Confirmation of Minutes .....	5
5.1 Committee Meeting 8 October 2013 .....	5
6. Matters for Which the Meeting May Be Closed .....	5
7. Divisional Reports .....	5
7.1 Planning & Development Report No's PD49.13 to PD56.13.....	6
7.2 Technical Services Report No TS19.13.....	21
7.3 Community Development Report No CM08.13 .....	23
7.4 Corporate & Strategy Report No's CPS35.13 to CPS38.13.....	25
8. Reports by the Chief Executive Officer.....	31
9. Urgent Business Approved By the Presiding Member or By Decision.....	31
10. Confidential Items.....	31
Declaration of Closure .....	31

## City of Nedlands

**Minutes of a meeting of the Council Committee held in the Council Chambers, Nedlands on Tuesday 12 November 2013 at 7 pm.**

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### **Council Committee Agenda**

#### **Declaration of Opening**

The Presiding Member declared the meeting open at 7 pm, and drew attention to the disclaimer below.

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

#### **Present and Apologies and Leave Of Absence (Previously Approved)**

<b>Councillors</b>	His Worship the Mayor, R M Hipkins	(Presiding Member)
	Councillor N B J Horley	Coastal Districts Ward
	Councillor K Smyth	Coastal Districts Ward
	Councillor L McManus	Coastal Districts Ward
	Councillor I S Argyle	Dalkeith Ward
	Councillor R M Binks	Hollywood Ward
	Councillor B G Hodsdon	Hollywood Ward
	Councillor J Wetherall	Hollywood Ward
	Councillor T James	Melvista Ward
	Councillor G Hay	Melvista Ward
	Councillor N Shaw	Melvista Ward

<b>Staff</b>	Mr G Trevaskis	Chief Executive Officer
	Mr M Cole	Director Corporate & Strategy
	Mr P Mickleson	Director Planning & Development
	Mr M Goodlet	Director Technical Services
	Ms M Granich	Manager Community Development
	Ms P Huigens	Policy & Projects Officer

**Public** There were 2 members of the public present at the commencement of the meeting.

**Press** The Post Newspaper  
The Western Suburbs Weekly Newspaper

**Leave of Absence (Previously Approved)** Councillor B Hassell Dalkeith Ward

**Apologies** Councillor S J Porter Dalkeith Ward

**Absent** Nil

### **Disclaimer**

Members of the public who attend Council meetings should not act immediately on anything they hear at the meetings, without first seeking clarification of Council's position. For example by reference to the confirmed Minutes of Council meeting. Members of the public are also advised to wait for written advice from the Council prior to taking action on any matter that they may have before Council.

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

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

Mr Adrian Bere, 24 Southacre Drive, Canning Vale Report PD49.13  
(spoke in opposition to the recommendation)

### **2. Disclosures of Financial Interest**

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

There were no disclosures of financial interest.

### **3. Disclosures of Interests Affecting Impartiality**

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

There were no disclosures of interests affecting impartiality.

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

Nil

**5. Confirmation of Minutes**

**5.1 Committee Meeting 8 October 2013**

Moved – Councillor McManus  
Seconded – Councillor Argyle

**The minutes of the Council Committee held 8 October 2013 are confirmed.**

**CARRIED 9/-  
(Abstained: Crs Hay & Smyth)**

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

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

Nil.

**7. Divisional Reports**

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

**7.1 Planning & Development Report No's PD49.13 to PD56.13**

Planning & Development Report No's PD49.13 to PD56.13 to be dealt with at this point (copy attached yellow cover sheet).

<b>PD49.13 No.103 (Lot 3) Smyth Road, Nedlands – Proposed Three (3) Storey Dwelling and Front Fence</b>
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<b>Committee</b>	12 November 2013
<b>Council</b>	26 November 2013
<b>Applicant</b>	Accent on Homes Pty Ltd
<b>Owner</b>	Boomerang Tag Pty Ltd
<b>Officer</b>	Laura Sabitzer – Planning Officer
<b>Director</b>	Peter Mickleson – Director Planning & Development
<b>Director Signature</b>	
<b>File Reference</b>	DA13/318 : SM1/103
<b>Previous Item</b>	Nil

Moved – Councillor Shaw  
 Seconded - Councillor James

**That the Recommendation to Committee is adopted.**


**Recommendation to Committee:**

**Council refuses an application for a proposed three (3) storey single house and front fence at No. 103 (Lot 3) Smyth Road, Nedlands in accordance with the application received 01 August 2013 and plans received 09 September 2013 the following reasons:**

