



City of Nedlands

# MINUTES

## Ordinary Council Meeting

Wednesday 25 March 2026

### **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

Council Meeting Agenda are run in accordance with the City of Nedlands Standing Orders 2016. If you have any questions in relation to the agenda, procedural matters, addressing the Council or attending these meetings please contact the Governance Officer on 9273 3500 or [governance@nedlands.wa.gov.au](mailto:governance@nedlands.wa.gov.au)

## Public Question Time

Public question time at an Ordinary 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, Committee Member or Employee.

Questions should be submitted 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.

## Addresses by Members of the Public

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](#)

The Presiding Member will determine the order of speakers to address the Council, and the number of speakers is to be limited to 2 in support and 2 against any item on an Ordinary Council Meeting Agenda. The Public address session will be restricted to 15 minutes unless the Council, by resolution decides otherwise.

## Disclaimer

Members of the public who attend Council Meetings should not act immediately on anything they hear at the meetings, without first seeking clarification of Council's position. For example, by reference to the confirmed Minutes of Council meeting. Members of the public are also advised to wait for written advice from the Council prior to taking action on any matter that they may have before Council.

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## 1 DECLARATION OF OPENING

*I am now pleased to declare this Ordinary Meeting of the Council of the City of Nedlands open at 5:01 pm.*

*In opening the meeting, I acknowledge the traditional custodians of this land, the Whadjuk people of the Nyoongar Nation, and pay our respects to culture and Elders, past and present. The City of Nedlands also values the contributions made to the community over the years by people of diverse backgrounds and cultures, including those who have served and sacrificed.*

*This meeting is being live streamed and recorded, and I refer you to the disclaimer on page 2 of the agenda.*

## 2 PRESENT AND APOLOGIES AND LEAVE OF ABSENCE (PREVIOUSLY APPROVED)

### Commissioners

Mr D Caddy	(Presiding Member)
Ms B Sandri	(Deputy)
Ms C Hart	(Online)
Mr A Jacob	Local Government Monitor

### Staff

Mr A Kyron	Interim Chief Executive Officer
Ms N Jennings	Acting Director Corporate and Community Performance
Mr B Thompson	Director Planning and Development
Mr S Amasi	Director Technical Services
Mr J Allen	Manager Governance and Risk Management
Mr S Piotrowski	Coordinator Transport and Development
Mr S Famiano	Manager Urban Planning and Development
Ms T Douglas	Manager Executive and Project Management Services
Ms R Stanton-Horne	Executive Officer to CEO and Governance Support

### Apologies

Nil

### Leave of Absence

Nil

### Public

6

### Media

1



*Commissioner Caddy proposed a Procedural Motion.*

### **Procedural Motion and Council Decision**

**That Council ADJOURNS the Ordinary Council Meeting at 5:06pm for a period up to 10 Minutes, to manage technical difficulties.**

Reason:

The live stream was seized, and internet connection was lost. Staff are working on the resolution.

**Moved: Commissioner Caddy                      Seconded: Commissioner Sandri**

**CARRIED UNANIMOUSLY 3-0**

**For: Commissioner Caddy, Commissioner Sandri and Commissioner Hart  
Against: Nil**

*Commissioner Caddy proposed a Procedural Motion.*

### **Procedural Motion and Council Decision**

**That Council REOPENS the Ordinary Council Meeting at 5:20pm.**

Reason:

To proceed with the Ordinary Council Meeting.

**Moved: Commissioner Caddy                      Seconded: Commissioner Sandri**

**CARRIED UNANIMOUSLY 3-0**

**For: Commissioner Caddy, Commissioner Sandri and Commissioner Hart  
Against: Nil**

## **3 PUBLIC QUESTION TIME**

**Louis Proksch, NEDLANDS**

### **Question 1**

The report of the Acting Chief Executive Officer “Issues Facing the City of Nedlands” (Agenda 7.1, Special Council Meeting 05/02/26) summarises the cost of addressing the issues raised in the report by listing 6 items totalling \$27,453,172. The first item on the list is a predicted budget deficit of \$2,850,000 (now predicted at \$3,796,156 – MYBR, Agenda 16.2, Ordinary Council Meeting 11/03/26). Calculation of the deficit includes an amount of \$1.5 million for “backpay provision” (Agenda p 482). Why is this sum again included in the list of costs of addressing issues?



The list includes an item for “City Infrastructure Backlog” at \$18 million. Can the City confirm that this figure includes an amount of \$10 million, being an estimated amount that would ordinarily be included in the annual budget for infrastructure maintenance?

The list includes an item for “ICT Remediation” at \$5.07 million, including \$4.7 million for OPEX costs. How much of this amount would ordinarily be included in the annual budget for ICT costs?

**Response: Acting Director Corporate and Community Performance**

There is no Maintenance fund included. This is all proposed capital funding. The \$1.5 million has only been included once in the City’s financial and that was in the Mid-Year Budget review. Whilst it was also mentioned in the CEO’s report, there was no change to the budget at that time, and it was therefore disclosed again in the review. ICT is a short-term increase to address some underinvestment and is not planned to be an ongoing cost once systems are stabilised.

**Question 2**

The annual budget has provision for \$4 million new borrowing for “Underground Power (Nedlands West)” (Annual Budget Note 7(a)). Why was only \$535,000 borrowed for this purpose, resulting in an “unfavourable movement” of \$3,464,500 in the MYBR?

**Response: Acting Director Corporate and Community Performance**

A reconciliation of the underground power project costs and the related funding sources showed that the shortfall in revenue for the project is actually \$535,500 and therefore the loan amount has been adjusted.

