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***Agenda***

***Council Meeting***

***25 May 2021***

Dear Council Member

The next Ordinary Meeting of the City of Nedlands will be held on Tuesday 25 May 2021 in the Council Chamber, 71 Stirling Highway, Nedlands commencing at 7 pm. This meeting will also be livestreamed.

Please be aware COVID-19 2m² restrictions with 1.5m social distancing rules apply. Once the venue is at capacity no further admission into the room will be permitted. Prior to entry, attendees will be required to register using the SafeWA App or by completing the manual contact register prior to entry - as stipulated by Department of Health mandatory requirements.

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

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

<http://www.nedlands.wa.gov.au/public-question-time>



Ed Herne

Acting Chief Executive Officer

18 May 2021

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**City of Nedlands**

**Notice of an Ordinary Meeting of Council to be held in the Council Chambers, Nedlands on Tuesday 25 May 2021 at 7 pm.**

###### Council Agenda

# Declaration of Opening

The Presiding Member will declare the meeting open at 7 pm and will draw attention to the disclaimer below.

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

**Leave of Absence** None.

**(Previously Approved)**

**Apologies** None as at distribution of this agenda.

**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 the Council meeting. Members of the public are also advised to wait for written advice from the CEO, on behalf of Council prior to taking action on any matter that they may have before Council.

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

# Public Question Time

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

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

# Addresses by Members of the Public

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

# Requests for Leave of Absence

Any requests from Council Members for leave of absence to be made at this point.

# Petitions

Petitions to be tabled at this point.

# Disclosures of Financial / Proximity Interest

The Presiding Member to remind Council Members and Employees of the requirements of Section 5.65 of the *Local Government Act* to disclose any interest during the meeting when the matter is discussed.

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

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

# Disclosures of Interests Affecting Impartiality

The Presiding Member to remind Council Members and Employees 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.

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

“With regard to …… the matter in item x….. I disclose that I have an association with the applicant (or person seeking a decision). As a consequence, there may be a perception that my impartiality on the matter may be affected. I declare that I will consider this matter on its merits and vote accordingly.”

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

# Declarations by Council Members That They Have Not Given Due Consideration to Papers

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

# Confirmation of Minutes

## Ordinary Council Meeting 27 April 2021

The Minutes of the Ordinary Council Meeting held 27 April 2021 are to be confirmed.

# Announcements of the Presiding Member without discussion

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

# Members announcements without discussion

Written announcements by Council Members to be tabled at this point.

Council Members may wish to make verbal announcements at their discretion.

# Matters for Which the Meeting May Be Closed

Council, in accordance with Standing Orders and for the convenience of the public, is to identify any matter which is to be discussed behind closed doors at this meeting, and that matter is to be deferred for consideration as the last item of this meeting.

# Divisional reports and minutes of Council Committees and administrative liaison working groups

## Minutes of Council Committees

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).

**The Minutes of the following Committee Meetings (in date order) are to be received:**

**Council Committee 11 May 2021**

Circulated to Councillors on 17 May 2021

**Note: As far as possible all the following reports under items 12.2, 12.3 and 12.4 will be moved en-bloc and only the exceptions (items which Councillors wish to amend) will be discussed.**

## Planning & Development Report No’s PD17.21 to PD21.21 (copy attached)

Note: Regulation 11(da) of the *Local Government (Administration) Regulations 1996* requires written reasons for each decision made at the meeting that is significantly different from the relevant written recommendation of a committee or an employee as defined in section 5.70, but not a decision to only note the matter or to return the recommendation for further consideration.

|  |  |
| --- | --- |
| **PD16.21** | **Consideration of** **Retrospective Sea Containers and Proposed Façade Treatments at No. 52 Jutland Parade, Dalkeith** |
|  |
| **Committee** | 11 May 2021 |
| **Council** | 25 May 2021 |
| **Applicant** | Nathan Stride |
| **Landowner** | Jeffery John Leach  |
| **Director** | Tony Free – Director Planning & 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 and the proponents or their consultants. Whilst parties may be known to each other professionally, this relationship is consistent with the limitations placed on such relationships by the Codes of Conduct of the City and the Planning Institute of Australia. |
| **Report Type**Quasi-Judicial | When Council determines an application/matter that directly affects a person’s right 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. |
| **Reference** | DA20/56128 |
| **Previous Item** | Nil |
| **Delegation** | In accordance with the City’s Instrument of Delegation, Council is required to determine the application due to objections being received. |
| **Attachments** | 1. Planning and Development (Local Planning Schemes) Regulations 2015 Assessment
2. Aims of the Scheme Assessment
3. Residential Zone Objectives Assessment
 |
| **Confidential Attachments** | 1. Plans
2. Submissions
3. Site photos
 |

**Committee Recommendation / Recommendation to Committee**

* + - 1. **In accordance with Clause 68 (2)(c) of the Planning and Development (Local Planning Scheme) Regulations 2015 Council resolves to refuse the development application dated 3 November 2021 for Retrospective Sea Containers and Proposed Façade Treatments at Lot 80 (No. 52) Jutland Parade, Dalkeith for the following reasons:**
1. **The proposed development does not comply with Clause 67(2)(m) of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015 as the development is not considered to be compatible with its setting, desired future character of its setting and the relationship of the development to development on adjoining land being the likely effect of the appearance of the development.**
2. **The proposed development does not comply with Clause 67(2)(n) of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015 as the development is not in keeping with the character of the locality.**
3. **The proposed development does not comply with Clause 9 (a) of the City of Nedlands Local Planning Scheme No. 3 as the development is not considered to protect and enhance the local character and amenity.**
4. **The proposed development does not comply with the Residential Zone Objectives of the City of Nedlands Local Planning Scheme No. 3 as the development –**
5. **Does not facilitate high quality design, built form and streetscapes;**
6. **is a non-residential land use which is not complementary to the existing residential development in the locality; and**
7. **Does not maintain compatibility with the desired streetscape in terms of bulk and height.**
	* + 1. **In accordance with Section 214(3) of the Planning and Development Act 2005, Council directs the applicant to remove the sea containers from No. 52 Jutland Parade, Dalkeith within 60 days of the date of this direction. The site is to be restored as nearly as practicable to its condition immediately before the sea containers were placed on site, to the satisfaction of the City of Nedlands.**

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| **PD17.21** | **Consideration of a Residential – Single House at No. 79 Rosedale Street, Floreat** |
|  |
| **Committee** | 11 May 2021 |
| **Council** | 25 May 2021 |
| **Applicant** | Rubix Homes |
| **Landowner** | A Scanlan and K Scanlan |
| **Director** | Tony Free –Director Planning & 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 and the proponents or their consultants. Whilst parties may be known to each other professionally, this relationship is consistent with the limitations placed on such relationships by the Codes of Conduct of the City and the Planning Institute of Australia. |
| **Report Type**Quasi-Judicial | When Council determines an application/matter that directly affects a person’s right 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. |
| **Reference** | DA21/59826 |
| **Previous Item** | Nil |
| **Delegation** | In accordance with the City’s Instrument of Delegation, Council is required to determine the application due to an objection being received. |
| **Attachments** | 1. Applicant’s Cover Letter
 |
| **Confidential Attachments** | 1. Plans
2. Submission
3. Assessment
 |

**Committee Recommendation / Recommendation to Committee**

**In accordance with Clause 68(2)(a) of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015,* Council approves the development application received on 21 January 2021 in accordance with plans date stamped 18 March 2021 for a Single House at Lot 17 (No. 79) Rosedale Street, Floreat, subject to the following conditions:**

1. **The development shall at all times comply with the application and the approved plans, subject to any modifications required as a consequence of any condition(s) of this approval.**
2. **This development approval only pertains to a Residential – Single House as indicated on the determination plans.**

