



City of Nedlands

MINUTES

Annual General Meeting of Electors

Monday, 29 April 2024



Information

Notice of Meeting

In accordance with the *Local Government Act 1995* at least 14 days local public notice was given of the availability of the Annual Report (section 5.55) and the date, time, place, and purpose of the Annual Electors' Meeting (section 5.29).

The local public notice was provided in accordance with section 1.7 of the **Local Government Act 1995**, by way of the public notice in the Post newspaper on Friday, 12 March and Friday 12 April 2024 and on notice boards at the City of Nedlands Administration, Nedlands, and Mt Claremont Libraries and on the City's website and social media.

Purpose of Meeting

The purpose of this meeting is to receive the Annual and Financial Reports 2022/23 and General Business.

Definition of an Elector

An elector is defined in the *Local Government Act 1995* as a person who is eligible to be enrolled to vote in an election of the City of Nedlands.

Meeting Guidelines

In accordance with the [Local Government \(Administration\) Regulations 1996](#) the Mayor is to preside at a General Meeting of Electors and shall determine the procedure to be followed as set out below:

1. All present are required to sign the attendance register at the entry to the venue, including name and address.
2. In accordance with Section 5.31 of the *Local Government Act 1995* (LG Act) and Regulation 18 of the *Local Government (Administration) Regulations 1996* (LG Administration Regs), Minutes will be taken at the meeting. Minutes will be made available to the public following the meeting.
3. All members of the public attending the meeting must act in a polite and respectful manner before, during and after the meeting. The public is reminded nobody shall use any electronic, visual, or audio recording device or instrument to record the proceedings of the meeting unless that person has been permitted by the Presiding Member to do so.
4. To be able to move or second a motion, and vote at an Electors' Meeting, all Electors in attendance must be on the City of Nedlands Electoral roll. Only City of Nedlands Electors are eligible to vote, although they are not obliged to do so.



5. During general business questions and statements may only relate to matters that affect the City of Nedlands.
6. To allow for considered responses to be provided to all enquiries and questions it is requested that all formal questions are submitted by 12pm on Wednesday, 24 April 2024 via council@nedlands.wa.gov.au
7. The Presiding Member has indicated that it is acceptable for a deputation from the Electors to this Electors Meeting be made, as per cl 3.11 Deputations, of the City of Nedlands Standing Orders Local Law. Up to 5 people can be part of the deputation, 2 can address the Council although others can answer questions from Councillors, and the length of the deputation is 15 minutes.
8. The Presiding Member will then ask Council Members if they have questions following the deputation.

Motions and Voting

1. Proposed motions are requested to be submitted by 12pm on Wednesday, 24 April 2024 via council@nedlands.wa.gov.au
2. Motions where presented in writing will be read aloud by the Presiding Member to ensure that all are clear what they are voting on. Motions from the floor will only be accepted at the discretion of the Presiding Member.
3. The Presiding Member will call for a mover and a seconder for a motion. Only City of Nedlands Electors may move or second a motion.
4. Both the mover and seconder to a motion may speak on the motion. The mover will be able to speak for three minutes, and then the seconder will speak for three minutes. The mover and seconder must state their name and address before moving or seconding the motion.
5. The Presiding Member will call other speakers to speak to the motion. Ten speakers will be allowed to speak for the motion (including the mover and seconder), and ten speakers will be allowed to speak against the motion. All speakers should be clear and to the point and always speak through the Presiding Member. Each speaker must state their name and address and restrict their comments to the subject of the meeting and will be allowed 3 minutes to speak. Members of the public are not permitted to enter debate with the Presiding Member. Speakers should not repeat comments/points already raised by another speaker.
6. At the end of the debate for and against the motion, no other items of business will be addressed, and the motion will be put to the vote. Once a motion is voted upon the Presiding Member will call for any further motions from Electors.
7. No motion or amendment is open to debate until it has been seconded. Only one amendment on any one motion shall be received at a time and such amendment shall



be dealt with before any further amendment can be received. Upon a motion being proposed, the Presiding Member will call for speakers to address the Chair.

8. Regulation 17 of the Local Government (Administration) Regulations 1996 - Voting at meeting.
 - a. Each elector who is present at a general or special meeting of electors is entitled to one vote on each matter to be decided at the meeting but does not have to vote.
 - b. All decisions at a general or special meeting of electors are to be made by a simple majority of votes.
 - c. Voting at a general or special meeting of electors is to be conducted so that no voter's vote is secret.
9. Voting is determined by a show of hands.

