

NOTES

Council Meeting Agenda Forum

13 June 2023



Bill Parker
Chief Executive Officer
15 June 2023

Information

Council Meeting Agenda Forum are run in accordance with the City of Nedlands Governance Framework Policy. If you have any questions in relation to the agenda, procedural matters, addressing the Council or attending these meetings please contact the Executive Officer on 9273 3500 or council@nedlands.wa.gov.au

Public Question Time

Public Questions are dealt with at the Ordinary Council Meeting.

Deputations

Members of the public may make presentations or ask questions on items contained within the agenda. Presentations are limited to 5 minutes. Members of the public must complete the online registration form available on the City's website: [Public Address Registration Form | City of Nedlands](#)

Disclaimer

Members of the public who attend Council Meetings Agenda Forum 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. Declaration of Opening

The Presiding Member declared the meeting open at 6.00 pm and drew attention to the disclaimer on page 2.

2. Present and Apologies and Leave of Absence (Previously Approved)

Councillors	Mayor F E M Argyle (Presiding Member)	
	Councillor B Brackenridge	Melvista Ward
	Councillor R A Coghlan	Melvista Ward
	Councillor R Senathirajah	Melvista Ward
	Councillor H Amiry	Coastal Districts Ward
	Councillor L J McManus	Coastal Districts Ward
	Councillor K A Smyth	Coastal Districts Ward
	Councillor F J O Bennett	Dalkeith Ward
	Councillor A W Mangano	Dalkeith Ward
	Councillor N R Youngman	Dalkeith Ward
	Vacant	Hollywood Ward
	Councillor B G Hodsdon	Hollywood Ward

Staff	Mr W R Parker	Chief Executive Officer
	Mr M R Cole	Director Corporate Services
	Mr T G Free	Director Planning & Development
	Mr M K MacPherson	Director Technical Services
	Mrs N M Ceric	Executive Officer
	Ms S K Hamersley	Mayoral Support Officer

Public There were 14 members of the public present and 4 online.

Press The Post Newspaper Representative.

Leave of Absence (Previously Approved) Councillor N R Youngman Dalkeith Ward

Apologies Councillor O Combes Hollywood Ward
Ms L J Kania Coordinator Governance & Risk

3. Public Question Time

Public questions will be dealt with at the Ordinary Council Meeting.

4. Deputations

Deputations by members of the public who had completed Public Address Registration Forms.

Mr Rex Hubbard, spoke in opposition to the recommendation for item 16.1 - PD24.06.23 Section 31 Reconsideration of Development Application – Four Multiple Dwellings at 5A & 5B Alexander Road, Dalkeith.

Mr Alex Campbell, spoke in relation to item 16.1 - PD24.06.23 Section 31 Reconsideration of Development Application – Four Multiple Dwellings at 5A & 5B Alexander Road, Dalkeith.

Ms Bianca Sandri, Urbanista Planning, spoke in support of the recommendation for item 16.1 - PD24.06.23 Section 31 Reconsideration of Development Application – Four Multiple Dwellings at 5A & 5B Alexander Road, Dalkeith.

Mr Adrian Abel, spoke in support of item 16.2 - PD25.06.23 Consideration of Development Application – Residential – Additions to Single House at 22 Clifton Street, Nedlands.

Mr Yogi Yogesan, spoke in opposition to item 16.2 - PD25.06.23 Consideration of Development Application – Residential – Additions to Single House at 22 Clifton Street, Nedlands.

Mrs Shama Yogesan, spoke in opposition to item 16.2 - PD25.06.23 Consideration of Development Application – Residential – Additions to Single House at 22 Clifton Street, Nedlands.

Miss Saieesha Yogesan, spoke in opposition to item 16.2 - PD25.06.23 Consideration of Development Application – Residential – Additions to Single House at 22 Clifton Street, Nedlands.

Ms Hannah Tulsi, spoke in opposition to item 16.2 - PD25.06.23 Consideration of Development Application – Residential – Additions to Single House at 22 Clifton Street, Nedlands.

Mr Andrew Mackellar, spoke in opposition to item 16.3 - PD26.06.23 Consideration of Development Application – Residential - Three Multiple Dwellings at 23 Hillway, Nedlands.