1. **All footings and structures to retaining walls, fences and parapet walls, shall be constructed wholly inside the site boundaries of the property’s Certificate of Title.**
2. **Prior to occupation of the development, all major openings and unenclosed outdoor active habitable spaces, which have a floor level of more than 0.5m above natural ground level and overlook any part of any other residential property behind its street setback line shall be setback, in direct line of sight within the cone of vision from the lot boundary, a minimum distance as prescribed in C1.1 of Clause 5.4.1 – Visual Privacy of the Residential Design Codes. Alternatively, the major openings and unenclosed outdoor active habitable spaces are screened in accordance with the Residential Design Codes by either;**
3. **fixed obscured glazing or translucent glass to a height of 1.60 metres above finished floor level, or**
4. **Timber screens, external blinds, window hoods and shutters to a height of 1.6m above finished floor level that are at least 75% obscure.**
5. **a minimum sill height of 1.60 metres as determined from the internal floor level, or**
6. **an alternative method of screening approved by the City of Nedlands.**

**The required screening shall be thereafter maintained to the satisfaction of the City of Nedlands.**

1. **Prior to occupation of the development the finish of the parapet wall is to be finished externally to the same standard as the rest of the development in:**
* **Face brick,**
* **Painted render,**
* **Painted brickwork; or**
* **Other clean material as specified on the approved plans and maintained thereafter to the satisfaction of the City of Nedlands.**
1. **All stormwater from the development, which includes permeable and non-permeable areas shall be contained onsite.**
2. **Prior to occupation of the development, all external fixtures including, but not limited to TV and radio antennae, satellite dishes, plumbing vents and pipes, solar panels, air conditioners and hot water systems shall be integrated into the design of the building and not be visible from the primary street, secondary street to the satisfaction of the City of Nedlands.**
3. **Prior to occupation of the development, all air-conditioning plant, satellite dishes, antennae and any other plant and equipment to the roof of the building shall be located or screened so as not to be highly visible from beyond the boundaries of the development site to the satisfaction of the City of Nedlands.**
4. **Retaining walls, fences or other structures are to be truncated or reduced to no higher than 0.75m within 1.5m of where the wall, fences, other structures adjoining vehicle access points where a driveway meets a public street to the satisfaction of the City of Nedlands.**

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| **PD18.21** | **Consideration of Development Application for additions to a two-storey single house (including rooftop-terrace) at 18 Walba Way, Swanbourne (DA20/54704)** |
|  |
| **Committee** | 11 May 2021 |
| **Council** | 25 May 2021 |
| **Applicant** | James Billington |
| **Landowner** | Gemma Banfield |
| **Director** | Tony Free - Director Planning & 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 and the proponents or their consultants. Whilst parties may be known to each other professionally, this relationship is consistent with the limitations placed on such relationships by the Codes of Conduct of the City and the Planning Institute of Australia. |
| **Report Type**Quasi-Judicial | When Council determines an application/matter that directly affects a person’s right 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. |
| **Reference** | DA20/54704 |
| **Previous Item** | Nil |
| **Delegation** | In accordance with the City’s Instrument of Delegation, Council is required to determine the application due to objections being received. |
| **Attachments** | 1. Applicant Justification Letter
 |
| **Confidential Attachments** | 1. Plans
2. Submissions
 |

**Committee Recommendation / Recommendation to Committee**

**In accordance with Clause 68(2)(a) of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015,* Council approves the development application received on 24 September 2021 (DA20/54704), with amended plans received on 15 March 2021, for ground floor and first floor additions to a single house at Lot 13 (No. 18) Walba Way, Swanbourne, subject to the following conditions:**

1. **This approval is for a ‘Residential’ land use as defined under the City of Nedlands Local Planning Scheme No.3 and the subject land may not be used for any other use without prior approval of the City.**
2. **The development shall at all times comply with the application and the approved plans, subject to any modifications required as a consequence of any condition(s) of this approval.**
3. **All footings and structures shall be constructed wholly inside the site boundaries of the property’s Certificate of Title.**
4. **Prior to occupation of the development the finish of the parapet walls is to be finished externally to the same standard as the rest of the development in:**
* **Face brick;**
* **Painted render;**
* **Painted brickwork; or**
* **Other clean material as specified on the approved plans; and maintained thereafter to the satisfaction of the City.**
1. **Prior to occupation of the development, the screening as shown on the approved shall be installed in accordance with the Residential Design Codes by either:**
* **Fixed obscured or translucent glass to a height of 1.60 metres above finished floor level; or**
* **Timber screens, external blinds, window hoods and shutters to a height of 1.6m above finished floor level that are at least 75% obscure;**
* **A minimum sill height of 1.60 metres as determined from the internal floor level; or**
* **An alternative method of screening approved by the City.**

**The required screening shall be thereafter maintained to the satisfaction of the City.**

1. **Prior to occupation of the development, all external fixtures including, but not limited to TV and radio antennae, satellite dishes, plumbing vents and pipes, solar panels, air conditioners and hot water systems shall be integrated into the design of the building and not be visible from the primary street to the satisfaction of the City.**
2. **Prior to occupation of the development, all air-conditioning plant, satellite dishes, antennae and any other plant and equipment to the roof of the building shall be located or screened so as not to be highly visible from beyond the boundaries of the development site to the satisfaction of the City.**
3. **All stormwater from the development, which includes permeable and non-permeable areas shall be contained onsite.**

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| **PD19.21** | **Local Planning Policy – Community Engagement on Planning Proposals** |
|  |
| **Committee** | 11 May 2021 |
| **Council** | 25 May 2021 |
| **Applicant** | City of Nedlands |
| **Director** | Tony Free – Director Planning & Development  |
| **Employee Disclosure under section 5.70 Local Government Act 1995**  | Nil“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 and the proponents or their consultants. Whilst parties may be known to each other professionally, this relationship is consistent with the limitations placed on such relationships by the Codes of Conduct of the City and the Planning Institute of Australia”. |
| **Previous Item** | PD51.20 of 27 October 2020 Ordinary Council Meeting |
| **Attachments** | 1. Draft Local Planning Policy – Community Engagement on Planning Proposals
2. Planning Regulations Amendment Regulations 2020 – New Consultation Requirements
3. Summary of proposed amendments to the Local Planning Policy – Consultation of Planning Proposals
 |

**Committee Recommendation**

**That this item be deferred to the next available Council Member Briefing prior to returning to Council.**

Recommendation to Committee

Council proceeds with the draft modified Local Planning Policy – Community Engagement on Planning Proposals, Attachment 1, and advertises for a period of 21 days, in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 2, Part 2, Clause 4(2).

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| PD20.21 Scheme Amendment No 7 – South Broadway Final Adoption |

|  |  |
| --- | --- |
| **Committee** | 11 May 2021 |
| **Council** | 25 May 2021 |
| **Applicant** | City of Nedlands |
| **Director** | Tony Free – Director Planning & Development |
| **Employee Disclosure under section 5.70 of the Local Government Act 1995**  | Nil.“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 and the proponents or their consultants. Whilst parties may be known to each other professionally, this relationship is consistent with the limitations placed on such relationships by the Codes of Conduct of the City and the Planning Institute of Australia”.  |
| **Previous Item** | OCM 28 April 2020 - PD15.20SCM 3 September 2020 – Item 9 |
| **Attachments** | 1. Justification Report – Scheme Amendment No 7
2. Summary of Submissions – Scheme Amendment No 7
 |
| **Confidential Attachments** | 1. Full Submissions – Scheme Amendment No 7
 |

**Committee Recommendation**

**Council:**

1. **pursuant to section 75 of the Planning and Development Act 2005 and in accordance with section 41(3) of the Planning and Development (Local Planning Schemes) Regulations 2015, supports Scheme Amendment No.7 to amend Local Planning Scheme No. 3 as detailed in Attachment 1 – Scheme Amendment No. 7 without modification; and**
2. **in accordance with Regulation 44 of the Planning and Development (Local Planning Schemes) Regulations 2015, submit the required information for the proposed Scheme Amendment No 7 to the West Australian Planning Commission.**

Recommendation to Committee

Council:

1. Pursuant to section 75 of the *Planning and Development Act 2005* and in accordance with section 41(3) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, does NOT support the amendment to Local Planning Scheme No. 3 for the following reasons:
2. Scheme Amendment No 7 is not supported by evidence based built form modelling that indicate the proposed amendments would comply with the density targets as set out in Perth and Peel @ 3.5 million; and
3. The City and DPLH are working in partnership on a GAPs analysis of the City’s strategic planning framework. Scheme Amendment No 7 does not propose work that is identified as a priority by the GAPs analysis, and is therefore considered to be reactive, premature, and not part of an agreed program of works.
4. In accordance with Regulation 44 of the Planning and Development (Local Planning Schemes) Regulations 2015, submit the required information for the proposed Scheme Amendment No 7 to the West Australian Planning Commission.

