



NOTES

Council Meeting Agenda Forum

Tuesday, 13 February 2024

Tony Free | Acting Chief Executive Officer

16 February 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 7.00 pm and acknowledged the traditional owners of the land on which we meet today and paid respects to Elders past present, drew attention to the disclaimer on page 2 and advised the meeting is being livestreamed and recorded.

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

Councillors Mayor F E M Argyle (Presiding Member)

Councillor B G Hodsdon	Hollywood Ward
Councillor L J McManus	Hollywood Ward
Councillor B Brackenridge	Melvista Ward
Councillor R A Coghlan (online)	Melvista Ward
Councillor H Amiry	Coastal Ward
Councillor K A Smyth	Coastal Ward
Councillor F J O Bennett	Dalkeith Ward

Staff

Mr T G Free	Acting Chief Executive Officer
Mr M R Cole	Director Corporate Services
Mr M K MacPherson	Director Technical Services
Mr R A Winslow	Acting Director Planning & Development
Mrs N M Ceric	Executive Officer
Ms L J Kania	Coordinator Governance & Risk

Public There were 13 members of the public present and 2 online.

Press The Post Newspaper representative.

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

Apologies Nil.

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 Michael Clare, Developed Property, spoke in support of item 16.1 - PD03.02.24 Consideration of Development Application – Four Grouped Dwellings at 117 Waratah Avenue, Dalkeith.

Ms Amanda Butterworth, Allering and Associates, spoke in support of item 16.2 - PD04.02.24 Consideration of Development Application – Four Multiple Dwellings and Additions and Alterations to a Single House at 8 Kingsway, Nedlands.

Dr Katherine Broughton, spoke in opposition of item 16.2 - PD04.02.24 Consideration of Development Application – Four Multiple Dwellings and Additions and Alterations to a Single House at 8 Kingsway, Nedlands.

Dr Steffen Hagemann, spoke in opposition of item 16.2 - PD04.02.24 Consideration of Development Application – Four Multiple Dwellings and Additions and Alterations to a Single House at 8 Kingsway, Nedlands.

Mr Carlo Famiano, CF Town Planning & Development spoke in support of item 16.4 - PD06.02.24 Consideration of Change of Use – Display Home at 154 Adelma Road, Dalkeith

Mr Alex Watson, CLE Town Planning + Design, spoke in support of item 16.5 - PD07.02.24 Initiation and Consent to Advertise Amendment No.15 to Local Planning Scheme No.3 - Rezone Pt Lots 101 and 102 Monash Avenue, Nedlands from 'Residential' to 'Mixed Use' and make related changes to Additional Use provisions.

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 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.

There were no disclosures of financial interest.



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 1995.

8.1 Mayor Argyle – Item 22.1 - CEO03.02.24 CONFIDENTIAL Final Determination Report (7339/23)

Mayor Argyle disclosed an impartiality interest in Item 22.1 - CEO03.02.24 CONFIDENTIAL Final Determination Report (7339/23). Mayor Argyle disclosed that she has an interest in this report, and as a consequence, there may be a perception that her impartiality on the matter may be affected. Mayor Argyle declared that she would leave the room.

8.2 Mayor Argyle – Item 22.2 - CEO04.02.24 CONFIDENTIAL Final Determination Report (7146/22)

Mayor Argyle disclosed an impartiality interest in Item 22.2 - CEO04.02.24 CONFIDENTIAL Final Determination Report (7146/22). Mayor Argyle disclosed that she has an interest in this report, and as a consequence, there may be a perception that her impartiality on the matter may be affected. Mayor Argyle declared that she would consider this matter on its merits and vote accordingly.

8.3 Councillor McManus – Item 22.1 - CEO04.02.24 CONFIDENTIAL Final Determination Report (7146/22)

Councillor McManus disclosed an impartiality interest in Item 22.1 - CEO04.02.24 CONFIDENTIAL Final Determination Report (7146/22). Councillor McManus disclosed that he was a witness in the report, and as a consequence, there may be a perception that his impartiality on the matter may be affected. Councillor McManus declared that he would consider this matter on its merits and vote accordingly.

8.4 Councillor Smyth – Item 22.1 - CEO03.02.24 CONFIDENTIAL Final Determination Report (7339/23)

Councillor Smyth disclosed an impartiality interest in Item 22.1 - CEO03.02.24 CONFIDENTIAL Final Determination Report (7339/23). Councillor Smyth disclosed that she was a witness in the report, 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.

Item 22.1 CEO03.02.24 CONFIDENTIAL Final Determination Report (7339/23)

Item 22.2 CEO04.02.24 CONFIDENTIAL Final Determination Report (7146/22)

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.