Mrs Marianne Bombara, spoke in support of item 16.3 - PD26.06.23 Consideration of Development Application – Residential - Three Multiple Dwellings at 23 Hillway, Nedlands.

Mr Daniel Lees, spoke in support of the recommendation for item 16.3 - PD26.06.23 Consideration of Development Application - Residential - Three Multiple Dwellings at 23 Hillway, Nedlands.

Dr Reto Hofmann, spoke in opposition to item 16.3 - PD26.06.23 Consideration of Development Application – Residential - Three Multiple Dwellings at 23 Hillway, Nedlands.

5. Requests for Leave of Absence

Any requests from Council Members for leave of absence will be dealt with at the Ordinary Council Meeting.

6. Petitions

Petitions will be dealt with at the Ordinary Council Meeting.

7. Disclosures of Financial / Proximity Interest

The Presiding Member reminded Council Members 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.

7.1 Councillor Brackenridge – Item 16.1 - PD24.06.23 Section 31 Reconsideration of Development Application – Four Multiple Dwellings at 5A & 5B Alexander Road, Dalkeith.

Councillor Brackenridge disclosed a financial interest in Item 16.1 - PD24.06.23 Section 31 Reconsideration of Development Application – Four Multiple Dwellings at 5A & 5B Alexander Road, Dalkeith, his interest being that he is the applicant. Councillor Brackenridge declared that he would leave the room during discussion on this item.

7.2 Mayor Argyle – Item 16.1 - PD24.06.23 Section 31 Reconsideration of Development Application – Four Multiple Dwellings at 5A & 5B Alexander Road, Dalkeith.

Mayor Argyle disclosed an indirect financial interest in Item 16.1 - PD24.06.23 Section 31 Reconsideration of Development Application – Four Multiple Dwellings at 5A & 5B Alexander Road, Dalkeith, her interest being that is that the applicant is a closely associated person. Mayor Argyle declared that she would leave the room during discussion on this item.

8. Disclosures of Interests Affecting Impartiality

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

8.1 Councillor Smyth – Item 16.1 - PD24.06.23 Section 31 Reconsideration of Development Application – Four Multiple Dwellings at 5A & 5B Alexander Road, Dalkeith.

Councillor Smyth disclosed an impartiality interest in Item 16.1 - PD24.06.23 Section 31 Reconsideration of Development Application – Four Multiple Dwellings at 5A & 5B Alexander Road, Dalkeith. Councillor Smyth disclosed that she has an association with the applicant as a fellow Councillor, and as a consequence, there may be a perception that her impartiality on the matter may be affected. Councillor Smyth declared that she would consider this matter on its merits and vote accordingly.

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

This item will be dealt with at the Ordinary Council Meeting.

10. Confirmation of Minutes

This item will be dealt with at the Ordinary Council Meeting.

11. Announcements of the Presiding Member without discussion.

This item will be dealt with at the Ordinary Council Meeting.

12. Members Announcements without discussion.

This item will be dealt with at the Ordinary Council Meeting.

13. Matters for Which the Meeting May Be Closed

For the convenience of the public, the following Confidential items are identified to be discussed behind closed doors, as the last items of business at this meeting.

22.1 CEO16.06.23 CONFIDENTIAL Final Determination Report 6982/22

14. En Bloc Items

This item will be dealt with at the Ordinary Council Meeting.

15. Minutes of Council Committees and Administrative Liaison Working Groups

15.1 Minutes of the following Committee Meetings (in date order) are to be received:

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).

This item will be dealt with at the Ordinary Council Meeting.

15.2 Minutes of the 2022 Annual General Meeting of Electors – 15 May 2023

This item will be dealt with at the Ordinary Council Meeting.

15.3 Motion Passed at the 2022 Annual General Meeting of Electors

This item will be dealt with at the Ordinary Council Meeting.

16. Divisional Reports - Planning & Development Report No's PD24.06.23 to PD27.06.23

16.1 PD24.06.23 Section 31 Reconsideration of Development Application – Four Multiple Dwellings at 5A & 5B Alexander Road, Dalkeith

Councillor Brackenridge & Mayor Argyle left the room at 6.46 pm.