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| --- | --- |
| **PD21.21** | **Consideration of Development Application for 5 Single Houses at No. 22 Vincent Street, Nedlands** |
|  |
| **Committee** | 11 May 2021 |
| **Council** | 25 May 2021 |
| **Applicant** | Coastview Australia Pty Ltd |
| **Landowner** | Lenmal Pty Ltd |
| **Director** | Tony Free – Director Planning & 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 and the proponents or their consultants. Whilst parties may be known to each other professionally, this relationship is consistent with the limitations placed on such relationships by the Codes of Conduct of the City and the Planning Institute of Australia. |
| **Report Type**Quasi-Judicial | When Council determines an application/matter that directly affects a person’s right 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. |
| **Reference** | DA20-55087 |
| **Previous Item** | Nil  |
| **Delegation** | In accordance with the City’s Instrument of Delegation, Council is required to determine the application due to objections being received. |
| **Attachments** | 1. Applicant Justification
 |
| **Confidential Attachments** | 1. Development Plans
2. Submissions
3. Site Photos
 |

**Committee Recommendation**

**In accordance with Clause 68(2)(b) of the Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015, Council approves the development application received on 5 October 2020 in accordance with plans date stamped 3 March 2021 and 20 April 2021 (DA20-44087) for five (5) Single Houses at Lot 90 (No. 22) Vincent Street, Nedlands, subject to the following conditions:**

1. **The development shall at all times comply with the application and the approved plans, subject to any modifications required as a consequence of any condition(s) of this approval.**
2. **This approval is for a ‘Residential- Single House’ land use as defined under the City of Nedlands Local Planning Scheme No.3 and the subject land may not be used for any other use without prior approval of the City.**
3. **Prior to the issue of a Building Permit, all development plans showing the locations of crossovers are to be amended as follows:**
4. **Lot 1 crossover width is to be reduced to 4.5m wide on Vincent Street; and**
5. **Lots 2-5 crossover widths are to be reduced to 4.0m wide on Jenkins Avenue to the satisfaction of the City.**
6. **Prior to the issue of a Building Permit, a Construction Management Plan shall be submitted to the satisfaction of the City. The approved construction shall be observed at all times throughout the construction process to the satisfaction of the City.**

**5.     Prior to the issue of a Building Permit, the cost associated with the planting of an additional three (3) new street trees as indicated on the Landscaping Plan dated 20 April 2021 is to be borne by the owner/applicant and paid to the City.**

1. **All landscaping shall be installed and maintained in accordance with the approved landscaping plan dated 20 April 2021 subject to both street trees in Jenkins Avenue being retained, or any modifications approved thereto, for the lifetime of the development thereafter, to the satisfaction of the City.**
2. **Prior to occupation of the development all fencing/visual privacy screens and obscure glass panels to major openings and unenclosed active habitable areas as annotated on the development plans dated 3 March 2021 and 20 April 2021, shall be screened in accordance with the Residential Design Codes. Screening referred to in c1.1(ii) of the Residential Design Codes Volume 1 is to be in the form of;**
3. **Fixed obscured or translucent glass to a height of 1.60 metres above finished floor level, or**
4. **Timber screens, external blinds, window hoods and shutters to a height of 1.6m above finished floor level that are at least 75% obscure.**
5. **A minimum sill height of 1.60 metres as determined from the internal floor level; or**
6. **An alternative method of screening approved by the City of Nedlands.**

**The required setbacks and/or screening shall be thereafter maintained to the satisfaction of the City.**

1. **Prior to occupation of the development the finish of the parapet walls is to be finished externally to the same standard as the rest of the development in:**
2. **Face brick;**
3. **Painted render;**
4. **Painted brickwork; or**
5. **Other clean material as specified on the approved plans.**

**And maintained thereafter to the satisfaction of the City.**

1. **In accordance with the Australian Standard AS2890.1 (as amended), all car parking and vehicle manoeuvring areas are to maintain adequate circulation space, free of intrusions such as doors and storage areas which do not compromise the minimum parking dimensions required under AS2890.1.**
2. **The parking bays and vehicle access areas shall be drained, paved, and constructed in accordance with the approved plans and are to comply with the requirements of AS/NZS 2890.1:2004 prior to the occupation or use of the development.**
3. **All footings and structures shall be constructed wholly inside the site boundaries of the property’s Certificate of Title.**
4. **All stormwater from the development, which includes permeable and impermeable areas shall be contained onsite.**
5. **Prior to occupation of the development, all external fixtures including, but not limited to, TV and radio antennae, satellite dishes, plumbing vents and pipes, solar panels, air conditioners, hot water systems and utilities shall be integrated into the design of the building and not be visible from the primary street to the satisfaction of the City.**
6. **All balcony balustrades shall be either opaque material or frosted glass.**

Recommendation to Committee

In accordance with Clause 68(2)(b) of the Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015, Council approves the development application received on 5 October 2020 in accordance with plans date stamped 3 March 2021 and 20 April 2021 (DA20-44087) for five (5) Single Houses at Lot 90 (No. 22) Vincent Street, Nedlands, subject to the following conditions:

1. The development shall at all times comply with the application and the approved plans, subject to any modifications required as a consequence of any condition(s) of this approval.
2. This approval is for a ‘Residential- Single House’ land use as defined under the City of Nedlands Local Planning Scheme No.3 and the subject land may not be used for any other use without prior approval of the City.
3. Prior to the issue of a Building Permit, a Construction Management Plan shall be submitted to the satisfaction of the City. The approved construction shall be observed at all times throughout the construction process to the satisfaction of the City.
4. All landscaping shall be installed and maintained in accordance with the approved landscaping plan dated 20 April 2021, or any modifications approved thereto, for the lifetime of the development thereafter, to the satisfaction of the City.
5. Prior to occupation of the development all fencing/visual privacy screens and obscure glass panels to major openings and unenclosed active habitable areas as annotated on the development plans dated 3 March 2021 and 20 April 2021, shall be screened in accordance with the Residential Design Codes. Screening referred to in c1.1(ii) of the Residential Design Codes Volume 1 is to be in the form of;
6. Fixed obscured or translucent glass to a height of 1.60 metres above finished floor level, or
7. Timber screens, external blinds, window hoods and shutters to a height of 1.6m above finished floor level that are at least 75% obscure.
8. A minimum sill height of 1.60 metres as determined from the internal floor level; or
9. An alternative method of screening approved by the City of Nedlands.

The required setbacks and/or screening shall be thereafter maintained to the satisfaction of the City.

1. Prior to occupation of the development the finish of the parapet walls is to be finished externally to the same standard as the rest of the development in:
2. Face brick;
3. Painted render;
4. Painted brickwork; or
5. Other clean material as specified on the approved plans.

And maintained thereafter to the satisfaction of the City.

1. In accordance with the Australian Standard AS2890.1 (as amended), all car parking and vehicle manoeuvring areas are to maintain adequate circulation space, free of intrusions such as doors and storage areas which do not compromise the minimum parking dimensions required under AS2890.1.
2. The parking bays and vehicle access areas shall be drained, paved, and constructed in accordance with the approved plans and are to comply with the requirements of AS/NZS 2890.1:2004 prior to the occupation or use of the development.
3. All footings and structures shall be constructed wholly inside the site boundaries of the property’s Certificate of Title.
4. All stormwater from the development, which includes permeable and impermeable areas shall be contained onsite.
5. Prior to occupation of the development, all external fixtures including, but not limited to, TV and radio antennae, satellite dishes, plumbing vents and pipes, solar panels, air conditioners, hot water systems and utilities shall be integrated into the design of the building and not be visible from the primary street to the satisfaction of the City.