**Fergus Bennett, NEDLANDS**

**Question 1**

If Form 2 extensions and amendments can proceed without consultation, even where there has been no substantial commencement and the planning framework has changed, what safeguards remain to prevent outdated approvals from rolling forward without reassessment under current policy?

**Response: Director of Planning and Development**

It will be at the City’s discretion to determine the level of engagement with adjoining landowners when a Form 2 DAP application is received. This will be guided by the City’s Local Planning Policy 7.3 and the extent of the changes and their impact on neighbouring properties.

**Question 2**

If the 2020 safeguard is removed, how will the City ensure that directly adjoining neighbours are consulted for any Form 2 that requires a new Responsible Authority Report, given that their input is often the only way the RAR can identify real world impacts that are not visible when the crude measurement of simply fitting inside a previously approved building envelope is used?

**Response: Director of Planning and Development**

Yes the City can confirm this. As mentioned in response to the previous question, if the changes proposed to the Form 2 application have material impact on neighbouring



properties, the City has the discretion to advertise the changes to the community before making a recommendation.

**Ken Eastwood, DALKEITH**

My questions concern Item 7.1 of the agenda. Since December 2020, the City of Nedlands has been subject to a council resolution, requiring all new responsibility authority reports (Form 2 Applications) to be publicly advertised. This removed officer discretion and ensured consistent community consultation. The current notice of motion seeks to revoke that requirement, meaning many amended proposals may no longer be advertised except for tonight's council meeting. There is no evidence of the community being informed of this change. My question is, have the commissioners publicly notified the community that the city intends to stop routinely advertising new responsible authority reports for JDAP form 2 applications, and if not, how do they justify reducing public consultation without first informing the residents? Why have the commissioners chosen to proceed with this change just three days before a democratic election, rather than deferring to the incoming council, and how is this consistent with caretaker governance principles?

**Response: Commissioner Caddy**

That matter is being considered tonight, so you will be able to follow the debate when we get to that item. You did state you wanted to speak to item 17.1; I believe the item is 21.1, so that matter will be addressed later this evening.

**4 ADDRESSES BY MEMBERS OF THE PUBLIC**

- **Stefan Tomasich speaking AGAINST Item 18.1.**
- **Fergus Bennett speaking AGAINST Item 21.1.**

*Mr Arthur Kyron left Council Chambers at 5.31pm*

*Mr Arthur Kyron returned to Council Chambers at 5.32pm.*

**5 REQUESTS FOR LEAVE OF ABSENCE**

Nil

**6 PETITIONS**

Nil

**7 DISCLOSURES OF FINANCIAL INTEREST**

- **Arthur Kyron declared a financial interest for Item 17.2**

Reason:



I am currently employed as Interim Chief Executive Officer at The City of Nedlands, and I will leave Council Chambers when this item is addressed.

## **8 DISCLOSURES OF INTERESTS AFFECTING IMPARTIALITY**

- **Commissioner Sandri declared an interest affecting impartiality for Item 18.1**

Reason:

The item refers to a significant development application determined by the Western Australian Planning Commission, and I am a Board Member (Commissioner) of the WAPC. This item does not relate to the determination of the development rather road closures associated with the construction of the development and is therefore an impartiality interest.

## **9 DECLARATIONS BY MEMBERS THAT THEY HAVE NOT GIVEN DUE CONSIDERATION TO PAPERS**

Nil

## **10 CONFIRMATION OF MINUTES**

### **10.1 Ordinary Council Meeting held Wednesday 11 March 2026**

#### **Officer Recommendation and Council Decision**

The Minutes of the Ordinary Council Meeting held Wednesday 11 March 2026 are to be **CONFIRMED**.

**Moved:** Commissioner Sandri      **Seconded:** Commissioner Hart

**CARRIED UNANIMOUSLY 3-0**

**For:** Commissioner Caddy, Commissioner Sandri and Commissioner Hart  
**Against:** Nil

## **11 ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION**

- **Commissioner Caddy**

This is the commissioner's last meeting, and I would like to acknowledge the support of the interim CEO and the staff for what has been an extremely busy last eight months for the commissioners. My thanks to all of you for the support. To the candidates for the election on Saturday. I make no apologies for the fact



that we have set the upcoming council up with a huge agenda. But that was the purpose of appointing commissioners. The interim CEO has done a fantastic job of reporting back to the commissioners on all those things we have reported back to the community on over the last four months. I appreciate the effort.

*Commissioner Caddy proposed a Procedural Motion.*

## **Procedural Motion and Council Decision**

**That sections 3.9(2), 9.5 and 10.1a of the Standing Orders Local Law 2016 be SUSPENDED for the duration of the meeting.**

Reason:

To allow Alternative Motions from the floor Notice of Motions to be tabled and to allow Commissioners to speak twice.

**Moved: Commissioner Caddy                      Seconded: Commissioner Sandri**

**CARRIED UNANIMOUSLY 3-0**

**For: Commissioner Caddy, Commissioner Sandri and Commissioner Hart**  
**Against: Nil**

## **12 MEMBERS ANNOUNCEMENTS WITHOUT DISCUSSION**

- **Commissioner Sandri**

This is our final meeting as Commissioners. We stepped into this role at a time when the city was frankly in a period of turmoil. There were real and confronting issues around governance direction and financial sustainability.

I believe we leave the City in a materially more stable position, not perfect, but steadier, more disciplined and clearer about what matters. This has come from focusing on the fundamentals, making decisions that weren't always easy, and being prepared to deal with the issues directly rather than referring them.

I want to acknowledge the administration for staying the course and your support during this time. I also want to acknowledge my fellow Commissioners. This has been a demanding role, often requiring difficult judgments, but it has. We have all approached this with professionalism, respect and shared commitment to doing what is right for the city and its ratepayers and its future. It has been a privilege to serve alongside of you both. So, thank you to the incoming council.