Minutes

Minutes of this meeting will be available for inspection by members of the public at a later date.

Public questions and comments may be recorded and there is no protection from legal action being taken against you, should it arise from your comments delivered at the meeting are defamatory.

Decisions Made at a Meeting of Electors

In accordance with section 5.33 of the Local Government Act 1995 all decisions made at a Meeting of Electors are to be considered at the next Ordinary Meeting of Council, or, if that is not practicable:

- At the first Ordinary Meeting of Council after that meeting, or
- At a Special Meeting called for that purpose.

It should be noted that any decisions made at a Meeting of Electors are not binding on the Council.



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1. Declaration of Opening

The Presiding Member declared the meeting open at 6.00 pm and acknowledge the Whadjuk Nyoongar people, Traditional Custodians of the land on which we meet, and pay respect to Elders past, present and emerging. The Presiding Member drew attention to the disclaimer on page 2 and advise 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 H Amiry	Coastal Ward
Councillor K A Smyth	Coastal Ward
Councillor F J O Bennett	Dalkeith Ward
Councillor N R Youngman	Dalkeith Ward

Staff

Mr M R Cole	Director Corporate Services
Mr M K MacPherson	Acting Chief Executive Officer
Mr D Kennedy-Stiff	Acting Director Technical Services
Mr N Blumenthal	Acting Manager Urban Planning
Ms L J Kania	Coordinator Governance & Risk
Ms E Bock	PA to Director Corporate Services

Public There were 21 members of the public present and 3 online.

Press Nil.

Leave of Absence (Previously Approved) Councillor McManus Hollywood Ward

Apologies

Councillor R A Coghlan	Melvista Ward
Councillor B Brackenridge	Melvista Ward
Councillor Hodsdon	Hollywood Ward
Mr T G Free	Acting Chief Executive Officer



3. Procedural Matters

The Presiding Member outlined the procedures of the meeting as printed on pages 2 - 4.

4. Addresses by Members of the Public

Mr Eric Pegram read the below public address on behalf of Alexia Brbich regarding the future sale and redevelopment of the Loreto school site.

We wish to address the Acting CEO Mr. Tony Free, with regard to the future sale and redevelopment of the Loreto School site.

The section of Melvista Ward in Nedlands, surrounded by Stirling Highway, Broadway, Princess Road, and Dalkeith Road is void of any Public Open Space. The Loreto school, which includes Barry Park sits very central within this area and prior to the recent fencing of the school, Barry Park was used as a defacto public park.

With its advanced tree canopy and gardens, Barry Park was named after the Loreto nun Mother Gonzaga Barry and includes Lots # 431, 432, 433 and 434. This is a significant area of parkland and of enormous value to the suburb.

With the current rezoning, massive infill, multi-story apartments and high-rise buildings along Stirling Highway and Broadway, Barry Park is the only area that these residents will have to enjoy the outdoors under the shade of an enormous tree canopy. We hope that when the Loreto School site is sold that it will remain R10 zoning, however, we have been advised that it will most likely be rezoned with increased density and infill. Retaining Barry Park would be much more valuable, than a few treeless spots of lawn as open space within the new development.

I understand that Nedlands City's draft Public Open Space Strategy has identified this area as lacking in public open space, so we would encourage the Council to specify the retention of Barry Park as the required public open space contribution as the key to any redevelopment of the Loreto site.



4.1 Annual Report 2022/23

Presentation of the Annual Report (attachment 1).

The 2022/2023 Annual Report was accepted by Council at its Special Council Meeting held 11 March 2024.

The Annual Report comprising:

- (a) Mayor’s Report;
- (b) Chief Executive Officer’s Report;
- (c) Annual Financial Report; and
- (d) Auditor’s Report;

for the financial year ended 30 June 2023 is to be received.

The Annual Report can be viewed by clicking [here](#).

Moved – Bronwen Tyson of 62 Tyrell Street, Nedlands

Seconded –Bronwen Channon of 73 Mountjoy Rd, Nedlands

That the Recommendation be adopted.

(Printed below for ease of reference)

CARRIED

Resolution

That the 2022/23 Annual Report including the annual financials for the City of Nedlands be accepted.