## Community Services & Development Report No’s CSD05.21 to CSD06.21 (copy attached)

Note: Regulation 11(da) of the *Local Government (Administration) Regulations 1996* requires written reasons for each decision made at the meeting that is significantly different from the relevant written recommendation of a committee or an employee as defined in section 5.70, but not a decision to only note the matter or to return the recommendation for further consideration.

|  |
| --- |
| CSD05.21 Health Workers’ Tribute Project |

|  |  |
| --- | --- |
| **Committee** | 11 May 2021 |
| **Council** | 25 May 2021 |
| **Applicant** | City of Nedlands |
| **Employee Disclosure under section 5.70 of the *Local Government Act 1995***  | Nil. |
| **Executive Manager** | Pat Panayotou – Executive Manager Community |
| **Attachments** | Nil. |
| **Confidential Attachments** | Nil. |

**Committee Recommendation / Recommendation to Committee**

**Council:**

1. **approves the transfer of an additional $20,000 from Council’s Art Reserve Account for expenditure on a consultant to undertake the work involved in commissioning an artwork, rather than purchasing an existing work;**
2. **approves the expenditure of up to $50,000 on the commissioning of the artwork itself (including advertising, artist fees, fabrication, traffic management, foundations, plaque and installation) from the approved 2020/21 Council budget; and**
3. **approves Dot Bennett Park as the site for the Health Workers’ Tribute public art project.**

**ABSOLUTE MAJORITY REQUIRED**

|  |
| --- |
| **CSD06.21 Access Working Group Reviewed Terms of Reference** |

|  |  |
| --- | --- |
| **Committee** | 11 May 2021 |
| **Council** | 25 May 2021 |
| **Applicant** | City of Nedlands |
| **Employee Disclosure under section 5.70 of the *Local Government Act 1995***  | Nil.  |
| **Director** | Pat Panayotou – Executive Manager Community |
| **Attachments** | 1. Current Terms of Reference Access Working Group
2. Proposed Terms of Reference Access Advisory Group
 |
| **Confidential Attachments** | Nil.  |

**Committee Recommendation**

**Council:**

1. **establishes the Access Advisory Group;**
2. **approves the Terms of Reference for the Access Advisory Group, as at Attachment 2 Access Advisory Group Proposed Terms of Reference;**
3. **appoints 2 Council Members being Councillor Horley and Councillor Coghlan to be members of the Access Advisory Group;**
4. **appoints 2 Council Members being Councillor Hodsdon and Councillor Youngman to be deputy members of the Access Advisory Group;**
5. **appoints Councillor Horley to be the Chairperson of the Access Advisory Group; and,**
6. **instructs the CEO to draw Community representatives from members of the community and instructs the CEO to publicly advertise and call for nominations to be received within a defined period. Members are to be appointed by the Council based on demonstrated knowledge, skills and/or understanding relevant to the purpose for which the Access Advisory Group has been established.**

Recommendation to Committee

Council:

1. establishes the Access Advisory Group;
2. approves the Terms of Reference for the Access Advisory Group, as at Attachment 2 Access Advisory Group Proposed Terms of Reference;
3. appoints 2 Council Members being Councillor (insert name) and Councillor (insert name) to be members of the Access Advisory Group;
4. appoints Councillor (insert name) to be the Chairperson of the Access Advisory Group; and,
5. appoints community members Robyn Tsapazi, Eric Moxham and Kerry Revell to be members of the Access Advisory Group.

## Corporate & Strategy Report No’s CPS11.21 (copy attached)

Note: Regulation 11(da) of the *Local Government (Administration) Regulations 1996* requires written reasons for each decision made at the meeting that is significantly different from the relevant written recommendation of a committee or an employee as defined in section 5.70, but not a decision to only note the matter or to return the recommendation for further consideration.

|  |
| --- |
| **CPS11.21 List of Accounts Paid – March 2021** |

|  |  |
| --- | --- |
| **Committee** | 11 May 2021 |
| **Council** | 25 May 2021 |
| **Applicant** | City of Nedlands  |
| **Employee Disclosure under *section 5.70 Local Government Act 1995*** | Nil. |
| **Director** | Andrew Melville – Acting Director Corporate & Strategy |
| **Attachments** | * + - 1. Creditor Payment Listing – March 2021; and
			2. Credit Card and Purchasing Card Payments – March 2021 (28 February - 28 March 2021).
 |
| **Confidential Attachments** | Nil. |

**Committee Recommendation / Recommendation to Committee**

**Council receives the List of Accounts Paid for the months of March 2021 as per attachments.**

# Reports by the Chief Executive Officer

## Monthly Financial Report – April 2021

|  |  |
| --- | --- |
| **Council** | 25 May 2021 |
| **Applicant** | City of Nedlands |
| **Employee Disclosure under section 5.70 Local Government Act 1995 and section 10** | Nil |
| **Director** | Andrew Melville – Acting Director Corporate & Strategy |
| **Attachments** | 1. Financial Summary (Operating) by Business Units – 30 April 2021
2. Capital Works & Acquisitions – 30 April 2021
3. Statement of Net Current Assets – 30 April 2021
4. Statement of Financial Activity –30 April 2021
5. Borrowings – 30 April 2021
6. Statement of Financial Position – 30 April 2021
7. Operating Income & Expenditure by Reporting Activity – 30 April 2021
8. Operating Income by Reporting Nature & Type – 30 April 2021
 |

**Executive Summary**

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. Significant variances are highlighted to Council in the attached Monthly Financial Report.

**Recommendation to Council**

**Council receives the Monthly Financial Report for 30 April 2021.**

**Voting Requirement**

Simple Majority.

**Discussion/Overview**

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

This report gives an overview of the revenue and expenses of the City for the year to date 30 April 2021 together with a Statement of Net Current Assets as at 30 April 2021.

The operating revenue at the end of April 2021 was $33.86m which represents $1.48m favourable variance compared to the year-to-date budget.

The operating expense at the end of April 2021 was $25.94m, which represents $1.32m favourable variance compared to the year-to-date budget.

The attached Operating Statement compares “Actual” with “Budget” by Business Units. The budget figures include subsequent Council approval to budget changes. Variations from the budget of revenue and expenses by Directorates are highlighted in the following paragraphs.

**Governance**

Expenditure: Unfavourable variance of $ (198,201)

Revenue: Unfavourable variance of $ ( 9,262)

The Unfavourable expenditure variance is mainly due to:

* Governance and communications special project expenses of $46k not spent,
* Communications office expenses and Members of Council expenses of $110k not spent yet,
* HR other employee costs of $27k not spent yet,

Small unfavourable revenue variance is due to profiling.

**Corporate and Strategy**

Expenditure: Favourable variance of $ 162,669

Revenue: Favourable variance of $ 63,587

The favourable expenditure variances are mainly due to:

* Corporate services and shared services Professional fees of $105k not spent yet,
* ICT expense of $45k not expensed yet,

The favourable revenue variances are mainly due to:

* Additional Rates income of $78k.
* Offset by lower term deposit interest income of $26k.

**Community Development and Services**

Expenditure: Favourable variance of $ 304,497

Revenue: Favourable variance of $ 1,227,071

The favourable expenditure variance is mainly due to:

* Community Special projects, donations and operational activities of $138k not expensed yet,
* Savings on PRCC salary of $60k due to delay in filling up vacant position,
* Positive ageing other expenses of $18k not expensed yet,
* Nedlands library salary, office and other expenses of $63k not expensed yet.

The favourable income variance is mainly due to:

* Increased fees and charges from Tresillian and PRCC of $186k.
* NCC grant income of $967,083k received in April 2021. While this grant was budgeted for in 2020-21, it was forecast to be received later in the year.

**Planning and Development**

Expenditure: Favourable variance of $ 538,306

Revenue: Favourable variance of $ 135,994

The Favourable expenditure variance is mainly due to:

* Urban Projects expenses of $452k not expensed yet.
* Operational activities of $114k not spent yet.
* Underspent environmental health salaries of $58k due to delay in back-filling vacancies.
* Environmental operation activities $87k not expensed yet.
* Ranger service other expenses of $73k not expensed yet.
* Urban planning salaries over spent by $59k due to unplanned policy work and re-work.
* Planning Professional fees of $75k over expensed as a result of a Council approved un-budgeted expenditure on professional services related to the Woolworths DA appeal including traffic advice, public realm modelling and professional advice.

The favourable revenue variance is mainly due to:

* Increase Building services fees & charges income of $224k.
* Increase fine & penalties from ranger services of 60k.

