



City of Nedlands

PUBLIC MINUTES

Council Meeting Minutes

Tuesday, 24 September 2024

These Minutes are subject to confirmation

Prior to acting on any resolution of the Council contained in these minutes, a check should be made of the Ordinary Meeting of Council following this meeting to ensure that there has not been a correction made to any resolution.



Information

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Public Question Time

Public question time at a Council Meeting is available for members of the public to ask a question about items on the agenda. Questions asked by members of the public are not to be accompanied by any statement reflecting adversely upon any Council Member or Employee.

Questions should be submitted as early as possible via the online form available on the City's website: [Public question time | City of Nedlands](#)

Questions may be taken on notice to allow adequate time to prepare a response and all answers will be published in the minutes of the meeting.

Deputations

Members of the public may make presentations or ask questions on items contained within the agenda. Presentations are limited to 3 minutes. Members of the public must complete the online registration form available on the City's website: [Public Address Registration Form | City of Nedlands](#)

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Present Attendees

Councillors	Mayor F E M Argyle (Presiding Member)	
	Councillor B G Hodsdon	Hollywood Ward
	Councillor M Pollard	Hollywood Ward
	Councillor B Brackenridge	Melvista Ward
	Councillor R A Coghlan	Melvista Ward
	Councillor H Amiry (Online)	Coastal Ward
	Councillor K A Smyth	Coastal Ward
	Councillor F J O Bennett	Dalkeith Ward
	Councillor N R Youngman	Dalkeith Ward
Staff	Ms K Shannon	Chief Executive Officer
	Ms A Alderson	Director Corporate Services
	Mr M K MacPherson (Apology)	Director Technical Services
	Mr T G Free	Director Planning & Development
	Ms M Harika	Chief Finance and Risk Officer
	Ms S Mapleton	Executive Officer
	Ms Z Brauer	Mayoral Support Officer
	Ms S Bloomfield	Coordinator Governance & Risk

Public There were 30 members of the public present and 16 online.

Press 1

1. Declaration of Opening

The Presiding Member will declare the meeting open at 7:00 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 will draw attention to the disclaimer on page 2 and advise the meeting is being livestreamed.

2. Apologies and Leave of Absence (Previously Approved)

Leave of Absence (Previously Approved) Councillor B G Hodsdon (Hollywood Ward).

Apologies None as at distribution of this agenda.

3. Public Question Time

Questions received from members of the public will be read at this point.

Questions from David BURGOS in relation to the odour coming from the Arvela site.
I'm a resident and property owner in Floreat and am severely impacted by the odour pollution presumably stemming from Arvela's and UWAs Research Centre located in 1 Underwood



Avenue, Shenton Park. I would like to know when the odour pollution will stop and how residents will be compensated for the undue odour pollution they have already endured. What interventions will be taken immediately to stop the odour infesting our residential areas, impacting our psychological and potentially physical wellbeing.

Response from Director Planning & Development

The City understands that additional measures will be installed this Friday to deal with the odour. These measures appear to be the most likely to stop the odour immediately. Other measures which the City can enforce, via the Magistrates Court will take time

Question from Jun LIANG in relation to the odour coming from the Arvela site.

The PD63.09.24 indicates that 30 June 2021 the City approved Arvela temporary use of sea containers as warehouse and storage purpose for two years so the containers should be removed from this site from 1 July 2023. However, Avela was using these containers for producing fly eggs and releasing stench to our community. Does this mean Arvela breached the scope of its original approval scope? Most importantly, they are still operating from 1 July 2023 to present with these containers which should have been moved from site on 1 July 2023. Does this mean Arvela is operating under non-compliance conditions? Are they breaching regulations? Is it legal to do so?

Response from Director Planning & Development

With the approval of June 2021 for the sea containers, they should have been removed from the site by 30 June 2023, unless a further approval was obtained. I'm unaware of any further approval being obtained for the sea containers to remain on the site. Enforcement action is available to the City via the Magistrates Court.

Question from Jun LIANG in relation to the odour coming from the Arvela site.

The city and the council can approve their plan, can the city and the council to stop their non-compliance behaviours immediately to protect our community? If the city and the council cannot stop Arvela's odour pollution to our community, which government or parties can stop their non-compliance behaviours and releasing odour pollution to our community, especially during the process of decision making and potential appeal process?

Response from Director Planning & Development

The City understands that this Friday, further measures are expected to be installed to reduce the odour being emitted from the site. The City would prefer to be able to continue to work with the company to arrive at a solution whereby the community is not adversely impacted by the research which is being undertaken. These measures appear to be the most likely to stop the odour immediately.

The City understands that the City of Nedlands is responsible for this matter rather than some other government agency.

Question from Jun LIANG in relation to the odour coming from the Arvela site.

"I am a mine planning engineer. The mine operations operate according to mine regulations and act. The sites will have mine regulators conducting site visit and audits. If there is anything non-compliance behaviours, the regulator can issue a notice to cease a particular



operation and it cannot resume until further improvement is carried out and proved valid. What regulations and act does Arvela work under? Who is supposed to inspect their operation and do audits to make sure they are doing everything correctly and not affecting the community given that they are only 110m away from us? If there is no regular control over their operation under any regulations and act, should Arvela move to a rural area which reduces any potential impact on local residents?".

Response from Director Planning & Development

The land-use is principally dealt with under the Planning and Development Act and the City of Nedlands Local Planning Scheme No.3. The Environmental Protection Act is relevant to the odour. If the City was to take any enforcement action its likely to be under the Planning and Development Act.

The City understands that the company is exploring options to relocate, however, this may take time to become a reality.



4. Deputations

Deputations by members of the public who have completed Public Address Registration Forms.

Item 16.1 – PD60.09.24 Consideration of Heritage Areas and draft Local Planning Policy 6.2: Heritage-Protected Places

- Speaking FOR: Leonie BROWNER

Item 18.1 – CSD08.09.24 UWA Sport CSRFF Forward Planning Grant

- Speaking FOR: Jake WILKINS

Item 22.1 – PD63.09.24 Consideration of Development Application – 1 Underwood Avenue, Shenton Park

- Speaking FOR: Brendan FINN from Hale Legal
- Speaking FOR: Luke WHEAT from Arvela
- Speaking AGAINST: Berwyn ROBERTS
- Speaking AGAINST: Alex McGLUE

5. Requests for Leave of Absence

Any requests from Council Members for leave of absence will be dealt with at this point.

6. Petitions

No petitions were tabled at this point.

7. Disclosures of Financial Interest

The Presiding Member to remind 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.

7.1 Councillor Hodsdon – Item 16.1

Councillor Hodson disclosed a financial interest in Item 16.1 – PD60.09.24 Consideration of Heritage Areas and draft Local Planning Policy 6.2: Heritage-Protected Places. Councillor Hodsdon has declared that he would leave the room during discussion on this item.



8. Disclosures of Interests Affecting Impartiality

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

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

Nil.

10. Confirmation of Minutes

10.1 Ordinary Council Meeting 27 August 2024

The Minutes of the Ordinary Council Meeting held 27 August 2024 are to be confirmed.

Moved – Councillor Smyth

Seconded – Councillor Coghlan

CARRIED UNANIMOUSLY 9/-

(For: Crs. Mayor Argyle, Smyth, Amiry, Hodsdon, Pollard, Brackenridge, Coghlan, Bennett, Youngman)

COUNCIL DECISION:

That Council:

- **CONFIRMED** the minutes of the Ordinary Council Meeting held on 27 August 2024.

11. Announcements of the Presiding Member without discussion

Any written or verbal announcements by the Presiding Member to be tabled at this point.

12. Members Announcements without discussion

Mayor Argyle moved a motion under section 12.1 of the Standing Orders to proceed to next business. I will be putting this to the vote and if the vote is carried, there will be no speeches by the Mayor or Councillors.



Moved – Cr. Mayor Argyle

Seconded – Cr. Brackenridge

CARRIED 6/3

(For: Crs. Mayor Argyle, Smyth, Amiry, Pollard, Brackenridge, Coghlan)

(Against: Crs. Bennett, Youngman, Hodson)

13. Matters for Which the Meeting May Be Closed

There were no Confidential items identified to be discussed behind closed doors, as the last items of business at this meeting.



14. En Bloc

Moved – Councillor Smyth

Seconded – Councillor Brackenridge

That the officer recommendations for Items 16.2, 16.3, 17.1, 19.2, 19.3, 22.2 and 22.3 to be adopted en bloc and all remaining items will be dealt with separately.

CARRIED 8/1

(For: Crs. Mayor Argyle, Smyth, Amiry, Hodsdon, Pollard, Brackenridge, Coghlan, Youngman)

(Against: Crs. Bennett)

15. Minutes of Council Committees and Administrative Liaison Working Groups

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).

15.1 Minutes of the following Committee Meetings (in date order) are to be received

Nil.



16. Divisional Reports - Planning & Development

16.1 PD60.09.24 Consideration of Heritage Areas and draft Local Planning Policy 6.2: Heritage-Protected Places

Meeting & Date	Council Meeting – 24 September 2024
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	The author, reviewers and authoriser of this report declare they have no financial or impartiality interest in this matter.
Report Author	Nathan Blumenthal – A/Manager Urban Planning & Building
Director	Tony Free – Director Planning & Development
Attachments	1. Draft Local Planning Policy 6.2: Heritage-Protected Places 2. Schedule of Submissions

Moved – Councillor Coghlan

Seconded – Councillor Brackenridge

Councillor Hodsdon left the room at 7:48pm.

CARRIED 8/1

(For: Crs. Mayor Argyle, Smyth, Amiry, Hodsdon, Pollard, Brackenridge, Coghlan, Youngman)

(Against: Crs. Bennett)

COUNCIL DECISION:

(Administration Recommendation)

That Council:

- 1. RESOLVES not to proceed with the designation of the below areas as Heritage Areas following community consultation in accordance with Schedule 2 Part 3 Clause 9(6) of the Planning and Development (Local Planning Schemes) Regulations 2015:**
 - a) Tyrell Street North Heritage Area, which includes both sides of Tyrell Street between Edward Street and Elizabeth Street in Nedlands;**
 - b) Tyrell Street South Heritage Area, which includes the western side of Tyrell Street between Princess Road and Melvista Avenue in Nedlands;**
 - c) Meriwa Street Heritage Area, which includes both sides of Meriwa Street between Hardy Road and Gordon Street in Nedlands;**



- d) Clifton Street Heritage Area, which includes both sides of Clifton Street between Hardy Road and Gordon Street in Nedlands; and
 - e) Mountjoy Road Heritage Area, which includes both sides of Mountjoy Road between Jenkins Avenue and Princess Road in Nedlands.
2. **RESOLVES** to not proceed with draft Local Planning Policy 6.2: Heritage Protected Places (Attachment 1) following community consultation in accordance with Schedule 2 Part 2 Clause 4(3) of the Planning and Development (Local Planning Schemes) Regulations 2015.
3. a) Council **ACKNOWLEDGES** that:
- a) Heritage Lane, and Old Swanbourne Hospital precinct
 - b) Graylands Hospital precinct and Directors House
- are currently protected via listing on the State Heritage Register, and/or via existing Local Planning Policies.
- b) Council **ACKNOWLEDGES** that:
- c) James St, and Clare Copes, Swanbourne
 - d) Floreat Hackett precinct
 - e) River Foreshore
- will be further considered via a review of the City's current Local Heritage Survey and Heritage List.
4. Council **ACKNOWLEDGES** that a further report will be presented to Council outlining the potential of Council reviewing the City's existing Local Heritage Survey and Heritage List as part of a local heritage review.

Purpose

The purpose of this report is for Council to consider the proposed Heritage Areas and draft Local Planning Policy 6.2: Heritage-Protected Places (Attachment 1) following community consultation.

Voting Requirement

Simple Majority.



Background

Council at its April 2024 Ordinary Council Meeting (OCM) initiated community consultation of proposed Heritage Areas for sections of Clifton Street, Meriwa Street, Tyrell Street and Mountjoy Road and accompanying Local Planning Policy 6.2: Heritage Protected Places (Policy). Council also resolved to expand the Tyrell Street North Heritage Area to include the properties located on both sides of Tyrell Street between Stirling Highway and Edward Street. This section of the Tyrell Street North Heritage Area was later removed from the proposed Area at the June 2024 OCM.

The Heritage Areas and Policy were proposed as the first steps in progressing the City's heritage framework beyond its Local Heritage Survey (LHS) and Heritage List. The LHS does not provide statutory protections, but rather is an information only document. Through review in 2022 of the LHS, a number of areas were identified for potential Heritage Area designation to provide statutory protection to preserve the unique character of the streetscapes of Nedlands. The Policy was developed to accompany the Heritage Areas as required by the Planning and Development (Local Planning Scheme) Regulations. The Policy outlined the significance of the proposed Heritage Areas and provided guidelines and an assessment framework.

Discussion

Heritage Protected Places and draft Local Planning Policy 6.2: Heritage-Protected Places

As a result of the submissions received on the proposal, officers are recommending Council not proceed with the designation of the Heritage Areas and the accompanying Policy. The most common comments made by the community during the consultation period are outlined in the Consultation section of this report. There was an overwhelming opposition by the community for Heritage Area designation.

The designation of heritage areas and the protection of the heritage streetscape characteristics of these areas sought to fulfil objective 1.3 of the City's Council Plan, "Preserve and showcase local history and heritage". The heritage protections were meant to safeguard the distinctive elements that contribute to the unique identity of these neighbourhoods. Heritage streetscapes embody historical significance, architectural styles, and cultural values that reflect the character and evolution of the area.

However, the effectiveness of these preservation efforts hinges on community engagement and support. Local residents and stakeholders play a crucial role in valuing and maintaining these heritage features. Their commitment to preserving historical aesthetics and narratives ensures that these areas remain vibrant and true to their origins.

If the community does not actively support or show a genuine interest in preserving these characteristics, the efforts to protect and promote them may not be successful. Preservation initiatives require more than just policy; they demand active participation and enthusiasm from the community to be meaningful and sustainable.

Given this context, the officers are recommending that the Council should not move forward with the proposal as it lacks clear and robust community backing. This approach ensures



that preservation efforts are not only well-intentioned but also practically feasible and aligned with the values and desires of the people who live in and interact with these heritage areas. Without this community endorsement, the potential benefits of designating and protecting heritage areas will not be fully realised.

Other Heritage Places

At the 23 April 2024 Ordinary Council Meeting the following revised officer recommendation was adopted:

4. *Supports consideration of a wider range of areas for inclusion in the Local Planning Policy 6.2 Heritage-Protected Places, once the Pilot has been assessed. These additional areas should include:*
 - a. *Heritage Lane, and Old Swanbourne Hospital precinct*
 - b. *Greylands Hospital precinct and Directors House*
 - c. *James St, and Clare Cops, Swanbourne*
 - d. *Floreat Hackett precinct*
 - e. *River Foreshore*

As discussed above, Officers are recommending the Policy not be progressed following advertising. Consideration has been given to the addition of the places listed above being included in the Policy. Reasons for not including the five places in the Policy are discussed below:

- Heritage Lane and Old Swanbourne Hospital

Heritage protections for the Old Swanbourne Hospital Conservation Area exist with its inclusion on the State Heritage Register. Inclusion to the State Heritage Register provides for the conservation and recognition of the cultural significance of the place. Two Heritage Agreements are in place for the Old Swanbourne Conservation Area pertaining to development and conservation: One for the Conservation Area dated 2006, and one for Old Swanbourne Hospital dated 2014. Swanbourne Hospital is also listed on the City's Heritage List and LHS. Council recently adopted Local Planning Policy 5.2: Old Swanbourne Hospital Precinct to provide further provision for protection of the place. Inclusion in the policy would not add additional protection.

- Greylands Hospital precinct and Directors House

Greylands Hospital is also included on the State Heritage Register, as well as the City's Heritage List and LHS. The Directors House is included on the City's Heritage List and LHS. Inclusion in the policy would not add additional protection.

- James St, and Clare Copes, Swanbourne

Allen Park precinct includes sports fields, Allen Park Lower Pavilion, Allen Park Tennis Club, Associated Ruby Union Football Club, Tom Collins Group Heritage Precinct and Melon Hill bushland. The precinct is included in the City's LHS. The Tom Collins Group is also individually listed in the LHS. Tom Collins House and Mattie Furphy's House (part of the Tom Collins Group) are listed on the State Heritage Register. Officers may consider Allen Park precinct for inclusion within the heritage list as part of the next phase of the local heritage review.



- Floreat Hackett precinct

Lawler Park Area is comprised of a Scout Hall, Hackett Hall, Lawler Park, tennis courts. The Lawler Park Area is included in the City's LHS. Officers may consider Floreat Hackett precinct for inclusion within the heritage list as part of the next phase of the local heritage review.

- River Foreshore

The Dalkeith / Nedlands Foreshore Area is comprised of the Nedlands Baths, Jetty (fmr), Nedlands Yacht Club, Perth Flying Squadron Yacht Club and Tawarri. The Area is included in the City's LHS. In 2003 the Heritage Council deemed that the Nedlands Baths and Jetty did not warrant assessment for inclusion on the State Heritage Register. The same outcome was reached for Tawarri in 2019.

The City has prepared a draft Foreshore Management Plan which seeks to provide a strategic plan for future development and management along the foreshore. The Plan acknowledges cultural heritage. A goal of the Foreshore Management Plan is to "Celebrate Aboriginal culture and the wider history and heritage as an important part of the foreshore and City's identity." Further, outcome 4 of the delivery plan states "cultural and heritage underpin the identity and management of the foreshore." Officers may consider the River Foreshore for inclusion within the heritage list as part of the next phase of the local heritage review.

It is recommended that a Policy is not the best mechanism for further planning protection of these places. Officers are investigating further opportunities for statutory heritage protections for places within the City worthy of protection and conservation as part of a planned LHS and Heritage List review.

Option Open to Council

If Council do not wish to commit to a review of the City's Local Heritage Survey and Heritage List at this time, the recommendation of this report should be amended to remove 3b and 4.

To implement this approach the following would form the Council resolution:

Council:

Resolves not to proceed with the designation of the below areas as Heritage Areas following community consultation in accordance with Schedule 2 Part 3 Clause 9(6) of the Planning and Development (Local Planning Schemes) Regulations 2015:

Tyrell Street North Heritage Area, which includes both sides of Tyrell Street between Edward Street and Elizabeth Street in Nedlands;

Tyrell Street South Heritage Area, which includes the western side of Tyrell Street between Princess Road and Melvista Avenue in Nedlands;

Meriwa Street Heritage Area, which includes both sides of Meriwa Street between Hardy Road and Gordon Street in Nedlands;

Clifton Street Heritage Area, which includes both sides of Clifton Street between Hardy Road and Gordon Street in Nedlands; and



Mountjoy Road Heritage Area, which includes both sides of Mountjoy Road between Jenkins Avenue and Princess Road in Nedlands.

Resolves to not proceed with draft Local Planning Policy 6.2: Heritage Protected Places (Attachment 1) following community consultation in accordance with Schedule 2 Part 2 Clause 4(3) of the Planning and Development (Local Planning Schemes) Regulations 2015.

Council acknowledges that:

*Heritage Lane, and Old Swanbourne Hospital precinct
Graylands Hospital precinct and Directors House*

are currently protected via listing on the State Heritage Register, and/or via existing Local Planning Policies.

Consultation

Heritage Protected Places and draft Local Planning Policy 6.2: Heritage-Protected Places

Community consultation was undertaken from 6 May to 8 July 2024.

Eight community information sessions were held, half of which were on weekends in order to reach the maximum number of residents. These sessions were attended by landowners or residents of 85 properties. The sessions were held on the following dates at a street corner within each affected area:

- Clifton Street – 11 and 16 June 2024
- Meriwa Street – 18 and 23 June 2024
- Mountjoy Road – 12 and 15 June 2024
- Tyrell Street – 17 and 22 June 2024

In addition, Officers attempted to contact residents through a variety of means in order to receive a response. This included a notice in the Post and direct letters to all affected landowners, followed by emails and/or phone calls (where that information was available in the City's records) to properties that did not respond initially.

219 properties are located within the five proposed heritage areas. During the consultation period 191 submissions (inclusive of a petitions) were received: 121 from properties within the proposed areas and 70 from properties outside the areas (including the section of Tyrell North of Edward St which was removed from the proposed Tyrell Street North heritage area). The tables below illustrate the spread of submissions. Note that these results consider the same household with multiple submissions to be a single submission.

Distribution of Total Responses (191)		
Support	Object	Comment Only
36 (18.8%)	150 (78.5%)	5 (2.6%)



Distribution of Responses from Within Proposed Heritage Areas (121)				
Heritage Area (no. properties in area)	Support	Object	Comment Only	No Response
Clifton St (69)	3 (4.3%)	20 (30%)	1 (1.4%)	45 (65.2%)
Meriwa St (70)	11 (15.7%)	22 (31.4%)	0 (0%)	37 (52.8%)
Mountjoy Rd (42)	1 (2.4%)	33 (78.6%)	1 (2.4%)	7 (16.7%)
Tyrell St North (26)	1 (3.8%)	20 (76.9%)	0 (0%)	5 (19.2%)
Tyrell St South (12)	1 (8.3%)	7 (58.3%)	0 (0%)	4 (33.3%)
TOTAL RESPONSES (121)	17 (14%)	102 (84.3%)	2 (1.7%)	-
TOTAL PROPERTIES (219)	17 (7.8%)	102 (46.6%)	2 (0.9%)	98 (44.7%)

Below are the most common comments made during the submission period along with officer responses.

Submission	Officer Response
Restricts how landowners can use their properties/limits an owner's ability to modify a home to cater for future needs. (62 submissions)	Preserving places which contribute to the unique streetscapes of Nedlands does require additional considerations when making changes to the property. The designation provides a framework for these changes to provide for the contemporary needs of owners. This includes allowances for internal renovations, additions and alterations to the rear of the property, the addition of a second storey or, in cases where the zoning allows, subdivision. The proposal seeks to preserve the streetscape character of the proposed heritage areas.
Decreases land and property values. (47 submissions)	As with any property, the value of a home in a heritage area will be affected by a range of factors including size, location, quality and how well it has been maintained. R40 lots located within the proposed Clifton and Meriwa St heritage areas could potentially subdivide to the rear by utilising the rear laneway. However, in some cases they may not be able to create as many lots as under the current legislation. Generally, R10 and R12.5 lots within the proposed Mountjoy Rd and Tyrell St areas do not have the ability to subdivide. Studies from across the world have found that heritage is either neutral or positive for home values, as the areas attract people seeking that lifestyle.
Heritage area designation will increase the cost of development / maintenance of property. Costs involved in the upkeep and renovations of a property within a heritage area can become onerous. (44 submissions)	The City recognises the cost of maintenance and development for properties within the proposed heritage areas. The City currently has a Heritage incentives local planning policy. Should the proposal progress further, expansion of the incentives of the policy could be investigated.
Heritage area designation is unfair and creates inequity.	Heritage area designation seeks to conserve the built environment which contributes to the unique Nedlands



Submission	Officer Response
(35 submissions)	character. The purpose of the community consultation process is to gauge the community's desire to preserve this.
Individual properties or proposed heritage area is not worthy of either contributory designation or designation as a heritage area. Not worthy of heritage protections. (33 submissions)	The proposed heritage areas have been identified through a review of the City's Local Heritage Survey. Each of these areas display heritage characteristics which contribute to the unique streetscapes which create a sense of place within the built environment of Nedlands.
The is no incentive for property owners to improve or maintain their property. The current heritage incentives are lacking. (27 submissions)	The City recognises the cost of maintenance and development for properties within the proposed heritage areas. The City currently has a Heritage incentives local planning policy. Should the proposal progress further expansion of the incentives of the policy could be investigated. Well maintained properties with heritage character can be seen as appealing to some buyers.
Heritage area designation or the LPP impedes on or removes landowners' property rights. (25 submissions)	The establishment of heritage area designations and the accompanying development provisions of a local planning policy pursuant to the planning and development act is not a deprivation of private property rights. Regulation 9 of the Planning and Development Regulations 2015 provides the City with the ability designate heritage areas and develop a local planning policy for heritage-protected places.
The process of heritage area designation is unclear, and the proposal has been rushed. (19 submissions)	The process of heritage area designation is the result of a review of the City's Local Heritage Survey by heritage consultants as well as City Officers. Officers sought to present a proposal for the community to provide comment on that could evolve should the community express a desire to progress with heritage protections.
The proposal is too late. Too much change has already occurred. (17 submissions)	Officers acknowledge that there has been some development in the proposed heritage areas. Whilst efforts towards heritage protections have been made in the past it is never too late to preserve heritage which enhances the built environment of the City. City Officers still believe that the proposed Heritage Areas are still intact enough to read as cohesive places.
The City should focus on other priorities to improve the streetscape and character including underground power, maintaining verges and street trees, parking and laneways. (16 submissions)	Officers acknowledge that that these elements which contribute to the streetscape are important. The provision of underground power, the maintenance of verges and street trees, on-street parking and the condition of laneways are addressed by various departments within the City and are outside of the planning policy development process.
The proposal does not follow the WAPC guidelines for heritage area designation.	City Officers did utilise the Heritage Council Guidelines for heritage areas when preparing this proposal.