The Deputy Mayor assumed the Chair.

Questions or Requests for Further Information

Councillor Mangano – what is the plot ratio now compared to what it was in the December 2022 application?

Councillor Smyth – request that the bin storage be moved to along the laneway rather than along the fence?

Councillor Brackenridge and Mayor Argyle returned to the room at 7.03 pm.

The Mayor resumed the Chair.

16.2 PD25.06.23 Consideration of Development Application – Residential – Additions to Single House at 22 Clifton Street, Nedlands

Questions or Requests for Further Information

Councillor Mangano – how wide is the bin access way to the rear lot?

Does the Overshadowing now meet the deemed to comply requirements?

Can the southern boundary setbacks provisions be clarified?

Councillor McManus – can the applicant be asked to reduce the fill to the deemed to comply level?

Councillor McManus – can the dividing fence with the northern neighbour be a full height solid wall?

16.3 PD26.06.23 Consideration of Development Application – Residential - Three Multiple Dwellings at 23 Hillway, Nedlands

Questions or Requests for Further Information

Councillor Mangano – further information regarding setbacks between the existing dwelling and the proposed building should a future subdivision be requested.

Councillor Amiry – can a condition be included in regard to a future subdivision requiring one of the buildings to be demolished?

16.4 PD27.06.23 Consideration of Development Application – Residential - Five Grouped Dwellings at 69 (Lot 645) Waratah Avenue, Dalkeith

Questions or Requests for Further Information

Councillor Mangano – how many times can an extension to a building licence be approved?

Please confirm the deemed comply front setback?

17. Divisional Reports - Community Services & Development Report No's CSD03.06.23 to CSD04.06.23

17.1 CSD03.06.23 Developing an Age-Friendly Strategy

Questions or Requests for Further Information

Nil.

17.2 CSD04.06.23 Allen Park Tennis Club Fence Replacement

Questions or Requests for Further Information

Nil.

18. Divisional Reports - Corporate & Strategy Report No's CPS26.06.23 to CPS28.06.23

18.1 CPS26.06.23 Monthly Financial Report – May 2023

This item will be dealt with at the Ordinary Council Meeting.

18.2 CPS27.06.23 Monthly Investment Report – May 2023

This item will be dealt with at the Ordinary Council Meeting.

18.3 CPS28.06.23 List of Accounts Paid – May 2023

This item will be dealt with at the Ordinary Council Meeting.

19. Reports by the Chief Executive Officer CEO13.06.23 to CEO14.06.23

19.1 CEO13.06.23 Foreshore Management Steering Committee Replacement Member and Deputy Member

Questions or Requests for Further Information

Nil.

19.2 CEO14.06.23 Community Scorecard Report 2023

Questions or Requests for Further Information

Nil.

19.3 CEO15.06.23 Register of Outstanding Council Resolutions

Questions or Requests for Further Information

Councillor Mangano – Bishop Road – update please?

Councillor McManus – Waratah Avenue bollard replacement?

20. Council Members Notice of Motions of Which Previous Notice Has Been Given

This item will be dealt with at the Ordinary Council Meeting.

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

This item will be dealt with at the Ordinary Council Meeting.

As per Standing Orders Local Law 3.10 the following items were approved by the Presiding Member.

21.1 PD28.06.23 Responsible Authority Report - 97-105 Stirling Highway - Amendment to Mixed Use Development

This item will be dealt with at the Ordinary Council Meeting.

21.2 PD29.06.23 Responsible Authority Report – 3 - 5 Bruce Street – 10 Grouped Dwellings

This item will be dealt with at the Ordinary Council Meeting.

21.3 PD30.06.23 Responsible Authority Report - 1 Heritage Lane - Amendment to Aged Care Facility and Function Centre

Please note this item has been deferred to the July Ordinary Council Meeting.

22. Confidential Items

Confidential items to be discussed at this point.

22.1 CEO16.06.23 CONFIDENTIAL Determination Report 6982/22

A confidential report has been circulated to Council Members separately.

23. Declaration of Closure

There being no further business, the Presiding Member declared the meeting closed at 7.48pm.