**Technical Services**

Expenditure: Unfavourable variance of $ (2,133,749)

Revenue: Favourable variance of $ 66,727

The unfavourable expenditure variance is mainly due to:

* Street road & depots and waste maintenance expenditure occurred April 2021. While this expenditure was budgeted for in 2020-21, it was forecast to be made later in the year.
* Due to lower level of capital works completed than budgeted year to date, on cost of $881k has not been costed to projects, hence showing higher operating expenditure.
* This is Offset by Lower Plant expenses of 241k.

The small favourable revenue variance is mainly due to contribution received from Perth Flying squadron Yacht club of $54,545k for landscaping works.

**Borrowings**

As at 30 April 2021, we have a balance of borrowings of $4.48m.

**Net Current Assets Statement**

At 30 April 2021, net current assets were $10.10m compared to $8.19m as at 30 April 2020. Current assets are higher by $4.58m offset by higher current liabilities of $2.96m.

Outstanding rates debtors are $942k as at 30 April 2021 compared to $1.4m as at 30 April 2020. Breakdown as follows:

|  |  |  |  |
| --- | --- | --- | --- |
|  | **30 April 2021****($000)** | **30 April 2020****($000)** | **Variance****($000)** |
| **Rates** | $670 | $974 | -$304 |
| **Rubbish & Pool** | $80 | $80 | -$0 |
| **Pensioner Rebates** | $132 | $271 | -$139 |
| **ESL** | $60 | $89 | -$29 |

**Capital Works Programme**

As at 30 April, expenditure on capital works was $3.6m with additional capital commitments of $1.62k which represents 58% of a total budget of $9.04m.

**Employee Data**

|  |  |
| --- | --- |
| **Description** | **Number** |
| Number of employees (total of full-time, part-time and casual employees) as of the last day of the previous month |  171 |
| Number of contract employees (temporary/agency) as of the last day of the previous month |  8 |
| \*FTE (Full Time Equivalent) count as of the last day of the previous month |  146.50 |
| Number of unfilled employee positions at the end of each month |  28 |

Employee turnover remains high resulting in 28 vacant positions end April and a corresponding reduction of Total Employee numbers from 179 (March) to Total Employee numbers 171 (April). Contract employees (temporary) increased from 4 to 8 in April. Substantive backfilling of roles is in progress with essential positions in various stages of recruitment.

**Conclusion**

The statement of financial activity for the period ended 30 April 2021 indicates that operating expenses are over the year-to-date budget by 5.39% or $1.32m, while revenue is above the budget by 4.58% or $1.48m.

**Key Relevant Previous Council Decisions:**

Nil.

**Consultation**

N/A

**Strategic Implications**

The 2020/21 approved budget is in line with the City’s strategic direction. Our operations and capital spend, and income is undertaken in line with and measured against the budget.

The 2020/21 approved budget ensures that there is an equitable distribution of benefits in the community.

The 2020/21 budget was prepared in line with the City’s level of tolerance of risk and it is managed through budgetary review and control.

The approved budget was based on zero based budgeting concept which requires all income and expenses to be thoroughly reviewed against data and information available to perform the City’s services at a sustainable level.

**Budget/Financial Implications**

As outlined in the Monthly Financial Report.

## Monthly Investment Report – April 2021

|  |  |
| --- | --- |
| **Council** | 25 May 2021 |
| **Applicant** | City of Nedlands |
| **Employee Disclosure under section 5.70 Local Government Act 1995** | Nil. |
| **Director** | Andrew Melville – Acting Director Corporate & Strategy |
| **Attachments** | 1. Investment Report for the period ended 30 April 2021
 |

**Executive Summary**

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

**Recommendation to Council**

**Council receives the Investment Report for the period ended 30 April 2021.**

**Voting Requirement**

Simple Majority.

**Discussion/Overview**

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 at 30 April 2021 and 30 April 2020 the City held the following funds in investments:

|  |  |  |
| --- | --- | --- |
|  |  30-Apr-2021 |  30-Apr-2020 |
| Municipal Funds | $ 7,561,916  |  $ 6,596,388  |
| Reserve Funds | $ 6,211,565 |  $ 7,058,323 |
| Total investments | $ 13,773,482 |  $ 13,654,711 |
|  |  |  |

The City has $5.8m in a Westpac online saver account which returns an interest rate of 0.40% per annum. As this rate is higher than the rates quoted for the term deposits as of end November, the surplus cash is maintained in the Westpac online saver account.

The total interest earned from investments as at 30 April 2021 was $64,125.

The Investment Portfolio comprises holdings in the following institutions:

|  |  |  |  |
| --- | --- | --- | --- |
| **Financial Institution** | **Funds Invested** | **Interest Rate** | **Proportion of Portfolio** |
| NAB | $4,496,363 |  0.18% - 0.45% |  32.16% |
| Westpac | $4,103,000 | 0.21% - 1.05% |  30.00% |
| ANZ | $2,187,409 | 0.10% - 0.20%  |  16.00% |
| CBA | $2,986,710 |  0.12% - 0.31% |  21.84% |
| **Total** | **$13,773,482** |  | **100.00%** |

**Conclusion**

The Investment Report is presented to Council.

**Key Relevant Previous Council Decisions:**

Nil.

**Consultation**

Required by legislation: Yes [ ]  No [x]

Required by City of Redlands policy: Yes [ ]  No [x]

**Strategic Implications**

The investment of surplus funds in the 2020/21 approved budget is in line with the City’s strategic direction.

The 2020/21 approved budget ensured that there is an equitable distribution of benefits in the community.

The 2020/21 budget was prepared in line with the City’s level of tolerance of risk and it is managed through budgetary review and control.

The interest income on investment in the 2020/21 approved budget was based on economic and financial data available at the time of preparation of the budget.

**Budget/Financial Implications**

The April YTD Actual interest income from investments is $64,125 compared to the April YTD Budget of $79,166.

## Future Use of Haldane House, 109 Montgomery Avenue, Mt Claremont

|  |  |
| --- | --- |
| **Council** | 25 May 2021 |
| **Applicant** | City of Nedlands  |
| **Employee Disclosure under section 5.70 Local Government Act 1995**  |  Nil |
| **Executive Manager Community** | Patricia Panayotou |
| **CEO** | Ed Herne, Acting Chief Executive Officer |
| **Attachments** | 1. Map 1. NCC on-site clients.
2. Map 2. All NCC clients
 |
| **Confidential Attachments** | Nil. |

**Executive Summary**

At the Ordinary Meeting of Council 23 March 2021, the Council resolution for report CSD02.21 Future use of Haldane House, 109 Montgomery Avenue, Mt Claremont,

was:

Council defers this item to the April 2021 Council Meeting to allow administration to provide further clarification and information on the items discussed at the Councillor Briefing on 18 March 2021.

At the Ordinary Meeting of Council 27 April 2021, a report was presented to Council in which Administration provided most of the information as requested by Council, as per the Ordinary Meeting of Council 23 March 2021. After discussion and a request for more information, Council decided at the 27 April 2021 meeting:

That Council proceed to the next item of business.

On 11 May 2021, Administration sent all Council Members an email with further information which included:

1. Map 1. NCC on-site clients
2. Map 2. All NCC clients
3. Civic or Community usage of Haldane House

This report provides the two maps above and a summary of the Civic or Community usage of Haldane House document.

There is no request from Administration to relocate the Nedlands Community Care service to Haldane House.

**Recommendation to Council**

**Council:**

1. **directs the CEO to continue provision of all services and activities currently provided on-site at 97-99 Waratah Avenue, Dalkeith;**
2. **directs the CEO to establish Civic/Community specific activities and services, provided by Community Service Centres staff, at 109 Montgomery Avenue, Mt Claremont; and**
3. **approves the transfer of $15,000 from the Welfare Reserve to be included in the 2021/22 Annual Budget for expenditure, for the cost of purchasing** **chairs and tables, resources and kitchen equipment, for members of the community attending Haldane House for activities and events.**

**Voting Requirement**

Simple Majority.