Submission	Officer Response
(13 submissions)	
Heritage area proposal should be expanded to other areas of the City. (12 submissions)	Should the proposal progress there are additional heritage areas that have been identified as being worthy of protection. Individual landowners are encouraged to nominate their properties for heritage listing if they feel their property is worthy of protection.

Strategic Implications

This item is strategically aligned to the City of Nedlands Council Plan 2023-33 vision and desired outcomes as follows:

Vision	Sustainable and responsible for a bright future
Pillar Outcome	People 1. Art, culture and heritage are valued and celebrated.
Pillar Outcome	Place 7. Attractive and welcoming places.
Pillar Outcome	Performance 12. A happy, well-informed and engaged community.

Budget/Financial Implications

Should the City proceed with the Heritage Areas and Policy, there may be instances when the City will need to seek third-party advice on proponents' heritage reports, but these will be handled on a case-by-case basis and are expected to be infrequent.

Legislative and Policy Implications

Local governments have the ability to designate areas as Heritage Areas pursuant to Clause 9 of the Deemed Provisions of Schedule 2 of the [Planning and Development \(Local Planning Schemes\) Regulations 2015](#). In accordance with clause 9(6) the local government is to review the designation in light of submissions and resolve:

- a) to adopt the designation without modification; or
- b) to adopt the designation with modification; or
- c) not to proceed with the designation.

Clause 3(1) of the Deemed Provisions of Schedule 2 of the [Planning and Development \(Local Planning Schemes\) Regulations 2015](#) allows the City to prepare a Local Planning Policy in respect to any matter related to the planning and development of the Scheme area.

Following the advertising period, Council is to consider any submissions received and resolve to:

- a) Proceed with the Policy without modification; or



- b) Proceed with the Policy with modification; or
- c) Not proceed with the Policy.

Decision Implications

Should Council adopt the Officers recommendation the designation of the proposed heritage areas and Policy will not proceed.

Should Council not adopt the Officers recommendation, there will need to be an alternate motion presented to provide Council's determination on the project.

Conclusion

As a result of community feedback received during the consultation period for the five Heritage Areas and Local Planning Policy, Officers are recommending not proceeding with the proposal due to a lack of community support. Officers will instead commence a review of the LHS and the Heritage List for individual properties.

Further Information

Nil.



16.2 PD61.09.24 Local Emergency Management Arrangements 2024

Meeting & Date	Council Meeting – 24 September 2024
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	Nil
Report Author	Andrew Melville (Manager Health & Compliance)
Director	Tony Free – Director Planning & Development
Attachments	1. Western Central Local Emergency Management Arrangements 2024

CARRIED UNANIMOUSLY EN BLOC 9/-

(For: Crs. Mayor Argyle, Smyth, Amiry, Hodsdon, Pollard, Brackenridge, Coghlan, Bennett, Youngman)

COUNCIL DECISION:

(Administration Recommendation)

That Council:

- **ADOPT the Western Central Local Emergency Management Arrangements 2024.**

Purpose

The City of Nedlands is required to prepare, review and maintain emergency management arrangements in order to meet its obligations under the *Emergency Management Act 2005* (the Act). The Western Central Local Emergency Management Arrangements (the Arrangements) have been prepared and reviewed in conjunction with the Western Central Local Emergency Management Committee (WC-LEMC), in accordance with the Act, and the State Government's Local Emergency Management Arrangements Guideline and Model.

Voting Requirement

Simple Majority.



Background

The Act establishes the roles and responsibility of local government in relation to emergency management. The three main responsibilities under the Act are:

- Establish and support local emergency management committees,
- Ensure the preparation of Local Emergency Management Arrangements, and
- To manage recovery following an emergency affecting the community in its district.

Eight local governments from within in Perth and Fremantle Police Districts have combined to form the Western Central Local Emergency Management Committee (WC-LEMC), satisfying the requirement for local government to establish a local emergency management committee.

The WC-LEMC consists of representatives from the Towns of Cambridge, Claremont, Cottesloe and Mosman Park, the Cities of Vincent, Nedlands and Subiaco and the Shire of Peppermint Grove. In addition to local government, the WC-LEMC comprises representatives from emergency management agencies such as WA Police, Department of Fire and Emergency Services, Department of Communities, Department of Biodiversity, Conservation and Attractions, State Emergency Service, Red Cross and Department of Health. This regional structure has been approved by the State Emergency Management Committee (SEMC).

The WC-LEMC forum provides an opportunity to work collaboratively on emergency management issues, but also a network with relevant officers in case of a local emergency.

In the case whereby an emergency is within the City's boundaries, it may be necessary to commit local government resources, physical, financial and/or human, to support that emergency. Direct response to a local emergency is the responsibility of the relevant Hazard Management Agency (HMA) which is the organisation, because of its legislative responsibility or specialised knowledge, expertise and resources has the capacity to combat the condition creating the emergency. For example, the HMA for fire is the Department of Fire and Emergency Services. The Arrangements propose that local governments may provide resources to support and assist an HMA, but only if requested, and then subject to availability.

It should also be noted that the member local governments have agreed, enhancing regional cooperation, to assist each other in the event of an emergency that exceeds the capacity of the impacted district. This agreement is reflected in the Partnering Agreement and is attached as Appendix 8 to the Arrangements (refer to Attachment 1)

The Director Technical Services is the City's emergency Local Recovery Coordinator and would be called out by the Local Emergency Coordinator to attend the Incident Support Group (ISG). The role of the ISG is to assist with the provision of support services, and then to make the transition to recovery after the emergency event has been contained or controlled.

Initially, the Local Recovery Coordinator role would be to support the HMA wherever possible and then coordinate the transition from response to recovery, with support from other officers that have been assigned responsibility for the various recovery functions. These Arrangements assign responsibilities and actions during a local emergency.



Discussion

The WC-LEMC, on behalf of the eight local governments, initially created a consolidated set of Arrangements that were approved by Council at its meeting of September 2009. They were subsequently reviewed in 2013, again in 2018, with the most recent adoption by Council on 28 August 2018. As Arrangements are required to be reviewed every five years, Officers are now presenting the reviewed 2024 Arrangements to Council for adoption.

The Arrangements outline the responsibilities of the individual stakeholders, define potential hazards, list HMAs and cover the elements of emergency management. The Arrangements are structured in accordance with the requirements of the State Emergency Management Committee Guideline and model, in the following manner:

- Introduction
- Planning
- Response
- Recovery
- Exercising and Reviewing
- Appendices, including schedules of critical infrastructure, special needs, resources, contacts, special considerations, Local Recovery Plans and detail of nominated Local Recovery Coordinators and their contact numbers.

The 2024 Arrangements are now reviewed and provided as Attachment 1.

With regards to the changes that have occurred between the 2018 and 2024 Arrangements, the WC-LEMC noted that the 2018 Arrangements were unnecessarily lengthy and contained superfluous text that made identification of pertinent information more difficult. As such, following changes were made:

- Incorporated images relevant to the Western Central area,
- Concise with information,
- Design layout incorporating colours and formatting,
- Use of tabulation rather than lengthy text,
- Updated details throughout the document inclusive of Appendices.
- Avoid inclusion of information that is contained in other documents that should be readily accessible by HMA's,
- Key references, being contacts and resource lists, have been removed as it is better managed by operational reference than direct inclusion in the Arrangements.

Consultation

The 2024 Arrangements have been assessed against the State Emergency Management Committee's compliance checklist and need to be formally approved by each Council prior to submission to the District Emergency Management Committee (DEMC) for formal noting.

The DEMC has noted the Arrangements as per an email from the District Emergency Management Advisor dated 3 May 2024 and no amendments were requested.



As such, the 2024 Arrangements have been reviewed by the WC-LEMC and the DEMC and are presented to Council for adoption in accordance with Part 3 Division 2 of the *Emergency Management Act 2005*.

Once all eight local governments adopt the Arrangements, the final document will be sent to DEMC and the SEMC for noting and confirmation.

Strategic Implications

This item is strategically aligned to the City of Nedlands Council Plan 2023-33 vision and desired outcomes as follows:

Vision	Sustainable and responsible for a bright future
Pillar Outcome	People 2. A healthy, active and safe community.
Pillar Outcome	Planet 5. Climate resilience.
Pillar Outcome	Place 8. A city that is easy to get around safely and sustainably.
Pillar	Performance 11. Effective leadership and governance.

Budget/Financial Implications

There are no financial implications for this report.

Once adopted by all eight local governments, with the respective Council Resolution number noted within the document, the host LEMC Council, being Town of Cambridge, will have the Arrangements accessible on their website. City officers will update the Nedlands website to link to the Town of Cambridge site. This ensures that the integrity of the document is kept at a central location, being the LEMC host local government.

Legislative and Policy Implications

[*Emergency Management Act 2005*](#) Section 41.

Decision Implications

If the Arrangements are not adopted, the Council will fail to meet its obligations under the *Emergency Management Act 2005*. Additionally, it will compromise our commitment to the Western Central Local Emergency Management Committee and potentially hinder our ability to effectively manage and recover from emergencies within our district.



Conclusion

The adoption of the Western Central Local Emergency Management Arrangements 2024 is crucial for ensuring that the City of Nedlands is prepared and compliant with its legislative responsibilities under the *Emergency Management Act 2005*. These updated Arrangements, streamlined and more accessible, provide a robust framework for coordinated emergency response and recovery efforts across the participating local governments.

Working collaboratively with the other local governments in the Western Central Local Emergency Management Committee enhances our ability to respond to and recover from emergencies effectively. This regional cooperation ensures that we can share resources, expertise, and support, thereby strengthening our community's resilience. It is recommended that the Council adopt the 2024 Arrangements to enhance our community's safety and resilience in the face of potential emergencies.

Further Information

Nil.



16.3 PD62.09.24 29 Carrington Street – Budget Reallocation for Car Parking Contribution

Meeting & Date	Council Meeting – 24 September 2024
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	The author, reviewers and authoriser of this report declare they have no financial or impartiality interest with this matter.
Report Author	Nathan Blumenthal – A/Manager Urban Planning & Building
Director	Tony Free – Director Planning and Development
Attachments	1. Cost Breakdown Invoice

CARRIED UNANIMOUSLY EN BLOC 9/-

(For: Crs. Mayor Argyle, Smyth, Amiry, Hodsdon, Pollard, Brackenridge, Coghlan, Bennett, Youngman)

COUNCIL DECISION:

(Administration Recommendation)

That Council:

- **REALLOCATE \$26,931.56 budgeted for Strategic Planning – Consultancy to Carrington Street Car Parking Contribution for financial year ending 30 June 2025.**

Purpose

Council is requested to reallocate an item within the current financial year Strategic Planning budget to accommodate a previously-made City commitment to contribute one-third of the cost of car parking works required as a condition of planning approval. The affected property is 29 Carrington Street, Nedlands.

Voting Requirement

Absolute Majority.



Background

At the 28 September 2021 Ordinary Council Meeting, Council resolved to approve a change of use from 'Animal Establishment' to 'Industry Light' at 29 Carrington Street, Nedlands. Submissions were received raising concerns around the car parking arrangement both within the site and along the road reserve. At the time, Carrington Street was recommended to be investigated for implementation of traffic management works as a result of increased vehicle movements. As part of the approval, Council imposed the following condition:

"10. Prior to the issue of a Building Permit the applicant prepare a plan in consultation with the City to formally demarcate via appropriate landscaping treatment, the privately owned land from the City's road reserve at the front of the current building at 29 Carrington Street, with a view also to line marking parking bays in the City's road reserve consistent with other parking bays so marked in the City's road reserve on Carrington Street."

Throughout late 2023, the proponent consulted with the City to create an acceptable plan to modify and formally demarcate parking within the verge and on-site. As part of the works were within the road reserve and Carrington Street had already been noted as requiring modifications, the City's former manager of urban planning (without delegation or approval) agreed to pay for one third of the cost of the works within the road reserve. The proponent has provided a cost breakdown showing that the City's one-third share amounts to \$48,597.30. Of this, the City has already paid \$21,665.74, leaving \$26,931.56 outstanding. This partial payment was based on the original estimate of the cost of works, whereas the actual costs came in higher (see below).

With the UWA-QEII precinct structure plan being cancelled and replaced with the state government-led Improvement Plan, the City expects to get refunded a substantial portion, if not all, of the \$50,000 contributed to the City of Perth for the consultant work on the project. Exact details remain to be worked out, but the funds would cover the Carrington Street works.

Discussion

Through discussions and reviews with the City, the plans for works within the road reserve were amended to the City's satisfaction. During the course of negotiations, the City agreed to cover one third of the costs for the works in the road reserve based on a preliminary estimate, given that the works were necessary to improve safety along Carrington Street and would likely have formed part of a future project funded entirely by the City. The works benefited all road users, not just the development, by improving vehicle safety along the road.

The works have now been completed and final costs submitted to the City. These final costs ended up higher than the initial estimate due to changes on the design required by the City, resulting in multiple iterations being provided to the City for review and approval. In particular, the original plan was modified at the City's request to address:

- Sight lines;
- Build out brick paving into the road shoulder to ensure no parking;
- Incorporating a ramp for pedestrians;
- Traffic Management Plan to be implemented and carried out.



Further, the City has been advised that the original cost estimate was provided by a builder and was not based on actual sub-contractor fixed quotes.

The full cost breakdown is available as Attachment 1. Note that the costs shown in the attachment exclude GST, and exclude item VA-007, as that item was outside the original scope of works.

The City has paid the amount shown in the initial estimate (\$21,665.74), which was based on plans prior to required modifications. The additional \$26,931.56 covers the City's 1/3 share for the final actual cost of works.

Consultation

Nil.

Strategic Implications

This item is strategically aligned to the City of Nedlands Council Plan 2023-33 vision and desired outcomes as follows:

Vision	Sustainable and responsible for a bright future
Pillar	Place
Outcome	8. A city that is easy to get around safely and sustainably.

Budget/Financial Implications

\$26,931.56 in additional costs expected to be catered for by the return of funds for the cancelled UWA-QEII Precinct Structure Plan project.

Legislative and Policy Implications

[Local Government Act 1995](#)

[Local Government \(Financial Management\) Regulations 1996](#)

Decision Implications

If Council supports the recommendation the budget will be reallocated and paid to the proponent for the works carried out.

If Council does not support the resolution the City will be required to either renege on the commitment made, or to withhold payment until funds can be identified in a future budget.



Conclusion

It is recommended that Council approve reallocation of the budget from Strategic Planning – Consultancy to Carrington Street Car Parking Contribution for purposes of road works associated with a condition imposed by Council.

Further Information

Nil.



17. Divisional Reports - Technical Services

17.1 TS25.09.24 RFT General Streetscape Weed Control Tender

Meeting & Date	24 September 2024
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	Nil
Report Author	Jac Scott, Manager Urban Landscape and Conservation
Director/CEO	Matthew MacPherson, Director Technical Services
Attachments	1. CONFIDENTIAL – Tender Evaluation and Recommendation Report – RFT 2023-24.12 2. Glyphosate APVMA Fact Sheet

CARRIED UNANIMOUSLY EN BLOC 9/-

(For: Crs. Mayor Argyle, Smyth, Amiry, Hodsdon, Pollard, Brackenridge, Coghlan, Bennett, Youngman)

COUNCIL DECISION:

(Administration Recommendation)

That Council:

- 1. APPROVES** the award of the contract for the RFT 2023-24.12 General Streetscape Weed Control to Environmental Industries Pty Ltd, in accordance with the City's request for tender number RFT 2023-24.12 and comprising of that request, the City's conditions of Contract and Environmental Industries' submission.
- 2. INSTRUCTS** the CEO to arrange for a Letter of Acceptance and a Contract document to be sent to Environmental Industries; and
- 3. INSTRUCTS** the CEO to arrange for all other quote respondents to be advised of the outcome.
- 4. Subject to performance to the satisfaction of the Chief Executive Officer, AUTHORISE** the Chief Executive Officer to renew the contract for each of the renewal terms of the contract.



Purpose

The purpose of the report is for Council to accept the evaluation and recommendation for the award of RFT 2023-24.12 General Streetscape Weed Control for an initial term of two (2) years with a further two (2) year extension and further one year option. All extension operations are at the discretion of the City.

Voting Requirement

Absolute Majority.

Background

The General Streetscape Weed Control program forms part of the City's Annual Maintenance Program.

The Request for Tender was advertised in the West Australian on Saturday, 1st June 2024 and on Tenderlink where it was open for submissions from Friday, 31st May 2024 to Thursday, 27th June 2024 at 4pm (AWST).

The City received a total of two compliant submissions from:

1. Sanpoint Pty Ltd ATF Fiore Family Trust t/a LD Total
2. Environmental Industries Pty Ltd

The City received no non-compliant submissions.

The tender was supported by an external consultant, with the evaluation undertaken by the consultant together with City Officers. The Tender Evaluation and Recommendation Report is provided in Confidential Attachment 1.

The City of Nedlands undertakes a range of pest control programs throughout the year and has an annual program for the management of weeds in streetscapes.

Pesticides are commonly applied across the City in the form of herbicides, insecticides and fungicides. Weed control forms the primary part of the City's pest control program, using herbicides as the most common control method. The City considers both chemical and non-chemical methods based on the location, target, cost and practicality of applications. Currently streetscape weed management utilises chemical control, with two applications of glyphosate to kerblines generally undertaken in August and April.

There have been several historical Notices of Motion seeking consideration of alternative weed control methods. Currently there is a Notice of Motion that has remained open, seeking a trial of non-chemical treatment. The Notice of Motion was passed at the Ordinary Council Meeting in February 2020. Work on this notice of motion commenced but subsequently became inactive, potentially due to the response to COVID19. The implementation is also dependent on suitable options being available to the City.



Accordingly, the renewal of the City's General Streetscape Weed Control contract provides the option for this Notice of Motion to be effectively completed.

The notice of motion states:

Council:

- 1. requests the Chief Executive Officer investigates alternatives to use of glyphosate weed control on City controlled public land; and**
- 2. considers a trial ward within the City for 12 months to determine more accurately cost, effectiveness and customer satisfaction.**

To address this, the tender sought prices from the market for both chemical and non-chemical treatments.

Chemical weed management is an effective and cost-effective method of controlling weeds in parks, gardens, footpaths and other public areas. The City only commissions contractors that utilise approved products, and it is a requirement that they use the product in accordance with manufacturer's instructions and specifications. In this instance, Glyphosate has been specified within the documentation. It is the most widely used herbicide by local councils and other public land managers in Australia. Glyphosate, like other pesticides is considered safe to use when all instructions on the label are followed.

The City's issues pesticide notifications to ensure it meets its environmental, legal and community obligations for pesticide use on land, and ensures it is administered in a manner that is environmentally, socially and economically responsible. The City ensures that pesticides are applied in our parks, road reserves, drainage easements, public open spaces, natural areas and sporting facilities in accordance with the relevant state government acts and guidelines and industry best practice.

City staff are not qualified to undertake assessments on the safety and appropriate use of chemical treatments and hence rely on the up-to-date advice of the appropriate government bodies. The Australian Pesticides and Veterinary Medicines Authority (APVMA), which is the Australian Government regulator of agricultural and veterinary chemical products, concluded that there is no reliable evidence that products containing glyphosate pose a risk of causing cancer in humans. Glyphosate continues to be widely used by public land administrators including local government, national parks and education and health authorities.

The WA Department of Health advise that glyphosate is:

"Of low risk when used according to the label. The ruling of recent court proceedings in the USA does not constitute evidence that glyphosate is carcinogenic. The international agency for research on cancer classifies glyphosate as a probable carcinogen. To put this into perspective, the consumption of red meat is also classified as probable carcinogen."

Glyphosate is a broad-spectrum herbicide that works by inhibiting an enzyme found in plants; this enzyme is not found in humans. There are around 500 products containing glyphosate registered for use in Australia. Glyphosate has been registered for use in Australia for over 40 years. An Australian Government fact sheet on the use and safety of Glyphosate is included (Attachment 2).



Notwithstanding the above advice, Glyphosate remains subject to a level of distrust within the community. This has led to the implementation of a no-spray register where residents are able to opt out of chemical applications to the kerb lines adjacent to their properties. Modern weed control methods to be utilised by both suppliers use sensors that only spray chemical when weeds are present. The most effective means of ensuring that there is no glyphosate sprayed in the vicinity of a residence is for the property owner to undertake their own weed control i.e. manual weed removal prior to city-wide application programs.

Alternatives to Glyphosate

Alternatives to Glyphosate have been trialled at various LGAs over recent years, generally in Parks and Roadways, and not Environmental Conservation areas. The broadest ranging recent assessment was undertaken by the City of Joondalup in 2021, and the summary of the outcomes for the various methods is as follows, with additional items drawn from the City's recent research.

Method	Summary of Efficiency
Combined use of hand weeding and herbicide	This is an effective but expensive method, that is uneconomical over large areas. Soil disturbance supports perpetuation of weed cycle. Not effective on many rhizomatous perennial plants (e.g. Couch, Kikuyu, Nut grass). Relies on other methods and factors to be economical and effective (e.g. mulching, high repetition).
Steam control	Requires reapplication after 4-5 weeks, is ineffective long term. Heat kills the beneficial microbes required for healthy plant growth. Not suitable for use in Environmental Conservation Areas. Not effective on woody perennial plants, rhizomatous plants or plants with extensive root systems. Hazard quotient is moderate for workers, requires wearing of PPE.
Slasher	Requires re-treatment 3-4 weeks after application. Has health impacts on operators.
Pre-emergent Weed Killer	Comparable cost-wise with Glyphosate, only treats subsurface weeds, and most effective with the addition of herbicide treatment
Herbicide only (Glyphosate)	Most Cost-effective weed control, particularly in Environmental Conservation Areas. Community perception of danger, however APVMA and WA DoH advise it is safe for use when used according to the label instructions

Discussion

After the Tender period ended, an evaluation panel was formed comprising of two City Officers and two external independent assessors. One of the external independent assessors was the non-voting facilitator of the panel. The evaluation panel assessed the submitted tenders against the following criteria:

- Relevant experience (25%),
- Key personnel skills and experience (20%),
- Tenderer's Resources (25%)
- Demonstrated Understanding (20%)



- Sustainability (10%).

