



City of Nedlands

# ***Agenda***

## ***Special Council Meeting 15 September 2020***

Dear Council member

A Special Meeting of the City of Nedlands is to be held on Tuesday 15 September 2020 at Adam Armstrong Pavilion, Beatrice Road, Dalkeith commencing at 5.30 pm for the purpose of considering the Responsible Authority Report for Lot 142 and 141 (21 – 23) Louise Street, Nedlands.

This meeting will also be livestreamed.

Due to COVID Restrictions the 2m<sup>2</sup>, with 1.5 metre social distancing rule applies. Once the venue is at capacity no further admission into the room will be permitted.

The public can continue to participate by submitting questions and addresses via the required online submission forms at:

<http://www.nedlands.wa.gov.au/intention-address-council-or-council-committee-form>  
<http://www.nedlands.wa.gov.au/public-question-time>

Mark Goodlet  
Chief Executive Officer  
11 September 2020

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## City of Nedlands

**Notice of a Special Meeting of Council to be held at 5:30 pm on Tuesday 15 September 2020 at Adam Armstrong Pavilion, Beatrice Road, Dalkeith for the purpose of considering Responsible Authority Report for Lot 142 and 141 (21 – 23) Louise Street, Nedlands.**

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### Special Council Agenda

#### Declaration of Opening

The Presiding Member will declare the meeting open at 5.30 pm and will draw attention to the disclaimer below.

#### Present and Apologies and Leave of Absence (Previously Approved)

**Leave of Absence**                      None.  
**(Previously Approved)**

**Apologies**                      Councillor N B J Horley                      Coastal Districts Ward

#### 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.

Any plans or documents in agendas and minutes may be subject to copyright. The express permission of the copyright owner must be obtained before copying any copyright material.

**1. Public Question Time**

A member of the public wishing to ask a question should register that interest by notification in writing to the CEO in advance, setting out the text or substance of the question.

The order in which the CEO receives registrations of interest shall determine the order of questions unless the Mayor determines otherwise. Questions must relate to a matter affecting the City of Nedlands.

**2. Addresses by Members of the Public**

Addresses by members of the public who have completed Public Address Session Forms to be made at this point.

**3. Disclosures of Financial Interest**

The Presiding Member to remind 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.

A declaration under this section requires that the nature of the interest must be disclosed. Consequently, a member who has made a declaration must not preside, participate in, or be present during any discussion or decision-making procedure relating to the matter the subject of the declaration.

However, other members may allow participation of the declarant if the member further discloses the extent of the interest. Any such declarant who wishes to participate in the meeting on the matter, shall leave the meeting, after making their declaration and request to participate, while other members consider and decide upon whether the interest is trivial or insignificant or is common to a significant number of electors or ratepayers.

**4. Disclosures of Interests Affecting Impartiality**

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

Councillors and staff are required, in addition to declaring any financial interests to declare any interest that may affect their impartiality in considering a matter. This declaration does not restrict any right to participate in or be present during the decision-making procedure.

The following pro forma declaration is provided to assist in making the disclosure.

"With regard to the matter in item x ..... I disclose that I have an association with the applicant (or person seeking a decision). This association is ..... (nature of the interest).

As a consequence, there may be a perception that my impartiality on the matter may be affected. I declare that I will consider this matter on its merits and vote accordingly."

The member or employee is encouraged to disclose the nature of the association.

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

Members who have not read the business papers to make declarations at this point.

## 6. Responsible Authority Report for Lot 142 and 141 (21 – 23) Louise Street, Nedlands

<b>Council</b>	15 September 2020 SCM
<b>Applicant</b>	Mr Mark Young, Hillam Architects
<b>Landowner</b>	Maison Holdings No 3 Pty Ltd
<b>Director</b>	Ross Jutras-Minett A/Director Planning & Development
<b>Employee Disclosure under section 5.70 Local Government Act 1995</b>	Nil
<b>Report Type</b>	
Information Purposes	Item provided to Council for information purposes.
<b>Reference</b>	DAP/20/01782
<b>Previous Item</b>	Nil
<b>Delegation</b>	Not applicable – Joint Development Assessment Panel application.
<b>Attachments</b>	1. Responsible Authority Report and Attachments – available at: <a href="https://www.dplh.wa.gov.au/about/development-assessment-panels/daps-agendas-and-minutes">https://www.dplh.wa.gov.au/about/development-assessment-panels/daps-agendas-and-minutes</a>

### 1.0 Executive Summary

In accordance with the *Planning and Development (Development Assessment Panels) Regulations 2011*, Administration have prepared a Responsible Authority Report (RAR) in relation to the revised plans received on 26 August 2020 for the Metro-Inner North Joint Development Assessment Panel (JDAP) Form 1 Application at Lot 142 and 141 (21 – 23) Louise Street, Nedlands. The application proposes the development of seven grouped dwellings (two storeys in height) and six apartments (three storeys in height).

