

NOTES

Council Meeting Agenda Forum

13 September 2022



Bill Parker
Chief Executive Officer
21 September 2022

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
	Councillor O Combes	Hollywood Ward
	Vacant	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 A D Melville	Acting Director Technical Services
	Mrs N M Ceric	Executive Officer

Public There were 12 members of the public present and 2 online.

Leave of Absence (Previously Approved) Councillor B G Hodsdon Hollywood 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 have completed Public Address Registration Forms.

Mr Corey Stott, spoke in opposition to the recommendation for item 16.1 - PD58.09.22 Consideration of Development Application – Partial change of use to “Small bar” and additions to an existing commercial tenancy (patio) – 161 Broadway, Nedlands.

Mr Jackson Tomich, spoke in opposition to the recommendation for item 16.3 – PD60.09.22 Consideration of Development Application – Large Format Digital Sign at Langoulant Road Overpass, Swanbourne.

Ms Lesley Shaw, spoke in support of the recommendation for item 16.4 - PD61.09.22 Western Suburbs Greening Plan 2020-2025 & item 19.4 - CPS42.09.22 Reclassification of Crown Reserve – Swanbourne.

Mr Bradley Forbes, spoke in support of the recommendation for item 18.1 - Cricket Turf Wicket Maintenance Agreements.

Mr Luke Everett, spoke in support of the recommendation for item 18.1 - Cricket Turf Wicket Maintenance Agreements.

Mr Gavin Taylor, Nedlands Yacht Club, spoke in support of the recommendation for item 18.2 - CSD06.09.22 CRSFF Application Nedlands Yacht Club Sail Training Centre Redevelopment.

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.

8.1 Councillor Smyth – 18.2 - CSD06.09.22 CRSFF Application Nedlands Yacht Club Sail Training Centre Redevelopment

Councillor Smyth disclosed an impartiality interest in Item 18.2 - CSD06.09.22 CRSFF Application Nedlands Yacht Club Sail Training Centre Redevelopment. Councillor Smyth disclosed that her husband is a member of the club, 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.

8.2 Mayor Argyle – 18.2 - CSD06.09.22 CRSFF Application Nedlands Yacht Club Sail Training Centre Redevelopment

Mayor Argyle disclosed an impartiality interest in Item 18.2 - CSD06.09.22 CRSFF Application Nedlands Yacht Club Sail Training Centre Redevelopment. Mayor Argyle disclosed that daughter is a member, 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 – 18.1 – CSD05.09.22 Cricket Turf Wicket Maintenance Agreements

CSD05.09.22 Cricket Turf Wicket Maintenance Agreements Councillor McManus disclosed that life member and committee member Nedlands Cricket Club, 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.

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.

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 Report No's PD58.09.22 to PD63.09.22

16.1 PD58.09.22 Consideration of Development Application – Partial change of use to “Small bar” and additions to an existing commercial tenancy (patio) – 161 Broadway, Nedlands

Questions or Requests for Further Information

Councillor Amiry – Could we have a condition that allows closure at 12am for 12 times a year but all other times closure to be 10pm?

16.2 PD59.09.22 Consideration of Adoption of Local Planning Policy for Advertising – Nedlands Stirling Highway Activity Corridor - Residential Precinct Design Response

Questions or Requests for Further Information

Councillor Smyth – precinct map – can we add a map that shows the zoning on the adjoining areas?

Councillor Coghlan – have we tested the wording “acceptable requirement”.

16.3 PD60.09.22 Consideration of Development Application – Large Format Digital Sign at Langoulant Road Overpass, Swanbourne

Questions or Requests for Further Information

Councillor Smyth & Councillor Amiry – could advice be given on how to add a condition to control / restrict content of the signage of what is advertised on the sign? i.e. no reference to alcohol and gambling etc – content of the signage to be in line with the Council’s signage policy?

Councillor Mangano – has the Town of Claremont been consulted?

Can we add a condition to ensure the sign has blinkers on the sides to protect the nearby residents?

What impacts to road users / businesses – road closures etc will the installation of the sign cause?

Councillor Coghlan – Curtin Avenue – volume of traffic that use this road who will be impacted?

What part of the scheme does Curtin Avenue sit in?

16.4 PD61.09.22 Western Suburbs Greening Plan 2020-2025

Questions or Requests for Further Information

Councillor Smyth – Could Administration comment on the issues raised by Ms Lesley Shaw in her address.

16.5 PD62.09.22 Permeable Ground Stabilisation Point Resolution

Questions or Requests for Further Information

Nil.