After the Tender evaluation panel assessed the submissions, Environmental Industries Pty Ltd was nominated as the preferred supplier for this project based on their submitted methodology, program and schedule of rates.

Environmental Industries Pty Ltd demonstrated sufficient capability to undertake the works at the best value for money for the City, subject to the use of chemical weed treatment only.

Should Council wish to retain an option for non-chemical weed control, the submission of Environmental Industries Pty Ltd was not competitive for this element.

The submission of LD Total would then present best value for money should the use of non-chemical weed control be expected to be taken up within the initial contract period. Note that the cost of options for non-chemical weed control by this supplier is not within the available budget and represents a further five-fold increase in costs.

The basis for selection of non-chemical weed control would be in response to ongoing Community concerns over the safety of Glyphosate.

Only two submissions were received with a significant price penalty for the application of non-chemical control. The non-chemical weed control tenders are not within available budget. Given the current financial situation of the City and limited availability of operational funds, A City wide non-chemical approach cannot be recommended by Officers for consideration at this time.

However, to undertake a trial ward, in line with the outstanding Notice of Motion, at the lowest possible cost, Council has the option to accept the respective pricing from the best value provider for both chemical (herbicide) and non-chemical treatments.

Were the contract to be awarded in parts, then:

- Coastal, Dalkeith and Melvista could be awarded to Environmental Industries (the preferred herbicide tenderer) for \$18,056 annually (calculated rate base on units); and
- Hollywood could be awarded to LD Total for non-chemical treatment at a cost of \$38,824 annually (calculated rate base on units).

This would not provide a non-chemical treatment option for the additional wards during the contract period and would be subject to negotiation with the tenderers.

The total annual cost of this option would be \$56,880, with Hollywood requiring 68% of the City-wide weed treatment expenditure and some \$34,124 over the lowest cost submission for the total value of City wide herbicide.

As only one ward will receive the service, Council may wish to charge a service charge or specified area rate to the Hollywood Ward, as opposed to an overall general rate increase, or a reduction the Level of Service on other activities. By way of example, there are approximately 2,365 properties (ratable and non-ratable) within the Hollywood Ward when highlighted en-masse from the City's GIS software. A non-chemical weed management service charge applied to these properties alone equates to \$16.41 per year, and may be an acceptable price for the immediate community to undertake a trial.



This would need to be considered by Council in greater detail if such a funding option were to be pursued.

Consultation

No Consultation was required during the Procurement Process for this project.

Strategic Implications

This item is strategically aligned to the City of Nedlands Council Plan 2022-23 vision and desired outcomes as follows:

Vision **Sustainable and responsible for a bright future**

Pillar **Planet**
Outcome 4. Healthy and sustainable ecosystems.

Pillar **Place**
Outcome 7. Attractive and welcoming places.

Budget/Financial Implications

The preferred tender's submission is within the allocated budget for this program of work. Should Council wish to retain the option of non-chemical control, the alternative tender that supports this option would not be within the allocated budget.

Examining the historical methods utilised by the City for weed control, prior to the 2013/14 financial year, the City controlled weeds in road reserves by both steam and mechanical means. The budget for this program in the 2012/13 financial year was \$114,000, however expenditure of \$143,418 was accounted against the program. This expenditure equates to \$192,018 at 2023/24 rates (RBA calculator).

As part of the 2013/14 budget adoption discussions, Council resolved at its meeting on 20 June 2013 to introduce chemical control and reduce the budget for the program by \$65,000. Council reaffirmed this position at its meeting on 22 October 2013 in response to a Notice of Motion raised to reinstate the steam and mechanical control program, the motion was lost. Following receipt of formal quotes, the budget for the program was further reduced to \$29,100 during the 2013/14 mid-year budget process (\$37,932 at 2023/24 rates).

Since that time the City has continued with chemical control of weeds, primarily using Glyphosate. The budget provided in the 24/25 budget was \$23,268 for two City-wide treatments within the financial year. A further \$18,614 was budgeted, for two further treatments annually in Activity Centre's only, as part of the increased Level of Service for these areas, with additional applications proposed in October and June. The total 2024/25 budget requested for weed control in hard landscapes is \$41,822.

The officer recommendation is made in line with current Australian and State Government advice and the City's expected budget for 2024/25 at the time of writing. Should Council opt



for an alternative option this will require consideration as to how the additional expenditure can be funded.

The recommended option for chemical control only will result in an annual expenditure of \$22,756 for the Citywide treatment. This is within current budget allowance of \$23,268. With this constraint, non-chemical weed control is not financially viable.

Should Council wish to retain the option to undertake non-chemical weed control during the contract term, the alternative tender will undertake a Citywide Chemical for \$43,104. This is within total budget availability and could therefore be managed within the existing budget, with the omission of additional weed control in activity centres.

Council could then choose to implement non-chemical weed control in various wards, when the additional funding required is available. The impacts of each option are as per the following table. All costs are per annum excluding GST.

	Coastal	Dalkeith	Hollywood	Melvista	Total
Chemical Treatment	\$9,182	\$ 5,344	\$4,700	\$3,530	\$22,756
Chemical but retaining option for non-chemical	\$17,393	\$10,123	\$8,903	\$6,686	\$43,104
Non-Chemical treatment	\$75,850	\$44,146	\$38,824	\$29,156	\$187,976

Non-chemical treatment is over 8 times more expensive than chemical treatment. This cost increase is in line with industry where the cost of non-chemical treatment continues to be costed at 8-12 times that of chemical treatment.

The option for part awards of each contract, with non-chemical utilised in Hollywood ward only, would cost \$56,880 annually, as noted in 'Discussion'.

Any option other than the City wide chemical treatment will require a budget adjustment to suit to meet the cost. As previously indicated, a service charge for non-chemical treatment may be investigated as a funding option to offset the significant cost difference between treatment methodologies.

Legislative and Policy Implications

The tender award follows the City of Nedlands Procurement Policy, accessible via this link: www.nedlands.wa.gov.au.docx (live.com)

Decision Implications

Approving the General Streetscape Weed Control contract for award is crucial for various reasons:

- **Benefit to Community:** Road users, pedestrians, and homeowners in the area will benefit from improved presentation of the streetscape.



- **Preventing Future Issues:** Managing weeds on an ongoing basis is critical to prevent excessive seeding of unmanaged weeds that results in increasing costs in future years.

Conclusion

Environmental Industries Pty Ltd has demonstrated that it has the understanding to complete the required works for the control of weeds in hard landscapes. They have performed similar works for both the City, other local governments within WA.

As such the evaluation Panel recommends that Environmental Industries Pty Ltd be awarded the contract for the management of weeds within hard landscapes for the City.

The officer recommendation is made in line with current Australian and State Government advice and the City's expected budget for 2024/25 at the time of writing.

Should Council wish to consider an alternative option this will require consideration as to how the additional expenditure can be funded. A trial of steam treatment in Hollywood ward if considered should be undertaken in future financial years with suitable budget provided. If this option is required Council should also accept the rate from the alternate tender for non-chemical weed management of desired wards for trial.

Further Information

Question from Mayor Argyle

The NoM that was voted on and agreed to ban glyphosate be included in the report.

Answer:

At the Annual General Meeting of Electors held 29 April 2024, a motion was put and carried by the community members present. This was subsequently presented to the Ordinary Council Meeting held 28 May 2024, where Council resolved the following:

- 5. Council Supports motion no. 5 carried at the Annual General Meeting of Electors being: "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." Noting that progress in this regard is already underway.**

The progress referred to procurement which was in development at the time and was to seek options and costings for non-glyphosate treatments and noted with certainty that to do so will incur additional cost. This report and procurement is that body of work. Council now have the opportunity to pursue non-glyphosate treatments to being the cessation of its use throughout the City, or trial an alternative method in certain areas over the course of the contract term.

Question from Councillor Hodsdon

Are we able to investigate the claim of spraying near a school at school pick up times and avoid this for the future spraying?



Answer:

It was drawn to the City's attention that there was reports of both spray treatments occurring around a school in Mount Claremont and during inclement weather in Dalkeith. Upon investigation, no evidence was found that it was the City's staff or contractors and may have been associated properties groundskeepers. The City still excludes any chemical weed management during pickup and drop off time.

Question from Councillor Bennett

Is there going to be comms to inform the residents that are on the register?

Answer from Director MacPherson

A register does exist, as does an application form, but could use a revision as there is nuances which have arisen for instances of corner blocks and a lack of associated resident maintenance. It would be suggested that once the register and form is reviewed that a communications piece is undertaken to inform the residents of the option. Contractors will be informed of the City's requirements as part of the contractor onboarding and induction if chemical treatment is the selected treatment.

Question from Councillor Bennett

Will the boom that sticks out leave a vapour trail?

Answer:

The spraying will occur from a suitable vehicle, but will not be boom spraying akin to dusting, but will be spot spraying from a lance (from smaller vehicles) or a boom arm lance. Weed identification will be via electronic weed sensors for the latter and will only spray where identified. This will be monitored to assess effectiveness and overall chemical usage.

Question from Councillor Smyth

Can we amplify what is on the bottle on the sign?

Answer:

This will need to be considered as to how it might be provided in a suitable manner within the City's current capacity. The City will investigate the use of weblinks and QR codes on signs to direct interested community members to the chemical packaging details for reference.

Question from Councillor Hodsdon

There was a previous notice of motion regarding a spray trial around Hollywood school?

Answer:

Yes, the previous notice of motion of a trial of an alternative weed management method is referred to in the report and discussed. Council have the opportunity to consider a trial as part of this report and procurement exercise and an alternative motion can be provided, noting there will be potential financial implications.



17.2 TS26.09.24 The Avenue Community Consultation Report

Meeting & Date	24 September 2024
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	Nil.
Report Author	Neil Brown – Manager of City Projects and Programs
Director	Matthew MacPherson - Director Technical Services
Attachments	<ol style="list-style-type: none">1. Project Detailed Report - The Avenue Safety Improvements Project 2024-25 15 July 2024 to 12 August 2024.2. The Avenue Safety Improvements Project 2024-25 Response.3. The Avenue Safety Options.4. The Avenue Roundabout Render.

Moved – Councillor Brackenridge

Seconded – Councillor Coghlan

Procedural Motion:

Moved – Councillor Brackenridge

Seconded – Councillor Coghlan

That the item is DEFERRED until the next OCM so we can consider the roundabout on its own and not with any other treatments.

The MOTION was put and LOST.

LOST 4/5

(For: Crs. Coghlan, Smyth, Brackenridge, Mayor Argyle)

(Against: Crs. Pollard, Hodson, Bennett, Youngman, Amiry)

Substantive Motion:

Moved – Councillor Youngman

Seconded – Councillor Bennett

CARRIED UNANIMOUSLY 9/-

(For: Crs. Coghlan, Smyth, Brackenridge, Mayor Argyle, Pollard, Hodson, Bennett, Youngman, Amiry)



COUNCIL DECISION:

(Administration Recommendation)

That Council:

- 1. ENDORSE proceeding with the Project, utilising Option One (1) as the Safety treatment as documented, being the installation of a roundabout on the intersection of Bruce Street and The Avenue; and**
- 2. PROCEED to tender for documentation and construction of the project.**

Purpose

This report is presented to Council seeking its endorsement to proceed with The Avenue Safety improvements nominated design Option One (1) after successful completion of Community Consultation.

Voting Requirement

Simple Majority.

Background

The Avenue, located within Dalkeith sits between Bruce Street and Broadway. The Avenue is a local distributor with a posted speed limit of 50km/hr.

The Avenue has been the location of seventeen major crashes in five years including three that required medical treatment. Of the crashes reported seven involved collisions with cyclists who are classified as vulnerable road users.

Of the crashes reported to Main Roads:

- Six (6) x right angle failing to give way at intersection, five (5) involving bicycles, two (2) major severity crash and 1 hospital severity crash.
- Three (3) x rear end crashes at intersection, Two (2) minor and one (1) major severity crash, one (1) involving a bicycle.
- One (1) x right turn through intersection resulting in medical severity.
- One (1) x head on collision on road in dark.
- One (1) x right angle turns out of driveway.
- One (1) x sideswipe same direction, major severity.
- One (1) x rear end with bicycle resulting in hospital severity.
- One (1) x collision while parking.
- One (1) x lost control on vehicle on wet surface, no collision.
- One (1) x sideswipe same direction with bicycle at intersection.



Due to the dangerous nature of the crashes, being mostly right angle, and crashes involved vulnerable users (cyclists), a submission for Blackspot Funding through Main Roads was made. This successful process saw the City receive \$1.5 million in funding to design and construct a treatment to mitigate the considerable risk The Avenue poses to road users.

The City undertook a review of contributing factors to crashes with vehicle speeds found to be a major contributor. Traffic counts taken in 2023 correlate with this indicating that from an average of 2,150 vehicle per day the 85th percentile speed was 54.18km/hr. This is 4km/hr above the posted limit.

The City reviewed potential options to address this and proposed three road safety treatments that mitigate speeding behaviour. These designs provided vertical deflections (humps and raised platforms), horizontal realignments (chicanes) or a combination of both. These treatment types have a recorded positive impact on reducing vehicle speeds.

As a key feature of the works, the City proposed a new roundabout for the Bruce Street, Birdwood Parade, and The Avenue intersection.

Consultation

The Community were invited to provide comment on the treatment types through YourVoice. Consultation commenced with the delivery of five hundred letters to residents and owners within the immediate vicinity, social media posts. Information postcards were also placed at nearby businesses provide project information and links to YourVoice. A one-on-one session was provided at the Administration Building at 71 Stirling Highway on the 1st of August 2024.

The Consultation period ran from 15th July 2024 to 12th August 2024. This allowed reasonable time for feedback to be provided. On completion, the City received 132 submissions recorded through YourVoice. Refer to Attachment 1 - for the YourVoice Report.

The project appears to have generated considerable interest with:

- The YourVoice Project Page visited 1,300 times,
- The Documentation downloaded 442 times,
- Sixteen (16) emailed responses,
- Five (5) Phone calls responses, and
- Nine (9) residents attending the one-on-one session.



Consultation Findings

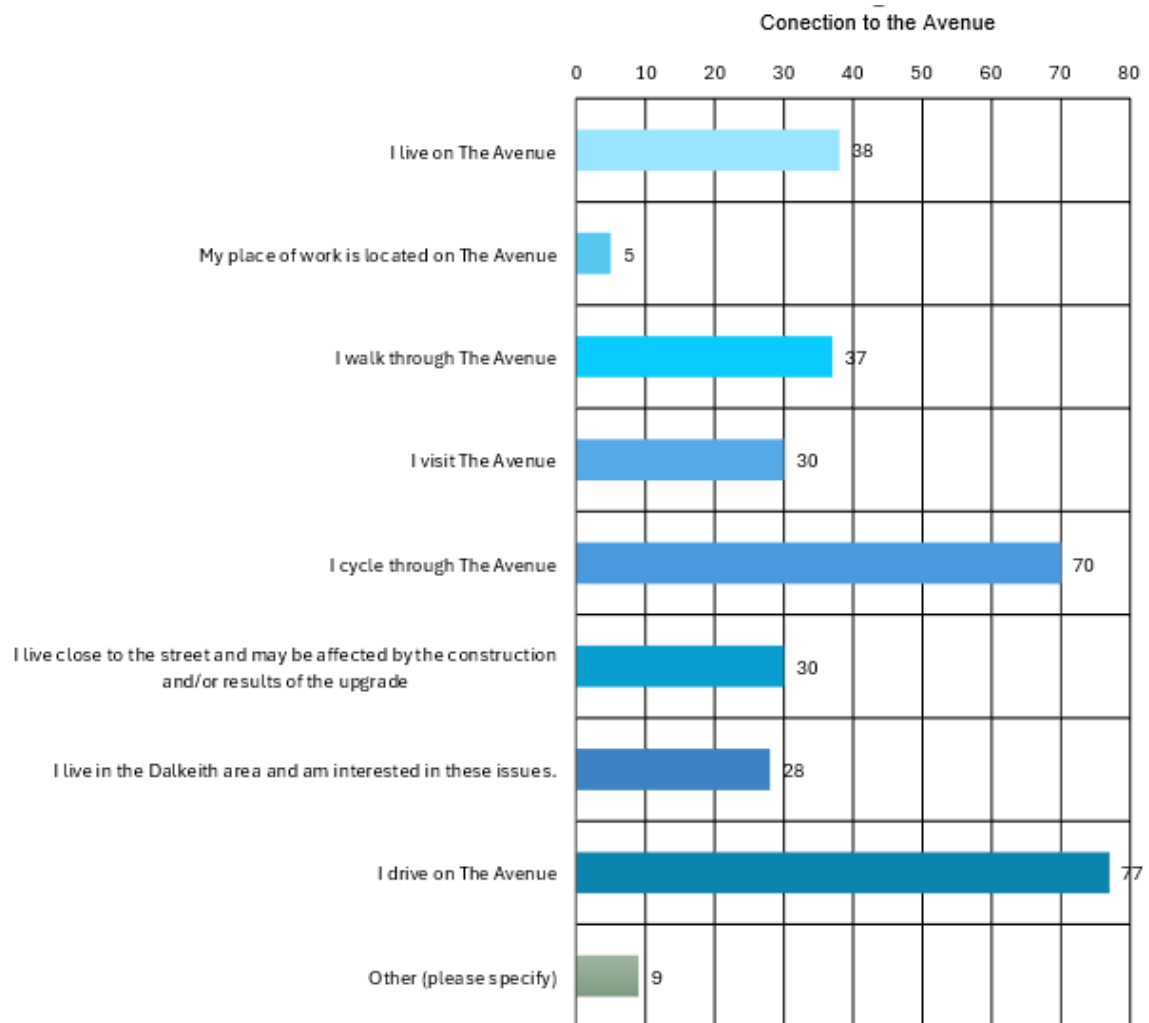


Figure 1: What is your connection to The Avenue – Community Feedback Response

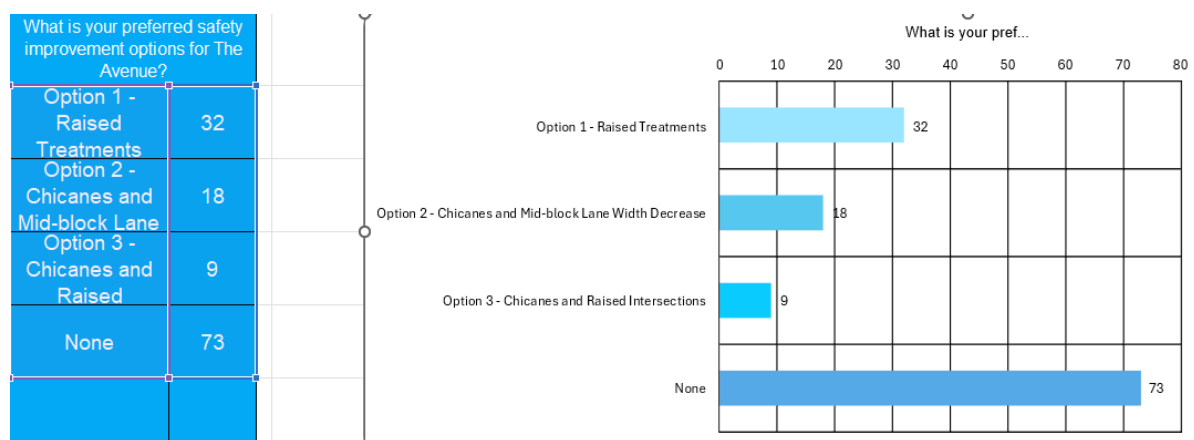


Figure 2 – Table: What is your preferred safety improvement for The Avenue – Community Feedback

For detailed feedback, please refer to Attachment 2.

Responses in favour of a treatment being included provided several positive comments.



- **Raised Treatments:** Respondents supported raised treatments as they believed these will slow down traffic and improve pedestrian safety. An option that appeared popular among those concerned with speeding issues.
- **Chicanes and Mid-block Lane Width Decrease:** Respondents indicated that these changes would help manage speeding and improve safety for cyclists and pedestrians.
- **Chicanes and Raised Intersections:** Several respondents specifically mentioned the roundabout at the Bruce/Avenue intersection as a positive improvement, believing it will improve traffic flow and reduce accidents at this busy junction.

Residents opposed to the safety treatments on The Avenue expressed concerns regarding:

- Additional traffic congestion and additional road noise,
- Doubts on the treatment effectiveness, preferring minimal intervention, and
- Impact on Cyclists and Pedestrians with increased safety Hazards.

These comments are typical for any speed reduction treatment and with the designer considering these impacts within the treatment options proposed.

Thirty-seven responses were from residents that live on The Avenue. These responses showed divided support for proposed treatments.

Those in support Figure 2: Option One (1) Design of the treatments highlighted benefits such as:

- Enhanced safety for pedestrians and cyclists,
- Improved traffic flow (Slower Speeds), and
- The positive impact of traffic-calming measures.

Of the three options provided, those respondents that live on The Avenue preferred:

- Option 1 - (26% supported) - Raised Treatments,
- Option 2 - (21% supported) - Chicanes and Mid-block Lane Width Decrease,
- Option 3 - (3% supported) - Chicanes and Raised Intersections, and
- None - (50% supported) - status quo.

Nineteen (19) residents expressed opposition to the proposed treatments highlighting concerns around:

- Traffic Congestion and Road Noise would increase,
- Doubts on treatment effectiveness, preferring minimal interventions,
- However, some of these responses also supported a Roundabout.

Nine (9) Respondents attended the one-on-one session to discuss the project with feedback provided on;

- The potential traffic noise increase,
- A hesitancy to support the full project works,
- A general support for Bruce and The Avenue Roundabout,
- Alternative solutions such as speed cameras (which are controlled by WA Police), speed radar signs, and lowering speed limits (which are controlled by MRWA)
- With preference for Minimal Interventions

Across all responses received (132) the following was found:

- 73 preferred no treatment (55%),
- 32 preferred Option 1 (24%),



- 18 preferred Option 2 (14%), and
- 9 preferred Option 3 (7%)

Whilst a majority of Respondents support doing nothing, due to the severity of the crash types and collisions with vulnerable roads users, the City does not consider this a reasonable treatment option to protect the nearly 800,000 annual road users of The Avenue.

The YourVoice online Survey recorded the following votes for the three design options with Option 1 being preferred. As noted previously, the City does not consider that doing nothing is suitable, due to the number and nature of recorded crashes.

Officer Recommendation

The preferred safety treatment for the project is Option 1.

Whilst all treatments have a positive impact on the reduction of vehicle speeds, option one provides a suitable outcome at a reasonable cost. This improved cost is resultant from the:

- Ease of installation (additional asphalt laid onto of the existing road surface),
- No verge works which may include adjustments to turfing, irrigation, footpaths, and kerbing, and
- Tree preservation, as all works occur within the carriageway avoiding tree roots.

Strategic Implications

This item is aligned to the City of Nedlands Council Plan 2023-33 vision and desired outcomes as follows:

Vision Sustainable and responsible for a bright future

**Pillar
Outcome** **People**

**Pillar
Outcome** **Place**
A city that is easy to get around safely and sustainably.

Priority Area

- Renewal of community infrastructure such as roads, footpaths, community and sports facilities.



Budget / Financial Implications

The Avenue project is fully funded through Main Roads Western Australia Black Spot Program. The City has been provided with a grant allocation of \$1,549,200.

The project is currently planned to be completed in accordance with the grant funding conditions. Completion is anticipated to occur in May-2025.

Decision Implications

Approval is crucial as it:

- **Benefits to Community:** Road users, pedestrians, and homeowners in the area will benefit from improved roads and the traffic calming devices due to increased safety.
- **Avoids Backlog:** Approval now prevents a backlog of projects, ensuring timely completion and reducing the burden on long-term maintenance. Delaying may lead to prolonged completion times and impact the overall road user experience.
- **Secures Funding:** Timely completion is crucial for future grant funding and prevents negative reputational risks with funding bodies. Not completing the works in this financial year could jeopardize future funding opportunities.
- **Provides improved Safety and Maintenance:** Postponing repairs risks road degradation, failure, and higher unplanned maintenance costs, posing safety hazards to the community. Endorsing the report ensures the asset's integrity and community safety.