**Discussion/Overview**

Haldane House is a purpose-built respite facility constructed in 1996 utilising funding from Home and Community Care (‘HACC’) capital funding. The facility is located on a portion of Lot 6987 on Deposited Plan 167276, being part of the land contained in Certificate of Title Volume 2115 Folio 135. Lot 6987 was transferred to the City in fee simple by way of Crown Grant Trust in 1992 for the specific purpose of providing Civic/Community Services.

Up to 31 August 2020, Haldane House was leased by The Bethanie Group Inc to provide adult day services to seniors. When the building became vacant, Administration identified an opportunity to transition Social Support – Group services, provided by Nedlands Community Care (NCC), under the Commonwealth Home Support Programme (CHSP) to Haldane House. There are currently 45 clients receiving services and activities on-site at NCC.

Administration no longer seeks to relocate the NCC services to Haldane House and is looking at other options for extending activities and events to engage more sectors of the community.

Council received the following Council Reports, briefing and information session in-line with the opportunity to transition the Seniors Support – Group clients to Haldane House:

* CPS25.20 Future use of Haldane House, 109 Montgomery Avenue, Mt Claremont

Ordinary Meeting of Council 27 October 2020

* Future use of Haldane House

Councillor Briefing on 2 March 2021

* NCC/Haldane House Council Information/Question Session

Councillor Session 18 March 2021

* CSD02.21 Future use of Haldane House, 109 Montgomery Avenue, Mt Claremont

Ordinary Meeting of Council 23 March 2021

* CEO report Future use of Haldane House, 109 Montgomery Avenue, Mt Claremont

Ordinary Meeting of Council 27 April 2021

This report provides further information for Council to assist with the decision as to the future use of Haldane House.

On 11 May 2021, Administration sent all Council Members an email with the following information:

1. Map 1. NCC on-site clients
2. Map 2. All NCC clients (Attachment 2.)
3. Civic or Community usage of Haldane House

The two maps are included as attachments to this report.

Map 1. NCC on-site clients - shows the residential spread of all current City of Nedlands clients who receive services at NCC at 97 Waratah Avenue, Dalkeith. (Attachment 1.)

Map 2. All NCC clients - shows the residential spread of all City of Nedlands clients who are currently registered with NCC and receive in-home support, and/or attend on-site services at the NCC site. Attachment 2.)

At previous Council meetings, there was interest from Council through discussions around the provision of services in the Mt Claremont area. Administration has considered options of services which could be provided at Haldane House, which are in-line with the agreement between the City and the ‘bodies’ who partnered with the City through the provision of the land and the house:

1. The **land** was transferred to the City in ‘fee simple’ by way of Crown Grant Trust in 1992. The original Record of Certificate of Title for the land at 19 Haldane Street (now 109 Montgomery Ave), states the land “be used and held solely for the purpose of a **Civic Centre**”.
2. The **building** was a joint venture between the City and the Department of Health’s Home and Community Care Unit (HACC) and the agreement was that the building be used for **community service** purposes.

Administration seeks to establish a vibrant, interactive and multi-purpose centre for the community, which would be compliant with the usage requirements of the land and building agreements for Haldane House. The opportunity to develop a smaller civic centre style facility which engages the community for their physical, mental and emotional wellbeing for various age groups and target audiences, would meet the civic centre and community service requirements.

The centre would be managed by the Community Service Centres teams:

* Library Services
* Affinity Club (Positive Ageing)
* Seniors Support (Positive Ageing)

The above teams would ‘share’ Haldane House on different days and extend their current activities and events, as well as include new experiences which would be well suited to the venue. There would be no request for extra staff to run the centre – it will be an extension of what staff already do.

Proposed activities and events include:

* The very popular exercise groups for over 55’s (like those provided at Dalkeith Hall)
* Art classes (with qualified instructors)
* Children’s school holiday activities
* Children’s Book Week activities
* Men’s workshop
* Extension of ‘Subjects of Note’ library events
* Community information sessions on issues of concern or interest for seniors e.g., pension matters, changes to government aged care services, healthy eating, identifying and dealing with dementia for family members, etc.
* Quiz nights
* Senior’s BBQs
* ‘Learn how to’ sessions.

There is currently $695,941 in the Welfare Reserve and as Haldane House is completely empty, Administration requests $15,000 from that Reserve, to purchase chairs and tables, resources and kitchen equipment, for members of the community attending activities and events.

Community Service Centres staff will actively pursue any grant funding to assist with the centre’s future operations and development.

**Key Relevant Previous Council Decisions**

CEO report - Future use of Haldane House, 109 Montgomery Avenue, Mt Claremont

Ordinary Meeting of Council 27 April 2021

CSD02.21 - On 23 March 2021, Council deferred the report to the April 2021 Council Meeting to allow administration to provided further clarification and information on the items discussed at the Councillor Briefing on 18 March 2021 as follows:

1. investigate the use of both NCC and Haldane House;

2. the current users of Nedlands Community Care be shown Haldane House and then given a questionnaire asking which facility they prefer Haldane House or Nedlands Community Care;

3. understanding of why expressions of interest for extension of aged care activities were not done;

4. clarifications on comments regarding asset sales and remove it from the report.

CPS25.20 - On 27 October 2020, Council instructed the CEO to commence an investigation into the future use of Haldane House and requested a further report to Council outlining the results of that investigation.

D27.10 – On 25 May 2010, Council agreed to enter into a new Lease Arrangement with The Bethanie Group Inc commencing 1 January 2010 for a period of 10-years with an additional 5-year option.

C35.04 – On 22 June 2004, Council agreed to enter into a new Lease Arrangement with The Bethanie Group Inc (formally known as the ‘Churches of Christ Homes and Community Services Inc’) commencing 1 January 2000 for a period of 10-years.

**Consultation**

Consultation has not been required for the proposal to set up activities and events at Haldane House.

If Council supports Administration’s proposal to provide activities and events at the centre, users will be surveyed. Once the centre is established, the greater community will be surveyed to seek feedback on interest to attend the centre, as well as suggestions on what activities could be provided.

**Strategic Implications**

**How well does it fit with our strategic direction?**

This report meets both the Community’s Vision and the Council’s vision:

“……active, safe, inclusive community enjoying a high standard of local services and facilities”.

It also meets the following strategic priorities:

* High Standard of Services
* Great Communities
* Great Governance and Civic Leadership

**Who benefits?**

Due to the variety of activities and events that will be held at Haldane House, the Nedlands community will benefit.

**Does it involve a tolerable risk?**

Yes - it does involve a tolerable risk.

There are minimal costs involved to set up Haldane House to be able to provide activities and events.

Should Haldane House usage by the City not be thriving and viable down the track, the City has the option to cease operations and to proceed with Expressions of Interest from external community service providers.

**Do we have the information we need?**

Administration has provided as much information as possible to Council on all the requests received.

**Does this affect any CEO Key Result Areas?**

No.

**Budget/Financial Implications**

Haldane House is completely empty and in order to provide any activities there for members of the community, Administration would need to purchase chairs and tables, resources and kitchen equipment, etc. There is a request for $15,000 from the Welfare Reserve which currently has $695,941.

Community Service Centres staff will actively pursue any grant funding to assist with the centre’s future operations and development.

**Can we afford it?**

There is no request or recommendation in this report for significant financial changes that need to be considered as part of the Long Term Financial Plan.

**How does the option impact upon rates?**

There should be no impact on rates due to the low amount of funds requested from Reserve.

**Conclusion**

Administration has recommended to Council through previous reports, that the Social Support – Group services and activities provided to an average of 45 senior clients be transitioned from 97 Waratah Avenue, Dalkeith to Haldane House at 109 Montgomery Drive, Mt Claremont. This is no longer a request from Administration and all services currently provided through Nedlands Community Care will continue at NCC’s current location.

This is an opportunity for the City to utilise one of its own facilities to provide extended services to the community. If the centre were to be leased to an external provider, it could be many years again until the City can access it.

The replication of some Positive Ageing activities that occur in Dalkeith Hall, plus the addition of new activities through the library service and events to reach out to all seniors with guest speakers and information sessions, could see Haldane House as an active, progressive, and engaging place that brings more of the community together.