My advice is simple. Stay focused on the fundamentals. Financial sustainability is not optional. It underpins everything. Be prepared to face the City's challenges head on pragmatically and without hesitation. And remember, the council sets the culture for the entire organisation. The way you lead, the standards you set and the behaviours you model will shape the City. Support



your staff, back them to do their jobs and create an environment that attracts and retains capable people. A strong professional organisation and workforce is built from the top. Keep an open mind to all the options available to the city's future. That includes not ruling out structural reform, including potential amalgamation if it is in the long-term interest of your community. These are not easy conversations, but they are necessary ones.

This role carries responsibility, but also opportunity. We leave confident that the foundations are there and for you to be able to continue building a stronger and more resilient City and thank you very much to the residents and the community and the city staff for supporting us through this journey.

- **Commissioner Hart**

Tonight marks the final Council meeting before governance of the City of Nedlands returns to Elected Councillors.

Over the past eight months we have worked with staff and the community to clear a backlog of business and restore stability, accountability and transparency to establish a strong foundation for the next Council.

Our work has not been without challenges however the opportunity to assist in progressing various issues towards resolution has been rewarding, notwithstanding the fact that there is still more to be done.

I would like to publicly acknowledge the dedication and resilience of the staff at the City. Across all of the teams, your professionalism, patience and perseverance has allowed us to navigate complex issues and make informed decisions in a compressed timeframe. Thank you for your hard work, for your support of the Commissioners, and for your commitment to the Nedlands community.

Thank you also to the individuals who have taken the time to contribute in various ways in supporting our work as Commissioners.

And thank you also to my fellow Commissioners, it has been a privilege to serve alongside you.

Finally, to the incoming council that will be elected on 28 March 2026: you inherit a City that is more stable, transparent and fiscally sound. As outlined in recent weeks, there is still much to be done.

We encourage you to maintain the open engagement we have fostered, to listen to residents, respect each other's perspectives and support your staff to build on the progress that has been made.

Disagreements or, better put, a healthy contest of ideas, need not erode collegiality nor override a sense of mutual purpose and service to those you represent.

As Commissioners, it has been our privilege to serve the City of Nedlands.

We thank you all for your support and wish you and the incoming council every success.

## **13 MATTERS FOR WHICH THE MEETING MAY BE CLOSED**

Nil



## **14 MINUTES OF COUNCIL COMMITTEES AND ADMINISTRATIVE LIAISON WORKING GROUPS**

### **14.1 Audit, Risk and Improvement Committee held Wednesday 11 February 2026**

#### **Officer Recommendation and Council Decision**

The Minutes of the Audit, Risk and Improvement Committee held Wednesday 11 February 2026 are to be NOTED.

Moved: Commissioner Caddy      Seconded: Commissioner Sandri

**CARRIED UNANIMOUSLY 3-0**

For: Commissioner Caddy, Commissioner Sandri and Commissioner Hart

Against: Nil



**15 DIVISIONAL REPORTS - PLANNING & DEVELOPMENT**

Nil



**16 DIVISIONAL REPORTS - CORPORATE SERVICES**

Nil



## 17 DIVISIONAL REPORTS - CHIEF EXECUTIVE OFFICER

### 17.1 Proposed Ordinary Council Meeting - April 2026

<b>Report Number</b>	<b>CEO04.03.26</b>
<b>Applicant</b>	City of Nedlands
<b>Disclosure of Interest</b>	Nil
<b>Voting Requirements</b>	Simple Majority
<b>Authority/Discretion</b>	Information
<b>Contributing Officer</b>	Jonathan Allen - Manager Governance and Risk Management
<b>Responsible Officer</b>	Thalia Douglas - Executive Assistant to CEO
<b>Director</b>	Arthur Kyron - Acting Chief Executive Officer
<b>Attachments</b>	Nil

#### Purpose

The purpose of this report is for Council to decide to hold the proposed Ordinary Council Meeting on Wednesday, 22 April 2026, prior to the newly elected Council tabling the schedule of Council Meetings for the remainder of 2026 calendar year for public advertising purposes.

#### Officer Recommendation and Council Decision

That Council:

- DECIDES** to hold an Ordinary Council Meeting on Wednesday, 22 April at 6.00pm;
- AUTHORISES** the CEO to publish public notice of the schedule of the Council Meeting in accordance with section 5.25(1)(g) of the Local Government Act 1995.

**Moved:** Commissioner Sandri      **Seconded:** Commissioner Hart

**CARRIED UNANIMOUSLY 3-0**

**For:** Commissioner Caddy, Commissioner Sandri and Commissioner Hart

**Against:** Nil

#### Background

In November 2025 (CEO52.11.25), Council adopted the proposed schedule of Ordinary Council Meetings and Committee Meeting dates for the year ahead for advertising purposes. The adopted schedule covered the Ordinary Council Meetings and Audit and Risk Committee Meetings for the remainder of the Commissioners' appointment, which concludes in March 2026.



As the Local Government Election will be held on 28 March 2026, the newly elected Council has not yet proposed a schedule of Council Meetings for the remainder of the 2026 calendar year. The purpose of this report is to schedule the first Ordinary Council Meeting of the new Council, at which time the proposed schedule for the remaining 2026 meetings will be tabled.

## 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**

### Performance

11. Effective leadership and governance.

## Financial Implications

The proposed meeting schedule will be advertised in accordance with the requirements for local public notice.

## Legislative and Policy Compliance

Under section 5.4(b) of the Local Government Act 1995 an Ordinary Meeting of the Council is to be held if so decided by the Council.

