

Notes

Council Meeting Agenda Forum

12 April 2022

Bill Parker
Chief Executive Officer
20 April 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
	Councillor B G Hodsdon	Hollywood Ward

Staff	Mr M R Cole	Acting Chief Executive Officer
	Mr T G Free	Director Planning & Development
	Mr A D Melville	Acting Technical Services
	Mrs N M Ceric	Executive Officer

Public Gallery There were 11 members of the public present and 3 online.

Press The Post Newspaper Representative.

Leave of Absence (Previously Approved) Councillor J D Wetherall Hollywood Ward

Apologies Mr W R Parker, Chief Executive Officer.

3. Public Question Time

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

Nil.

4. Deputations

Mrs Tara Doody, spoke in opposition to the recommendation for PD19.04.22 Consideration of Development Application – 4 Grouped Dwellings at 7 Florence Road.

Mr Steve Edwards, spoke in opposition to the recommendation for PD20.04.22 Consideration of Development Application – 4 Grouped Dwellings at 24 Clark Street, Nedlands.

Miss Diya Li, spoke in support to the recommendation for PD20.04.22 Consideration of Development Application – 4 Grouped Dwellings at 24 Clark Street, Nedlands.

Mr Alex Hemsley, spoke in support to the recommendation for CPS13.04.22 New Lease to Kidz Galore – 64 – 66 Melvista Avenue, Dalkeith

Mr Paul Kidd, spoke in opposition to the recommendation for CPS13.04.22 New Lease to Kidz Galore – 64 – 66 Melvista Avenue, Dalkeith.

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.

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.

There were no disclosures affecting impartiality.

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.

20.1 CONFIDENTIAL TS05.04.22 Payment for Use of Car Parking Bays at Dalkeith Hall

20.2 CONFIDENTIAL CEO04.04.22 Risk & Reporting Update

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 2021 Annual General Meeting of Electors

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

15.3 Motion Passed at the 2021 Annual General Meeting of Electors

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

16. Divisional Reports - Planning & Development Report No's PD19.04.22 to PD23.04.22

16.1 PD19.04.22 Consideration of Development Application – 4 Grouped Dwellings at No. 7 Florence Rd, Nedlands

Questions or Requests for Further Information

Councillor Smyth - Requested for a meeting to be organised between the neighbours and the outcome recorded in the Council Report.

Councillor Coghlan - Requested for a current street view photograph of the property.

Councillor Hodsdon - Option for driveway to be marked as a visitors parking bay.

16.2 PD20.04.22 Consideration of Development Application – 4 Grouped Dwellings at 24 Clark Street, Nedlands

Questions or Requests for Further Information

Councillor Smyth – what can we do to remediate the constant disruptions to the neighbouring property? Can restrictions be made on the process?

Councillor Brackenridge – request for eastern view of all the site, additional information on the elevations.

Councillor Coghlan – Ranoora Gum – 2 x magnolia teddy bear, 5 dwarf magnolias, will these provide shade?

16.3 PD21.04.22 Review of Local Planning Policy – Design Review Panel

Questions or Requests for further information

Councillor Smyth – Please provide track changes in the policy.

Councillor Mangano – Can the Design Review Panel give more due regard to the amenity of the street and neighbouring properties?

Councillor Hodsdon – list of requirements given to Developments and advise whether these items are negotiable or not?

16.4 PD22.04.22 Consideration of Adoption of Local Planning Policy for Advertising – Draft Waratah Precinct Design Response

Questions or Requests for further information

Councillor Youngman – page 92 4.2.1 A item 1 general provisions – why 4 green stars not 6?

Councillor Mangano – shows 6 storeys whereas existing are only 5 storeys?

16.5 PD23.04.22 Development Assessment Panel Reform

Questions or Requests for Further Information

Councillor Hodsdon declared financial interest as he owns a property within the area.

Councillor Smyth - diagram page 212 – can we request limitations?

Request for email sent on 30 March requesting Council Member feedback on DAP Reforms by 18 April 2022 be resent to Council Members.

Councillor Mangano – Can the WALGA representative to be replaced by City of Nedlands Member.

17. Divisional Reports - Corporate & Strategy Report No's CPS13.02.22 to CPS17.04.22

17.1 CPS13.04.22 New Lease to Kidz Galore – 64-66 Melvista Avenue, Dalkeith

Further Information

Since the deferment of this matter in February 2022 and following the recent noise complaint lodged, the following areas of this report have been amended:

1. Recommendation – Amended to include specific mention of the proposed Lease (Acoustic) Management Plan.
2. Previous Council Decisions – Amended to include detail of the February 2022 deferment.
3. Kidz Galore Current Performance – Amended to include details of the recent alleged noise issue.
4. Key Terms – Amended to formally include the proposed Lease (Acoustic) Management Plan as an Annexure to the proposed lease.
5. Consultation - Amended to include details of the Chief Executive Officers consultation with the complainant.

Conclusion - Amended to formally include the proposed Lease (Acoustic) Management Plan as an Annexure to the proposed lease.

Questions and Requests for Further Information

Councillor McManus – Can the CEO request Kidz Galore supply a copy of the proposed Lease (Acoustic) Management Plan to the adjoining neighbour?

Councillor Coghlan - Can Kidz Galore delay any gardening work and opening of the shed until after 9am?

Councillor Coughlan - Is it feasible for Kidz Galore provide a 'noise free window' during the day (i.e. midday – 2pm?)

Councillor Amiry - Do we have sufficient childcare south of Stirling Highway?

Mayor Argyle - Are there options to go to the market for this service, rather than approve a new lease?

Mayor Argyle - Can the Administration please advise whether a market valuation for the proposed (or any new lease) will likely result in an increase in rent per annum?

Councillor Mangano – If a new lease is in place and noise complaints continue, what is the process for investigation of the complaint and what would the repercussions be for the tenant if the complaint is justified?

17.2 CPS14.02.22 Lease to Heaney Pty Ltd

Questions or Requests for Further Information

Councillor Smyth - What progress has been made on the Resolution of Council dated 23 February 2021 (Item 14.5) regarding the access road to this site in light of the John XXIII College re-development and the apparent use of Crown Land to access their new student car park?

Councillor Smyth - What is the volume of traffic and truck movements expected by Leo Heaney Pty Ltd and the potential egress clashes (student car park) at the intersection of Depot & John XXIII Avenue?

Councillor Smyth - Can the Item subject title be extended to include the lease number and reference to the Depot, so that future keyword searches can be effective?

17.3 CPS15.04.22 List of Accounts

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

17.4 CPS16.04.22 Monthly Financial Report

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

17.5 CPS17.04.22 Monthly Investment Report

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

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

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

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

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

20. Confidential Items

Confidential items to be discussed at this point.

20.1 CONFIDENTIAL TS05.04.22 Payment for Use of Car Parking Bays at Dalkeith Hall

20.2 CONFIDENTIAL CEO04.04.22 Risk & Reporting Update

21. Declaration of Closure

There being no further business, the Presiding Member declared the meeting closed at 9.32 pm.