16.6 PD63.09.22 Procurement of Consultant - RFQ 2022-23.01 - Public Open Space Strategy and Local Planning Policy

Questions or Requests for Further Information

Councillor Smyth – Can the policy be renamed Public Open Space Funding Strategy?

Councillor Coghlan – Could a copy of the previous development contributions document be added to the Councillor Portal?

17. Divisional Reports - Technical Services Report No's TS20.09.22

17.1 TS20.09.22 RFQ 2022-23.06 Supply and Application of Crack Sealing

Questions or Requests for Further Information

Nil.

18. Divisional Reports - Community Services & Development Report No's CSD05.09.22 to CSD06.09.22

18.1 CSD05.09.22 Cricket Turf Wicket Maintenance Agreements

Questions or Requests for Further Information

Nil.

18.2 CSD06.09.22 CRSFF Application Nedlands Yacht Club Sail Training Centre Redevelopment

Questions or Requests for Further Information

Councillor Smyth – has this application been referred to the Foreshore Management Committee or has consultation occurred with the Foreshore Management Committee?

Councillor Mangano – can further funding be identified?

Mayor Argyle – funding agreement re is approval for funding does it become null and void if one party does not come up with the funding?

Councillor Combes – Could the purpose of the report be amended to include the conditional funding implications?

19. Divisional Reports - Corporate & Strategy Report No's CPS39.09.22 to CPS42.09.22

19.1 CPS39.09.22 Lease to Leo Heaney Pty Ltd – Portion of Reserve 45054 John XXIII Depot in Mt Claremont

Questions or Requests for Further Information

Councillor Smyth – Could administration please provide an alternate motion of refusal for the Council Meeting. Requested that this item be removed from en bloc,

Councillor Mangano – has any consideration be given to formalising this road as a dedicated gazetted road?

Councillor McManus – can a traffic count details be provided?

19.2 CPS40.09.22 Lease to WMRC – City of Nedlands John XXIII Depot in Mt Claremont, Portion of Reserve 45054, Lot 502 on Deposited Plan 73830, Mt Claremont

Questions or Requests for Further Information

Councillor Smyth – what work has occurred in actioning the council resolution to making the road a dedicated road and having a northern access point?

Councillor Mangano – confirmation that only green waste will be stored on site?

Councillor McManus – how much green waste will be stored onsite at any one time?

Councillor Bennett – what period of time is the waste sitting on site for?

Councillor Smyth – spreading of contaminated items be confirmed in terms of the wood borer.

19.3 CPS41.09.22 Tawarri Hot Springs Pty Ltd – Request licence to occupy portion of Reserve 17391 Esplanade Dalkeith

Questions or Requests for Further Information

Councillor Bennett – further information to be added into the decision implications should council refuse the application? E.g., could more land be taken from the adjoining reserve?

19.4 CPS42.09.22 Reclassification of Crown Reserve – Swanbourne

Questions or Requests for Further Information

Councillor Smyth – can an amendment be provided to include Lot 150 & 139 to be included as A Class Reserve.

Councillor Smyth – could the City investigate a land swap – freehold land?

Councillor Amiry – is there a classification of land that provides a higher level of protection than A class reserve?

19.5 CPS43.09.22 Monthly Financial Report – August 2022

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

19.6 CPS44.09.22 Monthly Investment Report – August 2022

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

19.7 CPS45.09.22 List of Accounts Paid – August 2022

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

20. Reports by the Chief Executive Officer CEO10.09.22 to CEO11.09.22

20.1 CEO10.09.22 Annual Review of the City of Nedlands Register of Delegations

Questions or Requests for Further Information

Councillor Mangano – verge permits – long term obstruction of verges to come to Council. Assistance with section for an amendment.

Councillor Mangano – Could we have an amendment for making the threshold for tender approval by the CEO to be \$250,000.

Councillor Youngman – Could we have an amendment for making the threshold for tender approval by the CEO to be more in line with Subiaco's - \$300,000.

20.2 CEO11.09.22 United Nations Sustainable Development Goals

Questions or Requests for Further Information

Nil.

21. Reports from the Workforce Plan Implementation Committee

21.1 WPIC01.09.22 Workforce Plan Implementation Committee Terms of Reference

Questions or Requests for Further Information

Nil.

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

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

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

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

24. Confidential Items

Confidential items to be discussed at this point.

25. Declaration of Closure

There being no further business, the Presiding Member declares the meeting closed at 9.38pm.