Under regulation 12 of the [Local Government \(Administration\) Regulations 1996](#), the CEO is required to publish the details of Ordinary Council Meetings and Audit and Risk Committee Meetings be open to the public under the *Local Government Act*.

## Risk Considerations

Risk Category	Adopted Risk Appetite Rating	Comment on Risk
Service Delivery	Open	The adoption of a meeting date supports the continuation of Council decision-making and governance processes. No direct impact on service delivery is anticipated.
Compliance	Minimal	Scheduling the first Ordinary Council Meeting ensures compliance with



		legislative and governance requirements following the Local Government Election and supports the timely adoption and public advertising of the remaining 2026 meeting schedule.
<b>Reputational</b>	Cautious	Establishing a meeting date for the first Ordinary Council Meeting demonstrates good governance and transparency, ensuring the newly elected Council can promptly consider and adopt the meeting schedule for the remainder of 2026.

### Analysis and Conclusion

It is recommended that Council decide to hold the ordinary meeting of the Council on the 22 April, to ensure there is a first meeting in place for newly elected members.

Council is not being asked to set further meeting dates beyond this, to ensure that the newly elected Council can set their-on cadence of meetings.



Mr Arthur Kyron left Council Chambers at 5:50pm due to a financial interest in item 17.2.

### 17.2 Chief Executive Officer - Contract Extension

<b>Report Number</b>	<b>CEO05.03.26</b>
<b>Applicant</b>	City of Nedlands
<b>Disclosure of Interest</b>	Arthur Kyron – Financial Interest
<b>Voting Requirements</b>	Absolute Majority
<b>Authority/Discretion</b>	Executive
<b>Contributing Officer</b>	Thalia Douglas – Manager Executive and Project Management Services
<b>Responsible Officer</b>	Jonathan Allen - Manager Governance and Risk Management
<b>Director</b>	Julie Fairweather – Chief People and Culture Officer
<b>Attachments</b>	<ol style="list-style-type: none"> <li>1. CONFIDENTIAL - City of Nedlands - Chief Executive Officer Contract - A Kyron [17.2.1]</li> <li>2. Letter - Department of Local Government - Request for Exemption [17.2.2]</li> </ol>

#### Purpose

To seek Council approval to extend the term of the Interim CEO’s employment contract by a maximum period of 6 months.

#### Officer Recommendation

That Council **APPROVES** the extension of the Interim CEO’s (Arthur Kyron) employment contract until 15 October 2026.

*Commissioner Sandri proposed an Alternative Motion.*

#### Alternative Motion and Council Decision

That Council,

1. **APPROVES** the extension of the Interim CEO’s (Arthur Kyron) employment contract until 15 October 2026; and
2. **NOTES** that in accordance with section 5.39 of the Local Government Act 1995 a CEO cannot lawfully continue in an acting role for more than 12 months.

Reason:

Reaffirms the reason why that is the long stop of the Interim Chief Executive Officer contract.

**Moved: Commissioner Sandri**

**Seconded: Commissioner Hart**



**CARRIED UNANIMOUSLY 3-0**

**For:** Commissioner Caddy, Commissioner Sandri and Commissioner Hart  
**Against:** Nil

## Background

The Interim CEO's current employment contract ("Existing Contract") is scheduled to end on 15 April 2026 (see current contract at Attachment 1).

Clause 2.1.2 of the Existing Contract sets out that the parties may, by agreement, extend the term of the contract.

The Interim CEO has indicated his intention to agree to extend the term, for a maximum period of six months.

## Consultation

The Director General, Local Government, Industry Regulation and Safety was consulted, and her response can be seen at Attachment 1 (see also Legislative and Compliance section below for further details).

## 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**

**Performance**

11. Effective leadership and governance.

## Financial Implications

The CEO remuneration is included within the current financial budget. No increase in salary is being authorised, and so there are no additional financial implications.

## Legislative and Policy Compliance

This decision would be considered a 'significant decision' under section 3.73(1)(b) of the *Local Government Act 1995* ("Act"), and so in accordance with section 3.73(2), Council would ordinarily be prevented from deciding on the extension of the contract within the current caretaker period.



However, the Director General of Department of Local Government, Industry Regulation and Safety has grant approval, under section 3.73(6) of the *Act*, for the Council to extend Mr Kyron's appointment as temporary CEO, providing that the full appointment, including his current contract, does not exceed a term of one year (see Attachment 2).

The proposal for a 6-month extension only, would satisfy the condition placed on the approval by the Director General.

## Risk Considerations

Risk Category	Adopted Risk Appetite Rating	Comment on Risk
Financial	Cautious	No additional risk to finances. The salary is budgeted and both parties can provide one month's notice to terminate.
Reputational	Cautious	The recommendation to extend the contract for a time limited period ensures continuity of leadership of the administration as new Councillors are onboarded, and ahead of them making a permanent decision on appointment of a CEO.

## Analysis and Conclusion

As it stands, if no decision is made by Council, then the Interim CEO's contract would lapse after the 15 April 2026.

The recommendation provided by officers for Council to make the decision to extend the contract now, as opposed to leaving this to be taken by newly elected Council members after elections, is based on the following key factors:

- The decision would otherwise have to be made by Councillors within the first two weeks of their appointment and made without any time for them to provide a feasible or realistic alternative to the Interim CEO's extension.
- The 'term' of the Existing Contract would be extended by agreement between the parties. This means that all the current terms and conditions would remain in place. Significantly this includes the right for either party to terminate the contract with one month's notice (see clause 10.2.2 and 10.4.2).
- In any event, the decisions effect is time limited. The recruitment and appointment of a permanent CEO will be one of the Councils first and most significant roles. This temporary appointment therefore causes the new Council no loss of agency on the future direction of the City.
- Extending the Interim CEO's contract now will provide certainty to the running of the administration whilst the new Councillors are onboarded.