- 1. the front setback of the proposed building is setback less than the minimum primary street setback set out at clause 5.3.3(a) of the City of Nedlands Town Planning Scheme No. 2, and there is not discretion for this clause to be varied;**
- 2. the proposed building height exceeds the height restrictions specified at clause 5.11 (i), (ii) and (iii) of the City of Nedlands Town Planning Scheme No. 2, and there is no discretion for this clause to be varied; and**
- 3. the proposal is not orderly and proper planning.**

**CARRIED 8/2  
 (Against: Crs. Argyle & McManus)  
 (Abstained: Councillor Binks)**

**PD50.13 No.55 (Lot 122) Kirwan Street, Floreat – Proposed Ancillary Accommodation**

<b>Committee</b>	12 November 2013
<b>Council</b>	26 November 2013
<b>Applicant</b>	Brett Chadband
<b>Owner</b>	Brett Chadband & Rebecca Cameron
<b>Officer</b>	Elle O'Connor – Planning Officer
<b>Director</b>	Peter Mickleson – Director Planning & Development
<b>Director Signature</b>	
<b>File Reference</b>	KI6/55
<b>Previous Item</b>	Nil

**Regulation 11(da) – Councillors agreed to impose a minimum setback of 4.7m from the southern boundary to maintain the overall setback from the southern neighbour.**

Councillor Hodsdon left the room at 7.33pm

Councillor Hodsdon returned at 7.35pm

Councillor Hay left the room at 7.41pm

Councillor Hay returned at 7.43pm

Moved – Councillor Shaw

Seconded - Councillor James

**Council approves an application for ancillary accommodation at unit at No. 55 (Lot 122) Kirwan Street, Floreat in accordance with the application and plans dated 22 August 2013 and the amended plans dated 8 October 2013 subject to the following conditions:**

- 1. the ancillary accommodation building shall be occupied only by direct members of the same family as the occupiers of the main dwelling;**
- 2. prior to the issue of a Building Licence for the development, the owner shall execute and provide to the City a notification pursuant to Section 70A of the Transfer of Land Act 1893 to be registered on the title to the land as notification to prospective purchasers that the use of the ancillary accommodation building is subject to the restriction set out in condition 1) above;**
- 3. all stormwater from the development which includes permeable and non-permeable areas shall be contained on site by draining to soak-wells of adequate capacity to contain runoff from a 20 year recurrent**

storm event; and soak-wells shall be a minimum capacity of 1.0m<sup>3</sup> for every 80m<sup>2</sup> of calculated surface area of the development;

4. 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 / roof has or will have a significant;
5. 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; and
6. the development shall at all times comply with the approved plans.
7. Maintain the minimum setback of 4.7m from the southern boundary.

**Advice Notes specific to this approval:**

1. all internal water closets and ensuites without fixed or permanent window access to outside air or which open onto a hall, passage, hobby or staircase, shall be serviced by a mechanical ventilation exhaust system which is ducted to outside air, with a minimum rate of air change equal to or greater than 25 litres / second;
2. all downpipes from guttering shall be connected so as to discharge into drains which shall empty into a soak-well and each soak-well shall be located at least 1.8m from any building, and at least 1.8m from the boundary of the block;
3. the applicant is advised to consult the City's *Visual and Acoustic Privacy Advisory Information* in relation to selecting and locating any air-conditioner or swimming pool or spa mechanical equipment such that noise, vibration and visual impact on neighbours is mitigated. The City does not recommend installing any equipment near a property boundary where it is likely noise in these locations will intrude on neighbouring properties;
4. Prior to selecting a location to install an air-conditioner, applicant is advised to consult the online fairair noise calculator at [www.fairair.com.au](http://www.fairair.com.au) and use this as a guide on air-conditioner placement so as to prevent noise affecting neighbouring properties;
5. Prior to installing an air-conditioner or swimming pool or spa mechanical equipment, the applicant is advised to consult residents of neighbouring properties and if necessary take measures to suppress noise; and
6. The landowner is advised to limit construction noise and hours as per the *Environmental Protection (Noise) Regulations 1997*.