Should an alternative option be selected for commencement, the City may be exposed to negative press attention. A negative impact on residents and road users may also occur should an option be selected, contrary to the preferred.

Should the project not proceed, the City is required to return the \$1,549,200 grant funding. This would result in the loss of significant financial support from the Federal Black Spot Program and may jeopardizing future funding opportunities. Not proceeding with the project may adversely affect the City's reputation.

Conclusion

The Avenue is a local distributor within Dalkeith, bookended by Bruce Street and Broadway. A posted speed limited of 50km/hr is shown, however traffic data taken in 2023 indicates that vehicles are traveling faster than this. Of the seventeen (17) crashes reported, speed is a contributing factor. A significant number of crashes reported were right angled with several involved cyclists, who are considered vulnerable road users.

The City's firm position is to minimise accidents throughout its road network to a bare minimum, approaching zero. The number and severity of accidents on The Avenue has justified the award of significant federal funding through an approved scheme be allocated to



address the issue. It would be the City's preference if there were no need for road safety interventions at all, however, this can only be achieved with investment in a safer road network at high-risk locations, such as The Avenue.

To address this, the City has design and proposed to the community three (3) safety treatments that effectively reduce vehicle speed. On completion of a consultation, undertaken through various means, Design Option 1 has been noted as the preferred treatment for implementation.

The Project is fully funded by Main Roads Western Australia and the City has received \$1,549,200 in grant funding to design and construct the works. Once endorsed the City is ready to continue the project, aiming for completion to occur in May-2025.

The City now seeks endorsement from the Council to proceed with project delivery.

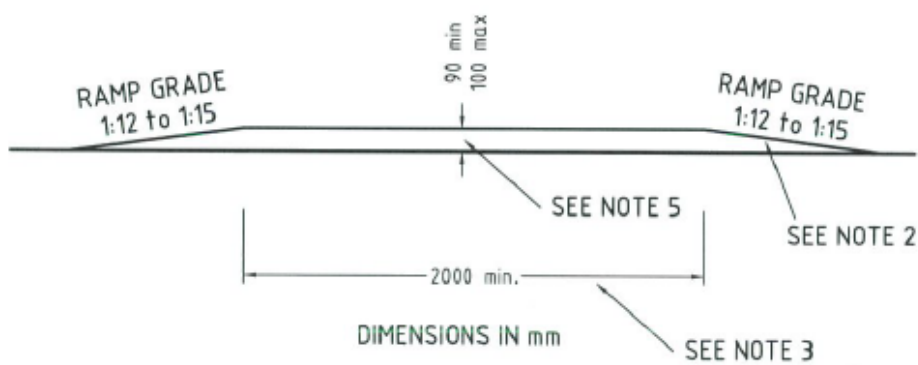
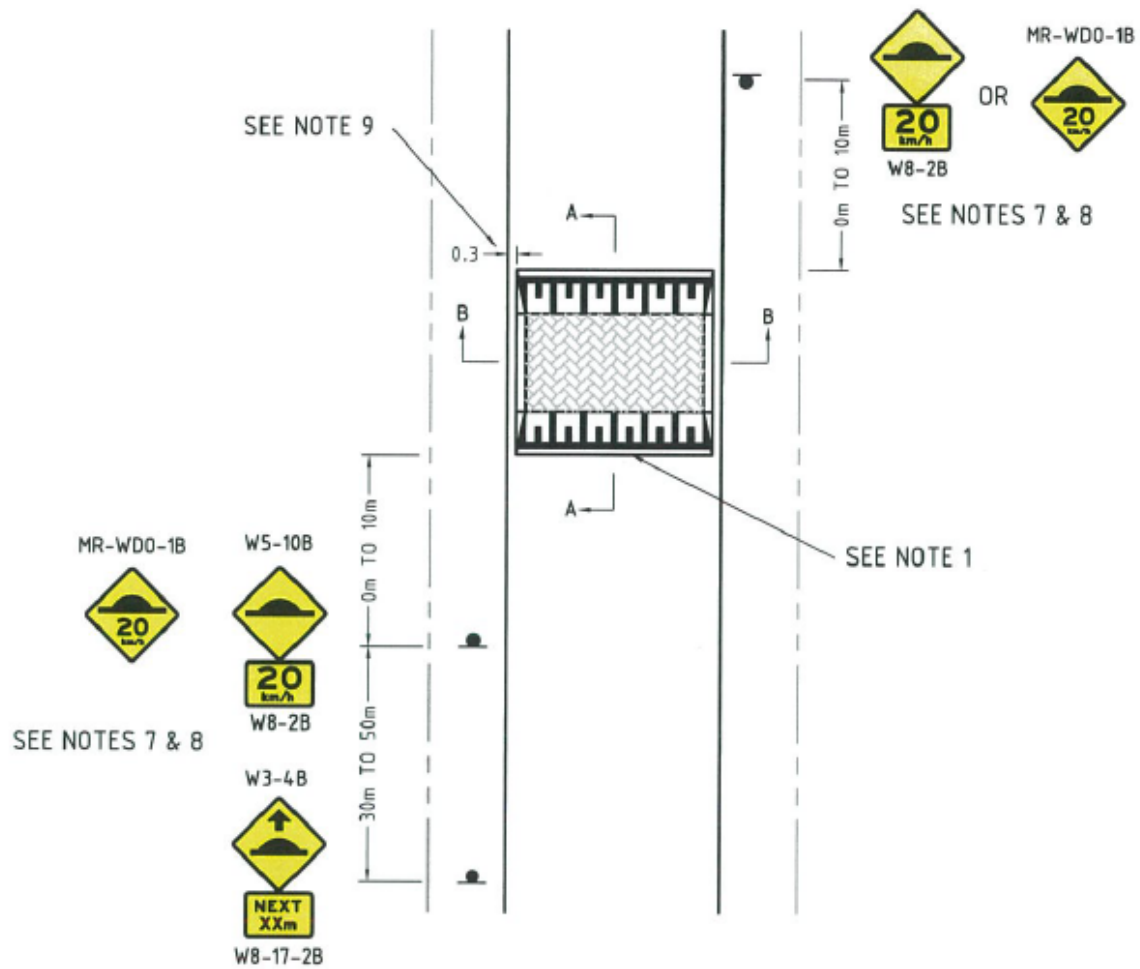
Further Information

Question from Council Youngman

Are the profiles of the speed plateaus in Dalkeith going to be used on the Avenue?

Answer:

The proposed profile of the speed plateaus is in accordance with the Main Roads Standard design drawing, 200331-129-5 for 'Flat Top Plateaus'. An extract of this is presented below for reference:



PLATEAU ROAD HUMPS DETAIL
SECTION A-A



18. Divisional Reports – Community Services & Development

18.1 CSD08.09.24 UWA Sport CSRFF Forward Planning Grant

Meeting & Date	Council Meeting – 24 September 2024
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	Nil.
Report Author	Samantha Edwards, Coordinator Community Development
Director	Keri Shannon, Chief Executive Officer
Attachments	Nil.

Moved – Councillor Smyth

Seconded – Councillor Coghlan

ADMINISTRATION RECOMMENDATION:

That Council:

1. **ADVISES** Department of Local Government, Sport and Cultural Industries that is has ranked and rated the application to the Community Sport and Recreation Facilities Fund Forward Planning Grant Round as follows:
 - a. **UWA Sports Park:** Well planned and needed by applicant and ranked 1 of 2 applications received.
2. **ENDORSES** the above application to the Department of Local Government, Sport and Cultural Industries conditional of:
 - a. **All necessary statutory approvals are obtained by the applicant; and**
 - b. **The project receives DLGSCI funding.**

Amendment

Moved - Councillor Smyth

Seconded - Councillor Coghlan

Insert new clause:

3. **NOTES** there are no budget implications as the applicant is not requesting financial support from the City.



The AMENDMENT was PUT

CARRIED UNANIMOUSLY 9/-

(For: Crs. Mayor, Youngman, Bennet, Smyth, Amiry, Coghlan, Brackenridge,
Hodson, Pollard)

COUNCIL DECISION:

(Committee and Administration Recommendation)

That Council:

1. **ADVISES** Department of Local Government, Sport and Cultural Industries that it has ranked and rated the application to the Community Sport and Recreation Facilities Fund Forward Planning Grant Round as follows:
 - a. **UWA Sports Park:** Well planned and needed by applicant and ranked 1 of 2 applications received
2. **ENDORSES** the above application to the Department of Local Government, Sport and Cultural Industries conditional of:
 - a. **All necessary statutory approvals are obtained by the applicant; and Agenda Forum Meeting Agenda Tuesday, 10 September 2024**
 - b. **The project receives DLGSCI funding.**
3. **NOTES** there are no budget implications as the applicant is not requesting financial support from the City.

Purpose

This item seeks Council's endorsement of one grant application to the Department of Local Government, Sport and Cultural Industries (DLGSCI) for the Community Sport and Recreation Facilities Fund (CSRFF) Forward Planning Grant Round. The application is for:

- UWA Sports Park – Construction of a multiuse facility

All CSRFF applications to DLGSCI must be accompanied by a formal council resolution. As the DLGSCI current CSRFF Forward Planning Grant round closes on 30 September 2024, it is important that Council makes a decision on this matter at the Council meeting on 24 September 2024.

Voting Requirement

Simple Majority.



Background

The Department of Local Government, Sport and Cultural Industries administers the CSRFF. The purpose of the fund is to provide financial assistance to sporting clubs and local government authorities to develop basic infrastructure for sport and recreation. The program aims to increase participation in sport and recreation, with an emphasis on physical activity, through rational development of sustainable, good quality, well designed and well utilised facilities. This fund has three categories, shown below:

Table 1: CSRFF Grant Categories

Grant Category	Total Project Cost Range	Standard DLGSCI Contribution	Frequency
Small Grant	< \$300,000	\$2,500 - \$100,000	Bi-annual
Annual Grant	\$300,001 – 500,000	\$100,001 - \$166,666	Annual
Forward Planning Grant	>\$500,000	\$166,667 - \$1000,000	Annual

For the application to be supported by Department of Local Government, Sport and Cultural Industries, they must firstly be endorsed by the relevant Local Government Authority. For approved projects, DLGSCI will provide a grant of a maximum of 1/3 of the total project cost.

Ranking: The City is required by Department of Local Government, Sport and Cultural Industries to rank in priority order the applications received for each CSRFF round.

Rating: The City is required by Department of Local Government, Sport and Cultural Industries to rate each application against the categories below:

- A - Well planned and needed by municipality
- B - Well planned and needed by applicant
- C - Needed by municipality, more planning required
- D - Needed by applicant, more planning required
- E - Idea has merit, more preliminary work needed
- F - Not recommended

Discussion

An overview of the application to this CSRFF Forward Planning Round is provided in Table 2.

Table 2: CSRFF Forward Planning Grant Application

Applicant	Project	Total Project Cost (EX GST)	Club Contribution	Grant Amount Requested of State Govt.
UWA Sport	Multi-use facility	\$15,000,000	\$12,500,000	\$2,500,000



Further detail about the application is provided below.

UWA Sport

UWA Sport are working with UWA affiliated clubs, including UWA Nedlands Football Club, UWA Baseball & Softball Club and UWA Rugby Union Football Club. UWA Sport are applying to CSRFF in 2024 to support the construction of a multi-use facility at UWA Sports Park that aims to address critical gaps in infrastructure and amenities. They are planning for the provision of modern, accessible, and safe changing rooms; toilets; medical rooms; officials' rooms; and clubrooms.

UWA Sports Park is a critical sporting and community asset within the City of Nedlands, the home of significant participation from City of Nedlands residents and rate payers, along with a drawcard for participation throughout Perth. UWA Sports Park also hosts significant state and national events, bringing people, energy, focus, and economic benefit to the City of Nedlands.

Some significant events include:

- Uni Sports Nationals – participation from 6,000 athletes from across Australia
- Schools Sports WA Country week – bringing around 3,000 regional students for a week annually

Over 1000 City of Nedlands' Residents are members of the 3 UWA affiliated clubs who will benefit from the new facility and funding.

UWA Nedlands Football Club – 50 - 60% of playing members are City of Nedlands' Residents (~1,000+)

UWA Rugby Union Football Club – 15 - 20% of players and members are City of Nedlands' residents (~100+)

UWA Baseball and Softball Club – 15 - 20% of players and members are City of Nedlands' residents (~50+)

The total project is estimated to cost upwards of \$15 million. UWA Sport will apply to the CSRFF for the maximum \$2.5 million.

Consultation

The applicant has completed a formal application to submit to DLGSCI for this grant round. The application will be available to Councillors on request from the CEO's office.

Strategic Implications

This item is strategically aligned to the City of Nedlands Council Plan 2023-33 vision and desired outcomes as follows:

Vision Sustainable and responsible for a bright future

Pillar Outcome **People**
A healthy, active and safe community



Budget/Financial Implications

There are no budget implications as the applicant is not requesting financial support from the City.

Legislative and Policy Implications

Council Policy - [Capital Grants to Sporting Clubs Council Policy](#)

DLGSC Requirements

In general, DLGSCI will fund up to half of the total cost of an approved project, with the remaining half to be funded by either the applicant sporting club or a combination of the applicant sporting club and the relevant local government authority.

DLGSCI will only consider projects endorsed by the relevant local government. However, Council's may endorse projects without necessarily providing funding to them.

Decision Implications

If Council support the recommendation, the UWA Sport will submit the application for grant funding to DLGSCI. If the application is successful and receives funding, the project will proceed.

If Council does not support the recommendation, the club will not be able to submit the grant application and the project will not proceed.

Conclusion

It is recommended that Council endorse the application for UWA Sport.

Further Information

Question from Deputy Mayor Smyth

My question relates to giving certainty to the budget position as outlined in the supporting report, so that there is no future comeback. The report states "There are no budget implications as the applicant is not requesting financial support from the City."

It is usual for the Recommendation to contain a clause defining the Budget commitment, or lack thereof.

Recommendation

That Council:

1. ADVISES Department of Local Government, Sport and Cultural Industries that it has ranked and rated the application to the Community Sport and Recreation Facilities Fund Forward Planning Grant Round as follows:



- a) UWA Sports Park: Well planned and needed by applicant and ranked 1 of 2 applications received
- 2. ENDORSES the above application to the Department of Local Government, Sport and Cultural Industries conditional of:
 - a) All necessary statutory approvals are obtained by the applicant; and Agenda Forum Meeting Agenda Tuesday, 10 September 2024
 - b) The project receives DLGSCI funding.

New clause

- 3. NOTES there are no budget implications as the applicant is not requesting financial support from the City.

Question Councillor Amiry

Can you please advise on suitability of wording to ensure the Recommendation is not silent on the Budget commitment being \$0?

Answer:

Suggest the new clause 3 above

Question Councillor Amiry

Are there likely to be any associated costs that are not mentioned at this stage?

Answer:

No



18.2 CSD09.09.24 Dalkeith Nedlands Bowling Club CSRFF Forward Planning Grant

Meeting & Date	Council Meeting – 24 September 2024
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	Nil.
Report Author	Samantha Edwards, Coordinator Community Development
Director	Keri Shannon, Chief Executive Officer
Attachments	Nil.

Moved – Councillor Hodsdon

Seconded – Councillor Youngman

ADMINISTRATION RECOMMENDATION:

That Council:

1. **ADVISES** Department of Local Government, Sport and Cultural Industries that is has ranked and rated the application to the Community Sport and Recreation Facilities Fund Forward Planning Grant Round as follows:
 - a. **UWA Sports Park:** Well planned and needed by applicant and ranked 1 of 2 applications received.
2. **ENDORSES** the above application to the Department of Local Government, Sport and Cultural Industries conditional of:
 - a. **All necessary statutory approvals are obtained by the applicant; and**
 - b. **The project receives DLGSCI funding.**

Amendment

Moved - Councillor Smyth

Seconded - Councillor Coghlan

The **AMENDMENT** was **PUT** and was

LOST 4/5

(For: Crs. Mayor, Smyth, Coghlan, Brackenridge)

(Against: Crs. Amiry, Hodsdon, Pollard, Bennett, Youngman)



To insert a new clause:

3. **NOTES** there are no budget implications as the applicant is not requesting financial support from the City.

Amendment

Moved - Councillor Youngman

Seconded - Councillor Bennett

The AMENDMENT was PUT and was

LOST 3/6

(For: Crs. Bennett, Youngman, Hodsdon)

(Against: Crs. Mayor Argyle, Pollard, Smyth, Coghlan, Amiry, Brackenridge)

To insert a new clause:

3. The City of Nedlands shall provide a \$50,000 input to the CSRFF application.

LOST 3/6

(For: Crs. Bennett, Youngman, Hodsdon)

(Against: Crs. Mayor Argyle, Pollard, Smyth, Coghlan, Amiry, Brackenridge)

COUNCIL DECISION:

That Council:

1. **ADVISES** Department of Local Government, Sport and Cultural Industries that it has ranked and rated the application to the Community Sport and Recreation Facilities Fund Forward Planning Grant Round as follows:
 - a. Dalkeith Nedlands Bowling Club: Well planned and needed by applicant and ranked 2 of 2 applications received
2. **ENDORSES** the above application to the Department of Local Government, Sport and Cultural Industries conditional of:
 - a. All necessary statutory approvals are obtained by the applicant; and
 - b. The project receives DLGSCI funding.



Purpose

This item seeks Council's endorsement of one grant application to the Department of Local Government, Sport and Cultural Industries (DLGSCI) for the Community Sport and Recreation Facilities Fund (CSRFF) Forward Planning Grant Round. The application is for:

- Dalkeith Nedlands Bowling Club (DNBC) – New synthetic green and associated canopy

All CSRFF applications to DLGSCI must be accompanied by a formal council resolution. As the DLGSCI current CSRFF Forward Planning Grant round closes on 30 September 2024, it is important that Council makes a decision on this matter at the Council meeting on 24 September 2024.

Voting Requirement

Simple Majority.

Background

The Department of Local Government, Sport and Cultural Industries administers the CSRFF. The purpose of the fund is to provide financial assistance to sporting clubs and local government authorities to develop basic infrastructure for sport and recreation. The program aims to increase participation in sport and recreation, with an emphasis on physical activity, through rational development of sustainable, good quality, well designed and well utilised facilities. This fund has three categories, shown below:

Table 1: CSRFF Grant Categories

Grant Category	Total Project Cost Range	Standard DLGSCI Contribution	Frequency
Small Grant	< \$300,000	\$2,500 - \$100,000	Bi-annual
Annual Grant	\$300,001 – 500,000	\$100,001 - \$166,666	Annual
Forward Planning Grant	>\$500,000	\$166,667 - \$1,000,000	Annual

For the application to be supported by Department of Local Government, Sport and Cultural Industries, they must firstly be endorsed by the relevant Local Government Authority. For approved projects, DLGSCI will provide a grant of a maximum of 1/3 of the total project cost. However, there is an additional bonus that can be applied for which is the Development Bonus which allows the Club to apply for up to 50% of the project or a capped amount (whatever is greater). Clubs may be eligible for this which needs to be discussed with DLGSCI prior to applying. DNBC have discussed their proposal with DLGSCI so they are eligible to apply for additional funding.

Ranking: The City is required by Department of Local Government, Sport and Cultural Industries to rank in priority order the applications received for each CSRFF round.



Rating: The City is required by Department of Local Government, Sport and Cultural Industries to rate each application against the categories below:

- A - Well planned and needed by municipality
- B - Well planned and needed by applicant
- C - Needed by municipality, more planning required
- D - Needed by applicant, more planning required
- E - Idea has merit, more preliminary work needed
- F - Not recommended

Discussion

An overview of the application to this CSRFF Forward Planning Round is provided in Table 2.

Table 2: CSRFF Forward Planning Grant Applications

Applicant	Project	Total Project Cost (EX GST)	Club Contribution	Grant Amount Requested of State Govt.
Dalkeith Nedlands Bowling Club	Synthetic green and PTFE canopy	\$1,687,458	\$843,729	\$843,729

Further detail about the application is provided below.

Dalkeith Nedlands Bowling Club (DNBC)

DNBC are applying for the Forward Planning grant to install a synthetic green and associated PTFE canopy covering the green to allow 24/7 access, all year round. It will deliver positive outcomes for the environment, participation, health and mental health and ensures the long-term use and financial stability of the club.

With a stagnant membership of 147, increasing costs to maintain the club and significant weather and demographic challenges, the committee has decided to proceed with the application. To attend DNBC, you are required to be a member.

Providing synthetic surface will reduce maintenance costs and the canopy will provide cover from weather and increase the use by being able to use the facility all year round.

A needed assessment has been completed to guide the subsequent DNBC Master Plan. The project was identified and recommended out of the needs assessment completed.

The total cost of the project is \$1,687,458 (ex GST) and \$843,729 (ex GST) is requested from DGGSCI.



Consultation

The applicant has completed a formal application to submit to DLGSCI for this grant round. The application will be available to Councillors on request from the CEO's office.

Strategic Implications

This item is strategically aligned to the City of Nedlands Council Plan 2023-33 vision and desired outcomes as follows:

Vision	Sustainable and responsible for a bright future
Pillar Outcome	People A healthy, active and safe community

Budget/Financial Implications

There are no budget implications as the applicant is not requesting financial support from the City.

Legislative and Policy Implications

Council Policy - [Capital Grants to Sporting Clubs Council Policy](#)

DLGSC Requirements

In general, DLGSCI will fund up to half of the total cost of an approved project, with the remaining half to be funded by either the applicant sporting club or a combination of the applicant sporting club and the relevant local government authority.

DLGSCI will only consider projects endorsed by the relevant local government. However, Council's may endorse projects without necessarily providing funding to them.

Decision Implications

If Council support the recommendation, Dalkeith Nedlands Bowling Club will submit the application for grant funding to DLGSCI. If the application is successful and receives funding, the project will proceed to construction.

If Council does not support the recommendation, the club will not be able to submit the grant application and the project will not proceed.

Conclusion

It is recommended that Council endorse the application for the Dalkeith Nedlands Bowling Club.



Further Information

Question from Deputy Mayor Smyth

My question relates to giving certainty to the budget position as outlined in the supporting report, so that there is no future comeback. The report states "There are no budget implications as the applicant is not requesting financial support from the City."

It is usual for the Recommendation to contain a clause defining the Budget commitment, or lack thereof.

Recommendation

That Council:

1. ADVISES Department of Local Government, Sport and Cultural Industries that it has ranked and rated the application to the Community Sport and Recreation Facilities Fund Forward Planning Grant Round as follows:
 - a. Dalkeith Nedlands Bowling Club: Well planned and needed by applicant and ranked 2 of 2 applications received.
2. ENDORSES the above application to the Department of Local Government, Sport and Cultural Industries conditional of:
 - a. All necessary statutory approvals are obtained by the applicant; and
 - b. The project receives DLGSCI funding

New clause

3. NOTES there are no budget implications as the applicant is not requesting financial support from the City.

Question from Deputy Mayor Smyth

Can you please advise on suitability of wording to ensure the Recommendation is not silent on the Budget commitment being \$0.? See new clause 3 recommended above.

Question from Deputy Mayor Smyth

Are there likely to be any associated costs that are not mentioned at this stage?

Answer:

No.

Question from Councillor Youngman

Requests investigation into if there is funding to help the club.

Answer:

There is no request from the club for funds.