- The recruitment process for a permanent CEO is expected to take at least 6 months, and so the extension period is considered proportionate.

For these reasons, it is recommended that the Council approve the extension of the Interim CEOs term – with a time limit of 6 months.

*Arthur Kyron returned to Council Chambers at 5:54pm.*



Department of Local Government,  
Industry Regulation and Safety

Our ref A107177600  
Enquiries Laura Hunter  
Phone [REDACTED]  
Email [REDACTED]

Mr Jonathan Allen  
Manager Governance and Risk Management  
City of Nedlands

Via email [REDACTED]

Dear Mr Allen

**Request for exemption under caretaker provisions – City of Nedlands**

I write to you in response to the City of Nedlands' (City) application for an exemption under the caretaker provisions contained in the *Local Government Act 1995* (the Act) to:

- Extend the appointment of Mr Arthur Kyron as temporary CEO for a further six months.

Section 3.73(6) of the Act provides that the Director General may authorise a local government to do a significant act during a caretaker period, if satisfied that:

- it is necessary because of an emergency; or
- it is necessary to ensure the proper operation of the local government.

Related to this application, Regulation 18A(1)(b) of the Local Government (Administration) Regulations 1996 provides for a person to act in a CEO position for a term not exceeding one year.

After considering the application, it is in my view that extending the appointment for a further six months during the caretaker period is necessary to ensure the proper operation of the City.

Accordingly, I grant approval under section 3.73(6) of the Act for the Commissioners to extend Mr Kyron's appointment as temporary CEO, providing that the full appointment, including his current contract, does not exceed a term of one year.

Please contact Ms Laura Hunter, Executive Director, Local Government Management and Coordination via the contact details above if you have any questions regarding this matter.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Lanie Chopping'.

**Lanie Chopping**

DIRECTOR GENERAL  
19 March 2026

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## 18 DIVISIONAL REPORTS - TECHNICAL SERVICES

### 18.1 Proposed Closure of Williams Rd and Hibbertia Lane

<b>Report Number</b>	TS11.03.26
<b>Applicant</b>	City of Nedlands
<b>Disclosure of Interest</b>	Nil
<b>Voting Requirements</b>	Simple Majority
<b>Authority/Discretion</b>	Executive
<b>Contributing Officer</b>	Steven Piotrowski - Coordinator Transport & Development
<b>Responsible Officer</b>	Nemat Ghulami - Manager Assets
<b>Director</b>	Santosh Amasi - Director Technical Services
<b>Attachments</b>	Nil

#### Purpose

The purpose of this report is to obtain approval from Council to close access to Williams Rd (at Hibbertia Lane) during working hours (7am-7pm, Monday to Saturday) and to close Hibbertia Lane (Williams Rd to Laxum Lane) – both for a period of approximately two years (26 March 2026 to 31 Jan 2028) to facilitate the construction of a Purpose-Built Student Accommodation (18-storey, 472 beds) with café and Commercial Tenancy at 37-43 Stirling Highway.

#### Officer Recommendation

That Council **APPROVES** the temporary road closures associated with the development works, as follows:

- Williams Road (at Hibbertia Lane): closure between 7:00am and 7:00pm, Monday to Saturday; and
- Hibbertia Lane (from Williams Road to Laxum Lane): closure 24 hours a day, 7 days a week; from 26 March 2026 to 28 February 2028.

*Commissioner Sandri proposed an Alternative Motion.*

#### Alternative Motion and Council Decision

That Council **APPROVES** the temporary road closures associated with the development works (subject to the resident at 17 Hibbertia Lane being able to safely enter in reverse gear and exit in forward gear into the driveway), as follows:

- Williams Road (at Hibbertia Lane): closure between 7:00am and 7:00pm, Monday to Saturday; and
- Hibbertia Lane (from Williams Road to Laxum Lane): closure 24 hours a day, 7 days a week; from 26 March 2026 to 28 February 2028.



Reason:

Alternative Motion was proposed due to the resident at 17 Hibbertia Lane raising concerns about being able to safely exit and enter his garage with this closure.

**Moved: Commissioner Hart**

**Seconded: Commissioner Caddy**

**CARRIED UNANIMOUSLY 3-0**

**For: Commissioner Caddy, Commissioner Sandri and Commissioner Hart**

**Against: Nil**

## **Background**

At the Ordinary Council Meeting held on 11 March 2026, Council considered a report regarding the proposed temporary road closures associated with the development works at 37-43 Stirling Highway.

Council resolved, by way of an alternative motion, to approve the temporary closure of Williams Road at Hibbertia Lane during working hours (7:00am–7:00pm, Monday to Saturday) until 26 March 2026, and to defer consideration of the proposed closure of Hibbertia Lane (between Williams Road and Laxum Lane) to enable further information to be provided in relation to amenity impacts, management arrangements, and licensing considerations for the affected area.

After the Council Meeting, a developer-led briefing was provided to the Commissioners on 13 March 2026, outlining construction methodology, traffic management arrangements and proposed mitigation measures associated with the requested road closures.

This report is therefore being presented to Council to provide the requested additional information and to seek Council's determination on the proposed longer-term temporary road closures required to facilitate the construction program.

A Significant Development Application for Lot 585-588 (37-43) Stirling Highway, Nedlands was approved by the WA Planning Commission on 7 May 2025.

The DA comprises:

- Student Accommodation including a total of 472 beds spread across 440 units in different configurations;
- A small commercial tenancy (107m<sup>2</sup>);
- Resident amenities including study areas, a small café, laundry and communal lounges;
- A basement car park with 11 bays, including 2 x ACROD bays and 8 x EV shared car bays;
- A bike store on the ground floor accommodating 156 x bicycles with an end of trip facility;
- A pick-up/drop-off bay accessed off Hibbertia Lane; and
- 12 x bicycle parking spaces on the ground level for visitors.