16. Divisional Reports - Planning & Development

16.1. PD03.02.24 Consideration of Development Application – Four Grouped Dwellings at 117 Waratah Avenue, Dalkeith

Requests for Further Information

Councillor Hodsdon – Could carparking bays be provided in front of the garages?

16.2. PD04.02.24 Consideration of Development Application – Four Multiple Dwellings and Additions and Alterations to a Single House at 8 Kingsway, Nedlands

Requests for Further Information

Councillor Hodsdon – Could an amendment for an additional condition be drafted that should the limestone wall be removed that it be reinstated of the same material and height?

Councillor Smyth – could an amendment be drafted to provide a modified condition 7 that allows the screening to be installed should the two properties be separately owned?

Councillor McManus – could the boundary trees at the rear be retained?

Mayor Argyle – can mediation be organised with both parties re 3 m setbacks?

16.3. PD05.02.24 Consideration of Change of Use – Holiday House at 8 Odern Crescent, Swanbourne

Requests for Further Information

Councillor Smyth – Correction for page 160 Item 16.3

The subject site is located at 8 Odern Crescent, Swanbourne, directly opposite the Allen Park Tennis Club (Figure 1).

This is inaccurate by about 200m, it would be more accurate to say - directly opposite the car park access for the WA Bridge Club, Associates Rugby Club and PCHF Hospice construction site.



16.4. PD06.02.24 Consideration of Change of Use – Display Home at 154 Adelma Road, Dalkeith

Requests for Further Information

Councillor Amiry – Please double check previous decision re parking bays.

Councillor Amiry – please provide any submissions regarding this.

Mayor Argyle – please provide history of this development and any issues?

Councillor Bennett – request for an amendment for an additional condition to avoid openings on Public Holidays and Sundays be prepared for the Council Meeting?

Councillor Hodsdon – request for an amendment for the approval to start from the completion of the development for a period of 18 months to start within 12 months?

16.5. PD07.02.24 Initiation and Consent to Advertise Amendment No.15 to Local Planning Scheme No.3 - Rezone Pt Lots 101 and 102 Monash Avenue, Nedlands from ‘Residential’ to ‘Mixed Use’ and make related changes to Additional Use provisions

Requests for Further Information

Councillor Amiry – request for a deferral motion to be drafted for the Council Meeting.

Councillor Coghlan – please provide information regarding provision of connections across the sites.

16.6. PD08.02.24 Adoption of Draft Local Planning Policy 3.3 – Sustainable Design - Residential

Requests for Further Information

Councillor Smyth – Could we add new builds on a property to match the existing house?

Mayor Argyle – Can we add Zinalume to the approved materials list?

Councillor Bennett – Can we consider reflectivity (glare) to surrounding properties due to colour, material and angle?



17. Divisional Reports - Technical Services

**17.1. TS02.02.24 Tree Removal for Development – 19 Bulimba Road, Nedlands
Requests for Further Information**

Nil.

**17.2. TS03.02.24 Hazardous Tree Removal – 8 Loftus Street, Nedlands
Requests for Further Information**

Nil.

**17.3. TS04.02.24 Tree Removal for Development – 17-19 Louise Street,
Nedlands
Requests for Further Information**

Nil.

**17.4. TS05.02.24 Waste Expo Australia 2023 Report
Requests for Further Information**

Nil.

18. Divisional Reports - Corporate Services

**18.1. CPS01.02.24 - Monthly Financial Report - November 2023
Requests for Further Information**

Nil.

**18.2. CPS02.02.24 - Monthly Financial Report - December 2023
Requests for Further Information**

Nil.



18.3. CPS03.02.24 – Monthly Investment Report - December 2023

Requests for Further Information

Nil.

18.4. CPS04.02.24 – List of Accounts Paid - December 2023

Requests for Further Information

Mayor Argyle – Could you please advise what the \$77,000 Westpac bank payment is for?

18.5. CPS05.02.24 - Monthly Financial Report - January 2024

This item will be dealt with at the Council Meeting.

18.6. CPS06.02.24 - Monthly Investment Report - January 2024

This item will be dealt with at the Council Meeting.

18.7. CPS07.02.24 - List of Accounts Paid - January 2024

This item will be dealt with at the Council Meeting.

19. Reports by the Chief Executive Officer

19.1. CEO02.02.24 Outstanding Council Resolutions

Requests for Further Information

Nil.

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.



22. Confidential Items

Confidential items to be discussed at this point.

The meeting was closed at 8.27pm to discuss the following confidential items.

Mayor Argyle and Councillor Bennett retired from the meeting at 8.27pm.

22.1. CEO03.02.24 CONFIDENTIAL Final Determination Report (7339/23)

A CONFIDENTIAL report has been circulated to Council Members separately.

22.2. CEO04.02.24 CONFIDENTIAL Final Determination Report (7146/22)

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 8.48pm.