19. Divisional Reports - Corporate Services

19.1 CPS45.09.24 – Monthly Investment Report – August 2024

Meeting & Date	Council Meeting – 24 September 2024
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	Nil.
Report Author	M Harika – Chief Finance and Risk Officer
Director	A Alderson – Director of Corporate Services
Attachments	1. Investment Report - 31 August 2024

Moved – Councillor Youngman

Seconded – Councillor Hodsdon

CARRIED 7/2

(For: Crs. Mayor Argyle, Youngman, Coghlan, Pollard, Brackenridge, Smyth, Hodsdon)

(Against: Crs. Amiry, Bennett)

COUNCIL DECISION:

(Administration Recommendation)

That Council:

- **RECEIVES** the Investment Report as at and for the period ended 31 August 2024.

Purpose

In accordance with the Council's Investment Policy, Administration is required to present a summary of investments to Council monthly.



Voting Requirement

Simple Majority.

Background

Nil.

Discussion

Council's Investment of Funds report meets the requirements of Section 6.14 of the *Local Government Act 1995*.

The Investment Policy is structured to minimise any risks associated with the City's cash investments. The officers adhere to this Policy, and continuously monitor market conditions to ensure that the City obtains attractive and optimum yields without compromising on risk management.

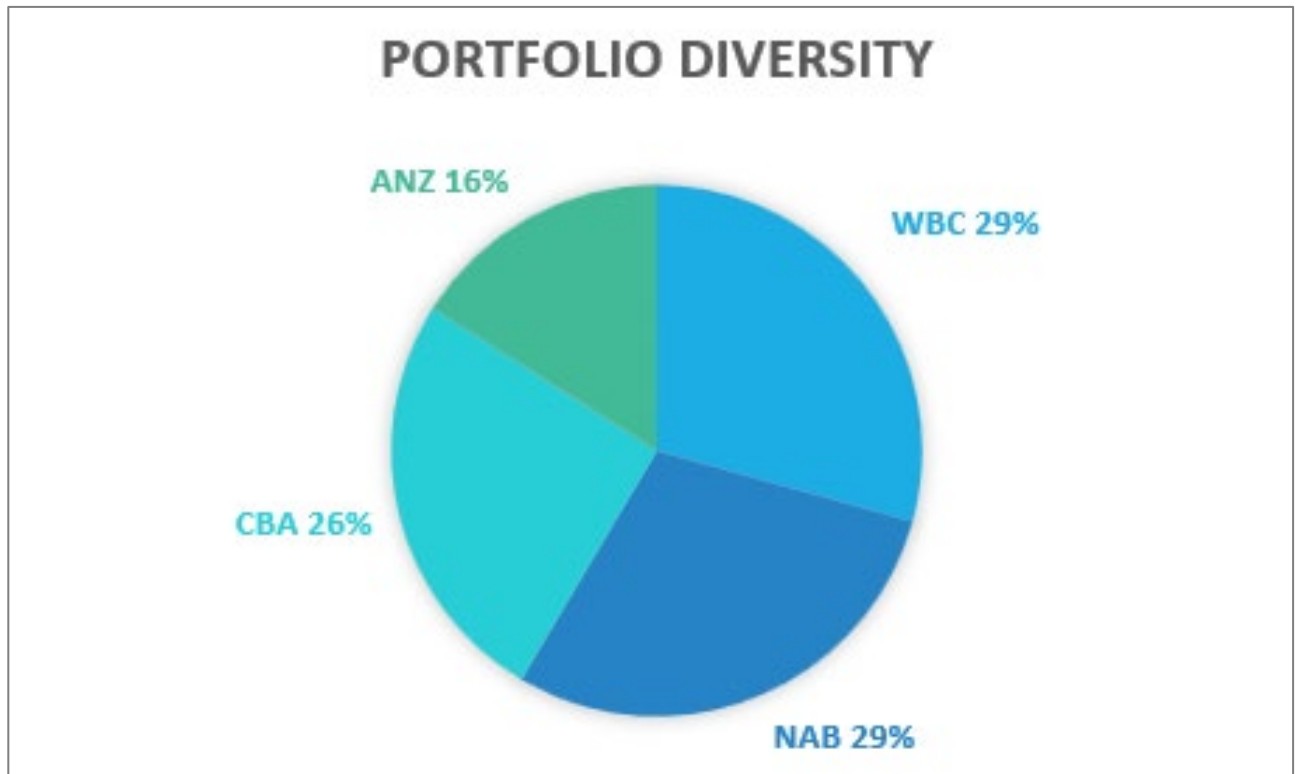
The Investment Summary shows that as of 31 August 2024 (and 31 August 2023) the City held the following funds in investments:

Funds	31 August 2024 (\$)	31 August 2023 (\$)
Municipal	1,995,872	1,907,421
Reserve	5,440,112	8,808,989
Total Investments	7,435,984	10,716,410

The total interest earned from investments as of 31 August 2024 was \$32,523, comprising of \$13,458 received at maturity and \$19,065 accrued.

The Investment Portfolio comprises holdings in the following institutions:

Financial Institution	Funds Invested	Proportion of Portfolio
NAB	\$2,173,565	29%
WBC	\$2,178,198	29%
ANZ	\$1,190,582	16%
CBA	\$1,893,639	26%
Total	\$7,435,984	100.00%



Consultation

n/a

Strategic Implications

This item relates to the following elements from the City's Council Plan 2023 -33.

Vision **Sustainable and responsible for a bright future**

Pillar **Performance**
Outcome 11. Effective leadership and governance.

Budget/Financial Implications

The August 2024 YTD Actual interest income from investments is \$72,097 compared to the August 2024 YTD Budget of \$75,000.

Legislative and Policy Implications

[City of Nedlands - Investment of Operating Cash Policy](#)



Decision Implications

n/a

Conclusion

The Investment Report is presented to Council.

Further Information

n/a



19.2 CPS46.09.24 – List of Accounts Paid – August 2024

Meeting & Date	Council Meeting – 24 September 2024
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	Nil.
Report Author	M Harika – Chief Finance and Risk Officer
Director	Amanda Alderson – Director of Corporate Services
Attachments	1. Creditor Payment Listing – August 2024 2. Credit Card and Purchasing Card Payments – August 2024 3. Fuel Card Payments – August 2024

CARRIED UNANIMOUSLY EN BLOC 9/-

(For: Crs. Mayor Argyle, Smyth, Amiry, Hodsdon, Pollard, Brackenridge, Coghlan, Bennett, Youngman)

COUNCIL DECISION:

(Administration Recommendation)

That Council:

- **RECEIVES the List of Accounts Paid for the month of August 2024.**

Purpose

The purpose of this report is to present list of accounts paid for the month of August 2024.

Voting Requirement

Simple Majority.



Background

Regulation 13 of the Local Government (Financial Management) Regulations 1996 requires a list of accounts paid to be prepared each month, showing each account paid since the last list was prepared. This list is to include the following information:

1. the payee's name;
2. the amount of the payment;
3. the date of the payment; and
4. sufficient information to identify the transaction.

Discussion

The accounts payable procedures ensure that risk is managed, and no fraudulent payments are made by the city, and these procedures are strictly adhered to by the officers. These include the final vetting of approved invoices by the Coordinator Revenue and the Manager Financial Services (or designated alternative officers).

Consultation

Nil.

Strategic Implications

This item relates to the following elements from the City's Council Plan 2023-33.

Vision **Sustainable and responsible for a bright future**

Pillar **Performance**
Outcome 11. Effective leadership and governance.

Budget/Financial Implications

The payments are made in accordance with the approved budget.

Legislative and Policy Implications

In accordance with regulation 13 of the [Local Government \(Financial Management\) Regulations 1996](#) administration is required to present the List of Accounts Paid for the month of August 2024 to Council.



Decision Implications

Nil.

Conclusion

The List of Accounts Paid for the months of August 2024 complies with the relevant legislation and can be received by Council (see attachments).

Further Information

Nil.



19.3 CPS36.08.24 – Monthly Financial Report – July 2024

Meeting & Date	Council Meeting – 24 September 2024
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	Nil.
Report Author	M Harika – Chief Finance and Risk Officer
Director	A Alderson - Director Corporate Services
Attachments	<ol style="list-style-type: none">1. Statement of Financial Activity – 31 July 20242. Statement of Net Current Assets – 31 July 20243. Statement of Comprehensive Income – 31 July 20244. Statement of Financial Position – 31 July 20245. Reserve Movements – 31 July 20246. Borrowings – 31 July 20247. Capital Works Program – 31 July 2024

CARRIED UNANIMOUSLY EN BLOC 9/-

(For: Crs. Mayor Argyle, Smyth, Amiry, Hodsdon, Pollard, Brackenridge, Coghlan, Bennett, Youngman)

COUNCIL DECISION:

(Administration Recommendation)

That Council:

- **RECEIVES the Monthly Financial Report for 31 July 2024.**

Purpose

Administration is required to provide Council with a monthly financial report in accordance with regulation 34(1) of the *Local Government (Financial Management) Regulations 1996*. The monthly financial variance from the budget of each business unit is reviewed with the respective manager and the Executive to identify the need for any remedial action. Material variances are highlighted to Council in the attached Monthly Financial Report.



Voting Requirement

Simple Majority.

Background

Nil.

Discussion

The monthly financial management report meets the requirements of regulation 34(1), 34(3), and 34(5) of the *Local Government (Financial Management) Regulations 1996*.

The attached report shows the month end position as at the end of July 2024. Please note that the opening position is a preliminary result for the year ended 30 June 2024 and the financial statements for 2023/24 are still being finalised and as a result will be subject to change. Due to the disclaimer of opinion issued for the financial statements for 2022/23, the opening position is also subject to change as restatements of the prior financial year are completed. The municipal closing deficit as of 31 July 2024 is \$76,370 which is a \$320,343 unfavourable variance, compared to a budgeted surplus for the same period of \$243,972.

The operating revenue at the end of July 2024 was \$536,681 which represents a \$447,628 unfavourable variance compared to the year-to-date budget of \$984,309, primarily due to lower fees and charges and is pending annual phasing for collection of overall higher fees and charges amount compared to the prior year.

The operating expense at the end of July 2024 was \$3,642,363 which represents a \$471,997 favourable variance compared to the year-to-date budget of \$4,114,360, is primarily due to lower employee costs and materials and contracts. and is pending phasing of budget amounts and overhead costing allocations.

The attached Statement of Financial Activity compares Actuals with Amended Budget by Nature or Type as per regulation 34 (3) of the *Local Government Financial Management Regulations 1996*. Material variances, as defined by a previous decision of Council, from the budget of revenue and expenditure are detailed below.

Operating Activities

Operating grants, subsidies, and contributions

Unfavourable variance of \$8,400 primary due to budget timing.



Fees and charges

Unfavourable variance of \$380,802 due to budget timing. and is pending overall annual phasing for collection of higher amounts compared to the prior year.

Interest earnings

Unfavourable variance of \$34,443 primarily due to budget timing.

Other revenue

Unfavourable variance of \$5,581 primarily due to budget timing.

Profit on disposal of assets

Unfavourable variance of \$18,402 due to budget timing.

Employee costs

Favourable variance of \$153,055 due to lower staff numbers compared to budget.

Materials and contracts

Favourable variance of \$270,260 primarily due to budget timing and processing of end of year accruals.

Utility charges

Unfavourable variance of \$14,750 primarily due to budget timing.

Depreciation and amortisation

No variance analysis required as variance to budget is less than 10%.

Insurance expense

Favourable variance of \$38,486 awaiting opening year end finalisation adjustment process.

Other expenditure

Favourable variance of \$26,401 due to budget timing.

Investing Activities

Non-operating grants, subsidies, and contributions

No variance analysis required as variance to budget is less than \$50,000.

Proceeds from disposal of assets

Favourable variance of \$145,872 pending finalisation of capital expenditure movements and budget phasing of capital projects. To be reviewed at mid-year review.

Purchase of property, plant, and equipment

Favourable variance of \$284,512 pending finalisation of budget phasing of capital projects. To be reviewed at mid-year review.

Purchase and construction of infrastructure

Favourable variance of \$9,793 pending finalisation of budget phasing of capital projects. To be reviewed at mid-year review.

Payments for intangible assets



Favourable variance of \$24,244 pending finalisation of budget phasing of capital projects. To be reviewed at mid-year review.

Financing Activities

Repayment of borrowings

No variance analysis required as variance to budget is less than \$20,000.

Payment for principal portion of lease liability

No variance analysis required as variance to budget is less than \$20,000.

Transfer to and from reserves

No movements posted pending end of year closing processes and budget phasing of capital projects.

Rates

Outstanding rates debtors are \$724,225 as of 31 July 2024 compared to \$245,023 as of 31 July 2023. Breakdown as follows:

Receivable	31 July 2024 (\$)	31 July 2023 (\$)	Variance (\$)
Rates & UGP	\$558,670	\$174,213	\$384,457
Rubbish & Pool	\$60,319	\$32,665	\$27,654
Pensioner Rebates	\$-	-\$9,989	-\$9,989
ESL	\$105,236	\$28,156	\$77,080
Total	\$724,225	\$245,023	\$479,202

Employee Data

	31 July 2024	31 July 2023
Description	Number	Number
Headcount (Active Employees including FT, PT, & Casual)	160	189
Occupied FTE (FT & PT)	140	153
Occupied FTE (Casual)	3	9
No. of contract employees (Temporary/Agency)	7	9

The figures reported are as at the end of the calendar month of July 2024.

Consultation

N/A



Strategic Implications

This item relates to the following elements from the City's Council Plan.

Vision **Sustainable and responsible for a bright future**

Pillar **Performance**

Outcome 11. Effective leadership and governance

Budget/Financial Implications

At the Special Council Meeting on 11 August 2022, item CPS36.08.22, Council adopted the following thresholds for the reporting of material financial variances in the monthly statement of financial activity reports:

- a. Operating items – Greater than 10% and a value greater than \$20,000
- b. Capital items – Greater than 10% and a value greater than \$50,000

pursuant to regulation 34(5) of the *Local Government (Financial Management) Regulations 1996*, and *Australian Accountings Standard AASB 1031 Materiality*.

Legislative and Policy Implications

[Local Government Act 1995, Local Government \(Financial Management\) Regulations 1996, and Australian Accounting Standards.](#)

Decision Implications

Nil.

Conclusion

The municipal closing deficit as of 31 July 2024 is \$76,370 which is a \$320,343 unfavourable variance, compared to a budgeted surplus for the same period of \$243,972.

The operating revenue at the end of July 2024 was \$536,681 which represents a \$447,628 unfavourable variance compared to the year-to-date budget of \$984,309, primarily due to lower fees and charges and is pending annual phasing for collection of an overall higher fees and charges amount compared to the prior year.

The operating expense at the end of July 2024 was \$3,642,363 which represents a \$471,997 favourable variance compared to the year-to-date budget of \$4,114,360, primarily due to lower employee costs and materials and contracts, and is pending phasing of budget amounts.

The attached reports show the month end position as at the end of July 2024. Please note that the opening position is a preliminary result for the year ended 30 June 2024 and the



financial statements for 2023/24 are still being finalised and as a result will be subject to change. Due to the disclaimer of opinion issued for the financial statements for 2022/23, the opening position is also subject to change as restatements of the prior financial year are completed.

Further Information

Nil.



20. Reports by the Chief Executive Officer

20.1 CEO24.09.24 Delegation of Authority – Use of City’s Copyright Material for Administrative or Promotional purposes

Meeting & Date	Council Meeting – 24 September 2024
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	Nil.
Report Author	Sara Bloomfield – Governance Officer (Council Support)
Director/CEO	Keri Shannon – Chief Executive Officer
Attachments	1. Use of City of Nedlands Copyrighted Material

Moved – Councillor Smyth

Seconded – Councillor Coghlan

CARRIED 5/4

(For: Crs. Smyth, Coghlan, Brackenridge, Pollard, Mayor Argyle)

(Against: Crs. Youngman, Bennett, Hodsdon, Amiry)

COUNCIL DECISION:

(Administration Recommendation)

That Council:

1. in accordance with Section 5.42(1) of the *Local Government Act 1995*, **DELEGATES** to the CEO the authority to use the City of Nedlands copyrighted material containing images of staff for:
 - (i) Internal and external communications.
 - (ii) Marketing and promotional activities.
 - (iii) Partnerships and collaborative projects with third parties.
 - (iv) Any other purposes deemed appropriate within the scope of the City’s operations.



Purpose

The purpose of this report is to seek Council approval for granting the Chief Executive Officer (CEO) delegated authority to use the City's copyright material for administrative, promotional, and other authorised purposes, in alignment with the City of Nedlands objectives.

Voting Requirement

Absolute Majority.

Background

The City of Nedlands holds copyright over various materials, including documents, logos, images, publications, and digital content. These assets are essential for the City's operations, branding, and communications.

Currently, the use of copyright material requires explicit Council approval or administrative processes that can be time-consuming and may delay the implementation of key projects and initiatives. To streamline operations and enhance efficiency, it is proposed that the CEO be granted delegated authority to use the City's copyrighted material within specified limits.

Discussion

It is proposed that Council delegate authority to the CEO to approve the use of the City's copyrighted material for:

- a. Internal and external communications.
- b. Marketing and promotional activities.
- c. Partnerships and collaborative projects with third parties.
- d. Any other purposes deemed appropriate within the scope of the City's operations.

The CEO will be required to report back to Council periodically on the use of Copyright material ensuring full transparency and ongoing oversight is achieved.

Advantages of Delegated Authority:

1. Efficiency: Delegation will streamline processes, reducing the time required to obtain approval for the use of copyrighted materials.
2. Responsiveness: The CEO will be able to make timely decisions to support the City's operations and initiatives.
3. Governance: The delegation will be governed by clear guidelines to ensure the appropriate use of copyrighted materials.



Strategic Implications

Vision Our city will be an environmentally-sensitive, beautiful and inclusive place.

Values **Great Governance and Civic Leadership**
We value our Council's quality decision-making, effective and innovative leadership, transparency, accountability, equity, integrity and wise stewardship of the community's assets and resources. We have an involved community and collaborate with others, valuing respectful debate and deliberation.

Budget/Financial Implications

No direct financial implications.

Legislative and Policy Implications

Local Government Act 1995 – s. 5.42 – s. 5.46

Decision Implications

Where there is ineffective use of delegation powers this may result in additional financial cost to the City, through additional administrative resources required to refer minor decisions to Council, and potential financial cost to Customers from slower decision-making.

Conclusion

Granting the CEO delegated authority to use the City's copyrighted material will enhance the City's operational efficiency and responsiveness while ensuring proper governance through established guidelines.

Further Information

Question from Councillor Bennett

Can the recommendation be amended to relate specifically to staff and not to Council?

Question from Councillor Amiry

Can a marked up copy of the existing delegation of authority and marked up copy of the policy be provided to highlight the changes?



20.2 CEO39.09.24 Outstanding Council Resolutions

Meeting & Date	Council Meeting – 24 September 2024
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	No officer involved in the preparation of this report has a declarable interest.
Report Author	Sara Bloomfield – Governance Officer (Council Support)
Director/CEO	Keri Shannon – Chief Executive Officer
Attachments	1. Register of Outstanding Council Resolutions

Moved – Councillor Smyth

Seconded – Councillor Coghlan

CARRIED 7/2

(For: Crs. Smyth, Coghlan, Brackenridge, Amiry, Mayor Argyle, Pollard, Hodsdon)

(Against: Crs. Youngman, Bennett)

COUNCIL DECISION:

(Administration Recommendation)

That Council:

- **RECEIVES the Register of Outstanding Council Resolutions dated September 2024.**

Purpose

For Council to consider the Register of Outstanding Council Resolutions (OCR) and the actions taken by Administration in progressing these items.

Voting Requirement

Simple Majority.



Background

Council has requested that all Outstanding Council Resolutions be tabled on a monthly basis at the OCM.

Discussion

Attached to the Council report is the register of OCRs for Council's noting and consideration.

The report has been updated by officers when required.

Information will be periodically provided to Councillors on previous resolutions of Council that:

- (i) have been completed since the last update and
- (ii) have not yet been fully implemented. Reasons for any delays or unforeseen challenges are included.

Councillors are able to seek an update on any particular project or resolution outside of the reporting period, by contacting the CEO directly for information or by referring to the information on the Councillor portal.

Consultation

Nil.

Strategic Implications

This item is strategically aligned to the City of Nedlands Council Plan 2023-33 vision and desired outcomes as follows:

Vision Sustainable and responsible for a bright future

Pillar Performance
Outcome 11. Effective leadership and governance.

Budget/Financial Implications

Nil.

Legislative and Policy Implications

Local Government Act 1995.



Decision Implications

Councillors have oversight of the implementation of previous Council decisions, through access to the Register and the Councillor portal. Information on decisions may be provided through the CEO Weekly update, and direct request to the CEO. The City may include the register on the website to provide transparency to the community, although the community is able to access the document through the Council agenda.

Conclusion

That the Council receives the Register of Outstanding Council Resolutions for noting.

Further Information

Nil.



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

21.1 NOM37.09.24 – Spida Climbing Frame at Masons Garden

Date of submission	22 August 2024
Meeting date	24 September 2024
Item title	Spida Climbing Frame at Masons Garden
Name of elected member	Cr. Youngman

Notice of motion

That Council:

Requests the CEO replaces the fall zone rubberised material with the same product beneath the Spida Climbing Frame at Masons Garden before summer 2024.

Moved – Councillor Youngman

Seconded – Councillor Bennett

CARRIED 7/2

(For: Crs. Brackenridge, Pollard, Hodsdon, Bennett, Youngman, Mayor Argyle, Amiry)

(Against: Crs. Coghlan, Smyth)

Reason / Justification

1. Children need a safe and healthy outdoor activity area in which to play.
2. The climbing frame has been out of order for about 2 years.
3. I am led to believe that approximately \$25,000 is needed to replace the rubberised material.
4. Repairs to the climbing frame have been completed and the frame is operational but the fall zone is not compliant due to damage.
5. I have been contacted numerous times to have the climbing frame reopened.
6. Having the available funds has been a limiting factor.
7. I expected the Council to endorse a budget that would have allowed the Technical Services team to address many outstanding issues within the City, such that the Spida Frame would have been reopened to children.
8. Replacing the rubberised fall zone with wood chips or sand creates a high maintenance area that will cost more to maintain than the rubberised material. Sharp objects can be concealed in cheaper materials.
9. Masons Garden is an extremely popular playground space for younger children on the border of Nedlands and Dalkeith. It is well shaded and even has the Turtle pond. Locally the park is referred to as Turtle Park.
10. There are not many parks in the area with play equipment for young children.



Administration Comment

The Mason's Gardens playground has been closed off since 15 January 2024. This was due to it being significantly damaged and degraded, as confirmed by external audit. The audit confirmed several components of the equipment required repair or replacement and that the playground soft fall was no longer compliant.

Due to the playground manufacturer entering liquidation, after-market replacement parts were considered. These parts take several months to source and install. The playground structure itself was repaired, under the Operating Budget, in July 2024. As the rubber soft fall was still non-compliant the playground remained closed. Allowing the playground to be open for use would potentially open the City up to increased liability.

Indicative quotations for replacement of the rubber soft fall range in cost from \$14,886 to \$28,325 (including GST). The latter quote is for a premium product that has yet to be tested for longevity.

Due to the estimated cost exceeding \$5,000, the value prescribed in accordance with the City's Accounting Policy Procedure, a capital budget item is required for works to be budgeted.

This project was not able to be afforded consideration in the 2024/25 budget, due to the City's limited financial capacity for renewal and replacement of assets, in particular related to parks infrastructure.

The 2024/25 Operational Parks Services budget request did, however, include a provision for un-specified Minor Park Infrastructure for repair of ad-hoc, individual components of infrastructure where repair or replacement costs are typically below \$5,000 in value each transaction and therefore operational in nature.