The parking is proposed at basement level, with vehicle access via Hibbertia Lane at the rear of the site. A site plan is shown in Figure 1. The proposed locations where the roads will be closed are shown in Figure 2 and an artist's impression of the site is shown in Figure 3.



*Figure 1 – Site Location*



Figure 2 – Details of Proposed Closure Locations



*Figure 3 – Artist's Impression Looking East from Stirling Highway*

The owner of the site has engaged Multiplex as the head construction contractor.

The contractor has advised that the temporary closure of the section of Hibbertia Lane, as illustrated in Figure 2, is integral to the project's logistics and overall delivery. Hibbertia Lane will provide critical movement for heavy construction vehicles to access the site and will facilitate a safe and efficient unloading zone for building material into the site.

The proposed temporary closure of the section of Hibbertia Lane will not restrict vehicle access to garages or carports adjoining Hibbertia Lane or Laxum Lane. Vehicle access to these properties will remain available at all times throughout the duration of the temporary closure.

Construction vehicles will access the proposed closed area of Hibbertia Lane via Stirling Highway and Meriwa Street before proceeding through Hibbertia Lane and entry through Gate 2. The contractor has implemented procedures to ensure that all construction vehicles enroute to the site communicate with traffic controllers and gate personnel onsite prior to arrival, to facilitate swift entry into Hibbertia Lane to minimise queuing impacts on surrounding streets. A maximum of two trucks will be stationed within the closed section of Hibbertia Lane at any given time to allow unloading of building material into the site. The construction vehicles will be shut down during the unloading process to mitigate noise impacts on surrounding properties. In addition, following consultation with the adjoining property owner at No. 110 Williams Road, the contractor will install an acoustic protection wall abutting the parapet wall to further mitigate noise impacts to the immediate adjoining property. This structure will remain for the duration of the construction and will be removed by the contractor at the conclusion of the development.



The contractor has advised that construction vehicles will frequently access Hibbertia Lane and temporarily station within the designated section before exiting onto Williams Road and Stirling Highway. The anticipated frequency of construction vehicles may be up to 30 per day, with vehicles potentially stationed in the area for periods of up to 2 hours at a time. The temporary closure of this section of Hibbertia Lane will ensure that general traffic is not adversely affected by the regular entry and temporary stationing of construction vehicles and will reduce the risk of potential traffic incidents particularly those involving heavy construction vehicles that could arise should Hibbertia Lane remain open and accessible from Williams Road.

The construction site, together with the proposed development presents significant constraints and limitations for accommodating construction vehicle access within the property boundary. The development provides a 3m setback from Hibbertia Lane and the installation of scaffolding along this elevation will effectively extend to the lot boundary adjacent Hibbertia Lane. This will result in insufficient area for construction vehicles to enter the site and safely unload building material within the property. In addition to the site constraints, the contractor has informed that the temporary closure will provide additional safety to the public given the developments proximity to Hibbertia Lane. While protective measures such as screens, scaffolding, netting and catch fans will be installed to mitigate risk, the establishment of this exclusion zone within this section of Hibbertia Lane will further ensure that the public is separated from construction activities and provide additional protection and safety to the general public.

The area proposed to be temporarily closed comprises approximately 130 square metres of Hibbertia Lane between the entry of Williams Road to Laxum Lane. Occupation of this portion of the laneway will require a verge permit to be obtained from the City. In accordance with the City's Schedule of Fees and Charges 2025/26, the verge permit comprises an application fee of \$298.50, in addition to a charge of \$5.50 per square metre per month for the duration of the occupied area. Based on the proposed extent of 130 square metres, a total fee of \$17,458.50 is required to be paid to the City to occupy the area for 24 months.

A dilapidation survey of the City's infrastructure has been undertaken, including within Hibbertia Lane which has recorded the condition of the City's infrastructure prior to the commencement of works. In addition, a bank guarantee will be provided by the developer to the City for the duration of the development. Any damage to City infrastructure, including within Hibbertia Lane resulting from construction activities is the responsibility of the contractor to reinstate to the satisfaction of the City.

Note that Multiplex has advised the City that the construction of this building will not be possible unless the Hibbertia Lane closure is approved.

## Consultation

In order to close a road for more than 4 weeks, the City is required to undertake Community Consultation as described below in the Local Government Act 1995:



“Before it makes an order wholly or partially closing a thoroughfare to the passage of vehicles for a period exceeding 4 weeks or continuing the closure of a thoroughfare, the local government is to —

(a) give local public notice of the proposed order giving details of the proposal, including the location of the thoroughfare and where, when, and why it would be closed, and inviting submissions from any person who wishes to make a submission; and

(b) give written notice to each person who —

(i) is prescribed for the purposes of this section; or

(ii) owns land that is prescribed for the purposes of this section; and

(c) allow a reasonable time for submissions to be made and consider any submissions made.

(5) The local government is to send to the Commissioner of Main Roads appointed under the Main Roads Act 1930 a copy of the contents of the notice required by subsection (4)(a).”

The City used the “Your Voice” portal on the City’s web site to obtain feedback. This was launched on the 12<sup>th</sup> of February 2026 and concluded on Sunday the 22<sup>nd</sup> of February.