## Waratah Avenue Precinct Parking Prohibitions

|  |  |
| --- | --- |
| **Council** | 25 May 2021 |
| **Applicant** | City of Nedlands |
| **Employee Disclosure under section 5.70 Local Government Act 1995**  | Nil. |
| **Director** | Jim Duff – Director Technical Services |
| **CEO** | Ed Herne – Acting Chief Executive Officer |
| **Attachments** | 1. Parking Survey Results
2. Existing Parking Prohibition Plan
3. Proposed Parking Prohibition Plan
 |
| **Confidential Attachments** | Nil.  |

**Executive Summary**

This report is being re-presented to Council following Council’s decision at its Ordinary Meeting of 27 April 2021 where Council deferred consideration of this item to this meeting. This report requests the Council approve new parking prohibitions to manage the increased parking demands for residents, businesses and visitors to the Waratah Avenue precinct area.

Increased demand for parking is anticipated in the Waratah Avenue Precinct due to increased building construction activity resulting from the adoption of Local Planning Scheme 3. The City has undertaken a review of existing parking prohibitions and the parking demand along with comprehensive community consultation.

**Recommendation to Council**

**Council:**

**1. approves the parking prohibitions shown on Attachment 3 – Proposed Parking Prohibition Plan to be implemented in May 2021; and**

**2. instructs the CEO to arrange for a parking survey to be undertaken two years following implementation of the parking prohibition to determine if any modifications to the parking prohibitions are required.**

**Voting Requirement**

Simple Majority

**Discussion/Overview**

**Background**

Increased demand for parking is anticipated in the Waratah Avenue Precinct due to increased building construction activity resulting from the adoption of Local Planning Scheme 3. Development Applications for the following properties have been recently approved and are expected to be constructed within the next two years:

* 102 Adelma Road
* 78 Waratah Avenue
* 95A Waratah Avenue
* 116 Waratah Avenue
* 130/132 Waratah Avenue
* 64 Gallop Road

The City has recently received Development Applications for the following properties:

* 12 Phillip Road
* 5 Alexander Road
* 6 Alexander Road

The City will also be undertaking road rehabilitation, and footpath upgrade works along Waratah Avenue between Alexander Road and Adelma Road during 2021/22. Traffic and Parking Management Plans will be developed to minimise any impact on Waratah Avenue businesses. However, some short periods of disturbance are expected during the upgrades.

**Parking Survey**

A parking occupancy survey of the Waratah Avenue commercial area was completed in July 2020 and indicated an average occupancy of 55% and a maximum occupancy of 63%. The results of the parking survey are provided in Attachment 1. The occupancy levels are currently within an acceptable range. However, any increase in demand beyond the current levels will increase the occupancy levels to an unacceptable level which is likely to impact the ability for the general public to visit the businesses on Waratah Avenue.

**Proposal**

The Administration will continue to require builders to address parking as part of their construction management plans. Parking management plans will be assessed and approved by the City’s traffic engineers. However, the City is limited in its ability to encourage and enforce builders to manage their parking on their site without changes to the existing parking prohibitions.

The existing and proposed parking prohibitions are shown in Attachment 2 and Attachment 3, respectively.

The existing parking prohibitions on Waratah Avenue between Alexander Road and Adelma Road are considered appropriate and will not change.

The following roads will be changed from unrestricted to 2P 8am – 5pm Monday – Friday:

* Alexander Road between Neville Road and Watkins Road
* Phillip Road between Robert Street and Adelma Road
* Leon Road between Robert Street and Alexander Road
* Genesta Crescent

The existing unrestricted parking on the north side of Waratah Avenue between Robert Street and Alexander will be changed as follows:

* Embayed parking at 121 and 123 Waratah Avenue to 2P 8am – 5pm Monday – Friday.
* Street parking at 111 to 121 Waratah Avenue to No Parking 8am to 5pm Monday – Friday.

The street parking at 111 to 121 Waratah Avenue will not be changed to 2P because the expectation is that this will have the opposite effect of encouraging street parking. Street parking at this location is not appropriate due to the relatively high traffic volume.

The existing unrestricted parking on Circe Circle North and Circe Circle South, except for the Dalkeith Primary School staff parking section on the north side of Circe Circle South, will be changed to 2P 8am – 5pm Monday – Friday. The existing No Stopping during school hours on the north side of Circe Circle North and the south side of Circe Circle South will be changed to No Stopping 8am – 5pm Monday – Friday.

A parking survey will be undertaken two years following the parking prohibition changes to determine if changes are required.

**Key Relevant Previous Council Decisions:**

Nil.

**Consultation**

Community feedback was sought on the proposed parking prohibition plan, in conjunction with the Waratah Avenue Placemaking Strategy, as both projects required community feedback from similar stakeholders, the residents in Dalkeith and businesses on Waratah Avenue. The community consultation period was between Friday 19 February 2021 to Monday 8 March 2021, in which 2700 notification letters and brochures were issued to residents bounded by the area shown in Figure 1 and provided digitally on Y*our Voice*.



Figure 1: Consultation Area

Opportunities for residents and the wider community to engage with the City and to seek information were provided as follows:

* A letter to the residents/property owners and businesses within the project area to provide information on and seek their thoughts on the proposal.
* Your Voice Nedlands: Online survey, plan of the proposed works, key dates and project team contact details.
* An Information Session held on Thursday 4 March 2021 from 3pm-6pm at the Nedlands Library to discuss the proposal further.

During the consultation period, 112 users viewed the information provided on *Your Voice*. 13 residents and two business owners attended the community information session. No objections were received on the proposed parking prohibitions, either in writing or in person at the community information session.

**Strategic Implications**

**How well does it fit with our strategic direction?**

The Strategic Community Plan includes the following priorities:

* Undertake operational reviews of parking, management, traffic and transport planning
* Monitor parking and plan improvements.

**Who benefits?**

Residents and businesses will benefit as the proposed parking changes will result in improved resident parking amenity and improved general public access to businesses on Waratah Avenue.

**Does it involve a tolerable risk?**

Implementation of the proposed parking changes mitigates the risk of businesses impacted by parking availability.

**Do we have the information we need?**

We have reliable information from the recent parking survey to inform the decision to introduce parking prohibitions. Community consultation has not identified community concerns for the proposed parking changes.

**Budget/Financial Implications**

The cost estimate to supply and install the proposed signs is $25,000.

**Can we afford it?**

The capital cost can be covered by cost savings in the 2020/21 civil maintenance operating budget.

**How does the option impact upon rates?**

There will be no impact on rates.

**Conclusion**

Increased demand for parking is anticipated in the Waratah Avenue Precinct due to increased building construction activity resulting from the adoption of Local Planning Scheme 3. Proposed parking changes have been consulted with the community as part of the Waratah Place Making Strategy. The consultation has not identified any objections or changes.

The Administration, therefore, recommends Council approve new parking prohibitions and instructs the CEO to arrange for a parking survey to be undertaken two years following implementation of the parking prohibition to check if any modifications to the parking prohibitions are required. The cost of the changes is estimated at $25,000.

## Waratah Avenue Placemaking Strategy

|  |  |
| --- | --- |
| **Council** | 25 May 2021 |
| **Applicant** | City of Nedlands |
| **Employee Disclosure under section 5.70 Local Government Act 1995**  | Nil |
| **Director** | Jim Duff – Director Technical Services |
| **CEO** | Ed Herne – Acting Chief Executive Officer |
| **Attachments** | 1. Concept Plan
2. Engagement Report
 |
| **Confidential Attachments** | Nil.  |

**Executive Summary**

This report is being re-presented to Council following Council’s decision at its Ordinary Meeting of 27 April 2021 where Council deferred consideration of this item to this meeting. The report provides Council with the outcomes of the recent community engagement and seek Council’s endorsement of the design of the Waratah Avenue Placemaking Strategy.

Consultation of the proposal was undertaken between Friday 19 February 2021 to Monday 8 March 2021. The City received 30 items of feedback via Your Voice Nedlands, (feedback, survey), emails and submissions which were primarily in favour of the proposal.

Concerns received centred on noise generated from traffic management options provided and potential reduction in car parking spaces. Administration seeks the Council’s endorsement of Administration’s proposed resolution of matters raised in Table 2 and approve the works to be scheduled for implementation in the 2021/22 Capital Works Program.