Council could choose to reallocate sufficient funds from this operational budget to create a capital project for this more significant repair. Noting that the corresponding reduction in operational funds will result in a reduced capacity to undertake future minor repairs as they arise or occur, with the risk that the allocation will be exhausted prior to the end of the financial year, with other minor, but urgent safety repairs left unattended pending funding availability. Potential implication would be that a single item, e.g. a swing, may be taken out of service, with the remaining equipment remaining operational. Parks Services would seek to prioritise safety related repair with the remaining budget funds on a bottom-line basis.

It would be appropriate to empower the administration with the associated funding as well as the direction in a correct financial manner.

To do this, Council may consider a further resolution limb while adhering to the original intent as follows:

That Council Requests the CEO to:

- 1. transfer \$22,000 from the operational Minor Park Infrastructure Renewals/Replacements account and create a capital project budget for "Masons Gardens Playground soft-fall replacement" within the 2024-25 financial year; and**



2. replace the fall zone rubberised material with a suitable soft-fall product beneath the 'Spida' Climbing Frame at Masons Garden for use during summer 2024.

Should capital budget be made available, works would be carried out by contractors and coordinated by City staff. On commencement of procurement processes, work could be awarded by December 2024, with works occurring in January 2025. Delivery would be dependent on staff and contractor availability, as well as the prescribed procurement process.

The proposed wording also makes two further adjustments in proposing a 'suitable soft fall' product, as opposed to the same (which is non-compliant). It would be interpreted that this be rubber soft fall and not sand or wood chips. The design of the playground would not permit a change from rubber soft fall. A second change proposes that the installation occur during Summer given the current progress through the year and for the aforementioned reasons.

Alternatively, Council may consider decommissioning or retiring the asset altogether, to undertake more comprehensive investment in future of a more fit-for-purpose playground at Masons Gardens which could give vital amenity to the community in an area already limited in passive recreation sites.

Officers Recommendation

It is appropriate that Council make the decisions regarding the relative priority of this project over other competing priorities. The City is not in the position of being able to maintain all its vast assets to a level of safety and function for the benefit of the community while it works to improve its financial capacity, and thus compromised assets will continue to exist, including playground equipment such as this in Masons Gardens, or the 'Nature Play' at Melvista.

If approved, Officers recommend replacing the soft fall rubber prior to summer (peak use period). Prior to works, further quotations should be sought to ensure compliance with the City's Procurement Policy and Procedures.



21.2 NOM38.09.24 – Remediate Dot Bennett Park

Date of submission	4 September 2024
Meeting date	24 September 2024
Item title	Remediate Dot Bennett Park
Name of elected member	Cr. Hodsdon

Notice of motion

That Council immediately take action to remediate the poor state of Dot Bennett Park:

- 1. make a site assessment of the grassed areas as to the grass stripe, weed infestations; and**
- 2. the planted areas are fixed up with natives that have already shown to survive well in a water wise setting.**

Moved – Councillor Hodsdon

Seconded – Councillor Youngman

That Council Request the CEO:

- 1. take immediate action to remediate the poor state of Dot Bennett Park to address the following:**
 - 1. Grass striping, windrows and edging**
 - 2. Spot weed infestations**
 - 3. Tidy and trim garden beds**
 - 4. Remove litter and dead plants**
 - 5. Other actionable items able to be attended to**
- 2. revise the level of service for Civic Parks such as Dot Bennett, Masons Gardens and Peace Memorial Rose Garden better meet community expectations and provide costing options for consideration as part of the 2024-25 mid-year budget review.**

CARRIED 6/3

(For: Crs. Hodsdon, Amiry, Mayor Argyle, Bennett, Youngman, Pollard)

(Against: Crs. Smyth, Coghlan, Brackenridge)

Reason / Justification

- Had many complaints and surface is uneven and plant beds unkept, many due to the plant selection. Someone is going to injure themselves if no action is taken.



Administration Comment

Officers acknowledge that the condition of Parks across the City has deteriorated in recent years, as a result, of ongoing budget and resource constraints. The Workforce Plan (adopted July 2022) found that the City's Parks were presented in a high condition and that the service level should be considered for reduction.

Council resolved to reduce the maintenance team by two (2) Full Time Employees (FTE) from sixteen (16) maintenance officers to fourteen (14). This was achieved through a reduction in one (1) FTE from each of the landscaping and turf maintenance teams. The reductions were accompanied by ongoing operational budgetary reductions. The number of parks and landscaped areas cared for did not reduce proportionally, remaining at 69 parks and 29 estate and civic areas over more than 100 Ha. An additional single FTE reduction had also occurred immediately prior to the Workforce Plan adoption. Accordingly, the total reduction in the Parks Maintenance Team resourcing in the last five years is three (3) FTE.

It is clear from recent complaints to the City that the reduced level of service has not been welcomed by the community, particularly from the quality they have been accustomed to within the City, and regular complaints are received concerning Dot Bennett Park amongst others. Whereas the reduction in quality was a blanket approach across all similar parks and reserves, raising the level of service in any single park without additional budget or resourcing, would result in a corresponding decrease in attention to the City's remaining Parks. This in turn would likely lead to complaints arising elsewhere.

Current resourcing allows for passive parks such as Dot Bennett Park to be visited by the mowing team 4 weeks as a target level of service. Dot Bennett is typically serviced by a team of three turf maintenance officers for 2.5 hours.

With ongoing and long-term staff vacancies in the turf maintenance team this frequency can occasionally be extended, or team sizes may be reduced, as filling of vacant positions is proving difficult. Active Reserves receive a higher level of service with weekly mowing and twice annual renovations being necessary to support the demands of the relevant sports.

Mowing of longer grass due to the extended return period between mowing can lead to more obvious mowing lines: this is what Officers interpret "grass stripe" to be referring to. During winter, mow heights are increased, and due to ongoing resourcing shortfalls windrows may not be spread at certain times throughout the year. This may further exacerbate the lines.

Broadacre weed control is generally undertaken in August/September and is currently being scheduled. The required notice to the community regarding the application of pesticides has been issued. The City has minimal budget allocation for a fertilising program for passive parks, which is prioritised to Carrington Park, Annie Dorrington and Jo Wheatley All Abilities Play Space due to the higher wear these parks endure.

The City's Landscaping team visits at six (6) weekly intervals. The garden beds are planted with natives that are watered during establishment until the plants are sufficiently mature to not require watering. Mulching budgets have been reduced, that results in additional proactive weeding being required. However, \$10k was allocated to the mulching of Dot



Bennett Park in 2023-24 with a further \$3.5k allocated in the 2024-2025 financial year – this will allow for targeted mulching only. The benefit in doing so will improve water retention and thus plant survival success and improve the suppression of weeds and overall look of the area.

A budget allocation of approximately \$33k was requested for the winter planting program in the 2024-25 annual budget. Officers are awaiting loading of the budget into One Council to confirm that this budget was allocated but currently understand it will be available.

The proposed allocation of the funds is as follows:

- \$10k to be allocated to Dot Bennett Park;
- \$5k allocated to Carrington Park, Lawler Park;
- \$2.5k to The Administration building, Jo Wheatley All Abilities Play Space, Nedlands Library; and
- \$2k to Masons Gardens, The Marlows, and Tresillian Arts Centre.

Winter Planting Budget allowances were previously removed from the annual budget due to financial pressures, though some operational savings were re-allocated to Dot Bennett for garden bed planting in 2023-24. Winter Planting budget allocation was returned to the budget request this year in acknowledgement of the ongoing deterioration in City Parks.

Due to the watering allocation coming under significant pressure with the recent extended hot and dry season Parks are not able to receive the full recommended amount of water to retain peak turf condition.

This particularly impacted on turf condition in 2023-24, which is now in the optimum recovery phase with the warming conditions during transition from winter to spring. The City continues to review approaches to Parks to make them less reliant on water. This generally involves significant reductions to the turf areas, and replacement with native garden beds or ecozones.

Inspections of Dot Bennett Park do not indicate that the current condition represents an unacceptable hazard to the community, though the condition of the park is below desirable standards. There is however visible minor limb shedding, which is consistent with the tree species on site, and expected during winter storms. This will be attended to upon next landscaping visit.

Officers Recommendation

It is recommended that, subject to sufficient additional budget being available, Council take a more holistic view and consider higher levels of services to key civic parks including Dot Bennett Park, together with Masons Gardens and Peace Memorial Rose Garden.

If the current state of Dot Bennett park warrants immediate action, so as to not impact the rounds and quality of other locations, the use of external supplementary contractor support may be required.

To achieve this noting the current financial and resourcing constraints, Council may consider an alternative resolution:



That Council Request the CEO:

- 3. take immediate action to remediate the poor state of Dot Bennett Park to address the following:**
 - 1. Grass striping, windrows and edging**
 - 2. Spot weed infestations**
 - 3. Tidy and trim garden beds**
 - 4. Remove litter and dead plants**
 - 5. Other actionable items able to be attended to**
- 4. revise the level of service for Civic Parks such as Dot Bennett, Masons Gardens and Peace Memorial Rose Garden better meet community expectations and provide costing options for consideration as part of the 2024-25 mid-year budget review.**

To address:

1. Staff would arrange supplementary labour to conduct a special visit to reset the condition of the reserve in addition to its usual servicing. In respect to
2. officers will investigate the most cost-effective measures to improve the condition of the Parks and provide recommended options for implementation in autumn/winter 2025 via an additional budget request to be submitted to the mid-year budget review.

**21.3 NOM39.09.24 – Request to correct minutes from 25 June 2024 OCM**

Date of Submission	26 August 2024
Meeting date	24 September 2024
Item title	Request to Correct Minutes for OCM 25 June 2024 Item 21.2 Alternate Motion
Name of elected member	Cr. Smyth

Notice of motion

With regard to the OCM Minutes of 25th June 2024 the Council instructs CEO:

That the Minutes of OCM 25 June 2024 relating to Item 21.2 Bridge Club/Hospice activity zone working group be corrected to include the “full reasons and justification” for Alternate Motion supplied in writing prior to the meeting, and distributed to Councillors. This being Alternate Item 21.2 V2, and ensuring that the word “tarmacking” is removed.

Moved – Councillor Smyth

Seconded – Councillor Youngman

CARRIED UNANIMOUSLY 9/-

(For: Crs. Mayor Argyle, Smyth, Amiry, Hodsdon, Pollard, Brackenridge, Coghlan, Bennett, Youngman)

Reason / Justification

1. The Minutes of 25 June 2024 should be corrected by including the Justification wording supplied in Alternate Item 21.2 V2, and ensuring that the word “tarmacking” is removed.
2. The reasons and justification were formally provided in advance of the meeting and printed copies supplied to Councillors, it is good governance practice for inclusion in minutes.
3. This matter and the way it played out at the OCM has been contentious, with many asking for explanation.
4. The fully justification has bearing on the Terms of Reference proposed for the SAWG-2.
5. The short-cut version in the minutes contains the text:
“Any Working Group needs to be properly constituted to include all stakeholders. (see proposed ToR and membership below)” However, the rest of the Justification is missing.
6. This shortfall became apparent at the Concept Forum and during my subsequent communications with Director Mr McPherson.



ATTACHMENT Alternate Motion for 25th June 2024 (Below)

Name of Elected Member: Cr Kerry Smyth
Date of submission: 24/06/2024 by email
Council meeting date: 25/06/2024
Item number: 21.2
Item title: Bridge Club/Hospice activity zone working group
☐ Amendment ☒ Alternate motion

That Council instructs the CEO to:

1. Progress existing Council Resolutions related to the Whadjuk Norn Bidi Trail.
2. Undertake these works in a manner that is respectful of the safety and continuous access for all Allen Park users.
3. Develop a Terms of Reference for a revised Site Assessment Working Group (SAWG-2) to be presented at a Concept Forum in July 2024.
4. Prioritize the scheduling of the Allen Park Master Plan review as recommended by the (SAWG-1) and endorsed by Council.

Reason:

The Council has repeatedly re-affirmed its resolve to undertake this project that provides an accessible pathway between Melon Hill Bushland and the Beach.
The proposed footpath in-front of the WABC will benefit all Allen Park users including WABC users needing to navigate from car parks.
This footpath leads to the Norn Bidi modest entrance statement that directs walkers to the beach.
Safety standards rule out undirected passage through a car park that places walkers at risk.
Any Working Group needs to be properly constituted to include all stakeholders. (see proposed ToR and membership below)
The Allen Park Master Plan is a well-known community reference document that needs to be updated to show achievements, change and works still to be funded.

Justification:

- The Allen Park Master Plan Master Plan (including car parks) has never been fully budgeted, as was explained to the Site Action Working Group during its 18 month activities.
- Most of the progress has been achieved by community bodies obtaining grants for their projects.
- WABC members are referring to the area between the WABC and Hospice as "the Dustbowl." For accuracy this is a designated firebreak area that must be maintained with limited vegetation to protect WABC and Hospice from bushfire attack.
- The proposed footpath in front of the WABC will benefit all AP users including WABC users needing to navigate from car parks.
- It leads to the Norn Bidi modest entrance statement that directs walkers to the beach.



- I have been informed that the City will ban scooters in Allen Park.
- The SAWG recommendations focused on the Hospice site, however there was a well voiced concern that the Allen Park Master Plan had 38 line items and only 2 had been delivered (at Feb 2021). Actually much more has been achieved and a progress report would serve to inform any proposed update.

Suggested Terms of Reference for an Allen Park Car Parks Working Group:

The re-design of the Allen Park Carpark taking into account:

- The function of the Nedlands Carpark Lot 504 as a private driveway going through the middle of it.
- The route of the Norn Bidi through a re-designed carpark.
- The location of a wheel chair access between Odern Cres, the Rugby Club, WABC, the Hospice site, and the 3,000 square metre area for the Norn Bidi
- The location of the proposed APMP toilet block in the North West Corner of the Nedlands Carpark.
- Catering for a renovated Associates Rubby Club.
- The formalisation of the overflow carpark.
- Cost bearing for Council time and Administration services to be borne by the Dept of Health and CAHS.
- Minutes of meetings of the APCP working group are open placed on the CoN website.

Suggested Membership for an Allen Park Car Parks Working Group:

- CoN as Management Body
- CAHS as Management Body
- All unconditional Allen Park tenure holders
- Melon Hill Bushland Group
- Friends of Allen Park
- Odern Crescent Residents Group
- Interested members of the community.

Administration Comment

The inclusion of the justification where the Alternate Motion is accepted by the Council is appropriate and consistent with the principles of transparency and accountable decision-making.



21.4 NOM40.09.24 – Provide a second green bin lid free of charge

Date of submission	12 September 2024
Meeting date	24 September 2024
Item title	Provide a second green lid bin to residents free of charge
Name of elected member	Cr. Youngman

Notice of motion

That CEO instructs:

1. to begin a process to provide, free of charge, a second Green lid bin to every resident on a R20 or lower coded property with more than two regulated trees.
2. those properties that qualify must apply to the City for the second bin.
3. requests the CEO to undertake a study to understand the cost to the City of Nedlands and report back to Council by the December 2024 Ordinary Council Meeting for review and approval to proceed.

Moved – Councillor Youngman

Seconded – Councillor Bennett

That Council requests the CEO to present report detailing:

1. potential options to provide additional green waste disposal options, including the provision of an additional bin, for every resident on a R20 or lower coded property with more than two regulated trees.
2. the process for application by properties that qualify for the respective options.
3. a timeline for implementation of each option.
4. cost implications and income offset to provide the service at zero or minimal cost to the qualifying properties.

CARRIED UNANIMOUSLY 9/-

(For: Crs. Youngman, Amiry, Bennett, Smyth, Brackenridge, Pollard, Mayor Argyle, Hodsdon)



Reason / Justification

1. The recent introduction of the Tree Retention Policy on Private Property has changed the ownership of regulated trees, that is those that their size and shape sets the City as the authority deciding their retention or removal.
2. Trees need to be encouraged.
3. There is currently no incentive to plant trees.
4. Owning mature trees can be very expensive.
5. The new policy does not provide any incentive to own and maintain trees on private property.
6. Mature trees can produce large amounts of green waste. Waiting for the bi-annual bulk verge pickups can be a burden for tree owners.
7. The community has stated that they want a 30% canopy coverage by 2030.
8. This NoM does not include street trees, these remain the sole responsibility of the City of Nedlands.
9. Requiring the residents to apply will probably reduce the number of bins applied for.
10. There remains an unknown element of how many properties would qualify for the free green bin. The desktop study will provide greater clarity before a final decision to proceed is made.

Administration Comment

There is currently no current or consolidated list of properties with regulated trees and is yet to be compiled. Planning would need confirm that the trees are regulated, and the property qualifies for a second bin. Waste Services would provide the service - \$153.40 for annual collection and processing – bin provision \$98.12.

On the assumption of 5% of properties applying it would cost >\$100k in waste fees for year 1 (403 properties assumed), then \$61,820 annually for the ongoing service. This would require an annual waste fee increase of approximately \$8.16, assuming the initial bin fee is recouped over 10 years. The initial expenditure can be funded via the Waste Reserve and then recouped.

The proposed \$8.16 annual increase to all residential properties is necessary to offset the financial expenditure associated with providing a second green waste bin free of charge: assuming 5% of properties take up the offer.

The addition of the \$8.16 annual fee increase for all residential properties will impact all ratepayers to fund a service directly benefiting only a small portion of the community (5%) – those eligible for a second green waste bin. However, all residents will benefit from any increase in canopy cover.

The price implication is now a determining factor more so than in years prior when the original idea was considered due to the transition from Garden Organics (GO) to Food and Garden Organics (FOGO) at the end of 2022 / start of 2023. This is due to the processing of GO only waste being considerably cheaper than FOGO per tonne. In other words, any addition of extra garden waste to an additional green lidded FOGO bin would be charged at the higher FOGO rate due to it being co-mingled.



Additional Officer time needs to be accounted for to assess the applications (Planning) and issue the bin & manage the ongoing service (Waste). The City does not currently have this additional internal resource capacity. The proposed timeline could therefore be problematic.

City's data indicates that the average Residential weekly FOGO bin weight at collection is 13kg on average: 19% of available capacity. This establishes a substantial underutilisation of the existing 240L FOGO bin service. Arguably therefor the additional bin would result in unnecessary costs that would not deliver tangible environmental or service level improvements.

The City does occasionally receive requests for additional FOGO bins for the management of green waste arising from the City's street trees. These are currently declined as a service the City does not provide.

Officers Recommendation

The provided comments do not constitute a fully considered and researched report for council consideration. Information is based on assumptions and officers' analysis of the financial implications and environmental benefits of providing a second green waste bin free of charge to R20 or lower coded properties.

Officers could review alternative options to support the intent of the motion with improved effectiveness and reduced cost implications. It may be that other options could be provided which are both acceptable to the community, and financially more beneficial. Such examples may be:

- The provision of an on-demand green waste collection (containerised or loose), in addition to the scheduled bulk green waste collections for time when heavy pruning is required to offset the cost of professional management and disposal.
- Further promotion of the Western Metropolitan Regional Council facility on Brockway who will accept green waste for free from residents.
- Provision of a fourth bin, which would be 'green organics' only and require a new contract and administration, likely at a significant cost, and outside the state government guidelines for 'Better Bins'.

These would need to be fully considered and potentially trialled prior to implementation city wide.

Early Findings:

Financial Impact: The introduction of a second green waste bin would result in a significant financial burden on the City, estimated at \$100,000 annually based on a conservative 5% uptake rate. A subsequent fee increase for all residential properties would be required to offset this cost.

Environmental Impact: Current data indicates substantial under-utilisation of the existing 240L FOGO bins, with average weekly weights significantly below the capacity limit.



Providing a second bin would exacerbate this overcapacity, resulting in significant additional costs for minimal environmental or service improvements.

Based on this, the officers recommend that Council consider a request for a report on the initiative to help inform suitable options for deliberation. Such an alternative motion could be worded:

That Council requests the CEO to present report detailing:

- 1. potential options to provide additional green waste disposal options, including the provision of an additional bin, for every resident on a R20 or lower coded property with more than two regulated trees.**
- 2. the process for application by properties that qualify for the respective options.**
- 3. a timeline for implementation of each option.**
- 4. cost implications and income offset to provide the service at zero or minimal cost to the qualifying properties.**



21.5 NOM41.09.24 – Water sensitivities

Date of Submission	12 September 2024
Meeting date	24 September 2024
Item title	Water sensitivities
Name of elected member	Cr. Coghlan

Notice of motion

That Council:

1. **Arrange Water Sensitive Cities Workshop in October 2024**
2. **Undertake the necessary actions to move from Endorsed Waterwise Council.**
3. **Commence water management practices to achieve Gold Waterwise by 2025-26 status as stated in the Council Plan.**
4. **Liaise with the Water Corporation about the potential use of treated wastewater from the Subiaco Treatment Plant for use by the Local Governments in the western suburbs.**

Recommendations must:

“That Council

- **Set a time for the sensitive cities workshop in October 2024. This follows on from the recommendations from the Water Initiatives Briefing 18.6.24.**
- **Undertake the necessary actions to move in stages from Endorsed Waterwise Council (tier since 2011) to Platinum status.**
- **Join the Perth's Water Sensitive Transition Network.**
- **Investigate the potential use of treated wastewater from the Subiaco Wastewater Treatment Plant in the City of Nedlands to pipe onto water golf courses, parks and gardens.**
- **Provide three monthly reports to the Council on water initiatives by the City of Nedlands.**
- **Prioritise further education of the community around water usage through but not exclusive to e.g. CEO Updates, Nedlands News and City of Nedlands websites and social media posts.**
- **Regularly liaise with primary schools and community groups to improve water literacy.”**

Moved – Councillor Coghlan

Seconded – Councillor Smyth



CARRIED 8/1

(For: Crs. Mayor Argyle, Smyth, Hodsdon, Pollard, Brackenridge, Coghlan, Bennett, Youngman)

(Against: Crs. Amiry)

Reason / Justification

Water is a resource which needs to be valued and last year the city came close to using its water allocation. This resulted in only ovals with active playing surfaces being watered. Rain did not fall after a particularly long hot dry summer until the end of May 2024.

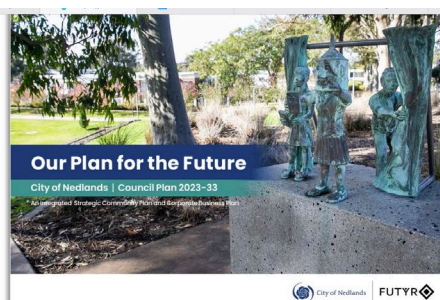
Led by example as a great city that values water as a resource and further Increase community awareness of water and water literacy.

City of Nedlands has been an endorsed Waterwise Council member since 2011 (endorsed annually). Moving to Platinum status is a worthwhile goal as we join the other ten local governments in that category.

Support the state government action to build water wise communities becoming a proactive local government in the water literacy space.

Wastewater from the Subiaco Wastewater Treatment plant in the City of Nedlands currently empties into the ocean. This water could possibly be piped onto e.g. the golf courses. Treated wastewater is currently used on McGillivray Oval. This most recent upgrade increased the plant's capacity by nearly 1.5 billion litres of wastewater each year, enabling it to treat around 24.5 billion litres of wastewater annually. There is potential for the Subiaco Wastewater Treatment Plant to be a site for groundwater replenishment in the future, as climate change continues to impact our water supplies.

watercorporation.com.au/About-us/Media-releases/2018/August-2018/Subiaco-Wastewater-Treatment-Plant-capacity-increased-after-upgrade



"We live sustainably within the natural environment, clean and green, with a growing urban forest."