In order to reach as many affected residents as possible in a condensed timeframe, a letter was delivered to approximately 300-350 households within 300m of the proposed development as shown in Figure 4:

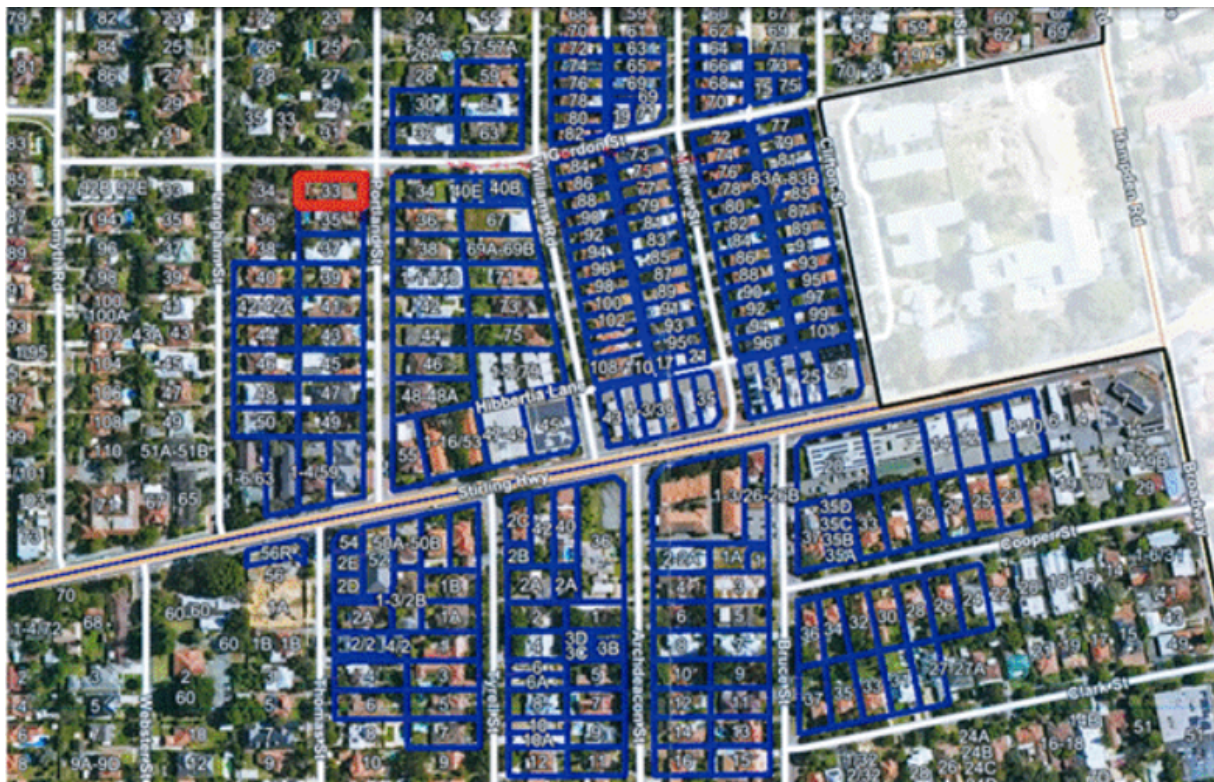


Figure 4 – Letter drop Area



In addition to providing a (redacted) copy of the Construction Management Plan (CMP) to residents for comments, two specific questions were asked:

1. Do you support the closure of Hibbertia Lane (24 hours/day, 7 days/week) between Williams Rd and Laxum Lane during the construction period of 37-43 Stirling Hwy? Note that the Laxum Lane connection to Hibbertia Lane will remain open.
2. Do you support the temporary closure of Williams Road at the southern boundary of Hibbertia Lane (between 7am-7pm, Monday-Saturday) during the construction period of 37-43 Stirling Hwy?

The City received a total of 15 responses from local residents as shown in the table below:

Question #/Response	Yes	No
<b>1. Close Hibbertia Ln</b>	8 (53%)	7 (47%)
<b>2. Close Williams Rd</b>	12 (80%)	3 (20%)

A majority of residents voted in favour of the two road closures with a slim majority for the Hibbertia Lane closure and a clear majority for the Williams Rd closure.

Please note however that one respondent who voted 'No' in response to the Hibbertia Lane closure question also said: *"I am not opposed to closing Hibbertia Lane but am opposed to any closure of Williams Rd. A lot of us use the back roads to avoid heavy traffic on Stirling Hwy"*.

In addition to the answers to the two specific questions, there were many general comments made by member of the public regarding the CMP including:

- Concerns about construction workers parking illegally on residential streets in the vicinity of the development including damage to verges, trees and driveways;
- Concerns about lack of consultation with residents about the location of the Tower Crane. Oversailing of any amount is not permissible unless a License Agreement is in place with the affected landholder.
- Concerns about damage to property, windblown dust, injuries to the public, noise, vibration, damage to vehicles, litter, construction waste, vermin, & odour.
- Heavy vehicles ignored parking restrictions on Williams Road during the demolition phase. There is concern that this will continue during the construction phase;
- Dust control was "seriously lacking" during the demolition phase; the contractor needs to be more vigilant during the construction phase;
- Concerns about light spill, nuisance lighting and night operations;
- Absence of Contaminated Materials & Hazardous Substances Management Plan;
- Lack of worker conduct and verge behaviour controls;
- No Emergency Egress Plan for Residents adjacent to the work site;
- Concerns about lack of compliance monitoring framework and penalty mechanisms;
- Environmental monitoring data not publicly available;
- No protection for private vegetation and landscaping.



## Discussion

The construction of this development will generate significant volumes of construction-related traffic that has rarely been experienced in other areas of the City. This 18-storey building will be the tallest in Nedlands and will be on a highly compact site on Stirling Highway. For this reason, the City will need to adopt the processes, procedures, methodologies and safety protocols associated with multi-storey construction in CBD areas.

The contractor will be required to submit a detailed Construction Management Plan (CMP) and a Traffic Management Plan (TMP) to the City for review and approval.