**Recommendation to Council**

**Council:**

1. **endorses the Concept Plan for the Waratah Avenue Placemaking Strategy presented in Attachment 1;**
2. **endorses the proposed resolution to matters raised in Table 2;**
3. **endorses the medium quality finish option; and**
4. **approves the works to be considered for implementation in the 2021/22 Capital Works Program.**

**Voting Requirement**

Simple Majority.

**Discussion/Overview**

In November 2018, Council endorsed roundabout works to occur at the intersection of Alexander and Waratah Avenue, which were completed in November 2020. Part of the endorsed proposal was to provide a place making strategy for the Waratah Avenue shopping precinct. The place making strategy is intended to reduce vehicle speed, improve safety and amenity for pedestrians and provide visual enhancement within the streetscape environment.

This proposal outlined the following concepts for feedback from the community:

* the provision of a mid-block pedestrian plateau,
* conversion of the Waratah/Genesta intersection into a combined crossover,
* extension of angled parking adjacent to Genesta Park on Waratah Avenue and maintaining right angled parking in Genesta Crescent, and
* Realignment of Waratah Avenue to the south to provide for a wider pedestrian space adjacent to the commercial area.

The Concept plan proposes three options for the level of finish, being a low, medium, and high-quality option. Each of the quality options presented addresses the need to provide a visual and physical cue of the separation between roadway and pedestrian areas. The options create an area that reinforces Waratah Avenue as a pedestrian focused precinct. The different quality options come at different price points with cost increases expected as quality increases.

**Construction Program**

Following Council’s determination of this item, Administration will instruct the Design Consultant to prepare the detailed design drawings and contract documentation with the view to advertising a construction tender in July/August of 2021. Based on receipt of suitable response to the tender, it is envisaged the works will commence around October 2021, with a construction duration estimated at 6-7 months.

**Key Relevant Previous Council Decisions:**

Ordinary Meeting of Council 24 November 2015, Item PD48.15

“Council:

1. Adopts the Waratah Avenue Placemaking Strategy Concept Plan & Report (Attachment 1 & 2)
2. Refers the adopted Concept Plan & Report to Technical Services for implementation.”

Ordinary Meeting of Council 27 November 2018, Item TS26.18

“Council endorses the amended Waratah Avenue Design including the provision of a roundabout at the intersection of Alexander Road (Attachment 1), subject to the number of available car bays being retained.”

**Consultation**

Community feedback was sought on the proposed concept plan from Friday 19 February 2021 to Monday 8 March 2021, in which 2700 notification letters and brochures were issued to residents bounded by the area shown in Figure 1 and provided digitally on Y*our Voice*.



Figure 1: Consultation Area

Opportunities for residents and the wider community to engage with the City and to seek information were provided as follows:

* A letter to the residents/property owners and businesses within the project area to provide information on and seek their thoughts on the proposal.
* Your Voice Nedlands: Online survey, plan of the proposed works, key dates and project team contact details.
* An Information Session held on Thursday 4 March 2021 from 3pm-6pm at the Nedlands Library to discuss the proposal further.

During the consultation period, 112 users viewed the information provided on *Your Voice,* of which 15 engaged within the survey. 13 residents and 2 business owners attended the Information Session and provided feedback in person. The majority of the feedback received was in support of the project.

The following table is a summary of the concerns/comments raised and the City’s response and action taken in relation to each issue:

Table 2. Lists the range of feedback received from the community consultation process.

|  |  |
| --- | --- |
| **Respondent Issue** | **Administration comment** |
| Lack of shade trees | Ornamental trees that were originally proposed in the design, will be substituted where possible for shade trees.  |
| Lack of native trees | Native trees will be substituted into the design where practicable and where such trees will not significantly impact on the ongoing maintenance of the streetscape. |
| Generation of noise from vehicles passing over the raised plateau.  | This has been noted as one of the potential impacts of the proposal.Alternative locations for this raised plateau cannot be facilitated due to the size of the plateau, which is designed to meet Australian Standards, and the location of existing private crossovers, of which the plateau cannot interfere. |
| Limited Parking  | This has been noted as one of the potential impacts of the proposal, where the current design will result in the loss of 6 parking bays. The loss of these bays is accepted based on recent car parking survey data gathered by the City regarding car park use within the precinct |
| Loading bay requirement between Dalkeith Hall crossovers.  | Instruction will be issued to the Designers to investigate inclusion, into the detailed design, of a Loading bay between the crossovers of Dalkeith Hall.  |

There was no clear indication provided from residents on the desired quality of finish. Individual responses ranged broadly from undertaking no works at all, to providing the highest-level finish possible matching that of Claremont Quarter. One responded also suggested that the Dalkeith Hall site could be used to provide underground parking, which is not a matter being considered within the scope this report.

**Strategic Implications**

**How well does it fit with our strategic direction?**

The Strategic Community Plan includes the following objectives:

* Renewal of community infrastructure
* Providing for sport and recreation
* Urban form – protecting our quality living environment.

The proposed upgrade to Waratah Avenue aligns with the City’s Strategic Community Plan objectives and improves the amenity of the area for residents and visitors to the City.

**Who benefits?**

All residents and visitors to the City who frequent the Waratah Avenue precinct will benefit from this project.

**Does it involve a tolerable risk?**

Once approved, the construction works associated with this project are assessed as low and an acceptable risk.

**Do we have the information we need?**

Yes, community consultation results have been analysed and approval is sought to progress with design and construction.

**Budget/Financial Implications**

The following construction estimates in Table 3 have been used within the creation of this report. Note these figures do not include a contingency.

|  |  |  |  |
| --- | --- | --- | --- |
|  | **High Quality Option** | **Medium Quality Option** | **Low Quality Option** |
| Construction Total | 2,348,317 | 2,074,043 | 1,641,354 |
| Carry Over  | 200,000 | 200,000 | 200,000 |
| 21/22 Budget | 2,076,808 | 2,076,808 | 2,076,808 |
| Total Budget  | 2,276,808 | 2,276,808 | 2,276,808 |
| Over/(under) budget | 71,509 | (202,765) | (635,454) |

Table 3: Construction Estimates

**Can we afford it?**

The project can be afforded based on the mid-level quality finish as currently documented. Due to current market conditions within the Perth civil construction industry the tender response may reflect price escalations in the order of 20-30% due to the high demand. Once tender responses are received additional budget may be required and will be noted on the subsequent tender award report to Councl. Should Council elect to install high quality finishes, then this will be a matter for discussion as part of the budgetary process.

**How does the option impact upon rates?**

Based on current capital budget deliberations the timing of the Waratah Placemaking Strategy may require further consideration in terms of the competing priorities and potential impact on rates.

**Conclusion**

The community consultation undertaken as part of the Waratah Place Making Strategy indicates general support for the project. Council needs to provide its direction on the desired level of finish and proposed timeframe for implementation, given the level of competing budgetary demands.

# Council Members Notices of Motions of Which Previous Notice Has Been Given

Disclaimer: Where administration has provided any assistance with the framing and/or wording of any motion/amendment to a Council Member who has advised their intention to move it, the assistance has been provided on an impartial basis. The principle and intention expressed in any motion/amendment is solely that of the intended mover and not that of the officer/officers providing the assistance. Under no circumstances is it to be expressed to any party that administration or any Council officer holds a view on this motion other than that expressed in an official written or verbal report by Administration to the Council meeting considering the motion.

Nil.

# Council Members notices of motion given at the meeting for consideration at the following ordinary meeting on 22 June 2021

Disclaimer: Where administration has provided any assistance with the framing and/or wording of any motion/amendment to a Council Member who has advised their intention to move it, the assistance has been provided on an impartial basis. The principle and intention expressed in any motion/amendment is solely that of the intended mover and not that of the officer/officers providing the assistance. Under no circumstances is it to be expressed to any party that administration or any Council officer holds a view on this motion other than that expressed in an official written or verbal report by Administration to the Council meeting considering the motion.

Notices of motion for consideration at the Council Meeting to be held on 22 June 2021 to be tabled at this point in accordance with Clause 3.9(2) of Council’s Local Law Relating to Standing Orders.

# Urgent Business Approved By the Presiding Member or By Decision

Any urgent business to be considered at this point.

# Confidential Items

Any confidential items to be considered at this point.

# Declaration of Closure

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