**CARRIED 8/-  
(Abstained: Crs. Binks, McManus & Wetherall)**

Recommendation to Committee

Council approves an application for ancillary accommodation at unit at No. 55 (Lot 122) Kirwan Street, Floreat in accordance with the application and plans dated 22 August 2013 and the amended plans dated 8 October 2013 subject to the following conditions:

1. the ancillary accommodation building shall be occupied only by direct members of the same family as the occupiers of the main dwelling;
2. prior to the issue of a Building Licence for the development, the owner shall execute and provide to the City a notification pursuant to Section 70A of the Transfer of Land Act 1893 to be registered on the title to the land as notification to prospective purchasers that the use of the ancillary accommodation building is subject to the restriction set out in condition 1) above;
3. all stormwater from the development which includes permeable and non-permeable areas shall be contained on site by draining to soak-wells of adequate capacity to contain runoff from a 20 year recurrent storm event; and soak-wells shall be a minimum capacity of 1.0m<sup>3</sup> for every 80m<sup>2</sup> of calculated surface area of the development;
4. 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 / roof has or will have a significant;
5. 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; and
6. the development shall at all times comply with the approved plans.

Advice Notes specific to this approval:

1. all internal water closets and ensuites without fixed or permanent window access to outside air or which open onto a hall, passage, hobby or staircase, shall be serviced by a mechanical ventilation exhaust system which is ducted to outside air, with a minimum rate of air change equal to or greater than 25 litres / second;
2. all downpipes from guttering shall be connected so as to discharge into drains which shall empty into a soak-well and each soak-well shall be located at least 1.8m from any building, and at least 1.8m from the boundary of the block;

3. the applicant is advised to consult the City's *Visual and Acoustic Privacy Advisory Information* in relation to selecting and locating any air-conditioner or swimming pool or spa mechanical equipment such that noise, vibration and visual impact on neighbours is mitigated. The City does not recommend installing any equipment near a property boundary where it is likely noise in these locations will intrude on neighbouring properties;
4. Prior to selecting a location to install an air-conditioner, applicant is advised to consult the online fairair noise calculator at [www.fairair.com.au](http://www.fairair.com.au) and use this as a guide on air-conditioner placement so as to prevent noise affecting neighbouring properties;
5. Prior to installing an air-conditioner or swimming pool or spa mechanical equipment, the applicant is advised to consult residents of neighbouring properties and if necessary take measures to suppress noise; and
6. The landowner is advised to limit construction noise and hours as per the *Environmental Protection (Noise) Regulations 1997*.

**PD51.13      No. 102 (Lot 237) Stirling Highway, Nedlands –  
Proposed Change of Use (from Residential) to Office**

**This item was withdrawn by the applicant prior to the Committee meeting.**

<b>PD52.13</b>	<b>Proposed Incentives Program for Heritage List</b>
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<b>Committee</b>	12 November 2013
<b>Council</b>	26 November 2013
<b>Applicant</b>	City of Nedlands
<b>Officer</b>	Gabriela Poezyn – Manager Strategic Planning
<b>Director</b>	Peter Mickleson – Director Planning & Development
<b>Director Signature</b>	
<b>File Reference</b>	HER/017-02
<b>Previous Item</b>	Nil

Cr McManus left the room at 8.05pm  
 Cr McManus returned at 8.06pm  
 Cr James left the room at 8.12pm  
 Cr Shaw left the room at 8.14pm  
 Cr James returned at 8.14pm  
 Cr Shaw returned at 8.15pm  
 Mr M Cole left the room at 8.15pm  
 Mr M Cole returned at 8.17pm

Councillor Binks left the room at 8.32pm  
 Councillor Binks returned at 8.34pm

Moved – Councillor Shaw  
 Seconded - Councillor Binks (pro-forma)

The presiding member put each clause of the Recommendation to Committee separately.

Council:

Adopts the proposed incentive program, subject to further consideration of detail regarding development bonuses, to support the City’s Heritage List, in order to promote inclusion of properties on the heritage list for implementation from 1 July 2014 subject to 2014/15 budget considerations.

**LOST 5/6**  
**(Against: Crs. McManus, Smyth, Argyle, Binks, Hodsdon & Wetherall)**

Council:

Instructs Administration to consult with the owners of properties likely to be offered development incentives in order to determine the most appropriate incentive in each instance.