The TMP will include an overview of proposed temporary traffic management.

The TMP and road closures will also need to be approved by Main Roads WA due to the proximity to Stirling Highway.

The Contractor will be responsible for closing off access to Williams Road at Hibbertia Lane (during work hours 7am-7pm, Monday-Saturday) and re-opening Williams Rd at other times for the duration of the construction and commissioning phases.

A traffic barricade would be erected and maintained by the Contractor and will consist of a gate across Williams Road along the northern boundary of Hibbertia Lane. This closure would see the separation of construction traffic arriving and departing the site via Stirling Highway from all traffic associated with the residential area to the north during work hours.

Hibbertia Lane will need to be closed from Williams Rd to Laxum Lane. This closure for the duration of construction is essential for the safety and buildability of the project. This includes considerations relating to tower crane positioning and operations, and the ability to build the structural and landscape aspects project (keeping the lane open requires additional fencing which impacts the structural built environment).

Residents who have garages fronting onto Laxum Lane will still be able to access Stirling Highway via Hibbertia Lane and Meriwa St.

## 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**

#### **People**

2. A healthy, active and safe community.

#### **Place**

8. A city that is easy to get around safely and sustainably.



## Financial Implications

The Contractor will be responsible for all costs associated with closing Williams Rd during work hours and re-opening it at other times. The Contractor will also be responsible for all costs associated with the temporary closure of Hibbertia Lane.

## Legislative and Policy Compliance

Local Law Relating to Thoroughfares, City of Nedlands, 10 November 2000.  
Local Government Act 1995.

## Risk Considerations

Risk Category	Adopted Risk Appetite Rating	Comment on Risk
Health	Minimal	Closure of the roads will assist the developer to deliver their construction and traffic management plans, which supports public safety during the construction period.
Financial	Cautious	The verge permit has a net positive effect on City finances. There are no other financial implications for the City (positive or negative).

## Analysis and Conclusion

The closure of Williams Rd (at Hibbertia Lane) during working hours (7am-7pm, Monday to Saturday) is required for safety reasons to separate development traffic from the residential area on Williams Rd. This closure is required during the two-year construction period (26 March 2026- 28 Feb 2028) of a Purpose-Built Student Accommodation (18-storey, 472 beds) with café and Commercial Tenancy at 37-43 Stirling Highway.

The closure of Hibbertia Lane from Williams Rd to Laxum Lane is also required by the Contractor (Multiplex) to facilitate access to/from the site by construction vehicles for a two-year period (26 March 2026 – 28 Feb 2028).



## **19 DIVISIONAL REPORTS - GOVERNANCE**

Nil



**20 DIVISIONAL REPORTS - COMMUNITY DEVELOPMENT**

Nil



## 21 COUNCIL MEMBERS NOTICE OF MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

### 21.1 Notice of Motion - Revoking of Council's Decision for Form 2 JDAP Development Applications to Require Community Consultation

<b>Report Number</b>	<b>NOM01.03.26</b>
<b>Applicant</b>	City of Nedlands
<b>Disclosure of Interest</b>	Nil
<b>Voting Requirements</b>	Absolute Majority
<b>Authority/Discretion</b>	Executive
<b>Date of Submission</b>	18 February 2026
<b>Elected Member</b>	Commissioner Caddy
<b>Attachments</b>	Nil

### Officer Recommendation and Council Decision

That Council **REVOKES** the Council resolution made at the 15 December 2020 Ordinary Council Meeting relating to NOM “Councillor Mangano - Form 2 JDAP Development Applications to require community consultation”.

**Moved:** Commissioner Caddy      **Seconded:** Commissioner Sandri

**CARRIED UNANIMOUSLY 3-0**

**For:** Commissioner Caddy, Commissioner Sandri and Commissioner Hart

**Against:** Nil

### Reason/Justification

In December 2020, Council resolved that all DAP Form 2 applications, where a new Responsible Authority Report (RAR) is required, must be advertised in the same manner as the original DAP Form 1 application. This direction removed the discretion previously exercised under the City’s LPP 7.3 – Consultation of Planning Proposals, which required re-advertising only where an amendment introduces new or increased planning impacts.

Prior to this resolution, under the City’s LPP 7.3, re-advertising was required only where an amendment resulted in a material change, such as increased overlooking, overshadowing or other variations that may affect adjoining properties.

It is proposed that the 2020 Council Resolution be rescinded and instead, reinstate officer discretion to determine whether re-advertising of DAP Form 2 amendments is necessary on a case-by-case basis. This would be based on considerations such as:

- Whether the amendment introduces new or varying planning considerations,
- Whether it increases potential impacts on adjoining properties, or



- Officer discretion if public consultation is beneficial.

Where amendments do not alter the development in a way that creates new or varied variations or impacts, advertising provides little benefit and simply extends statutory timeframes, including those set by the DAP or SAT.

This approach aligns with established planning practice, supports timely decision-making, and ensures that consultation remains proportionate to the scale and impact of the proposed change. Additionally, this would allow minor amendments to proceed without unnecessary delay.

### **Administration Comment**

The Administration would be supportive of rescinding the 2020 Council resolution, as reinstating officer discretion for re-advertising DAP Form 2 amendments would restore a more efficient and proportionate consultation process.

Overall, Administration would view this change as a balanced and practical step that supports timely decision-making while still ensuring that the community is consulted when amendments result in real, material impacts.



**22 URGENT BUSINESS APPROVED BY THE PRESIDING MEMBER OR BY DECISION**

Nil



**23 CONFIDENTIAL ITEMS**

Nil



## **24 DECLARATION OF CLOSURE**

There being no further business, the Presiding Member declared the meeting closed at 6:16 pm.