4.2 Questions Submitted on the Annual Report 2022/23 by Electors prior to the meeting

4.2.1 Denis Conway - 6 Moss Vale, Floreat

Question 1

In answer to my questions about the future of Hackett Hall in Floreat at the GM of Electors in 2023, the City minuted “The City is in the process of obtaining quotes for urgent repairs to mitigate further damage, full repair and bring up to a fit for purpose level, quotation/estimate for major reconstruction or potential replacement. These are for comparative purposes and to help Council in their overarching decision making.”

Were these quotes ever obtained?



Answer

These were taken on notice and will be responded to in the associated report to Council.

Question 2

In response to my question regarding provisions in the 2023/2024 budget, the City answered "That will be a decision from Council, however it is likely that staff will recommend an allocation to at least undertake mitigating repairs to permit time for a fulsome, long term, sustainable decision to be made. Administration is also recommending a \$130,000 full structural condition assessment and land use investigation study for the facilities in the precinct as part of the draft 203-24 budget."

Residents were shocked to see no provision in the budget.

Will there be a provision in the 2024/25 budget for at least repairs to mitigate further damage and work to bring the hall up to a useable condition, with commitments to make allocations in future budgets for full refurbishment?

Answer

These were taken on notice and will be responded to in the associated report to Council.

Question 3

Further to the previous question, can the City provide an update of plans for the future of Hackett Hall and the adjoining Lawler Park? Surveys of community needs and consultants' reports on Lawler Park have been prepared but nothing has been done and the condition of the park is poor, with the surface uneven and trip hazards.

Answer

These were taken on notice and will be responded to in the associated report to Council.



Question 4

The eastern tennis court behind the Scout Hall at Lawler Park is out of service due to tree roots breaking up the surface and causing a trip hazard.

Have quotes been obtained for cutting out the tree roots and repairing the surface of this much used facility and do we have a date for it to be useable again?

Answer

These were taken on notice and will be responded to in the associated report to Council.

5. General Business

Consistent with section 5.27(3) of the *Local Government Act 1995* and regulation 15 of the *Local Government (Administration) Regulations 1996*, electors in attendance at the Annual General Meeting of Electors were invited to raise any matters concerning any other general business by asking a public question or raising a motion.

5.1 General business submitted by Electors prior to the meeting and during the meeting.

A period of 15 minutes was allocated for questions by members of the public.

5.1.1 Mr Max Hipkins - 36 Minora Rd Dalkeith

Question

Will the City of Nedlands adopt a tree retention policy that defines the removal of or damage to trees of certain characteristics as 'works' that require development approval by Council?

Answer

At the 23 April 2024 Ordinary Council Meeting, Council resolved to begin advertising Local Planning Policy 3.3: Tree Retention. This Policy defines tree damaging activities to regulated trees (trees of a specified size and criteria) on lots coded Residential R20 and below to be works requiring development approval. Public consultation is expected to commence by the middle of May. Please refer to the 23 April 2024 OCM Agenda for full discussion and the draft Policy.

5.1.2 Ms Bronwen Tyson - 62 Tyrell St Nedlands

Question

Will the City of Nedlands update the Urban Forest Strategy, with a tree canopy target of at least 30% by 2040, supported by appropriate planning, policy changes, funding, monitoring, and annual reporting?



Answer

The City of Nedlands is currently preparing an update to our Urban Forest Strategy. This will provide a scientifically derived target canopy coverage calculated specifically for the City from the data gathered. It is expected to determine appropriate targets for each land use type (Private, Parkland, Street). The update to the Urban Forest Strategy includes a review of the supporting policy, budgeting and reporting documentation.

As the canopy target is yet to be calculated we cannot confirm whether the figure may be 30% or a number around this figure.

5.1.3 Mr Craig Carter - 38 Bulimba Rd Nedlands

Question

Will the City of Nedlands commit to increasing the budget for street tree planting and maintenance by 10% each financial year until such time as the tree canopy target of 30% is reached?

Answer

The City is currently in the process of developing the 24/25 financial year budget with the view to increase planting and maintenance. The exact value is yet to be determined and in following years will be recommended from an updated urban forest strategy.