**LOST 1/8**

**(Against: His Worship the Mayor & Crs James, Horley, McManus, Binks, Argyle, Smyth & Wetherall)  
(Abstained: Crs. Shaw & Hay)**

Moved: Councillor McManus


Second: Councillor Hodsdon

**That the matter be referred back to Administration.**

**CARRIED 8/3**

**(Against: Crs. James, Shaw & Argyle)**

**PD53.13 No. 101 (Lot 564) Monash Avenue, Nedlands - Final Adoption of Proposed Masterplan for Hollywood Private Hospital**

<b>Committee</b>	12 November 2013
<b>Council</b>	26 November 2013
<b>Applicant</b>	Peter Driscoll, Landvision on behalf of Hollywood Hospital
<b>Officer</b>	Gabriela Poezyn – Manager Strategic Planning
<b>Director</b>	Peter Mickleson – Director Planning & Development
<b>Director Signature</b>	
<b>File Reference</b>	MO1/101-09
<b>Previous Item</b>	June 2013 - PD23.13 August 2013 – PD 34.13

Moved – Councillor Binks  
Seconded - Councillor Hodsdon

**That the Recommendation to Committee be adopted.**

Moved: His Worship the Mayor  
Seconded: Councillor James

Amendment: Require 20m setback on Monash Avenue with a predominance of landscaping within the setback area

**LOST 4/6**  
**(Against: Crs. Shaw, McManus, Argyle, Binks, Hodsdon & Wetherall)**  
**(Abstained: Councillor Smyth)**

**The original motion was put.**

**That the Recommendation to Committee be adopted.**

**Recommendation to Committee**

**Council approves the proposed Hollywood Private Hospital Masterplan dated July 2013 for Lot 564 (No. 101) Monash Avenue subject to the following conditions:**


- 1. the masterplan be amended to include that a construction method will be used for the proposed multi storey car park that will not**

**generate the noise associated with vehicles driving over metal plates;**

- 2. the proposed landscaping plan be modified to include that shade trees are provided at a rate of one (1) tree for every four (4) car bays in the car parking areas located alongside Monash Avenue; and**
- 3. the masterplan be supported by a lighting plan for the buildings and site that demonstrates that there will be no spill of light beyond the boundaries of the site.**

**CARRIED 9/2  
(Against: Crs. Argyle & James)**

<b>PD54.13</b>	<b>Draft City of Nedlands Bike Plan</b>
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<b>Committee</b>	12 November 2013
<b>Council</b>	26 November 2013
<b>Applicant</b>	City of Nedlands
<b>Officer</b>	Christie Downie – Sustainability Planning Officer
<b>Director</b>	Peter Mickleson – Director Planning & Development
<b>Director Signature</b>	
<b>File Reference</b>	TPN/133-03
<b>Previous Item</b>	Nil

Moved – Councillor Horley  
 Seconded - Councillor Smyth

**That the Recommendation to Committee is adopted.**

Councillor Argyle left the room at 9.10pm  
 Councillor Argyle returned at 9.16pm

Moved: Councillor Hay  
 Second: Councillor Hodsdon

**That the motion be put.**

**CARRIED 10/1  
 (Against: Councillor Smyth)**

Moved – Councillor Horley  
 Seconded - Councillor Smyth

**That Attachment 1 is amended in the following ways:**

- a) Safe, convenient, protected on-road cycling routes along major commuter routes (specifically include Mt Claremont, QE11 & UWA) and;**
- b) a cycling route through the Mount Claremont sporting precinct.**

**CARRIED 7/4  
 (Against: His Worship the Mayor, Crs. James, Shaw & Wetherall)**



**The substantive motion was put**

**That Council endorse the draft City of Nedlands Bike Plan contained in Attachment 1 with the following additions:**


- a) Safe, convenient, protected on-road cycling routes along major commuter routes (specifically include Mt Claremont, QE11 & UWA) and;**
- b) a cycling route through the Mount Claremont sporting precinct.**

**CARRIED UNANIMOUSLY 11/-**

Recommendation to Committee:

That Council endorse the draft City of Nedlands Bike Plan for the purposes of consultation.