5.1.3. Improve water management practices to achieve Gold Waterwise Status by 2025/26



Platinum	Gold	Endorsed
<p>City of Mandurah</p> <p>City of Stirling</p> <p><u>Town of Cambridge</u></p> <p>City of Joondalup</p> <p>City of Bayswater</p> <p>City of Cockburn</p> <p>City of Canning</p> <p><u>City of Subiaco</u></p> <p>City of Mandurah</p> <p>City of Vincent</p>	<p>Town of East Fremantle</p> <p>City of Karratha</p> <p>City of Gosnells</p> <p>City of Melville</p> <p>City of South Perth</p> <p>City of Bayswater</p> <p>Town of Victoria Park</p> <p>City of Vincent</p> <p>City of Kwinana</p> <p>City of Mandurah</p> <p>City of Cockburn</p> <p>City of Joondalup</p> <p>City of Perth</p> <p>City of Subiaco</p> <p>Town of Bassendean</p> <p>Town of Cambridge</p> <p>City of Canning</p> <p>City of Swan</p> <p>City of Rockingham</p> <p>City of Fremantle</p> <p>Town of Mosman Park</p> <p>City of Stirling</p> <p>Shire of Mundaring</p> <p>City of Wanneroo</p> <p><u>Shire of Serpentine Jarrahdale</u></p> <p>Town of Cottesloe</p> <p>Shire of Murray</p> <p>Town of Claremont</p> <p><u>City of Belmont</u></p> <p>City of Albany</p> <p>Shire of Northam</p>	<p>Shire of Harvey</p> <p>Shire of Exmouth</p> <p>City of Kalgoorlie-Boulder</p> <p>City of Karratha</p> <p><u>Shire of Capel</u></p> <p>Shire of Denmark</p> <p>Shire of Goomalling</p> <p>Shire of Kojonup</p> <p>Shire of Merredin</p> <p>Shire of Mount Marshall</p> <p>Shire of Toodyay</p> <p>Shire of Wyalkatchem</p> <p>City of Kalamunda</p> <p><u>City of Nedlands</u> ★</p> <p>Shire of Peppermint Grove</p> <p>City of Armadale</p> <p>Shire of Bridgetown-Greenbushes</p> <p>Shire of Carnarvon</p>

WATERWISE INITIATIVES BRIEFING - 18 JUNE 2024

councillor_portal/briefings/2024%20-%20Presentations/Waterwise%20Initiatives%20Briefing%20-%2018%20June%202024.

COUNCILLOR BRIEFING URBAN FORREST STRATEGY 15.8.2023 (NOM MAY 2023)

councillor_portal/briefings/2023%20-%20Presentations/Urban%20Forest%20Strategy%20Presentation

PERTH'S WATER SENSITIVE TRANSITION NETWORK

wscaustralia.org.au/2024/05/21/change-of-leadership-for-perths-water-sensitive-transition-network/

CRC FOR WATER SENSITIVE CITIES

watersensitivecities.org.au/what-is-a-water-sensitive-city/

New Water Ways was formed in 2006 to enable excellence in integrated water cycle management and build the capacity of government and industry practitioners to deliver water sensitive communities.

<https://www.newwaterways.org.au/>

GREYWATER & WASTEWATER INDUSTRY GROUP - <https://gwig.org>

Many cities and towns in Australia and around the world face three critical challenges in managing water resources, waterways, river basins and coastal environments, and ultimately people's quality of life:

A rapidly growing population with changing lifestyles and values; a changing and highly variable climate; and a challenging economic environment.



Population growth increases the pressure on water resources, with water scarcity and pollution posing the greatest risks. Climate change is resulting in more extreme weather events such as floods, heatwaves, bushfires, increasing periods of drought, and more frequent and intense storms and cyclones that can lead to loss of life while adding extra pressure on our water-related infrastructure and homes located in vulnerable places. Our urban water systems need to be resilient enough to anticipate the “shocks” brought on by these increasingly extreme climate patterns.

One water source that continues to increase year in and year out - wastewater. Over 150GL (and growing) of treated wastewater is discharged into the ocean every year by the Water Corporation largely out the back of Garden Island from the Woodman Point wastewater treatment plant. This treated wastewater can, and is, ideal for irrigation of turf and is done currently at McGillivray oval from Subiaco WWTP. But why aren't we using all our treated wastewater for irrigation (in summer) and aquifer recharge (in winter)?

GWIG is a non-profit organisation which was formed in late 2010 to provide a united voice for a WA industry that is largely unsupported and under-acknowledged for the important work that it does. Professionals who are active in the design, research, manufacture, installation and servicing of greywater and wastewater treatment systems.

Administration Comment

The City of Nedlands administration are already in the process of investigating and actioning proposals to elevate its status to be that of Gold Waterwise Status, as evidenced by the Concept Forum presentation in June 2024. This comes after months of liaison and preparation with the Water Corporation. The City entered into an Memorandum of Understanding with the Water Corporation to partner on a Water Sensitive Cities Index Workshop which will provide the forum for initiatives to elevate the City's standing waterwise status. The workshop has been tentatively booked for Tuesday 29 October 2024, with venue and preparation material to be formalised and circulated in the leadup to the forum.

The City of Nedlands Council has an established position in the Council Plan as indicated in the justification for the notice of motion. Any other Council resolutions in line with this will simply serve to reinforce the current direction of the City.

The success of this initiative will relate directly to the City's ability to resource suitable infrastructure upgrades and the staff resources. Although in the current Council Plan, there are a number of initiatives in both 2023/24 and 2024/25 that were not funded due to current financial limitations. Should Council determine that a raft of initiatives related to water use reduction and sustainability be targeted in the near future, it would be recommended that this be programmed and funded within available capacity to ensure it is achievable or risk setting unreasonable expectations.

Finally, the City lead an investigation into recycled water usage and aquifer recharge from the Subiaco Treatment Plant for usage by local governments across the region. This pre-feasibility study by GHD consultants identified numerous options and costings, including a trial project site as a proof of concept. At the time the report was produced, being October 2018, it was not deemed economically viable, but with the passage of time, this may be worth revisiting given the current climate issues facing the world.



Officers Recommendation

City officers support the recommendation as presented, being:

That Council:

- 1. Arrange Water Sensitive Cities Workshop in October 2024**
- 2. Undertake the necessary actions to move from Endorsed Waterwise Council.**
- 3. Commence water management practices to achieve Gold Waterwise by 2025-26 status as stated in the Council Plan.**
- 4. Liaise with the Water Corporation about the potential use of treated wastewater from the Subiaco Treatment Plant for use by the Local Governments in the western suburbs.**

Officers recommend that specific actions and initiatives are products for adoption out of the forum in October 2024 and should be a future resolution of Council once fully considered.



21.6 NOM42.09.24 – Ban on Fossil Fuel Advertising

Date of Submission	13 August 2024
Meeting date	24 September 2024
Item title	NOM60.09.24 – Ban on fossil fuel advertising and sponsorships
Name of elected member	Mayor Argyle

Notice of motion

That Council:

1. As part of the City of Nedlands's commitment, as a world leading city, to addressing climate change, the City to investigate ways to control or restrict advertising and sponsorship from companies whose main business is the extraction or sale of coal, oil and gas.
2. The CEO to draft a Fossil Fuel Advertising and Sponsorships Council Policy which provides direction for individuals, organisations, clubs, and events which may be affected by the City's proposed position of not supporting advertising of, or sponsorship from, companies involved in production or supply of fossil fuels.
3. The above items be addressed at a Concept Forum.

Moved – Councillor Mayor Argyle

Seconded – Councillor Coghlan

Councillor Bennett left the meeting 9:01pm.

CARRIED 6/2

(For: Crs. Mayor Argyle, Smyth, Hodsdon, Pollard, Brackenridge, Coghlan)

(Against: Crs. Youngman, Amiry)

Reason / Justification

- Environmental Awareness: By restricting fossil fuel advertisements, the City aims to reduce the promotion of industries that contribute significantly to climate change. This can help raise public awareness about the environmental impact of fossil fuels and encourage more sustainable practices.
- Community Values: The ban aligns with the City's commitment to addressing climate change and supporting sustainable development. It reflects community values and priorities, fostering a sense of collective responsibility and action.
- Support for Clean Energy: The ban can create more space for advertising renewable energy sources and other environmentally friendly initiatives. This shift can promote cleaner alternatives and support the transition to a low-carbon economy.



- **Public Health:** Reducing the visibility of fossil fuel advertising can indirectly contribute to better public health. Fossil fuel consumption's link to air pollution, has various adverse health effects. By discouraging fossil fuel support, the policy can help improve air quality and public health. This aligns with comparable restrictions for example around tobacco and alcohol advertising.
- **Economic Incentives:** Encouraging investment in renewable energy and sustainable practices can stimulate local economies. It can create new job opportunities in the green energy sector and reduce long-term economic dependence on fossil fuels.

Administration Comment

A growing number of Australian cities have proactively implemented or are considering similar policies to restrict fossil fuel promotion including Sydney, Yarra and Moreland, Melbourne and Fremantle.

There are also examples internationally, including Edinburgh, Sheffield, Cambridgeshire, Coventry and Somerset in the UK, and most recently in The Netherlands where the Hague has taken a world first step against climate pollution and has introduced law that will stop all advertising for fossil fuel products and highly polluting services such as air holidays, cruise holidays, petrol cars and gas suppliers. When it comes into force on January 1 next year, all this advertising on public and private land will stop.

Officers Recommendation

City officers support the nomination which will send an important message that community assets and initiatives should not be used to promote the negative impacts of fossil fuels.



21.7 NOM43.09.24 – Broadway Tree Project

Date of Submission	13 September 2024
Meeting date	24 September 2024
Item title	Broadway Tree Project
Name of elected member	Mayor Argyle

Notice of motion

That Council:

1. Requests the preparation of a Percent for Canopy on Broadway policy which applies a percentage of the cost of a development (such as offices, apartments, commercial or institutional buildings) to fund the installation of deep soil wells and mature canopy trees along Broadway.

Moved – Councillor Mayor Argyle

Seconded – Councillor Coghlan

CARRIED UNANIMOUSLY 8/-

(For: Crs. Mayor Argyle, Smyth, Amiry, Hodsdon, Pollard, Brackenridge, Coghlan, Youngman)

Reason / Justification

- It will help deliver the State Planning Strategy 2050 ambition of creating spaces and places that foster culture, liveability, enterprise and identity with much needed additions to the Urban Canopy.
- While Percent for Art policies have a long established track record, a Percent for Canopy will have a lasting benefit on streetscape for residents and the environment for many years to come.
- The choice of Maculata Spotted Gum would be ideal for this location.

Administration Comment

The section of Broadway from Stirling Hwy to The Avenue has been upcoded from single residential dwellings to RAC3 which is resulting in at least built form of between six and eight storeys. It is therefore appropriate, given the level of increased residential density on this road, for the council to undertake a specific project to ensure developers of land on Broadway contribute to the provision of additional mature canopy trees with deep soil wells directly adjacent to the proposed buildings in order to enhance the public realm.



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

The following items have been approved by the Presiding Member as urgent business for this meeting.

22.1 PD63.09.24 Consideration of Development Application – Change of Use to ‘Use Not Listed (Research Field Station)’ and Associated Works (Sea Containers) at 1 Underwood Avenue, Shenton Park.

Meeting & Date	Council Meeting – 24 September 2024
Applicant	Dynamic Planning and Development
Employee Disclosure under section 5.70 Local Government Act 1995	The author, reviewers and authoriser of this report declare they have no financial or impartiality interest with this matter. There is no financial or personal relationship between City staff involved in the preparation of this report and the proponents or their consultants.
Report Author	Tony Free – Director Planning and Development
Director/CEO	Tony Free – Director Planning and Development
Attachments	1. Zoning Map 2. Development Plans and Supporting Reports 3. Schedule of Submissions

Moved – Councillor Mayor Argyle

Seconded – Councillor Coghlan

CARRIED UNANIMOUSLY 8/-

(For: Crs. Mayor Argyle, Smyth, Amiry, Hodsdon, Pollard, Brackenridge, Coghlan, Youngman)

COUNCIL DECISION:

(Administration Recommendation)

That Council in accordance with Clause 68(2)(c) of the Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015, **REFUSES** the development application and plans date stamped 23 July 2024 for a Change of Use to ‘Use Not Listed (Research Field Station)’ and associated works (Sea containers) at 1 Underwood Avenue, Shenton Park, for the following reasons:

1. The development is inconsistent with Schedule 2 Regulations 67(2)(m) and (n) of the Planning and Development (Local Planning Schemes) Regulations 2015, as the odour emissions from the development have a detrimental impact on the amenity of surrounding residential properties and the nature of the land use is incompatible with its setting.



2. **The development is inconsistent with the objectives of the Urban Development zone, which requires comprehensive structure planning to ensure development and land uses are appropriate to the greater scheme area.**

Councillor Youngman left the meeting at 9:33pm and returned at 9:35pm.

ADMINISTRATION RECOMMENDATION:

1. **That Council DEFER determination of the development application for a Change of Use to 'Use Not Listed (Research Field Station)' and Associated Works (Sea Containers) at 1 Underwood Avenue, Shenton Park, for the following reasons:**
 - a. **To allow the proponent the opportunity to respond to public submissions and address the City's comments on the development application in accordance with the Regulations.**
 - b. **To ensure that there is adequate time for Council to consider the development application.**
2. **A further report will be presented at the Council Agenda Forum Meeting of the 8 October; ahead of a Council decision of the 22 October Ordinary Council Meeting.**

Purpose

The purpose of this report is for Council to consider a development application for a retrospective change of use to 'Use Not Listed (Research Field Station)' and associated works (Sea containers) at 1 Underwood Avenue, Shenton Park.

Voting Requirement

Simple Majority.

This report is of a quasi judicial nature as it is a matter that directly affects a person's rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications and other decisions that may be appealable to the State Administrative Tribunal.

The decision must be made in a manner that is impartial, free from bias, and in accordance with the principles of natural justice. The decision must be made in having regard to the facts of the matter under consideration, and in accordance with the relevant laws and policies as they apply to that matter.

Discretionary considerations and judgments in the decision must be confined to those permitted to be considered under the laws and policies applicable to the matter and given such weight in making the decision as the relevant laws and policies permit them to be given.

Background

Land Details

Metropolitan Region Scheme Zone	Urban
Local Planning Scheme Zone	Urban Development
Special Control Area	SCA1 Subiaco Strategic Water Resource Precinct
R-Code	N/A
Land area	44.2ha
Land Use	Use Not Listed (Research Field Station)
Use Class	N/A

The subject site is located to the south of Underwood Avenue, bound by Brockway Road to the west and Selby Street to the east. The site is owned by the University of Western Australia and is currently occupied by a number of research facilities. The location specific to this development application is in the north-west of the greater site, approximately 100m south of Underwood Avenue and 85m east of Brockway Road (**Figure 1**).



Figure 1: Aerial image. Entire site outlined in red. Subject site outlined in blue.

History

On 30 June 2021 the City of Nedlands issued a development approval for five temporary sea containers at the subject site (DA21-64002). Condition 1 of DA21-64002 requires -

“This approval is for a ‘Warehouse/Storage’ land use as defined under the City’s Local Planning Scheme No.3 and the subject land may not be used for any other use without prior approval of the City of Nedlands”

Condition 2 of DA21-64002 requires –

“Once installed, the sea containers must be removed from the subject site after a period of two years from the date of approval, unless further development approval is granted by the City” [30 June 2023]

On 15 February 2024 the City received a complaint regarding an alleged odour impacting a resident in the Floreat area to the north of 1 Underwood Avenue. Following an investigation by the City’s Environmental Health Officers, an odour appeared to be emanating periodically from No. 1 Underwood Avenue, Shenton Park. The City wrote to Arvela on 13 March 2024 advising of the alleged odour nuisance. In that correspondence the City requested that Arvela provide a plan to the City stating how the odours will be prevented, and required that the works in the plan be completed.

Arvela completed that work as was requested with limited success with regard to the odour outcome. Additional works and correspondence with the City has been undertaken throughout the remaining period to the present day.

Upon further investigation, the nature of the operations currently being undertaken at the subject site were noted to be beyond the scope of a ‘Warehouse/Storage’ land use approved in 2021. Additionally, the five temporary sea containers were still existing at the site beyond the approval period (**Figure 2**). It was determined that the development was in breach of the planning framework and operating without a valid planning approval.



Figure 2: Five existing sea containers on site 20 January 2024



On the 4 June 2024 the City issued a Directions Notice to the landowner of 1 Underwood Avenue, the University of Western Australia. The Directions Notice required that the land use cease and sea containers be removed within 60 days, or that the applicant lodge a retrospective development application for the works and land use. On the 23 July 2024 the applicant lodged a retrospective development application, which is the subject of this report.

The City's Environmental Health Team, in conjunction with the Planning Team, have worked with the applicant in an attempt to control and eliminate the odour emanating from the site. The proponent has cooperated with the City, first by adding ventilation stacks to the containers designed to disperse the odour and, within the last two weeks, installing filtration systems to filter the air coming out of the ventilation stacks. Despite these modifications, an odour has persisted.

The City understands further modifications are proposed to be installed in the near future to address the odours currently being emitted.

Application Details

The application seeks retrospective development approval for a change of use to a 'Use Not Listed (Research Field Station)' and associated works. The works include:

- Retrospective approval for five sea containers existing on site (two x 40ft sea containers, and three x 20ft sea containers);
- One new 40ft sea container; and
- One new ablution block.

The sea containers are used for larval storage and associated research and development trials conducted by Arvela. The nature of the operation does not fall within a use class referred to in the LPS 3 Clause 17 zoning table and is thereby defined as 'Use Not Listed'.

Discussion

Local Planning Scheme No. 3

Clause 18(4) of Local Planning Scheme No 3 (LPS 3) details how land uses not identified within the scheme should be considered –

(4) The local government may, in respect of a use that is not specifically referred to in the zoning table and that cannot reasonably be determined as falling within a use class referred to in the zoning table –

(a) determine that the use is consistent with the objectives of a particular zone and is therefore a use that may be permitted in the zone subject to conditions imposed by the local government; or

(b) determine that the use may be consistent with the objectives of a particular zone and give notice under clause 64 of the deemed provisions before considering an application for development approval for the use of the land; or

(c) determine that the use is not consistent with the objectives of a particular zone and is therefore not permitted in the zone.

Clause 16 of LPS 3 outlines the objectives of the Urban Development zone –

- To provide an intention of future land use and a basis for more detailed structure planning in accordance with the provisions for this Scheme.
- To identify areas that require comprehensive planning in order to provide for the coordination of subdivision, land use and development.

In relation to detailed planning, a limited Outline Development Plan (ODP) exists for the site for the upgrade and reconstruction of the University of Western Australia Biological Resources Support Facility, approved in 2013. However, the ODP does not cover the area occupied by the operations in question (**Figure 3**). Given the proximity of residential land uses to the subject site, it is considered necessary for detailed structure planning to occur prior to the approval of potentially contentious land uses which may impact on existing development.



Figure 3: ODP site hatched in yellow. Subject site outlined in blue.

In lieu of any alternate detailed structure plan for the site, the application is to be considered against the provisions of LPS 3 Clause 36 Special Control Area 1 Subiaco Strategic Water Resource Precinct and the *Planning and Development (Local Planning Schemes) Regulations 2015* (LPS Regulations) Clause 67.

Special Control Area 1 Subiaco Strategic Water Resource Precinct

In considering an application for development approval within Special Control Area 1, the City is to have due regard to LPS Regulations Clause 67, and any recommendations from the Water Corporation and Department of Environmental Regulation (DER). Both the Water Corporation and DER were formally referred the application. The Water Corporation noted no objections. To date, DER have not responded.



Planning and Development (Local Planning Schemes) Regulations 2015 (Deemed provisions)

In considering an application for development approval, the City is to have due regard to the compatibility of the development with its setting and the impact on the amenity of the locality under Regulations 67(2)(m) and (n) of the Deemed provisions.

City Officers acknowledge that the existing development is resulting in a significant unpleasant odour which can be detected from the residential properties to the north of the site, both within the City of Nedlands and Town of Cambridge. The applicant has provided an Odour Impact assessment. Since the lodgement of the application the City has been liaising with the operator to come to a solution to the odour issue. Whilst Officers acknowledge that modifications have been made to the exhaust systems and feed rates at the facility since the initial complaints, the City has continued to receive complaints regarding the odour.

The City conducted odour monitoring on the 23 July 2024 and 25 July 2024 under SW/ SSW wind conditions where a distinct level of odour was observed at residential streets in Floreat, with the source confirmed as being the Arvela development on the subject site. Numerous site visits have been made to the subject site, most recently on 13 September 2024, which has confirmed that an odour is still strongly perceivable beyond the lot boundaries of the site despite the new filtration systems in place.

In accordance with Regulation 65A of the Deemed provisions, the City issued a letter to the applicant on the 16 September 2024. This letter noted that based on the existing odour impacts, the development is considered detrimental on the surrounding locality and environment and should not continue within its current capacity. Further, given the odours stemming from the research onsite were not mitigated at their current capacity, the addition of another shipping container is not supported by Officers at this stage.

Prior to the City making a final determination on the application, the applicant was given the opportunity to respond to the City's assessment and provide an updated Odour Impact Report to reflect the mitigation measures undertaken and model the proposed expansion of the development. It was also requested that the applicant provide responses to the public submissions received.

Recommendation to Defer

In accordance with Regulation 65A(3) of the Deemed provisions, the timeframe for which further information is to be provided must be a period of at least 21 days after the day on which the request is made, this being 7 October 2024. The applicant has confirmed that they will be providing further information as per the City's request. They have also advised that the proposed new ablution block and new shipping container will likely be removed from the proposal.

It is noted that this report is tabled at Council prior to the deadline for the applicant to respond to the City's comments. Whilst determining the application at this time would still be a valid planning decision, it may reflect negatively on the City should the determination be appealed at the State Administrative Tribunal.



In this regard it is recommended that the application be deferred to allow the applicant to respond to City comments in the interest of upholding the integrity and equity of the planning framework, and to ensure that due process is followed so that any future enforcement action is not prejudiced.

Alternatives

Should Council be of mind to refuse the application wording is provided below –

That Council in accordance with Clause 68(2)(c) of the Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015, refuses the development application and plans date stamped 23 July 2024 for a Change of Use to 'Use Not Listed (Research Field Station)' and associated works (Sea containers) at 1 Underwood Avenue, Shenton Park, for the following reasons:

3. The development is inconsistent with Schedule 2 Regulations 67(2)(m) and (n) of the Planning and Development (Local Planning Schemes) Regulations 2015, as the odour emissions from the development have a detrimental impact on the amenity of surrounding residential properties and the nature of the land use is incompatible with its setting.
4. The development is inconsistent with the objectives of the Urban Development zone, which requires comprehensive structure planning to ensure development and land uses are appropriate to the greater scheme area.

Consultation

Applications for 'Use Not Listed' land uses are to be publicly advertised as if the development is a Class 'A;' land use, in accordance with the Regulation 64(4) of the Deemed provisions. The development application was advertised to 106 surrounding landowners and residents with the City of Nedlands and Town of Cambridge. The application was advertised for a period of 14 days from 29 August 2024 to 12 September 2024. At the close of the advertising period, 48 submissions were received, all objecting to the application. The primary issue raised in submissions was the unpleasant odour emitted from the development.

A further report to Council in October will allow the City to respond to the submissions received as is the normal practice. This will also allow the applicant time to respond to the submissions and to consider making further modifications to the proposal.

Strategic Implications

This application in its current form is not considered to be strategically aligned to the City of Nedlands Council Plan 2023-33 vision and desired outcomes as follows:

Vision

Sustainable and responsible for a bright future



Pillar	Place
Outcome	6. Sustainable population growth with responsible urban planning.

Budget/Financial Implications

Should the matter be appealed at the SAT and go to a full hearing, this may result in costs upwards of \$25,000.