The purpose of this report is to inform Council of Administration's recommendation to the JDAP.

### Recommendation to Council

That Council:

1. notes the Responsible Authority Report for the proposed seven grouped dwellings (two storeys in height) and six apartments (three storeys in height) at Lot 142 and 141 (21 – 23) Louise Street, Nedlands;

2. **agrees to appoint Councillor (insert name) and Councillor (insert name) to coordinate the Council's submission and presentation to the Metro Inner-North JDAP;**
3. **does / does not (remove one) support approval of the development; and**
4. **provide specific reasons in the case of refusal, and conditions in the case of approval:**
  - a. ...
  - b. ...

## **2.0 Background**

The City received the JDAP application for Lot 142 and 141 (21 – 23) Louise Street, Nedlands on 4 May 2020. The subject lot is zoned 'Residential' and has a density code of R60.

During the assessment period, Administration raised issues/requested further information regarding a number of issues. The applicant prepared amended plans and revised technical documents, which were provided on 26 August 2020.

The City submitted the RAR on the 10 September 2020, recommending that the JDAP defer the application. A copy of the RAR and revised plans are attached to this report for your reference.

## **3.0 Application Details**

### Apartments

- Located to the north of the site, with frontage to Louise Street;
- Three storeys in height;
- 6 three-bedroom dwellings;
- 14 resident car parking bays at basement level;
- 2 visitor car parking bays within the basement (shared with grouped dwellings);
- Bin store located at ground level, with bin collection from Louise Street; and
- Deep soil planting at ground level and on-structure planting for upper levels.

### Grouped Dwellings

- Located to the south of the site, with frontage to Jenkins Avenue;
- Two storeys in height;

- 7 three-bedroom dwellings;
- 14 resident car parking bays at basement level;
- 2 visitor car parking bays within the basement (shared with apartments);
- Individual bin stores provided for each unit at ground level, with bin collection from Louise Street; and
- Landscaping provided at ground and upper levels.

Vehicle access to the subject site is proposed to be via Jenkins Avenue to a basement parking level, which is shared between the apartments and grouped dwellings.

#### **4.0 Consultation**

The City's Local Planning Policy – Consultation of Planning Proposals (Consultation LPP) states that the development proposal for multiple dwellings is classified as a Complex Application.

In accordance with the Consultation LPP, the application was advertised for a period of 21 days, commencing on 13 June 2020 and concluding 4 July 2020 and included the following forms of notification:

- 124 letters were sent to City of Nedlands landowners and occupiers within a 200m radius of the site;
- A sign on site was installed on the frontage of the site;
- An advertisement was uploaded to the City's website with all documents relevant to the application made available for viewing during the advertising period;
- An advertisement was placed in the Post newspaper;
- Social media post on the City's Social Media platforms;
- A notice was affixed to the City's Noticeboard at the City's Administration Offices; and
- An in-person community information session was held at Council Chambers on 22 June 2020.

At the conclusion of advertising, the City received 80 submissions on the proposal, 73 submissions objecting to the proposal and 7 in support. A summary of the submissions is included in Attachment 1.

#### **5.0 Recommendation to JDAP**

There are several issues that remain outstanding with the internal amenity of the development, namely relating to solar access, visual privacy, outlook and pedestrian access. On this basis, the RAR recommends that the application is deferred for a period of 60 days to allow the applicant to make further amendments to the proposal to address these issues.

## **6.0 Conclusion**

The subject site forms an important role in transitioning the built form down from the anticipated mixed-use high-density development along Stirling Highway. The proposal successfully mitigates potential conflicts in land use and built form within this transition area and is considered to contribute positively to the public realm.

Notwithstanding the merits of the development from the public realm and surrounding properties, there are several issues that remain outstanding with the internal amenity of the development. If the development were to be amended to address these issues, Administration considers that it would be a positive addition to housing diversity within the locality.

**Declaration of Closure**

There being no further business, the Presiding Member will declare the meeting closed.