**PD55.13 Stereosonic Concert 2013 – Saturday 30 November & Sunday 1 December 2013 – Claremont Showgrounds, Claremont**

<b>Committee</b>	12 November 2013
<b>Council</b>	26 November 2013
<b>Applicant</b>	Town of Claremont
<b>Officer</b>	Andrew Melville – Manager Health & Compliance
<b>Director</b>	Peter Mickleson – Director Planning & Development
<b>Director Signature</b>	
<b>File Reference</b>	ENV/017-05: M13/25110
<b>Previous Item</b>	Nil

Councillor James left the room at 9.23pm

Councillor James returned at 9.25pm

Moved – Councillor McManus  
 Seconded - Councillor Binks

**Council, pursuant to Regulation 18 (12) of the *Environmental Protection (Noise) Regulations 1997*, agrees to the Town of Claremont’s proposed conditions, (outlined in Attachment 1) for the ‘Stereosonic’ concert to be held at the Claremont Showground on Saturday 30 November and Sunday 1 December 2013, subject to:**

- 1. the Town of Claremont’s ‘Advice to Residents’ leaflet being distributed to the residential notification area within the City of Nedlands identified in Attachment 2 with the notification area being increased to the north to include the area up to Stevenson Avenue ; and**
- 2. the Town of Claremont notifying the City of Nedlands Environmental Health Services Section of any noise complaints received from residents in the City of Nedlands, within 5 days after the event.**


**CARRIED UNANIMOUSLY 11/-**

Recommendation to Committee

Council, pursuant to Regulation 18 (12) of the *Environmental Protection (Noise) Regulations 1997*, agrees to the Town of Claremont’s proposed conditions, (outlined in Attachment 1) for the ‘Stereosonic’ concert to be held at the Claremont Showground on Saturday 30 November and Sunday 1 December 2013, subject to:

1. the Town of Claremont's 'Advice to Residents' leaflet being distributed to the residential notification area within the City of Nedlands identified in Attachment 2; and
2. the Town of Claremont notifying the City of Nedlands Environmental Health Services Section of any noise complaints received from residents in the City of Nedlands, within 5 days after the event.

<b>PD56.13</b>	<b>Introduced Rainbow Lorikeet and Corella Response Strategy</b>
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<b>Committee</b>	12 November 2013
<b>Council</b>	26 November 2013
<b>Applicant</b>	City of Nedlands
<b>Officer</b>	Andrew Melville – Manager Health & Compliance
<b>Director</b>	Peter Mickleson – Director Planning & Development
<b>Director Signature</b>	
<b>File Reference</b>	
<b>Previous Item</b>	Nil

Moved – Councillor Shaw  
 Seconded - Councillor Hodsdon

**That the recommendation to committee is adopted.**

**Recommendation to Committee**


**Council agree to support the Introduced Rainbow Lorikeet and Corella Response Strategy and contributing \$5,000 for the 2013/14 – 2017/08 financial years inclusive to assist with its implementation.**

**CARRIED 8/2  
 (Against: Crs. Hay & James)  
 (Abstained: Councillor Wetherall)**

**7.2 Technical Services Report No TS19.13**

Technical Services Report No TS19.13 to be dealt with at this point (copy attached blue cover sheet).

<b>TS19.13 Request for Street Tree Removal</b>
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<b>Committee</b>	12 November 2013
<b>Council</b>	26 November 2013
<b>Applicant</b>	City of Nedlands
<b>Owner</b>	City of Nedlands
<b>Officer</b>	Andrew Dickson – Manager Parks Services
<b>Director</b>	Mark Goodlet – Director Technical Services
<b>Director Signature</b>	
<b>File Reference</b>	CRS/073
<b>Previous Item</b>	Item 12.4 - report CP31.12 – Council Minutes 24 July 2012

Councillor McManus left the room at 9.34pm  
 Councillor McManus returned at 9.35pm  
 Councillor Hodsdon left the room at 9.45pm

Moved – Councillor Wetherall  
 Seconded - Councillor James

That the recommendation to committee is adopted with the following additions:

1. That clause 2 is deleted
2. Amend clause 3 by deleting “three (3) street trees” and replacing with “a minimum of two (2) street trees”

**LOST 4/6**

**(Against: His Worship the Mayor, Crs. Hay, Shaw, Horley, Argyle & Binks)**

Moved: Councillor Binks  
 Seconded: Councillor Shaw

**That the recommendation to committee is adopted.**

**Recommendation to Committee**

**Council approves the request from the owner of 75 Philip Road, Dalkeith for the removal of one (1) Queensland Box tree (*Lophostemon confertus*) street tree adjacent to their property conditional to:**

- 1. the owners accepting all associated costs for removal of the street tree;**
- 2. the owners compensating Council, in accordance with Council's Street Trees policy, the amount of \$1,440.00 being the current escalated amenity value of the street tree as independently assessed in 2012; and**
- 3. the owners providing three (3) street trees chosen from the preferred species list to be installed at nine metre intervals on the established planting line within the nature strip and maintained for a period of 12 months from installation, with all associated costs to be borne by the owners.**

**CARRIED 6/4  
(Against: Crs. James, Smyth, Argyle & Wetherall)**

Councillor Hodsdon returned at 9.48pm

**7.3 Community Development Report No CM08.13**

Report No CM08.1313 to be dealt with at this point (copy attached pink cover sheet).