5.1.4 Ms Martina Bovell - 17 McKenna Glen Mount Claremont

Question

Will the City of Nedlands lobby WALGA via a motion at the WALGA Zone 3 Meeting, to urgently procure updated tree canopy and heat mapping data for the Perth & Peel area in order to provide a better understanding of the current situation and inform planning, policy changes, funding, and monitoring?

Answer

The City has gathered this data in March 2024 within the City boundary, and the City's consultant is analysing it currently. It will be provided in the Urban Forest Strategy Update. Lobbying of WALGA is a matter for Elected Members, but officers support ongoing monitoring of canopy in a collaborative manner to agreed quality and schedule.

5.1.5 Professor Bronwen Stuckey - 26 Kingsway Nedlands

Question

Will the City of Nedlands take note of the independent scientific evidence for glyphosate harm, cease the use of glyphosate for weed control and provide the necessary budget to support the use of steam as a weed control measure?



Answer

The City follows government advice on this as well as following all manufacturer and government requirements when using pesticides.

The relevant government departments review the full scientific evidence before reaching their conclusions. The WA Dept of Health advises that glyphosate is of low risk when used according to the label. The Australian Pesticides and Veterinary Medicines Authority (APVMA) is the Australian Government's regulator of agricultural and veterinary (agvet) chemical products and advises that glyphosate is safe to use when instructions are followed.

When undertaking pesticide treatments, the City implements best practice principles and complies with all statutory obligations including pesticide legislation and safety procedures as required by the Department of Health.

The City is currently developing a tender to price alternative treatment methods for council to consider.

6. Motions

During this part of the meeting, electors put motions to the electors present.

Any motions arising from the meeting requiring action will be presented to the next available Ordinary Council Meeting for consideration.

6.1 Mr Max Hipkins - 36 Minora Rd Dalkeith

Moved –Mr Max Hipkins, 36 Minora Rd, Dalkeith
Seconded –Ms Bronwen Tyson, 62 Tyrell St, Nedlands

That Council:

adopts a tree retention policy that defines the removal of or damage to trees of certain characteristics as 'works' that require development approval by Council.

CARRIED

6.2 Ms Bronwen Tyson - 62 Tyrell St Nedlands

Moved –Ms Bronwen Tyson, 62 Tyrell, St Nedlands
Seconded –Mr Craig Carter, 38 Bulimba Rd, Nedlands



That Council:

updates the Urban Forest Strategy, with a tree canopy target of 30% by 2040, supported by appropriate planning, policy changes, funding, monitoring, and annual reporting.

CARRIED

6.3 Mr Craig Carter - 38 Bulimba Rd Nedlands

Moved –Mr Carter, 38 Bulimba Rd, Nedlands

Seconded –Ms Bovell, 17 McKenna Glen, Mt Claremont

That Council:

commits to increasing the budget for street tree planting and maintenance by 10% each financial year until such time as the tree canopy target of 30% is reached.

CARRIED

6.4 Ms Martina Bovell - 17 McKenna Glen Mount Claremont

Moved –Ms Martina Bovell, 17 McKenna Glen, Mt Claremont

Seconded –Professor Stuckey 26 Kingsway, Nedlands

That Council:

lobbies WALGA via a motion at the WALGA Zone 3 Meeting, to urgently procure updated tree canopy and heat mapping data for the Perth & Peel area to provide a better understanding of the current situation and inform planning, policy changes, funding, and monitoring.

CARRIED

6.5 Professor Bronwyn Stuckey - 26 Kingsway Nedlands

Moved –Professor Bronwyn Stuckey 26 Kingsway Nedlands

Seconded –Ms Martina Bovell 17 McKenna Glen, Mt Claremont

That Council:

takes note of the independent scientific evidence for glyphosate harm, cease the use of glyphosate for weed control and provide the necessary budget to support the use of steam as a weed control measure.

CARRIED



6.6 Mr Ellis Kiel – 12 Moss Vale, Floreat

Moved - Mr Ellis Kiel, 12 Moss Vale, Floreat

Seconded - Denis Conway, 6 Moss Vale, Floreat

That Council:

provide a budget and initial funds to repair and refurbish over time, Hackett Hall and upgrade Lawler Park and the tennis courts associated, within the 24/25 financial year budget.

CARRIED

7. Declaration of Closure

There being no further business, the Presiding Member declared the meeting closed at 7.02 pm.