In the event of the City undertaking enforcement action, this will occur via the Magistrates Court at significant cost to the City.

Legislative and Policy Implications

Council is requested to make a decision in accordance with regulation 68(2) of the [Deemed Provisions](#). Council may determine to approve the development without conditions (reg.68(2)(a)), approve with development with conditions (reg.68(2)(b)), or refuse the development (reg.68(2)(c)), or defer determination of the application.

Decision Implications

The application is still within its 90-day statutory timeframe, thereby should the application be deferred, there is presently no risk of the applicant taking a 'deemed refusal' to the State Administrative Tribunal. Should Council defer the application, it will be referred to the next available Ordinary Council Meeting, which will allow time for the proponent to submit the information requested by the City.

In the event of a refusal, the City will take enforcement action and the applicant will have a right of review to the State Administrative Tribunal. The Tribunal will have regard to the LPS Regulations and Local Planning Scheme No. 3. Refusing the application before the proponent can provide the requested information in accordance with the Regulations may complicate the appeal and enforcement process. Any enforcement action will be via the Magistrates Court.

Conclusion

The application for a retrospective change of use to 'Use Not Listed (Research Field Station)' and associated works (Sea Containers) at 1 Underwood Avenue, Shenton Park has been presented to Council. The proposal in its current form does not meet the key amenity related considerations of the planning framework. The odour presently being emitted from the development has detrimental impact on the amenity of surrounding residential properties.

As part of proper planning processes, the applicant has been given the opportunity to respond to the City's comments, objections from public consultation and to provide further information. This report is tabled at Council prior to the deadline for the applicant to respond,



and thereby it would not be in the City's best interest to formally determine the application at this time as it may disadvantage any appeal or enforcement action.

Accordingly, it is recommended that determination of the application be deferred by Council.

Further Information

Nil.



22.2 TS27.09.24 Electric Vehicle Charging Station Fees and Charges

Meeting & Date	Council Meeting – 27 August 2024
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	Nil.
Report Author	Bekkie Irwin, Technical Services Projects & Administration Officer
Director	Matthew MacPherson, Director Technical Services
Attachments	1. Schedule of Proposed Electric Vehicle Charging Station Fees 2024-25

CARRIED UNANIMOUSLY EN BLOC 9/-

(For: Crs. Mayor Argyle, Smyth, Amiry, Hodsdon, Pollard, Brackenridge, Coghlan, Bennett, Youngman)

Council Decision:

(Administration Recommendation)

That Council request the CEO:

1. in accordance with Section 6.19 of the Local Government Act 1995, give local public notice of the intention to impose new fees related to the use of electric vehicle charging stations to take effect from 4 November 2024 as per the schedule of rates outlined in Attachment 1 for a period of 14 days.
2. present a report to Council following the public notice period of any feedback received and to consider the amendment of the Schedule of Fees and Charges for 2024 – 2025 to include fees related to the new electric vehicle charging stations pursuant to Section 6.16 of the Local Government Act 1995.



Purpose

To pursue the introduction of a new schedule of fees within the annual, adopted fees and charges for 2024-2025 as required for electric vehicle charging stations.

Voting Requirement

Simple Majority.

Background

Following the endorsement of fees and charges at the Special Council Meeting held Monday, 19th August 2024, fees and charges related to Electronic Vehicle (EV) charging stations were not finalised. This report addresses the need for these amendments.

At the Ordinary Council meeting (OCM) held on 23rd April 2024, RFT 2023-24.10 Electric Vehicle Charges for supply and install dual electric vehicle chargers at the Administration Building, Depot and each of the City's Library Buildings. These installations are complete pending the final endorsement of fees and charges.

Furthermore, the council resolved at the April OCM to:

- 4. requests the CEO to identify and investigate additional Electric Vehicle charging locations to be considered for inclusion in the next grant scheme opportunity. These additional locations should service public and community amenity areas such as recreation and education locations. These could include, but not limited to:**

- a. Nedlands Foreshore,**
- b. Swanbourne Beach,**
- c. McGilvray Oval precinct, and**
- d. Shenton College Lemnos Bushland**

Four electric vehicle chargers, including three public chargers, have been approved for WA Charge Up Grant funding, which closed on 30th June 2024. Proposed locations include public and community amenity areas such as Nedlands Foreshore and Swanbourne Beach.

Discussion

In response to the increasing demand for electronic vehicle infrastructure and the City's ongoing commitment to sustainability, amendments to the current fees and charges for EV charging stations are necessary.



Key Considerations	Details
Amending Fees and Charges	Amendments to EV charging station fees are needed to meet growing demand and align with regulations promoting electric vehicles.
Implementation Timeline	The amended fees will take effect from the nominated date, being Monday 4 November, pending final Council endorsement.
Operational Considerations	The new fees will apply to all public EV charging stations. The revenue generated would be used to offset the additional power usage for each of the chargers.
Alignment with Grant Funding	The fees comply with the WA Charge Up Grant requirements, which helped fund the EV chargers. By establishing a fee structure, the City aligns with grant guidelines and supports broader State and Federal sustainability objectives, enhancing public amenities while promoting clean energy vehicle use.

Consultation

The City must in accordance with Section 6.19 of the local government act 1995, undertake local public notice of any fees it wishes to impose after the adoption of the annual budget, and before the fees are introduced. The notice must outline this intention and stipulate the date from which the fees will come into effect.

Part 1A of the Local Government Administration Regulations

Strategic Implications

This item is strategically aligned to the City of Nedlands Council Plan 2022-23 vision and desired outcomes as follows:

Vision **Sustainable and responsible for a bright future**

Pillar Outcome **People**
2. A healthy, active and safe community.

Pillar Outcome **Planet**
4. Healthy and sustainable ecosystems.

Budget/Financial Implications

Current Budget Impact:

There is no real impact to the current budget, as these amendments were not included into the endorsed budget paperwork that went to SCM 19th August 2024 and the charging stations have not been opened for public use and thus not costing the City.

Future Budget Impact:



The implementation of the amended fees and charges for EV charging stations is expected to generate revenue for future budgets. The projected revenue will be based on the following fee structure:

Fee Type	Description	Fee Amount	Revenue Generating
Connection Fee Revenue - Per Connection	EV Charger connection fee - Per connection	\$1.00	Yes
Energy Fee (Off-Peak) per kWh	EV Charger (Off-Peak) per kWh	\$0.30	Yes
Energy Fee (Peak) per kWh	EV Charger (Peak) per kWh	\$0.40	Yes
Idle Fee Revenue per minute idle	EV Charger per minute idle fee	\$2.00	Yes

This fee structure will provide ongoing revenue to support maintenance, operation, and potential expansion of the City's EV charging infrastructure. At present, and as the initial implementation of City managed EV stations in the City, uptake and overall revenue modelling cannot be determined. The outcome of the rollout of the stations will help inform both future locations, cost modelling and overall revenue. The Peak and Off-Peak usage charge is set as a grant funding condition.

Part 1A of the Local Government (Administration) Regulations 1995 stipulates that the Local Public notes that if no period for notice is specified, notification must not be for a period of less than 7 days. As such, 14 days if proposed as part of the officer recommendation.

Further, Section 1.7 of the Act requires that notice must be published on the official local government website, and in at least three (3) other prescribed ways. It is proposed that the other three (3) ways for notice to occur are:

1. Circulation by email to the City's mailing list as per regulation 3A(2)(e)
2. Exhibition on a notice board as per regulation 3A(2)(f)
3. Posting on Social Media as per regulation 3A(2)(g)

Legislative and Policy Implications

Legislation:

[Section 1.7 of the Local Government Act 1995](#)

[Section 6.16 of the Local Government Act 1995](#)

[Section 6.19 of the Local Government Act 1995](#)



Regulations:

[Local Government \(Administration\) Regulations 1996 – Part 1A – Public Notices](#)

Decision Implications

Endorsing the recommendation will ensure timely implementation of EV Charging fees and charges, supporting sustainability initiatives outlined in the Council Plan.

Failure to endorse may delay the rollout of the EV Chargers infrastructure, potentially missing grant funding opportunities and community service enhancements.

Conclusion

It is recommended that Council adopts the inclusion of EV Charging Stations in the amended Schedule of Fees and Charges for 2024—2025, ensuring alignment with strategic objectives and community expectations.

Further Information

Nil.



22.3 TS28.09.24 Deed of Agreement - Northern Beaches Alliance Coastal Surveys of our Shared Coastlines

Meeting & Date	Council Meeting – 24 September 2024
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	Nil
Report Author	Aaron MacNish, Manager Assets
Director	Matthew MacPherson, Director Technical Services
Attachments	1. Deed of Agreement – Northern Beaches Coastal Surveys – 2024/25

CARRIED UNANIMOUSLY EN BLOC 9/-

(For: Crs. Mayor Argyle, Smyth, Amiry, Hodsdon, Pollard, Brackenridge, Coghlan, Bennett, Youngman)

Council Decision:

(Administration Recommendation)

That Council:

- **AUTHORISES the Chief Executive Officer to sign the Deed of Agreement – Northern Beaches Coastal Surveys 2024/25 as presented in Attachment 1.**

Purpose

The City has been presented with a Deed of Agreement from the Northern Beaches Alliance (NBA). There are currently no clear delegations to the CEO or other employees to sign documents on behalf of the local government which would apply to this deed of agreement. As such this report seeks approval from the Council to authorise the CEO to enter into the agreement with the Northern Beaches Alliance (NBA).

Voting Requirement

Simple Majority.



Background

The City of Nedlands has partnered with several of local governments including City's of Wanneroo, Joondalup, Stirling, Town of Cambridge and Shire of Gingin, by virtue our shared coastline to form the Norther Beaches Alliance (NBA) in 2023/24. The purpose of the NBA is collaboration between local government authorities on coastal planning, storm impact management, coastal monitoring and surveys.

The NBA undertakes coastal surveys of the shared coastline on a bi-annual basis, managed by the City of Wanneroo on behalf of the aforementioned Local Governments. The NBA has been successful in securing grant funding from the Department of Transport in 2023/24 and 2024/25, reducing the cost implication of the coastal surveys to each local authority by fifty percent.

The coastal surveys are managed through an annual Deed of Agreement presented to Council in **Attachment 1 - Deed of Agreement – Northern Beaches Coastal Surveys – 2024/25**.

Discussion

Currently, the CEO or other employees do not have any clear or stated delegated authority to sign documents on behalf of the local government that would be required in accordance with 9.49A of the Local Government Act 1995 (the Act). Further, while the prescribed Functions of CEO under 5.41 of the Act do give power for decisions to be implemented and to manage day-to-day operations of the local government; there is no specific council decision empowering this Deed of Agreement, which is not a regular undertaking by the City.

As such this report seeks approval from the Council to authorise the CEO to enter into the Deed of Agreement with the Northern Beaches Alliance.

The bi-annual coastal surveys are undertaken in October and April each year to ensure capture for pre and post winter storms. For the City to meet its obligations for the NBA Deed of Agreement and to meet the October 2024 surveys dates it is imperative that the agreement is signed.

Should the Council choose not to enter into the Deed of Agreement, the City would not undertake the coastal surveys and would forfeit the significant funding secured through the Department of Transport. It would also then be required to undertake its own coastal surveying at the full cost should it be required or decide to in future.

Consultation

The Northern Beaches Alliance meets on a quarterly basis per annum rotating between local government authorities to discuss coastal planning, storm impact management, relevant coastal protection projects, and the ongoing annual coastal monitoring surveys.



The Deed of Agreement for coastal surveys is received and signed by the local government authorities in August of each year, with bi-annual coastal survey taking place in October and April respectively.

Strategic Implications

This item is strategically aligned to the City of Nedlands Council Plan 2022-23 vision and desired outcomes as follows:

Vision **Sustainable and responsible for a bright future**

Pillar **Planet**

Outcome 4. Healthy and sustainable ecosystems.
5. Climate resilience.

Pillar **Performance**

Outcome 11. Effective leadership and governance.

Budget/Financial Implications

The financial implication for the City of Nedlands from this Deed of Agreement is \$9,236 and will be funded from the approved Assets operational budget. This above figure is the total cost that the City is to contribute for the coastal survey works and includes a fifty percent contribution from the state and an approximate twenty four percent subsidy provided to the NBA by the engaged contractor.

If Council chooses not to enter into the Deed of Agreement, the City would not be part of the coastal surveys and would forfeit our portion of significant funding secured through the Department of Transport. The Cost to the City to do so in isolation would be over twice this component figure when accounting for staff time and resources to deliver as well as reduced economies of scale that will come with a smaller work portion.

Legislative and Policy Implications

The bi-annual coastal surveys allow the capture and monitoring of seasonal coastal changes from storm induced erosion during winter to sand movement processes during summer. The regular annual / bi-annual surveys are supported by the State Government and will assist the City by informing strategic coastal planning related policies and documents such as the Coastal Hazard Risk Management and Adaption Plan, currently under development.

With respect to the requirement of this report, Section 9.49A of the Local Government Act 1995 prescribes the execution of documents relevant to local government. Within this, subsection 4 provides that:



“A local government may, by resolution, authorise the CEO, another employee or an agent of the local government to sign documents on behalf of the local government, either generally or subject to conditions or restrictions specified in the authorisation.”

Moreover, subsection 5 states that:

“A document executed by a person under an authority under subsection (4) is not to be regarded as a deed unless the person executes it as a deed and is permitted to do so by the authorisation.”

As such, both are applicable in this instance for the Deed of Agreement.

To streamline such occurrences in future, Council may wish at some point in future to consider a delegation to the CEO or another employee, the ability to sign and execute agreements and or deeds in accordance with suitable restrictions such as only occurring:

- Between the City and State and Federal Governments or entities, for the purposes of funding agreements, or other local governments, for instances such as this NAB Coastal Surveys project,
- within the relevant financial authority and budgetary allocations, and
- where it does not require the Common Seal.

Decision Implications

If the Council authorises the CEO to enter into the agreement with the Northern Beaches Alliance for 2024/2025, the Administration will work with the NBA to commence coastal surveys.

If Council chooses not to enter into the Deed of Agreement, the City would not be part the coastal surveys and would forfeit our portion of significant funding secured through the Department of Transport. The City may also be subject to potential reputational damage with the Department of Transport.

Conclusion

The City has been presented with a Deed of Agreement from the Northern Beaches Alliance (NBA). There are currently no delegations to the CEO or other employees to sign documents on behalf of the local government. As such this report seeks approval from the Council to authorise the CEO to enter into the agreement with the Northern Beaches Alliance (NBA).

Further Information

Nil.



22.4 TS29.09.24 Rhizoctonia (Brown Patch) fungal infection Affecting Turf

Meeting & Date	Council Meeting – September 2024
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	Nil.
Report Author	Jac Scott, Manager Urban Landscape and Conservations
Director	Matthew MacPherson, Director Technical Services
Attachments	Nil.

Moved – Councillor Youngman

Seconded – Councillor Hodsdon

CARRIED 7/1

(For: Crs. Mayor Argyle, Amiry, Hodsdon, Pollard, Brackenridge, Coghlan, Youngman)

(Against: Crs. Smyth)

Council Decision:

(Administration Recommendation)

That Council:

- 1. approve/refuse the expenditure of approximately \$80,000 on suitable treatment to control *Rhizoctonia solani* in the City's active reserves.**
- 2. by Absolute Majority, in accordance with Section 6.8 (1)(b) of the Local Government Act 1995, incurs expenditure in advance of a budgetary allocation to be made at the 2024-25 Mid-Year budget review.**

Purpose

A fungal infection, *Rhizoctonia solani*, has been identified on key active reserves within the City. An urgent treatment is required that does not have current budgetary allowance. The timing of the treatment is critical and required to be undertaken immediately in the coming weeks to preserve the suitable conditions and safety of these reserves for summer use.



Voting Requirement

Absolute Majority.

Background

The City first identified evidence of the fungal disease during inspections of the Allen Park Oval. Further evidence has also been identified in the following sites: Allen Park Upper Oval, Allen Park Lower Oval, Swanbourne Oval, Melvista Oval, Charles Court Reserve, David Cruickshank Reserve, College Upper Oval and College Park Lower Oval.

At this time there is no evidence of the disease on Highview Park, Mt Claremont Oval, however if these did become evident then treatment would be required.



Figure 1: Disease outbreak adjacent to the cricket wicket in Allen Park Upper



Figure 2: Disease outbreak in Charles Court Reserve



Figure 3: Disease Outbreak in Charles Court Reserve within cricket outfield



Figure 4: Disease Outbreak in David Cruickshank Reserve, initial outbreak. Note the smaller patches as the disease spreads

A specialist turf consultant, Living Turf, was approached to provide the City with advice. This advice was that *Rhizoctonia solani* (AG 2-2 LP) is highly active in Perth currently, and that symptoms directly aligned with this fungal infection. Living Turf provided the following briefing note.



Large Patch

Rhizoctonia solani (AG 2-2 LP)

- Optimum soil temperature range for activity, **10-27°C**, however, optimal infection occurs when soil temps reach **21°C** for 5 or more consecutive days.
- Disease is a crown rot and attacks slowly growing, warm season turfgrass in cool, wet weather.
- Symptoms appear thin with a tan, yellow or orange colour. A useful indicator is a brilliant "orange firing" of the expanding outer ring.
- Damage can be long lasting because infection occurs when warm season turf growth is slow. In summer, turf recovers because the disease is not active at warmer temperatures (> 30°C).
- Apply 1st autumn fungicide app when the avg soil temp is **21°C**. Apply 2nd app 28days later.
- Apply 1st spring fungicide app when soil temp is between 10-13°C or at 50% turf green-up. If there has been a history of symptoms apply a 2nd app 28days later may be required.
- Apply fungicides in 800L/ha of water to aid penetration to crowns and stolons, at lower spray volumes (400-600L/ha) lightly water in with 3-6mm.



Leaf spot symptoms

Figure 5:

Briefing Note on Rhizoctonia solani from Living Turf

Discussion

Disease outbreaks are symptomatic of reduced renovation practices and lower fertiliser and nutritional input. The current level of service for renovations and nutrition and related budget allocations is at a minimum level as the City seeks to reduce the financial burden on ratepayers. Further clubs are generally not in a position to financially support increased levels of service. Accordingly, there is an increased risk of outbreaks of these types of infections. Budget is not generally provided for these proactively, as it has not recently been required, and this is the first major outbreak for some time.

The disease will lead to bare patches in the turf and will be further spread by pedestrians and machinery. The bare patches lead to an uneven surface and if not treated do not recovery for a considerable amount of time (years). These will not only impact the playability of the City's cricket grounds but also present a safety hazard. These will lead to further issues for winter sports, where full turf coverage cannot be maintained, if not treated.

The recommended treatment is Shiba™ followed by Tribeca™ where the disease is still persisting. These are Schedule 5 chemicals and should therefore be applied by a licensed contractor due to the equipment required. This is the lowest level of scheduled chemical.

Shiba™ is a product that has proven to be highly effective for Rhizoctonia control across WA. Tribeca™ is relatively new to the WA turf market, but its active ingredients (*Fludioxonil* and *Triticonazole*) are well-regarded for controlling Rhizoctonia, other soil-borne diseases, and leaf diseases.



Shiba™ must be applied when the soil temperature is approximately 21°C and accordingly there is a limited time to undertake the treatment effectively. Current soil temperatures are in the optimum range with temperatures at the time of writing between 16.2 and 21.5 °C. Once temperatures more regularly near 30°C the soil temperature will be too high for effective treatment. Accordingly, officers are requesting urgent Council support for this intervention.

Officers will undertake additional due diligence to confirm the validity of consultant advice and to confirm the best value for money solutions and appropriate pricing.

Consultation

Nil.

Strategic Implications

This item is strategically aligned to the City of Nedlands Council Plan 2022-23 vision and desired outcomes as follows:

Pillar Outcome **People**
2. A healthy, active and safe community.

Pillar Outcome **Planet**
4. Healthy and sustainable ecosystems.

Budget/Financial Implications

The costs of the applications are as follows:

Product Name	Litres per Ha	\$ per Litre	\$ per Ha	Labour Cost	Total Application Cost
Shiba™	10	\$90.00	\$900.00	\$400.00	\$1,300.00
Tribeca™	6	\$208.00	\$1,248.00	\$400.00	\$1,648.00
			\$2,148.00	\$800.00	\$2,948.00

Current estimates for the treatment are as follows:

Reserve	Ha	Total
Allen Park	4.5604	\$13,444.06
Charles Court Reserve	5.7086	\$16,828.95
College Park (Nedlands)	6.7478	\$19,892.51
David Cruickshank Reserve	2.8887	\$8,515.89
Highview Park	1.2291	\$3,623.39
Melvista Reserve	2.5125	\$7,406.85
Mount Claremont Oval	2.1537	\$6,349.11



Reserve	Ha	Total
Swanbourne Beach Oval	1.3638	\$4,020.48
		\$80,081.24

These costs include for treatment of Highview Park and Mt Claremont Oval should evidence of the disease become apparent. It is intended these would be included under those conditions, and the estimate therefore allows for all active reserves.

Legislative and Policy Implications

Without a standing budget allocation within the 2024-25 financial year budget, this would be required to be funded from municipal funds or a budget adjustment.

Section 6.8 of the Local Government Act 1995 provisions expenditure not included in the annual budget when taken from the municipal account. There are two options possible, being:

(1)(b) expenditure authorised in advance by resolution (absolute majority)

Or

(1)(c) expenditure authorised in advance by the mayor or president in an emergency.

This report seeks to comply with Section 6.8(1)(b).

Decision Implications

Should Council endorse the recommendation the treatment will be implemented. If Council doesn't endorse the recommendation the impacts on the turf will continue and worsen, with the potential for increased liability due to unsafe sports surfaces. The infection will also have the potential to spread to further active reserves.

Conclusion

This report seeks urgent support for the application of suitable treatments to address a current fungal infection in the City's active sports turf areas.

Further Information

Nil.



22.5 CPS44.09.24 Amendments to 2024/25 Fees and Charges

Meeting & Date	Council Meeting – 24 September 2024
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	Nil.
Report Author	Keri Shannon – Chief Executive Officer
Director/CEO	Keri Shannon – Chief Executive Officer
Attachments	1. City of Nedlands Draft 2024/25 Fees and Charges.

Moved – Councillor Amiry

Seconded – Councillor Coghlan

CARRIED UNANIMOUSLY 8/-

(For: Crs. Mayor Argyle, Smyth, Coghlan, Brackenridge, Pollard, Hodsdon, Amiry, Youngman)

Council Decision:

(Administration Recommendation)

That Council:

- **ADOPTS the amended 2024/25 Fees and Charges, as per Attachment 1.**

Purpose

To correct the 2024/25 Fees and Charges.

Voting Requirement

Absolute Majority



Background

The Fees and Charges approved by the Council on 19 August 2024 incorrectly stated the unit included GST when it in fact excluded GST.

Discussion

For clarity it is recommended that the Fees and Charges 2024/25 be amended to state the unit cost excluding GST and including GST.

Consultation

Nil.



Strategic Implications

This item relates to the following elements from the City's Council Plan 2023-33.

Vision **Sustainable and responsible for a bright future**

Pillar **Performance**
Outcome 11. Effective leadership and governance.

Budget/Financial Implications

The application of an incorrect fee which excludes GST instead of including GST will have a budget implication on the City.

Legislative and Policy Implications

[Local Government Act 1995](#)

[Waste Avoidance and Resources Recovery Act 2007](#)

Decision Implications

The decision will provide clarity for the public.

Conclusion

The administration recommends the Council adopts the amended 2024/25 Fees and Charges.

Further Information

Nil.



23. Confidential Items

There were no confidential items to be discussed.

24. Declaration of Closure

The meeting was closed to the public at 9:54pm.