<b>CM08.13 Use of Council Facilities and Infrastructure at Swanbourne Beach</b>
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<b>Committee</b>	12 November 2013
<b>Council</b>	26 November 2013
<b>Applicant</b>	The Fig Group
<b>Officer</b>	Amanda Cronin – Administration and Events Officer Anthony Minchin – A/Manager Community Development
<b>Director</b>	Michael Cole – Director Corporate and Strategy
<b>Director Signature</b>	
<b>File Reference</b>	CMS/505
<b>Previous Item</b>	N/A

Moved – Councillor Shaw  
Seconded - Councillor Binks

That the recommendation to Committee is adopted.

Moved: His Worship the Mayor  
Seconded: Councillor Wetherall

That the recommendation to Committee is adopted with the following additions:

1. Delete clause 2
2. Add an advice note that the organisers liaise with the Department of Defence, Swanbourne Nedlands Surf Life Saving Club, St John Ambulance and the WA Police.

**LOST 5/6**  
**(Against: Crs. Shaw, Horley, McManus, Smyth, Argyle & Binks)**

**The original motion was put**

**That the Recommendation to Committee be adopted.**

**Recommendation to Committee**

**Council:**

1. Approves the use of council facilities and infrastructure i.e. car park, toilets and vehicle beach access at Swanbourne Beach for the purpose of supporting the proposed conduct of the Fig Nude

**Swim on Sunday 30 March 2014 between the hours of 9am and 3pm, subject to the requirement to submit the following details;**

- Risk Management Plan
  - Public Liability Insurance
  - Parking and Traffic Management Plan
  - First Aid Plan
  - Water Safety Plan
  - Security Measures
  - Notification to stakeholders i.e. Police, Residents, Businesses etc.
  - Waste Management Plan
  - Temporary Structures
  - Toilets (additional on-site)
  - Complaints procedure
2. Agrees the City must receive written confirmation of no objection of the event from the Department of Defence, Swanbourne Nedlands Surf Life Saving Club and the WA Police.
3. Agrees that the CEO is authorised to withdraw permission if any requirements are not provided.

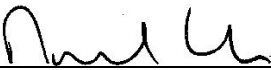
**CARRIED 9/1  
(Against: Councillor James)  
(Abstained: Councillor Horley)**



**7.4 Corporate & Strategy Report No's CPS35.13 to CPS38.13**

Report No's CPS35.13 to CPS38.13 to be dealt with at this point (copy attached green cover sheet).

<b>CPS35.13 List of Accounts Paid – September 2013</b>
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<b>Committee</b>	12 November
<b>Council</b>	26 November
<b>Applicant</b>	City of Nedlands
<b>Officer</b>	Rajah Senathirajah – Manager Finance
<b>Director</b>	Michael Cole – Director Corporate & Strategy
<b>Director Signature</b>	
<b>File Reference</b>	Fin/072-17
<b>Previous Item</b>	Nil

Moved – Councillor Binks  
 Seconded - Councillor McManus

**That the recommendation to Committee is adopted**

**Recommendation to Committee**

**Council receives the List of Accounts Paid for the month of September 2013 (Refer to Attachment).**

**CARRIED UNANIMOUSLY 11-**

<b>CPS36.13 Code of Conduct</b>
---------------------------------

<b>Committee</b>	10 September 2013
<b>Council</b>	24 September 2013
<b>Applicant</b>	City of Nedlands
<b>Officer</b>	Phoebe Huigens, Policy & Projects Officer
<b>Director</b>	Michael Cole, Director Corporate & Strategy
<b>Director Signature</b>	
<b>File Reference</b>	CRS/007-02
<b>Previous Item</b>	NIL

Councillor James left the meeting at 10.14pm

Moved – Councillor Binks  
 Seconded - Councillor Wetherall

**That the recommendation to Committee is adopted**

Moved: Cr Horley  
 Second: Cr Hay

**Amendment: Remove “Elected members” from clause 6.4**

**CARRIED 8/2  
 (Against: His Worship the Mayor & Councillor Shaw)**

Councillor Hay left the room at 10.21pm  
 Councillor Hay returned at 10.22pm

**Amendment: Delete “Committee or” from Clause 6.11**

**CARRIED UNANIMOUSLY 10/-**

**The substantive motion was put:**

**That Council adopts the City of Nedlands Code of Conduct as per Attachment 1 with the following alterations:**

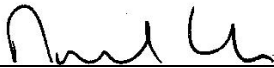
- 1. Remove “Elected members” from clause 6.4**
- 2. Delete “Committee or” from Clause 6.11.**

**CARRIED UNANIMOUSLY 10/-**

Recommendation to Committee

Council adopts the City of Nedlands Code of Conduct as per Attachment 1

**CPS37.13 Post-Audit Changes to 2013/14 Budget**

<b>Committee</b>	12 November 2013
<b>Council</b>	26 November 2013
<b>Applicant</b>	City of Nedlands
<b>Officer</b>	Rajah Senathirajah
<b>Director</b>	Michael Cole – Director Corporate & Strategy
<b>Director Signature</b>	
<b>File Reference</b>	Fin/003-15
<b>Previous Item</b>	Nil

Moved – Councillor Shaw  
 Seconded - Councillor Wetherall

**That the Recommendation to Committee is adopted**

**Recommendation to Committee**

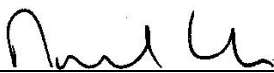
**Council:**

1. receives and adopts the changes to the 2013/14 adopted Budget following the audit of the Annual Financial Statements for the 2012/13 financial year,
2. notes the additional brought forward surplus from 2012/13 financial year of \$2,056,200 includes the following:
  - a. \$ 1,265,300 of unutilised funding for capital works approved in 2012/13 but carried forward for completion in 2013/14;
  - b. \$ 413,500 from WA Grants Commission, being 53% of the operating grant for 2013/14;
  - c. \$210,000 grant for Blackspot project received in advance;
3. approves the inclusion in the 2013/14 Capital Works Budget the brought forward capital works, as listed in Attachment 1 and totalling \$1,265,300;
4. approves the reduction of the Operating Grants revenue for 2013/14 by \$413,500;

5. **approves the increase in the operating expenditure budget for Governance by \$233,320 to meet the increased meeting fees as approved by salaries and allowance tribunal effective from 1 July 2013;**
6. **approves the reduction in Roads capital works to reflect:**
  - a. **only the City's contribution to Stirling Highway/Broadway Black Spot project as the project will now be taken over and constructed by Perth Transport Authority, and**
  - b. **the City having to return grant funds received in advance for this project; and**
7. **approves the revised Rate Setting Statement incorporating all the above adjustments, with the anticipated surplus at the end of this financial year of \$ 331,100 - this amount being subject to the Mid-year Budget Review in January 2014.**

**CARRIED 9/-  
(Abstained: Councillor Smyth)**

• CPS38.13 **Annual Report for the year ended 30 June 2013**

<b>Committee</b>	12 November 2013
<b>Council</b>	26 November 2013
<b>Applicant</b>	City of Nedlands
<b>Officer</b>	Rajah Senathirajah – Manager Finance
<b>Director</b>	Michael Cole – Director Corporate & Strategy
<b>Director Signature</b>	
<b>File Reference</b>	Fin/008-25
<b>Previous Item</b>	Nil

Moved – Councillor Shaw  
 Seconded - Councillor Argyle

**That the recommendation to Committee is adopted.**

**Recommendation to Committee**

**Council**

1. in accordance with the provisions of *Section 5.54 of the Local Government Act 1995*, accepts the annual report of the City of Nedlands for the Year ended 30 June 2013 including:
  - a. the Financial Report
  - b. the Independent Auditor’s Report; and
2. refers the Annual Report for the year ended 30 June 2013 to the Annual General Meeting of Electors of the City of Nedlands to be held at 6:00pm, Tuesday 10<sup>th</sup> December 2013 in the Council Chambers.

**CARRIED 8/-  
 (Abstained: Crs. Hay & Smyth)**

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

Nil.

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

Nil

**10. Confidential Items**

Nil.

**Declaration of Closure**

There being no further business, the Presiding Member declared the meeting closed at 10.26pm.

A handwritten signature in black ink, appearing to read 'Greg Trevaskis', with a long horizontal flourish extending to the left.

Greg Trevaskis  
Chief Executive Officer